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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

VOL. 4. HARRISBURG, PA., THURSDAY, APRIL 12, 1917. No. 37.

HOUSE OF REPRESENTATIVES.

THURSDAY, April 12, 1917.

The House met at 11 o'clock A. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Honorable A. Ramsey S. Black offered the following prayer:

Our Father, Who art in Heaven, in all our work as legislators let us realize that we are not legislating for ourselves, but for the common good of all the people. Help use to realize that our lives are not our own but are Thine. In all our deliberations here this morning help us to be kind and thoughtful of the feelings and opinions of each other.

We ask it in Jesus' name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Spangler, the further reading was dispensed with and the Journal was approved.

PETITION PROTESTING AGAINST PASSAGE OF BILL REQUIRING LICENSE TO FISH.

Mr. BOVEE presented a petition from the citizens of Union City protesting against the passage of a bill requiring persons to take out a license to fish.

Which was referred to the Committee on Appropriations.

BILLS INTRODUCED AND REFERRED.

By Mr. DITHRICH (By request). House Bill No. 1444.

An Act making it unlawful to use or to sell or expose for sale for certain purposes any newly hatched chick, duckling or other bird or fowl and providing penalties for the violation thereof.

Referred to the Committe on Agriculture.

By Mr. POWELL. House Bill No. 1445.

An Act empowering courts of quarter sessions in counties having a population of two hundred and fifty thousand and over, to appoint inspectors to invesgate all places licensed to sell vinous and spiritous, malt or brewed liquored or any admixture thereof; prescribing their duties and fixing their salaries.

Referred to the Commitee on Law and Order.

By Mr. BALDRIDGE. House Bill No. 1446.

An Act authorizing the recording of all instruments of writing affecting title to real estate, and all instruments satisfying, postponing or otherwise affecting mortgages upon any real estate, when such instruments are properly acknowledged or proved; and the entry on the margin of the record of mortgages or receipts, satisfaction, assignments, postponements and any other manner of agreements affecting the same; providng that such instruments or certified copies thereof, and certified copies of such marginal entries may be given in evidence; and validating all such records made prior to the passage of this act.

Referred to the Committee on Judiciary Special.

By Mr. OGDEN. House Bill No. 1447.

An Act giving to the owner of a stallion or jack a lien on the mare served or offspring thereof; and providing for the entering of such lien in the prothonotary's office, and for the enforcement thereof.

Referred to the Committee on Agriculture.

By Mr. McCAIG. House Bill No. 1448.

An Act making an appropriation to B. O. Locke, of Pittsburgh, Pennsylvania, in payment for stenographic service.

Referred to the Committee on Appropriations.

By Mr. OGDEN. House Bill No. 1449.

An Act validating certain borough ordinances and fixing the time within which actions may be brought under such ordinances.

Referred to the Committee on Municipal Corporations.

By Mr. MANGAN. House Bill No. 1450.

An Act relating to the practice in the several courts in this Commonwealth, in proceedings for contempt of court, prescribing the pleadings and procedure to be observed therein, and regulating the enforcements of their final orders.

Referred to the Committee on Judiciary Local.

By Mr. HOWARTH. House Bill No. 1451.

An Act providing for the payment out of the city treasury in cities of the second class, of the salaries of city employes enlisting in the army and navy or called into the service of the United States, and conferring powers upon the council, city controller and city treasurer.

Referred to the Committee on Municipal Corporations.

By Mr. HOWARTH. House Bill No. 1452.

An Act providing for the payment out of the county treasury in certain counties of the salaries of the county employes enlisting in the army and navy or called into the service of the United States; and confering certain powers upon the County Commissioners, county controller and county treasurer.

Referred to the Committee on Municipal Corporations.

By Mr. WYNNE. House Bill No. 1453.

An Act to amend section one of an act approved the fifth day of May one thousand nine hundred eleven, entitled "An Act to amend section one of an act approved June twenty-two, one thousand eigth hundred and ninety-seven, entitled 'An Act to amend section four of an act approved June eight, one thousand eight hundred and eighty-one, entitled "An Act to authorize the erection of a poorhouse by the Township of Jenkins, Borough of Pittston, and Township of Pittston, in the County of Luzerne," approved May eight, one thousand eight hundred and fifty-seven, allowing an increase in the amount of relief that may be granted to paupers not residing in the poorhouse in said district,' authorizing an increase in the amount of relief that may be granted to paupers not residing in the poorhouse in said district."

Referred to the Committee on Counties and Townships.

By Mr. ROSS. House Bill No. 1454.

An Act making an appropriation to the Pennsylvania Historical Society to assist in the erection of a Washington monument or memorial in the City of Pittsburgh.

Refered to the Committee on Appropriations.

By Mr. ALBEE. House Bill No. 1455.

An Act to establish as a State Highway a certain section of public road in the Counties of Potter and Tioga.

Referred to the Committee on Public Roads.

By Mr. REICHENBACKER. House Bill No. 1456.

An Act to provide for the repair and maintenance, or improvement by the proper township, city or borough, of turnpikes heretofore or hereafter appropriated or condemned; or when any turnpike company or association has heretofore abandoned or may hereafter abandon its turnpike or any part thereof; or when any turnpike company or association, owning any turnpike, has heretofore been dissolved or may hereafter be dissolved by proceedings under any existing laws of this Commonwealth.

Referred to the Committee on Public Roads.

By Mr. DRAKE. House Bill No. 1457.

An Act to amend part of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioners and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; confering authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise; in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. SIGGINS. House Bill No. 1458.

An Act providing that public highways through Indian Reservations in the State of Pennsylvania shall be improved and maintained by the State Highway Department as a part of the system of State Highways.

Referred to the Committee on Public Roads.

By Mr. GEARY. House Bill No. 1459.

An Act requiring all domestic corporations of this Commonwealth and all foreign corporations registered and doing business therein, to file annually with the Auditor General of this Commonwealth, a list of the stockholders of such corporations residing in the Commonwealth and the number of shares held by each of them, and requiring the Auditor General to transmit to the County Commissioners of the several counties, a list of such stockholders residing in the respective counties and the number of shares by each held, and imposing penalties upon all corporations refusing or neglecting to make such return.

Referred to the Committee on Corporations.

By Mr. McVICAR. House Bill No. 1460.

An Act to amend section two of an act, entitled "An Act for the better and more impartial selection of persons to serve as jurors, in each of the counties of this Commonwealth."

Referred to the Committee on Judiicary General.

BILLS RE-REFERRED.

By Mr. CROSBY. House Bill No. 981.

An Act to further amend section fourteen of the act, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the tenth day of June, one thousand eight hundred and ninety-three, as amended by an act approved the ninth day of July, one thousand eight hundred and ninety-seven, and as further amended by an act approved the twenty-ninth day of April, one thousand nine hundred and three, by abolishing the party-square on the ballot.

Referred to the Committee on Elections.

By Mr. MARVIN. House Bill No. 1351.

An Act to authorize the Water Supply Commission to build a dike or dikes for the protection of the property in the Borough of Lawrenceville, Tioga County; and making an appropriation therefor.

Referred to the Committee on Appropriations.

By Mr. DELL. House Bill No. 1382.

An Act to increase the food supply of Pennsylvania during the continuance of the present food shortage, by authorizing the Governor to appoint a commission to purchase and distribute certain seeds to farmers and planters; providing for the return of such seeds or its equivalent in cash and for the sale of returned seed; and making an appropriation.

Referred to the Committee on Appropriations.

MR. RININGER IN THE CHAIR.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows

Senate Bill No. 343 (House Bill No. 1461)

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Referred to the Committee on Judiicary General.

Senate Bill No. 687 (House Bill No. 1462)

An Act defining how and when borough and township auditors shall audit borough, township and school accounts; providing for the publication of the same in one or more newspapers of the county, and providing a penalty.

Referred to the Committee on Education.

Senate Bill No. 692 (House Bill No. 1463)

An Act authorizing tenants in common and coparceners of land to pay their proportionate share of the taxes assessed against the land and providing that the sale thereof for unpaid taxes shall not impair or divest the title of those who have paid their respective shares of such taxes.

Referred to the Committee on Judiciary Local.

Senate Bill No. 765 (House Bill No. 1464)

An Act requiring assessors and assistant assessors in boroughs to keep account of days actually employed and make return thereof to county commissioners and fixing their compensation.

Referred to the Committee on Counties and Townships.

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Senate Bill No. 766 (House Bill No. 1465)

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Fields, situate in the Township of Coal near Shamokin, Northumberland County, Pennsylvania, for deficiency in maintenance for the two fiscal years commencing June first, one thousand nine hundred and fifteen.

Referred to the Committee on Appropriations.

Senate Bill No. 771 (House Bill No. 1466)

An Act to amend section one thousand four hundred and five of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith."

Referred to the Committee on Education.

REPORTS FROM COMMITTEES.

Mr. BEYER, from the Committee on Judiciary General, reported as amended House Bill No. 615, entitled

An Act to amend the act, approved the twentieth day of May, one thousand nine hundred and fifteen, entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions;" by extending the provisions thereof to public employes paid out of any public treasury within cities of the first class maintained from taxes collected within such cities.

Mr. CANON, from the Committee on Education, reported as committed House Bill No. 1121, entitled

An Act to amend section fourteen hundred twelve of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" as amended

Mr. ARON, from the Committee on Judiciary Special, reported as committed House Bill No. 751, entitled

An Act to fix the compensation for members of the General Assembly.

Mr. HECHT, from the Committee on Public Buildings, reported as committed House Bill No. 1030, entitled

An Act constituting the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania a commission to act as a joint commission with similar commissions of any other contiguous State or States, or as an independent commission, for the purpose of planning and accomplishing the erection or building of one or more bridges or tunnels, as may be suitable and necessary, over or under any navigable stream or river which is one of the boundaries of this Commonwealth, and providing for the acquisition of ground for the site and approaches of said bridge or tunnel, and for the maintenance of the same by the county or counties wherein it is located.

Mr. BECHTOLD, from the Committee on Manufactures, reported as amended House Bill No. 1323, entitled

An Act creating a Division of Building Inspection within the Department of Labor and Industry, and Divisions of Building Inspection in the third class cities, and providing for the creation of such Divisions in certain of the counties, boroughs and townships of the Commonwealth of Pennsylvania; providing for the promulgation of rules and regulations by the Industrial Board to effectuate the purpose of this act; establishing an Examining and Advisory Committee within the Division of Building Inspection; providing for the appointment of officers and employes for the enforcement of the provisions of this act; defining the authority and powers of said Division of Building Inspection, and Examining and Advisory Committee, and the duties and powers of their officers and employes; providing penalties for the violation of the provisions of this act and of the aforesaid rules and regulations of the Industrial Board; and repealing all acts or parts of acts inconsistent with this act, provided, however, that no acts or parts of acts relating to cities of the first and second class are hereby repealed.

Mr. BALDRIDGE, from the Committee on Judiciary General, reported as amended House Bill No. 682, entitled

An Act concerning townships, and revising, amending and consolidating the law relating thereto.

Mr. CHARLES A. SHAFFER, from the Committee on Appropriations, reported as committed House Bill No. 1243 (Senate Bill No. 650), entitled

An Act making an appropriation to A. K. Cassel for services rendered as Deputy Commissioner in the Dairy and Food Division of the Department of Agriculture.

SPEAKER BALDWIN IN THE CHAIR.

LEAVES OF ABSENCE.

Mr. WALLACE asked and obtained leave of absence for his colleague, Mr. Mitchell.

Mr. COX asked and obtained leave of absence for his colleague, Mr. Milner, on account of sickness.

Mr. SPROWLS asked and obtained leave of absence for his colleagues, Mr. Baker and Mr. McPeake.

RESOLUTION CALLING HOUSE BILL NO. 384 FROM THE GOVERNOR.

Mr. McNICHOL offered the following resolution, which was twice read, considered, and agreed to:

In the House of Representatives, April 12, 1917.

Resolved (if the Senate concur), That House Bill No. 384, entitled "An Act to amend an act approved the fifth day of May, one thousand nine hundred eleven, entitled 'An Act to amend the first section of an act approved the tenth day of May, Anno Domini one thousand nine hundred and seven, entitled "An Act to fix the salaries of the clerk, deputy clerk, court clerks and employes in the office of clerk of the court of oyer and terminer and quarter sessions of the peace of any county of this Commonwealth, having a population of one million or over," so as to make it apply to counties having a population of one million four hundred thousand or over,' " be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 12, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and the House of Representatives providing for the recall of House Bill No. 877, for the purpose of amendment.

MARTIN G. BRUMBAUGH.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 877.

Mr. RICH. Mr. Speaker, I move the vote by which House Bill No. 877, File Folio 1973, entitled

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts.

passed finally be reconsidered for the purpose of correcting a technical error.

Mr. BOVEE. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. RICH. Mr. Speaker, I move that the vote by which House Bill No. 877, File Folio 1973, passed third reading be reconsidered.

Mr. BOVEE. Mr. Speaker, I second the motion.

The motion was agreed to.

MR. RININGER IN THE CHAIR.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. RICH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

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The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 6, line 11, by striking out the word "Lancaster" and inserting in lieu thereof the word "Lawrence."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

HOUSE BILL NO. 691 MADE A SPECIAL ORDER.

Mr. STERN. Mr. Speaker, I move that House Bill No. 691, File Folio 2485, entitled

An Act regulating the practice of drugless therapeutics defining the same creating a board of licensure therefor and means and methods whereby the right to practice drugless therapeutics in any of its branches may be obtained and exemptions therefrom providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith.

on page 17 of to-day's calender, be made a special order of business on third reading on Monday evening at 10 o'clock.

Mr. URICH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 117, as follows:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania.

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof that section one of article eight which reads as follows:

"Section 1 Every male citizens twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject however to such laws requiring and regulating the registration of electors as the General Assembly may enact

"First He shall have been a citizen of the United States at least one month

"Second He shall have resided in the State one year (or having previously been a qualified elector or nativeborn citizen of the State he shall have removed therefrom and returned then six month) immediately preceding the election

"Third He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election

"Fourth If twenty-two years of age and upwards he shall have paid within two years a State or county tax which shall have been assesed at least two months and paid at least one month before the election" be amended so that the same shall read as follows

Section 1 Every citizen male or female of twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject however to such laws requiring and regulating the registration of electors as the General Assembly may enact

First He or she shall have been a citizen of the United States at least one month

Second He or she shall have resided in the State one year (or having previously been a qualified elector or nativeborn citizen of the State he or she shall have removed therefrom and returned then six months) immediately preceding the election

Third He or she shall have resided in the election district where he or she shall offer to vote at least two months immediately preceding the election

Fourth If twenty-two years of age and upwards he or she shall have paid within two years a State or county tax which shall have been assessed at least two months and paid at least one month before the election

Fifth Wherever the words "he" "his" "him" and "himself" occur in any section of article eight of this Constitution the same shall be construed as if wrtiten respectively "he or she" "his or her" "him or her" and "himself or herself"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 736, as follows:

An Act to amend the third section of an act entitled "An Act providing for monthly returns and payments by county and city officers and prothonotaries of the Supreme Court of moneys received by them for the use of the Commonwealth" approved the twenty-fourth day of May one thousand eight hundred and ninety-three providing for proceeding in quo warranto against such officers for failure to file returns

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act entitled "An Act providing for monthly returns and payments by county and city officers and prothonotaries of the Supreme Court of moneys received by them for the use of the Commonwealth" approved the twenty-fourth day of May one thousand eight hundred and ninety-three which reads as follows

"Section 3 The Auditor General or State Treasurer or either of them or any agent appointed by them or either of them are hereby authorized to examine the books and accounts of any county or city officer who shall refuse or neglect to make the return and payments as required by the first section of this act and upon information obtained from such examination the Auditor General and State Treasurer shall settle an account against such officer in the usual manner for the settlement of public accounts and in the settlement of said accounts shall add not to exceed fifty per centum to the amount of the tax to provide for any losses which might otherwise result to the Commonwealth from neglect or refusal of the said officer to furnish the return" be and the same is hereby amended to read as follows

Section 3 The Auditor General or State Treasurer or either of them or any agent appointed by them or either of them are hereby authorized to examine the books and accounts of any county or city officer who shall refuse or neglect to make the return and payments as required by the first section of this act and upon information obtained from such examination the Auditor General and State Treasurer shall settle an account against such officer in the usual manner for the settlement of public accounts and in the settlement of said accounts shall add not to exceed fifty per centum to the amount of the tax to provide for any losses which might otherwise result to the Commonwealth from neglect or refusal of the said officer to furnish the return Provided That if after the Auditor General or State Treasurer has once been required to appoint an agent to examine the books and accounts of any county or city officer and such county or city officer again refuses or neglects to file the reports required by this act it shall be the duty of the Auditor General to certify such refusal of the Attorney General who shall thereupon institute proceedings in quo warranto in the court of common pleas of Dauphin County for the purpose of ousting such delinquent officer from his said office Said proceedings shall be carried on as provided by law for other proceedings in quo warranto and it shall be the duty of the court upon finding that said officer has repeatedly refused to file the reports required by law to oust the encumbent of said office and to declare the same vacant and upon the entry of any such decree the prothonotary of the court of common pleas of Dauphin County shall certify the same to the Governor who shall revoke the commission theretofore issued to said officer and shall fill the vacancy as provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1058, as follows:

An Act authorizing the establishment of contagious disease hospitals in the several counties of the Commonwealth to be constructed and maintained out of county funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act hospitals for the care and treatment of persons suffering from contagious diseases may be constructed and maintained by counties in this Comonwealth

Section 2 Whenever in the opinion of the county commissioners of any county a hospital for the care of contagious diseases appears to be necessary or advisable the said county commissioners may either locate such a hospital on the grounds of the county poor farm or may purchase a suitable location in some other locality provided such locality is not within or close to the built up portion of any city borough or village and not within one hundred (100) feet of any public highway

Section 3 Plans and spicfications may be prapared for such hospital by the county commissioners or at their instance which plans and specifications must be submitted

to the Commissioner of Health of the Commonwealth of Pennsylvania for his approval and must be so approved before the construction of any building is commenced

Section 4 Upon the plans and specifications being approved by the Commissioner of Health the said hospital may be constructed and equipped in the same manner that other county buildings are constructed and equipped and the expense and cost of such construction and equipment paid by the county commissioners out of county funds

Section 5 After such hospital is erected and equipped and ready for occupancy it shall be conducted and maintained by and under the authority of the directors of the poor in the same manner that the county home and other county poor buildings are conducted and maintained

Section 6 All expense incident to the construction and maintenance of contagious disease hospitals established in accordance with the provisions of this act shall be paid out of county funds and no appropriations shall be made to such hospitals by the State

Section 7 In any county in which a hospital for the care and treatment of contagious diseases has been constructed and is being maintained whenever in the opinion of the health authorities either the local board or department of health of any city or borough in such county or the State Department of Health proper quarantine measures cannot be otherwise enforced the said health authorities may for the protection of public health and the prevention of epidemics of disease have authority to remove cases of contagious disease from private residences and other places to such hospital for treatment and isolation during the continuance of such disease

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1151, as follows:

An Act authorizing Frederick E. Windsor of the Borough of Warren County of Warren to sue the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Frederick E. Windsor of the Borough of Warren County of Warren is authorized to bring suit in the Court of common pleas of Dauphin County against the Commonwealth of Pennsylvania for any sum or sums of money that may be legally or justly due the said Frederick E. Windsor arising out of a contract or contracts for the construction and improvement of a certain section of State Highway in Conewango Township Warren County built under State Aid Application Number eleven being now a portion of Route number ninety-four which road was constructed by the method known as Macadam on Telford Base This suit shall be subject to the same rules of pleading and evidence as in order cases between individuals The right to bring suit hereby given shall not preclude the Commonwealth from raising any defense available to it in the suit hereby authorized

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 797, as follows:

An Act fixing the salary of the elevator operators in the State Capitol

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of the twelve elevator operators in the State Capitol appointed by the Superintendent of Public Grounds and Buildings shall be twelve hundred and ninety-six dollars per annum to be paid bimonthly

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. EBY. Mr. Speaker, I move that House Bill No. 797, File Folio 2179, be recommitted to the Committee on Appropriations.

Mr. PHILLIPS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. MILLIRON. Mr. Speaker, I would like to know the purpose.

Mr. EBY. Mr. Speaker, it appears to me that this is a salary raiser, and I believe that all bills of that character should be in the hands of the Appropriation Committee. They appear to be abundantly able to cope with any situation, and I think it would be well to have them look over the bill before we pass it.

Mr. MILLIRON. Mr. Speaker, I desire to interrogate the gentleman from Perry.

The SPEAKER. Will the gentleman from Perry, Mr. Eby, permit himself to be interrogated?

Mr. EBY. Mr. Speaker, yes, sir.

Mr. MILLIRON. Mr. Speaker, I would like to have the gentleman inform the House what committee acted on this bill.

Mr. EBY. Mr. Speaker, I think the Judiciary Special, but I am not sure.

Mr. MILLIRON. Make yourself sure.

Mr. EBY. Mr. Speaker, my impression was that this bill came from the Judiciary Special Committee. For that reason I thought it ought to be put into the Appropriations Committee.

Mr. MILLIRON. Mr. Speaker, since the gentleman is not sure where it came from, I would ask the House to vote no on the motion.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1045 (Senate Bill No. 347), entitled

An Act to amend section one of an act approved the twenty-first day of May, one thousand nine hundred and one, entitled "An Act amending an act, entitled 'An Act to authorize the councils of the cities of the first class of the Commonwealth to appropriate annually a sum, not exceeding five hundred dollars, for the support and maintenance of each company of the National Guard using and occupying an armory, building, room or quarters within said cities, in addition to the annual appropriation by the Legislature,' approved the twenty-fourth day of May, Anno Domini one thousand eight hundred and eighty-seven, by extending the provisions of said act to cities of the second and third class," by authorizing appropriations to batteries of artillery and regimental sanitary detachments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 882, as follows:

An Act providing for a Statistician in the Department of Mines and fixing the salary.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Chief of the Department of Mines shall have authority to appoint a statistician in said Department at an annual salary of two thousand dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 888, as follows:

An Act fixing the salaries of certain employes in the Department of Mines

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That instead of the five clerks at a salary of fourteen hundred each per annum and one messenger at a salary of twelve hundred per annum now employed in the Department of Mines the Chief of said Department is authorized after the thirty-first day of May Anno Domini one thousand nine hundred and seventeen to appoint six clerks at an annual salary of sixteen hundred dollars each which salaries shall be paid upon warrant drawn by the Auditor General upon the State Treasurer

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1221 (Senate Bill No. 320), entitled

An Act amending sections one three four seven ten eleven and repealing section eight of an act entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be collector of the said several taxes prescribing his duties and fixing his compensation" approved the twentieth day of June Anno Domini one thousand nine hundred one.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 941 (Senate Bill No. 265), as follows:

An Act authorizing Ida Collins a resident of Somerset County in her own right and in the right of her minor children to bring suit in the court of common pleas of Somerset County against the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Ida Collins a resident of Somerset County in the right of herself and in the right of her minor children is authorized to bring suit in the court of common pleas of Somerset County against the Commonwealth of Pennsylvania for any sum or sums of money that may be legally or justly due the said Ida Collins in her own right or in the right of her minor children arising out of the death of Wilbert Collins husband of the said Ida Collins and father of her said minor children while the said Wilbert Collins was driving along the State highway in Somerset County near Meyersdale

Section 2 Such suit shall be subject to the same rules of practice pleading and evidence as in other and similar cases between individuals and the defences open to the Commonwealth shall be such as would be available to an individual if sued upon like facts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 939 (Senate Bill No. 259), as follows:

An Act authorizing Lee Greenleaf a resident of the Borough of Canton Bradford County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Lee Greenleaf a resident of the Borough of Canton Bradford County Pennsylvania is authorized to bring suit against the Commonwealth of Pennsylvania either in law or equity in the court of common pleas of Dauphin County for any sum or sums of money that may be legally or justly due the said Lee Greenleaf by the Commonwealth by reason of injuries received in an accident which occurred on the State Highway leading from Williamsport to Ralston in Lycoming County Pennsylvania on the fifteenth day of October Anno Domini one thousand nine hundred and sixteen

Section 2 The suit hereby authorized shall be subject to the same rules of practice pleading and evidence as in other and similar cases between individuals and the defences open to the Commonwealth shall be such as would be available to an individual if sued upon like facts

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1203 (Senate Bill No. 474), entitled

An Act to validate tax liens filed since the twenty-first day of May, one thousand nine hundred and thirteen, under the provisions of an act approved the fourth day of June, one thousand nine hundred and one, entitled "An Act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances, the procedure upon claims filed therefor, the methods for preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales."

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1201 (Senate Bill No. 276), entitled

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred fifteen, entitled "An Act providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs."

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1211 (Senate Bill No. 19), entitled

An Act fixing the penalty for murder of the first degree and repealing inconsistent legislation.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1215 (Senate Bill No. 489), entitled

An Act to amend an act approved May first, one thousand nine hundred and nine, entitled "An Act regulating, requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving picture machines; regulating, requiring and defining certain general specifications for the use and construction of portable booths for operating therein moving picture machines; providing for the promulgation of rulings by the Industrial Board of the Department of Labor and Industry and providing for appeal to the said Industrial Board and providing for the supervision and inspection of the said booths or enclosures by the Department of Labor and Industry of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act of May first one thousand nine hundred and nine which reads "That it shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any permanent booth or enclosure for the purpose of operating therein moving-picture machines unless they are built erected and constructed as follows

Size

"All permanent booths or enclosures to be at least seven feet high the floor space to vary according to the number of machines in booths or enclosures as follows

One picture machine six feet by eight feet

One picture machine and one stereopticon nine feet by eight feet

Two picture machines and one stereopticon twelve feet by eight feet

The same to be made of structural steel as follows

Four outside horizontal members at top and bottom

Four corner uprights and members supporting roof to be made of one and one-half inch by one and one-half by one-fourth inch angle-irons

Intermediate uprights to be spaced every two feet and to be made of either one and one-half inch by one and one-half inch by one-fourth inch angle-iron or two inch by two inch by one-fourth inch tee-irons

Tee-irons to which roof is attached to be made of one and one-half inch by one and one-half inch by three-sixteenth inch tee-irons

All joints to be made with a three-sixteenth inch steel plate to which each angle-iron or tee-iron shall be riveted or bolted by the use of at least two (2) one-fourth inch bolts or rivets

All bolts or rivets in frame to have flat heads said heads always to be placed on exterior side of booth all angle or tee-irons being so countersunk as to accomplish this result

Frame to be built with a six-foot by two-foot doorway frame of said doorway to be built of one inch by one inch by three-sixteenth inch angle-irons which are to be joined together by the use of a three-sixteenth inch

Covering of Booth

"Sides and top of booth to be covered with asbestos boards of at least one-fourth inch in thickness said boards to be cut and arranged that vertical joints between boards shall always come over an angle or tee-iron so that both boards may be securely fastened to the same

After booth is complete all openings where combustible material is exposed must be plugged with asbestos cement or other equally substantial material When joints of asbestos boards on outside of booth do not come over angles of tee-irons the cracks between the boards shall be covered by a strip of asbestos board at least one-eighth inch thick and two inches wide said strips to be securely fastened to both boards in such manner as to cover the exposed joints The above-mentioned strips and all asbestos boards shall be secured in the proper place by the means of proper bolts and nuts said bolts and nuts to be spaced not more than six inches apart

Flooring

"Floor shall be made of two parts an upper and a lower floor Lower floor shall be made of boards seven-eighths inches minimum thickness supported on lower leg of horizontal angle-iron Resting on this floor shall be a floor made of asbestos boards of three-eight inch minimum thickness or an equally good material

Windows

"There shall not be more than two windows per machine in the booth—one for the operator and one for the machine Window for machine shall not be more than six inches high and twelve inches long and shall be located and cut after machine is set up Operator's window shall not be more than four inches wide or more than twelve inches high

All windows shall be provided with gravity-doors which when closed shall overlap the window opening at least one inch on all sides said doors to be held open normally by use of a fine combustible cord in series with a fusible link so arranged that the doors may easily be released by hand

Main Door

"Outside of door to be provided with a substantial spring sufficient to keep door closed Door to be provided with stop to prevent it from swinging into booth or injuring the hinges

Shelves

"To be made up of slate slabs or board not less than seven-eighth inches thick not exceeding four feet in length or twelve inches in width Said shelves if of board to be painted with at least three coats of asbestos paint and supported by means of angle-irons Upper shelf to be used for the rewinding and the repairing of films the lower shelf to be used for the storage of films A separate metal case made without solder shall be provided for each film when the same is not in the magazine or in the process of winding said films to be kept in these cases

Ventilation

"Booths to be provided with an inlet in each of four sides said inlets to be fifteen inches long three inches high the lower side of the same not to be more than three inches above floor level Said inlets to be covered on the inside by a wire net of not greater than one-eighth inch mesh netting to be firmly secured to the asbestos boards by means of iron strips and screws

Near the center of the top of the booth shall be a circular opening of not less than ten inches in diameter the upper side of said opening to be provided with an iron flange which flange is to be securely fastened to the tee-irons supporting the roof Securely fastened to this flange shall be a vent-pipe not less than ten inches in diameter said pipe leading to the outside of the building or to a special incombustible vent-flue In this vent-pipe shall be a box containing a twelve-inch electric fan said box to be provided with a door of sufficient size to permit of the examination or removal of this fan this door to be made tight and provided with proper fastenings Box and vent-pipes to be made of galvanized iron or other non-combustible material fan to be so connected that it can be controlled from within the booth

Wiring

"If house lights are controlled from within the booth an additional emergency control must be provided near the main exit and kept at all times in good condition

All electric wires to be brought in to the booth and carried to all machines lights et cetera in conduits one light will be allowed for each machine and one for the rewinding-bench but all such lights shall be provided with wire guards

Rheostats

"All rheostats to be mounted on slate insulator properly supported said supports to be made of iron and securely fastened to the floor rheostats to be securely fastened to slate insulator

Machines

"Must be securely fastened to the floor to prevent accidental overturning of the same Provided That this section shall not apply to cities of the first and second classes" be amended to read as follows

Section 1 That in all theatres and opera houses where moving pictures are exhibited and in all other buildings where moving pictures are usually or regularly exhibited or where a moving picture machine is regularly housed and held in readiness for the purpose of exhibiting moving pictures there shall be provided a permanent booth or enclosure of fireproof construction and all moving picture machines and stereopticons operated or used in connection therewith shall be installed maintained and kept within the said booth or encluosure at all times and all moving picture films exhibited stored held or used in connection therewith shall be stored and kept within the said booth or enclosure at all times and in such manner as is hereinafter provided

It shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any permanent booth or enclosure for the purpose of operating therein moving picture machines unless such booth or enclosure is built erected constructed and maintained as follows

Size

All permanent booths or enclosures shall be at least seven feet high and the floor space shall vary according to the number of machines in such booths or enclosures as follows

One picture machine six feet by eight feet

Two picture machines or one picture machine and the stereopticon nine feet by eight feet

Three picture machines or two picture machines and one stereopticon twelve feet by eight feet

Such booths or enclosures shall be made of structural steel as follows

Four outside horizontal members at top and bottom

Four corner uprights and members supporting roof to be made of one-and-one-half inch by one-and-one-half inch by one-fourth inch angle-irons

Intermediate uprights shall be spaced every two feet and shall be made either of one-and-one-half inch by one-and-one-half inch by one-fourth in changle-irons or of two inch by two inch by one-fourth inch tee-irons

Tee-irons to which roof is attached shall be made of one-and-one-half inch by one-and-one-half inch by three sixteenth inch tee-irons

All joints shall be made with a three sixteenth inch steel plate to which each angle-iron or tee-iron shall be rivited or bolted by the use of at least two (2) one-fourth inch bolts or rivets

All bolts or rivets in frame shall have flat heads and said heads shall always be placed on the exterior side of the booth or enclosure and all angle-irons and tee-irons shall be so countersunk as to accomplish this result

The frame of the booth or enclosure shall be provided with a doorway six feet high by two feet wide The frame of the doorway shall be bulit of one inch by one inch by three-sixteenth inch angle-irons which shall be joined together by the use of a three-sixteenth inch steel plat

Covering of Booth

The sides and top of booth shall be covered with asbestos boards of at least one-fourth inch in thickness and said boards shall be cut and arranged in such manner that all vertical joints between boards shall always come over an angle-iron or tee-iron so that both boards may be securely fastened to such angle-irons or tee-irons

After the booth is complete all openings where combustible material is exposed must be plugged with asbestos cement or with other equally satisfactory material Where joints of asbestos boards on the outside of the booth do not come over angle-irons or tee-irons the cracks between the boards shall be covered by a strip of asbestos board at least one-eighth inch thick and two inches wide Such strips shall be securely fastened to both boards in such manner as to cover the exposed joints The above mentioned strips and all other asbestos boards shall be secured in the proper place by means of proper bolts and nuts and all such bolts and nuts shall be spaced not more than six inches apart

Flooring

The floor of the booth shall be made of two parts an upper and a lower floor The lower floor shall be made of boards of seven-eights inch minimum thickness supported on the lower legs of the horizontal angle-irons Resting on this floor there shall be a floor made of asbestos boards of three-eighth inch minimum thickness or an equally good fireproof material

Provided That such permanent booths or enclosures may be constructed of concrete brick or hollow tile in a substantial manner provided the herein prescribed regulations as to size windows door shelves ventilation wiring rheo-

stats machines and all other structural features and equipment are fully met observed and furnished and that no wood or other conbustible material shall be used in the construction of such booths

Windows

There shall be not more than two windows per machine in the booth one for the operator and one for the machine The window for the machine shall be not more than six inches high and twelve inches long and shall be located and cut after the machine is set up The operators window shall be not more than four inches wide or more than twelve inches high

All windows in the booth shall be provided with gravity-doors which when closed shall oerlap the window opening at least one inch on all sides Such gravity-doors shall be held open normally by use of a fine combustible cord in series with a fusible link directly over each machine and so arranged that the doors may easily be released by hand

Main Door

The main door of the booth shall be provided with substantial spring hinges and heavy steel spring or springs sufficient to keep door closed and said door shall be kept closed at all times The door frame shall be provided with a stop to prevent the door from swinging into the booth or injuring the hinges

Shelves

Two shelves shall be permitted in the booth each of which shall not exceed four feet in length or twelve inches in width Such shelves shall be made up of slate slabs or boards of not less than seven-eighth inch thickness and shall be substantially supported by means of angle-irons If such shelves are made of boards they shall be painted with at least three coats of asbestos paint Additional wooden shelves or cupboards shall not be installed

Film Cases

A separate fireproof metal case made without solder shall be provided for each individual film and such film cases shall be tightly closed at all times Each film shall be kept in one of such cases at all times when the same is not in the magazine of the machine or in the process of re-winding

Ventilation

Each booth shall be provided with an inlet in each of four sides Such inlets shall be fifteen inches long and three inches high and the lower side of each shall be not more than three inches above the floor level Such inlets shall be covered on the inside by a wire net of not greater than one-eighth inch mesh netting and the wire net shall be firmly secured to the asbestos boards or walls of the booth by means of iron strips and screws

Near the centre of the top of the booth there shall be a circular opening of not less than ten inches or more than twelve inches in diameter The upper side of said opening shall be provided with an iron flange which flange shall be securely fastened to the tee-irons supporting the roof Securely fastened to this flange shall be a vent-pipe of not less than ten inches or more than twelve inches in diameter Such vent-pipe shall lead directly to the outside of the building or to a special incombustible vent-flue and shall be provided with asbestos or other approved non-combustible fireproof material wherever such pipe shall pass through the roof of the building or wherever such pipe shall pass through or come within six inches of any combustible material Into this vent-pipe shall project by means of an elbow pipe a secondary metal pipe which shall be four inches in diameter and which shall enter the main vent-pipe from outside the booth and where such secondary pipe passes into the main pipe a metal flange shall be provided To the outside end of the four inch pipe there shall be connected a motor driven blower with a capacity for exhausting fifty cubic feet of air per minute Leading to this motor driven blower there shall be an air inlet pipe of five inches in diameter and such air inlet pipe shall be so arranged that the air shall be taken from without the booth All vent-pipes shall be made of galvanized iron or other non-combustible material and shall be connected without the use of solder The motor of the motor driven blower shall be connected to the electric circuit which controls the exit lights and such electric circuit shall be independent of the main electric circuit which controls the house lights and the said motor shall be so connected that it shall be controlled only from the switch controlling the said exit lights

Provided That nothing in this section shall interfere with vent-pipes and electric fans installed prior to the enactment of this act and in strict accordance with the regulations and specifications prescribed by the provisions of the act of May first one thousand nine hundred and nine and approved by the proper authorities

Wiring

Where the house lights are controlled from within the booth an additional emergency control shall be provided near the main exit and maintained at all times in good condition

All electric wires shall be brought into the booth and carried to all machines lights et cetera in conduits There shall be permitted one electric lamp for each machine and one electric lamp for the re-winding bench and all such lamps shall be provided with wire guards All electric wiring and electric equipment shall conform with the rules and regulations of the National Board of Fire Underwriters

Rheostats

All rheostats shall be mounted on and securely fastened to slate insulators Such insulators shall be rigidly supported by means of angle-rion supports which shall be securely fastened to the angle-irons or tee-irons in the roof or side of the booth in such a manner that the rheostats shall be as near as practical to the ceiling of the booth

Provided That wherever practical rheostats may be put up outside of the booth Where rheostats are placed outside of the booth they shall be properly enclosed and mounted on slate insulators in a manner approved by the Department of Labor and Industry

Machines

All moving picture machines and stereopticons shall be securely fastened to the floor and all moving picture machines shall be provided with automatic shutters

Fire Protection

Every moving picture booth shall be provided with not less than one approved one-quart fire extinguisher of the pump type There shall be provided also one twelve quart bucket of sand for each machine in the booth and one small metal fireproof can with self-closing cover The booth shall be kept free of loose ends or strips of film paper oils rags and all other rubbish It shall be unlawful for any person to smoke or strike matches within the booth

It shall be unlawful for any operator to leave the booth while a moving picture machine under his control is in operation

Provided That this section shall not apply to cities of the first and second classes

On the question,

Will the House agree to the section?

Mr. EDGAR R. SMITH. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 12, line 23, by striking out "noramlly" and inserting in lieu thereof "normally."

Amend section 1, page 5, line 7, by inserting "steel plate" after "inch."

Amend section 1, page 9, line 3, by striking out "movng" and inserting in lieu thereof "moving."

Amend section 1, page 10, line 28, by striking out "dorway" and inserting in lieu thereof "doorway."

Amend section 1, page 12, line 21, by striking out "oerlap" and inserting "overlap."

Amend section 1, page 3, by striking out line 21 and the following of line 22 "hundred and nine which reads" and inserting in lieu thereof the following:

"So much of section one of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred forty-six) entitled "An Act regulating, requiring and defining certain general specifications for the use and construction of permanent booths or encloures for operating therein moving-picture machines; regulating, requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes" which reads as follows:

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person, firm, association or corporation to erect, set up, construct, maintain or use any permanent booth or enclosure for the purpose of operating therein moving-picture machines unless they are built, erected and constructed as follows:

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section two of this act which reads as follows

Section 2 "That it shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any portable booth or enclosure for the purpose of operating therein moving picture machines unless they are built erected and constructed as follows

Size

"Portable booths or enclosures are to be at least six and one-half feet high and five feet square and are permitted for the use of one picture machine only

Frame

"The frame is to be made of standard pipe angle-iron ventilator trap and suitable fittings The pipe frame and angle-iron trap are to conform strictly to specifications

hereinafter set forth and the fittings and details of construction must be approved by the Department of Factory Inspection of the Commonwealth of Pennsylvania

Skeleton Frame

"Four corner uprights to be made of three-quarter inch standard pipe

Eight horizontal members to be made of three-quarter inch standard pipe

Eight corner fittings to be made of iron or bronze castings

Ventilator Trap

"Ventilator trap to be made of one inch by one-eighth inch angle-iron shall extend full width of the top and two inches beyond the front of the top pipe shall be suitably hinged not less than two feet from the edge of the front angle corners and joints to be made with one-eighth inch steel plates riveted or bolted to each angle-iron by the use of at least two three-sixteenths inch rivets or bolts

Covering of Booth

"The side and top covering of the booth shall be made of an approved pure asbestos cloth same as used for asbestos curtains weighing not less than two pounds to the square yard Seams and hems in the asbestos cloth shall lap at least one inch and be stitched on each edge with asbestos sewing twine The top covering shall be made separate from the side covering It shall completely cover the top and have the outside flap hang down all around the sides not less than six inches deep It shall be fastened tightly and secured to the top pipes and ventilator trap by means of asbestos cords The side covering shall be made in one piece extending around all four sides and overlapping at the rear of the booth not less than eighteen inches so as to form a flap doorway The side covering shall extend from top pipes to which it shall be suspended by approved metal hoo s or rings spaced not more than twelve inches apart to the floor with a flap of not less than three inches all around resting on the floor The metal hooks or rings for suspending the side covering shall be attached to the hem of the cloth by means of a metal strap and two rivets The side covering shall be drawn down tight and secured to the bottom pipe frame by means of asbestos tie cords The cloth covering for top and sides must at all times be kept free from rents or holes and be maintained in good condition

Door

"The side covering shall overlap eighteen inches in the rear of the booth This oerlap shall extend from top to bottom and shall be so arranged as to form a means of entrance and egress

Flooring

"The frame shall be placed on a mat or carpet made of approved asbestos cloth not less than seven feet square This mat must be spread out smoothly on a substantial floor or platform so that it shall extend one foot from the frame on all sides This mat must at all times be kept free from rents or holes and in good condition

Ventilation

"The top of the frame shall be fitted at the rear with a hinged ventilator trap as described in foregoing section of frame The asbestos cloth top covering shall be so arranged and so attached to the frame that when the hinged trap is raised the asbestos covering shall be raised also in the rear Suitable devices shall be supplied for maintaining this ventilator trap in a lifted position so as to form a clear ventilating space at the rear of not less than six inches high extending across the full width of the booth

Windows

"The look-out window for the operator shall be not more than four inches wide and twelve inches high The windows for the machine shall not be more than six inches high and twelve inches long All windows shall be located and cut after machine is set up

The opening shall be cut in the cloth with care and the edges reinforced by stitched hem of asbestos cloth they shall be provided with asbestos flaps securely stitched at the top of the openings These flaps when closed shall overlap the window opening at least two inches on the bottom and sides and shall be weighted across the bottom edge by a piece of three-eighth inch pipe or equal weight of metal securely sewed in the pocket in the cloth

Window Shutters and Ventilator Trap

"The window flaps or shutters are to be held open **normally by the use of a fine combustible cord** The hinged ventilator trap is to be raised for ventilation not more than six inches at the rear and shall be held open by a collapsible prop sustained by fine combustible cord The cord from the window shutters and the ventilator prop shall be in series with a fusible link and also approved tension clip so arranged that the automatic opening of the link or release of the tension clip by the operator will insure the immediate closing of all openings by the dropping of the flaps and the ventilator trap This fusible link and tension clip shall be arranged in a position directly over the machine within reach of the operator

Provided however That portable booths or enclosures shall not be permitted to be used in any theatre or public hall in which permanent booths or enclosures have been installed it being the intention of this section that portable booths or enclosures shall be used only for temporary exhibitions of moving-pictures in places of assemblage such as schools churches association halls lodge rooms theatres without permanent booths Provided That this section shall not apply to cities of the first and second classes" be amended to read as follows

Section 2 That in all buildings where moving pictures are exhibited and where a permanent booth or enclosure is not required by section one of this act there shall be provided a portable booth or enclosure of fireproof material

It shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any portable booth or enclosure for the purpose of operating therein a moving picture machine unless said portable booth or enclosure is built erected and constructed as follows

Size

Portable booths or enclosures shall be at least six and one-half feet high and five feet square and shall be permitted for the use of one picture machine only

Frame

The frame shall be made of standard pipe angle-iron ventilator trap and suitable fittings The pipe frame and angle-iron trap shall conform strictly to specifications hereinafter set forth and the fittings, and details of construction shall be approved by the Department of Labor and Industry of the Commonwealth of Pennsylvania

Skeleton Frame

There shall be four corner uprights to be made of three-quarter inch standard pipe

Eight horizontal members to be made of three-quarter inch standard pipe

Eight corner fittings to be made of iron or bronze castings

Ventilator Trap

The ventilator trap shall be made of one inch by one-eighth inch angle-iron shall extend full width of the top and two inches beyond the front of the top pipe shall be suitably hinged and not less than two feet from the edge of the front angle corners and joints shall be made with one-eighth inch steel plates riveted or bolted to each angle-iron by the use of at least two three-sixteenths inch rivets or bolts

Covering of Booth

The side and top covering of the booth shall be made of an approved pure asbestos cloth same as used for asbestos curtains weighing not less than two pounds to the square yard Seams and hems in the asbestos cloth shall lap at least one inch and be stitched on each edge with asbestos sewing twine The top covering shall be made separate from the side covering It shall completely cover the top and have the outside flap hang down all around the sides not less than six inches deep It shall be fastened tightly and secured to the top pipes and ventilator trap by means of asbestos cord The side covering shall be made in one piece extending around all four sides and overlapping at the rear of the booth not less than eighteen inches so as to form a flap doorway The side covering shall extend from top pipes to which it shall be suspended by approved metal hooks or rings spaced not more than twelve inches apart to the floor with a flap of not less than three inches all around resting on the floor The metal hooks or rings for suspenling the side covering shall be attached to the hem of the cloth by means of a metal strap and two rivets The side covering shall be drawn down tight and secured to the bottom pipe frame by means of asbestos tie cords The cloth covering for top and sides must at all times be kept free from rents or holes and be maintained in good condition

Door

The side covering shall overlap eighteen inches in the rear of the booth This overlap shall extend from top to bottom and shall be so arranged as to form a means of entrance and egress

Flooring

The frame shall be placed on a mat or carpet made of approved asbestos cloth not less than seven feet square The mat must be spread out smoothly on a substantial floor or platform so that it shall extend one foot from the frame on all sides This mat must at all times be kept free from rents or holes and in good condition

Ventilation

The top of the frame shall be fitted at the rear with a hinged ventilator trap as described in foregoing section of frame The asbestos cloth top covering shall be so arranged and so attached to the frame that when the hinged trap is raised the asbestos covering shall be raised also in the rear Suitable devices shall be supplied for maintaing this ventilator trap in a lifted position so as to form a clear ventilating space at the rear of not less than six inches high extending across the full width of the booth

Windows

The look-out window for the operator shall be not more than four inches wide and twelve inches high The windows for the machine shall not be more than six inches high and twelve inches long All windows shall be located and cut after machine is set up

The opening shall be cut in the cloth with care and the edges reinforced by stitched hem of asbestos cloth they shall be provided with asbestos flaps securely stitched at the top of the openings These flaps when closed shall overlap the window opening at least two inches on the bottom and sides and shall be weighted across the bottom edge by a piece of three-eighth inch pipe or equal weight of metal securely sewed in the pocket in the cloth

Window Shutters and Ventilator Trap

The window flaps or shutters shall be held open normally by the use of a fine combustible cord The hinged ventilator trap shall be raised for ventilation not more than six inches at the rear and shall be held open by a collapsible prop sustained by fine combustible cord The cord from the window shutters and the ventilator prop shall be in series with a fusible link and also approved tension-clip so arranged that the automatic opening of the link or release of the tension clip by the operator will insure the immediate closing of all openings by the dropping of the flaps and the ventilator trap This fusible link and tension clip shall be arranged in a position directly over the machine within reach of the operator

Provided however That portable booths or enclosures shall not be permitted to be used in any theatre or public hall in which permanent booths or enclosures have been installed it being the intention of this section that portable booths or enclosures shall be used only for temporary exhibitions of moving-pictures in places of assemblage such as schools churches association halls or lodge-rooms without permanent booths Provided That this section shall not apply to cities of the first and second classes

On the question,

Will the House agree to the section?

Mr. EDGAR R. SMITH. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 17, line 8, by striking out "this" and inserting in lieu thereof "said."

Amend section 2, page 19, line 4, by striking out "hoos" and inserting in lieu thereof "hooks."

Amend section 2, page 23, line 2, by striking out "ot" and inserting in lieu thereof "of."

Amend section 2, page 23, line 24, by striking out "suspenling" and inserting "suspending."

Amend section 2, page 24, line 23, by striking out "maintaing" and inserting in lieu thereof "maintaining."

Following the word "booths," in line eight, page twenty-six, section two shall read as follows:

"And provided, That no licensed operator or booth shall be required for any moving-picture exhibition in which the apparatus for projecting such moving-pictures uses only an enclosed incandescent lamp, and only cellulose acetate or other slow-burning films of a size and perforation differing from the standard as used in regular licensed theatres, moving-picture theatres, or other similar establishments, providing such exhibition is approved by the State or municipal authorities having jurisdiction.

"And provided further, That this section shall not apply to cities of the first and second classes."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 That section three of this act which reads as follows

Section 3 "It shall be the duty of the Department of Factory Inspection by and through its Chief Factory Inspector his deputy or deputies to take such means as it may deem necessary to enforce the provisions of this statute It shall be the duty of said Chief Factory Inspector his deputy or deputies within a reasonable time after the approval of this act to inspect all booths or enclosures in which moving pictures are now being operated and should any be found in a dangerous condition in that they lack adequate fire protection he or they shall immediately order the abatement and discontinuance of such use of such booth or enclosure The owner agent superintendent person or persons in charge and control of said booth or enclosure shall abate and discontinue the use of same within ten days after the service of the notice of abatement or discontinuance Any such person or persons who shall fail to comply with the said order of abatement or discontinuance so issued as aforesaid shall be deemed guilty of a misdemeanor and on conviction shall be punished by a fine of not less than twenty-five dollars and not more than five hundred dollars or an imprisonment in the county jail for a term of not less than ten days nor more than ninety days within the discretion of the court for each and every such violation" be amended to read as follows

Section 3 Any person who shall believe the specifications set forth in section one and two of this act will work unnecessary hardship upon him or do not in the best manner provide for the safety and health of the operators of the moving picture machines or users of a building as described in the foregoing sections of this act may appeal to the Industrial Board of the Department of Labor and Industry for relief The said Industrial Board may after due investigation of the ground for such appeal and not less than one public hearing order such modifications as will best accomplish the intent and purposes of this act And the said Industrial Board may make modify and repeal rulings related to the safety and health of employes and users of such buildings where nothing hereinbefore provided covers or where the intent and purposes of this act can be better obtained by methods other than those hereinbefore specified provided that no ruling shall be made which does not in the judgment of the Industrial Board after public hearing and investigation maintain a condition of safety and health for the employes and users of such buildings as herein described as is intended by this act

On the question,

Will the House agree to the section?

Mr. EDGAR R. SMITH. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 26, line 10, by striking out "4" and the word "this" and inserting in lieu thereof "3" and the word "said."

Amend section 4, page 26, line 23, by striking out "or" and inserting in lieu thereof "and."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 It shall be the duty of the Commissioner of Labor and Industry by and through its Chief Inspector and its authorized inspectors to take such means as may be deemed necessary to enforce the provisions of this act It shall be the duty of the Chief Inspector or authorized inspectors of the Department of Labor and Industry to inspect from time to time all booths or enclosures in which moving picture machines or stereopticons are operated and should any such booth or enclosure be found which does not comply in all respects with the specifications and requirements of sections one or two of this act the said inspectors shall immediately order the correction of all existing deficiencies or the discontnuance of the use of such booth or enclosure The owner agent superintendent person or persons in charge and control of such booth or enclosure shall correct all such deficiencies or shall discontiue the use of such booth or enclosure within ten (10) days after the service of such order or notice by the said inspector

On the question,

Will the House agree to the section?

Mr. EDGAR R. SMITH. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 4, page 28, line 3, by striking out the words "Section 4."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows:

Section 5 That section four of this act which reads as follows

Section 5 "Any person or persons who violate or ignore any of the provisions of sections one and two of this act shall be deemed guilty of misdemeanor and on conviction thereof shall be punished by a fine of not less than fifty dollars and not more than five hundred dollars or an imprisonment in the county jail for a term of not less than ten days nor more than ninety days for each and every violation In all cases of violation of sections one and two of this act the prosecutions shall be instituted in the name of the Commonwealth by the Chief Factory Inspector or his deputy or deputies and hearings shall be conducted by the alderman justice of the peace or other committing magistrate before whom the information is lodged after full hearing of the parties in interest the alderman justice of the peace or other committing magistrate shall if the evidence warrants it impose the penalty herein provided which shall be final to the party against whom the penalty is imposed unless the said party shall furnish good and sufficient bail for his or her appearance at the next term of the court of quarter sessions of the county wherein the offense is alleged to have been committed" be amended to read as follows

Section 5 Any person firm association corporation owner agent or superintendent who shall fail to comply with the aforesaid order for the correction of existing deficiencies or for the discontinuance of the use of such booth or enclosure or who shall violate or ignore any of the provisions of this act shall upon conviction thereof before an alderman magistrate or justice of the peace be punished by a fine of nof less than twenty-five dollars or not more than two hundred dollars or an imprisonment in the county jail for a term of not less than ten days or more than sixty days for each and every such violation

Prosecutions for violations of this act may be instituted by any inspector of the Department of Labor and Industry upon oath or affirmation All prosecutions for violations of this act shall be in the form of summary criminal proceedings instituted before an alderman magistrate or justice of the peace Upon conviction after a hearing the sentences provided for in this act shall be imposed

On the question,
Will the House agree to the section?
Mr. EDGAR R. SMITH. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 5, page 28, line 22, by striking out "5" and the word "this" and inserting in lien thereof "4" and the word "said."
Amend section 5, page 28, line 24, by striking out "5" and inserting in lieu thereof "4."
Amend section 5, page 29, line 19, by striking out "5" and inserting in lieu thereof "4."
Amend section 5, page 29, line 26, by striking out "nof" and inserting in lieu thereof "not."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The sixth section was read as follows:

Section 6 That section five of this act which reads as follows
Section 5 "All fines imposed and collected for any violation of this act shall be forwarded to the Chief Factory Inspector who shall pay the same into the office of the State Treasurer for the use of the Commonwealth of Pennsylvania" be amended to read as follows
Section 6 All fines imposed and collected for any violation of this act shall be forwarded to the Commissioner of Labor and Industry who shall pay the same into the office of the State Treasurer for the use of the Commonwealth of Pennsylvania

On the question,
Will the House agree to the section?
Mr. EDGAR R. SMITH. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend Section 6, page 30, line 11, by striking out "6" and the word "this" and inserting in lieu thereof "5" and the word "said."
Amend Section 6, page 30, line 18, by striking out "6" and inserting in lieu thereof "5."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read as follows:

An Act to amend an act approved May first one thousand nine hundred and nine entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths for operating therein moving picture machines providing for the promulgation of rulings by the Industrial Board of the Department of Labor and Industry and providing for appeal to the said Industrial Board and providing for the supervision and inspection of the said booths or enclosures by the Department of Labor and Industry of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes

On the question,
Will the House agree to the title?
Mr. EDGAR R. SMITH. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend title, page 2, line 8, by inserting "or enclosures" after "booths" and also inserting after "machines" the following: "and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania; and providing penalties for the violation of the provisions thereof, and providing that the provisions thereof shall not apply to cities of the first and second classes."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.
And said bill having been read at length the second time, and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1236 (Senate Bill No. 572), entitled

An Act making an appropriation to cover deficiency to the Trustees of the State Hospital for the Criminal Insane at Farview, Pennsylvania.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1225 (Senate Bill No. 502), as follows:

An Act entitled "An Act requiring the court committing any insane person to an institution of this Commonwealth to certify the proceedings upon which commitment was made to the superintendent of the said institution
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any insane person has been or shall be committed to an institution of this Commonwealth it shall be the duty of the court to certify to the superintendent of the institution to which said person is committed all of the proceedings including the papers on file and the testimony if any taken upon which said commitment was made and the reasons for said commitment
Section 2 That upon the transfer of any such person from one institution to another the superintendent of the institution from which said patient is being transferred shall deliver with said insane person to the superintendent of the institution to which he is being transferred a copy of all papers and testimony on file with the superintendent of the institution from which said transfer is being made
Section 3 The words "insane person" as used in this act shall be construed to mean all kinds of insane persons including criminal insane and insane criminals

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 940 (Senate Bill No. 262), entitled

An Act authorizing county controllers in counties having a population of more than one hundred thousand and less than one hundred and fifty thousand inhabitants to appoint a solicitor; prescribing the duties of said solicitor and fixing his salary.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1200 (Senate Bill No. 263), entitled

An Act to amend section one of the act approved the twenty-eighth day of April, one thousand eight hundred and eighty-seven, entitled "An Act to authorize the courts of common pleas to decree the sale of real estate held for poor purposes in the several counties, boroughs, townships and poor districts in this Commonwealth and the

reinvestment of the proceeds thereof," by extending the provisions of the act to include the sale of real property of the Commonwealth reserved for the use of a poor district.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1226 (Senate Bill No. 503), entitled

An Act to repeal an act, entitled "A Supplement to an act, entitled 'An Act relating to the fees, salaries and duties of certain county officers in Allegheny County,' approved April sixth, Anno Domini one thousand eight hundred and seventy-one," approved the sixth day of March, Anno Domini one thousand eight hundred and seventy-two.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1228 (Senate Bill No. 525), entitled

An Act to repeal section twelve of an act, entitled "A Supplement to an act approved the first of May, Anno Domini one thousand eight hundred and sixty-one, entitled 'An Act relating to Allegheny County,'" approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-two, which said section relates to the furnishing of supplies for the Allegheny County jail.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1229 (Senate Bill No. 535), entitled

An Act to repeal an act, entitled "An Act to authorize the controller and commissioners of Allegheny County to compromise with the holders of bonds of said county issued in payment of subscriptions to the capital stock of certain railroad companies," approved the twenty-ninth day of January, Anno Domini one thousand eight hundred and sixty-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1230 (Senate Bill No. 536), entitled

An Act to repeal an act, entitled "An Act relating to the sinking fund of Allegheny County," approved the twelfth day of March, Anno Domini one thousand eight hundred and seventy-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1231 (Senate Bill No. 537), entitled

An Act to repeal sections one, two, three and four of an act, entitled "An Act fixing the terms of the courts of common pleas, oyer and terminer and general jail delivery quarter sessions of the peace and orphans' court in the County of Allegheny, and regulating proceedings therein," approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-six.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1232 (Senate Bill No. 538), entitled

An Act to repeal an act, entitled "An Act relative to the service of summons on jurors in Allegheny County and regulating compensation," approved the fifth day of April, Anno Domini one thousand eight hundred and sixty.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1234 (Senate Bill No. 541), entitled

An Act to repeal an act, entitled "An Act to authorize the appointment of two magistrates in the boroughs south of the Monongahela and Ohio in Allegheny County to hear and determine cases of drunkenness and disorderly conduct and to regulate the compensation therefor," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 187, as follows:

An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wid birds and prescribing penalties for violation of its several provisions.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in this act the word person is used such word shall be taken to include every person partnership institution association or corporation or the agent or agents or employe thereof

All words or terms in this act which refer to persons or individuals and which are in the singular number shall be taken to include the plural number and the words of the plural number shall include the singular number All words of a masculine gender shall be taken to include the feminine gender

The following shall be considered game-birds The anatidae commonly known as swan geese brant and river and sea-ducks and the pygopodes known as loons and grebes—the members of these two orders being commonly known as wild water fowl—the rallidae commonly known as rails coots mud-hens and gallinules the limicolae commonly known as shore-birds plover surf-birds snipe woodcock sand-pipers tattlers and curlew the gallinae commonly known as wild-turkey geese pheasants partridges and quail and the birds commonly known as reed birds and blackbirds

The following shall be considered game-animals The wapiti or elk the deer the bear the wild rabbit and hare the red gray black and fox squirrel and the raccoon

The time during which game may be legally taken or killed shall be known as the open season and in the designation of seasons and other periods under this act and under all other laws of this State for the protection of game such open season or period shall include both the first and last day mentioned in the designation

The time during which game may not be legally taken or killed shall be known as the close season

Section 2 Whenever because of a violation of any provisions of this act a person shall be convicted for a first offense and a penalty be imposed and defendant shall neglect or refuse to immediately pay said amount together with the costs of prosecution in lawful money of the United States he shall be at once committed to the common jail of the county for a period of one day for each dollar of penalty and costs imposed unless he shall enter into good and sufficient recognizance to pay said penalty and costs within a period of ten days after the date of his said conviction or shall certiorari the proceedings or shall carry the case to a higher court on appeal as provided for in this act For the second or any other offense after the first offense the defendant shall in addition to the penalty prescribed for the first offense suffer an imprisonment of one day in jail for each dollar of penalty imposed and

shall be denied the right to hunt for a period of two years from the date of his conviction under a penalty of twenty-five dollars for each day such person may hunt contrary to this provision

Any person convicted or pleading guilty under the provisions of this act who prior to its passage was convicted of a violation of the game laws or who paid a penalty for a violation of such game laws on a signed acknowledgement of guilt and received a field receipt therefor shall be sentenced under this act in the same manner as a person convicted under the foregoing provisions relative to a second offense against this act

In every case of a conviction for violation of any provision of this act wherein a defendant suffers imprisonment in lieu of a cash payment of the penalty and costs imposed all traps guns shooting paraphernalia boats decoys and other appliances used in violation of the law and found or proven to have been either in possession or under control of the defendant at the time of such violation shall be and they are hereby declared forfeited to the Commonwealth of Pennsylvania and shall be sold under the direction of the Board of Game Commissioners if possible in quantity sufficient to pay said penalty and costs and the money thus secured be applied by them first to the payment of the costs incurred and the balance if any be deposited with the State Treasurer for the purposes hereinafter designated the defendant being entitled to a credit of one day off his imprisonment for each dollar so deposited for the first offense only Any personal property belonging to such defendant beyond that necessary to secure the payment of the said penalty and costs and the costs of sale shall be returned to said defendant

Section 3 The game laws of this Commonwealth shall not be construed to apply to any public zoological garden of the State or to any public institution of the State wherein animals or birds may be maintained alive for educational purposes or for the purpose of scientific study or experiment or to the Board of Game Commissioners or to its duly authorized agent acting for the State and no law shall be held to prevent the Board of Game Commissioners through its duly authorized agent from destroying birds or animals destructive to game in such manner as they may direct Nor shall the penalties as attached to any game law be construed to apply to any person legally acting under the provisions of a certificate issued by this act in which case the holders of such certificates shall be limited to the rights and privileges therein named

The said Board shall be empowered to grant certificates at their discretion which shall be good for the term of one year from their date and shall not be transferrable. These certificates may be issued to any person of known scientific attainment in Ornithology within the Commonwealth or to the agent of any public museum in this Commonwealth authorizing the holder thereof to take birds their nests and eggs for strictly scientific study or to any person desiring to raise game in captivity for propagation purposes within the State or to a person desiring to own or sell ferrets or to a person qualified to practice taxidermy and at the expiration of any of these licenses the holder shall file a sworn statement covering all his transactions under such license before a renewal license may be granted in accordance with the following provisions

Section 4 A certificate to be known as an ordinary certificate may be granted by the Board of Game Commissioners to any properly accredited person residing within the Commonwealth and legally authorized to act as the agent of any public museum within the Commonwealth or to any one residing within the Commonwealth who is a teacher of ornithology in any school within the Commonwealth permitting the holder thereof to collect wild birds other than game birds their nests and eggs for mounting for strictly scientific study but not for sale or exchange or shipment from or removal out of this Commonwealth without the written consent of the President of the Board of Game Commissioners The numbers of birds that may be taken under a certificate of this character shall be limited to eight of each species with nests to the number of two and the eggs found therein

A certificate to be known as a special certificate to take birds for strictly scientific study may be issued by the Board of Game Commissioners and shall be controlled by the same conditions and requirements as the ordinary certificate excepting that such certificate may be issued only to a person residing within the Commonwealth of known scientific attainment in ornithology in which case the holder thereof shall be authorized to take the wild birds and animals of this State without limitation for strictly scientific study or experiment but not for sale or exchange or shipment from or removal out of the State without the written permission of the President of the Board of Game Commissioners

Persons having either of the above certificates and taking greater number of birds their nests or eggs than is permitted by this act or the shipping of the same out of the State or the sale of skins of such birds or parts thereof either mounted or otherwise excepting as herein provided or in any manner violating any provision of this act shall be subject to the penalties prescribed by existing law in the same manner and to the same extent as though no certificate had been issued. Upon the conviction of the principal therein named of having violated any provision of this section relative to either of these certificates the certificate shall become void and the holder of such recalled certificate shall be denied a renewal thereof for a period of three years

In order to secure either an ordinary or a special certificate the person desiring same shall file with the Secretaary of the Board of Game Commissioners a petition asking that such privilege be granted to him and shall pay to said secretary one dollar

Section 5 It shall be unlawful for any person to breed or sell ferrets or in any manner to offer to sell ferrets either for himself or as the agent of another or to have a ferret as the agent or to have a ferret in possession except by virtue of a license to be issued by the Board of Game Commissioners which said license may be issued at their discretion by the said board upon application made by any person residing within this Commonwealth and the payment of twenty-five dollars upon the part of a breeder of or a dealer in ferrets and one dollar upon the part of such person as may desire to own a ferret without breeding same. Any person violating this section shall upon conviction be liable to a penalty of twenty-five dollars for each ferret bred for sale sold or in any manner offered for sale or had in possession contrary to this section

Section 6 Any person desiring to practice taxidermy for profit shall before beginning such practice secure from the secretary of the Board of Game Commissioners a certificate authorizing him to act thus and the possession of such certificate shall authorize such person to receive from any person the skin or any part thereof of any bird or animal that has been either legally or accidentally killed and to tan or cure or mount the same either himself or through any legitimate employe for wages or hire but no taxidermist or other person shall remove out of the Commonwealth or permit such removal out of the Commonwealth or sell such mounted specimen before written permission to so do has been procured from the president of the Board of Game Commissioners

Proof of the fact that any person shall attempt to practice taxidermy for profit or shall collect or attempt to collect either wild birds of the Commonwealth or the nests or the eggs of such birds protected by the laws of this Commonwealth without first securing the license required by this act shall render such person liable to a penalty of twenty-five dollars for each offense and in addition to the fines and penalties imposed by the laws of this Commonwealth for the taking or killing during the close season of such bird or animal as may be found in his possession or the interfering with birds nests as the case may be

The holder of a certificate authorizing the practice of taxidermy shall be required before a second or any other certificate shall be issued to him to file with the Secretary of the Board of Game Commissioners at Harrisburg an itemized statement in writing under oath of all skins or parts thereof of either wild birds or animals either mounted by himself or under his direction or sold by him under the provisions of this act with the name and place of residence of the persons from whom the same were received and to whom such specimens were sold He shall also answer truthfully and without evasion any question relative to the ownership of any specimen of bird or animal found in his possession or under his control or that has passed through his hands killed in this Commonwealth by any person other than himself that may be asked him by an officer or representative of the said Board of Game Commissioners A failure to so report or to answer the questions asked under the provisions of this section shall be considered a just cause for refusal upon the part of the Board of Game Commissioners to renew the certificate of any taxidermist

The petition necessary to the securing of such certificate shall be accompanied by the written statement of at least two well-known citizens of the community in which said applicant may reside certifying to the good character and fitness of said applicant to be entrusted with said authority and such applicant shall pay to the Secretary of said Board the sum of one dollar for such certificate.

Section 7 A certificate to be known as a Propagating Certificate may be issued by the Board of Game Commissioners to any accredited person residing within this Commonwealth of the age of twenty-one years or upwards permitting the holder thereof and his assistants to breed or raise game-quadrupeds or game-birds of any kind both or either and to sell the same dead or alive at any time within the Commonwealth under the following restrictions and regulations

Any person or corporation or association desiring to raise either animals or birds classed as game for sale shall file with the Secretary of the Board of Game Commissioners at Harrisburg a petition asking for this privilege

In all cases where the premises intended to be used for this purpose are under the control of a company or association the petition shall bear the name of the president of such body and the certificate shall be issued in his name The petition shall be accompanied by a written description of the premises to be used for such purpose with the location which said premises in the matter of the raising of small game may be in such form as to the operator thereof seems best suited to his purposes so long as wild game is prevented from coming onto such property.

In the matter of the raising of deer or other large game the preserve shall in all cases be surrounded by a wire fence of approved pattern for game preserves with a height of not less than eight feet so constructed and maintained as to absolutely prevent wild deer from jumping into said preserve or in any manner passing into said preserve from the outside It being also distinctly understood that before the fence surrounding any preserve of this character shall be completed or closed all wild deer that may be found upon said territory shall be as far as possible driven therefrom by the owner of such lands under the direction and supervision of an officer of the Game Commission

The bond hereinafter provided for shall be forfeited to the Commonwealth and the certificate become void upon

the conviction of the principal therein named of having violated any provision of this section or having knowingly or negligently permitted any one to violate any of the game laws on said premises

Upon notification of the favorable consideration of this petition by the said Board the applicant shall pay to said Secretary the sum of one dollar and file a duly executed bond properly secured in the sum of five hundred dollars conditioned for the faithful keeping upon the part of the principal therein named and his employes upon said premises of all the provisions of this section and all other game laws of this State He shall keep as nearly as possible a just and true account in a book to be kept for that purpose only of all game raised on said premises a just and true account of all game brought to said premises from outside of the preserve the number of birds or animals with the time they were received the place from whence they were shipped and the name of the shipper He shall keep a strict account of all game sold its character the number of birds or quadrupeds the time and manner of shipment with the name and address of the purchaser and shall file with the Secretary of said Board at Harrisburg an itemized statement from the before-named book account under oath at the close of every twelve months beginning with the date of the certificate Data thus collected shall be held strictly confidential and shall be used by said board only for the purpose of satisfying themselves that the law relative to this subject is being obeyed within said preserve or as evidence in cases where they are satisfied the law is not being obeyed

The before-named book together with the premises described and all game thereon shall be open to inspection upon demand of any member of the Board of Game Commissioners or of its Secretary or to any Game Protector upon the presentation by such Game Protector of written instructions from the Secretary of said Board, directing him to thus inspect such plant and the refusal of any person holding a propagating certificate to permit such inspection by any of the officers above named or the neglect or refusal upon the part of said holder of such certificate to comply with the reasonable request of the Secretary of said Board in any matter pertaining to said plant in which the said Board has a legal right to be heard shall be sufficient cause for refusal upon the part of said Board to renew such propagation certificate

Where game birds or animals of any kind shall be raised in captivity under the provisions of this section they may be sold or given away and shipped alive from said enclosure for propagation purposes within the Commonwealth or may be killed within said enclosure for sale or gift within the Commonwealth without regard to sex or numbers at any time of the year under the following restrictions

All boxes or crates or packages of any description in which small game may be shipped or removed from said premises shall before removal therefrom have attached thereto a card or marker to be supplied in duplicate at cost by the Board of Game Commissioners upon each part of which shall be plainly written in the blank spaces left for that purpose the name and address of the purchaser with the contents of the box crate or package One part of this card or marker shall be attached to the receptacle containing the game shipped and the other part shall be immediately sent to the Board of Game Commissioners at Harrisburg

Before any deer or elk or animal classed as large game shall be removed or shipped from any licensed propagating plant there shall first be attached to either the crate or box in which the animal is shipped or to the animal itself a tag or marker in such form as may be decided upon by the Board of Game Commissioners which said tag or marker shall be supplied in duplicate by said board at cost and it shall be the duty of any person raising and selling or shipping such deer or elk or large game animal to attach to either the crate or box in which a live animal is shipped or to the body of a dead animal raised in such preserve one of these tags or markers and to forward the duplicate thereof at once to the Board of Game Commissioners at Harrisburg

The tag or marker so attached to either crate or box or animal shall remain thus attached until the living birds or animals are released from the crate or box or the dead body of the animal is cut up for retail purposes or final consumption after which the tag or marker shall be removed from the crate or box or remainder of the carcass by the person finally disposing of the animal and shall be at once forwarded to the Board of Game Commissioners at Harrisburg

Any person failing to comply with the requirements of this section in the matter of attaching tags or markers before shipment of birds or animals or in any other manner violating the provisions of this section relating to such shipment shall upon conviction be sentenced to pay a penalty of one hundred dollars for each offense And any person failing to comply with the requirements of this section in the matter of returning to the Board of Game Commissioners the tags so affixed shall upon conviction be sentenced to pay a penalty of ten dollars for each offense Provided That no provision of this act relating to license or tags shall be considered to apply to persons who may raise small game to release within the Commonwealth or to be given away or to either large or small game sold alive to a representative of the State for propagating purposes within the Commonwealth

Section 8 It shall be unlawful for any person to wilfully or wantonly remove or mutilate or destroy any tags or markers so affixed to any crate or box or animal in compliance with the requirements of this act at any time or at any place except as designated by this act or by authority of the consignor or consignee of such game or of some officer of some court of this Commonwealth or of some Game Protector of the Commonwealth Any person violating this section shall upon conviction thereof be sentenced to pay a penalty of fifty dollars for each tag or marker wantonly removed mutilated or destroyed

Section 9 It shall be unlawful for any person to wilfully use any such tag or marker prescribed by this act for the purpose of protecting or carrying game of any kind taken or killed outside of licensed preserves within this Commonwealth or for the purpose of protecting or carrying a second shipment of game from any such licensed preserves within this Commonwealth Any person convicted of such offense shall be sentenced to pay a penalty of one hundred dollars for each tag used in violation of this section

Section 10 It shall be unlawful for any person to bring or in any manner to have transported into this Commonwealth from any other State or county any living specimen or any egg thereof of the bird known as the European starling or any other bird or any living animal the importation of which is prohibited by the Secretary of Agriculture of the United States under the provisions of any law of this Nation or to release within this Commonwealth any fox wild-cat mink or weasel brought into this State from another State or country or reared in captivity

It shall be unlawful to bring into or to sell within this Commonwealth living game of any kind either birds or animals that have been imported from any other State or Nation or to release within the Commonwealth for propagating purposes imported game of any kind excepting under a certificate to be issued from the Department of Agriculture of Pennsylvania after inspection by a representative of the Livestock Sanitary Board of that department and quarantine when necessary

Whoever shall violate any provision of this section shall be sentenced to pay a penalty of fifty dollars for each bird or egg or animal so imported or brought into this State or sold or released within the State contrary to this section

Section 11 Excepting as provided in this act no person shall take or have in possession or under control either the nest or any egg found therein of any wild bird either game or otherwise protected by the laws of this Commonwealth or shall wantonly interfere with or destroy any such nest or egg Whoever shall offend against any provision of this section shall be sentenced to pay a penalty of ten dollars for each nest of a wild bird other than a game-bird either interfered with or wantonly destroyed and shall be sentenced to pay a penalty of fifty dollars for each nest of a game-bird either wantonly interfered with or destroyed

Section 12 It shall be unlawful for any person except as provided for in this act to at any time shoot at or wound or take or kill any wild bird other than a game-bird or to have such bird either living or dead or part thereof in possession or to have any part of the plumage or skin thereof in possession or under control for purposes of sale or to offer or expose the same for sale or to transport or ship or remove or attempt to transport or ship or remove from this Commonwealth for any purpose such bird or any part of the plumage or skin thereof or to have in possession or under control for sale or to sell or to offer to sell either living or dead any wild bird other than a game bird or any part of the plumage or skin thereof of a kind found either in a wild state in this Commonwealth or that may have been brought into this Commonwealth from another State or country and which belong to the same family as those found in a wild state in this Commonwealth

Whoever shall violate any provisions of this section shall be liable to a penalty of ten dollars for each wild bird other than a game bird shot at wounded or killed or taken or had in possession transported shipped or removed or attempted to be transported shipped or removed out of this Commonwealth or for any part thereof in any manner taken or held for a purpose contrary to any provision of this act such bird being of a kind found in a wild state in this Commonwealth and that is protected by the laws of this Commonwealth and any person acting either for himself or as the agent or representative of another who shall sell or barter or who shall attempt to sell or barter or who shall have in possession for sale or barter or who shall ship or remove or cause to be shipped or removed out of this Commonwealth for sale or barter a wild bird other than a game bird either living or dead or the skin or the plumage or any part of such bird or skin or plumage of a kind belonging to the same family as those birds found in a wild state in this Commonwealth and protected by the laws of this Commonwealth shall be liable to a penalty of twenty dollars for each bird or bird skin or bird plumage or any part thereof sold offered for sale had in possession for sale or in any manner removed out of this Commonwealth for sale contrary to this section Provided however That the blue jay the English sparrow the European starling the kingfisher the buzzard the goshawk the sharp-shinned hawk the Coopers hawk the red-tailed hawk the red-shouldered hawk the broad-winged hawk the marsh hawk the rough-legged hawk the duck-hawk the pigeon hawk the barred owl the great gray owl the great-horned owl the snowy owl the hawk owl the raven the crow and the herons may be killed in any manner at any time and that nothing in this act is intended to interfere with or prevent the possession of the tanned or cured skin or any part

thereof of any wild animal or wild bird either legally or accidentally killed or brought into this Commonwealth from any other state or county from which the same was legally imported for purpose of study or exhibition or for any other purpose excepting that of sale

Section 13 There shall be no hunting for or shooting at or chasing of game upon the first day of the week commonly called Sunday Any person violating this section shall upon conviction be liable to a penalty of twenty-five dollars for each offense

Section 14 It shall be unlawful for any person excepting as provided for in this act to take or kill or wound or to attempt to take or kill or wound or have in possession either living or dead any game-bird or game-animal or any part of such bird or animal protected by this act

The open season for game birds and animals shall be as follows

For woodcock from the fifteenth day of October to the thirtieth day of November

For the ruffed grouse commonly called pheasant Virginia partridge commonly called quail ringnecked pheasants Hungarian quail the red gray black and fox squirrel the wild rabbit and the hare from the first day of November to the fifteenth day of December

For the wild turkey from the fifteenth day of November to the thirtieth day of November

For the raccoon from the first day of September to the thirty-first day of January

For bear from the fifteenth day of October to the fifteenth day of December

For male deer with antlers extending not less than two inches above the hair from the first day of December to the fifteenth day of the same month

For upland or grass plover and the birds commonly called blackbirds from the first day of August to the fifteenth day of December

For the rail coot or mud-hen reed-bird sandpiper tattler curlew Wilson or jack snipe or any other shore bird excepting woodcock from the first day of September to the fifteenth day of December

For all kinds of birds known as wild water-fowl from the fifteenth day of September to the thirty-first day of January next following

Any person who shall violate any provision of this section shall be liable to a penalty of one hundred dollars for each deer and a penalty of fifty dollars for each bear and a penalty of twenty-five dollars for each wild turkey or ruffed grouse or quail or woodcock or ring-necked pheasant and a penalty of ten dollars for each rabbit or hare or squirrel or raccoon or wild water-fowl or shore bird other than a woodcock or plover or reed bird or blackbird killed or taken or attempted to be killed or taken or had in possession at a time other than that fixed as the open season for such animals and birds or in any manner contrary to this section Provided however That ring-necked pheasants raised strictly in captivity may be killed by the owner of such birds upon lands such person may own or control without regard to numbers during the open season for ring-necked pheasants and that any game bird or animal raised strictly in captivity and killed or captured within such place of confinement without being first released in the Commonwealth at large may be killed or captured at any season of the year without regard to sex or numbers or age and may be sold or given away within the Commonwealth either alive or dead under the rules and regulations of the Board of Game Commissioners pertaining to the marking and tagging of game raised in licensed preserves Provided also That those birds commonly known as blackbirds may be killed by the owner or lessee of lands or by the legitimate employe of such owner or lessee when upon the property under their control such birds may be destroying either the eggs or the young of other birds or growing crops or grain or cultivated fruit or berries and the Board of Game Commissioners shall have authority to direct the killing of those birds commonly called blackbirds when satisfied that such birds have from any cause become a nuisance in the section wherein they may be located

Section 15 It shall be unlawful for any person to kill in one day more than one wild-turkey or more than four ruffed-grouse or more than eight Virginia partridges commonly called quail or more than ten woodcock or more than four ring-necked pheasants or more than four Hungarian quail or more than one bear or more than six squirrels of the combined kinds of fox black or gray or either of them or more than ten wild rabbits or more than three hares or to kill in any one season more than one wild-turkey or more than twenty-four ruffed-grouse or more than twenty-five Virginia partridges commonly called quail or more than twenty woodcock or more than ten ring-necked pheasants or more than ten Hungarian quail or more than twenty of the combined kinds of squirrels of fox black or gray or either of them or more than sixty wild rabbits or more than fifteen hares or more than one bear or more than one deer which in every instance shall be a male deer with antlers not less than two inches above the hair and it shall be unlawful for any person at any time to attempt by standing on watch or otherwise to kill a second male deer in one season and it shall be unlawful for any person at any time to shoot at or wound or kill or to attempt to wound or kill or have in possession a female deer or an elk or any fawn found in a wild state in this Commonwealth except as otherwise provided by the laws of this Commonwealth relating to the taking of game-animals and game-birds under authority of a certificate issued by the Board of Game Commissioners Any person taking or wounding or killing or attempting to take kill or wound any animal or bird protected by this act or in excess of the number permitted by this act or in any manner violate any provision of this section shall upon conviction be liable to a penalty of two hundred dollars and six months imprisonment for each elk and one hundred dollars for each deer and fifty dollars for each bear and twenty-five dollars for each wild turkey or ruffed grouse or quail or woodcock or English pheasant and ten dollars for each rabbit or hare or squirrel so taken wounded killed or attempted to be taken wounded or killed or had in possession contrary to the provisions of this section

Every person who knowingly uses game that has been illegally killed or taken or who knowingly aids or assists in the concealment of game illegally killed or who knowingly has game in possession that has been illegally killed or taken with intent to use or conceal same shall be liable to the full penalty imposed by law for the killing of such game contrary to law

When it is proven to the satisfaction of the Board of Game Commissioners that either a bear or deer or elk or rabbits or other game is excessively destroying property and thereby becoming a nuisance in any section of the State the said board shall have authority to at any time remove or to have removed said animals from that neighborhood or to have the same killed as the case may require Provided also That nothing in this act shall be construed to prevent any person from killing a bear at any time or in any manner when such animal is inflicting or attempting to inflict injury to either the person or personal property of any individual or the killing of such bear in a pursuit commenced within forty-eight hours after the commission of such offense or at any time after the commission of such offense upon the affidavit of one or more persons to the effect that the bear in question has committed such offense or to prevent any person from killing a bear upon his own property at any time when such animal is found within one mile of his place of residence

Section 16 It shall be unlawful to hunt for or to catch or to kill or to attempt to catch or kill any of the game-birds or any of the game-animals protected by the laws of this Commonwealth between sunset of one day and sunrise of the day following or to take or kill or wound or to attempt to take or kill or wound game of any kind except through the use of a gun such as is usually raised at arm's length and fired from the shoulder or through the use of a pistol other than an automatic pistol or a revolver such as is usually held in the hand and fired at arm's length and no person except as provided for by this act shall at any time set lay or prepare for use or use any trap snare net bird lime swivel gun the apparatus known as a silencer deer lick pit-fall turkey blind turkey call or turkey pen for the purpose of catching or taking or killing game of any kind or shall shoot at or take or kill or attempt to shoot or take or kill game birds or animals of any kind from an automobile or vehicle of any kind propelled by any mechanical power or shall make use of or take advantage of any artificial light battery or other contrivance or device except the before mentioned gun with intent to catch take or injure or kill any of the game-animals or game-birds found in this Commonwealth excepting that raccoons may be hunted for and be killed at any time either day or night during the open season Sunday excepted for such animals and may be killed or captured in any manner that to the hunter may seem best and may be retained in captivity or sold dead or alive at any time either within or outside the Commonwealth if taken during the open season and that decoys in numbers as provided for in this act and blinds may be used in hunting wild water-fowl and that residents under the age of fourteen years may take rabbits through the use of box traps during the open season upon the lands whereon such persons reside

Any person violating any provision of this section shall upon conviction be liable to a penalty of two hundred dollars and six months' imprisonment for each elk and a penalty of one hundred dollars for each deer and fifty dollars for each bear and ten dollars for each rabbit or hare or squirrel and twenty-five dollars for each game-bird taken killed or wounded or attempted to be taken killed or wounded contrary to this section Provided That as a protection to growing crops vegetables and fruit-trees raccoons and rabbits may be killed by the owner or lessee of lands or by the employe of such owner or lessee upon which lands such animals may be committing depredations at any time and in such manner as may be best suited to secure the desired end Provided also That it shall be lawful to use steel traps not to exceed in size a standard No 3 for the purpose of taking wildcats and other wild animals classed as vermin so long as such traps are not set where rabbits and other protected game may be caught in such traps

Section 17 It shall be unlawful to hunt for or pursue or to follow after with intent to kill any wild water-fowl from or with or through the use of any craft propelled by any means other than oars pole or hand-paddle And person using a craft or boat for such purpose other than one propelled by oars pole or hand-paddle or the captain or owner or other person in charge of such boat or craft

who shall allow or knowingly permit the same to be used contrary to this section while he is on board shall be liable to the penalties herein imposed

It shall be unlawful for any person or for any number of persons acting together to place in any of the waters of this Commonwealth for the purpose of attracting wild water-fowl of any description more than twenty specimens of artificially prepared wooden ducks or ducks of any character commonly used as decoys or to shoot over or attempt to control more than twenty such decoys so placed as to cover not exceeding one-fourth of a mile upon any stream or lake

Any person who shall violate any provisions of this section shall be sentenced to pay a penalty of fifty dollars per day for each day on which any forbidden craft or boat may be used to hunt or pursue or to follow after with intent to kill wild water-fowl and ten dollars for each decoy or other contrivance or device set placed or controlled contrary to the provisions of law

Section 18 Except as otherwise provided for by this act it shall be unlawful for any person to hunt for or catch or kill or cause or permit the hunting of hare or rabbits with or through the use of a ferret under a penalty of twenty-five dollars for each ferret so used and ten dollars for each rabbit or hare taken through the use of or by the aid of a ferret And the fact that any person shall place a ferret in any hole or opening in the ground or stone wall or log outside of buildings in which a rabbit might be found or shall be caught in the act of using a ferret in the taking of hare or rabbits or shall have a ferret in possession or under control in either the fields or forests or in any vehicle upon the highways or on railroad cars or shall be proven to have used or have been possessed of a ferret while hunting or shall while going hunting or while returning from such a hunt have a ferret either in possession or under control shall render such person liable to the penalty of twenty-five dollars for each ferret had in possession or under control at any time

Any ferret found running at large or found in the possession or under the control of a person not possessed of a ferret license or of a person convicted of violating any provision of this act shall be forfeited to the Commonwealth and shall be immediately killed by the officer or citizen into whose hands such animal may come

Section 19 It shall be unlawful for any person to kill or wound or capture or to attempt to kill or wound or capture any wapiti or elk found in a wild state in this Commonwealth or to have such wapiti or elk or any part thereof in possession before the first day of December one thousand nine hundred and twenty-one that after the thirtieth day of November one thousand nine hundred and twenty-one unless otherwise provided there shall be annually an open season for wapiti or elk which open season shall correspond with the open season for deer at that time during which open season of each year Sundays excepted it shall be lawful for any person in this Commonwealth to kill through the method known as still hunting only one wild wapiti or elk which in all instances shall be a male wapiti or elk with antlers commonly called horns with not less than four points to one antler

Any person violating any provision of this section shall be liable to a penalty of two hundred dollars and six months' imprisonment for each offense

Section 20 The possession or control of a deer or elk or of any portion of either of such animals shall unless the head bearing antlers extending at least two inches above the hair in the case of a deer and in the case of an elk not less than four points to one antler be attached in a natural way in all instances be prima facie evidence that such animal was killed unlawfully in this Commonwealth and shall render each person in whose possession or under whose control the same may be found or who may be proven to have had such animal or part thereof in possession or under control liable to the full penalty now imposed by law for the unlawful killing of elk or deer as the case may be unless such person shall immediately upon demand made by an officer of the Commonwealth whose duty it is to protect the game and wild birds produce the head bearing antlers of legal length or shall swear that the flesh in question found in his possession or proven to have been under his control is a part of a deer or elk legally killed in the Commonwealth both or either as in the mind of the officer investigating may be considered necessary and the officer investigating a case of this character or any other violation of the game laws is hereby authorized to administer oaths relative to such mater and where game of any kind is found in a camp or in possession or under control of an individual or hunting party such possession shall be considered prima facie evidence that the same was taken illegally unless the person or persons in charge or in control of such game shall answer satisfactorily immediately under oath if required such pertinent questions relating to the taking or ownership or possession of same as may be considered necessary by the officer investigating and in every case where such person or persons in possession or in control of such game refuse to so answer such questions the game thus found in possession or under control is hereby declared forfeited to the Commonwealth and such officer is directed to take charge of and dispose of same as provided by law relative to game seized in this Commonwealth

Section 21 It shall be unlawful for any body of men either camping together or hunting in unison to kill or be possessed of more than six male deer or more than one elk or more than three bear killed under the provisions of existing law in a wild state in any part of this Commonwealth in one season

Every person in a camp or who may join with others in hunting for deer or elk or bear in this Commonwealth shall be liable to the penalty now imposed by law for the unlawful killing of deer or elk or bear that may be killed by any member of their party in excess of the before mentioned numbers after the day upon which the number of deer or elk or bear as fixed by this section for camps has been legally taken

Section 22 It shall be unlawful for more than twelve men regardless of the number that may camp together to join together to hunt in unison for deer found in a wild state in this Commonwealth or for more than six men to join together to hunt in unison for wild turkeys found in a wild state in this Commonwealth and for the purposes of this section the watchers or guards placed upon what are termed run-ways or otherwise placed to intercept either deer or turkeys as well as those who may do the driving or frightening of the game shall be included in the number that may hunt in unison for either deer or wild turkeys found in a wild state in this Commonwealth

Every person participating in a hunt contrary to any provision of this section or in evasion thereof shall be liable upon conviction to a penalty of twenty dollars for each offense

Section 23 It shall be unlawful for any person at any time to shoot at or to kill wound or capture or to attempt to kill wound or capture either an elk or a deer in the waters of any of the streams ponds or lakes or for any person to make use of a dog in hunting deer or elk or wild turkeys and the fact that a dog of any description shall be taken into the woods or shall be had in possession or under control in the woods or shall be cared for or harbored or permitted to remain with any individual or in the camp of any person or persons shall render each person in whose care or under whose control the dog may be outside of the camp and each person in said camp liable to the full penalty prescribed by law for the unlawful taking or killing of deer or elk or wild turkey as the case may be upon proof duly sworn to that the dog so taken into the woods or had in possession or under control or harbored cared for or permitted to remain with any person or in the camp of any person or persons did within a radius of ten miles from said camp or from the point wherein a dog may be taken by any individual run after pursue or follow upon the track of any deer or fawn or elk for a distance of one half mile or did pursue or scatter wild turkeys

Section 24 It shall be unlawful for any person to make use of what are known as "Buck-shot" in hunting for or shooting at either elk or deer or to kill or to attempt to kill any deer or elk by or with or through the use of a gun propelling or emitting more than one pellet bullet or ball at such deer or elk through a single discharge or to take an elk in any manner except through the method known as still-hunting Any person violating any provision of this section shall be subject to the penalties provided by this act for the unlawful taking or killing of deer or elk as the case may be during the closed season

Section 25 Any dog pursuing or following upon the track of a deer or elk or fawn is hereby declared to be a public nuisance Such dog may be killed by any person when seen pursuing or following upon the track of an elk or a deer or a fawn or by a game-protector deputy game-protector game-warden forestry-warden or any other officer of the State whose duty it is to protect any of the game of the State upon affidavit being made by one or more persons acquainted with the facts that said dog is in the habit of or has been seen or heard running upon the track of or pursuing any elk or deer or fawn within a period of two years from the date of such affidavit The owner or person harboring or in control of a dog either killed in conformity with the law or proven to have pursued a deer or an elk for the distance of one half mile or more shall be liable to a penalty of fifty dollars for each elk pursued and one hundred dollars for each elk killed or caused to be killed by such dog running at large without the aid or direction of its master and to a penalty of twenty-five dollars for each deer or fawn pursued and fifty dollars for each deer or fawn killed or caused to be killed by such dog running at large without the aid or direction of its master

Where the owner or person harboring or in control of a dog shall neglect or refuse to take such action as may be necessary to prevent such dog from running elk or deer after notice in writing from an officer of the State whose duty it is to protect the game of the State to the effect that the dog in question is in the habit of pursuing deer or elk he shall be liable to double the amount as fixed before for the first offense such penalty to be recovered as are other penalties imposed by this act

Section 26 Any dog pursuing or following upon the track of any game-quadruped such as hare or rabbits and known as small game or following upon the track of any game-bird or other wild bird protected by existing law during what is known as the close season for such animal or bird is hereby declared to be a public nuisance and may be killed by the owner or lessee of land whereon it is found or by an employe of such owner or lessee or by a game-protector deputy game-protector game-warden forestry-warden or any other officer of the Commonwealth whose duty it is to protect the game or wild birds unless such dog shall wear a collar having attached thereto a metallic tag or plate upon which shall be plainly inscribed in English the name and address of the owner of such dog and any dog thus wearing a collar inscribed as before mentioned pursuing small game

during what is known as the closed season for such game or wild birds may be killed by the owner or lessee of any land upon which such dog may be found or by any employe of either the owner or lessee or by a game-protector deputy game-protector game-warden forestry-warden or any officer of the State whose duty it is to protect the game of the State when such dog is seen upon the track of such game after notice in writing from that particular person or from the Secretary of the Game Commission has been given to the owner or reputed owner or person in control of such dog to the effect that the dog in question is in the habit of destroying or pursuing or following upon the track of game or wild birds contrary to this section

Any person who shall either knowingly or negligently permit his dog or a dog under his control to pursue small game during the close season off land he may own or control after notice as before stated shall be liable to a penalty of ten dollars for each day small game may be pursued in violation of this section and to an additional penalty of five dollars for each game-bird or rabbit killed by such dog pursuing game without the aid or direction of its master Provided That dogs when accompanied by and under control of their masters may be trained upon any of the living wild game or birds in this State excepting elk and deer and fawn or wild turkeys from the first day of September to the first day of March next following so long as no injury is inflicted upon said animals or birds

Section 27 Except as otherwise provided by this act it shall be unlawful for any person at any time to knowingly buy or sell or barter or expose for sale or barter or have in possession for sale or barter an elk or a deer or wild rabbit or hare or gray or black or fox squirrel or any ring-necked pheasant or Hungarian quail or any part of either of such animals or birds that has been killed taken or captured in a wild state in this Commonwealth or to buy or sell or barter or attempt to buy sell or barter or have in possession for sale or barter any ruffed grouse commonly called pheasant or any wild turkey or any woodcock or any quail commonly called Virginia partridge that shall have been kiled or captured in a wild state either within or outside the boundaries of this Commonwealth and no person shall sell or barter or offer to sell or barter or have in possession for sale or barter any wild duck or any wild goose or any other bird of the kind commonly known as wild water-fowl that has been either killed taken or captured in a wild state in this Commonl wealth or that may have been brought into this Commonwealth between the first day of January and the first day of September of each year

Any person who shall violate any provision of this section relative to the purchase or sale or barter of elk or of deer shall be liable to a penalty of two hundred dollars for each elk or part thereof bought or sold or had in possession for sale or bartered for and one hundred dollars for each deer or part thereof bought sold or had in possession for sale or bartered for and any person who shall violate any provision of this section relative to the purchase or sale or barter of rabbits or hares or squirrels shall be liable to a penalty of ten dollars for each animal bought sold or had in possession for sale or bartered for

Any person who shall violate any provision of this section relative to the purchase or sale or barter of ruffed grouse or of wild turkey or of woodcock or of quail or ring-neck pheasants shall be liable to a penalty of twenty-five dollars for each bird or part thereof bought or sold or had in possession for sale or bartered for or in any way had in possession or handled contrary to this section

Any person in any way violating this section relative to the sale or attempt to sell wild water-fowl shall be liable to a penalty of ten dollars for each bird in any way handled contrary to this section

Providing that nothing in this section shall be construed to prevent the purchase or sale or introduction into this State at any time of either elk or deer or rabbits or squirrels or birds alive for propagating purposes that have been inspected and legally passed by a representative of the Live-stock Sanitary Board of the Department of Agriculture as before provided for in this act or to prevent at any time the sale within the State or the shipment out of the State of Belgian or German hare or of any other animal raised in captivity but not found in a wild state in this Commonwealth without a license of any kind

Provided also That nothing in this act is intended to prevent the sale of game killed in a wild state during the open season for such game and for thirty days thereafter that is of a kind the sale of which is not specificially forbidden or limited by the provisions of this act

Section 28 Except as otherwise provided by this act it shall be unlawful for any person to have in his possession excepting during the open season therefor and for thirty days thereafter any ruffed grouse commonly called pheasant any English Mongolian or Chinese pheasants any quail commonly called Virginia partridge any wild-turkey any woodcock any Hungarian quail or any elk or deer or bear or hare or rabbit or squirrel or any other game bird or game quadruped protected by this act or parts thereof which shall have been caught killed or taken in a wild state within this Commonwealth Any person violating any provision of this section shall be liable to a penalty of one hundred dollars for each elk and fifty dollars for each deer and twenty-five dollars for each bear and ten dollars for each game-bird of any kind and five dollars for each hare or rabbit or gray or black or fox squirrel or for any part thereof which shall have been lawfully taken or killed in a wild state within this Commonwealth and unlawfully held contrary to the provisions of this section

Section 29 The possession by any person except as provided for in this act of a living or dead bird or animal of any kind protected by this act or the possession of any part thereof or of the egg or nest of any such bird or of parts thereof shall be prima facie evidence that the same was taken or held contrary to the provisions of law and shall render each person in whose possession or under whose control the same shall have been found liable to the penalties imposed for violation of that provision of this act fixing a penalty for the killing of such bird or animal out of season or of that provision fixing penalties for interfering with birds' nests as the case may require

Section 30 It shall be lawful to trap quail commonly called Virginia partridge or Hungarian quail or ring-neck pheasants from the first day of December to the first day of April next following for the purpose of keeping them alive during the winter or for the purpose of separating a covey to increase the chances of propagation but for no other purpose whatever and neither quail nor pheasants thus taken shall be transported from one locality to another locality in this State excepting by written permission of the President of the Board of Game Commissioners All birds thus taken shall be liberated in the spring as soon as the weather will permit

Section 31 It shall be unlawful for any person to kill game of any description for wages or hire or in evasion of this provision and to that end it shall be unlawful for any person acting as a guide to deliver or in any manner cause to be delivered to the benefit of his employer or the person he may be guiding game of any description killed by him in this Commonwealth of for the employer of any employe acting in the capacity of a guide to receive game of any description killed by such employe or guide while in his employ Any person who acting as a guide or employe shall violate this section shall be liable to a penalty of two hundred dollars and six months' imprisonment for each elk and one hundred dollars for each deer and twenty-five dollars for each game-bird and ten dollars for each rabbit or hare or squirrel he may kill and apply to the benefit of his employer and each employer accepting game of any description killed by a person in his employ as a guide shall be liable to a penalty of two hundred dollars and six months' imprisonment for each elk and one hundred dollars for each deer and twenty-five dollars for each game-bird and ten dollars for each rabbit or hare or squirrel he may thus receive

Section 32 It shall be unlawful for any person to ship game of any description or any part thereof killed in a wild state in this Commonwealth by parcel post and it shall be unlawful to ship or transport by express or as freight or baggage or by common carrier of any description or by automobile or vehicle of any kind any bird or animal or part thereof of the kind commonly known as small game killed in a wild state in this Commonwealth or for any common carrier to transport small game of any kind from one point to another point in this Commonwealth unless such small game is accompanied by the owner thereof or is carried upon the same train or automobile or vehicle with such owner and where such game is of a kind commonly known as small game the same shall be carried upon the person in the hunting coat or gamebag or openly as hand-baggage without cover in such manner as to be easily seen and inspected or when carried in baggage or boxed for shipment each package or box or receptacle of any description containing game shall have attached thereto a card or marker bearing in English the name of the person owning same with the place of his residence the name of the county wherein such game was killed and the number of each species of small game-birds or animals contained in said package

Where game of the kind commonly known as large game is shipped the carcass shall in all instances have attached a card or marker bearing the name and address of the owner with the name of the county wherein same was killed

Where large game is cut up for shipment each division thereof shipped uncovered and each package of every description containing any part of such game shall have attached a card or marker bearing in English the name of the owner of such game with his home address and the character of the contents of such package so that such contents may be determined by an outside inspection of such package Provided That no provision of this act relative to the shipment of parts of game within the Commonwealth shall apply to the shipment of that part of either a bird or animal either legally or accidentally killed that the holder thereof may desire to preserve as a trophy or as a specimen and shall send to a taxidermist within the Commonwealth for tanning or mounting when the package is properly marked showing the contents thereof

Any person who shall transport or attempt to transport a game animal or game-bird of any description or part thereof contrary to any provision of this section shall be liable to a penalty equal in amount to the penalty imposed by this act for the killing of such animal or bird during the close season and every person acting for himself or for another or as the agent of a common carrier who shall knowingly or negligently receive game for transportation contrary to the provisions of this section shall be liable to a penalty of twenty-five dollars for each offense

Section 33 No person shall at any time transport or ship or remove or cause to be transported or shipped or removed out of this State any game-animal or game-bird or wild bird protected by this act or shall catch take or kill or have in his possession or under his control any of the game-birds or game-animals or wild birds of this State the killing of which at any or all times is prohibited by the laws of this State with intent to allow or aid in the shipment or removal thereof out of this State and excepting as provided for in this act it shall be unlawful for any person acting in the capacity of a common carrier or as the operator of an automobile or in control of a vehicle of any kind to knowingly receive for transportation or transport or re-

move or aid or assist in removing beyond the limits of the State any of the wild birds or game-birds or game-animals mentioned in this act Whoever shall offend against any provision of this section shall be liable to a penalty of two hundred dollars and six months imprisonment for each elk and one hundred dollars for each deer and twenty-five dollars for each game-bird and ten dollars for each rabbit or hare or squirrel or part thereof either carried or attempted to be carried out of the State in violation of this section Provided That nothing contained in the laws of this Commonwealth shall be held to impose any penalty upon the transportation of game in unbroken packages in transit through this State from another State or to the shipment out of the State at any time of game legally killed or taken in another State whether the same be in original packages or otherwise and no penalty shall attach in any way when game legally killed in this Commonwealth is delivered in good faith to an express company or other common carrier for transportation from one point to another point in this State and is accompanied by the owner thereof and actually delivered at the point of destination within this State if necessarily carried out of this State to reach its destination and Provided further That any non-resident licensed hunter may take with him personally when leaving the State in manner prescribed by that law controlling the shipment of game from one point to another point in this Commonwealth relative to the tagging of game any of the game-animals or game-birds except wapiti or elk that such licensee has lawfully taken or killed not exceeding during the season the number that any one person may lawfully take or kill in any one day

Any person violating this section relative to the carrying or transportation of game out of the State by non-residents shall be liable to a penalty for each animal or bird taken or attempted to be taken out of the State equal in amount to the penalty now imposed by law for the killing of such animal or bird during the close season and in addition shall be denied the right to hunt in this State for a period of five years from the date of his offense under a penalty of twenty-five dollars for each day such person may hunt contrary to this provision

Section 34 Each magistrate justice of the peace and alderman shall have the power of summary conviction in matters pertaining to violation of any of the provisions of this act All actions for violation of any of the provisions of this act except where the defendant is taken in the act of violating the law or in a pursuit immediately following such violation shall be commenced by affidavit made within two years after the date of such violation and any magistrate justice of the peace or alderman in this Commonwealth on complaint made before him by affidavit by one or more persons of a violation of any of the provisions of this act by any person is hereby authorized and required to issue his warrant under his hand and seal directed to any constable police officer game protector or any officer of the Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth and cause such person to be brought before him such magistrate justice of the peace or alderman who shall hear the evidence and determine the guilt or innocence of the person accused and if such person be convicted of the offense charged he shall be sentenced to pay the full penalty prescribed by the section violated together with the costs of prosecution

All penalties thus recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such amount in full to the secretary of the Board of Game Commissioners at Harrisburg

Where any citizen of the Commonwealth other than a salaried officer is the prosecutor one-half of any penalty thus collected shall be paid such prosecutor by the court receiving the same and the remaining one-half shall be as soon as the case is fully determined before him forwarded by such magistrate justice of the peace or alderman to the Secretary of the Board of Game Commissioners at Harrisburg together with a statement of the cause for which such money shall have been collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution

It shall be the duty of said secretary of the Board of Game Commissioners to at least once a month make return of all moneys officially received by him to the State Treasurer who shall keep the moneys thus collected as a fund separate and apart solely for the purpose of wild bird and game protection and for the purchase and propagation of game under the supervision of the Board of Game Commissioners of the Commonwealth of Pennsylvania and for the payment of bounties under the provisions of law The several purposes to which the fund so received by the State Treasurer shall be applied to be clearly designated by the act of the Legislature either in the general appropriation act or by separate appropriation

Either the prosecutor or defendant being dissatisfied with the finding of the magistrate justice of the peace or alderman in a trial for a violation of any provision of this act shall be entitled to an appeal under the provisions of section fourteen of article five of the Constitution and the laws of Pennsylvania relating thereto

On the conviction of the defendant of such offense and his failure to pay the penalty in full imposed by this act together with the costs of prosecution the court hearing the case shall commit such defendant to the common jail of the county for one day for each dollar of penalty imposed Provided That any person caught in the act or charged with a violation of any provision of this act may at his discretion either before or after the bringing of the suit sign an acknowledgment of the offense committed and pay to any duly authorized game protector or deputy game protector the penalty in full as fixed by the section violated together with costs if any to date and the receipt which he shall receive therefrom and which in all instances shall bear the imprint of the seal of the Board of Game Commissioners and the signature of its secretary shall be evidence of full satisfaction of the offense committed

Section 35 The following acts and parts of acts of assembly are absolutely repealed namely

1 An Act entitled "An Act to provide for the protection and preservation of game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred twenty-five)

2 An Act entitled "An Act to amend the fifteenth section of an act approved the first day of May Anno Domini one thousand nine hundred and nine entitled 'An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions' by repealing the right to use bear-traps" approved the sixth day of April one thousand nine hundred and eleven (Pamphlet Laws forty-nine)

3 An Act entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions" approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and fifty-three)

4 An Act entitled "An Act giving additional protection to wild waterfowl of all kinds in this Commonwealth limiting the number of decoys that may be used by any one person at one time or by any number of persons acting together forbidding the shooting of wild waterfowl before sunrise and imposing penalties for violation of its provisions" approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and fifty-seven)

5 An Act entitled "An Act for the better protection of the wild birds known as the turtle or mourning-dove the killdeer plover and the bird commonly called the blackbird in Pennsylvania and prescribing penalties for violation of its provisions" approved the twenty-first day of March one thousand nine hundred and thirteen (Pamphlet Laws eight)

6 An Act entitled "An Act to provide for the protection and preservation of the wapiti or elk in Pennsylvania and prescribing penalties for violation of its several provisions" approved the second day of April one thousand nine hundred and thirteen (Pamphlet Laws thirty-three)

7 An Act entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennsylvania and prescribing penalties for violation of its several provisions" approved the eighteenth day of April one thousand nine hundred and thirteen (Pamphlet Laws ninety-nine)

8 An Act entitled "An Act to amend section ten of an act entitled 'An Act to provide for the protection and preservation of game game-quardrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalites for violation of its several provisions' approved the first day of May Anno Domini one thousand nine hundred and nine by extending the list of protected birds and by further regulating the sale of feathers of protected birds" approved the twenty-second day of April one thousand nine hundred and thirteen (Pamphlet Laws one hundred and eight)

9 An Act entitled "An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled 'An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions'" approved the first day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred and thirty-seven)

10 An Act entitled "An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled 'An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions' by giving additional protection to ruffed grouse quail and wild waterfowl" approved the ninth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred and ninety-three)

11 An Act entitled "An Act to amend section two of an act entitled 'An Act for the better protection of the wild birds known as the turtle or mourning-dove the killdeer plover and the bird commonly called the blackbird in Pennsylvania and prescribing penalties for violation of its provisions' approved the twenty-first day of March Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws eight) by extending the power to destroy birds commonly called blackbirds" approved the fifteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and thirty-one)

12 An Act entitled "An Act to amend section twenty-one of an act entitled 'An Act to provide for the protection and preservation of game game-qudrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions' approved the first day of May Anno Domini one thousand nine hundred and nine by extending the season during which dogs may be trained" approved the fifteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and thirty-three)

13 An Act entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game birds in Pennsylvania and prescribing penalties for

violation of its several provisions" approved the twenty-first day of April one thousand nine hundred and fifteen (Phamphlet Laws one hundred forty-six)

All other acts and parts of acts inconsistent with this act are repealed The repeal of any of the aforesaid acts of Assembly shall not affect any prosecution pending at the date of the passage of this act nor prevent the institution of any prosecutions for violations of any of the provisions of the aforesaid acts committed prior to the passage of this act but all such pending prosecutions shall be terminated and all such violations shall be prosecuted in the same manner and under the same authority and with like effect as prior to the passage of this act

Section 36 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1142, entitled

An Act to regulate the sale, giving away, prescribing, dispensing and possession of opium and cocoa leaves, their compounds, manufactures, alkaloids, salts, derivations and preparations and prescribing penalties for violation thereof.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to sell barter exchange or give away any opium or cocoa leaves or any compound manufacture alkaloid salt derivative or preparation thereof except in pursuance of a written order of the person to whom such article is sold bartered exchanged or given

Every person who shall accept any such order and in pursuance thereof shall sell barter exchange or give away any of the aforesaid drugs shall preserve such order for a period of two years in such a way as to be readily accessible to inspection by any agent officer or employee of the State or any municipality therein

Every person who shall give an order as herein provided to any other person for any of the aforesaid drugs shall at and before the time of giving such order make or cause to be made a duplicate thereof and in case of the acceptance of such order shall preserve such duplicate for said period of two years in such way as to be readily accessible to inspection by any such agent officer or employee of the State or any municipality therein

Provided That the execution of the order form prescribed and issued by the Commissioner of Interial Revenue of the United States under the authority of the act of December seventeenth one thousand nine hundred fourteen shall be considered a compliance with this section

Nothing contained in this section shall apply

(a) To the dispensing or distribution of any of the aforesaid drugs to a patient by a physician dentist or veterinary surgeon in the course of his professional practice only Provided That such physician dentist or veterinary surgeon shall keep a record of all such drugs dispensed or distributed showing the amount dispensed or distributed the date and the name and address of the patient to whom such drugs are dispensed or distributed except such as may be dispensed or distributed to a patient upon whom such physician dentist or veterinary surgeon shall personally attend and such record shall be kept for two years from the date of dispensing or distributing such drugs subject to inspection as provided by this act

(b) To the sale dispensing or distribution of any of the aforesaid drugs by a dealer to a consumer under and in pursuance of a written prescription issued by a physician dentist or veterinary surgeon

Provided however That such prescription shall be dated as of the day on which signed and shall be signed by the physician dentist or veterinary surgeon who shall have issued the same And provided further That such dealer shall preserve such prescription for a period of two years from the day on which such prescription is filled in such a way as to be readily accessible to inspection by the officers agents officers or officials hereinbefore mentioned

(c) To the sale exportation shipment or delivery of any of the aforesaid drugs by any person within the Commonwealth of Pennsylvania to any person in any foreign country

(d) To the sale barter exchange or giving away of any of the aforesaid drugs to any officer of the United States government or of any State territorial district county or municipal or insular government lawfully engaged in making purchases thereof for the various departments of the army and navy the public health service and for government state territorial district county or municipal or insular hospital or prisons

On the question,

Will the House agree to the section?

Mr. THEODORE CAMPBELL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 3, line 14, by striking out "officers" before "agents."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 That the provisions of this act shall not be construed to apply to the sale distribution giving away or dispensing or possession of preparations remedies and prescriptions which do not contain more than two grains of opium or more than one-fourth of a grain of morphine or more than one-eighth of a grain of heroin or more than one grain of codeine or any salt or derivative of any of them in one fluid ounce or if a solid or semisolid preparation in one avoirdupois ounce or to liniments ointments or other preparations which are prepared for external use only except liniments ointments and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute for them

Provided That such preparations remedies and prescriptions are sold distributed given away dispensed or possessed as medicines and not for the purpose of evading the intentions and provisions of this act The provisions of this act shall not apply to decocainied coca leaves or preparations made therefrom or to other preparations of coca leaves which do not contain cocaine

The third section was read as follows:

Section 3 Physicians It shall be unlawful for any practitioner of veterinary medicine or surgery to prescribe any of the drugs mentioned in section one of this act for the use of a human being and it shall be unlawful for any physician or dentist to prescribe sell give away or deliver any opium or coca leaves or any compound manufacture salt derivative or preparation thereof to any person known to such physician or dentist to be an habitual user of any of said drugs

Provided That if any physician desires to undertake the cure of a known habitual user of said drugs he shall make a personal physical examination of such case and report the same in writing to the proper officer of the Board of Health of the county in which he resides and practices together with the date of starting said treatment and the amount and nature of the drug dispensed or prescribed in the first treatment and the result of said treatment when such patient leaves his care

Provided That such treatment is undertaken and carried on in good faith and not for the object of defying the purposes and intents of this act

Provided That this section shall not apply to the treatment of habitual users of drugs in public hospitals sanitariums institutions poor houses or prisons

On the question,

Will the House agree to the section?

Mr. THEODORE CAMPBELL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 4, line 20, by striking out "Physicians."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth, fifth and sixth sections and title were separately read and agreed to as follows:

Section 4 That it shall be unlawful for any person whatsoever to have in his possession or under his control any of the aforesaid drugs except in pursuance to a written order as prescribed by the first section of this act or in pursuance to the prescription of a physician who has prescribed the same in good faith

Provided That this section shall not apply to a warehouseman holding possession for any person who is legally entitled to have possession of such drugs under this act or to a common carrier engaged in transporting such drugs or to the manufacturer or chemist who produces these drugs from the raw material

Section 5 That any person who violates or fails to comply with any of the requirements of this act shall on conviction be fined not more than two thousand dollars or be imprisoned not more than five years or both in the discretion of the court

Section 6 It shall be the duty of the State Pharmaceutical Examining Board to enforce the provisions of this act who shall receive as compensation for their services the same per diem and expenses that they receive as members of the State Pharmaceutical Examining Board under existing laws and who shall also have power to employ such agents chemists and assistants as may be necessary to enforce the provisions thereof

An Act to regulate the sale giving away prescribing dispensing and possession of opium and coca leaves their compounds manufactures alkaloids salts derivative and preparation and prescribing penalties for violations thereof

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BEYER. Mr. Speaker, I move that House Bill No. 1142, the bill just passed on second reading, be recommitted to the Committee on Public Health and Sanitation.

Mr. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1008, entitled

An Act to amend an act approved the eighth day of May one thousand nine hundred and nine entitled "An Act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement"

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and seventy) entitled "An Act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement" which reads as follows

"Section 2 That the term 'drug' as used in this act shall include all medicines and preparations recognized in the United States Pharmacopoeia the National Formulary or the American Homeopathis Pharmacopoeia for the internal or external use and any substance or mixture of substances intended to be used for the cure mitigation or prevention of disease of either man or other animals" is hereby amended to read as follows

Section 2 That the term "drug" as used in this act shall include all medicines and preparations recognized in the ninth revision of the Pharmacopoeia of the United States the fourth edition of the National Formulary or the American Homeopathic Pharmacopoeia for the internal or external use and any substance or mixture of substances intended to be used for the cure mitigation or prevention of disease of either man or other animals

Section 2 Section three of said act which reads as follows

"Section 3 That for the purpose of this act an article shall be deemed to be adulterated

First If a drug is sold under or by any name recognized by the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia it differs from the standard of strength quality or purity as determined by the test or formula laid down in the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia Provided That no drug defined in the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia except official preparations of opium iodine peppermint camphor ginger and ethyl nitrit shall be deemed to be adulterated under this provision if the standard of strength quality or purity be plainly stated upon the bottle box or other container thereof although the standard may differ from that determined by the test or formula laid down by the United States Pharmacopoeia the National Formulary or the American Homeopathis Pharmacopoeia

"Second If its strength or purity fall below the professed standard or quality under which it is sold" is hereby amended to read as follows

Section 3 That for the purpose of this act an article shall be deemed to be adulterated

First If a drug is sold under or by any name recognized by the ninth revision of the Pharmacopoeia of the United States the fourth edition of the National Formulary or the American Homeopathic Pharmacopoeia it differs from the standard of strength quality or purity as determined by the test or formula laid down in the ninth revision of the Pharmacopoeia of the United States the fourth edition of the National Formulary or the American Homeopathic Pharmacopoeia Provided That no drug defined in the ninth revision of the Pharmacopoeia of the United States the fourth edition of the National Formulary or the American Homeopathic Pharmacopoeia except official preparations of opium iodine peppermint camphor ginger and ethyl nitrit shall be deemed to be adulterated under this provision if the standard of strength quality or purity be plainly stated upon the bottle box or other container thereof although the standard may differ from that determined by the test or formula laid down by the ninth revision of the Pharmacopoeia of the United States the fourth edition of the National Formulary or the American Homeopathic Pharmacopoeia

Second If the strength or purity fall below the professed standard or quality under which it is sold

The third section was read as follows:

Section 3 Section four of said act which reads as follows

"Section 4 That for the purpose of this act an article shall be deemed to be misbranded

"First All drugs the package or label of which shall bear any statment design or device regarding such article or the ingredients or substance or substances contained therein shall be false or misleading in any particular

"Second If it be an imitation of or offered for sale under the name of another article

"Third If the contents of the package as originally put up shall have been removed in whole or in part thereof and other contents shall have been placed in such package or if the package fail to bear statement on the label of the presence of any alcohol morphine opium heroin cocaine alpha or beta eucaine chloroform cannabis indica chloral hydrate acetanilide phenacetine antyprine or any derivative or any preparation of any such substances contained therein Provided That nothing in this paragraph apply to the filling of written prescriptions furnished by practicing physicians dentists and veterinarians and kept on file by pharmacists or as to such preparations as are specified and recognized by the United States Pharmacopoeia the National Formulary and the American Homeopathic Pharmacopoeia which are made in accordance therewith and are sold under titles designated therein" is hereby amended to read as follows

Section 4 That for the purpose of this act an article shall be deemed to be misbranded

First All drugs the package or label of which shall bear any statement design or device regarding such atricle or the ingredients or substance or substances contained therein shall be false or misleading in any particular

Second If it be an imitation of or offered for sale under the name of another article

Third If the contents of the package as originally put up shall have been removed in whole or in part thereof and other contents shall have been placed in such package or if the package fail to bear statement on the label of the presence of any label of the presence of any alcohol morphine opium heroin cocaine alpha or beta eucaine chloroform cannabis indica chloral hydrate acetanilide phenacetine antypyrine or any derivative or any preparation of any such substances contained therein Provided That nothing in this paragraph apply to the filling of written prescriptions furnished by practicing physicians dentists and veterinarians and kept on file by pharmacists or as to such preparations as are specified and recognized by the ninth revision of the Pharmacopoeia of the United States the fourth edition of the National Formulary and the American Homeopathic Pharmacopoeia which are made in accordance therewith and are sold under titles designated therein

On the question,

Will the House agree to the section?

Mr. THEODORE CAMPBELL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 5, line 16, by striking out "of any label of the presence" following "presence."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend the act approved the eighth day of May, one thousand nine hundred and nine, entitled "An Act to prevent the manufacture and sale of adulterated or misbranded drugs; defining the word 'drug'; prescribing penalties for violation of this act and the method of its enforcement."

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1238 (Senate Bill No. 581), entitled

An Act empowering certain corporations societies and voluntary associations having subordinate lodges or branches within this Commonwealth to change the location of their principal office or place of business and providing for the approval by the Court of Common Pleas and the filing of notice of such changes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1217 (Senate Bill No. 109), en-

An Act for the better protection of wild animals and birds and game within this Commonwealth requiring non-residents to procure a license before hunting in this Commonwealth providing penalties for violation of any of its several proviisons and prescribing the disposition of license fees and penalties received

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1219 (Senate Bill No. 121), as follows:

An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania; providing a method for the payment of the same, and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a reward or bounty shall be paid by this Commonwealth for the killing within the Commonwealth only of the following noxious animals For each Canada or Bay lynx commonly called bobcat or wild-cat the sum of eight dollars for each fox the sum of two dollars for each weasel the sum of one dollar and fifty cents and for each mink the sum of one dollar

Section 2 It shall be the duty of any person who having killed within this Commonwealth one or more of the animals named in section one of this act and being desirous of securing the reward or bounty named for such killing as fixed by section one of this act to produce such slain animal or animals or the entire pelt thereof before any game protector or special deputy game protector or any other person authorized to administer oaths within this Commonwealth and to make affidavit that he or some member of his family naming such person killed the same naming it stating clearly the approximate time of such killing that it was killed in a wild state that the place where such animal was killed naming it was within the Commonwealth of Pennsylvania and that such animal was not reared in captivity

Upon the production of such animal or pelt before any person authorized to take affidavits under the provisions of this act such official shall prepare his statement in accordance with the provisions of this act and such official shall include in one affidavit all claims for bounty that may be made by one person at one time not to exceed five and shall excepting in the case of a salaried game protector receive in full for services rendered a fee of twenty-five cents where but one animal is named in such affidavit Where more than one animal is named in one affidavit the fee shall be fifty cents such fee in all cases to be paid by the claimant for bounty The affidavit shall preferably be made upon forms to be provided by the Board of Game Commissioners on demand made by any person authorized to take affidavits within this Commonwealth and all affidavits of this character shall in all cases clearly set forth the name of the animal killed for which a bounty is claimed the name of the person killing same the approximate time when such animal was killed that it was killed in a wild state giving as nearly as possible the name of the place and county within this Commonwealth where same was killed and that such animal was not reared in captivity Upon the completion of such affidavit and the payment of the fee as above stated the game protector or other person administering the oath shall deliver said affidavit and skin or pelt brought before him to the claimant for bounty who shall as soon as may be forward such affidavit and the skin or pelt of the animal or animals for the killing of which a bounty is claimed and named in such affidavit to the secretary of the Board of Game Commissioners at Harrisburg

Section 3 Upon the receipt of such affidavit and skins or pelts in proper form the secretary of the Board of Game Commissioners being satisfied that the skins or pelt presented to him are the skins or pelts of animals for the killing of which a bounty is offered by this act and that such claims are in all respects legitimate shall as quickly as may be forward his check to the claimant for the amount found to be due and shall return all such skins or pelts at the expense of the bounty fund to such address as the owner may direct and shall at least once a month render an accounting to the Auditor General in such form as he may prescribe of all claims paid giving the name and address of the payee the number of the check given and the amount so paid

For the purposes of this authority the secretary of the game commission is hereby empowered to make requisition upon the fund in the State Treasury designated by law as the bounty fund and to secure through a warrant of the Auditor General such an amount monthly from such fund as may be considered necessary to meet the demands that may be made for bounty during the succeeding month The bond of the secretary of the game commission shall be in such an amount as to cover the amount of cash in his hands at any time

Section 4 The Auditor General upon presentation to him of the requisition of the secretary of the Board of Game Commissioners shall draw his warrant upon the State Treasurer against the fund hereinafter designated received from the hunters' license fees fines penalties and other laws of this Commonwealth as set out in the third section of this act of Assembly and hereinafter designated "fund for the payment of bounties"

Section 5 Pursuant to section twelve of the act of April seventeen one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) providing for the licensing of hunters which provides "It being specifically provided that fifty per centum of any fund returned to the State through or because of the provisions of this act or so much of said fifty per centum as may be needed shall be applied by the Legislature at its biennial sessions to the payment of bounties" one-half of the said sum hereafter received from all hunters' license fees fines and penalties under the provisions of this act of Assembly and all other fines and penalties set apart under any other laws of this Commonwealth for the payment of bounties are hereby directed to be placed by the State Treasurer in a separate and special fund to be designated and known as "fund for the payment of bounties" and all of the moneys placed in said fund are declared to be available as soon as paid into the State Treasury and are hereby specifically appropriated for the payment of the bounties as provided by this act and the Auditor General shall charge against the said fund all the warrants drawn by him for the payments of bounties and the State Treasurer is directed to pay out of said fund all of the warrants so drawn by the Auditor General in favor of the secretary of the game commission Provided That the office expenses clerk hire postage et cetera necessary to the performance of the extra duties imposed by this act upon the Board of Game Commissioners shall be a charge against the fund created by this act and shall be paid upon requisition of the secretary of said board and in the same form and manner as requisitions for bounty are paid Provided further That any moneys so placed in this fund and not needed under the provisions of this act shall be used solely for the purpose of wild bird and game protection under the supervision of the Board of Game Commissioners to be appropriated by the Legislature in the same manner as other moneys held separate and apart for such use.

Section 6 The game protectors and special deputy game protectors of the Commonwealth of Pennsylvania are hereby authorized and empowered to administer the oath necessary to the proving of the claims made as provided by section two of this act but no charge for administering such oath is to be made by any salaried game protector

Section 7 It shall be unlawful for any person at any time to claim or to receive a bounty for the killing of any animal named in this act the front of the face of which is split before presentation to the persons authorized to take affidavits under the provisions of this act or to at any time collect or attempt to collect a second bounty for the killing of any animal under the provisions of this act or to collect or attempt to collect such bounty through the presentation of the skin or carcass or any part thereof of an animal not named in this act or through deception of any character or to present for the purpose of securing the bounty provided for by this act the skin or carcass or any part thereof of an animal that has been reared in captivity or the skin or carcass or any part thereof of any animal killed or captured outside of this Commonwealth Every person who shall wilfully or fraudulently collect or attempt to collect any reward or bounty provided for by this act to which he or they are not legally entitled under the provisions of this act or shall aid or abet or assist in any capacity official or otherwise in an attempt to defraud the State through the collection or payment of any reward or bounty provided for by this act shall be guilty of a misdemeanor and upon conviction thereof shall in addition to the penalty that may be imposed for perjury where a false affidavit is made be sentenced to pay to the Commonwealth of Pennsylvania a fine of not less than one hundred dollars or more than five hundred dollars or in default of the payment thereof with costs shall suffer an imprisonment in the common jail of the county in which the affidavit

is made for a period of one day in jail for each dollar of fine imposed and unpaid

Section 8 An Act entitled "An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions here" approved the fifteen day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and twenty-six) is hereby repealed

The repeal of the aforesaid act of Assembly shall not affect any prosecutions pending at the date this act becomes effective nor prevent the institution of any prosecutions for violation of any provisions of the aforesaid act committed prior to the date this act becomes effective but all such pending prosecutions shall be terminated and all such violations shall be prosecuted in the same manner and under the same authority and with like effect as prior to the date this act becomes effective

Section 9 The provisions of this act shall be effective on and after the first day of June one thousand nine hundred and seventeen and not prior to that date

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1375, as follows:

An Act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salaries of each member of the board of commissioners in the several counties of this Commonwealth shall be as follows

In counties having a population of less than twenty thousand five hundred dollars and where such commissioners are also directors of the poor then eight hundred dollars

In counties having a population of twenty thousand and over and less than fifty thousand inhabitants one thousand dollars and where such county commissioners are also directors of the poor then eighteen hundred dollars

In counties having a population of fifty thousand and over and less than seventy-five thousand inhabitants fifteen hundred dollars and where such county commissioners are also directors of the poor then twenty-two hundred dollars

In counties having a population of seventy-five thousand and over and less than one hundred thousand inhabitants two thousand dollars and where such county commissioners are also directors of the poor then twenty-six hundred dollars

In counties having a population of one hundred thousand and over and less than one hundred and fifty thousand inhabitants twenty-five hundred dollars and where such county commissioners are also directors of the poor then three thousand dollars

In counties over one hundred and fifty thousand inhabitants the salary shall be as now provided by law

Section 2 The salaries herein provided for shall be paid out of the treasuries of the respective counties and shall be in full and in lieu of all other compensation for the services of county commissioners except expenses necessarily incurred in the discharge of their official duties or in the performance of any service office or duty imposed upon county commissioners

Section 3 The population of the several counties shall be ascertained at any time according to the next preceding decennial census of the United States

Section 4 The following acts are absolutely repealed

An Act entitled "An Act fixing the salaries and providing for the expenses of county commissioners in counties of this Commonwealth" approved the fourteenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred sixty-seven)

An Act entitled "An Act to amend an act entitled 'An Act fixing the salaries and providing for the expenses of county commissioners in counties of this Commonwealth' approved the fourteenth day of April Anno Domini one thousand nine hundred and five" approved the thirteenth day of June one thousand nine hundred and eleven (Pamphlet Laws eight hundred ninety-four)

An Act entitled "An Act amending the first section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and eleven entitled 'An Act to amend an act entitled "An Act fixing the salaries and providing for the expenses of county commissioners in counties of this Commonwealth" approved fourteenth day of April Anno Domini one thousand nine hundred and five' by increasing the classes of counties established therein so that the class described from more than one hundred thousand population and less than one hundred fifty thousand population is divided into counties having more than one hundred thousand population and less than one hundred fifteen thousand population and counties having more than one hundred fifteen thousand population and less than one hundred and twenty-five thousand population and counties having more than one hundred and twenty-five thousand population and less than one hundred fifty thousand population and increasing the salaries of the county commissioners in the last two classes from eighteen hundred dollars per annum to two thousand dollars and two thousand four hundred dollars per annum respectively and increasing the salaries in counties having a population over fifty thousand and less than seventy-five thousand twelve hundred hundred dollars but where the commissioners are directors of the poor then eighteen hundred dollars" approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred thirty-six)

All other acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 418, entitled

An Act fixing the fees of the recorder of deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees of the Recorder of Deeds in counties containing a population of not less than two hundred thouasnd nor more than five hundred thousand shall be as follows

For recording and exemplifying deeds mortgages and other writings for every six words one cent The minimum rate for recording same shall be two dollars

For indexing deeds mortgages and other writings with more than four names ten cents extra for each additional name

For abstracting first description or parcel of land fifteen cents for each additional description or parcel ten cents extra

For entering satisfaction thirty cents

For taking acknowledgments for each person twenty-five cents

For certifying mortgages assignments and satisfaction of record to County Commissioners twenty-five cents

On the question,

Will the House agree to the section?

Mr. JONES. Mr. Speaker, I desire to offer the following amendments:

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 5, by striking out "thouasnd" and inserting in lieu thereof "thousand."

Amend section 1, page 2, line 7, by inserting "deeds" after "certifying."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 All fees shall be exclusive of any State tax now provided for by law and shall be payable in advance

On the question,

Will the House agree to the section?

Mr. JONES. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 2, line 9, by striking out "be exclusive of" and inserting in lieu thereof "include."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and title were separately read and agreed to as follows:

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

An Act fixing the fees of the Recorder of Deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 946, as follows:

An Act authorizing county commissioners to repay moneys collected on forfeited recognizances in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where the county commissioners of any county shall collect or have collected any money upon any forfeited recognizance duly estreated to such county commissioners by the clerk of the proper court and where the defendant in such case subsequently surrenders himself or herself to the jurisdiction of the proper court the county commissioners may with the consent of the proper court and district attorney repay to the party from whom such money was collected the amount so collected on such forfeited recognizance exclusive of all costs paid or incurred by the county in such proceeding

And said bill having benn read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 902, as follows:

An Act to amend section one of an act approved the third day of May one thousand nine hundred nine entitled 'An An Act amending an act entitled 'An Act fixing the salaries of county poor driectors in counties of over one hundred and fifty thousand population' approved the eighth day of June one thousand nine hundred and seven by providing for compensation according to population and granting power to employ councel"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the third day of May one thousand nine hundred nine (Pamphlet Laws three hundred eighty-two) entitled "An Act amending an act entitled 'An Act fixing the salaries of county poor directors in counties of over one hundred and fifty thousand population' approved the eighth day of June one thousand nine hundred and seven by providing for compensation according to population and granting power to employ counsel" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of county poor directors in counties of over one hundred and fifty thousand population and not over two hundred and twenty-five thousand shall be one thousand dollars per year and in counties of over two hundred and twenty-five thousand population and not over three hundred and twenty-five thousand shall be one thousand five hundred dollars per year and in counties of three hundred and twenty-five thousand population and not over five hundred thousand shall be two thousand dollars per year and in counties of over five hundred thousand population shall be two thousand five hundred dollars per year and said poor directors shall have power to employ an attorney at such rate of compensation as they shall deem proper not however exceeding the rate of one hundred dollars per month Provided however That this act shall not in any way affect any county now paying their said poor directors more than two thousand dollars per year" be amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of county poor directors in counties containing over one thousand and fifty thousand and less than three hundred and twenty-five thousand inhabitants shall be fifteen hundred dollars per annum in counties containing over three hundred and twenty-five and less than five hundred thousand inhabitants shall be two thousand dollars per annum and in counties containing over five hundred thousand inhabitants shall be twenty-five hundred dollars per annum

The said poor directors shall have power to employ an attorney at such rate of compensation as they may deem proper not exceeding the rate of one hundred dollars per month Provdied That this act shall not in any way affect any county now paying the poor directors more than two thousand dollars per years

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 903, as follows:

An Act authorizing prothonotaries in counties containing over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants to appoint deputy prothonotaries fixing their salary and prescribing their duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties containing over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants the prothonotary shall appoint a person to serve as deputy prothonotary

Section 2 The deputy prothonotary shall give a bond in the sum of five thousand dollars to be approved by the prothonotary for the faithful performance of his duties In the absence of the prothonotary he shall have the powers of the prothonotary

Section 3 The salary of the deputy prothonotary shall be twenty-five hundred dollars per annum payable monthly out of the earnings of the office of the prothonotary first after the salary of the prothonotary

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1288, as follows:

An Act to reimburse certain counties for rewards and bounties hereinbefore paid by such counties in good faith for the destruction of noxious animals and birds and directing the Auditor General to draw his warrant for the payment of the same

Whereas The county treasurers of various counties of this Commonwealth have heretofore paid considerable sums of money to persons as bounties or rewards for the destruction of noxious animals and birds under the provisions of the act approved the twenty-fifth day of July one thousand nine hundred thirteen entitled "An Act creating a reward or bounty for the destruction of certain noxious animals and birds killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth and providing penalties for violation of its several provisions" on orders issued in good faith by the county commissioners of such counties and

Whereas The Auditor General of the Commonwealth has in certain cases declined to draw his warrant on the State Treasurer to reimburse such counties for such payments because of omissions defects errors or irregularities in the proofs of such claims or in the certificates of the officers before whom such proofs were made and

Whereas There is an obligation on the part of the Commonwealth and it is deemed just that such counties should be reimbursed to the extent of the amounts which were paid in good faith by their officers notwithstanding such omissions defects errors or irregularities in the proofs of such claims or the certificates thereto therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the claims of the several counties for bounties or rewards heretofore paid by such counties for which reimbursements was refused by the Auditor General on account of omissions defects errors or irregularities in the proofs of such claims or the certificates thereto are hereby validated and the Auditor General of this Commonwealth is hereby directed to issue his warrants to the State Treasurer for the payment to the various counties of this Commonwealth from the funds provided by law for such purposes of the amounts paid by the treasurers of such counties as rewards to bounties for the destruction of noxious animals and birds under the provisions of said act of the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act creating a reward or bounty for the destruction of certain noxious animals and birds killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth and providing for violation of its several provisions" on orders issued in good faith by the county commissioners of such counties notwithstanding the omissions defects errors or irregularities in the proofs of the claims or the certificates thereto

This act shall not authorize the payment of any claims which on investigation have been found to be fraudulent

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1025, entitled

An Act authorizng the Commissioner of Banking to appoint five additional examiners and providing for their compensation and expenses

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1340, entitled

An Act to amend part of section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentages of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1165, entitled

An Act exempting agricultural corporations from the payment of a bonus and of State taxes upon their capital stock

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1346, entitled

An Act to further amend part of section six of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving the said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for the purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for the payment of cost of improvement and repairs; providing penalties for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by the provisions of this act," as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 884, entitled

An Act providing that it shall be a misdemeanor for any person to contribute to the delinquency of any minor within the jurisdiction of any Juvenile Court or to assist or encourage said minor in violating his or her parole or to interfere with the probation officer assigned to such child and providing penalties therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1029, entitled

A Joint Resolution for the appointment of a Commission by the Governor of this Commonwealth for the purpose of amending, revising, and collating the laws touching upon and relating to dependent, defective, delinquent, neglected, incorrigible, and illegitimate children of this State, and for the further purpose of suggesting new legislation for the care and welfare of such children, and making an appropriation to meet the expenses of the said Commission.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 410, entitled

An Act to locate and establish a certain section of State Highway in the county of Lebanon, and providing for the construction, improvement and maintenance thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1037, entitled

An Act to facilitate the collection of taxes assessed upon occupations; authorizing and requiring employers to furnish certain information to tax collectors and to deduct from the wages of employes, in certain cases sums sufficient to pay delinquent taxes assessed on occupations owing by such employes; and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1193, entitled

An Act to amend section one of an act approved the twenty-eighth day of April, one thousand nine hundred and fifteen, entitled "An Act regulating the manner and time of payment of employes of cities of the first class," including employes of school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1026, entitled

An Act to amend the second section of an act approved the twenty-third day of April, one thousand nine hundred and nine, entitled "An Act making it a misdemeanor for any president, vice-president, cashier, treasurer, secretary, teller, bookkeeper, clerk, employe, or agent of any mutual savings bank, savings bank, bank of discount and deposit, trust company, title insurance company, surety company, or safe deposit company, incorporated under the laws of this Commonwealth; or of any private bank or unincorporated association, receiving deposits of money; or of any building and loan association, incorporated under the laws of this Commonwealth, or authorized to do business therein; his or their aiders and abettors, to embezzle, abstract or wilfully misapply any of the moneys, funds, or credits of such institution; or to issue certificates of deposit, draw any order or bill of exchange, make any acceptance, assign any note, bond, draft, bill of exchange, mortgage, judgment, or other instrument in writing, without authority from the directors of such institution, with intent to deceive or defraud; or to make a false entry in the books, reports or statements thereof, with like intent; prescribing penalties, and authorizing the Banking Commissioner to institute prosecutions."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1284, entitled

An Act to make valid acknowledgments and other notarial acts heretofore or hereafter performed by notaries public in any state or territory of the United States, or any foreign country, and authorizing the recording thereof and the acceptation thereof in evidence.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1251, entitled

An Act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 961, entitled

A Supplement to an act approved the second day of May, one thousand eight hundred and ninety-nine, entitled "An Act requiring written notice to be served upon supervisors of the proposed opening and construction of new roads for public use, and of views, reviews and re-reviews in connection with such proposed new roads," as amended by an act approved the twenty-ninth day of March, one thousand nine hundred and five, entitled "An Act to amend section one of an act, entitled 'An Act requiring written notice to be served upon supervisors, of the proposed opening and construction of new roads for public use, and of views, reviews and re-reviews in connection with such proposed new roads,' approved the second day of May, Anno Domini one thousand eight hundred and ninety-nine, so as to require notice to be served on the supervisors of the territory through which the proposed public road is to pass, of the time and place of the appointment of viewers, reviewers, and re-reviewers to lay out the same, and of the time and place of their meetings," requiring petitioners for roads to give bond for the payment of costs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1344, entitled

An Act regulating the conduct and prescribing the duties of drivers or operators of automobiles, motor cycles or other vehicles on public highways, who shall injure any person or persons while so driving on said highways, and providing penalties for violations of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 393, entitled

An Act to provide for the establishment and government of six correctional institutions to be known as the Pennsylvania State Farm of the first, second, third, fourth, fifth, and sixth districts, respectively; providing for the care and confinement of prisoners therein, and the transfer of prisoners thereto, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1254, entitled

An Act relating to the photographing by police officials of persons charged with any crime, and providing a penalty for the violation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1290, entitled

An Act relating to the arrest, character of evidence, and punishment of professional thieves, burglars and pickpockets.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1347, entitled

An Act to amend an act approved the twenty-second day of July, one thousand nine hundred and thirteen, entitled "An Act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1285, entitled

An Act to amend article 6 of the second section of an act approved the eleventh day of March one thousand eight hundred and ninety-one entitled "An Act to regulate the issue of policies of insurance and certificates of inspection made by steam boiler insurance companies in all cities of the first class"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 768, entitled

An Act to refund to Friedman Manufacturing Company of Pittsburgh Allegheny County money paid for a license to sell oleomargarine

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 904, entitled

An Act to provide for the reincorporation as a stock company of certain corporations organized under the laws of Pennsylvania for the maintenance of a society for beneficial or protective purposes to its members from funds collected therein

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1269, entitled

An Act relating to the jurisdiction, powers and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purposes of distribution, and the fees, costs and expenses therein.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1270, entitled

An Act relating to the organization, jurisdiction and procedure of the orphans' courts, the powers and duties of the judges thereof, and appeals therefrom.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1271, entitled

An Act relating to the jurisdiction, powers and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground rent, leases, extinguishment of ground rents, partitions, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the subdivision of premises so as to command the highest price or greatest rents, and, for such purpose, the laying out or dedication of roads, streets, and alleys or the vacation of such as have not been accepted by the public authorities, where the court shall be of the opinion that such decree will be to the interest and advantage of all those interested, and where the legal title is held by minors, lunatics, habitual drunkards or weak-minded persons, a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years, by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial or charitable society or association incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law, by a corporation or individual or individuals and is subject to a trust of any description whatever, by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory device, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the state, have died, refuse to act, unreasonably withhold consent or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor, devisee or appointee to make sale and conveyance; where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decrees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1272, entitled

An Act relating to the form, execution, revocation and interpretation of wills, to nuncupative wills, to the appointment of testamentary guardians, to spendthrift trusts, to forfeiture of devise or legacy in case of murder of testator, to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1273, entitled

An Act relating to the qualification, jurisdiction, powers and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1274, entitled

An Act relating to the descent and distribution of the real and personal property of persons dying intestate, and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1275, entitled

An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1259 (Senate Bill No. 632), entitled

An Act to further amend section nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns, and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, town-

ship, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns, with Commonwealth governing same, providing for the minimum width of State highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provision of this act" as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1339 (Senate Bill No. 681), entitled

An Act to increase the pay of election officers from five dollars ($5.00) per day to ten dollars ($10.00) per day.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1235 (Senate Bill No. 562), entitled

An Act authorizing boroughs to assess the cost of the improvement or reconstruction of certain State highways in certain cases upon the property abutting the line of improvement and providing for the collection of such assessments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1369 (Senate Bill No. 243), entitled

An Act to repeal an act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record; providing for non-partisan nominations and elections for said offices; abolishing certain existing method of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners and election officers and clerks; and providing penalties for the violation of the provisions hereof, and the punishment of certain offences," insofar as it relates to nominations and elections for elective offices in cities of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1255 (Senate Bill No. 255), entitled

An Act to fix the time for filing nomination papers for State and municipal officers and for determination by the courts of contested papers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1256 (Senate Bill No. 256), entitled

An Act to amend paragraph "a" of section four and paragraph one of section five of an act entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record; providing for non-partisan nominations and elections for said offices; abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners, and election officers and clerks; and providing penalties for the violation of the provisions hereof, and the punishment of certain offenses," approved the twenty-fourth day of July, Anno Domini one thousand nine hundred and thirteen, so as to change the time for circulating and filing nomination petitions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1257 (Senate Bill No. 257), entitled

An Act to amend the first, sixth and seventh sections of an act, entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States, and the payment by the several counties and their reimbursement by the State of the expenses of the same; authorizing the State committee of a political party to make and to alter, amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided herein and repealing inconsistent legislation," approved the twelfth day of July, Anno Domini one thousand nine hundred and thirteen, so as to change the time for filing petitions of nomination and the time for the organization of the State committees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1295 (Senate Bill No. 595), entitled

An Act regulating the practice and procedure of the sheriff or deputy sheriff under writs of inquisition, condemnation, inquiry of damages, lunacy or habitual drunkard proceedings, partition proceedings, or by virtue of any other writ or process issued by the courts of this Commonwealth wherein the existing laws require the sheriff to be present in person.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1239 (Senate Bill No. 583), entitled

An Act to further amend section sixteen of an act approved the thirteenth day of June, one thousand eight hundred and thirty-six, entitled "An Act relating to lunatics and habitual drunkards," as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 338 (Senate Bill No. 61), entitled

An Act to enable foreign religious and charitable corporations to hold real estate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1331 (Senate Bill No. 567), entitled

An Act to amend section nineteen of an act approved the thirteenth day of June, one thousand eight hundred thirty-six, entitled "An Act relating to roads, highways and bridges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1337 (Senate Bill No. 675), entitled

An Act validating marriages contracted on or before the 1st day of January, 1896, within or without the State of Pennsylvania, between parties resident within the State of Pennsylvania at the time of the approval of this act, where continuous cohabitation of the parties contracting

the marriage for a period of twenty-one years has followed such marriage, notwithstanding any impediment or obstacle which may have existed under the law of Pennsylvania at the time such marriage was performed, and making legitimate all children born of parents whose marriages are validated under this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1373 (Senate Bill No. 698), entitled

An Act to prevent the incorporation of societies and associations not for profit with names, styles or titles identical with or similar to the names, styles or titles of State boards, commissions or other activities and the use by such societies and associations already incorporated of such names, styles or titles, where such identity or similarity is calculated to result or has resulted in a confusion in the public mind between the recommendations and operations of such societies and associations, and those of said State boards, commissions or other activities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1372 (Senate Bill No. 480), entitled

An Act to amend section five of an act approved the fifteenth day of June, one thousand nine hundred and fifteen entitled "An Act to amend, revise and consolidate the law providing for the burial of certain honorably discharged soldiers, sailors and marines at the expense of the counties in which they shall die or have a legal residence at the time of their death to provide a system for effecting the burial of such soldiers, sailors and marines; to provide headstones and markers for the graves of such soldiers, sailors and marines and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers, sailors and marines."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1338 (Senate Bill No. 680), entitled

An Act to amend section two of an act approved the fifteenth day of June one thousand nine hundred and eleven entitled "An Act providing for the appointment by the District Attorney in counties having a population of over one million and less than one million five hundred thousand inhabitants of a chief county detective and assistant county detective and special county detective defining their duties fixing their salaries and authorizing payment of the same together with the necessary traveling expenses by the county and providing for additional salary and expenses"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1333 (Senate Bill No. 579), entitled

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve and maintain the same; and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways, providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," and further providing that the State Highway Commissioner, and the several counties, townships, boroughs or incorporated towns shall have authority to make and enter into contracts to reconstruct or improve a State Highway or portion thereof, in the same manner as a State-aid highway; and authorizing counties, townships, boroughs or incorporated towns to incur indebtedness and pay their respective shares of the cost thereof, and making valid all such contracts heretofore made; such highway to remain a State Highway.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1097 (Senate Bill No. 326), entitled

An Act to amend sections three and four of an act approved the twenty-eighth day of April, one thousand nine hundred and fifteen, entitled "An Act creating a Division of Distribution of Documents; defining its powers and duties; regulating the printing, binding and distribution of the public documents of this Commonwealth, and providing penalties for the violation of this act."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 295

An Act to further amend clause three of section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four) entitled "A further supplement to the act entitled 'An Act concerning divorces' " as amended by omiting the proviso providing for the allowance of support or alimony in certain cases

House Bill No. 376

An Act to amend section three hundred three of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 735

An Act to amend section one of an act approved the thirteenth day of May, one thousand nine hundred and fifteen entitled "An Act to fix the salaries to be paid to the jury commissioners county jailor and jail physician in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census"

House Bill No. 855

An Act to repeal an act approved the nineteenth day of March one thousand nine hundred fifteen entitled "A further supplement to an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth

day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise."

House Bill No. 900

An Act amending section nineteen of an act entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention" approved the eighth day of May one thousand eight hundred eighty-three so as to permit certificates of physicians as to the insanity of patients to be sworn to or affirmed before a judge or magistrate of any county in the Commonwealth

Whereupon,

The Speaker in the presence of the House signed the same.

BILLS ON THIRD READING.

Mr. RICH asked and obtained unanimous consent to call up House Bill No. 842 from page 23 of to-day's calendar, bills on third reading, for the purpose of amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 842, entitled

An Act authorizing Robert J. McAllister and Ruth McAllister, his wife, residents of the Borough of Jersey Shore, Lycoming County, Pennsylvania, to bring suit in the court of common pleas of Clinton County against the Commonwealth of Pennsylvania, jointly or severally.

On the question,

Will the House agree to the bill on third reading?

Mr. RICH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, line 2, by striking out the words "Borough of Jersey Shore, Lycoming" and inserting in lieu thereof: "Dunnstable Township, Clinton."

Amend section 1, page 1, line 11, by striking out the word 'Comonwealth" and inserting in lieu thereof the word: "Commonwealth."

Amend section 1, line 9, by striking out the word "Dumstable" and inserting in lieu thereof the word "Dunnstable."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. DITHRICH asked and obtained unanimous consent to call up House Bill No. 846, from page 11 of to-day's calendar, bills on third reading, for the purpose of amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 846, as follows:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wherever heretofore the council of any incorporated borough of this Commonwealth has required by ordinance and caused to be graded paved curbed or macadamized with brick stone or other suitable material or otherwise improved any public street or thoroughfare or part thereof either cartway or footwalk or both pursuant to such ordinance but owing to some defect in the petition action of council notice publication or other proceeding necessary under existing law and ordinance to give jurisdiction to such council or owing to want of jurisdiction of such council because of non compliance with existing law as to publication of copies of ordinance and posting of handbills prior to final passage of such ordinance or owing to some defect in the ordinance or for any other reason the cost of such improvement or a portion thereof can not be legally assessed upon the property bounding or abutting upon the street or part thereof improved or owing to some defect in the statement of claim filed to secure the lien for the cost of such improvement payment thereof can not be enforced as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made and statement of claim filed now by this act such improvements are made valid and binding and the council of such incorporated borough may cause the property bounding or abutting upon the street or part thereof upon which the improvement has been made to be assessed in the manner now provided by law with such a portion of the cost of such improvement as is contemplated by the law under which the improvement was made or attempted to be made Such assessment shall be a lien upon the property assessed The lien shall date from the completion of the improvement for which the assessment is made and shall remain a lien until fully paid and satisfied Provided That a writ of scire facias is issued to revive the same during every period of five years after a lien is filed as hereinafter provided

Section 2 The council of any incorporated borough of this Commonwealth entitled to a lien under this act shall file a lien therefore in the office of the prothonotary of the county within which the property lies within six months after the approval of this act and the same shall be entered upon record as other municipal claims Such lien shall state the name of the party claimant which shall be the corporate name of the borough making the improvement the name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest on the assessment from the completion of the improvement for what improvement the claim is made the date of its completion the date of the assessment for which the lien is filed Such lien when so filed shall be prima facie evidence of all matters therein set forth and of the right of the borough to recover the amount therein claimed to be due together with interest from the date of the lien or completion of the improvement costs and an attorney's commission of five per centum for collecting

Section 3 The claim when so filed shall be proceeded upon for collection by writ of scire facias substantially And when the claimant files the praecipe for the writ of scire facias it may direct the prothonotary to add and insert the name of any person whom the claimant may know to have an interest in the premises and the scire facias shall be issued containing such additional names The said writ shall be made returnable to the monthly or other return day in the respective courts The sheriff to whom the scire facias is given for service shall serve the same upon the owner or reputed owner or person added to the writ personally or by leaving a copy thereof duly attested with an adult member of his family or of the family in which he resides at least ten days before the return day thereof if the owner of the property can not be found or has no residence within the county in which the property lies the sheriff shall thereupon return the said writ nihil and thereupon and alias scire facias may issue which shall be served by notice posted upon the premises stating the substance of the writ at least ten days prior to the return day and also by advertisement in at least two newspapers published in the county in which the premises are located once a week for three successive weeks Such posting and publication shall be equivalent to a service

Section 4 If the writ or alias writ shall have been served as aforesaid and no appearance entered on or before the return day thereof the plaintiff therein shall be entitled to judgment after the return day thereof for the debt interest costs and attorney's commission If an appearance be entered the plantiff shall also be entitled to judgment unless a sufficient affidavit of defense be filed within fifteen days after the return day If such affidavit be filed the cause shall be proceeded with in accordance with the rules of law and the practice of the courts

Section 5 When final judgment shall have been entered upon such lien the plaintiff therein may have a writ of levari facias And upon the same the sheriff shall cause the said property to be advertised for sale in at least two newspapers of the proper county once a week for three weeks before the day of sale and shall also give notice by at least ten handbills posted in conspicuous places one of which shall be posted upon the property of the time and place of sale and thereupon shall proceed to sell the same The place of sale shall be the sheriff's office and the deed to the purchaser shall be executed acknowledged and delivered as in other real estate sales by the sheriff The proceeds of sale shall be distributed according to law

Section 6 The term "owner or reputed owner" as used in this act shall mean the person or persons in whose name the record title to the property stands or any person or persons in open peacable and notorious possession of the property Remaindermen or other persons interested in expectancy not having been heard and aggrieved by such final judgment upon petition presented in the proper court may have the judgment opened at any time before the sale of the property and be allowed to defend when in the judgment of the court such opening is necessary to secure justice to all parties Sale of the property shall preclude all persons from setting up anything contrary to the record

On the question,

Will the House agree to the bill on third reading?

Mr. DITHRICH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend Section 1, line 4, by striking out the word "wherever" and inserting in lieu thereof "whenever."

Amend Section 1, line 9, after the word "foot walk" by inserting the words "or has caused sewers to be constructed therein."

Amend Section 1, page 2, line 9, by inserting after the word "lien" the following: "or the failure of the Borough Solicitor to sign the same."

Amend on page 2, line 17, by inserting after the word "made" the following: "or is now being made."

Amend on page 2, line 21, by inserting after the word "made" the following: "or is now being made."

Amend section 2, page 3, line 3, by striking out after the word "the" the following: "Approval of this act" and insert in lieu thereof the following: "completion of the work where the improvement is now in progress, or within six months after the approval of this act, or where the improvement is now completed."

Amend Section 3, page 3, line 21, by striking out all that follows "scire facias."

Amend by striking out Sections 4, 5 and 6.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. BALDRIDGE asked and obtained unanimous consent to call up House Bill No. 468 from page 11 of to-day's calendar, bills on third reading, for the purpose of amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 468, entitled

An Act fixing the salaries of the County Engineer and Deputy County Engineer in counties containing more than eight hundred thousand and less than one million four hundred thousand

On the question,

Will the House agree to the bill on third reading?

Mr. BALDRIDGE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend Section 1, page 1, line 8, by striking out "six thousand dollars ($6,000)" and inserting in lieu thereof "five thousand dollars ($5,000)."

Amend Section 1, page 1, lines 9 and 10, by striking out "four thousand dollars ($4,000)" and inserting in lieu thereof "three thousand dollars ($3,000)."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 12.10 o'clock P. M.) the House adjourned until Monday, April 16th, 1917, at 9 o'clock P. M.

ERRATA.

In the remarks of Mr. Powell, appearing on page 1121, first column, twelfth line from the conclusion thereof, the word "not" should have been inserted before the word "guilty", so as to read "not guilty".

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

VOL. 4. HARRISBURG, PA., MONDAY, APRIL 16, 1917. No. 38.

SENATE.

MONDAY, April 16, 1917.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Frank B. McClain) in the Chair.

PRAYER.

The Chaplain, Rev. Thomas W. Davis, offered the following prayer:

Almighty God, we thank Thee that the genius of American statesmanship, being tested in this crucial period of the world's history, is upholding with honor the traditions of our country. Their attitude presents our flag unstained, so that we are led to pray:

Wave on, wave on, good stars and stripes!
Our sons of Freedom will follow thee,
And wage the battle for Human Rights,
Both on the land and on the Sea.

Wave on, wave on, oh glorious flag,
Our soldier boys are joining in the song.
The world democracy no more can lag,
For we are coming one hundred million strong.

Steer us straight, oh worthy Master,
Staunch and strong, a glorious nation,
Prepared in triumph or disaster,
To hold with courage our given station.

This prayer we ask in our Saviour's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. WASBERS, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE.

The Chair asked and obtained leave of absence for the Senator from Cambria, Mr. Tompkins.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor Frank B. McClain) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 295, entitled

An Act to further amend clause three of section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (P. L. 644) entitled "A further supplement to the act entitled 'An Act concerning divorces'" as amended by omitting the proviso providing for the allowance of support or alimony in certain cases

House Bill No. 376, entitled

An Act to amend section three hundred three of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 735, entitled

An Act to amend section one of an act approved the thirteenth day of May one thousand nine hundred and fifteen entitled "An Act to fix the salaries to be paid to the jury commissioners county jailor and jail physician in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census."

House Bill No. 855, entitled

An Act to repeal an act approved the nineteenth day of March one thousand nine hundred fifteen entitled "A further supplement to an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise."

House Bill No. 900, entitled

An Act amending section nineteen of an act entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention" approved the eighth day of May one thousand eight hundred and eighty-three, so as to permit certificates of physicians as to the insanity of patients to be sworn to or affirmed before a judge or magistrate of any county in the Commonwealth.

Whereupon,

The PRESIDENT (Lieutenant-Governor Frank B. McClain in the presence of the Senate signed the same.

HOUSE MESSAGE.

RESOLUTION RECOMMENDING CHANGING THE NAMES OF INSANE ASYLUMS.

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, April 11, 1917.

Whereas, Many persons committed to insane or feeble-minded institutions are being cured of their diseases and are being returned to their homes and families; and

Whereas, Many persons so discharged from such institutions are often conscious of the fact that their neighbors and friends are aware that they were inmates of such insane or feeble-minded institutions; and

Whereas, In order to remove at least in some degree this conscious feeling of such persons, and to bring this Commonwealth in line with the modern thought as well as the idea of medical science, the names of such institutions should be changed; therefore be it

Resolved (if the House of Representatives concur), That it is the sense of the General Assembly that the names of all State and semi-State and private institutions for insane and feeble-minded be changed by striking from such names the words, "insane, lunatics, feeble-minded" and similar words, which will materially aid in removing the possibility of having that stigma cast upon inmates thereof; and be it further

Resolved (if the House of Representatives concur), That the trustees, or directors of all insane and feeble-minded institutions be urged to take the proper steps to have the names of their respective institutions changed to conform with the ideas conveyed and objects desired to be accomplished by this resolution by naming them by amendment of the present laws or otherwise as "Institutions or Hospitals for the Treatment of Mental Diseases," or other appropriate names.

HOUSE BILL NO. 384 RECALLED FROM THE GOVERNOR.

He also presented communication from the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 12, 1917.

Resolved (if the Senate concur), That House Bill No. 384, entitled: An Act to amend an act approved the fifth day of May one thousand nine hundred eleven, entitled "An Act to amend the first section of an act approved the tenth day of May, one thousand nine hundred seven, entitled 'An Act to fix the salaries of the clerk, deputy clerk, court clerks and employes in the office of the clerk of the court of oyer and terminer and quarter sessions of the peace of any county of this Commonwealth having a population of one million or over,' so as to make it apply to counties having a population of one million four hundred thousand and over."

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

TRANSMITTING COMMUNICATION FROM HONORABLE NEWTON D. BAKER, SECRETARY OF WAR.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, April 12, 1917.

To the Honorable, the Senate and the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have received from Honorable Newton D. Baker, Secretary of War, under date of April ninth, a communication containing the following resolutions of the Council of National Defense and its Advisory Commission, which resolutions were adopted by these bodies on Saturday, April seventh:

"That the Council of National Defense urge upon the legislatures of the states, as well as all administrative agencies charged with the enforcement of labor and health laws, the great duty of rigerously maintaining the existing safe-guards as to the health and welfare of workers, and that no departure from such present standards, in state laws or state rulings affecting labor should be taken without declaration of the Council of National Defense that such a departure is essential for the effective pursuit of the National Defense.

That the Council of National Defense urge upon the legislatures of the several states that before final adjournment they delegate to the Governors of their respective states the power to suspend or modify restrictions contained in their labor laws when such suspension or modification shall be requested by the Council of National Defense, and such a suspension or modification, when made, shall continue for a specified period and not longer than the duration of the war."

I invite your special attention to these important declarations of national policy, and respectfully request that the spirit of the same may be given prompt and full consideration by your bodies.

The resolutions meet with my cordial approval, and I shall be very glad, so far as my powers permit and so far as additional power may be given me by your bodies, to comply with the requests contained therein.

Very respectfully yours,

MARTIN G. BRUMBAUGH.

The PRESIDENT. Inasmuch as the suggestion of the Secretary of War transmitted through the Governor recommends the modifying or suspension of the health laws of the Commonwealth, the Chair refers the communication to the Committee on Judiciary General.

APPROVAL OF SENATE BILL NO. 84.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, Pa., April 13, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 84, entitled "An Act authorizing Jesse Kuhl and Nora Kuhl his wife citizens of Erie County Pennsylvania to bring suit in the court of common pleas of Erie County Pennsylvania against the Commonwealth of Pennsylvania."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 85.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, Pa., April 13, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 85, entitled "An Act authorizing David Yeagley and Hattie Yeagley his wife citizens of Erie County Pennsylvania to bring suit in the court of common pleas of Erie County Pennsylvania against the Commonwealth of Pennsylvania."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 86.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 13, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 86, entitled "An Act authorizing C. M. Warner a citizen of Erie County Pennsylvania to bring suit in the court of common pleas of Erie County Pennsylvania against the Commonwealth of Pennsylvania."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 104.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 12, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 104, entitled "An Act fixing the salaries of the Superintendent and Deputy Superintendent of the Department of State Police and fixing the number and salaries of the officers and the enlisted men of the State Police force."

MARTIN G. BRUMBAUGH.

VETO OF CONCURRENT RESOLUTION DIRECTING THE DEPARTMENT OF STATE POLICE TO GUARD AND PROTECT THE CAPITOL BUILDING.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 13, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval, resolution of the Senate and the House of Representatives, relative to the placing of a sufficient number of State Constabulary at the State Capitol Building to give it the necessary protection in this unsettled condition as a result of the war situation in our Nation.

I beg to advise you that I have already acted upon this matter and have requested Major Groome to place a sufficient force around the Capitol building and the Library building to comply with the intent of your Resolution.

I enclose herewith for your information a copy of a letter sent to Major Groome.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 12, 1917.

Major John C. Groome, Superintendent of State Police, Harrisburg, Pa.

My dear Major Groome: During the unsettled condition the State Capitol Building, including the Library building, should be efficiently guarded and protected.

I hereby request you to detail whatever number of your men you may find it expedient so to do, to the State Capitol buildings, in order to give efficient protection there.

I further advise and direct that until you receive orders to the contrary all of the State Capitol Police force shall be under the direction of your force and its commanding officer there, and you will proceed to organize this State Capitol Police body for such services as you may find it expedient and proper to direct them to perform, in order that they with your own officers and men may give to the Capitol the necessary protection.

I am sending you for your information a copy of a letter just sent to the Acting Superintendent of Public Grounds and Buildings, Mr. James C. Patterson.

Very truly yours,

MARTIN G. BRUMBAUGH.

On the question,

Shall the resolution pass, the objection of the Governor to the contrary notwithstanding?

Mr. BUCKMAN. Mr. President, I move that the question, together with the further consideration of the resolution, be postponed for the present.

Mr. W. W. SMITH. Mr. President, I second the motion.

The motion was agreed to.

NOMINATIONS BY THE GOVERNOR.

He also laid before the Senate communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations.

COMMISSIONER OF DEEDS.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Daniel Jacoby, to be a Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in Bridgeport, Connecticut, to serve for the term of five years from date of confirmation.

MARTIN G. BRUMBAUGH.

TRUSTEES TO ADMINISTER THE MOTHERS' ASSISTANCE FUND FOR THE COUNTY OF HUNTINGDON.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 16, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Trustees to administer the Mothers' Assistance Fund for the County of Huntingdon, until lawfully determined or annulled:

Mrs. John Summerville, Robertsdale, Pa.
Mrs. Nancy Taylor Newland, Orbisonia, Pa.

MARTIN G. BRUMBAUGH.

TRUSTEE TO ADMINISTER THE MOTHERS' ASSISTANCE FUND FOR THE COUNTY OF LEBANON.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 16, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Miss Flora Killinger, of Lebanon, to be Trustee to administer the Mothers' Assistance Fund for the County of Lebanon, vice Mrs. Mary M. Reisner, resigned, until lawfully determined or annulled.

MARTIN G. BRUMBAUGH.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 16, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Ross M. Blair, Pittsburgh.
John C. Donehoo, Pittsburgh.
William John Herbster, Pittsburgh.
Robert H. Logan, Pittsburgh.
Miss Geraldine L. Johnston, Verona.

BEAVER COUNTY.

W. F. Follett, Woodlawn.

CRAWFORD COUNTY.

Carlton C. Patterson, Meadville.

DELAWARE COUNTY.

Ralph Straub, Chester.

LACKAWANNA COUNTY.

John J. Cannon, Dunmore.

M'KEAN COUNTY.

Miss Frances L. Grow, Bradford.

PHILADELPHIA COUNTY.

Thomas J. Burke, Philadelphia.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 16, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their names, respectively:

ADAMS COUNTY.

P. S. Orner, Arendtsville, May 10, 1917.

ALLEGHENY COUNTY.

A. L. Goldstrom, McKeesport, April 29, 1917.
Robert L. Swearer, Pittsburgh, May 6, 1917.
John McKelvie, Pittsburgh, May 20, 1917.
W. R. Shoup, Pittsburgh, May 22, 1917.

BERKS COUNTY.

John W. Rhode, Kutztown, May 20, 1917.

LEHIGH COUNTY.

Geza Bolez, Allentown, May 28, 1917.

LYCOMING COUNTY.

John G. Candor, Williamsport, May 14, 1917.

PHILADELPHIA COUNTY.

Walter S. Dolman, Philadelphia, May 1, 1917.
Elias H. White, Philadelphia, May 4, 1917.
Robert W. Lloyd, Philadelphia, May 11, 1917.
Thomas F. Gross, Philadelphia, May 12, 1917.
William E. Vollmer, Philadelphia, May 14, 1917.
H. S. J. Sickel, Philadelphia, May 15, 1917.
George J. Hyde, Philadelphia, May 21, 1917.
Abraham Weitzenfeld, Philadelphia, May 28, 1917.

SCHUYLKILL COUNTY.

James W. G. Lengel, North Manheim Twp., April 23, 1917.

WARREN COUNTY.

Miss Alice B. Wilson, Warren, May 21, 1917.

MARTIN G. BRUMBAUGH.

REPORT OF THE SOLICITOR OF THE ECONOMY AND EFFICIENCY COMMISSION.

He also laid before the Senate Communication in writing from the Economy and Efficiency Commission, as follows:

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 16, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In compliance with a resolution of the Senate adopted April 10, 1917, I have the honor to herewith transmit copies of the report of the Solicitor of the Economy and Efficiency Commission of the Commonwealth of Pennsylvania.

MARTIN G. BRUMBAUGH,
Chairman.

Mr. SPROUL. Mr. President, I move that one thousand copies of the report of the solicitor of the Economy and Efficiency Commission be printed for the use of the Legislature and that the report be printed in the appendix of the Legislative Journal and it then be referred to the Joint Committee on Revenue.

Mr. P. W. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

(For report see Appendix.)

REPORTS FROM COMMITTEES.

Mr. BUCKMAN, from the Committee on Appropriations, reported as committed Senate Bill No. 701 (House Bill No. 354), entitled

An Act authorizing the Legislative Reference Bureau to continue the work commenced under the provisions of an act, approved the twentieth day of May, one thousand nine hundred and thirteen, entitled "An Act directing the Legislative Reference Bureau to prepare compilations or codes, by topics, of the existing general laws of this Commonwealth, for adoption or rejection by the General Assembly; fixing the powers and duties of the bureau therein, fixing the compensation of the assistant director; and making an appropriation therefor," fixing the powers and duties of the bureau therein, and making an appropriation.

Also from the Committee on Appropriations, reported as committed Senate Bill No. 774, entitled

An Act making an appropriation to refund certain monies to the estate of the late Joseph P. Kennedy.

BILLS INTRODUCED.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 847, entitled

An Act relating to Commissioners of Public Parks

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 848, entitled

A Joint Resolution proposing an amendment to section twenty-two article three of the Constitution of Pennsylvania.

Which was committed to the Committee on Judiciary General.

Also read in his place and persented to the Chair Senate Bill No. 849, entitled

A Joint Resolution proposing an amendment to section eleven of article sixteen of the Constitution of Pennsylvania.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 850, entitled

An Act to further amend an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repaid of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part, requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 851, entitled

An Act making an appropriation to the State Highway Department for the reimbursement of the several townhsips of the second class within the Commonwealth for sums of money due said townships by the Commonwealth, for the years one thousand nine hundred and ten, one thousand nine hundred and eleven, one thousand nine hundred and twelve one thousand nine hundred and thirteen, and one thousand nine hundred and fourteen; for the construction, maintenance, and repair of township roads.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 852, entitled

An Act to amend section sixteen hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 853, entitled

An Act to amend part of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repaid of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part, requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; providing for the repeal of certain acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Mr. STEWART. The bill I hold in my hand I introduce at the request of an old farmer friend of mine whose importunities I could hardly refuse. In this old farmer there is a vein of humor as well as sarcasm. The bill is very suggestive and when it comes before this body I hope every Senator will give it very careful and thoughtful consideration.

Mr. STEWART read in his place and presented to the Chair Senate Bill No. 854, entitled

An Act creating a Commission on Lunacy to inquire into the mental condition of the heads of the various departments of the State Government.

Which was committed to the Committee on Appropriations.

Mr. W. W. SMITH (at the request of Mr. Salus) read in his place and presented to the Chair Senate Bill No. 855, entitled

An Act to appropriate unseated lands within the Commonwealth and to employ and utilize the same for the purpose of increasing the food supply of the Commonwealth and for establishing a commission to effect such purpose; regulating the proceedings for the acquisition of such unseated lands and defining the powers and duties of the said commission; providing for the compulsory labor of the inhabitants of the Commonwealth in and about the cultivation of the said unseated lands so appropriated; prescribing the terms and conditions for the disposition of the products of the said unseated lands so produced and providing for penalties for the violation of the said act, and making necessary appropriations to carry the same into effect.

Which was committed to the Committee on Appropriations.

RESOLUTION PROVIDING FOR THE PRINTING OF ONE THOUSAND COPIES OF THE PROCEEDINGS OF THE MEMORIAL SERVICE HELD IN HONOR OF THE LATE HONORABLE CHARLES J. MAGEE.

Mr. McKEE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 16, 1917.

Resolved (if the House of Representatives concur), That one thousand copies of the proceedings of the memorial service, held in honor of the late Honorable Charles J. Magee, be printed for the use of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION GIVING THE USE OF THE SENATE CHAMBER TO THE STATE BOARD OF CENSORS OF MOVING PICTURES ON TUESDAY EVENING, APRIL 24, 1917.

Mr. CATLIN offered the following resolution, which was twice read, considered and agreed to:

Harrisburg, Pennsylvania, April 16, 1917.

Resolved, That the use of the Senate Chamber be given to the Pennsylvania State Board of Censors of Motion Pictures on Tuesday evening, April twenty-fourth, for an exhibition of the cut-outs in moving picture films made by said Board.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 706, as follows:

An Act to fix the pay and mileage of witnesses and jurors in actions before aldermen and justices of the peace

Section 1 (a) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all actions civil or criminal before any aldermen or justice of the peace in this Commonwealth within their respective jurisdiction each witness subpoenaed or sworn shall be entitled to demand and receive the sum of one dollar per day and mileage at the rate of three cents per mile circular

Section 2 In all counties wherein juries may be summoned in any case civil or criminal before any alderman or justice of the peace each juror summoned and sworn shall be entitled to demand and receive the sum of two dollars per day and mileage at the rate of three cents per mile circular

Section 3 All acts or parts of acts general special and local inconsistent with this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. PHIPPS. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. P. W. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 91, entitled

An Act protecting against false charges as to collection of transportation money.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Beidleman,	Endsley,	McKee,	Smith, W. W.,
Buckman,	Graff, J. F.,	Nason,	Snyder, P. W.,
Burke,	Graff, W. P.,	Phipps,	Stewart,
Catlin,	Hackett,	Sassaman,	Vare,
Craig,	Jenkins,	Semmens,	Weaver,
Daix,	Leiby,	Smith, R. E.,	Whitten,
DeWitt,	Lynch,		

NAYS—10.

Croft,	Homsher,	Sones,	Warner,
Eyre,	Martin,	Sproul,	Wasbers,
Haldeman,	Schantz,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. McKEE. Mr. Prsident, I move that Senate Bill No. 130, on third reading, entitled

An Act to transfer from the several courts of quarter sessions of the peace and grant exclusively to the county commissioners of the several counties of the Commonwealth and in counties having a population of more than one million five hundred thousand inhabitants to an excise commission to be appointed by the judges of the courts of common pleas the power to grant, renew, extend, transfer and revoke licenses for the manufacture or sale of vinous, spirituous, malt or brewed liquors or any admixture thereof, providing for and directing the granting of licenses by such county commissioners or excise commissioners and the issuance of the same by the several clerks of the courts of quarter sessions of the peace, limiting the number of new licenses to be granted by the said county commissioners or excise commissioners, fixing the compensation of the said county commissioners for the additional services required of them under this act and the compensation of the excise commissioners, authorizing the said county commissioners or excise commissioners to employ and pay for clerical assistance to keep a record of proceedings and to make rules of procedure to enable them to carry out the provisions hereof and directing mercantile appraisers and constables to make their returns regarding liquor licenses to said county commissioners or excise commissioners instead of to the courts of quarter sessions of the peace.

be recommitted to the Committee on Law and Order.

Mr. CROFT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 226 (House Bill No. 69), as

An Act fixing the compensation of employes in the Department of Banking and providing for the appointment of an additional clerk

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after June first Anno Domini one thousand nine hundred and seventeen the compensation of the Deputy Banking Commissioner shall be four thousand dollars per annum the compensation of the chief clerk in the Department of Banking shall be two thousand dollars per annum the compensation of the five clerks shall be sixteen hundred dollars each per annum the compensation of the three stenographers shall be twelve hundred dollars each per annum The Commissioner of Banking is hereby empowered to appoint one additional clerk whose compensation shall be sixteen hundred dollars per annum The compensation of the officer clerks and stenographers shall be paid upon warrants drawn by the Auditor General upon the State Treasurer

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	Daix,	Homsher,	Smith, R. E.,
Beidleman,	DeWitt,	Jenkins,	Smith, W. W.,
Buckman,	Endsley,	Lynch,	Snyder, P. W.,
Burke,	Eyre,	Martin,	Sones,
Catlin,	Graff, J. F.,	McConnell,	Sproul,
Craig,	Graff, W. P.,	Nason,	Vare,
Croft,	Hackett,	Phipps,	Weaver,
Crow,	Haldeman,	Sassaman,	Whitten,

NAYS—2.

Jones, Leiby,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

REQUEST THAT BILL GO OVER IN ORDER.

Mr. WEAVER. Mr. President, at the request of the sponsor, I ask that Senate Bill No. 325, on third reading, entitled

An Act providing for the sale, distribution and use for the promotion of biological science and for the discovery of new methods of treatment in medicine and surgery of unclaimed animals in the public pounds and providing penalties for neglect or refusal to comply with the provisions of this act.

go over in its order.

The PRESIDENT. Is there objection?

Mr. WASBERS. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 325, entitled

An act providing for the sale, distribution and use for the promotion of biological science and for the discovery of new methods of treatment in medicine and surgery of unclaimed animals in the public pounds and providing penalties for neglect or refusal to comply with the provisions of this act.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. WEAVER. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. BEIDLEMAN. Mr. President, on account of the absence of the Senator who introduced the bill, I ask that Senate Bill No. 543, on third reading, entitled

An Act defining cold storage and regulating time of storage of certain articles of food and providing penalties for the violation of the provisions of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 551 (House Bill No. 262), entitled

A Supplement to an act, entitled "An Act to provide for the incorporation and regulation of natural gas companies," approved the twenty-ninth day of May, one thousand eight hundred and eighty-five, providing that corporations engaged in the business of supplying natural gas may manufacture or purchase and transport and supply manufactured fuel gas.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,	Endsley,	McConnell,	Snyder, P. W.,
Beidleman,	Eyre,	McKee,	Sones,
Buckman,	Graff, J. F.,	Nason,	Sproul,
Catlin,	Graff, W. P.,	Phipps,	Stewart,
Craig,	Hackett,	Schantz,	Vare,
Croft,	Jenkins,	Semmens,	Warner,
Crow,	Leiby,	Smith, R. E.,	Weaver,
Daix,	Lynch,	Smith, W. W.,	Whitten,
DeWitt,	Martin,		

NAYS—3.

Haldeman, Homsher, Jones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 600 (House Bill No. 461), entitled

An Act to amend section one of the act approved the twenty-seventh day of April, one thousand nine hundred and nine (Pamphlet Laws two hundred thirty-seven), entitled "An Act regulating the sale of milk and its fluid derivatives in cities of the first class; providing for the licensing of those engaged in that business and providing penalties for the violation thereof."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,	Endsley,	Lynch,	Smith, R. E.,
Beidleman,	Eyre,	Martin,	Smith, W. W.,
Buckman,	Graff, J. F.,	McConnell,	Snyder, P. W.,
Burke,	Graff, W. P.,	McKee,	Sones,
Catlin,	Hackett,	McNichol,	Sproul,
Craig,	Haldeman,	Miller,	Stewart,
Croft,	Homsher,	Phipps,	Vare,
Crow,	Jenkins,	Schantz,	Warner,
Daix,	Jones,	Semmens,	Weaver,
DeWitt,	Leiby,		Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 604, entitled

An Act to amend part of the fourth section of the act approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class," as amended.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,	Endsley,	Lynch,	Smith, W. W.,
Beidleman,	Eyre,	Martin,	Snyder, P. W.,
Buckman,	Graff, J. F.,	McConnell,	Sones,
Burke,	Graff, W. P.,	Miller,	Sproul,
Catlin,	Hackett,	Phipps,	Stewart,
Craig,	Haldeman,	Sassaman,	Vare,
Croft,	Homsher,	Schantz,	Warner,
Crow,	Jenkins,	Semmens,	Wasbers,
Daix,	Jones,	Smith, R. E.,	Weaver,
DeWitt,	Leiby,		

NAYS—2.

McKee, Whitten,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 608 (House Bill No. 300), on third reading, entitled

An Act to regulate and restrain the hawking, vending and peddling of fish, fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth.

be recommitted to the Committee on Judiciary General.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 622, as follows:

An Act to amend section one and further amend section two of an act approved the twenty-third day of April, one thousand nine hundred three, entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessment between the period of the triennial assessment of property and fixing the time for the return thereof," by providing for a quadrennial assessment instead of a triennial assessment.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred and ninety-two Number two hundred twenty-four) entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessment between the periods of the triennial assessment of property and fixing the time for the return thereof" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commissioners of the several counties of this Commonwealth shall issue their precepts to make the triennial assessment of property to the assessors of their respective townships boroughs wards and districts on or before the second Monday of September and the said assessors are hereby required to complete the said assessment and make their return thereof not later than the thirty-first day of December Anno Domini one thousand nine hundred and three and triennially thereafter" is hereby amended to read as follows

Section 1 That the commissioners and the board for the assessment and revision of taxes of the several counties of this Commonwealth shall during the month of August in the year one thousand nine hundred and twenty and quadriennially thereafter issue their precepts to make the quadrennial assessment of property to the assessors of their respective townships boroughs wards and districts and the said assessors are hereby required to complete the said assessments and make their returns thereof not later than the thirty-first day of December in the year in which said precepts were issued

Section 2 That section two of said act which as amended by the act approved the thirteenth day of April one thousand nine hundred and eleven (Pamphlet Laws sixty-four number sixty-two) entitled "An Act to amend the second section of an act approved the twenty-third day of April Anno Domini one thousand nine hundred and three entitled 'An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessments between the periods of the triennial assessment of property and fixing the time for the return thereof' by requiring assessors to make returns of reassessment not later than ninety days from the date of issuing precepts" reads as follows

"Section 2 The said commissioners shall issue their precepts to the assessors aforesaid to make the reassessment of property between the periods of the triennial assessments on or before the second Monday of September and the said assessors are hereby required to complete the said reassessment and to make their return thereof not later than ninety days from the date of the issuing of said precepts" is hereby further amended to read as follows

Section 2 The said commissioners and the board for the assessment and revision of taxes shall issue their precepts to the assessors aforesaid to make the reassessment of property between the periods of the quadrennial assessments during the month of August and the said assessors are hereby required to complete the said reassessment and to make their return thereof not later than ninety days from the date of the issuing of said precepts

Section 3 The triennial assessments made in the year one thousand nine hundred and fifteen shall be and remain in force until and including the year one thousand nine hundred and twenty and the triennial assessment now required by law to be made in the year one thousand nine hundred and eighteen shall not be made by said assessors nor shall precepts therefor be issued by the county commissioners of the several counties

All laws now in force relating to triennial assessments shall remain in force and shall apply with like force and effect to the making of quadrennial assessments as herein provided for

Section 4 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Baldwin,	Eyre,	Martin,	Smith, R. E.,
Beidleman,	Graff, J. F.,	McConnell,	Smith, W. W.,
Buckman,	Graff, W. P.,	McKee,	Snyder, P. W.,
Burke,	Hackett,	Miller,	Sones,
Catlin,	Haldeman,	Nason,	Sproul,
Craig,	Homsher,	Patton,	Stewart,
Croft,	Jenkins,	Phipps,	Vare,
Crow,	Jones,	Sassaman,	Warner,
Daix,	Kline,	Schantz,	Wasbers,
DeWitt,	Leiby,	Semmens,	Weaver,
Endsley,	Lynch,		Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 721 (House Bill No. 734), entitled

An Act amending section one of an act approved the seventh day of June, one thousand nine hundred one, entitled "An Act to authorize the township commissioners in townships of the first class to lay out, widen, open and vacate streets and the highways within their respective townships at the expense of the township or the properties benefited."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Baldwin,	Eyre,	McConnell,	Smith, W. W.,
Beidleman,	Graff, J. F.,	McKee,	Snyder, P. W.,
Buckman,	Graff, W. P.,	Miller,	Sones,
Burke,	Hackett,	Nason,	Sproul,
Catlin,	Haldeman,	Patton,	Stewart,
Craig,	Homsher,	Phipps,	Vare,
Croft,	Jenkins,	Sassaman,	Warner,
Crow,	Jones,	Schantz,	Wasbers,
Daix,	Leiby,	Semmens,	Weaver,
DeWitt,	Lynch,	Smith, R. E.,	Whitten,
Endsley,	Martin,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. McKEE. Mr. President, I ask that Senate Bill No. 725, on third reading, entitled

An Act requiring cities of the second class to give an increase of at least one hundred and fifty dollars per year to all employes now drawing a salary of fifteen hundred dollars per annum or less and providing a method to enforce the provisions of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 728, as follows:

An Act conferring upon certain corporations the right to take and appropriate lands and waters for the erection of dams and reservoirs and the transportation of water for irrigating farm lands

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That corporations incorporated for the supply of water to the public or the supply storage or transportation of water and water power for commercial and manufacturing purposes under the provisions of section two clause nine of the act of April twenty-ninth one thousand eight hundred and seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" and its amendments are authorized to take and appropriate under the power of eminent domain lands and waters within two square miles of the water shed for the purpose of erecting dams and reservoirs for the storing and transportation of water for the purpose of irrigating farm lands

Section 2 All damages for the taking and injury of private property shall be ascertained assessed and paid in the manner provided by section forty-one of the said act of April twenty-ninth one thousand eight hundred and seventy-four and its amendments

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having benn printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	DeWitt,	Jenkins,	Schantz,
Beidleman,	Endsley,	Jones,	Semmens,
Buckman,	Eyre,	Lynch,	Smith, R. E.,
Burke,	Graff, J. F.,	Martin,	Smith, W. W.,
Craig,	Graff, W. P.,	McConnell,	Sones,
Croft,	Hackett,	McKee,	Sproul,
Crow,	Haldeman,	Miller,	Vare,
Daix,	Homsher,	Phipps,	Whitten,

NAYS—3.

Catlin,	Leiby,	Stewart,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 741, entitled

An Act to provide for a stadium in cities of the first class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Baldwin,	Eyre,	McConnell,	Snyder, P. W.,
Beidleman,	Graff, J. F.,	McKee,	Sones,
Buckman,	Graff, W. P.,	Miller,	Sproul,
Burke,	Hackett,	Nason,	Stewart,
Catlin,	Haldeman,	Phipps,	Vare,
Craig,	Homsher,	Sassaman,	Warner,
Croft,	Jenkins,	Schantz,	Wasbers,
Crow,	Jones,	Semmens,	Weaver,
Daix,	Leiby,	Smith, R. E.,	Whitten,
DeWitt,	Lynch,	Smith, W. W.,	
Endsley,	Martin,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Mr. BEIDLEMAN. Mr. President, I move that the Senate do now resume the third reading and consideration of Senate Bill No. 612 (House Bill No. 847), on third reading postponed for the present, entitled

An Act to amend section two thousand six hundred twenty of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 612 (House Bill No. 847), entitled

An Act to amend section two thousand six hundred twenty of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to amend section 1, page 3, by striking out, in lines 15 to 26 inclusive, the words:

Any auditor or auditors who shall refuse or fail or neglect to complete their report or who shall refuse or fail or neglect to file the same with the board of school directors or with the court of common pleas within the time specified in this section shall be subject to a fine of five dollars for each day he shall so refuse or fail or neglect to complete and file said report to be recovered before any magistrate alderman or justice of the peace of the county in a summary proceeding and no auditor shall be paid any per diem compensation for making any audit after the first day of September of the year in which the audit is made.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 767, entitled

An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Baldwin,	Eyre,	McConnell,	Snyder, P. W.,
Beidleman,	Graff, J. F.,	McKee,	Sones,
Buckman,	Graff, W. P.,	Miller,	Sproul,
Burke,	Hackett,	Nason,	Stewart,
Catlin,	Haldeman,	Phipps,	Vare,
Craig,	Homsher,	Sassaman,	Warner,
Croft,	Jenkins,	Schantz,	Wasbers,
Crow,	Jones,	Semmens,	Weaver,
Dalx,	Leiby,	Smith, R. E.,	Whitten,
DeWitt,	Lynch,	Smith, W. W.,	
Endsley,	Martin,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 770, as follows:

An Act to further amend an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act to amend title and sections three and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven by providing for further instruction prior to examination for licensure by clarifying sections five (5) and twelve (12)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day June Anno Domini one thousand nine hundred and eleven which as amended by an act entitled "An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen reads as follows

"Section 5 Applicants for licensure under the provisions of this act shall furnish prior to any examination by the said bureau satisfactory proof that he or she is twenty-one years of age is of good moral character is not addicted to the intemperate use of alcohol or narcotic drugs and has a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and physics all of which have been received before admission to medical study and have attended four graded course of not less than thirty-two weeks of not less than thirty-five hours each of actual work in didactic laboratory and clinical study in different calendar years in some reputable and legally incorporated medical school or college or colleges recognized as such by the Bureau of Medical Education and Licensure of the State of Pennsylvania the dean or proper officer of which college having certified that the applicant has successfully passed each of said respective courses and shall have completed a year as intern in a hospital which shall have at least twenty-five beds to each intern devoted to the treatment of medical surgical gyneacological and special diseases shall maintain or establish co-operation with a maternity department or hospital in which each intern shall have not less than six weeks service or the equivalent thereof during which time he shall have attended or participated in the attendance upon not less than six confinements shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital and the records on file of the cases treated in said hospitals shall give evidence of the laboratory work so done by the intern shall maintain a department of anaesthesia consisting of one or more anaesthetists who shall have supervision over all the anaesthesia given in the institutions and whose duty it will be to instruct all interns in the administration of anaethetics Nothing in this act however shall be construed as applying to hospitals employing on salary graduate interns whose service is confined exclusively to the said institution A school or college to be reputable under the meaning of this act must conform to the standard required in section three of this act

Applicants from countries foreign to the territory of the United States who desire to be licensed by said bureau shall before examination furnish similar proof as to age moral character use of alcohol and narcotics and shall present a certificate or diploma indicating the completion of a preliminary and medical and surgical education equivalent to the above Each application to the said bureau for examination or licensure shall have attached thereto the affidavit or affirmation of the applicant as to its verity Any applicant stating any fact in his application which shall thereafter be proven to be false shall be deemed guilty of perjury and on conviction shall be subject to its penalties" is hereby amended to read as follows

Section 5 Applicants for licensure under the provisions of this act shall furnish prior to any examination by the said bureau satisfactory proof that he or she is twenty-one years of age is of good moral character is not addicted to the intemperate use of alcohol or narcotic drugs and has a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and physics all of which have been received before admission to medical study and have attended four graded course of not less than thirty-two weeks of not less than thirty-five hours each of actual work in didactic laboratory and clinical study in different calendar years in some reputable and legally incorporated medical school or college or colleges recognized as such by the Bureau of Medical Education and Licensure of the State of Pennsylvania the dean or proper officer of which college having certified that the applicant has successfully passed each of said respective courses and shall have completed not less than a year as an intern in an approved hospital which shall have at least twenty-five beds to each intern devoted to the treatment of medical surgical gynaecological and special diseases shall maintain or establish cooperation with a maternity department or hospital in which each intern shall have not less than six weeks' service or the equivalent thereof during which time he shall have attended or participated in the attendance upon not less than six confinements shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital and the records on file of the cases treated in said hospitals shall give evidence of the laboratory work so done by the intern shall maintain a department of anaesthesia consisting of one or more anaesthetists who shall have supervision over all the anaesthesia given in the institution and whose duty it will be to instruct all interns in the administration of anaethetics and in the case of applicants of acceptable age and otherwise exceptable to the Federal Government shall have received an approved three months' field course and service in military medicine Nothing in this act however shall be construed as applying to hospitals employing on salary graduate interns whose service is confined exclusively to said institution A school or college to be reputable under the meaning of this act must conform to the standard required in section three of this act

Applicants from countries foreign to the territory of the United States who desire to be licensed by said bureau shall before examination furnish similar proof as to age moral character use of alcohol and narcotics and shall present a certificate or diploma indicating the completion of a preliminary and medical and surgical education equivalent to the above Each application to the said bureau for examination or licensure shall have attached thereto the affidavit or affirmation of the applicant as to its verity Any applicant stating any fact in his application which shall thereafter be proven to be false shall be deemed guilty of perjury and on conviction shall be subject to its penalties

Section 2 Section twelve of said act which reads as follows "The Bureau of Medical Education and Licensure shall refuse to grant a license to practice medicine or surgery to an applicant upon the pre-

sentation to said Bureau of Medical Education and Licensure of a court record showing the conviction in due course of law of said persons for producing or aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever and further the Bureau of Medical Education and Licensure upon such evidence and proof shall cause the name of such convicted person if a licentiate to be removed from the record in the office of the Superintendent of Public Instruction

The Bureau of Medical Education and Licensure may refuse revoke or suspend the right to practice medicine or surgery in this State for any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellect and judgment to such an extent as to incapacitate for the performance of professional duties

Any person who is a licentiate under this act or who is an applicant for examination for licensure to practice medicine or surgery in this State against whom are preferred any of the foregoing charges for causing the revocation or suspension of license or for causing refusal of the right to be examined for licensure shall be furnished by the Bureau of Medical Education and Licensure with a copy of the complaint and shall have a hearing before the Bureau or by attorney and witnesses may be examined by said bureau respecting the guilt or innocence of said accused The suspension of license of any licentiate under this act shall be removed when said narcotic or vicious habit herein before specified shall have been adjudged by the said bureau to be cured or overcome and said suspended licentiate deemed capable of practicing his or her profession" is hereby amended to read as follows

The Bureau of Medical Education and Licensure shall refuse to grant a license to practice medicine and surgery or any of its branches to an applicant upon the presentation to said Bureau of Medical Education and Licensure of a court record showing the conviction in due course of law of said person for producing or aiding or abetting in producing a crimnial abortion or miscarriage by any means whatsoever and further the Bureau of Medical Education and Licensure upon such evidence and proof shall cause the name of any physician licensed to practice medicine and surgery or any of its branches in the Commonwealth of Pennsylvania to be removed from the record in the office of the Superintendent of Public Instruction

The Bureau of Medical Education and Licensure may refuse revoke or suspend the right to practice medicine and surgery or any of its branches in this State for any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellect and judgment to such an extent as to incapacitate for the performance of professional duties

Any person who is licensed to practice medicine and surgery or any of its branches in the Commonwealth of Pennsylvania or who is an applicant for examination for licensure to practice medicine and surgery or any of its branches in this State against whom are preferred any of the foregoing charges for causing the revocation or suspension of license or for causing refusal of the right to be examined for licensure shall be furnished by the Bureau of Medical Education and Licensure with a copy of the complaint and shall have a hearing before the bureau or by attorney and witnesses may be examined by said bureau respecting the guilt or innocence of said accused The suspension of license of any person licensed to practice medicine and surgery or any of its branches shall be removed when said narcotic or vicious habit herinbefore specified shall have been adjudged by the said bureau to be cured or overcome and said suspended licentiate deemed capable of practicing his or her profession

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CROW. Mr. President, I ask unanimous consent to amend the title, page 1, line 16, by striking out "entintled" and inserting in lieu thereof the word "entitled"; also page 2, line 1, by inserting after the word "three" the words "and four"; also section 1, page 4, line 26, by striking out the word "institutions" and inserting in lieu thereof the word "institution".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 782 (House Bill No. 775), as follows:

An Act to fix and determine the salary of the several clerks of the courts of record of the County of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the salaries of each of the clerks of the courts of record of the County of Philadelphia is hereby fixed and determined in accordance with article five section seven of the Constitution of this Commonwealth to be the sum of four thousand dollars per annum payable in equal semi-monthly installments by the said County of Philadelphia

Section 2 All acts of Assembly and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Baldwin,	Eyre,	McConnell,	Snyder, P. W.,
Beidleman,	Graff, J. F.,	McKee,	Sones,
Buckman,	Graff, W. P.,	Miller,	Sproul,
Burke,	Hackett,	Nason,	Stewart,
Catlin,	Haldeman,	Phipps,	Vare,
Craig,	Homsher,	Sassaman,	Warner,
Croft,	Jenkins,	Schantz,	Wasbers,
Crow,	Jones,	Semmens,	Weaver,
Daix,	Leiby,	Smith, R. E.,	Whitten,
DeWitt,	Lynch,	Smith, W. W.,	
Endsley,	Martin,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 784, entitled

An Act authorizing the Superintendent of Public Instruction to appoint one clerk who shall be an expert stenographer and four stenographers and fixing their salaries.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	DeWitt,	Leiby,	Semmens,
Beidleman,	Endsley,	Lynch,	Snyder, P. W.,
Buckman,	Eyre,	Martin,	Sones,
Burke,	Graff, J. F.,	McConnell,	Sproul,
Catlin,	Graff, W. P.,	Miller,	Vare,
Craig,	Hackett,	Nason,	Wasbers,
Croft,	Haldeman,	Phipps,	Weaver,
Crow,	Homsher,	Sassaman,	Whitten,
Daix,	Jenkins,	Schantz,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the Chair.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 42, entitled

An Act authorizing a married woman to make conveyances of her real estate without her husband joining therein, where the husband has by agreement duly executed and

acknowledged, released his courtesy right or such right or estate as he may have or may inherit after the death of his wife in said real estate, whether he has in said release undertaken and agreed to join in a deed or deeds for the conveyance of said real estate or not, and validating all such conveyances heretofore made.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any married woman is authorized to make conveyances of her real estate without her husband joining therein and as if she were a feme sole if her husband has theretofore executed and duly acknowledged an agreement whereby he the said husband has released his courtesy right in said real estate or has thereby undertaken and agreed to release all of his right interest or estate which he may then have or which he may inherit upon or after the death of his wife in said real estate Such conveyances may be made without regard to whether the husband in and by said agreement has undertaken and agreed to join in conveyances for said real estate or not

Mr. R. E. SMITH. Mr. President, I move to amend section 1, page 1, line 4, by inserting after the word "to" the words "mortgage or;" also page 2, line 4, by inserting after the word "such" the words "mortgage or;" also line 7, by inserting after the word "in" the words "mortgages or."

Mr. WARNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 All conveyances of real estate which have heretofore made by a married woman without the husband joining therein and which has been duly signed acknowledged and delivered by such married woman and whose husband has heretofore executed and duly acknowledged an agreement whereby he the said husband has released his courtesy right in said real estate or has thereby undertaken and agreed to release all of his right interest or estate which he may then have or which he may inherit upon or after the death of his wife in said real estate are hereby validated and made good in law and this without regard as to whether the said husband in and by said agreement has under taken and agreed to join in conveyances for said real estate or not

On the question,

Will the Senate agree to the section?

Mr. R. E. SMITH. Mr. President, I move to amend section 2, page 2, line 9, by inserting after the word "All" the words "mortgages or;" also line 10, by inserting after the word "heretofore" the word "been;" also line 11, by striking out the word "has" and inserting in lieu thereof the word "have;" also line 13, by striking out the word "heretofore" and inserting in lieu thereof the word "theretofore;" also line 22, by inserting after the word "in" the words "mortgages or."

Mr. WARNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act authorizing a married woman to make conveyances of her real estate without her husband joining therein where the husband has by agreement duly executed and acknowledged released his courtesy right or such right or estate as he may have or may inherit after the death of his wife in said real estate whether he has in said release undertaken and agreed to join in a deed or deeds for the conveyance of said real estate or not and validating all such conveyances heretofore made

On the question,

Will the Senate agree to the title?

Mr. R. E. SMITH. Mr. President, I move to amend the title, page 1, line 1, by inserting after the word "to" the words "mortgage or;" also line 8, by inserting after the word "a" the word "mortgage;" also by inserting after the word "the" the words "mortgage or;" also line 9, by inserting after the word "such" the words "mortgages or."

Mr. WARNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 197, as follows:

A Joint Resolution proposing an amendment to section six of article eight of the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pensylvania be and the same is hereby proposed in accordance with the Eighteenth Article thereof

Amend section six of article eighth of the Constitution of the Commonwealth which reads as follows

"Whenever any of the qualified electors of this Commonwealth shall be in actual military services under a requisition from the President of the United States or by the authority of this Commonwealth such electors may exercise the right of suffrage in all elections by the citizens under such regulations as are or shall be prescribed by law as fully as if they were present at their usual places of election" so that it shall read as follows

Whenever any of the qualified electors of this Commonwealth shall be in actual military service under a requisition from the President of the United States or by the authority of this Commonwealth or whenever any of the qualified electors of this Commonwealth shall be unavoidably absent from their lawfully designated election districts on the day of the holding of any election by reason of their duties business or occupation such electors may exercise the right of suffrage in all elections by the citizens under such regulations as are or shall be prescribed by law as fully as if they were present at their usual places of election

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 394 (House Bill No. 266), entitled

An Act to amend the first section of an act entitled "An Act to amend the first section of an act approved the fourth day of April Anno Domini one thousand nine hundred and seven entitled 'An Act to fix the salaries of the deputy register clerks and employes in the office of the register of wills of any county of this Commonwealth having a population of one million or over so as to make it apply to counties containing a population of one million four hundred thousand or over" approved the fifth day of May Anno Domini one thousand nine hundred and eleven so as to change the salaries of the said deputy register clerks and employes of the office of register of wills of said counties.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 494, as follows:

An Act authorizing the courts of common pleas to order the sale in certain cases to transfer to remainder interests of real property devised by will to a person or persons for life with a vested remainder to others

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That upon petition of any person or persons heretofore or hereafter seized or possessed of real property devised by will to such person or persons for life with a vested remainder to another or others whether the remainderman be an infant or an adult where more than fifty per centum of the value of said property consists of undeveloped minerals or timber the courts of common pleas of the several counties of this Commonwealth shall after due notice to all persons who are or may be interested in said property so far as the same is known to

the petitioner including any guardian or committee of any person under legal disability and upon evidence of such ownership and such proportionate values of undeveloped minerals and timber decree that the sheriff hold an inquest to determine the value of the property in the same manner as is now employed in partition and where in the judgment of the jury the property can not be equitably partitioned they shall confirm the transfer of the property to the remainder interests at the inquistional value fixed by the jury if the remainder interests so elect who shall furnish bond for the payment of the interest based upon the value of the property as determined by the jury to the life tenant or tenants in such manner as the court shall direct If the remainder interest do not elect to take said property at the value fixed by the jury and to file the necessary bond the court shall order and confirm its sale to the highest bidder upon such notice and in such manner as the court shall direct and shall appoint a trustee or trustees in such cases and direct them to invest under the jurisdiction of the court the proceeds of the sale pay the income to the life tenant and upon the termination of the life tenancy turn over the principal to the remainder interests The trustees shall be under the same regulations as the trustees of funds in partition proceedings where there are life tenants and remainder interests

Section 2 Any act or parts of acts so far as the same conflict with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 508, as follows:

An Act regulating the fees of Nataries Public

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees of Notaries Public shall be as follows

Making demand for payment or acceptance of a promissory note bill of exchange draft or check fifty cents

Protesting the same fifty cents

Registering protest of the same fifty cents

For each notice of protest ten cents

Administering oath or affidavit for one name to oath or affidavit fifty cents and each additional name to oath or affidavit twenty-five cents

Administering oath or affidavit writing out and certifying the same with seal one dollar

Probate to bill or account and certifying the same with seal fifty cents

Acknowledgment of deed mortgage power of attorney et cetera one name fifty cents and each additional name twenty-five cents

Marine protest including affidavits certificate seal et cetera ten dollars

Section 2 That section sixteen of an act approved the twenty-eighth day of March one thousand eight hundred fourteen (Pamphlet Laws three hundred fifty-two) entitled "An Act establishing a Fee Bill" is hereby repealed

Section 3 This act shall not be held to repeal any local or special laws

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 521 (House Bill No. 308) entitled

An Act to amend section one of an act approved the twenty-second day of April, one thousand nine hundred thirteen entitled "An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia, or rabies, after having been bitten by any animal believed to be suffering therefrom; repealing all prior acts relating hereunto; and providing for the payment of expenses for such treatment heretofore incurred in good faith," by providing for payment of expenses for treatment of all persons bitten by dogs by the county from the fund collected from the taxation of dogs.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 670, as follows:

An Act to increase the powers of courts in proceedings for desertion and non-support of wives children or aged parents and in proceedings for failure to comply with orders of court in fornication and bastardy proceedings or other proceedings for the support of illegitimate children directing that imprisonment in such cases be at hard labor in such institution as the court shall name providing for the payment by such institution or in certain cases by the county from which the defendant was committed of the sum of sixty-five cents per day to be paid to the person designated by the order of the court providing for the issuance of attachments and for the disbursement of moneys collected on forfeiture of bonds bail bonds or recognizances and providing for the payment by the county of the expenses incident to carrying out the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in any proceedings brought against any man wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children or in any proceedings where any father of an illegitimate child has neglected to comply with the order of court made against him in fornication and bastardy proceedings or in any other proceedings for the support of such child for the payment to the mother of expenses incurred at the birth of the child or in any proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves the court having jurisdiction shall commit the defendant to imprisonment for want of a bond with security or otherwise the court may order the defendant to be imprisoned at hard labor under existing laws or laws that may hereafter be passed in such penal or reformatory institution in this Commonwealth as the court shall direct or the court may discharge a defendant upon his own recognizance in the custody of a desertion probation officer or other person subject to such conditions as the court in his discretion may impose

Whenever any defendant shall be ordered to be imprisoned at hard labor under the provisions of this act there shall be paid by the official in charge of the penal or reformatory institution in which such defendant is imprisoned to the person designated in the order of the court as the proper recipient of such money to be disbursed by the said recipient as the order of court may direct the sum of sixty-five cents for each day Sundays and legal holidays only excepted during which he remains imprisoned Such sum shall be paid as wages and shall be paid at such times and in such manner as other wages are paid by cities and counties and shall be charged as one of the general running expenses of such institution and if the labor done in such institution is not sufficient to pay the running expenses of such institution such sum shall be charged to and paid by the county from which such defendant was committed

Section 2 If the defendant in any such proceeding shall violate the terms of the order of court the court may issue an attachment upon the petition of such defendant's parent wife child or children or of any other person or persons having knowledge of the facts

In case of the forfeiture of a bail-bond in any such proceedings the court may order that any sum collected by suit or otherwise shall be paid in whole or in part to such parent wife child or children In case of the forfeiture of any bond or recognizance with or without surety given as security under any order of court any sum collected thereon by suit or otherwise shall be paid to such parent wife child or children Such payment shall not bar or in any way affect the power of the court to enforce its orders against the defendant by attachment or otherwise

Section 3 All laws or parts of laws inconsistent herewith are hereby repealed

And said bill haing been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 690 (House Bill No. 738), entitled

An Act vesting in the persons appointed by the county commissioners of the several counties of this Commonwealth to inspect and repair county roads, improved and maintained by such counties, the power and authority now vested by law in the constables of the several cities, boroughs and townships of this Commonwealth, for the preservation of the peace in and along such roads, and for the enforcement of acts of Assembly regulating the speed of automobiles and other vehicles thereon, and for the enforcement of rules and regulations governing the use of such roads, designating such persons county road caretakers, and providing for badges evidencing their authority.

And said bill haing been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 691 (House Bill No. 856), entitled

An Act to further amend section fifteen of an act approved the twenty-second day of June, one thousand eight hundred and ninety-one, entitled "An Act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor," as amended, fixing the maximum for maintenance weekly per capita.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 710, as follows:

An Act to amend an act approved the seventeenth day of April one thousand eight hundred seventy-six entitled "An Act relating to appeals in cases of summary convictions"

Section 1 Be it enacted b ythe Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the seventeenth day of April one thousand eight hundred seventy-six (Pamphlet Laws twenty-nine) entitled "An Act relating to appeals in cases of summary convictions" which reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases of summary conviction in this Commonwealth before a magistrate or court not of record either party may within five days after such conviction appeal to the court of quarter sessions of the county in which such magistrate shall reside or court not of record shall be held upon allowance of the said court of quarter sessions or any judge thereof upon cause shown and either party may also appeal from the judgment of a magistrate or a court not of record in a suit for a penalty to the court of common pleas of the county in which said judgment shall be rendered upon allowance of said court or any judge thereof upon cause shown Provided That in all appeals from summary conviction and judgments for penalties shall be upon such terms as to payment of costs and entering bail as the court or judge allowing the appeal shall direct" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases of summary conviction in this Commonwealth before a magistrate or court not of record either party may within five days after such conviction appeal to the court of quarter sessions of the county in which such magistrate shall reside or court not of record shall be held upon allowance of the said court of quarter sessions or any judge thereof upon cause shown and either party may also appeal from the judgment of a magistrate or a court not of record in a suit for a penalty to the court of common pleas of the county in which said judgment shall be rendered upon allowance of said court or any judge thereof upon cause shown Provided That pending the taking of an appeal by either party or the allowance or refusal thereof by the court or judge the fine or penalty and costs imposed by the magistrate of court not of record need not be paid if bail is entered with one or more sufficient sureties in double the amount of such fine or penalty and costs for the payment thereof on the refusal of such appeal or if allowed on the final disposal of such appeal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 745, as follows:

An Act to validate affidavits acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all affidavits acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act shall be valid to all intents and purposes the same as though they were performed during the time for which they were commissioned to act Provided however That no case heretofore judicially decided or now pending shall be affected by this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 755 (House Bill No. 8), entitled

An Act validating certain elections of counties, cities, boroughs, townships, school district, and other incorporated districts, held pursuant to the provisions of an act, approved the 20th day of April, Anno Domini 1874, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto, and validating bonds issued, or authorized to be issued, in pursuance of such elections.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 768, as follows:

An Act providing a method of establishing title to land acquired at a sale for unpaid taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where land has been heretofore sold for unpaid taxes the purchaser at such sale or his successor in title may present his petition under oath to the court of common pleas of the county wherein the land is situate setting forth (a) The location of the lands by metes and bounds or if it be in a recorded plan of lots the plan number of the lot and the place of record of the plan (b) the names of the former owners reputed owners persons in possession or any other person having or claiming to have a right to interest in claim against said land if any there be and (c) that upon diligent inquiry no person has been found who has or claims to have any right title or interest in or claim against said land unless it be those named in the petition Thereupon a rule shall be granted upon the persons named in the petition and generally upon all other persons not named in the petition who have or claim to have any right title or interest in or claim against the said land to appear within sixty days from the service of the rule and show cause why the title of the petitioner to said land should not be adjudicated and decreed valid and indefeasible as against all rights or claims whatsoever The rule may be made returnable to such term or return day as may be fixed by the court and shall be entered of record in the appearance docket of said court and duly indexed therein and also in the ejectment index of said court As to persons domiciled within the county the rule shall be served and returned as writs of summons are served and returned As to those persons who do not have their domicile within the county in which the rule is issued or those whose domicile is outside the State the rule may be served by mailing a true and attested copy of the petition and rule by registered letter to his or their last known address if any

In addition thereto the court shall direct that notice by one advertisement in a newspaper of general circulation in the county where the land is situate be given to all persons including those named in the petition to appear on or before the return day of the rule and show cause why the title of the petitioner should not be adjudicated and decreed valid and indefeasible as against all rights or claims whatsoever The advertisement shall be made at least sixty days before the return day of the said rule

Section 2 In case no person or persons shall appear within the time hereinbefore stipulated or in case he shall appear and does not make answer to said rule within fifteen days after appearance the court shall make the rule absolute as to all persons who do not appear or answer as the case may be Thereafter all rights and claims of those against whom the rule is made absolute with respect to said land shall be totally barred and any deficiency or defects whatever in the procedure whereby the land was acquired at tax sale up to and including the actual sale and delivery of the deed shall not thereafter be asserted and the title of the petitioner shall be adjudicated and decreed valid and indefeasible as against all such persons If any person or persons shall appear and make answer to said petition the court shall thereupon order and decree that such person or persons shall begin proceedings to establish his or their title or

interest in or claim against said land within thirty days thereafter and if such person or persons shall fail to comply with said order or decree the court shall thereupon make the rule absolute with the same force and effect as hereinbefore stated

Section 3 The court may make such other or further orders or decrees in the premises as it may deem necessary and proper

Section 4 The remedy herein provided is not intended as an exclusive method of establishing title to land acquired at a sale thereof for unpaid taxes

Section 5 The provisions of this act shall not affect the right of redemption as now provided by law

Section 6 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 776, entitled

An Act relating to free public non-sectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties, cities, boroughs, towns and townships; and providing that all library property and all gifts, devises, grants or endowments for library purposes shall be exempt from taxation, and providing that the several counties, cities, boroughs, towns and townships may levy taxes, condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh and twenty-eighth sections of he bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "municipality" wherever used in this act shall be interpreted as meaning any county city borough town or township as the case may be

Section 2 The term "municipal authorities" wherever used in this act shall be interpreted as meaning the mayor and council of any city the burgess and council of any borough or town the supervisors of any township or the commissioners of any county as the case may be

Section 3 Any municipality may make appropriations to establish or maintain or both a free public non-sectarian library for the use of the residents of such municipality The appropriations for maintenance shall not exceed two mills on the dollar on all taxable property annually Special taxes for these purposes may be levied on the taxable property of the municipality or the same may be levied and collected with the general taxes

Section 4 The municipal authorities of any municipality may submit to the qualified electors of such municipality at any election the question of establishing or maintaining or both a free public non-sectarian library and must submit such question if petitioned for by three per centum of the voters at the next preceding general election At such election the question of establishing an annual tax at a certain rate not exceeding two mills on the dollar on all taxable property of the municipality shall be submitted and voted upon

Section 5 If the majority of votes cast upon this question shall be in favor of establishing such tax rate the municipal authorities at the first meeting following the official announcement of the result of such election shall take the necessary steps to levy and collect the tax so levied and shall appoint a board of library directors as provided in section nine of this act Said board shall have exclusive control of the library so established or maintained or both and shall be governed as provided in other sections of this act

Section 6 The rate of tax so voted shall be an annual tax rate until another vote is taken changing the same provided that the municipal authorities may increase said rate not to exceed two mills on the dollar on all taxable property of the municipality without submitting the question to a vote The tax shall be levied and collected in like manner as other taxes in the municipality and shall be in addition to all other taxes and shall be used for no other purpose than that of establishing or maintaining or both a free public library The money so raised shall be under the exclusive control of the board of library directors provided in section nine of this act

Section 7 If the residents of any municipality shall raise by popular subscription a sum equal to or exceeding the gross amount of a two mill tax on all taxable property in the municipality and shall offer the sum so subscribed to the municipality for the purpose of establishing a free public non-sectarian library said sum shall be accepted by the municipal authorities and shall be used for the sole purpose of establishing such library Provided not more than two per centum of the said sum shall be subscribed by one individual or firm Said subscription may be made payable in four quarterly payments and shall be in such form as to be collectable by legal process if necessary

Section 8 In case of the establishment of a free public non-sectarian library under the provisions of section seven of this act the municipal authorities shall immediately place the sum so subscribed under the control of a board of library directors appointed as provided in sectioin nine of this act and proceed to levy and collect a tax at the annual rate of not less than one half mill nor more than two mills on the dollar on all taxable property in the municipality for the purpose of maintaining the library so established

Section 9 The affairs of all public libraries established or maintained or both under the provisions of the preceding sections of this act shall be under the exclusive control of a board of library directors to be composed of not less than five nor more than seven members as may be decided by the municipal authorities who shall appoint the members and fill any vancancies occuring from any cause The first appointees shall be appointed as nearly as may be one-third for one year one-third for two years and one-third for three years All appointments to fill the places of those whose terms expire shall be for a term of three years Vacancies shall be filled for the unexpired terms No member of this board shall receive any salary for his services as such

Section 10 The Board of library directors shall organize as soon as may be after appointment by the election of a president a secretary and a treasurer from its membership and such other officers and agents as the board may deem necessary The treasurer shall give bond to the municipality with satisfactory surety in such amount as the board may determine

Section 11 Two or more municipalities may unite in establishing or maintaining or both a free library under the terms of an agreement entered into between them Said agreement shall be in writing and shall set forth the purpose the terms as to support and control and the conditions under which the agreement shall be altered or terminated Said agreement shall not be valid until it has been accepted by a majority vote of the municipal authorities of each of the municipalities agreeing thereto and signed by the proper officer of each of said municipalities

Section 12 Any municipality may make appropriations not to exceed two mills on the dollar on all taxable property in the municipality to maintain or aid in the maintenance of a free library established otherwise than under the provisions of sections three four and seven of this act provided that the municipal authorities shall be represented by two members of the board having control of the affairs of said library

Section 13 Any municipality may contract with the managers or owners of any existing non-sectarian library for the free use of such library by the residents of such municipality whether said library is located in the same or in another municipality The term of such contract shall be three years but it may be renewable as therein provided

Section 14 The municipality may appropriate annually from the taxes levied and collected for municipal purposes an amount not to exceed two mills on the dollar on all taxable property in the municipality for the purpose specified in section thirteen of this act

Section 15 When the county commissioners of any county levy a tax for the purpose of establishing or maintaining or both a free public non-sectarian library they are hereby authorized to exempt from said levy all taxable property in any municipality which is already levying a tax for the purpose of maintaining a free library provided however that the municipal authorities of such municipality may elect to join with the county in establishing or maintaining or both such library in which case the taxable property in such municipality shall be included in such tax levy by the county commissioners and the free library in such municipality shall become a part of the county library system and be supported from the tax for maintaining the county library

Section 16 All monies appropriated for the establishment or maintenance or both of a free public non-sectarian library and all monies if any received from other sources for its use shall be under the exclusive control and shall be disbursed under the direction of the board of library directors who shall make an annual report to the proper municipal authorities The accounts of the treasurer of the board of library directors shall be audited as in the case of other municipal expenditures

Section 17 The annual report required by the last preceding section shall cover the fiscal year of the municipality Said report shall contain an itemized statement of all receipts from whatever source and expenditures and shall show the condition of the library and any branches thereof the number of volumes maps pamphlets and other material the number added by purchase gift or otherwise the number lost or withdrawn the number of registered borrowers and readers a classified statement of the circulation of material with such other information and suggestions as may seem desirable A copy of each report made to the municipal authorities shall be sent to the State Free Library Commission

Section 18 The Board of library directors may establish branches deposit stations traveling libraries and such other agencies as it may deem necessary to bring the books within convenient reach of all the residents

Section 19 Every library established or maintaiued or both under the provisions of this Act shall be free to the use of all the residents of the municipality subject to such reasonable rules and regulations as the board of library directors may adopt and the board may exclude from the use of the library any person who may wilfully violate such rules The board may extend the privileges of such library to persons residing outside the limits of such municipality upon such terms and conditions as the board may prescribe

Section 20 It shall be lawful for any municipality or any corporation owning or managing a free public non-sectarian library to take and hold any property real or personal or both for library purposes and any person desiring to make donations of books money personal property or real estate for the benefit of a free public non-sectarian library whether established or maintained under the provisions of this act or not may vest the title thereto in the municipality or the corporations having control of the affairs of the said library to be held and controlled by said municipality or corporation according to the terms of the deed gift devise or bequest and as to such property the said municipality or corporation shall be held to be special trustee but in the absence of restrictions by the terms of such donation deed gift devise or bequest the said property shall be controlled and administer by the board of library directors or by the corporation as the case may be

Section 21 Whenever there is in any municipality a free public non-sectarian library which is open to the use of all the residents thereof no new library shall be there established under the provisions of this Act but all public aid hereby authorized shall be given to such existing library under proper agreement to enable it to meet as far as possible the needs of such residents Provided however that wherever there may be at the time of the passage of this Act two or more such libraries receiving aid from the same municipality the appropriation authorized by this Act shall be divided between said libraries according to the terms of an agreement previously entered into between said libraries

Section 22 Any municipality is hereby authorized to purchase or set apart lands and buildings or parts of buildings already owned by it or both to erect or lease buildings to be used for free library work or to alter buildings already erected so as to make them suitable for such use and it is hereby authorized to provide for the cost of the same as in the case of other buildings to be used for municipal purposes

Section 23 Any municipality may by ordinance or resolution purchase enter upon and appropriate private property within its limits for the purpose of erecting or enlarging public library buildings

Section 24 Whenever any municipality shall appropriate private property for public library purposes and the municipality cannot agree with the owners thereof for the price to be paid therefor or when by reason of the absence or legal incapacity of the owner thereof no such compensation can be agreed upon the court of common pleas or any judge thereof in vacation on application thereto by petition by the municipal authorities of any person interested shall appoint a board of viewers for the assessment of damages caused by such appropriation as in such cases provided.

Section 25 The proceedings before the viewers for the allowance of damages for property taken injured or destroyed and the proceeding upon their report shall be as provided in other cases where such municipality appropriates private property for municipal purposes

Section 26 If five per centum of the registered voters of any municipality shall petition the municipal authorities to submit the question of creating a bonded indebtedness for purchasing grounds and erecting buildings for library purposes the said authorities must submit such question at the next ensuing election

Section 27 Any building which shall be owned and occupied by a free public non-sectarian library and the land on which it stands and that which is immediately and necessarily appurtenant thereto shall be exempt from all county city borough town school bounty poor or road taxes notwithstanding the fact that some portion or portions of said building or lands appurtenant may be yielding rentals to the corporation or association managing such library provided that the net receipts of said corporation or association from rentals shall be used solely for the purpose of maintaining the said library All gifts devices grants or endowments made to such a library and for such purposes shall be free from collateral inheritance tax and any gifts endowments or funds of such a library which are invested in interest bearing securities the income from which is used solely for the purchase of books or the maintenance of such library shall be exempt from any State tax on money at interest

Section 28 This act shall not in any way affect any agreement or agreements heretofore made by any municipality under any prior act relating to free public libraries but all such agreements are hereby ratified and are to continue as binding contracts between the parties

The twenty-ninth section of the bill was read as follows:

Section 29 Any one who shall wilfully cut mutilate mark or otherwise injure any book volume map chart magazine newspaper painting engraving or other property of or deposited in any free library shall be deemed to be guilty of a misdemeanr and may be prosecuted for said offense before any court of competent jurisdiction and upon conviction thereof shall be liable to a fine of not more than twenty-five dollars and costs of prosecution or to imprisonment in the county jail not exceeding fifteen days or both at the discretion of the court the said fine when collected to be for the use of the said library against which the aforesaid offense was committed The Following Acts of Assembly and Parts of Acts viz

An act entitled "An act appropriating the tax on dogs to the support of public libraries in boroughs" approved the twenty-third day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred sixty-four)

An act entitled "An act empowering any city in this Commonwealth to take and hold donations of money books real and personal property for the purposes of a free library in said city and to make appropriations to maintain the same" approved the twenty-third day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred seventy-nine)

An act entitled "An act to authorize cities of the first class of the Commonwealth of Pennsylvania to levy a tax and make appropriations for the establishment and maintenance of free libraries" approved the seventh day of June one thousand eight hundred ninety-five (Pamphlet Laws one hundred seventy)

An act entitled "An act to authorize boroughs of the Commonwealth of Pennsylvania to make appropriations for the establishment and maintenance of free public libraries" approved the twenty-fifth day of May one thousand eight hundred ninety-seven (Pamphlet Laws eighty-four)

An act entitled "An act authorizing borough councils or school boards of this Commonwealth to purchase acquire take use and appropriate private property for public library purposes and providing the manner in which damages sustained thereby shall be assessed and collected" approved the eleventh day of May one thousand nine hundred one (Pamphlet Laws one hundred sixty-nine

An act entitled "An act to authorize the co-operation of cities of the third class school districts thereof and incorporated library associations therein for the erection and maintenance of free public libraries" approved the twenty-second day of May one thousand nine hundred one (Pamphlet Laws two hundred eighty-eight)

An act entitled "An act exempting from taxation the lands buildings and funds of free public non-sectarian libraries in boroughs and townships yielding revenues only partially sufficient for the maintenance of the same" approved the twenty-ninth day of May one thousand nine hundred one (Pamphlet Laws three hundred forty-one)

An act entitled "An act for the establishment and maintenance of public libraries in cities of the second and third class and in borough" approved the seventeenth day of June one thousand nine hundred one (Pamphlet Laws five hundred sixty-nine)

An act entiled "An act supplementary to an act entitled 'An act to authorize the cities of the first class of the Commonwealth of Pennsylvania to levy a tax and make appropriations for the establishment and maintenance of free libraries' approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five authorizing cities of the first class to enter into contracts and agreements with the donor or donors of funds for the erection of free libraries or branches thereof or his or their representatives and to provide sites for the erection and funds for the maintenance thereof" approved the twentieth day of March one thousand nine hundred three (Pamphlet Laws forty-six)

An act entitled "An act to authorize boroughs of the Commonwealth of Pennsylvania to contract with the duly constituted managers or owners of existing non-sectarian public libraries for the free use of such libraries by the residents of such boroughs and to make appropriations for the hiring and procuring of such free use" approved the twenty-second day of April one thousand nine hundred five (Pamphlet Laws two hundred eighty-one)

An act entitled "An act to provide for the establishment and maintenance of free public libraries on a permanent basis in all municipalities throughout the Commonwealth of Pennsylvania except in cities of the first second and third class townships and counties in same manner as is now provided in case of boroughs" approved the sixth day of June one thousand nine hundred seven (Pamphlet Laws four hundred twenty-one)

Chapter ten of an act entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve)

And all other acts and parts of acts general special or local appertaining to the subject matter covered by this act be and the same are hereby repealed it being intended that this act shall furnish a complete and exclusive system in itself so far as relates to free public non-sectarian libraries supported wholly or in part by the several municipalities of the Commonwealth

On the question,

Will the Senate agree to the section?

Mr. McCONNELL. Mr. President, I move to amend section 29, page 11, line 14, by striking out "misdemeanr" and inserting in lieu thereof the word "misdemeanor".

Mr. CATLIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act relating to the free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects.

On the question,

Will the Senate agree to the title?

Mr. McCONNELL. Mr. President, I move to amend the title, page 1, by striking out all of line 14.

Mr. CATLIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 792, as follows:

An Act authorizing and empowering the several counties of this Commonwealth to locate lay out open construct and maintain public bridges whether wholly or partly within any city borough or township therein across any river or stream dividing or separating any part of said county from any other part thereof together with the necessary bridge approaches viaduct or other approaches to conveniently connect the same with existing streets or public roads in such cities boroughs or townships authorizing the cities and boroughs wherein such birdges are located to share in the cost thereof and to provide approaches therefor authorizing the taking and appropriation of property and rights of property public or private for such purposes providing a method for making compensation for property taken injured or destroyed thereby authorizing the several counties to enter upon and over public streets or roads in cities boroughs or townships for said purposes authorizing the several counties to appropriate money levy taxes and incur indebtedness therefor and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street railway telegraph telephone or other corporations or persons making use thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several counties of this Commonwealth are hereby authorized and empowered whenever the county commissioners of such county or a majority of them shall by resolution decide so to do and upon the approval thereof by a Grand Jury and by the Court of Quarter Sessions in the manner hereinafter provided to locate lay out open construct and maintain public bridges whether wholly or partly within any city borough or township therein across any river or stream dividing or separating any part of said county from any other part thereof together with such bridge approaches viaduct or other approaches as the county commissioners or a majority of them may in their judgment deem necessary or convenient for the purpose of connecting any such bridge with the existing streets or public roads in such cities boroughs or townships and to that end to take enter upon and appropriate property and rights of property of all kinds whether devoted to a public or private use for the purposes aforesaid and for the necessary slopes piers walls abutments fills and embankments and to enter upon or over any street public highway or public road in such cities boroughs or townships in the manner hereinafter provided

Section 2 Whenever the county commissioners of any county shall resolve to exercise any of the powers conferred by section one hereof they shall cause to be prepared plans and surveys showing the location of the proposed bridge and its approaches and the property or rights of property affected thereby together with any streets or public roads in any city borough or township proposed to be used in connection therewith and they shall present the same together with their petition on behalf of said county to the Court of Quarter sessions of such county praying for authority to locate lay out open and construct the same which petition shall briefly describe the location and the estimated cost thereof if the method of construction has not been fully determined the estimated cost thereof for each alternative method of construction proposed

Upon the filing of any such application or petition the court shall fix a time for the hearing of the same by and refer the same to the grand jury Notice of the time place and purpose of said hearing shall be given by an advertisement published once a week for three successive weeks in at least one newspaper of general circulation in such county and by hand bills posted in conspicuous places along or in the neighborhood of the proposed bridge and its approaches or otherwise as the court shall direct having regard to the circumstances of the case

If the grand jury by a majority vote shall approve said application or petition it shall thereupon certify its approval to said court whereupon the court shall make an order fixing a time not less than ten days thereafter for the filing of exceptions thereto Upon the hearing thereof the court may for proper cause shown disapprove of said application otherwise it shall make an order approving the location and the plans and surveys therefor and authorize such county to construct such bridge and its approaches and to let a contract or contracts therefor under specifications to be prepared by the County Engineer or other proper county authority and thereupon the said bridge and its approaches shall be deemed to be laid out and opened in accordance with the surveys plans accompanying said petition

Section 3 For the purpose of making the necessary preliminary surveys in order to prepare said plans and estimates the County Commissioners of the several counties and the persons by them employed for such purpose shall have the right to enter upon private or public property and to designate by proper marks upon the ground the line and location of any such proposed bridges and approaches

Section 4 Whenever any public bridge is ordered to be constructed as aforesaid the county commissioners or a majority of them shall endeavor to agree with the persons interested as to the damages if any sustained by reason of the taking injuring or destroying of property thereby If the amounts of such damages are agreed upon the proper county officers are authorized and directed to pay the same out of the general county or other funds provided for that purpose

Section 5 In case the compensation for the damages has not been agreed upon any court of common pleas of the proper county or any law judge thereof in vacation on application thereto by petition by said county or any person interested shall appoint three discreet and disinterested freeholders as viewers and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the line of the proposed bridge and its approaches and view the same and the premises affected thereby The said viewers shall give at least ten days notice of the time of their first meeting by publication in one or more newspapers of the county in which it is situate and by hand bills posted in conspicuous places in the vicinity of the proposed bridge and its approaches or otherwise as the said court shall direct having due regard to the circumstances of the case

Section 6 The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises and examined the property connected with and affected by the proposed bridge and its approaches shall hear all parties interested and their witnesses and having a due regard to and making just allowance for the advantages which may have resulted or which may seem likely to result to the owner or owners of said lands or materials in consequence of the locating laying out opening maintenance and construction of said bridge and its approaches shall estimate and determine the damages for property taken injured or destroyed and to whom the same is payable and having so estimated and determined the damages they shall prepare a schedule thereof and give notice to all parties to whom damages are allowed of a time not less than ten days thereafter and of a place where said viewers shall meet and exhibit said schedule and hear all exceptions thereto and evidence Notice of the time and place of said meeting shall be given in the manner provided by law for the service of summons in a personal action upon all parties allowed damages as shown by said schedule if the said parties can be found in the county or upon an adult person if any residing upon property affected in case the owner or reputed owner cannot be found and to all others by publication in the newspaper or newspapers in which the first notices of said view were published When no service is made upon the owner reputed owner or upon an adult person residing upon the property affected said notice where publication thereof has also been made shall be deemed to have been properly served if tacked or conspicuously posted on the premises The court may provide by whom the notice provided by this act shall be posted given and served and fix the compensation for said service After making whatever changes are deemed necessary the said viewers shall make report to the court showing the damages allowed in each case and file therewith a plan showing the improvement and the properties taken injured or destroyed When said report is filed notice thereof shall be given by publication once in the newspaper or newspapers in which first notices of said view were published Said notice shall state the date of filing of the reoprt and shall contain a schedule of the damages shown therein and shall further state that

unless exceptions thereto be filed within thirty days from the date of filing the said report will be confirmed absolutely

Section 7 The viewers provided for in this act may be appointed either before or at any time after the entry upon taking appropriation or injuring of any property for said purposes The costs of said viewers and all court costs incurred including all advertising and notices in connection therewith shall be paid by such county and each of said viewers shall be entitled as compensation unless otherwise provided by law to a sum not exceeding five dollars per day for each and every day necessarily employed in the performance of the duties herein prescribed

Section 8 In all cases where the parties have not agreed upon the amount of damages claimed or where by reason of the absence or legal incapacity of the owner or owners no such agreement can be made for the lands property or materials to be taken occupied or injured such county may tender sufficient security to the party claiming or entitled to any damages or to the attorney or agent of any person absent or to the agent or other officers of a corporation or to the guardian or committee of any one under legal incapacity the conditions of which shall be that the said county shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided for by this act In case the party or parties claiming damages refuse or do not accept the security so tendered the said county shall then give the party his or their agent attorney guardian or committee a written notice of the time when the same will be presented for filing in the court and thereafter the said county may present said security to the court of common pleas of the county where the lands or other property are situated and if approved the security shall be filed in said court for the benefit of those interested and recovery may be had thereon for the amount of damages assessed if the same be not paid or cannot be made by execution on the judgment in the issue formed to try the question and upon the approval of said security said county may proceed with the improvement

Section 9 Upon the report of said viewers or any two of them being filed in said court any party interested may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report When said report is first filed in court the prothonotary thereof shall mark the same "confirmed nisi" and in case no exceptions are filed thereto within said thirty days he shall enter a decree (as of course) that said report is confirmed absolutely Within thirty days after the confirmation modification changing or correcting of said report any interested party may appeal from said decree to the Superior Court or to the Supreme Court as the case may be And within thirty days after said report is filed in court as aforesaid such county and any party whose property is taken injured or destroyed may appeal to the court of common pleas and demand a trial by jury according to the course of the common law Every appellant shall state in the appeal the grounds upon or for which the appeal is taken and the same shall be signed by the party or parties taking the appeal or by his or their agent or attorney and shall be accompanied by an affidavit of the party appellant or of his or their agent or attorney that the appeal is not taken for the purpose of delay but because the appellant firmly believes that injustice has been done In case the party appellant does not obtain a verdict more favorable than was the report of the viewers as finally confirmed modified or changed the said appellant shall not recover any costs on the appeal The said court of common pleas shall have power to order what notices shall be given in connection with any part of said proceedings and make all such orders as it may deem requisite and may by rule or otherwise prescribe the form of the pleadings After verdict and final judgment either party may have an appeal to the Superior Court or Supreme Court as in other cases

Section 10 In case the county commissioners or a majority of them of any such county shall repeal or rescind any resolution passed or discontinue any proceeding taken providing for any such bridge or its approaches prior to the entry upon taking appropriation or injury to any property or materials and within thirty days after the filing of the report of viewers assessing damages the said county shall be thereafter be liable to pay any damages which have been or might have been assessed but all costs upon any proceedings had thereon shall be paid by said county together with any actual damages loss or injury sustained by reason of such proceedings

Section 11 All damages found agreed upon or awarded for or on account of the location laying out opening and construction of any such public bridge and its approaches and appurtenances and all costs and expenses incurred in connection therewith shall be paid by such county out of the general county funds or from such other funds as may be set apart or appropriated for that purpose

Section 12 Upon the approval of any application to construct any such bridge and its approaches and other appurtenances the county commissioners of such county are authorized and empowered to advertise and solicit proposals for the construction thereof in the manner provided by law for the letting of county contracts and to let a contract or contracts therefor to the lowest responsible bidder No contract shall be awarded for any such work unless proper security shall be given for the faithful performance thereof by the person or persons to whom the contract shall be awarded with proper surety to be approved by the county commissioners of such county which surety shall be equal in amount to at least fifty per cent. of the contract price therefor

Section 13 The several counties through their county commissioners or a majority of them are hereby authorized and empowered to make and enter into contracts or leases with any street railway telegraph telephone or corporation or person desiring to make use of said bridge and its approaches for other than ordinary public foot or vehicle traffic and with the successors and assigns of such companies for the concurrent use of such portion of said public bridge and approaches as shall not substantially impair or restrict the public use and enjoyment thereof upon such terms and conditions as shall be agreed upon or to charge tolls or rentals for such special use but no such contract or lease shall be entered into for a longer period than twenty years and no such contract or lease shall be entered into by any such county unless such contract or lease shall be first approved by the public Service Commission of this Commonwealth

Section 14 The several counties of this Commonwealth are hereby authorized and empowered to appropriate and pay out of the general county funds all moneys necessary for said purposes and to levy assess and collect taxes for the purposes aforesaid on all real and personal property within said county now or hereafter taxable for county purposes in addition to all other taxes

Section 15 The several counties are hereby authorized and empowered when the county commissioners of the respective county shall by a majority vote resolve so to do to borrow money and to incur indebtedness in compliance with the acts regulating the increase of indebtedness by counties to an amount in the aggregate not exceeding one-half of one percent of the assessed valuation of the taxable property in such county as fixed by the last preceding assessed valuation thereof for the construction of such public bridges together with the approaches and appurtenances aforesaid and for the funding of any indebtedness incurred therefor and to issue as evidences of such indebtedness registered or coupon bonds payable within thirty years from the date of their issue and bearing interest at a rate not exceeding six per centum per annum payable semi-annually which bonds shall not be sold for less than their par value and accrued interest and to levy and collect taxes on all taxable property in such counties in addition to all other taxes for the purpose of paying any such indebtedness and interest thereon

Any county incurring any such indebtedness shall at or before the time of incurring the same make provision for a sinking fund to pay at maturity the indebtedness so incurred and interest thereon

Section 16 Should any board of county commissioners in the exercise of the powers herein conferred deem it necessary or advisable to enter upon any street or public highway in any city or borough or to take any other action affecting the property rights or authority of any such city or borough for the purpose of constructing or maintaining any such bridge with its approaches and other appurtenances or otherwise the consent thereto of such city or borough by ordinance shall be first had and obtained

Section 17 Any city or borough wherein any such bridge is proposed to be located or erected shall have the power and authority to agree with said county to bear a portion of the cost of the locating laying out opening and construction of any such bridge and its approaches and appurtenances and to provide the approach therefor within the limits of the respective city or borough and to bear the cost of the maintenance of any approach within the respective city or borough as shall be agreed upon between any such county city or borough All such agreements shall be entered into in writing and at least one executed copy shall be furnished to each county city and borough becoming a party thereto

Section 18 Any bridge erected under the terms of this act shall be a county bridge and the duty of maintaining the same shall except as otherwise herein provided devolve upon such county and the expense thereof shall be paid out of the general county funds provided for that purpose

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 797, as follows:

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million five hundred thousand

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the fees to be paid to and received and charged by the several clerks of the courts of oyer and terminer and general jail delivery and quarter sessions of the peace of this Commonwealth shall be as follows

Appeals from aldermen justices of the peace or magistrates one dollar and fifty cents

Affidavits and seal each twenty-five cents

Attachment and seal two dollars

Administering oath other than upon trial of cause and seal fifty cents
Bail piece one dollar and fifty cents
Bail bond one dollar
Bail bond justification of one dollar
Bail notices each fifteen cents
Bench warrant and seal two dollars
Bonds for constables and tax collectors one dollar
Commitment to any State penitentiary fifty cents
Commitment to county prison fifty cents
Commitment to house of refuge fifty cents
Commitment to insane hospital fifty cents
Certificate of election of constables et cetera one dollar
Certificate and seal fifty cents
Certificate of acknowledgment and seal fifty cents
Certificate for Fairmount Park Commissioners in duplicate two dollars
Certificate of city treasurer one dollar and twenty-five cents
Certificate for payment of jurors fifty cents
Certificate for payment of road jurors fifty cents
Certificate to sheriff to draw jurors two dollars
Certificate to sheriff to draw grand jurors two dollars
Certificate to sheriff to draw special venire and return thereto five dollars
Certificate of official capacity under seal one dollar
Certificate to police department upon return of stolen property each twenty-five cents
Certificate where judge acts as committing magistrate affidavits warrants and service three dollars and fifty cents
Certificate and seal of ignored bill seventy-five cents
Certificates and seal in breach of peace seventy-five cents
Certificate and seal in apprentices seventy-five cents
Certificate and seal in reconsideration of sentence seventy-five cents
Certificate to Bureau of Charities and Correction of court order of non-support and seal one dollar
Certificate of probation one dollar
Certificate to Director of Public Safety upon application for detective license one dollar
Certificate to prothonotary of elective justice of the peace each name twenty-five cents
Certificate to county commissioners of elective election officers each name twenty-five cents
Certificate to county commissioners (witness fees) and seal each twenty-five cents
Commission on lunacy swearing commission filing and recording three dollars and fifty cents
Commission on lunacy swearing commission filing and recording paupers petition three dollars and fifty cents
Certified copy bill of indictment not exceeding two (2) pages two dollars
Each additional page fifty cents
Certified copy of record docket entry not exceeding one (1) page one dollar
Each additional page fifty cents
Certified copy docket entry in road cases not exceeding one (1) page one dollar
Each additional page fifty cents
Certified copy notes of testimony charge of court and all other pages filed in any case per page twenty cents
Citation and seal one dollar
Constable's return on liquor licenses and seal one dollar and fifty cents
Dog register and seal one dollar and fifty cents
Declaration to become a citizen and seal two dollars
Discharge on ignored bill and seal seventy-five cents
Discharge on bail entered seventy-five cents
Discharge of prisoner from dock seventy-five cents
Exemplication of record bill of indictment not exceeding two (2) pages two dollars
Each additional page fifty cents
Exemplication of record docket entry not exceeding one (1) page one dollar
Each additional page fifty cents
Exemplification of certificate and seals one dollar and twenty-five cents
Entering satisfaction of judgment fifty cents
Entering judgment on bond or recognizance upon confession for want of affidavit of defence or upon verdict or demurrer one dollar and twenty-five cents
Entering judgment on bond or recognizance upon motion for want of a sufficient affidavit of defence two dollars
Entering revival of judgment by agreement one dollar and twenty-five cents
Filing and entering motion and reason for new trial seventy-five cents
Filing and entering motion in arrest of judgment seventy-five cents
Filing and entering reconsideration of sentence seventy-five cents
Filing and entering bond or recognizance from magistrate seventy-five cents
Filing and entering expense account of candidate for nomination and election to public office under fifty dollars (50) one dollar
Filing and entering expense account of candidate for nomination and election to public office over fifty dollars (50) two dollars
Filing and entering expense account of ward and county committees three dollars
Filing an entering magistrate's return seventy-five cents
Filing and entering coroner's return each seventy-five cents
Filing and entering petitions for appointment of auditors or examiners et cetera one dollar
Filing and entering auditor's or examiner's reports per page twenty cents
Filing and entering petitions and papers not otherwise provided for first page fifty cents
Each additional page twenty cents
Filing petition for change of polling place two dollars
Filing and entering of plea autrefois convict fifty cents
Filing and entering of plea antrefois acquit fifty cents
Filing and entering plea of nolo contendre fifty cents
Filing and entering nolle prosequi ten dollars
Filing and entering docket entries true bill three dollars
Filing and entering docket entries ignored bill two dollars
Filing and entering opinion of court of common pleas Superior Court or Supreme Court one dollar
Filing and entering opinion of court of oyer and terminer or quarter sessions one dollar
Filing and entering certiorari or appeal to Superior or Supreme Court three dollars
Filing and entering remittitur from Superior or Supreme Court two dollars
Filing and entering motions orders appeals or decrees to or from courts not herein provided for two dollars
Filing and entering bill of exceptions three dollars
Filing and entering certificate from city controller upon loan bill five dollars
Filing and entering return of election upon the question of increase of indebtedness for each return twenty-five cents
Filing and entering certified copy of ordinance of councils upon loan bill three dollars
Filing and entering answer to writ of habeas corpus fifty cents
Filing and entering answer to warrant of seizure fifty cents
Filing and entering answer to rules in non-support cases fifty cents
Filing and entering traverse fifty cents
Filing and entering rule for bill of particulars fifty cents
Filing and entering bill of particulars fifty cents
Filing and entering exceptions to bill of particulars fifty cents
Filing petition for division of election districts townships boroughs wards et cetera two dollars
Filing report on same one dollar
Annexation and incorporation of each two dollars
Recording proceedings on above each one hundred words fifty cents
Filing bond and justification upon peddlers junk dealers and itinerant venders' license two dollars and fifty cents
Filing and issuing summons or recognizance seventy-five cents
Filing and entering appearance upon suit on recognizance fifty cents
Filing and entering affidavit of defence seventy-five cents
Filing and indexing in card index record of commitment to any State Penitentiary each twenty-five cents
Filing plans in road cases one dollar
Filing order of satisfaction in road cases twenty-five cents
Filing appeals in road cases seventy-five cents
Filing and entering reports in roads cases five dollars
Filing motion to quash indictment fifty cents
Filing and entering pleas not otherwise provided for each defendant twenty-five cents
Filing and issuing fieri facias sur debt seventy-five cents
Indexing judgments fines et cetera on judgment index each twenty-five cents
Joinder in issue each defendant twenty-five cents
Jury fee in each case four dollars
Jurors defaulting issuing notices to one dollar and fifty cents
Liquor license filing application for affidavit and seal five dollars and fifty cents
Liquor license filing interrogatories in application for and seal fifty cents
Liquor license filing bond justification of bond certificate to city treasurer receipt of city treasurer constable's fees certificate and seal frame and glass six dollars and seventy-five cents
Liquor license transfer of filing and justification of bond constable's fee et cetera five dollars and fifty cents
Liquor license filing petition for revocation of one dollar
Monthly return to State Board of Charities to be paid by county five dollars
Mandamus and seal four dollars and twenty-five cents
Motions and rules not otherwise herein provided for each fifty cents
Naturalization certificate duplicate copy of each two dollars and twenty-five cents
Non-support cases record of three dollars
Non-support cases all services not otherwise provided for two dollars
Order of court in non-support cases and seal fifty cents
Order of court in juvenile cases and seal fifty cents
Petition and order for a view of review of a road street or bridge case filing report recording et cetera fifteen dollars
Petition filing of and docketing habitual drunkard proceedings and court orders thereon two dollars
Petition filing of feeble-minded person one dollar
Petition filing of insane person one dollar
Petition filing of insane criminal one dollar
Petition filing for writ of habeas corpus two dollars
Release from any institution by order of court fifty cents
Recognizance calling and entering forfeiture of fifty cents

Recognizance remitting or discharging and motion therefor fifty cents
Recognizance taking each one dollar
Return to writ of error or certiorari one dollar
Receiving and entering constable's return fifty cents
Record of paper filed for every ten words five cents
Recording election returns for each election district except upon increase of indebtedness two dollars and fifty cents
Recording court orders on petitions each fifty cents
Recording bonded indebtedness issues each one hundred words fifty cents
Road viewers filing and entering report of five dollars
Search judgment single name forty cents
Search judgment extra names each twenty cents
Subpoena and seal twenty-five cents
Service of clerk where true bill is found in cases of felony four dollars
Services of clerk where bill is returned ignoramus two dollars
Services of clerk where true bill is found in all other cases three dollars
Scire facias sur-bond three dollars
Scire facias to revive judgment seventy-five cents
Summons on recognizance issuing and entering of seventy-five cents
Seizure warrant of proceedings thereon one dollars
Seal in every case not otherwise provided for twenty-five cents
Supreme Court appeals to one dollar and fifty cents
Supreme Court on warrant of seizure one dollar and fifty cents
Supreme Court return to writ of error one dollar
Superior Court entering appeals to one dollar and fifty cents
Superior Court on warrant of seizure one dollar and fifty cents
Superior Court return to writ of error one dollar
Swearing grand jury two dollars
Swearing petit jury in each case one dollar
Transcript of judgment from document to judgment index filing and entering of each twenty-five cents
Taxing bills of costs one dollar
Venire for grand jury one dollar
Venire to draw special jury two dollars and fifty cents
Venire for petit jury one dollar
Venditioni exponas issuing writ of seventy-five cents
Withdrawal of pleas entered each twenty-five cents
The fee for services not herein specially provided for shall be the same as for similar service Provided however That the provisions of this act shall not apply to counties having a population of less than one million five hundred thousand as computed by the last preceding United States census
Section 2 All fees for services performed for the county shall be charged against the county and in all cases where services are rendered for an individual or corporation the proper fee shall be received and collected from that person or persons or corporation for whom the services are rendered
Section 3 All laws or parts of laws general local and special inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 813, entitled

An Act relating to the assessment and payment of damages to owners of property abutting on State highways in certain counties damaged by a change of the existing lines and location of such State highway imposing certain powers and duties upon the Highway Commissioner and the county commissioners and providing for the payment of such damages by such counties

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That before the Highway Commissioner shall in any county having a population of less than eight hundred thousand inhabitants undertake the construction reconstruction or improvement of any State highway on the plan of the State highways wherein a change of existing lines and location is necessary and damage is likely to result to abutting property he shall notify the county commissioners of the proper county in writing of the contemplated change in such existing lines and location whereupon the county commissioners when possible shall enter into an agreement with the owner or owners of said property as to amount of damage to be paid to said owner or owners which damage if agreed upon shall be paid by the county or in case an agreement satisfactory to the county commissioners and the said owner or owners cannot be made State Highway Commissioner may proceed with the work of construction reconstruction or improvement and the owner or owners of said property damaged thereby may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages The proceedings upon said petition and by the viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for laying out and opening public highways and such damages when ascertained shall be paid by the county in which the State highway is located

On the question,
Will the Senate agree to the section?
Mr. ENDSLEY. Mr. President, I move to amend section 1, page 2, line 10, by inserting before the word "State" the word "the."
Mr. P. W. SNYDER. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.
The second section of the bill was read as follows and agreed to:

Section 2 All acts and parts of acts of Assembly inconsistent with this act are hereby repealed

The title of the bill was read as follows and agreed to:

An Act relating to the assessment and payment of damages to owners of property abutting on State highways in certain counties damaged by a change of the existing lines and location of such State highway imposing certain powers and duties upon the Highway Commissioner and the county commissioners and providing for the payment of such damages by such counties

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 817, as follows:

An Act to amend the second section of an act approved the thirteenth day of June Anno Domini nineteen hundred and eleven entitled "An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand a board for the assessment and revision of taxes for State and county purposes prescribing the method of their appointment their powers and duties fixing their salary to be paid by the proper county and abolishing the office of ward borough and township assessors insofar as respects the assessment of State and county taxes" by changing the pay of subordinate assessors from four to five dollars per day
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of said act of June thirteenth one thousand nine hundred and eleven which reads as follows
"Section 2 The said board shall divide the county into convenient districts and shall appoint one subordinate assessor for each of said districts The said subordinate assessors shall make assessments and valuations of all property taxable for State and county purposes together with a list of all persons taxable upon occupations in their respective districts and shall on or before the first Monday of November of the year preceding the next triennial assessment in such counties file the same with the said board for the assessment and revision of taxes and thereupon the said board shall examine and revise the said valuations increasing or decreasing the same as in their judgment may seem to be proper or adding thereto such property or subjects of taxation as may have been omitted and after such revision the said board shall by rule fix convenient times for the hearing of appeals from the said assessments of valuations and after the hearing of said appeals and after making whatever changes may be considered proper the valuations as so ascertained and revised shall stand as the valuations for the assessments of all county and State taxes until the next triennial assessment and shall be made every three years thereafter With power however in the assessors to revise the said assessments according to right and equity between the triennial assessments by adding thereto new increased or omitted subjects of taxation and the revising of valuations if it is proper to do so and upon request by any taxpayer he shall at any time receive from the board a statement of his taxable property and its valuation When the triennial assessment shall be fixed either for the whole county or in districts thereof notice of that fact shall be given by publication in not more than two newspapers of the county and of the time or times at which appeals will be heard After hearing the appeals the board shall take such action in regard to them as may be right and proper after such action on the appeals any taxpayer who is dissatisfied with the assessment upon his property may within thirty days from the final fixing of the said assessment and valuation appeal to the court of common pleas of the county and it shall be the duty of the court to at once hear and

determine said appeal and if necessary make such change therein as may be proper In case of any change by the board during the intervals between the triennial assessments as provided for in this section if there be any increase in any particular assessment or the addition of any omitted subject of taxation the taxpayer affected shall if a resident of the county have written or printed notice left at his residence at least ten days before the change is made and if a non-resident then the notice shall be posted on the property and such taxpayer may appeal as provided above to a court of common pleas and such court may take action as provided above in case of other appeals The subordinate assessors provided for in this act shall receive the sum of four dollars per day for the time actually occupied in the discharge of their duties The board shall have the right to appoint such clerks as the salary board may allow for the proper discharge of the duties of said board and all salaries and expenses shall be paid out of the county treasury Insofar as respects State taxes the valuations and assessments shall be made by the board anually on or before December thirty-first" be and the same shall read as follows namely

Section 2 The said board shall divide the county into convenient districts and shall appoint one subordinate assessor for each of said districts The said subordinate assessor shall make assessment and valuations of all property taxable for State and county purposes together with a list of all persons taxable upon occupations in their respective districts and shall on or before the first Monday of November of the year preceding the next triennial assessment in such counties file the same with the said board for the assessment and revision of taxes and thereupon the said board shall examine and revise the said valuations increasing or decreasing the same as in their judgment may seem to be proper or adding thereto such property or subjects of taxation as may have been omitted and after such revision the said board shall by rule fix convenient times for the hearing of appeals from the said assessments of valuations and after the hearing of said appeals and after making whatever changes may be considered proper the valuations as so ascertain and revised shall stand as the valuations for the assessments of all county and State taxes until the next triennial assessment and shall be made every three years thereafter with power however in the assessors to revise the said assessments according to right and equity between the triennial assessments by adding thereto new increased or omitted subjects of taxation and the revising of valuations if it is proper to do so and upon request by any taxpayer he shall at any time receive from the board a statement of his taxable property and its valuation When the triennial assessment shall be fixed either for the whole county or in districts thereof notice of that fact shall be given by publication in not more than two newspapers of the county and of the time or times at which appeals shall be heard After hearing the appeals the board shall take such action in regard to them as may be right and proper after such action on the appeals any taxpayer who is dissatisfied with the assessment upon his property may within thirty days from the final fixing of the said assessment and valuation appeal to the court of common pleas of the county and it shall be the duty of the court to at once hear and determine said appeal and if necessary make such change therein as may be proper In case of any change by the board during the intervals between the triennial assessments as provided for in this section if there be any increase in any particular assessment or the addition of any omitted subject of taxation the taxpayer affected shall if a resident of the county have written or printed notice left at his residence at least ten days before the change is made and if a non-resident then the notice shall be posted on the property and such taxpayer may appeal as provided above to a court of common pleas and such court may take action as provided above in case of other appeals The subordinate assessors provided for in this act shall receive the sum of five dollars per day for the time actually occupied in the discharge of their duties The board shall have the right to appoint such clerks as the salary board may allow for the proper discharge of the duties of said board and all salaries and expenses shall be paid out of the county treasury Insofar as respects State taxes the valuations and assessments shall be made by the board annually on or before December thirty-first

Section 3 All general and special acts or parts thereof inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 818, as follows:

An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand sixty) entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" which reads as follows

"Section 8 The foregoing provisions shall not apply (one) to any corporation authorized to do business under the provisions of the banking laws of the Commonwealth to any corporation authorized to receive deposits under the laws of this Commonwealth nor to any association organized under the national banking act nor (two) to any hotel-keeper who shall receive money for safe-keeping from a guest nor (three) to any express company or telegraph company receiving money for transmission provided such company is not engaged directly or indirectly in the sale of steamship tickets nor (four) to any individual partnership or unincorporated association who would otherwise be required to comply with the provisions of this act who shall file with the Commissioner of Banking a bond in the sum of one hundred thousand dollars approved by the Board as to form and sufficiency for the purpose and conditioned as in the first section prescribed where the business is conducted in a city of the first or second class and if conducted elsewhere in the State such bond shall be in the sum of fifty thousand dollars or in lieu thereof money or securities approved by the Commissioner of Banking of the same amounts nor (five) to any individual partnership or incorporated association licensed under the laws of this Commonwealth to do a brokerage business holding a membership in a lawfully incorporated brokerage exchange and doing only such banking as shall be incidental to such brokerage business The books or records showing the deposit or account of any depositor with any individual partnership or unincorporated association filing a bond money or securities approved by the Board as provided in this section shall not be subject to any visatorial power inspection or examination by the Commissioner of Banking nor to examination or inspection by or production in any department or agency of government State or municipal nor to inspection examination or production in any court in any judicial proceeding except in cases of insolvency or bankruptcy or a judicial proceeding or investigation involving the rights and liabilities of a creditor or depositor is hereby amended to read as follows

Section 8 The foregoing provisions shall not apply (one) to any corporation authorized to do business under the provisions of the banking laws of the Commonwealth to any corporation authorized to receive deposits under the laws of this Commonwealth nor to any association organized under the national banking act nor (two) to any hotel-keeper who shall receive money for safe-keeping from a guest nor (three) to any express company or telegraph company receiving money for transmission provided such company is not engaged directly or indirectly in the sale of steamship tickets nor (four) to any individual partnership or unincorporated association who would otherwise be required to comply with the provisions of this act who shall file with the Commissioner of Banking a bond in the sum of one hundred thousand dollars approved by the Board as to form and sufficiency for the purpose and conditioned as in the first section prescribed where the business is conducted in a city of the first or second class and if conducted eslewhere in the State such bond shall be in the sum of fifty thousand dollars or in lieu thereof money or securities approved by the Commissioner of Banking of the same amounts nor (five) to any individual partnership or incorporated association licensed under the laws of this Commonwealth to do a brokerage business holding a membership in a lawfully incorporated brokerage exchange and doing only such banking as shall be incidental to such brokerage business The books or records showing the deposit or account of any depositor with any individual partnership or unincorporated association filing a bond money or securities approved by the Board as provided in this section shall not be subject to any visatorial power inspection or examination by the Commissioner of Banking nor to examination or inspection by or production in any department or agency or government State or municipal nor to the inspection examination or production in any court in any judicial proceeding except in cases of insolvency or bankruptcy or a judicial proceeding or investigation involving the rights and liabilities of a creditor or depositor

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BALDWIN. Mr. President, I move that Senate Bill No. 818, the bill just read, be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. NASON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 829 (House Bill No. 1087), entitled

An Act to give exclusive jurisdiction to the municipal court of Philadelphia over all houses of detention established within the limits of the city of Philadelphia providing that the board of managers of the said houses of detention shall be appointed and removed by the judges of the municipal court of Philadelphia and repealing all acts or parts of acts inconsistent herewith

And said bill having been real at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 831, as follows:

An Act fixing the compensation of registers of wills in counties contining a population of one million five hundred thousand and upwards for services rendered the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the salary of the register of wills in every county of this Commonwealth containing a population of one million five hundred thousand and upwards for services rendered the State shall be five thousand dollars ($5,000) a year This amount shall be in lieu of fees and commissions now allowed said officers by law

Section 2 This act shall not affect the compensation provided for registers of wills of the several counties for services rendered such counties

Section 3 This act shall not affect the compensation of any register of wills elected prior to the enactment hereof during the term for which he shall have been elected

Section 4 The salary provided by this act shall be paid by the registers of wills entitled thereto in the same manner as all other salaries now provided for State employes are paid

Section 5 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been real at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 224 (House Bill No. 218), entitled

A Joint Resolution directing the publication of the pamphlet containing the Game Fish and Forestry Laws

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 224 (House Bill No. 218), the bill just read, be recommitted to the Committee on Appropriations.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 230 (House Bill No. 37), entitled

An Act to further amend sections sixteen and twenty-five of an act approved the seventh day of February one thousand nine hundred and five entitled "An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 506, entitled

An Act to amend sections three and four of an act approved June second, one thousand nine hundred and fifteen, entitled "An Act to amend an act regulating policies of insurance against liability arising under article three of the Workmen's Compensation Act of one thousand nine hundred and fifteen; providing for the regulation of premium rates thereof and providing penalties for the violation thereof so as to provide an agency for the application of a system of merit rating.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 506, the bill just read, be recommitted to the Committee on Insurance.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 507, entitled

An Act to provide reserves for outstanding liability of insurance companies transacting the business of insuring any one against loss or damage resulting from accident to or injury suffered by an employe or other person for which the person insured is liable and also for outstanding losses incurred under the Workmen's Compensation Act of one thousand nine hundred and fifteen and repealing existing laws.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 507, the bill just read, be recommitted to the Committee on Insurance.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 523 (House Bill No. 392), entitled

An Act to amend an act, entitled "A Supplement to an act, entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June, one thousand eight hundred and eighty-five, authorizing and establishing a board of recreation, for the creation, organization, care, management, conduct and supervision of recreation facilities of cities of the first class except as herein provided," approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws seven hundred and thirty-nine, by changing the number of the members of the board of recreation their length of term and the officers to be elected.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 531, entitled

An Act authorizing insurance companies upon any increase of capital to issue the same at a price in excess of par to require payment of such price as a condition to the right to subscribe and also to sell in such manner as the board of directors may prescribe for not less than such price any unsubscribed stock.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 561, entitled

An Act to further amend the act approved the fifth day of March one thousand nine hundred and six entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" by providing for special registration for special elections

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 623, entitled

An Act to amend the act approved the second day of June one thousand nine hundred and fifteen entitled "An Act providing for the creation and administration of a State fund for the insurance and compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 630, entitled

An Act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected and regulating such benefits. Providing for the organization of such societies and for their licensing supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies. Designating tables of mortality as a basis of rates of contribution. Requiring all societies to make annual reports and all foreign societies to appoint the Insurance Commissioner as attorney for service of process. Providing penalties for any violation of the act. Exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. W. W. SMITH. Mr. President, I move that Senate Bill No. 630, the bill just read, be recommitted to the Committee on Insurance.
Mr. McCONNELL. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 640, entitled

An Act to amend sections three, four five, six and eleven of an act approved the twentieth day of May, one thousand nine hundred and fifteen, entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 665, entitled

An Act providing that every advertisement and notice required by authority of law or rules of court to be published in any county in the Commonwealth or in any city coincident to the boundaries of a county, may in addition to the publication of such advertisements or notices required to be made in newspapers published and printed in the English language, be also published by the public officer, body or court directed by law or rules of court to publish such advertisement or notice in newspapers printed in the English language, in one or more daily newspapers printed in a foreign language or languages, such newspapers printed in a foreign language or languages to be printed in and have general circulation in the county or the city coincident to the boundaries of said county for at least three years continuously before the publication of such advertisements or notices; and further providing for the prices to be charged for publishing such advertisements or notices in any such foreign newspapers; how often the same shall be published; and the stipulations and regulations under which the same shall be published.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 672, entitled

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen, entitled "An Act providing a system of governing for boroughs and revising amending and consolidating the law relating to boroughs."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 694, entiled

An Act amending an act approved the first day of June, one thousand eight hundred and eighty-nine, entitled "A further supplement to an act, entitled 'An Act to provide revenue by taxation,' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 695, entitled

An Act to prevent fraud and deceit by regulating and inspecting investment companies and dealers in certain stocks, bonds or other securities; providing for the regulation and registration of such companies and dealers; creating and establishing a Securities Commission for the purpose of enforcing the provisions of this act; prescribing and defining the powers and duties of such commission and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 695, the bill just read, be recommitted to the Committee on Appropriations.
Mr. ENDSLEY. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 716, entitled

An Act prohibiting holders of brewer's licenses from having offices or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 757 (House Bill No. 451), entitled

An Act exempting free from the claims of all creditors the proceeds of certain life insurance and annuity contracts bona fide taken out by any person not exceeding one hundred dollars per month.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 763, entitled

An Act to amend article 2, section 1, sub-section T, and article 5, section 12 of an act, entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or

destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes, prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the court of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission, making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains, by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum care service charges, including car storage charges, that railroad companies and corporations, or associations may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisions of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act," approved the twenty-sixth day of July, one thousand nine hundred and thirteen, by providing the proportions in which the cost of establishing overhead and undergrade crossings shall be borne by railroad companies, the Commonwealth and the various municipal divisions of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 769, entitled

An Act to amend an act approved the twenty-fifth day of August, one thousand eight hundred sixty-four, entitled "An Act to regulate elections by soldiers in actual military service."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 789, entitled

An Act validating divorces granted on the ground of the hopeless insanity of the respondent, under the provisions of an act, approved the eighteenth day of April, one thousand nine hundred and five, entitled "An Act to amend section eight of the act approved the thirteenth day of April, one thousand eight hundred and forty-three, entitled 'An Act to convey certain real estate, and for other purposes,' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis, and to further regulate the procedure in action for divorce."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 794, entitled

An Act authorizing the State Librarian to edit a revised edition of "The Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania," and providing for the printing, binding and distribution thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 796, entitled

An Act validating all acts done, all contracts and expenditures made by virtue of and all obligations for money borrowed, issued under the provisions of an act approved the first day of May, one thousand nine hundred and nine (Pamphlet Laws three hundred and two), entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand, and not more than one million two hundred thousand inhabitants, to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts, and conferring the powers and regulating the proceedings for the establishments, maintenance and management thereof," and the amendments thereof and supplements thereto, and making such acts, contracts and obligations as valid and effective as if the said act had applied to each and every county within this Commonwealth and was constitutional and valid; vesting title to any and all property purchased or condemned by any county for said schools under said act in the county which paid for the same.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 802, entitled

An Act regulating the time for advertising for and receiving proposals for furnishing paper, cardboard, cuts, plates and other supplies for the use of the Commonwealth for executing the public printing and the time contracts for furnishing such supplies shall run.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 803, entitled

An Act to amend sections seven and forty-one of an act approved the seventh day of February, Anno Domini one thousand nine hundred and five, entitled "An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to public printing and binding and the supply of paper and other materials therefor."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 803, the bill just read, be recommitted to the Committee on Appropriations.

Mr. W. W. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 812, entitled

An Act fixing the residence of the warden of the county jail or prison in counties of this Commonwealth where the government of such jail or prison is or may hereafter be vested in a prison board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 823, entitled

An Act validating proceedings by town councils in boroughs for the paving and curbing of public highways and validating municipal liens filed therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 837, entitled

An Act authorizing appeals from the courts of common pleas to the Supreme and Superior Courts from orders granting new trials.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. EYRE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EYRE, from the Committee on Public Roads and Highways, reported as committed Senate Bill No. 785, entitled

An Act relating to bridges in townships of the second class.

Also from the Committee on Public Roads and Highways, reported as amended Senate Bill No. 850, entitled

An Act to further amend an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement or township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, boroughs or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

HOUSE MESSAGE.

HOUSE CONCURS IN AMENDMENT TO HOUSE BILL NO. 773.

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 773, entitled

An Act authorizing directors or overseers of the poor to provide a building or rooms for the care treatment and maintenance of persons temporarily mentally deranged

CONSIDERATION OF HOUSE BILL NO. 877, RECALLED FROM THE GOVERNOR.

He also presented extract from the Journal of the House of Representatives, returning to the Senate House Bill No. 877, entitled

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts

said bill having been recalled from the Governor for amendment.

The votes had on final passage and third reading on said bill were reconsidered in the House and the bill amended.

Mr. CROW. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

Said amendment having been printed as required by the Constitution, was twice read as follows:

Amend Section 1, page 6, line 13, by striking out the word "Lancaster" and inserting in lieu thereof the word "Lawrence."

On the question,

Will the Senate concur in the amendment?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Baldwin,	Graff, J. F.,	McConnell,	Snyder, P. W.,
Buckman,	Graff, W. P.,	McKee,	Sones,
Burke,	Hackett,	McNichol,	Sproul,
Catlin,	Haldeman,	Miller,	Stewart,
Craig,	Hindman,	Nason,	Vare,
Croft,	Homsher,	Phipps,	Warner,
Crow,	Jenkins,	Sassaman,	Wasbers,
Daix,	Jones,	Schantz,	Weaver,
DeWitt,	Leiby,	Semmens,	Whitten,
Endsley,	Lynch,	Smith, R. E.,	Beidleman,
Eyre,	Martin,	Smith, W. W.,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 364.

He also presented communication from the House of Representatives, informing the Senate that the House has non-concurred in amendments made by the Senate to House Bill No. 364, entitled

An Act relative to the sale in bulk of the whole or a large part of a stock of merchandise and fixtures, or merchandise or fixtures not in the ordinary course of business providing certain requirements therefor and imposing certain duties upon the seller and buyer and making their violation a misdemeanor

Mr. WHITTEN. Mr. President, I move to reconsider the vote by which this bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. WHITTEN. Mr. President, I voted "aye".

Mr. HALDEMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HALDEMAN. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WHITTEN. Mr. President, I move to reconsider the vote by which this bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WHITTEN. Mr. President, I voted "aye".

Mr. HALDEMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HALDEMAN. Mr. President, I voted "aye".

The motion was agreed to,

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WHITTEN. Mr. President, I ask unanimous consent to amend section 1, page 2, line 3, by inserting after the word "goods" the word "wares;" also in section 4, page 4, line 14, by striking out after the word "goods" the word "fixtures," also in section 4, page 4, line 15, by inserting after the word "kind" the words "or of goods, wares or merchandise of any kind, and fixtures;" also in section 5, page 5, line 3, by inserting after the word "merchandise" and before the word "or" the words "of any kind;" also in section 7, page 5, line 18, by striking out the word "vendor" and inserting in lieu thereof the word "vendee."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RECESS.

Mr. SPROUL. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 359.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 359, entitled

An Act allowing appeals from orders of court entered on motions to quash or dissolve writs of foreign attachment

SENATE BILL NO. 52 RETURNED WITH AMENDMENTS.

He also returned to the Senate Senate Bill No. 52, entitled

An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products or any other products and prescribing penalties

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. PHIPPS. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. McKEE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend the title, in line 3, by inserting after the word "products" the words "or any other products;" also in section 1, line 4, by striking out the words "it is unlawful for any person corporation partnership or association to use in the sale exchange or delivery of milk or cream or their products any bottle jar vessel or other package of another upon which is stamped blown or engraved the name title or mark of the owner after being notified by such owner not to so use them unless permission so to do is afterwards expressly granted" and inserting in lieu thereof the words "it is unlawful for any person corporation partnerships or association to use in the sale exchange or delivery of milk or cream or their products or any other products any bottle jar vessel can or other container of another upon which is stamped blown or engraved the name title or mark of the owner;" also in section 2, line 7, by striking out the words "Any person corporation partnership or association violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not exceeding twenty-five dollars or to undergo an imprisonment not exceeding one month or both at the discretion of the court If the violation is by a corporation partnership or association the officers or directors of such corporation or the members of such partnership or association its agents or employes with guilty knowledge of the fact shall also be guilty of a misdemeanor and on conviction shall be punished as provided in this section;" and inserting in lieu thereof the words: "Any person being the general manager superintendent or other person in charge of the work of any corporation firm partnership or association or any indviidual violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction before any magistrate alderman or justice of the peace shall be sentenced to pay a fine not exceeding twenty-five dollars or undergo an imprisonment in the county jail of the proper county for a period not exceeding one month or both at the discretion of the magistrate alderman or justice of the peace" also by adding a new section to be known as section 3, as follows:

Section 3 All laws or parts of laws inconsistent herewith to be and the same are hereby repealed

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,	Eyre,	McKee,	Sones,
Buckman,	Graff, J. F.,	McNichol,	Sproul,
Burke,	Graff, W. P.,	Miller,	Stewart,
Catlin,	Hackett,	Nason,	Vare,
Craig,	Haldeman,	Phipps,	Warner,
Croft,	Homsher,	Sassaman,	Wasbers,
Crow,	Jenkins,	Schantz,	Weaver,
Daix,	Lynch,	Semmens,	Whitten,
DeWitt,	Martin,	Smith, W. W.,	Beidleman,
Endsley,	McConnell,	Snyder, P. W.,	Pres. pro tem

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE.

CONCURRENT RESOLUTION PROVIDING FOR A COMMISSION TO INVENTORY THE FOOD PRODUCTS WITHIN THE COMMONWEALTH; TO REGULATE ITS PROPER AND EQUITABLE DISTRIBUTION; TO FIX THE MAXIMUM PRICE THEREOF; AND TO INVESTIGATE THE POSSIBILITIES THROUGH MARKETING AND OTHER FACILITIES OF THE REDUCTION IN THE PRESENT HIGH COST OF FOOD STUFFS; EMPOWERING SAID COMMISSION TO ISSUE SUBPOENAS AND PROVIDING FOR THE ATTENDANCE OF WITNESSES, AND THE PENALTY FOR FAILURE TO OBEY SUCH SUBPOENAS.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows:

Whereas By reason of the present war conditions the prices of food products have been unnecessarily increased, and

Whereas It is to the best interest of the general public that prices be regulated with a view of protecting the welfare and the health of the people of the Commonwealth

Now therefore be it resolved by the House of Representatives (if the Senate concur), That a commission of nine (9) persons, citizens of this Commonwealth to be known as the Food and Marketing Commission be appointed by the Governor of this Commonwealth, two of whom shall be members of the Senate and two of whom shall be members of the House of Representatives of Pennsylvania, to serve without compensation. Said Commission shall make an inventory of all the food products in the Commonwealth and shall have power to regulate the proper and equitable distribution of the said food products and to fix the maximum prices thereof. Said Commission shall have the power, in any manner in which it may deem advisable to investigate thoroughly the possibilities through marketing and other facilities of the reduction in the cost of food stuffs. Said Commission shall also have the power to confiscate food products upon the refusal of the person, persons, partnership, associations or corporations in whose possession or control same may be upon refusing or failing to fix the prices that may be decided upon by said Commission.

For the purpose of enabling said commission to carry out and perform its duties, the said commission shall have the right to sit in any part of this Commonwealth; and shall have power to compel the attendance of witnesses, and the production of books papers, and other evidence, at the meeting of the commission, and for that purpose may issue subpoenas, signed by the president of the commission, and cause the same to be served and executed in any court of this Commonwealth; and if any witness shall refuse to testify any fact within his knowledge, or to produce any books or papers within his possession or under his control the secretary of the commission shall forthwith report the facts of such refusal to the court of common pleas of the county wherein such witness resides, or wherein his attendance was required, and all question arising from such refusal shall at once be heard by said court. If the Court determines that the testimony or evidence required by such witness is legal and properly competent and ought to be given or produced by him or her, then said court shall make an order commanding such witness to testify or produce books or papers or both, as the case may be; and if such witness shall thereafter refuse to testify or to produce books or papers, as aforesaid, in disobedience of such order of the court, then the said court shall have power to order the commitment of such witness to the county jail of the proper county for contempt.

The said commission shall have power to call upon the Attorney General for such legal advice as it may require.

Mr. SPROUL. Mr. President, I move that the resolution just read be referred to the Committee on Appropriations.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 623, entitled

An Act to amend the act approved the second day of June one thousand nine hundred and fifteen entitled "An Act providing for the creation and administration of a State fund for the insurance and compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof"

be recommitted to the Committee on Insurance.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr SPROUL. Mr. President, I move that the Senate do now adjourn until 11 o'clock to-morrow morning

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10.48 o'clock P. M. until Tuesday morning, April 17, 1917, at eleven o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY, April 16, 1917.

The House met at 9 o'clock P. M.

The SPEAKER (Richard J. Baldwin), in the chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

At the close of this day, our Father, we come into Thy presence. Our prayers have been heard and Thou hast kept us from accident and harm, yea Thou hast blessed us in many ways.

We thank Thee for comfort and prosperity.

Bless, we pray Thee, the members of the House of Representatives, the Speaker, and all connected therewith in all efforts for good.

Forgive all our shortcomings and cleanse our hearts from sin. May we be cheerful in difficulties and under all discouragements.

Give us strength to endure, so that we do not cast shadows upon any other life by our fretting or discontent; speaking kind words and using our best endeavor to give cheer and courage.

Receive us now into Thy care, keep us through the darkness and bring us to the morning light if it be Thy will, if not, bring us to heaven's morning, which is far better. Grant that the prayer of Thy unworthy servant may be heard, we ask in Jesus' name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, April 12, 1917.

The Clerk proceeded to read the Journal of the proceedings of Thursday, April 12, 1917, when, on motion of Mr. Perry, the further reading was dispensed with, and the Journal was approved.

PETITION FAVORING LIBERAL APPROPRIATION TO THE VILLAGE FOR FEEBLE-MINDED WOMEN AT LAURELTON, UNION COUNTY.

Mr. MERVINE presented the petition of citizens of Monroe County favoring a liberal appropriation to the Village for Feeble-Minded Women of Child-Bearing Age, at Laurelton, Union County.

Referred to the Committee on Appropriations.

BILLS INTRODUCED AND REFERRED.

By Mr. DELL. House Bill No. 1467.

A Joint Resolution directing the Superintendent of Grounds and Buildings or the Deputy Superintendent to establish at the State Capitol Building, and at the State Library and Museum, a checking system and to require the checking of all parcels, packages, and walking sticks; and exempting from the provisions of this resolution all officers and employes of the several departments and the General Assembly, and members of the Senate and House of Representatives.

Referred to the Committee on Judiciary Special.

By Mr. DUNN. House Bill No. 1468.

An Act to amend section two thousand four hundred and two of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" as amended.

Referred to the Committee on Education.

By Mr. HAIGHT. House Bill No. 1469.

An Act providing for the purchase by the Commonwealth of certain lands known as the A. Cook Sons Company lands at and near Cooksburg in the Counties of Forest, Clarion and Jefferson, for a public State Park and forest reservation; making an appropriation for said purchase, and providing that the Department of Forestry of the Commonwealth shall take charge of said property; defining the powers and authority of said Department and the use to which the property shall be put.

Referred to the Committee on Appropriations.

By Mr. DELL. House Bill No. 1470.

An Act to provide for the distribution of penalties collected for violations of the Fish and Game Laws of this Commonwealth.

Referred to the Committee on game.

By Mr. DELL. House Bill No. 1471.

An Act to amend part of section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, (Pamphlet Laws 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commowealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships, or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking or property, or otherwise, in the improvement thereof; providing for purchase of acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. FOWLER. House Bill No. 1472.

A Supplement to an act entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a public service commission for the regulation afore-

said; prescribing and defining the powers and duties of such commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the state, or municipal corporation concerned, and giving persons whose property is thereby taken, injured or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the public service commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled "An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains" by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commissions; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled "An Act to enforce the provsiions of the seventeenth article of the Constitution relative to railroads and canals." and an act entitled "To provide the maximum car service charges, including car storage charges, that raidroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars," approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled "An Act to provide for the incorporation and regulation of certain corporations," approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act," approved the twenty-sixth day of July, Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four), this supplement relating to joint or unions stations in cities within this Commonwealth, giving the public service commission power and jurisdiction to order railroad corporations to join in the construction, maintenance and operation of such joint or union stations in certain cases and to apportion the facilities and the cost thereof and award and order compensation to be paid or secured to be paid for facilities or property taken for the furtherance of the public accommodation or convenience; prescribing and regulating the practice and procedure before such commission, and upon appeal; defining terms used herein and repealing all other legislation inconsistent with this act.

Referred to the Committee on Judiciary General.

By Mr. FOWLER. House Bill No. 1473.

An Act prohibiting combinations, contracts, agreements or arrangements for the purpose of establishing or maintaining a monopoly whereby the production, sale or price of any article or commodity of common use may be controlled or restricted or competition in the same suppressed, and making it a misdemeanor for the violation of any of the provisions of this act.

Referred to the Committee on Corporations.

By Mr. WHITAKER. House Bill No. 1474.

An Act to amend section one, four and five of an act approved the eighteenth day of May, one thousand nine hundred and fifteen, entitled" An Act establishing a State Commission of Agriculture; defining its powers and duties, including its powers relative to the Department of Agriculture and the State Livestock Sanitary Board."

Referred to the Committee on Appropriations.

By Mr. WEST. House Bill No. 1475.

An Act imposing the cost of commitment and maintenance of criminal insane in institutions on the county where the crime was committed; and authorizing the recovery of such costs from the estate of the criminal insane.

Referred to the Committee on Judiciary Local.

By Mr. WEST. House Bill No. 1476.

An Act to amend section one of an act approved the eighth day of June, one thousand nine hundred fifteen, entitled "An Act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons, and awaiting trial, charged with criminal offenses not amounting to felony, which persons are found to be insane; and further providing for the payment of the expenses of such removal and return, and for the cost of the maintenance and care of such persons in such hospitals," by imposing all costs and expenses on the county.

Referred to the Committee on Judiciary Local.

REPORTS FROM COMMITTEES.

Mr. HESS, from the Committee on Judiciary Local, reported as committed House Bill No. 149, entitled

An Act to amend an act, approved the twenty-eighth day of May, one thousand nine hundred thirteen, entitled "An Act authorizing and empowering township supervisors, in townships of the second class to enter into contract with electric, gas, or other light companies, for the purpose of lighting and illuminating the streets, highways, and other public places in any village in said township; and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited;" by providing also for the levying of a tax upon taxable residents in the district benefited.

Mr. CANON, from the Committee on Judiciary Local, reported as committed House Bill No. 1305, entitled

An Act to amend the title of an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, entitled "An Act amending section one of an act, approved the seventeenth day of April, one thousand nine hundred and five, entitled, 'An Act providing for the determinaion by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees, between the municipal corporations and telegraph, telephone, or light or power companies;' extending the provisions thereof to street passenger railway, motor traction, gas, or water companies."

Mr. NEARY, from the Committee on Judiciary Local, reported as committed House Bill No. 848, entitled

An Act authorizing the attachment of wages or salary upon judgments obtained for necessaries limiting the amount of exemption to be claimed and providing for the payment of the costs.

Mr. SPEICHER, from the Committee on Education, reported as committed House Bill No. 1326 (Senate Bill No. 273), entitled

An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof, and the manner of payments therefrom; and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities allowances, returns, benefits and rights from taxation and judicial process; and providing penalties.

Mr. CANON, from the Committee on Counties and Townships, reported as amended House Bill No. 879, entitled

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to township supervisors of townships and requiring townships to pay the expenses in connection therewith.

LEAVES OF ABSENCE.

Mr. BALDRIDGE asked and obtained leave of absence for his colleague, Mr. Murdoch, on account of death in the family.

Mr. MEHRING asked and obtained leave of absence for his colleague, Mr. Sterling, for this evening.

Mr. DELL asked and obtained leave of absence for his colleague, Mr. Brumbaugh, on account of sickness.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Executive Chamber, Harrisburg, Pa., April 12, 1917.

To the Honorable, the Senate and the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have received from Honorable Newton D. Baker, Secretary of War, under date of April ninth, a communication containing the following resolution of the Coun-

cil of National Defense and its Advisory Commission, which resolutions were adopted by these bodies on Saturday, April seventh:

"That the Council of National Defense urge upon the Legislatures of the States, as well as all administrative agencies charged with the enforcement of labor and health laws, the great duty of rigorously maintaining the existing safeguards as to the health and welfare of workers, and that no departure from such present standards, in State laws or State rulings affecting labor should be taken without declaration of the Council of National Defense that such a departure is essential for the effective pursuit of the national defense.

"That the Council of National defense urge upon the Legislatures of the several States that before final adjournment they delegate the Governors of their respective States the power to suspend or modify restrictions contained in their labor laws when such suspension or modification shall be requested by the Council of National Defense and such a suspension or modification, when made, shall continue for a specified period and not longer than the duration of the war."

I invite your special attention to these important declarations of national policy, and respectfully request that the spirit of the same may be given prompt and full consideration by your bodies.

The resolutions meet with my cordial approval, and I shall be very glad, so far as my powers permit and so far as additional power may be given me by your bodies, to comply with the requests contained therein.

Very respectfully yours,

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented the following communication in writing from His Excellency, the Governor, which was read as follows, viz:

APPROVAL OF HOUSE BILL NO. 267.

Executive Chamber, Harrisburg, Pa., April 12, 1917.

To the Honorable, the House of Representatives of the Comonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 257, entitled "An Act to amend sections one two three and four of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen entitled 'An Act to amend revice and consolidate the law providing for the burial of certain honorably discharged soldiers sailors and marines at the expense of the counties in which they shall die or have a legal residence at the time of their death to provide a system for effecting the burial of such soldiers sailors and marines to provide headstones and markers for the graves of such soldiers sailors and marines and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers sailors and marines."

(Signed) MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented the following communication in writing from His Excellency, the Governor, which was read as follows, viz:

APPROVAL OF HOUSE BILL NO. 250.

Executive Chamber, Harrisburg, Pa., April 12, 1917.

To the Honorable, the House of Representatives of the Comonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 250, entitled "An Act relating to limited partnerships."

(Signed) MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented the following communication in writing from His Excellency, the Governor, which was read as follows, viz:

APPROVAL OF HOUSE BILL NO. 583.

Executive Chamber, Harrisburg, Pa., April 12, 1917.

To the Honorable, the House of Representatives of the Comonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 583, entitled "An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine entitled 'A Supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State Hospitals for the insane' approved the thirteenth day of June Aunno Domini one thousand eight hundred and eighty-three' as amended by fixing the maximum amount for maintenance weekly per capita."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented the following communication in writing from His Excellency the Governor, which was read as follows, viz:

APPROVAL OF HOUSE BILL NO. 249.

Executive Chamber, Harrisburg, Pa., April 12, 1917.

To the Honorable, the House of Representatives of the Comonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 249, entitled "An Act to amend sections one two three five and six of an act entitled 'An Act authorizing the formation of partnerships in which one or more or all of the partners may limit their liability for the debts of the partnership to the amount of capital subscribed by such partner or partners respectively and providing penalties for violation of its provisions approved the ninth day of May one thousand eight hundred and ninety-nine as amended by an act entitled 'An Act to amend section one of an act etitled 'An Act authorizing the formation of partnerships in which one or more or all of the partners may limit their liabilitiy for the debts of the partnership to the amount of capital subscribed by such partner or partners respectively and providing penalties for the violation of its provisions' approved the ninth day of May Anno Domini one thousand eight hundred and ninety-nine by excepting and excluding all banking and trust companies from the benefit and operation of said act' approved the ninth day of July one thousand nine hundred and one by excepting and excluding all partnerships hereafter formed in which the liability of one or more but not all of the partners is limited to the amount subscribed by such partners to the common stock from the benefit and operation of said act and to provide for existing partnerships where the liability of more than one but not all the partners is limited.' "

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented the following communication in writing from His Excellency the Governor, which was read as follows, viz:

APPROVAL OF HOUSE BILL NO. 248.

Executive Chamber, Harrisburg, Pa., April 13, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 248, entitled "An Act to amend section thirty-five of an act entitled 'An Act relating to and regulating partnerships' approved the twenty-sixth day of March Anno Domini one thousand nine hundred and fifteen."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented the following communication from His Excellency the Governor, which was read as follows, viz:

APPROVAL OF RESOLUTION.

Executive Chamber, Harrisburg, Pa., April 12, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a concurrent resolution of the Senate and House of Representatives authorizing the Governor to convey to the Mayor of the City of Chester and the Burgess of Eddystone Borough the sympathy of the General Assembly and of the Commonwealth of Pennsylvania assuring them that not only the sympathy but also the assistance which is in his power and at his command are available to the people of that community.

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the following communication in writing from His Excellency the Governor, which was read as follows: viz.

APPROVAL OF HOUSE BILL NO. 268.

Executive Chamber, Harrisburg, Pa., April 12, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 268, entitled "An Act to amend section one of an act approved the fifteenth day of April one thousand nine hundred and fifteen entitled 'An Act relative to the burial of the bodies of certain indigent deceased widows at the county expense.' "

MARTIN G. BRUMBAUGH.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate, being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows, viz:

Resolved (if the Senate concur), That House Bill No. 384, entitled An Act to amend an act approved the fifth day of May one thousand nine hundred eleven entitled "An Act to amend the first section of an act approved the tenth day of may Anno Domini one thousand nine hundred and seven entitled 'An Act to fix the salaries of the clerk deputy clerk court clerks and employes in the office of clerk of the court of oyer and terminer and quarter sessions of the peace of any county of this Commonwealth having a population of one million or over' so as to make it apply to counties having a population of one million four hundred thousand or over"

be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate, being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 364

An Act relative to the sale in bulk of the whole or a large part of the stock of goods wares or merchandise of any kind or of goods wares or merhandise of any kind and fixtures not in the ordinary course of business providing certain requirements therefor and imposing certain duties upon the seller and buyer and making their violation a misdemeanor

with information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the title by striking out all after the word "relative" and inserting in lieu thereof the following: "to the sale in bulk of the whole or a large part of the stock of goods wares or merchandise of any kind or of goods wares or merchandise of any kind and fixtures not in the ordinary course of business providing certain requirements therefor and imposing certain duties upon the seller and buyer and making their violation a misdemeanor."

Amend section one line two by striking out after the word "goods" the word "fixtures."

Line three, by inserting after the word "kind" the words "or any goods or merchandise of any kind and fixtures."

Amend section two, line twelve, by striking out after the word "goods" "fixtures."

Line twelve by inserting after the word "kind" the words "or any goods wares or merchandise of any kind and fixtures."

Section three line twenty-two by striking out after the word "goods" the word "fixture."

Line twenty-three by inserting after the word "kind" the words "or any goods wares or merchandise of any kind and fixtures."

Page four line ten after the word "and" strike out "voidable" and insert "void."

Insert sections seven and eight as follows:

Section 7 Provided that nothing herein contained shall prevent or hinder the vendor from demanding and receiving security from any purchaser or vendee to insure faithful performance of the contract prior to the furnishing the list of creditors as hereinabove set forth

Section 8 Any person or persons firm or corporation or any person or persons acting for or on behalf of any firm or corporation who shall procure from any seller or vendor a list of creditors as hereinabove set forth through fraud misrepresentation or deceit for the purpose of injuring said seller or vendor in his business and not for the purpose of securing the creditors of such seller or vendor as contemplated by this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars

Page six line four, after the word "section" strike out the figure "7" and insert the figure "9."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. STADTLANDER. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

Mr. GEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate, being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 773

An Act authorizing trustees of the insane or directors or overseers of the poor to provide a building or rooms for the care treatment and maintenance of persons temporarily mentally deranged.

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend title by inserting in the first line after the word "authorizing" the words "trustees of the insane or."

Amend section one line four by inserting after the word "the" the words "trustees of the insane or."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196.

Albee,	Fowler,	McNichol,	Shunk,
Aron,	Franklin,	McPeake,	Siggins,
Aston,	Fretz,	McVicar,	Simpson,
Baldi,	Gans,	Mearkle,	Sinclair,
Baldridge,	Geary,	Mehring,	Smith, E. R.,
Barner,	Glass,	Mervine,	Smith, F. L.,
Bechtold,	Golder.	Michel,	Smith, J. W.,
Bell,	Goodnough,	Miller, A. D.,	Smith, L.,
Benchoff,	Goodwin,	Miller, Allan,	Smith, O. W.,
Bennett,	Gormley,	Miller, C. G.,	Snowden,
Benninger,	Graeff,	Miller, G. J. A.,	Snyder,
Beyer,	Graham,	Milliron,	Somerman,
Bidelspacher,	Gransback,	Milner,	Sones,
Black,	Haight,	Mitchell,	Spangler,
Boulton, H.,	Haldeman,	Morgan, T.,	Speicher,
Bouton, V. B.,	Hecht,	Morgan, T. J.,	Sprowls,
Bovee,	Heffernan,	Murphy,	Stadtlander,
Boyd,	Helt,	Musser,	Steedle,
Brady,	Hess,	Neary,	Stern,
Burnett,	Heyburn,	Ogden,	Stites,
Campbell, J. O.,	Hibshman,	Palmer,	Stofflet,
Campbell, T.,	Hoffman,	Patterson,	Strauss,
Canon,	Hollern,	Perry,	Sullivan,
Chestnut,	Hollingsworth,	Phillips,	Swartz,
Christman,	Horne,	Pickering,	Sweitzer,
Clements,	Hough,	Powell,	Taylor,
Conner,	Howarth.	Ramsey,	Thomas,
Cook,	Isherwood,	Reichenbacker,	Ulsh,
Corbin,	Jack.	Reitzel,	Urich,
Cox,	Jennings,	Reynolds,	Vickerman,
Crosby,	Jones.	Rhoads, H. L.,	Vogdes,
Cummins,	Kennedy,	Rhodes, W. M.,	Wagner,
Curry,	Lafferty,	Rich,	Walker,
Davis, D. F.,	Lanius,	Richards,	Wallace,
Davis, W.,	Laucks,	Ringler,	Walter,
Dawson,	Lauler,	Rininger,	Weimer,
Dean,	Leary,	Robertson,	Wells,
Dell,	Lohr,	Rogers,	West,
Dewey,	Luppert,	Ross,	Whitaker,
Dithrich,	Malie,	Rothenberger,	Wickman,
Donneley,	Mangan,	Ruddy,	Williams, G. W.
Drinkhouse,	Marvin,	Rudisill,	Williams, J. P.,
Dunn,	Maurer,	Sampsel,	Wobensmith,
Eby,	McArdle,	Sarig,	Wood,
Ehrhardt,	McCaig,	Schaeffer, A. C.,	Woodward,
Erdman,	McCullough,	Scott,	Wylie,
Fackler,	McCurdy,	Shaffer, C. A.,	Wynne,
Fitzgibbon,	McKay,	Shattuck,	Zanders,
Flynn,	McKinney,	Showalter,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate, being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 359.

An Act allowing appeals from orders of court entered on motions to quash or dissolve writs of foreign attachment.

with information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk then read the amendment as follows:

In section 3, line 13, after the word "appeal" insert the following: "either now pending or hereafter to be brought."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192.

Albee,	Flynn,	McKinney,	Shattuck,
Aron,	Fowler,	McNichol,	Showalter,
Arthur,	Franklin,	McPeake,	Shunk,
Aston,	Fretz,	McVicar,	Siggins,
Baldi,	Gans,	Mearkle,	Simpson,
Baldridge,	Geary,	Michel,	Sinclair,
Barner,	Glass,	Mervine,	Smith, E. R.,
Bechtold,	Golder,	Michel,	Smith, F. I.,
Bell,	Goodnough,	Miller, A. D.,	Smith, J. W.,
Benchoff,	Goodwin,	Miller, Allan,	Smith, L.,
Bennett,	Gormley,	Miller, C. G.,	Smith, O. W.,
Benninger,	Graeff,	Miller, G. J. A.,	Snowden,
Beyer,	Graham,	Milliron,	Snyder,
Bidelspacher,	Gransback,	Milner,	Somerman,
Black,	Haight,	Mitchell,	Sones,
Boulton, H.,	Haldeman,	Morgan, T.,	Spangler,
Bouton, V. B.,	Hecht,	Morgan, T. J.,	Speicher,
Bovee,	Heffernan,	Murphy,	Sprowls,
Boyd,	Helt,	Musser,	Stadtlander,
Brady,	Hess,	Neary,	Steedle,
Burnett,	Heyburn,	Ogden,	Stern,
Campbell, J. O.,	Hibshman,	Palmer,	Stites,
Campbell, T.,	Hoffman,	Patterson,	Stoffiet,
Canon,	Hollern,	Perry,	Strauss,
Chestnut,	Hollingsworth,	Phillips,	Sullivan,
Christman,	Horne,	Pickering,	Swartz,
Clements,	Horton,	Powell,	Sweitzer,
Coldsmith,	Hough,	Ramsey,	Taylor,
Conner,	Howarth,	Reichenbacker,	Thomas,
Cook,	Isherwood,	Reitzel,	Ulsh,
Cox,	Jack,	Reynolds,	Urich,
Crosby,	Jennings,	Rhoads, H. L.,	Vogdes
Cummins,	Jones,	Rhodes, W. M.,	Wagner,
Curry,	Kennedy,	Rich,	Walker,
Davis, D. F.,	Lafferty,	Richards,	Walter,
Dawson,	Lanius,	Ringler,	Weimer,
Dean,	Laucks,	Rininger,	Wells,
Dell,	Lauler,	Robertson,	Whitaker,
Dewey,	Leary,	Rogers,	Wickman,
Dithrich,	Lewis,	Ross,	Williams, G. W.
Donneley,	Lohr,	Rothenberger,	Williams, J. P.,
Drake,	Mangan,	Ruddy,	Wood,
Drinkhouse,	Marvin,	Rudisill,	Woodward,
Dunn,	Maurer,	Sampsel,	Wylie,
Eby,	McArdle,	Sarig,	Wynne,
Ehrhardt,	McCaig,	Schaeffer, A. C.	Zanders,
Erdman,	McCullough,	Scott,	Baldwin,
Fackler,	McCurdy,	Shaffer, C. A.,	Speaker.
Fitzgibbon,	McKay,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION.

Mr. GLASS asked and obtained unanimous consent for the immediate consideration of a resolution, which was twice read, considered and agreed to as follows:

CONCURRENT RESOLUTION PROVIDING FOR A COMMISSION TO INVENTORY THE FOOD PRODUCTS WITHIN THE COMMONWEALTH; TO REGULATE ITS PROPER AND EQUITABLE DISTRIBUTION; TO FIX THE MAXIMUM PRICES THEREOF; AND TO INVESTIGATE THE POSSIBILITIES THROUGH MARKETING AND OTHER FACILITIES OF THE REDUCTION IN THE PRESENT HIGH COST OF FOOD STUFFS; EMPOWERING SAID COMMISSION TO ISSUE SUBPOENAS AND PROVIDING FOR THE ATTENDANCE OF WITNESSES AND THE PENALTY FOR FAILURE TO OBEY SUCH SUBPOENAS.

Whereas By reason of the present war conditions the prices of food products have been unnecessarily increased, and

Whereas It is to the best interest of the general public that prices be regulated with a view of protecting the welfare and the health of the people of this Commonwealth.

Now Therefore be it Resolved by the House of Representatives (if the Senate concur), That a commission of nine (9) persons, citizens of this Commonwealth to be known as the Food and Marketing Commission be appointed by the Governer of this Commonwealth, two of whom shall be members of the Senate and two of whom shall be members of the House of Representatives of Pennsylvania, to serve without compensation. Said Commission shall make an inventory of all the food products in the Commonwealth and shall have power to regulate the proper and equitable distribution of the said food products and to fix the maximum prices thereof. Said Commission shall have the power, in any manner in which it may deem advisable to investigate thoroughly the possibilities through marketing and other facilities of the reduction in the cost of food stuffs. Said Commission shall also have the power to confiscate food products upon the refusal of the person, persons, partnership, associations of corporations in whose possession or control same may be upon refusing or failing to fix the prices that may be decided upon by said Commission.

For the purpose of enabling said Commission to carry out and perform its duties, the said Commission shall have the right to sit in any part of this Commonwealth; and shall have power to compel the attendance of witnesses, and the production of books, papers, and other evidence, at the meeting of the Commission, and for that purpose may issue subpoenas, signed by the president of the Commission, and cause the same to be served and executed in any court of this Commonwealth; and if any witness shall refuse to testify any fact within his knowledge, or to produce any books or papers within his possession or under his control the secretary of the commission shall forthwith report the facts of such refusal to the court of common pleas of the county wherein such witness resides, or wherein his attendance was required, and all questions arising from such refusal shall at once be heard by said court. If the court determines that the testimony or evidence required by such witness is legal and properly competent and ought to be given or produced by him or her, then said court shall make an order commanding such witness to testify or produce books or papers or both, as the case may be; and if such witness shall thereafter refuse to testify or to produce books or papers, as aforesaid, in disobedience of such order of the court, then the said court shall have power to order the commitment of such witness to the county jail of the proper county for contempt.

The said commission shall have power to call upon the Attorney General for such legal advice as it may require.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION RELATIVE TO CONDUCT OF WAR.

Mr. COOK offered the following resolution, which was twice read and laid over under the rules:

In the House of Representatives, April 16, 1917.

Whereas, The Government of the United States, by virtue of the state of war existing with the German Government, faces a condition unequaled in its entire history; and

Whereas, The use of calm judgment and the adoption of practical systems in the present crisis will aid greatly in bringing victory to the Arms of the United States, and accomplish the great purposes for which this Government stands in this present crisis; and

Whereas, The great assets in the waging of successful warfare are the soldier in the trench, the efficient worker in the factory and industrial establishment, and the agriculturist; and

Whereas, The granaries of the world, due to the drain thereupon by the European war of the last few years, are practically empty; and

Whereas, The producer at home who furnishes to the Army in the field the means of waging successful warfare should be considered as much a patriot as the man who serves in the field; therefore

Resolved (if the Senate concur) That the President and the Congress of the United States be respectfully petitioned to avoid so far as possible the mistakes of European countries in recruiting into their armies soldiers unprepared for the proper conduct of modern warfare, in recruting skilled workmen from her factories and industries whose work in such factories and industries was of more importance to the success of their cause than was their enlistment into actual service, and in recruiting men engaged in agricultural pursuits whose continuation in their present occupations is absolutely a necessity to produce the food which eventualy goes to feed an army and to keep it up to its highest standard.

Resolved, That the Secretary of the Commonwealth be directed to send a copy of this Resolution to the President of the United States, the Senate of the United States and the House of Representatives of the United States

MOTION TO SUSPEND RULE NO. 39.

Mr. SNYDER. Mr. Speaker, the time set for the discussion of the Woman Suffrage Bill is to-morrow at 10.30 A. M. I am told that a large number of ladies representing both sides of the question will be here, and it seems to me that

the gentlemanly thing to do would be to admit them to the floor of the House, and for that purpose I move that Rule 39 of the House be suspended at the session of April 17, 1917, for the discussion of House Bill No. 117.

Mr. WALLACE. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER. Will the House give unanimous consent to the consideration of the motion at this time? Is there any objection? The Chair hears objections, and under the rules a motion to change the rules must lie over for one day.

Mr. SNYDER. Mr. Speaker, this is not a resolution, it is a motion to suspend the rule.

The SPEAKER. A motion to suspend the rule can be made at this time, but the motion lies over. The Chair rules that it cannot be considered at this time without unanimous consent.

Mr. SNYDER. Mr. Speaker, is it not possible to make a motion at any time and have it considered by this House without unanimous consent?

The SPEAKER. Rule 43 reads as follows: "Any rule of the House may be suspended at any time, for a specific purpose, by a majority vote; after the accomplishment of which purpose the rule shall remain in force as before." The Chair holds that if the House at this time wants to suspend a rule for a particular purpose, it could do so, but the proposition of the gentleman from Westmoreland is to take action on a rule for to-morrow. Consequently the Chair will hold that it lies over until to-morrow.

Mr. SNYDER. The rule states that it must be suspended for a specific purpose. I have asked in this motion that the rule be suspended for a specific purpose. I therefore appeal from the decision of the Chair.

The SPEAKER. The Chair desires to inform the gentleman that if the rule is suspended that the suspension will begin from this moment. The gentleman has a perfect right to appeal from the decision of the Chair. Does the Chair understand that the gentleman has appealed from the decision of the Chair?

Mr. SNYDER. I do appeal, Mr. Speaker. There seems to be a misunderstanding, and I ask for a calling of the roll.

MR. RAMSEY IN THE CHAIR.

On the question,

Shall the ruling of the Chair stand as the decision of the House?

Mr. WALTER. Mr. Speaker, I should be exceedingly sorry to see the House refuse to sustain the Chair on this question. The ruling is a salutary one and its enforcement has made for the expedition of business. If we do it for the benefit of the ladies ——

POINT OF ORDER.

Mr. SNYDER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. SNYDER. Mr. Speaker, the point of order is that we are not discussing the merits of the question now. The question is as to whether the Speaker was right in his ruling.

The SPEAKER. The gentleman from Franklin, Mr. Walter, is entirely in order. He is discussing the question before the House.

Mr. SNYDER. The question before the House, if the Speaker please, is whether the ruling of the Speaker be correct and not as to the merits of the question, and I would suggest, rather than take up a lot of the time of the House now on the discussion of whether the ruling is correct or not ——

The SPEAKER. The Chair desires to inform the gentleman from Westmoreland, Mr. Snyder, that the gentleman, Mr. Walter, is entirely in order. To discuss the appeal he must discuss the merit of the appeal. The gentleman from Franklin will proceed.

Mr. SNYDER. Mr. Speaker, the gentleman from Franklin was ——

The SPEAKER. The gentleman from Westmoreland, Mr. Snyder, is out of order.

Mr. WALTERS. I trust that the House will sustain the Chair. Each time there is a question of interest before the House there will be a motion on the part of those gentlemen favoring that question to admit persons to the floor who are excluded by the rule. If we do it at this time there will be no good reason for not doing it every time. If we do it with respect to this bill and adopt this resolution there will be no reason for not doing it with reference to the Capital Punishment Bill when that question comes up, if its friends so desire; and I trust, therefore, for the sake of the proper transaction of the business of the House, that the Chair's ruling will be sustained.

Mr. WHITAKER. Mr. Speaker, while I would have liked to seen this resolution adopted at this time and accord the visitors to-morrow this privilege, nevertheless I think in respect to the question before the House now that the Speaker is undoubtedly right that the motion which has been made partakes of the nature of a resolution and should lie over under the rules until to-morrow. I therefore hope the House will sustain the decision of the Chair.

Mr. SNYDER. Mr. Speaker, my object in rising some few moments ago was in order not to take up the time of the House with discussion on this resolution which I intended to withdraw but I was not given that permission.

My only object in introducing this resolution was that I thought it would be the proper thing. I felt that I should like to treat the ladies coming here just like I would have my mother or sister treated if they were to come here and that is my object in making this motion and I think it ought to prevail.

The SPEAKER. Does the gentleman from Westmoreland withdraw the appeal?

Mr. SNYDER. Mr. Speaker, yes, sir, I will withdraw it for the present.

The SPEAKER. The gentleman cannot withdraw the question on the appeal for the present.

The House understands the question on which it is called to vote; all those voting "aye" sustain the decision of the Chair that the resolution lies over one day; all those voting "no" vote not to sustain the decision of the Chair.

As the Chair understands the gentleman from Westmoreland, he insists upon a roll call?

Mr. SNYDER. Mr. Speaker, I thought I had made myself clear when I said I withdrew the appeal.

On the question recurring.

Shall the ruling of the Chair stand as the decision of the House?

The question was unanimously decided in the affirmative and the ruling of the Chair sustained.

RESOLUTION GRANTING USE OF THE HALL OF THE HOUSE TO THE COMMITTEE ON LABOR AND INDUSTRY.

Mr. DUNN offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the use of the House of Representatives be given to the Committee on Labor and Industry on Tuesday afternoon, at three o'clock, for the purpose of a public hearing on the proposed amendments to the Workmen's Compensation Act.

SENATE BILL NO. 19 MADE A SPECIAL ORDER.

Mr. HESS offered the following motion, which was twice read, considered and agreed to:

Moved by Mr. Hess, seconded by Mr. Whitaker that House Bill No. 1211 (Senate Bill No. 19), entitled

An Act fixing the penalty for murder of the first degree and repealing inconsistent legislation

be made a special order on third reading and final passage for Tuesday, April 17, at 11 o'clock.

BILL ON FINAL PASSAGE (RECALLED FROM THE GOVERNOR).

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 877, as follows:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the judicial districts of the Common-

wealth shall be numbered composed designated and shall each have the number of judges respectively as follows

The First District shall be composed of the City and County of Philadelphia and shall have fifteen judges learned in the law in the common pleas and five judges learned in the law in the orphans' court and such judges of the municipal court as now or may hereafter be provided by law

The Second District of the County of Lancaster and shall have two judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The Third District of the County of Northampton and shall have two judges learned in the law

The Fourth District of the County of Tioga and shall have one judge learned in the law

The Fifth District of the County of Allegheny and shall have twelve judges learned in the law in the common pleas and three judges learned in the law in the orphans' court and such judges of the county court as now or may hereafter be provided by law

The Sixth District of the County of Erie and shall have two judges learned in the law

The Seventh District of all the County of Bucks and shall have one judge learned in the law

The Eighth District of the County of Northumberland and shall have two judges learned in the law

The Ninth District of the County of Cumberland and shall have one judge learned in the law

The Tenth District of the County of Westmoreland and shall have two judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The Eleventh District of the County of Luzerne and shall have five judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The Twelfth District of the County of Dauphin and shall have two judges learned in the law

The Thirteenth District of the County of Greene and shall have one judge learned in the law

The Fourteenth District of the County of Fayette and and shall have two judges learned in the law and one judge learned in the law in the orphans' court

The Fifteenth District of the County of Chester and shall have two judges learned in the law

The Sixteenth District of the County of Somerset and shall have one judge learned in the law

The Seventeenth District of the Counties of Union and Snyder and shall have one judge learned in the law

The Eighteenth District of the County of Clarion and shall have one judge learned in the law

The Nineteenth District of the County of York and shall have two judges learned in the law

The Twentieth District of the Counties of Huntingdon Bedford and Mifflin and shall have one judge learned in the law

The Twenty-first District of the County of Schuylkill and shall have three judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The Twenty-second District of the County of Wayne and shall have one judge learned in the law

The Twenty-third District of the County of Berks and shall have two judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The Twenty-fourth District of the County of Blair and shall have one judge learned in the law

The Twenty-fifth District of the Counties of Cameron and Elk and shall have one judge learned in the law

The Twenty-sixth District of the Counties of Columbia and Montour and shall have one judge learned in the law

The Twenty-seventh District of the County of Washington and shall have two judges learned in the law

The Twenty-eighth District of the County of Venango and shall have one judge learned in the law

The Twenty-ninth District of the County of Lycoming and shall have one judge learned in the law

The Thirtieth District of the County of Crawford and shall have one judge learned in the law

The Thirty-first District of the County of Lehigh and shall have one judge learned in the law

The Thirty-second District of the County of Delaware and shall have two judges learned in the law

The Thirty-third District of the County of Armstrong and shall have one judge learned in the law

The Thirty-fourth District of the County of Susquehanna and shall have one judge learned in the law

The Thirty-fifth District of the County of Mercer and shall have one judge learned in the law

The Thirty-sixth District of the County of Beaver and shall have one judge learned in the law

The Thirty-seventh District of the Counties of Warren and Forest and shall have one judge learned in the law

The Thirty-eighth District of the County of Montgomery and shall have two judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The Thirty-ninth District of the County of Franklin and shall have one judge learned in the law

The Fourtieth District of the County of Indiana and shall have one judge learned in the law

The Forty-first District of the Counties of Juniata and Perry and shall have one judge learned in the law

The Forty-second District of the County of Bradford and shall have one judge learned in the law

The Forty-third District of the Counties of Monroe and Pike and shall have one judge learned in the law

The Forty-fourth District of the Counties of Wyoming and Sullivan and shall have one judge learned in the law

The Forty-fifth District of the County of Lackawanna and shall have three judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The Forty-sixth District of the County of Clearfield and shall have one judge learned in the law

The Forty-seventh District of the county of Cambria and shall have two judges learned in the law

The Forty-eighth District of the County of McKean and shall have one judge learned in the law

The Forty-ninth District of the County of Centre and shall have one judge learned in the law

The Fiftieth District of the County of Butler and shall have one judge learned in the law

The Fifty-first District of the Counties of Adams and Fulton and shall have one judge learned in the law

The Fifty-second District of the County of Lebanon and shall have one judge learned in the law

The Fifty-third District of the County of Lawrence and shall have one judge learned in the law

The Fifty-fourth District of the County of Jefferson and shall have one judge learned in the law

The Fifty-fifth District of the County of Potter and shall have one judge learned in the law

The Fifty-sixth District of the County of Carbon and shall have one judge learned in the law

The Fifty-seventh District of the County of Clinton and shall have one judge learned in the law

And in all cases where a county is or shall be attached to a contiguous district the qualified voters of said county shall be entitled to vote for the judge or judges

Section 2 The nomination of judges shall be made held and conducted and the returns of votes cast at primary elections for the nomination of judges shall be made computed canvassed and certified as now or may be hereafter provided by law

Section 3 Returns of votes cast in each county at the municipal election for all judges which the qualified electors of such county are entitled to elect of themselves unconnected with any other county or district shall be made out by the prothonotary of the court of common pleas of such county under direction of said court or of the judge person or persons authorized by law to receive and compute returns in such county at its his or their meeting to receive and compute the returns of the preceding municipal election which said returns shall be properly attested by the seal of said court one of which returns shall be filed and entered in the office of the prothonotary of such court another of which returns such prothonotary shall enclose in a sealed envelope and direct and immediately mail to the Secretary of the Commonwealth and it shall be the duty of the prothonotary to deliver a copy of such return to each person elected judge at such municipal election

Section 4 In case of the election of a judge or judges in any judicial district composed of two or more counties or of a single county to which one or more counties is or are attached as provided by this act on the day of the sitting of the court or of the judge person or persons authorized by law to receive and compute returns in each of such counties the prothonotary of the court of common pleas shall open and in its his or their presence shall make out a return of all votes cast at the preceding municipal election within each county for every person voted for as judge which shall be properly attested by the seal of said court and the said court or judge or person or persons receiving and computing returns shall thereupon appoint one of the judges of election in said county to take charge of such return and produce the same at a meeting of the judges so appointed in each of the counties comprising said district which meeting shall be held on the seventh day after the municipal election at the court house of one of the counties taking said counties alternately in alphabetical order

Section 5 The return judges from the several counties as aforesaid having met shall cast up the municipal election returns from the several counties and shall make copies of a general return of all votes cast at such municipal election in the district for such office of judge each of which they shall certify One of said copies they shall lodge in the office of the prothonotary of each county constituting such judicial district another they shall enclose seal and direct to the Secretary of the Commonwealth and they shall also deliver a copy of such return to each person elected as judge at such municipal election

Section 6 In the judicial district herein known as the fifty-seventh district composed of the County of Clinton a president judge learned in the law shall be elected at the municipal election of the year one thousand nine hundred and seventeen whose term of office shall begin on the first Monday of January in the year one thousand nine hundred and eighteen and the president judge now in commission for said county shall continue to exercise his jurisdiction therein until the said first Monday of January one thousand nine hundred and eighteen In all other judicial districts at the municipal election next preceding the expiration of the term of any judge now or hereafter commissioned the qualified electors of any county or counties composing such district shall elect a successor to such judge to serve as provided by law

Section 7 In all districts in which by the provisions of this act two or more judges are provided one of said judges shall be the president judge of said district and the other or others the additional law judge or judges thereof The judge of said district whose commission shall first expire shall be the president judge thereof except when the president judge has been or shall be re-elected in which case he shall continue to be president judge The said additional law judge or judges shall possess the same qualifications which are required by the

Constitution and laws for the president judge of said district and shall hold his and their office for a like term and by the same tenure and shall have the same powers authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation as the president judge of said district

Section 8 In all cases where by the provisions of this act a district heretofore consisting of more than one county is divided into two or more districts and in all cases in which counties are transferred from one district to another the judge now in office shall continue to serve until the expiration of his term of office as judge of the district which by this act is given the same number as that of the district in which the said judge has heretofore served and at the municipal election next preceding the expiration of the term of office of any any such judge the electors of the county or counties composing such district shall elect a judge to serve as provided by law

Section 9 All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed

Nothing in this act shall be construed to repeal any of the provisions of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" or the amendments thereto nor to repeal any of the provisions of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled "An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" or the amendments thereto

Said bill having been recalled from the Governor, the vote had on the final passage and on third reading being reconsidered and the bill was amended.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190.

Albee,	Flynn,	McKinney,	Shunk,
Aron,	Fowler,	McNichol,	Siggins,
Arthur,	Franklin,	McPeake,	Simpson,
Aston,	Fretz,	McVicar,	Sinclair,
Baldi,	Gans,	Mearkle,	Smith, E. R.,
Baldridge,	Geary,	Mehring,	Smith, J. W.,
Barner,	Glass,	Michel,	Smith, L.,
Bechtold,	Golder,	Miller, Allan,	Smith, O. W.,
Bell,	Goodnough,	Miller, C. G.,	Snowden,
Bennett,	Goodwin,	Miller, G. J. A.,	Snyder,
Benninger,	Gormley,	Milliron,	Somerman,
Beyer,	Graeff,	Milner,	Sones,
Bidelspacher,	Graham,	Mitchell,	Spangler,
Black,	Gransback,	Morgan, T.,	Speicher,
Bouton, V. B.,	Hess,	Morgan, T. J.,	Sprowls,
Bovee,	Haldeman,	Murphy,	Stadtlander,
Boyd,	Hecht,	Musser,	Steedle,
Brady,	Heffernan,	Ogden,	Stern,
Burnett,	Helt,	Palmer,	Stites,
Campbell, J. O.,	Hess,	Patterson,	Stofflet,
Campbell, T.,	Heyburn,	Perry,	Strauss,
Canon,	Hibshman,	Phillips,	Sullivan,
Chestnut,	Hoffman,	Pickering,	Swartz,
Christman,	Hollern,	Powell,	Sweitzer,
Clements,	Hollingsworth,	Ramsey,	Taylor,
Coldsmith,	Horne,	Reichenbacker,	Thomas,
Conner,	Horton,	Reitzel,	Ulsh,
Cook,	Howarth,	Reynolds,	Urich,
Corbin,	Isherwood,	Rhoads, H. L.,	Vickerman,
Cox,	Jack,	Rhodes, W. M.,	Vogdes,
Crosby,	Jennings,	Rich,	Wagner,
Cummins,	Jones,	Richards,	Walker,
Curry,	Kennedy,	Ringler,	Wallace,
Davis, D. F.,	Lafferty,	Rininger,	Walter,
Davis, W.,	Lanius,	Robertson,	Weimer,
Dawson,	Laucks,	Rogers,	Wells,
Dean,	Lauler,	Ross,	Whitaker,
Dell,	Lewis,	Rothenberger,	Wickman,
Dewey,	Lohr,	Ruddy,	Williams, G. W.
Dithrich,	Luppert,	Rudisill,	Williams, J. P.,
Donneley,	Mallie,	Sampsel,	Wobensmith,
Drake,	Mangan,	Sarig,	Wood,
Drinkhouse,	Marvin,	Schaeffer, A. C.,	Woodward,
Dunn,	Maurer,	Scott,	Wylie,
Eby,	McArdle,	Shaffer, C. A.,	Wynne,
Ehrhardt,	McCaig	Shattuck,	Zanders,
Fackler,	McCurdy,	Showalter,	Baldwin,
Fitzgibbon,	McKay,		Speaker.

NAYS—1.

West,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 615, entitled

An Act to amend the act, approved the twentieth day of May, one thousand nine hundred and fifteen, entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions;" by extending the provisions thereof to public employes paid out of any public treasury within cities of the first class maintained from taxes collected within such cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1121, entitled

An Act to amend section fourteen hundred twelve of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 751, entitled

An Act to fix the compensation for members of the General Assembly

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1030, entitled

An Act constituting the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania a commission to act as a joint commission with similar commissions of any other contiguous State or States, or as an independent commission, for the purpose of planning and accomplishing the erection or building of one or more bridges or tunnels, as may be suitable and necessary, over or under any navigable stream or river which is one of the boundaries of this Commonwealth, and providing for the acquisition of ground for the site and approaches of said bridge or tunnel, and for the maintenance of the same by the county or counties wherein it is located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1323, entitled

An Act creating a Division of Building Inspection within the Department of Labor and Industry, and Divisions of Building Inspection in the third class cities, and providing for the creation of such Divisions in certain of the counties, boroughs and townships of the Commonwealth of Pennsylvania; providing for the promulgation of rules and regulations by the Industrial Board to effectuate the purpose of this act; establishing an Examining and Advisory Committee within the Division of Building Inspection; providing for the appointment of officers and employes for the enforcement of the provisions of this act; defining the authority and powers of said Division of Building Inspection, and Examining and Advisory Committee, and the duties and powers of their officers and employes; providing penalties for the violation of the provisions of this act and of the aforesaid rules and regulations of the Industrial Board; and repealing all acts or parts of acts inconsistent with this act, provided, however, that no acts or parts of acts relating to cities of the first and second class are hereby repealed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. WHITAKER. Mr. Speaker, I move that this bill be recommitted to the Committee on Manufactures.

Mr. HOLLINGSWORTH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 682, entitled

An Act concerning townships and revising amending and consolidating the law relating thereto

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1243 (Senate Bill No. 650), entitled

An Act making an appropriation to A. K. Cassel for services rendered as deputy commissioner in the Dairy and Food Division of the Department of Agriculture

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 498 (Senate Bill No. 52), as follows:

An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products or any other products and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authortiy of the same That it is unlawful for any person corporation partnership or association to use in the sale exchange or delivery of milk or cream or their products or any other products any bottle jar vessel can or other container of another upon which is stamped blown or engraved the name title or mark of the owner

Section 2 Any person being the general manager superintendent or other person in charge of the work of any corporation firm partnership or association or any individual violating any of the provisions of this act shall be guilyt of a misdeemanor and upon conviction before any magistrate alderman or justice of the peace shall be sentenced to pay a fine not exceeding twenty-five dollars or undergo an imprisonment in the county jail of the proper county for a period of not exceeding one month or both at the discretion of the magistrate alderman or justice of the peace

Section 3 All laws or parts of laws inconsistent herewith to be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Albee,	Curry,	Hough,	Reynolds,
Aron,	Davis, D. F.,	Isherwood,	Rhodes, W. M.,
Arthur,	Davis, W.,	Jones,	Rich,
Aston,	Dawson,	Lafferty,	Ringler,
Baldi,	Dean,	Lanius,	Rininger,
Barner,	Dell,	Laucks,	Robertson,
Bechtold,	Dewey,	Lewis,	Rogers,
Bell,	Dithrich,	Marvin,	Ross,
Benchoff,	Drake,	McCaig,	Rothenberger,
Bennett,	Drinkhouse,	McCullough,	Sampsel,
Benninger,	Dunn,	McKinney,	Schaeffer, A. C.
Beyer,	Ehrhardt,	McVicar,	Scott,
Black,	Fackler,	Mervine,	Shaffer, C. A.,
Boulton, H.,	Fitzgibbon,	Michel,	Shattuck,
Bovee,	Flynn,	Milner,	Shunk,
Boyd,	Fretz,	Mitchell,	Smith, F. I.,
Brady,	Geary,	Morgan, T.,	Steedle,
Burnett,	Glass,	Musser,	Stern,
Campbell, T.,	Goodnough,	Rich,	Strauss,
Canon,	Goodwin,	Ogden,	Sullivan,
Clements,	Graeff,	Palmer,	Sweitzer,
Coldsmith,	Haight,	Perry,	Ulsh,
Conner,	Hecht,	Phillips,	Urich,
Cook,	Helt,	Pickering,	Vickerman,
Corbin,	Hess,	Powell,	Walker,
Cox,	Hibshman,	Ramsey,	Wallace,
Crosby,	Hoffman,	Reichenbacker,	Weimer,
Cummins,	Hollern,	Reitzel,	Baldwin, Speaker.

NAYS—22.

Bidelspacher,	Lohr,	Sones,	Wickman,
Eby,	McCurdy,	Speicher,	Williams, G. W.
Graham,	Miller, Allan,	Stadtlander,	Wood,
Hollingsworth,	Siggins,	Walter,	Woodward,
Horne,	Simpson,	Whitaker,	Wylie,
Lauler,	Sinclair,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed it with amendments, in which the concurrence of the Senate is requested.

BILL ON THIRD READING (SPECIAL ORDER).

The SPEAKER. The Hour of ten o'clock having arrived, the Chair lays before the House as a special order House Bill No. 691, on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 691, as follows:

An Act regulating the practice of drugless therapeutics defining the same creating a board of licensure therefor and means and methods whereby the right to practice drugless therapeutics in any of its branches may be obtained and exemptions therefrom providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage and approval of this act it shall be unlawful for any person or persons within the State of Pennsylvania to hold himself or herself forth as a practitioner in drugless therapeutics or any branch thereof or to assume the title of doctor of drugless therapeutics or to dignose diseases or to treat diseases by drugless therapeutics or to hold himself or herself forth as able so to do or to sign any death or birth certificate except such persons as are hereinafter exempted from the provisions of this act until he or she shall have received a certificate from the State Broard of Drugless Therapeutics created by this act which certificate shall be recorded in the office of the Superintendent of Public Instruction at Harrisburg and in the prothonotary's office of the county wherein such person desires to practice

Section 2 That the provisions of this act may be fully enforced the Governor of the State of Pennsylvania is hereby authorized and directed to appoint a State Board of Drugless Therapeutic Examiners from such practitioners of good standing who have received a degree from a reputable chartered school or college of Drugless Therapeutics of the various schools or systems hereinafter set forth who have been regularly engaged in the practice of Drugless Therapeutics for a period of five years prior to the passage and approval of this act said Board shall consist of one representative from each of the following schools or systems neuropathy manual therapy chiropractic psychological therapy and naturopathy Provided That no school or system shall at any time be represented by more than one member on said board

The members so appointed shall within fifteen days after the date of their appointment meet at Harrisburg Pennsylvania for organization and shall thereupon elect a president secretary and treasurer adopt a common seal and make all necessary rules and regulations not inconsistent with the laws of this State or of the United States whereby to perform their duties and transact the business required under the provisions of this act and they shall thereafter hold annual meetings for organization purposes

Immediately after the first organization of said Board the members thereof shall be divided into three classes the first class to consist of two to serve for two years the second class to consist of two to serve for three years and the third class to consist of one to serve for five years The selection of the members of the various classes shall be made by a lot and at the expiration of the terms of the members first appointed the Governor shall from a list of all licensed drugless practitioners of this State to be furnished him yearly by the Secretary of the Board appoint a successor to fill such vacancy said successor to be appointed for a term of five years and all appointments thereafter caused by the expiration of any term or terms shall be for a like period of five years In case of any vacancy occurring on said Board except by expiration of term the Governor shall forthwith appoint a successor to fill the unexpired term

Section 3 After the passage and approval of this act any person desiring to practice drugless therapeutics or any branch thereof in this State except as hereinafter provided shall make application in writing at least ten days before the date fixed for examination to the State Board of Drugless Therapeutics in the form provided by the Board Said application shall be accompanied by a fee of twenty-five dollars together with a photograph of the applicant a certificate of preliminary education equivalent to four years of high school attendance and a diploma from a reputable school or college of drugless therapeutics approved by the

State Board maintaining at the time of applicant's attendance therein and at the time of the granting of said diploma a resident course of study of four years of nine months in each year or its equivalent each of which shall be of not less than thirty-two weeks of not less than thirty-five hours each week of actual work in didactic laboratory and clinical study in different calendar years

All examinations shall be written in the English language In addition to such other subjects as may be required by the board each drugless system shall include anatomy physiology histology chemistry pathology bacteriology hygiene prophylaxis dietetics obstetrics gynecology symptomatology jurisprudence toxicology diagnosis and theory and practice of drugless therapeutics as taught by the school or schools of which the applicant is a graduate

Upon the successful passing of said examinations by any applicant and the approval by a majority of the members of the board the board shall issue a license entitling him or her to practice the particular system or systems of drugless therapeutics in which he or she has qualified said certificate to be signed by the president and secretary of the board attested by the seal thereof No higher standard shall be required of any applicant than that existing at the time of his or her matriculation into the school from which the diploma was obtained

Any person holding a diploma or diplomas issued to him or her from a legally chartered school or schools of drugless therapeutics approved by the board who has been engaged in the practice of any system or systems of drugless therapeutics in this State for a period of six months prior to the approval of this act who shall within sixty days from approval of this act apply to the board on the form provided by the board for a license to continue the practice of such system or systems in this State and shall satisfy the board as to his or her moral character and professional standing shall on the payment of a fee of twenty-five dollars receive from the said board a license to practice in this State the system or systems of drugless therapeutics in which he or she has thus qualified

Any person not a holder of a diploma from a legally chartered school or schools of drugless therapeutics approved by the board who has been engaged in the practice of any system or systems of drugless therapeutics for more than three years who shall within sixty days from approval of this act apply to the board on the form provided by the board for a license to continue the practice of such system or systems in this State and who shall satisfy the board as to his or her moral character shall after the passage of the examination as set forth in section three of this act and on the payment of a fee of twenty-five dollars receive from the said board a license to practice in this State the system or systems of drugless therapeutics in which he or she has thus qualified

All licenses issued under the provisions of this act shall plainly state the particular system or systems of drugless therapeutics in which the practitioner is licensed and any person practicing any system of drugless therapeutics in this State without a license as provided in this act shall be subject to the penalties hereinafter prescribed

The board may refuse to grant a license to any person guilty of a crime involving moral turpitude or any person addicted to the liquor or drug habit to such a degree as to render him or her in the opinion of a majority of the board unfit to practice and may after notice and hearing revoke the license theretofore granted for any such cause and any person after such refusal of license who shall attempt or any person after revocation of license who shall continue the practice of drugless therapeutics shall be subject to the penalties hereinafter prescribed

Drugless practitioners duly licensed as herein provided shall have in the practice or conduct of their profession all the rights to practice drugless therapeutics as taught and practiced in a legally incorporated reputable college of drugless therapeutics and shall observe and be subject to all State and municipal regulations relating to the control of contagious diseases and deaths and shall have the right to report and certify births and deaths to the proper officers and departments

Section 4 The examinations of the bureau shall be held in the City of Harrisburg Pennsylvania on the second Monday of June of each year and the second Monday of December of each year

Section 5 For the purpose of defining drugless therapeutics as included in this act it is hereby declared to be any treatment adapted to assist nature in the relief and cure of diseases and infirmity without the use of drugs Provided nothing within this act shall be construed to affect practitioners of medicine or surgery osteopathy Christian science massage as applied by barbers Turkish or Russian bath houses dentistry or chiropody

Section 6 All fees and penalties collected as provided by this act shall be paid to the treasurer of the board to be held by him as a fund to pay on a warrant signed by the president and secretary the necessary expenses of the members and officers of said board in the discharge of their duties and to enforce this law

No expenses shall be created to exceed the income of fees and penalties collected as herein provided The salaries shall be fixed by the board but shall not exceed fifteen dollars per day for actual services per member in addition to railroad and hotel expenses

Section 7 Any person hereafter commencing or continuing the practice of drugless therapeutics in any of its branches in this State without first having obtained and filed the license herein provided or who having obtained a license and the same having been revoked by said board as provided for in section three of this act contrary to the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished for the first offence by a fine of not less than one hundred dollars or by imprisonment in the county jail for a period of not less than thirty days or by both fine and imprisonment and for each subsequent offence the punishment shall be double that of the preceding one

Section 8 All acts or parts of acts inconsistent herewith are hereby expressly repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STERN. Mr. Speaker, and gentlemen of the House, this is the Governor's Therapeutics Bill. It has been introduced into this legislative body for the fourth or fifth time. I recall that it was a special order of business in this House on a Monday night, two years ago, in the session of 1915. The principles embodied in the bill now before you for consideration are very much like the principles that were embodied in the bill in the last session, in 1915, with the exception that the course prescribed for the study of drugless therapeutics is more particularly detailed in this bill, requiring four years of nine months study, eight hours a day, for six days a week. That provision was eliminated in the 1915 bill, so that we have a much better bill before the session of 1917 than that of 1915. The subject of drugless therapeutics, I must confess, is one that I know very little about. The larger and greater subject and a more general one, that of medicine, is one in which every man who considers himself educated and who considers that he knows sufficient to legislate for the welfare of his constituents and for the welfare of the citizens of his State, and should know something about in general and in particular. We have at the present time in the State of Pennsylvania several different boards of medical licensure. I believe the main board of medical licensure, of which Dr. Baldy is at the head, has as its component parts members of various thoughts and cults in the medical profession. They have electics and they have allopaths and homeopaths represented on that board, each one of those men representing a different trend of thought, a different idea and a different cult which at various times met in opposition and antagonism to one another, and finally they were welded into this body now known as the Medical Board of the State of Pennsylvania. I believe that act passed some time immediately after the present constitution was put into effect. Later on the osteopaths came along and for years they clamored at the doors of the Legislature asking permission from this august body and from the Senate and the approval of the Governor that they have a separate body of their own, a separate board of their own to examine their own candidates so that their beliefs and their ideas, which they are entitled to might be considered the same as anybody else so long as they are sincere in their beliefs, and they asked that their ideas be embodied, after they passed a certain course of study and received a fair examination. When that bill was before the House it was voted down and met with the united opposition of the medical men, as I know this bill will tonight and as this bill did on many occasions before, but after repeated knocking at the doors of the Legislature it finally saw fit to pass the osteopathic bill and they have to-day a separate board of their own in the State of Pennsylvania. No harm has been done to anybody. The very great perils which were pictured by the medical men who opposed the osteopathic bill did not come to pass. No one has been hurt, no injury has been done to the citizens of the State of Pennsylvania or to the medical profession.

Then come the neuropathists, the men who teach drugless therapeutics. The difference between the man who believes in the profession of drugless therapeutics and the osteopath is, as I see it, that the osteopath believes that diseases come from the bones, and they treat the bone as the origin of the disease. The neuropath believes that the trouble originates in the nerves, and they believe in treating the nerves as the source of the disease. Now, Mr. Speaker and gentlemen of the House, I want to say seriously to you that when physicians give medicine in some instances you know that it is a specific for the human system. You know that they have laxatives and you know that they have anesthetics, but nobody knows, no matter how mirthful you may or how seriously you intend to consider the matter, what injury, what damage, and what seriousness is left behind by the laxative or the anesthetic, that is taken into the human system. Here we have drugless

therapeutics, physicians coming and asking for your consideration and favorable vote on this bill. I say, Mr. Speaker and gentlemen of the House, this can do no harm, they give you no medicine, they can do no harm. They have a sincere regard for their profession They intend to establish it on a high plain; they intend to incorporate a college and have anybody who takes that system educated and study in the college for a period of four years. Now, Mr. Speaker and gentlemen, I submit to you that it is no more than fair to allow these men to establish their own board of licensure because they have the prejudice of the medical board against them. They have the prejudice of other cults against them. It is no more than fair to allow these men who have an honest desire to do the right thing to establish a board of their own. Further than that they practice in Pennsylvania anyhow. They are like the osteopath whose rights you just set before the State of Pennsylvania in legal form. The Governor just aproved a bill within two or three weeks that gave the osteopath a board. Why not allow these men to do the same; why not put them on some staple basis; why not put them on a solid foundation, and let all men know in the State of Pennsylvania that drugless therapeutics is believed in here, that it is properly practiced, and that these men who are practicing have some certificate from the State? Mr. Speaker and gentlemen of the House, I have received hundreds of letters favoring treatment by drugless therapeutics. I have thousands of testimonials that I have received from men who state that they can get no benefit from medicine. They went to men who practice drugless therapeutics and low and behold! they found themselves well. A physician of the State Board of Medical Licensure under Dr. Baldi, whose name I just forget for the present, or I would give it to you, at a public hearing which was held in this hall, said he himself found many and many a case in his practice that he thought medicine would injure, and he sent them to these men who practice drugless therapeutics. That is the best illustration in the world that these men will benefit the human race. I ask, Mr. Speaker and gentlemen of the House, that you give this bill your favorable consideration.

MR. WOBENSMITH IN THE CHAIR.

Mr. WALTER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Stern.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Stern, permit himself to be interrogated?

Mr. STERN. Mr. Speaker, I will.

Mr. WALTER. Mr. Speaker, I desire to ask the gentleman from Philadelphia where the college in which the four years' course is to be taken is located; and if there be such a college, how many graduates; how many members compose its faculty, and what the endowment fund is?

Mr. STERN. Mr. Speaker, there are two colleges of that kind in Pennsylvania. One is located in Allegheny County, and the other in Philadelphia County, at 1600 Summer Street. I do not know anything about the faculty of the college in Allegheny, but I do know that the faculty of the Philadelphia college is a large faculty. I do not think they are endowed. They are poor peple, and I hope that you will give them a chance to get something.

Mr. WALTER. I should further like to ask the gentleman from Philadelphia, Mr. Speaker, if the Pennsylvania Dutch people who try for burns down in Lancaster County, and who say words over rheumatism, whether they would be included in this bill, and whether it would require them under the provisions of the bill to take a four years' course that they might practice upon people?

Mr. STERN. Mr. Speaker, I do not like the levity of my friend from Franklin, but I would most respectfully refer him to my friend, Mr. Hess, from Lancaster.

Mr. URICH. Mr. Speaker, after hearing my friend and colleague, Mr. Stern, talk to you so finely on the question of drug therapeutics, and after he said to you when he started out, that he knew nothing about it, but still he was trying to tell you all about it, as though he knew everything, and was trying to foist drugless therapeutics upon every member of this House, and was trying to influence you to vote for a bill which is a vicious bill from the very beginning, I say to you, gentlemen of this House, that I want you to vote against this bill for the reasons that I will give you, which are reasons that will appeal to your sound judgment and wisdom. I shall be only too happy to present them to you. First, drugless therapy in all its branches is already regulated and licensed by the Bureau of Medical Education and Licensure.

The requirements for licensure of drugless therapy are on the basis of those established in the osteopathic act, these people being competitors of osteopathy. No complaints have ever been entered by any individual taking these examinations against their fairness or reasonableness.

Now, gentlemen, in establishing this particular branch of this department, I think we have already covered it extensively, it is not necessary to establish this bureau at all, because under its regulations, any man or woman who has been given to the act of pow-wow or witchcraft if they could establish the fact that they were in it for three or four years they could take advantage of this law and become drugless therapeutists, and at the same time, gentlemen, could issue certificates of death and certificates of birth of which they know nothing. They come into this House and ask you to pass this bill and put it upon our statute books. It would be a crime to permit anything like this to occur. It is astonishing that a man of the intelligence of my friend would permit himself to be sponsor of such a bill, when he knows better. And gentlemen, if you have drugless therapeutics how could you get at poison in your system by their methods. If you were suffering from ptomaine poisoning, bichloride poisoning, carbolic acid poisoning, or any other poisoning, either vegetable or metal, you could never get rid of it with drugless therapeutics, and I say to you, gentlemen, when you come to this bill, vote it down, because if you don't you will make Pennsylvania the dumping ground of all the fakirs in this United States.

Mr. EDGAR R. SMITH. Mr. Speaker, I move that this bill be stricken from the calendar.

Mr. SCOTT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. STERN. Mr. Speaker, this is the second time an attempt of this kind has been made. I do not think it is fair. I think this bill has sufficient merit in it and sufficient people behind it to warrant free and open discussion on it, and an honest registration of every man's vote on this subject.

Mr. EDGAR R. SMITH. Mr. Speaker, I will withdraw my motion.

Mr. SCOTT. Mr. Speaker, I will withdraw my seconding of the motion.

On the question recurring,

Shall the bill pass finally?

Mr. STEEDLE. Mr. Speaker, it was not my purpose at this time to rise and make any remarks on the merits or demerits of this bill, and I was in the hope, after some minor discussion, that this bill would be stricken from the calendar. There seems to be the thought in the minds of many men that this is a sort of a haphazard proposition, and it is not receiving the serious thought that it should receive from the men of this House. Mr. Stern tried to show the reasons for the passage of this bill on the ground of its merit. Let us stop for a moment and think of what are the practices of to-day from the standpoint of true medical research. We are living in an age not so solely confined to the practice of medicine as we are in what is termed preventive medicine. You men all know, you must know from your associations at home, the contagious diseases, diphtheria, typhoid fever, scarlet fever, malaria, yellow fever smallpox, and all down the category of infections, that those are the diseases that the medical fraternity itself has discovered a theory whereby to prevent the progress of this contagion. Now I ask you men in all fairness and in all seriousness if it is right that men who have sacrificed their lives to protect the people of this Commonwealth the people of this great nation, and yes, indeed, even on the foreign shores of the world, who have made recent discoveries for the treatment of infection on the battlefield—some of you men whose pleasure it has been on the Appropriation Committee to visit some of the hospitals and see the treatment of burns—is it right that these men should be placed in the same category as the man who has got to study for four years before entering a medical school, and after he has become a graduate of that school have to take one year at a hospital, and yet should this same man be permitted to

go out and compete with a man who has sacrificed the best years of his life in an institution of learning? I ask in all fairness, is it right? Would there be an attorney who would not stand upon his feet and denounce a proposition whereby any justice of the peace of this Commonwealth would have granted to him the right to defend a case, say of a minor proposition, such as desertion, or the juvenile court questions? Every man who would be practicing law would be up on his feet asking every man to help to defeat such a proposition. I am only asking you men, and I trust that you will not consider my remarks as coming from a selfish standpoint—I hope that when you consider this proposition that you will give it serious thought, and will not place into our profession men who may go out of the workshop to-day and in a few months from now declare themselves as drugless therapeutists, and come before this board, and possibly for a few dollars get a certificate to practice and have decreed to them the decree of doctor of drugless therapeutics, who may go out in the field and compete with a neighbor who is a legalized practitioner of medicine. I asked the sponsor of this bill, where was the line of demarcation between neuropathy, chiropractic, between that and osteopathy, and of all the what not? There is no line, or it is so indistinct you cannot see it. There is already upon the statute books of this Commonwealth, the osteopathic act, and if these men were serious and honest in their convictions, they would not ask this House to pass a bill of this nature.

What is drugless therapeutics? Why, gentlemen, they come under the category of that department but they don't want them. They want to hoodwink everybody they possibly can.

I regret to say that I must object to the gentlemen from Philadelphia when he says that a reputable physician of Philadelphia told at a hearing before this committee that he, as a recognized physician had sent cases to drugless therapeutists. I didn't hear it and I doubt if anybody else heard it. It is possible that the gentleman told him in private but not before the hearing. There is no line of demarcation between these men and osteopaths. If there was we would not question it. The idea of men trying to say that you can touch the pneumogastric nerve of the neck without touching the flesh—what does it mean? It is nothing but massage; and I, as a physician, don't question that there are cases where persons apply to these osteopaths or chiropractics and possibly received some good. I don't question that; but if they are honest in their convictions, if they are truthful in their proposition, let them apply to the osteopathic board and they will get the honest and fair consideration of every true osteopath that they need.

I trust, therefore gentlemen, that you will defeat this bill.

Mr. MEARKLE. Mr. Speaker and gentlemen of the House, it is not my intention to take up your time in further discussion of this piece of legislation. The same legislation was before us two years ago and I was somewhat active in its defeat. The bill comes before us at this time, as previously stated, in an amended form and it is much a better piece of legislation than it was two years ago. I have no fight with the drugless therapeutists on their theory. I frankly admit I know little or nothing about it. But I do have a fight with them on the power or the authority they are asking in their bill. I hold in my hand an advertisement of the School of Drugless Therapeutics of the City of Pittsburgh. A part of its advertisement reads as follows: "In the lecture which will be given by Roy R. Reed, D. C., of the college faculty, a real spine will be used to show that the misplacement of bones in the spinal column is usually the cause of all disease." I am not altogether sure that that is true. To be frank about it, I don't think it is. I can hardly realize that that would be true of pneumonia, diphtheria, bronchitis and various diseases. I claim that the critical point in this piece of legislation is a diagnosis of the disease. They are asking in this bill, on page 6, lines 27 and 28, the right to certify to births and deaths; in other words, to practice obstetrics. Now, if they have not properly diagnosed the disease, if they have diagnosed bronchitis or diphtheria or pneumonia as a dislocated vertebra and the patient woud die, as no doubt it would, they have a beautiful opportunity to certify to the death; in other words, to their mistakes. Now, that is exactly what they want to do in this bill, certify to mistakes. They also ask to certify to births and to attend maternity cases and I am informed by physicians, in many cases to-day, an anesthetic is used in cases of that kind but there is nothing in this bill to show me that they have taken a sufficient course to justify them in practicing obstetrics. I think frankly this is a short cut to the practice of medicine, and I therefore ask you gentlemen to vote against the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz.

YEAS—33.

Aron,	Donneley,	Mervine,	Rothenberger,
Arthur,	Drinkhouse,	Morgan, T. J.,	Sarig,
Bovee,	Dunn,	Neary,	Schaeffer, A. C.
Coldsmith,	Gans,	Patterson,	Smith, J. W.,
Conner,	Graham,	Perry,	Snowden,
Crosby,	Jones,	Reichenbacker,	Stern,
Cummins,	Lafferty,	Reitzel,	West,
Curry,	McCullough,	Rogers,	Wickman,
Davis, W.,			

NAYS—141.

Albee,	Geary,	McPeake,	Smith, E. R.,
Aston,	Glass,	Mearkle,	Smith, F. I.,
Baldi,	Golder,	Mehring,	Smith, L.,
Baldridge,	Goodnough,	Miller, A. D.,	Smith, O. W.,
Barner,	Goodwin,	Miller, Allan,	Snyder,
Bechtold,	Gormley,	Miller, C. G.,	Sones,
Bell,	Gransback,	Miller, G. J. A.,	Spangler,
Benchoff,	Haight,	Milliron,	Speicher,
Bennett,	Hecht,	Milner,	Sprowls,
Benninger,	Helt,	Murphy,	Steedle,
Beyer,	Hess,	Musser,	Stites,
Bidelspacher,	Heyburn,	Ogden,	Stoffiet,
Black,	Hibshman,	Palmer,	Strauss,
Boulton, H.,	Hoffman,	Pickering,	Sullivan,
Burnett,	Rothenberger,	Powell,	Swartz,
Campbell, J. O.,	Horton,	Phillips,	Sweitzer,
Campbell, T.,	Howarth,	Ramsey,	Taylor,
Canon,	Isherwood,	Reynolds,	Thomas,
Christman,	Jack,	Rhodes, W. M.,	Ulsh,
Clements,	Jennings,	Rich,	Urich,
Cook,	Lanius,	Ringler,	Vickerman,
Corbin,	Laucks,	Rininger,	Vogdes,
Cox,	Lauler,	Robertson,	Wagner,
Dawson,	Leary,	Ross,	Walker,
Dean,	Lewis,	Ruddy,	Wallace,
Dell,	Lohr,	Rudisill,	Walter,
Dewey,	Luppert,	Sampsel,	Weimer,
Dithrich,	Marvin,	Scott,	Wells,
Drake,	Maurer,	Shaffer, C. A.,	Whitaker,
Eby,	McArdle,	Shattuck,	Williams, G. W.
Ehrhardt,	McCaig,	Showalter,	Williams, J. P.,
Erdman,	McCurdy,	Rinn,	Wobensmith,
Fackler,	McKay,	Siggins,	Wood,
Fitzgibbon,	McKinney,	Simpson,	Woodward,
Franklin,	McNichol,	Sinclair,	Wylie,
Fretz,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 468, as follows

An Act fixing the salaries of the County Engineer and Deputy County Engineer in counties containing a population of more than eight hundred thousand and less than one million four hundred thousand

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties containing a population of more than eight hundred thousand and less than one million four hundred thousand as computed by the last preceding United States census the annual salary of the County Engineer shall be five thousand dollars ($5,000) and the annual salary of the Deputy County Engineer shall be three thousand dollars ($3,000) which sum shall be payable in equal monthly installments out of the County Treasury

Section 2 That the act approved the fifth day of May one thousand nine hundred eleven entitled "An Act to fix the salary of county engineer in counties containing a population of more than eight hundred thousand and less than one million four hundred thousand" is hereby repealed All acts or parts of acts inconsistent with or supplied be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz.

YEAS—193.

Albee,	Fowler,	McKinney,	Shunk,
Aron,	Franklin,	McNichol,	Siggins,
Arthur,	Fretz,	McPeake,	Simpson,

Aston,	Gans,	McVicar,	Sinclair,
Baldi,	Geary,	Mearkle,	Smith, E. R.,
Baldridge,	Glass,	Mehring,	Smith, F. I.,
Barner,	Golder,	Mervine,	Smith, J. W.,
Bechtold,	Goodnough,	Michel,	Smith, L.,
Benchoff,	Goodwin,	Miller, A. D.,	Smith, O. W.,
Bennett,	Gormley,	Miller, Allan,	Snowden,
Bell,	Graeff,	Miller, C. G.,	Snyder,
Benninger,	Graham,	Miller, G. J. A.,	Somerman,
Beyer,	Gransback,	Milliron,	Sones,
Bidelspacher,	Haight,	Milner,	Spangler,
Black,	Haldeman,	Mitchell,	Speicher,
Bovee,	Hecht,	Morgan, T.,	Sprowls,
Boyd,	Heffernan,	Morgan, T. J.,	Stadtlander,
Brady,	Helt,	Murphy,	Steedle,
Burnett,	Hess,	Musser,	Stern,
Campbell, J. O.,	Heyburn,	Neary,	Stites,
Campbell, T.,	Hibshman,	Ogden,	Stofflet,
Canon,	Hoffman,	Palmer,	Strauss,
Christman,	Hollern,	Patterson,	Swartz,
Clements,	Hollingsworth,	Perry,	Sweitzer,
Coldsmith,	Horne,	Phillips,	Taylor,
Conner,	Hough,	Pickering,	Thomas,
Cook,	Howarth,	Powell,	Ulsh,
Corbin,	Isherwood,	Ramsey,	Urich,
Cox,	Jack,	Reichenbacker,	Vickerman,
Crosby,	Jennings,	Reitzel,	Vogdes,
Cummins,	Jones,	Reynolds,	Wagner,
Curry,	Kennedy,	Rhoads, H. L.,	Walker,
Dale,	Lafferty,	Rhodes, W. M.,	Wallace,
Davis, D. F.,	Lanius,	Rich,	Walter,
Davis, W.,	Laucks,	Ringler,	Weimer,
Dawson,	Lauler,	Rininger,	Wells,
Dell,	Leary,	Robertson,	West,
Dewey,	Lewis,	Rogers,	Whitaker,
Dithrich,	Lohr,	Ross,	Wickman,
Donneley,	Luppert,	Rothenberger,	Williams, G. W.
Drake,	Malie,	Ruddy,	Williams, J. P.,
Drinkhouse,	Mangan,	Rudisill,	Wobensmith,
Dunn,	Marvin,	Sampsel,	Wood,
Eby,	Maurer,	Sarig,	Woodward,
Ehrhardt,	McArdle,	Schaeffer, A. C.,	Wylie,
Erdman,	McCaig,	Scott,	Wynne,
Fackler,	McCullough,	Shaffer, C. A.,	Zanders,
Fitzgibbon,	McCurdy,	Shattuck,	Baldwin,
Flynn,	McKay,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 846, as follows:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wherever heretofore the council of any incorporated borough of this Commonwealth has required by ordinance and caused to be graded paved curbed or macadamized with brick stone or other suitable material or otherwise improved any public street or thoroughfare or part thereof either cartway or footwalk or has caused sewers to be constructed therein or both pursuant to such ordinance but owing to some defect in the petition action of council notice publication or other proceeding necessary under existing law and ordinance to give jurisdiction to such council or owing to want of jurisdiction of such council because of non compliance with existing law as to publication of copies of ordinance and posting of handbills prior to final passage of such ordinance or owing to some defect in the ordinance or for any other reason the cost of such improvement or a portion thereof can not be legally assessed upon the property bounding or abutting upon the street or part thereof improved or owing to some defect in the statement of claim filed to secure the lien or of the failure of the borough solicitor to sign the same for the cost of such improvement payment thereof can not be enforced as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made and statement of claim filed now by this act such improvements are made valid and binding and the council of such incorporated borough may cause the property bounding or abutting upon the street or part thereof upon which the improvement has been made or is now being made to be assessed in the manner now provided by law with such a portion of the cost of such improvement as is contemplated by the law under which the improvement was made or attempted to be made or is now being made Such assessment shall be a lien upon the property assessed The lien shall date from the completion of the improvement for which the assessment is made and shall remain a lien until fully paid and satisfied Provided That a writ of scire facias is issued to revive the same during every period of five years after a lien is filed as hereinafter provided

Section 2 The council of any incorporated borough of this Commonwealth entitled to a lien under this act shall file a lien therefore in the office of the prothonotary of the county within which the property lies within six months after the completion of the work where the improvement is now in progress or within six months after the approval of this act or where the improvement is now completed and the same shall be entered upon record as other municipal claims Such lien shall state the name of the party claimant which shall be the corporate name of the borough making the improvement the name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest on the assessment from the completion of the improvement for what improvement the claim is made the date of its completion the date of the assessment for which the lien is filed Such lien when so filed shall be prima facie evidence of all matters therein set forth and of the right of the borough to recover the amount therein claimed to be due together with interest from the date of the lien or completion of the improvement costs and an attorney's commission of five per centum for collecting

Section 3 The claim when so filed shall be proceeded upon for collection by writ of scire facias

On the question,

Shall the bill pass finally?

Mr. PHILLIPS. Mr. Speaker, I desire to interrogate the sponser of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Dithrich, permit himself to be interrogated?

Mr. DITHRICH. Mr. Speaker, yes, sir.

Mr. PHILLIPS. Mr. Speaker, I desire to ask how this affects the present municipal lien law on the statute books—does it change it or add to it?

Mr. Dithrich. Mr. Speaker, This is a corrective act and only provides that where work has already been done—paving, grading, curbing and laying of sewers—and there has been some defects in the procedure, such as the failure of the borough solicitor to sign the ordinance or failure to make publication or notice, that they shall proceed to collect for that work. It does not change the existing law in any degree whatever.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz.

YEAS—179.

Albee,	Ehrhardt,	Maurer,	Sarig,
Aron,	Erdman,	McArdle,	Schaeffer, A. C.,
Arthur,	Fackler,	McCaig,	Shaffer, C. A.,
Aston,	Fitzgibbon,	McCullough,	Showalter,
Baldi,	Flynn,	McCurdy,	Shunk,
Baldridge,	Fowler,	McKay,	Siggins,
Barner,	Franklin,	McNichol,	Sinclair,
Bechtold,	Fretz,	McPeake,	Smith, E. R.,
Bell,	Gans,	McVicar,	Smith, F. I.,
Benchoff,	Geary,	Mearkle,	Smith, J. W.,
Bennett,	Glass,	Mehring,	Smith, L.,
Benninger,	Golder,	Mervine,	Snowden,
Beyer,	Goodnough,	Michel,	Snyder,
Bidelspacher,	Goodwin,	Miller, A. D.,	Sones,
Black,	Gormley,	Miller, Allan,	Spangler,
Bovee,	Graeff,	Miller, C. G.,	Speicher,
Boyd,	Gransback,	Milliron,	Sprowls,
Brady,	Haldeman,	Milner,	Stadtlander,
Burnett,	Hecht,	Mitchell,	Steedle,
Campbell, J. O.,	Heffernan,	Morgan, T.,	Stites,
Campbell, T.,	Helt,	Morgan, T. J.,	Stofflet,
Canon,	Hess,	Murphy,	Strauss,
Christman,	Heyburn,	Musser,	Swartz,
Clements,	Hibshman,	Neary,	Sweitzer,
Coldsmith,	Hoffman,	Ogden,	Taylor,
Conner,	Hollern,	Palmer,	Thomas,
Cook,	Hollingsworth,	Perry,	Ulsh,
Corbin,	Horne,	Phillips,	Urich,
Cox,	Hough,	Pickering,	Vogdes,
Crosby,	Howarth,	Powell,	Walker,
Cummins,	Isherwood,	Reichenbacker,	Wallace,
Curry,	Jack,	Reitzel,	Weimer,
Dale,	Jennings,	Reynolds,	Wells,
Davis, D. F.,	Jones,	Rhoads, H. L.,	Whitaker,
Davis, W.,	Kennedy,	Rhodes, W. M.,	Wickman,
Dawson,	Lafferty,	Rich,	Williams, G. W.
Dean,	Lanius,	Richards,	Williams, J. P.,
Dell,	Laucks,	Ringler,	Wobensmith,
Dewey,	Leary,	Rininger,	Wood,
Dithrich,	Lewis,	Robertson,	Woodward,
Donneley,	Lohr,	Rogers,	Wylie,
Drake,	Luppert,	Ross,	Wynne,
Drinkhouse,	Malie,	Rothenberger,	Zanders,
Dunn,	Marvin,	Ruddy,	Baldwin,
Eby,	Mangan,	Rudisill,	Speaker.

NAYS—5.

Graham,	Miller, G. J. A.,	Simpson,	West,
McKinney,			

The majority required by the Constitution voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 842, as follows

An Act authorizing Robert J. McAlister and Ruth McAlister his wife residents of the Dunstable Township Clinton County Pennsylvania to bring suit in the court of common pleas of Clinton County against the Commonwealth of Pennsylvania jointly or severally

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Robert J. McAllister and Ruth McAllister his wife of Dunnstable Township Clinton County Pennsylvania are hereby authorized to bring suit or suits against the Commonwealth of Pennsylvania jointly or severally either in law or equity in the court of common pleas of Clinton County to recover such sum or sums of money that may be legally or justly due the said Robert J. McAllister and Ruth McAllister or either of them for personal injuries sustained by them or either of them upon the State Highway between Lock Haven and Farrandsville near Farrandsville Pennsylvania on the eleventh day of November Anno Domini one thousand nine hundred sixteen Such suit or suits shall be subject to the same rules of practice pleading and evidence as in other and similar cases between individuals and the defences open to the Comonwealth shall be such as would be available to an individual if sued upon like facts

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz.

YEAS—187.

Albee,	Fowler,	McCurdy,	Shattuck,
Aron,	Franklin,	McKay,	Shunk,
Arthur,	Fretz,	McKinney,	Siggins,
Aston,	Gans,	McNichol,	Simpson,
Baldi,	Geary,	McPeake,	Sinclair,
Baldridge,	Glass,	McVicar,	Smith, E. R.,
Barner,	Golder,	Mearkle,	Smith, F. L.,
Bechtold,	Goodnough,	Mehring,	Smith, J. W.,
Bell,	Goodwin,	Mervine,	Smith, L.,
Benchoff,	Gormley,	Michel,	Smith, O. W.,
Bennett,	Graeff,	Miller, A. D.,	Snowden,
Benninger,	Graham,	Miller, Allan,	Snyder,
Beyer,	Gransback,	Miller, C. G.,	Somerman,
Bidelspacher,	Haight,	Miller, G. J. A.,	Sones,
Black,	Haldeman,	Milliron,	Spangler,
Boulton, H.,	Hecht,	Milner,	Speicher,
Bouton, V. B.,	Heffernan,	Mitchell,	Sprowls,
Boyd,	Helt,	Morgan, T.,	Stadtlander,
Burnett,	Hess,	Morgan, T. J.,	Steedle,
Campbell, J. O.,	Heyburn,	Murphy,	Stern,
Campbell, T.,	Hibshman,	Neary,	Stofflet,
Canon,	Hoffman,	Ogden,	Strauss,
Christman,	Hollern,	Palmer,	Swartz,
Clements,	Hollingsworth,	Perry,	Sweifzer,
Coldsmith,	Horton,	Phillips,	Taylor,
Conner,	Hough,	Pickering,	Thomas,
Cook,	Howarth,	Powell,	Ulsh,
Corbin,	Isherwood,	Ramsey,	Urich,
Cox,	Jack,	Reichenbacker,	Vickerman,
Cummins,	Jennings,	Reitzel,	Vogdes,
Curry,	Jones,	Reynolds,	Wagner,
Davis, D. F.,	Kennedy,	Rhoads, H. L.,	Wallace,
Davis, W.,	Lafferty,	Rhodes, W. M.,	Walter,
Dawson,	Lanius,	Rich,	Weimer,
Dean,	Laucks,	Richards,	West,
Dell,	Lauler,	Ringler,	Whitaker,
Dewey,	Leary,	Rininger,	Wickman,
Dithrich,	Lewis,	Robertson,	Williams, G. W
Donneley,	Lohr,	Rogers,	Williams, J. P.,
Drake,	Luppert,	Ross,	Wobensmith,
Drinkhouse,	Malie,	Rothenberger,	Wood,
Dunn,	Mangan,	Ruddy,	Woodward,
Eby,	Marvin,	Rudisill,	Wylie,
Ehrhardt,	Maurer,	Sampsel,	Wynne,
Erdman,	McArdle,	Sarig,	Zanders,
Fitzgibbon,	McCaig,	Schaeffer, A. C.,	Baldwin,
Flynn,	McCullough,	Shaffer, C. A.,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Mr. SIMPSON. Mr. Speaker, I desire to call up at this time House Bill No. 282, File Folio 267, from page 24 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 282, entitled

An Act to amend section ten of an act entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-nine

BILL RECOMMITTED.

Mr. SIMPSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. GEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 891, entitled

An Act authorizing the Commitee on Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to other such hospitals and providing for maintenance of patients after transfer

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Albee,	Fowler,	McCurdy,	Shunk,
Aron,	Franklin,	McKay,	Siggins,
Arthur,	Fretz,	McKinney,	Simpson,
Aston,	Gans,	McNichol,	Sinclair,
Baldi,	Geary,	McPeake,	Smith, E. R.,
Baldridge,	Glass,	McVicar,	Smith, J. W.,
Barner,	Golder,	Mearkle,	Smith, L.,
Bechtold,	Goodnough,	Mehring,	Smith, O. W.,
Bell,	Goodwin,	Mervine,	Snowden,
Benchoff,	Gormley,	Michel,	Snyder,
Bennett,	Graeff,	Miller, A. D.,	Somerman,
Benninger,	Graham,	Miller, Allan,	Sones,
Beyer,	Gransback,	Miller, C. G.,	Spangler,
Bidelspacher,	Haight,	Miller, G. J. A.,	Speicher,
Black,	Haldeman,	Milliron,	Sprowls,
Bouton, V. B.,	Hecht,	Milner,	Stadtlander,
Bovee,	Heffernan,	Mitchell,	Steedle,
Boyd,	Helt,	Morgan, T.,	Stern,
Brady,	Hess,	Morgan, T. J.,	Stites,
Burnett,	Heyburn,	Murphy,	Stofflet,
Campbell, J. O.,	Hibshman,	Neary,	Strauss,
Campbell, T.,	Hollern,	Palmer,	Swartz,
Canon,	Hollingsworth,	Patterson,	Sweitzer,
Christman,	Horton,	Phillips,	Taylor,
Clements,	Hough,	Pickering,	Thomas,
Conner,	Howarth,	Powell,	Ulsh,
Corbin,	Isherwood,	Reichenbacker,	Urich,
Cox,	Jack,	Reitzel,	Vickerman,
Crosby,	Jennings,	Reynolds,	Vogdes,
Cummins,	Jones,	Rhoads, H. L.,	Wagner,
Davis, D. F.,	Lafferty,	Rhodes, W. M.,	Wallace,
Davis, W.,	Lanius,	Rich,	Walter,
Dawson,	Laucks,	Richards,	Weimer,
Dell,	Lauler,	Ringler,	West,
Dewey,	Leary,	Rininger,	Whitaker,
Dithrich,	Lewis,	Robertson,	Wickman,
Donneley,	Lohr,	Ross,	Williams, G. W.
Drake,	Luppert,	Rothenberger,	Williams, J. P.,
Drinkhouse,	Malie,	Ruddy,	Wobensmith,
Dunn,	Mangan,	Sampsel,	Wood,
Eby,	Marvin,	Sarig,	Woodward,
Ehrhardt,	Maurer,	Schaeffer, A. C.,	Wylie,
Erdman,	McArdle,	Scott,	Wynne,
Fackler,	McCaig,	Shaffer, C. A.,	Zanders,
Fitzgibbon,	McCullough,	Showalter,	Baldwin,
Flynn,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 398, as follows

An Act relating to the collection of county taxes in cities of the third class providing for a notice of taxes due and providing for rebates and penalties on such taxes in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the

authority of the same That all tax collectors of county taxes in cities of the third class shall within thirty days after receiving the tax duplicate from the county commissioners notify every taxable whose name appears on such duplicate Such notice shall contain the rate of taxation the valuation of the property of such taxable the occupation of such taxable and the full amount of taxes for which said taxable is liable for the current year Such notice shall further state that such taxes are payable shall designate a place where and a time or times when they shall be paid It shall further state the time within which the abatement of tax will be allowed when the full amount of tax will be collected and when an additional percentage will be added as a penalty as herein provided Such notice shall be delivered left or mailed to the last known post-office address of each of said taxables

All persons who shall pay the taxes charged against him in the duplicate within ninety days from the date of such notice shall be entitled to a reduction of five percentum from the amount thereof All persons who fail to pay the taxes charged against them in the duplicate within six months after the date of the notice shall be charged five per centum additional on the taxes charged against them which shall be added thereto by the collector of taxes and be collected by him

Section 2 The tax collectors may retain out of the taxes collected by them the actual printing and postage expenses incurred by them in performing the duties herein prescribed Such amount so retained shall be adjusted by the county commissioners at the time such collectors make settlement

Section 3 Before any allowance is made by the county commissioners for commissions due any collector for taxes collected an affidavit shall be made by such collector setting forth that he has complied with the provisions of this act

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184.

Albee,	Fitzgibbon,	McCurdy,	Shattuck,
Aron,	Flynn,	McKay,	Shunk,
Arthur,	Fowler,	McKinney,	Siggins,
Aston,	Franklin,	McNichol,	Simpson,
Baldi,	Fretz,	McPeake,	Sinclair,
Baldridge,	Gans,	McVicar,	Smith, E. R.,
Barner,	Geary,	Mearkle,	Smith, F. I.,
Bechtold,	Golder,	Mehring,	Smith, J. W.,
Bell,	Goodnough,	Mervine,	Smith, L.,
Benchoff,	Goodwin,	Michel,	Smith, O. W.,
Bennett,	Gormley,	Miller, A. D.,	Snyder,
Benninger,	Graeff,	Miller, Allan,	Sones,
Beyer,	Graham,	Miller, C. G.,	Spangler,
Bidelspacher,	Gransback,	Miller, G. J. A.,	Speicher,
Black,	Haight,	Milliron,	Sprowls,
Boulton, H.,	Haldeman,	Milner,	Stadtlander,
Bouton, V. B.,	Hecht,	Mitchell,	Steedle,
Bovee,	Heffernan,	Morgan, T.,	Stern,
Boyd,	Helt,	Morgan, T. J.,	Stites,
Burnett,	Heyburn,	Murphy,	Stofflet,
Campbell, J. O.,	Hibshman,	Musser,	Strauss,
Campbell, T.,	Hollern,	Neary,	Swartz,
Canon,	Hollingsworth,	Palmer,	Sweitzer,
Christman,	Horton,	Patterson,	Taylor,
Clements,	Hough,	Phillips,	Thomas,
Coldsmith,	Howarth,	Pickering,	Ulsh,
Conner,	Isherwood,	Powell,	Urich,
Cook,	Jack,	Ramsey,	Vickerman,
Corbin,	Jennings,	Reitzel,	Vogdes,
Cox,	Jones,	Reynolds,	Wagner,
Cummins,	Kennedy,	Rhoads, H. L.,	Walker,
Curry,	Lafferty,	Rhodes, W. M.,	Walter,
Davis, D. F.,	Lanius,	Rich,	Weimer,
Davis, W.,	Laucks,	Richards,	Wells,
Dawson,	Lauler,	Ringler,	West,
Dell,	Leary,	Rininger,	Whitaker,
Dewey,	Lewis,	Robertson,	Wickman,
Dithrich,	Lohr,	Rogers,	Williams, G. W.
Donneley,	Luppert,	Ross,	Williams, J. P.,
Drake,	Malie,	Rothenberger,	Wobensmith,
Drinkhouse,	Mangan,	Rudisill,	Wood,
Dunn,	Marvin,	Sampsel,	Woodward,
Eby,	Maurer,	Sarig,	Wylie,
Ehrhardt,	McArdle,	Schaeffer, A. C.,	Wynne,
Erdman,	McCaig,	Scott,	Zanders,
Fackler,	McCullough,	Shaffer, C. A.,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

AMENDED HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 877.

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts.

Said bill having been recalled from the Governor for amendment.

The vote on final passage and third reading on said bill were reconsidered in the House of Representatives and the bill amended in which amendments the Senate has concurred.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

Senate Bill No. 52.

An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products or any other products and prescribing penalties.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced presented the following extract from the Journal of the Senate which was read as follows:

Resolved (if the House of Representatives concur), That one thousand copies of the proceeding of the memorial service held in honor of the late Hon. Charles J. Magee be printed for the use of the Senate.

Ordered that the Clerk present the same to the House of Representatives for concurrence.

On the question,

Will the House concur in the Resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 461.

An Act to amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred thirty-seven) entitled "An Act regulating the sale of milk and its fluid derivatives in cities of the first class providing for the licensing of those engaged in that business and providing penalties for the violation thereof

House Bill No. 734.

An Act amending section one of an act approved the seventh day of June one thousand nine hundred one entitled "An Act to authorize the township commissioners in townships of the first class to lay-out widen open and vacate streets and the highways within their respective townships at the expense of the township or the properties benefited"

With information that the Senate has passed the same without amendments.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 69.

An Act fixing the compensation of employes in the Department of Banking and providing for the appointment of an additional clerk.

With information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the title by inserting after the word "banking" the following "and providing for the appointment of an additional clerk."

Amend section 1, line 5, by inserting after the word "seventeen" the following "The compensation of the Deputy Banking Commissioner shall be four thousand dollars per annum."

Page 2, line 1, after the word "annum" strike out "and the compensation of the messenger shall be fourteen hundred dollars per annum which compensation" and insert "The Commissioner of Banking is hereby empowered to appoint one additional clerk whose compensation shall be sixteen hundred dollars per annum The compensation of the officer clerks and stenographers."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz.

YEAS—177.

Albee,	Fowler,	McKay,	Shunk,
Aron,	Fretz,	McNichol,	Siggins,
Arthur,	Gans,	McPeake,	Simpson,
Aston,	Geary,	McVicar,	Sinclair,
Baker,	Glass,	Mearkle,	Smith, E. R.,
Baldi,	Golder,	Mehring,	Smith, F. I.,
Baldridge,	Goodnough,	Michel,	Smith, J. W.,
Barner,	Goodwin,	Miller, A. D.,	Smith, L.,
Bechtold,	Gormley,	Miller, Allan,	Smith, O. W.,
Bell,	Graeff,	Miller, C. G.,	Snowden,
Benchoff,	Graham,	Milliron,	Snyder,
Bennett,	Gransback,	Milner,	Sones,
Benninger,	Haight,	Mitchell,	Spangler,
Beyer,	Haldeman,	Morgan, T.,	Speicher,
Bidelspacher,	Hecht,	Morgan, T. J.,	Sprowls,
Boulton, H.,	Heffernan,	Murphy,	Stadtlander,
Bouton, V. B.,	Helt,	Musser,	Steedle,
Bovee,	Hess,	Neary,	Stern,
Brady,	Heyburn,	Ogden,	Stites,
Burnett,	Hibshman,	Palmer,	Strauss,
Campbell, J. O.,	Hoffman,	Perry,	Sullivan,
Campbell, T.,	Hollern,	Phillips,	Swartz,
Chestnut,	Hollingsworth,	Pickering,	Sweitzer,
Christman,	Horne,	Powell,	Taylor,
Clements,	Horton,	Ramsey,	Ulsh,
Conner,	Hough,	Reichenbacker,	Urich,
Cook,	Howarth,	Reitzel,	Vickerman,
Cox,	Jack,	Reynolds,	Vogdes,
Crosby,	Jennings,	Rhoads, H. L.,	Wagner,
Cummins,	Jones,	Rhodes, W. M.,	Walker,
Curry,	Kennedy,	Rich,	Wallace,
Davis, D. F.,	Lafferty,	Richards,	Walter,
Davis, W.,	Lanius,	Rininger,	Weimer,
Dawson,	Laucks,	Robertson,	Wells,
Dean,	Lauler,	Rogers,	Whitaker,
Dell,	Leary,	Ross,	Wickman,
Dithrich,	Lewis,	Ruddy,	Williams, J. P.,
Donneley,	Luppert,	Rudisill,	Wobensmith,
Drinkhouse,	Mangan,	Sampsel,	Wood,
Dunn,	Marvin,	Schaeffer, A. C.,	Woodward,
Eby,	Maurer,	Scott,	Wylie,
Erdman,	McArdle,	Shaffer, C. A.,	Wynne,
Fackler,	McCullough,	Shattuck,	Zanders,
Fitzgibbon,	McCurdy,	Showalter,	Baldwin,
Flynn,			Speaker.

NAYS—2.

West, Williams, G. W.

The majority by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz.

House Bill No. 775.

An Act to fix and determine the salary of the several clerks of the courts of record of the county of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth.

With information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the title, line 2, by striking out after the word "of" the words "common pleas" and inserting the word "record."

Amend section 1, line 5, by striking out after the word "of" the words "common pleas" and inserting the word "record."

Line 9, insert after the word "equal" "semi."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albee,	Fowler,	McNichol,	Showalter,
Aron,	Franklin,	McPeake,	Shunk,
Arthur,	Fretz,	McVicar,	Siggins,
Aston,	Gans,	Mearkle,	Simpson,
Baldi,	Geary,	Mehring,	Sinclair,
Baldridge,	Glass,	Mervine,	Smith, E. R.,
Barner,	Golder,	Michel,	Smith, F. I.,
Bechtold,	Goodnough,	Miller, A. D.,	Smith, J. W.,
Bell,	Goodwin,	Miller, Allan,	Smith, L.,
Benchoff,	Gormley,	Miller, C. G.,	Smith, O. W.,
Bennett,	Graeff,	Miller, G. J. A.,	Snowden,
Benninger,	Graham,	Milliron,	Snyder,
Beyer,	Gransback,	Milner,	Somerman,
Bidelspacher,	Haight,	Mitchell,	Sones,
Black,	Haldeman,	Morgan, T.,	Spangler,
Bovee,	Hecht,	Morgan, T. J.,	Speicher,
Boyd,	Heffernan,	Murphy,	Sprowls,
Burnett,	Helt,	Musser,	Stadtlander,
Campbell, J. O.,	Hess,	Ogden,	Steedle,
Campbell, T.,	Heyburn,	Palmer,	Sterling,
Canon,	Hibshman,	Patterson,	Stern,
Christman,	Hoffman,	Perry,	Stites,
Clements,	Hollingsworth,	Phillips,	Stoffiet,
Coldsmith,	Horton,	Pickering,	Strauss,
Conner,	Hough,	Powell,	Swartz,
Cook,	Howarth,	Ramsey,	Sweitzer,
Corbin,	Isherwood,	Reichenbacker,	Taylor,
Cox,	Jack,	Reitzel,	Thomas,
Crosby,	Jennings,	Reynolds,	Ulsh,
Cummins,	Jones,	Rhoads, H. L.,	Urich,
Curry,	Kennedy,	Rhodes, W. M.,	Vickerman,
Davis, D. F.,	Lafferty,	Rich,	Vogdes,
Davis, W.,	Lanius,	Richards,	Wagner,
Dawson,	Lauler,	Ringler,	Walker,
Dean,	Leary,	Rininger,	Wallace,
Dell,	Lewis,	Robertson,	Weimer,
Dewey,	Lohr,	Rogers,	Wells,
Dithrich,	Luppert,	Ross,	West,
Donneley,	Malie,	Rothenberger,	Whitaker,
Drake,	Mangan,	Ruddy,	Wickman,
Drinkhouse,	Marvin,	Rudisill,	Wobensmith,
Dunn,	Maurer,	Sampsel,	Wood,
Eby,	McArdle,	Sarig,	Woodward,
Ehrhardt,	McCaig,	Schaeffer, A. C.,	Wylie,
Erdman,	McCullough,	Scott,	Wynne,
Fackler,	McCurdy,	Shaffer, C. A.,	Zanders,
Fitzgibbon,	McKinney,	Shattuck,	Baldwin,
Flynn,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz.

House Bill No. 262.

An Act a supplement to an act entitled "An Act to provide for the incorporation and regulation of natural gas companies" approved the twenty-ninth day of May one thousand eight hundred and eighty-five providing that corporations engaged in the business of supplying natural gas may manufacture or purchase and transport and supply manufactured fuel gas

With information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The Speaker. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend section 1, line 5, by striking out after the word "of" the word "the" and inserting the word "an.."

Line 5, after the word "assembly" strike out the words "to which this is a supplement" and insert the following "approved the twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five entitled "An Act to provide for the incorporation and regulation of natural gas companies."

Page 2, line 3, after the word "gas" insert the following:

"To the public through their transportation and distribution lines to and into any district in which they are authorized to do business provided however that such manufactured fuel gas shall not be supplied in any district not theretofore supplied with natural gas where an existing corporation has the right to supply and is supplying in any such district manufactured gas for light heat or fuel purposes or any of them except with the consent of such corporation."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz.

YEAS—190.

Albee,	Fowler,	McNichol,	Siggins,
Aron,	Franklin,	McPeake,	Simpson,
Arthur,	Fretz,	McVicar,	Sinclair,
Aston,	Gans,	Mearkle,	Smith, E. R.,
Baker,	Geary,	Mehring,	Smith, F. I.,
Baldridge,	Glass,	Mervine,	Smith, J. W.,
Barner,	Golder,	Michel,	Smith, L.,
Bechtold,	Goodnough,	Miller, Allan,	Smith, O. W.,
Bell,	Goodwin,	Miller, C. G.,	Snowden,
Benchoff,	Gormley,	Miller, G. J. A.,	Snyder,
Bennett,	Graeff,	Milliron,	Sones,
Beyer,	Graham,	Milner,	Spangler,
Bidelspacher,	Gransback,	Mitchell,	Speicher,
Black,	Haight,	Morgan, T.,	Sprowls,
Boulton, H.,	Haldeman,	Morgan, T. J.,	Stadtlander,
Bouton, V. B.,	Hecht,	Murphy,	Steedle,
Bovee,	Heffernan,	Musser,	Stern,
Boyd,	Helt,	Neary,	Stites,
Brady,	Heyburn,	Ogden,	Stoffiet,
Burnett,	Hibshman,	Palmer,	Strauss,
Campbell, T.,	Hoffman,	Patterson,	Sullivan,
Canon,	Hollern,	Phillips,	Swartz,
Chestnut,	Hollingsworth,	Pickering,	Sweitzer,
Christman,	Horne,	Powell,	Taylor,
Coldsmith,	Hough,	Ramsey,	Thomas,
Conner,	Howarth,	Reichenbacker,	Ulsh,
Cook,	Isherwood,	Reitzel,	Urich,
Corbin,	Jack,	Reynolds,	Vickerman,
Cox,	Jennings,	Rhoads, H. L.,	Vogdes,
Crosby,	Jones,	Rhodes, W. M.,	Wagner,
Cummins,	Kennedy,	Rich,	Walker,
Curry,	Lafferty,	Richards,	Wallace,
Davis, D. F.,	Lanius,	Ringler,	Walter,
Davis, W.,	Laucks,	Rininger,	Weimer,
Dawson,	Lauler,	Robertson,	Wells,
Dean,	Leary,	Rogers,	West,
Dell,	Lewis,	Ross,	Whitaker,
Dewey,	Lohr,	Ruddy,	Wickman,
Dithrich,	Luppert,	Rudisill,	Williams, G. W.
Donneley,	Mangan,	Sampsel,	Williams, J. P.,
Drake,	Marvin,	Sarig,	Wobensmith,
Drinkhouse,	Maurer,	Schaeffer, A. C.,	Wood,
Dunn,	McArdle,	Scott,	Woodward,
Ehrhardt,	McCaig,	Shaffer, C. A.,	Wylie,
Erdman,	McCullough,	Shattuck,	Wynne,
Fackler,	McCurdy,	Showalter,	Zanders,
Fitzgibbon,	McKinney,	Shunk,	Baldwin,
Flynn,			Speaker.

NAYS 0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT.

Mr. RININGER. Mr. Speaker, I move that the House do now adjourn, until to-morrow morning at 10.30 o'clock.

The motion was agreed to, and (at 11.15 P. M.) the House adjourned until to-morrow morning at 10.30 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

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SENATE.

TUESDAY, April 17, 1917.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Frank B. McClain) in the Chair.

PRAYER.

The Chaplain, Rev. Thomas W. Davis, offered the following prayer:

Almighty God, we are profoundly grateful to Thee for all the blessings which we enjoy, among them the right to life, liberty and the pursuit of happiness. Even this terrible war will yield to our nation benefits of unlimited value. Half-hearted Americans are already beginning to realize what is meant when we speak of a man without a country. Sifted before the great tribunal of the world's democracy, tested and tried by these terrible times, we shall come forth we believe with higher ideals and will be made better Americans. Grant these blessings, we pray, in our Saviour's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SPROUL, the further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGE.

RESOLUTION PROVIDING FOR THE PRINTING OF ONE THOUSAND COPIES OF THE PROCEEDINGS OF THE MEMORIAL SERVICE HELD IN HONOR OF THE LATE HONORABLE CHARLES J. MAGEE.

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 16, 1917.

Resolved (if the House concurs), That one thousand copies of the proceedings of the Memorial Service held in honor of the late Honorable Charles J. Magee be printed for the use of the Senate.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 69.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 69, entitled

An Act fixing the compensation of employes of the Department of Banking.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 262.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 262, entitled

A Supplement to an act, entitled "An Act to provide for the incorporation and regulation of natural gas companies," approved the twenty-ninth day of May, one thousand eight hundred and eighty-five, providing that corporations engaged in the business of supplying natural gas may manufacture or purchase and transport and supply manufactured fuel gas.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 775.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 775, entitled

An Act to fix and determine the salary of the several clerks of the Courts of Common Pleas of the County of Philadelphia in accordance with Article five Section seven of the Constitution of this Commonwealth.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 398 (Senate Bill No. 856), entitled

An Act relating to the collection of county taxes in cities of the third class; providing for a notice of taxes due and providing for rebates and penalties on such taxes in certain cases.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 468 (Senate Bill No. 857), entitled

An Act fixing the salaries of the county engineer and deputy county engineer in counties containing a population of more than eight hundred thousand and less than one million four hundred thousand.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 842 (Senate Bill No. 858), entitled

An Act authorizing Robert J. McAllister and Ruth McAllister, his wife, residents of the Borough of Jersey Shore, Lycoming County, Pennsylvania, to bring suit in the court of common pleas of Clinton County against the Commonwealth of Pennsylvania jointly or severally.

Which was committed to the Committee on Judiciary General.

House Bill No. 846 (Senate Bill No. 859), entitled

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth.

Which was committed to the Committee on Judiciary General.

House Bill No. 891 (Senate Bill No. 860), entitled

An Act authorizing the Committee on Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to other such hospitals and providing for maintenance of patients after transfer.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE.

Mr. BUCKMAN, from the Committee on Appropriations, reported as committed Senate Bill No. 199, entitled

An Act prohibiting certain institutions receiving State aid from restricting pay patients in the selection of physicians and surgeons not connected with the institution.

BILLS INTRODUCED.

Mr. BALDWIN read in his place and presented to the Chair Senate Bill No. 861, entitled

An Act authorizing John F. Stone of Coudersport, Pennsylvania, to sue the Commonwealth in the Court of Common Pleas of Dauphin County for loss and damage incident to a shipment of cattle to Lancaster, delivery of which was not permitted by the State Livestock Sanitary Board.

Which was committed to the Committee on Judiciary General.

Mr. BURKE read in his place and presented to the Chair Senate Bill No. 862, entitled

An Act to prevent the destruction of provisions and foodstuffs suitable or fit for human consumption by requiring the procuring of permits therefor from the proper inspector of weights and measures before such destruction; and providing penalties.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 863, entitled

An Act to amend an act approved the fourteenth day of June, one thousand eight hundred and eighty-seven, entitled "An Act to provide for the incorporation and regulation of companies, not for profit, organized for the encouragement of the arts and sciences and of agriculture and horticulture, and to confer upon such companies the right of eminent domain," as amended; enabling said corporations to increase their bonded indebtedness from five hundred thousand dollars to one million dollars.

Which was committed to the Committee on Judiciary General.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 864, entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth, the safety of its people and the protection of their property, and to aid the Government of the United States in protecting and defending said Government, and the people thereof, and their property; and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 865, entitled

An Act to authorize corporations organized for profit under the laws of Pennsylvania to continue the salaries of employes enlisting or enrolling in any branch of the military or naval service of the United States or other protective organization.

Which was committed to the Committee on Corporations.

REPORT FROM COMMITTEE.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Appropriations, reported as committed Senate Bill No. 864, entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth, the safety of its people and the protection of their property, and to aid the Government of the United States in protecting and defending said Government, and the people thereof, and their property; and making an appropriation.

BILL ON FIRST READING.

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 864, entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth, the safety of its people and the protection of their property, and to aid the Government of the United States in protecting and defending said Government, and the people thereof, and their property; and making an appropriation.

be read the first time.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 864, entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth, the safety of its people and the protection of their property, and to aid the Government of the United States in protecting and defending said Government, and the people thereof, and their property; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS INTRODUCED.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 866, entitled

An Act making a deficiency appropriation to the Trustees of the State Asylum for the Chronic Insane of Pennsylvania at South Mountain, Wernersville, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 867, entitled

An Act authorizing George F. Pawling Company, a corporation incorporated under the laws of the State of Pennsylvania, with its principal place of business in the City of Philadelphia, Pennsylvania, successor to Bergdoll and Pawling, to bring suit in the Court of Common Pleas of Dauphin County against the Commonwealth of Pennsylvania.

Which was committed to the Committee on Judiciary General.

TIME OF NEXT MEETING.

Mr. VARE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 17, 1917.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, April twenty-third, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, April twenty-third, at nine o'clock.

REPORT FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations made by His Excellency the Governor, which were laid upon the table:

COMMISSIONER OF DEEDS.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Daniel Jacoby, to be Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in Bridgeport, Connecticut, to serve for the term of five years from the date of confirmation.

MARTIN G. BRUMBAUGH.

TRUSTEES TO ADMINISTER THE MOTHERS' ASSISTANCE FUND FOR THE COUNTY OF HUNTINGDON.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 16, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Trustees to administer the Mothers' Assistance Fund for the County of Huntingdon, until lawfully determined or annulled:

Mrs. John Summerville, Robertsdale, Pa.
Mrs. Nancy Taylor Newland, Orbisonia, Pa.

MARTIN G. BRUMBAUGH.

TRUSTEE TO ADMINISTER THE MOTHERS' ASSISTANCE FUND FOR THE COUNTY OF LEBANON.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 16, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the

Senate, Miss Flora Killinger, of Lebanon, to be Trustee to administer the Mothers' Assistance Fund for the County of Lebanon, vice Mrs. Mary M. Reisner, resigned, until lawfully determined or annulled.

MARTIN G. BRUMBAUGH.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 16, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Ross M. Blair, Pittsburgh.
John C. Donehoo, Pittsburgh.
William John Herbster, Pittsburgh.
Robert H. Logan, Pittsburgh.
Miss Geraldine L. Johnston, Verona.

BEAVER COUNTY.

W. F. Follett, Woodlawn.

CRAWFORD COUNTY.

Carlton C. Patterson, Meadville.

DELAWARE COUNTY.

Ralph Straub, Chester.

LACKAWANNA COUNTY.

John J. Cannon, Dunmore.

M'KEAN COUNTY.

Miss Frances L. Grow, Bradford.

PHILADELPHIA COUNTY.

Thomas J. Burke, Philadelphia.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 16, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their names, respectively:

ADAMS COUNTY.

P. S. Orner, Arendtsville, May 10, 1917.

ALLEGHENY COUNTY.

A. L. Goldstrom, McKeesport, April 29, 1917.
Robert L. Swearer, Pittsburgh, May 6, 1917.
John McKelvie, Pittsburgh, May 20, 1917.
W. R. Shoup, Pittsburgh, May 22, 1917.

BERKS COUNTY.

John W. Rhode, Kutztown, May 20, 1917.

LEHIGH COUNTY.

Geza Bolez, Allentown, May 28, 1917.

LYCOMING COUNTY.

John G. Candor, Williamsport, May 14, 1917.

PHILADELPHIA COUNTY.

Walter S. Dolman, Philadelphia, May 1, 1917.
Elias H. White, Philadelphia, May 4, 1917.
Robert W. Lloyd, Philadelphia, May 11, 1917.
Thomas F. Gross, Philadelphia, May 12, 1917.
William E. Vollmer, Philadelphia, May 14, 1917.
H. S. J. Sickel, Philadelphia, May 15, 1917.
George J. Hyde, Philadelphia, May 21, 1917.
Abraham Weitzenfield, Philadelphia, May 28, 1917.

SCHUYLKILL COUNTY.

James W. G. Lengel, North Manheim Twp., April 23, 1917.

WARREN COUNTY.

Miss Alice B. Wilson, Warren, May 21, 1917.

MARTIN G. BRUMBAUGH.

NOMINATIONS BY THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

BERKS COUNTY.

Daniel B. Baum, Reading.

LACKAWANNA COUNTY.

Miss E. P. Becker, Scranton.

NORTHAMPTON COUNTY.

Jacob H. Silfies, Bath.

PHILADELPHIA COUNTY.

John J. Conroy, Philadelphia.
W. Carlton Harris, Philadelphia.
Kemper P. Muench, Philadelphia.
John F. Murphy, Philadelphia.
Charles J. Schaefer, Philadelphia.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their names, respectively:

LANCASTER COUNTY.

H. S. Witmer, East Earl Twp., May 20, 1917.

PHILADELPHIA COUNTY.

John Sadleir, Philadelphia, May 11, 1917.

WESTMORELAND COUNTY.

William F. Wegley, Greensburg, April 21, 1917.
Alfred J. Parker, West Newton, May 6, 1917.

MARTIN G. BRUMBAUGH.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. CROW,

That Rule 38, which requires nominations made by the Governor to be referred to proper committees and those reported from committee to lie on the table one day, be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations, and those reported from committee at today's session.

Which was agreed to,

Whereupon,

A motion was made by Mr. CROW,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,	Graff, J. F.,	McConnell,	Smith, W. W.,
Beidleman,	Graff, W. P.,	McKee,	Snyder, C. A.,
Buckman,	Hackett,	McNichol,	Snyder, P. W.,

Burke,	Haldeman,	Miller,	Sones,
Catlin,	Hindman,	Nason,	Sproul,
Craig,	Homsher,	Patton,	Stewart,
Croft,	Jenkins,	Phipps,	Vare,
Crow,	Jones,	Salus,	Warner,
Daix,	Kline,	Sassaman,	Wasbers,
DeWitt,	Leiby,	Schantz,	Weaver,
Endsley,	Lynch,	Semmens,	Whitten,
Eyre,	Martin,	Smith, R. E.,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 598 (House Bill No. 364), as follows:

An Act relative to the sale in bulk of the whole or a large part of the stock of goods wares or merchandise of any kind or of goods wares or merchandise of any kind and fixtures not in the ordinary course of business providing certain requirements therefor and imposing certain duties upon the seller and buyer and making their violation a misdemeanor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of every person who shall bargain for or purchase any stock of goods wares or merchandise of any kind or any goods wares or merchandise of any kind and fixtures in bulk for cash or on credit before paying to the vendor or his agent or representative or delivering to the vendor or his agent any part of the purchase price thereof or any promissory note or other evidence therefor to demand of and receive from such vendor or agent or if the vendor or agent be a corporation then from the President Vice-President Secretary or Managing Agent of such corporation a written statement sworn to substantially as hereinafter provided of the names and addresses of all the creditors of the said vendor to whom said vendor may be indebted together with the amount of the indebtedness due or owing and to become due or owing by said vendor to each of such creditors And it shall be the duty of said vendor or agent to furnish said statement which shall be verified by an oath to the following effect

State of Pennsylvania ss

County of

Before me personally appeared (vendor or agent as the case may be) who being by me first duly sworn upon his oath does depose and say that the foregoing statement contains the names of all the creditors of (the name of the vendor) together with their addresses and that the amount set opposite each of said respective names is the amount now due and owing and which shall become due and owing by (vendor) to such creditors and that there are no creditors holding claims due or which shall become due for or on account of goods wares or merchandise purchased upon credit or on account of money borrowed to carry on the business of which said goods are a part other than as set forth in said statement and in this affidavit are within the personal knowledge of affiant

Subscribed and sworn to before me this day of

(Title of officer taking oath)

Section 2 Thereupon it shall be the duty of the person who shall bargain for or purchase any stock of goods wares or merchandise of any kind or any goods wares or merchandise of any kind and fixtures in bulk at least ten (10) days before the completion of said purchase or the payment therefor to notify personally or by registered mail each of said creditors of the said vendor of said proposed sale the price to be paid therefor the terms and conditions thereof and a copy of the statement of creditors provided for in Section 1 of this Act

Section 3 Whenever any person shall bargain for or purchase any stock of goods wares or merchandise of any kind or any goods wares or merchandise of any kind and fixtures in bulk for cash or on credit and shall pay any part of the purchase price or execute or deliver to the vendor thereof or to his order or to any person for his use any promissory note or other evidence of indebtedness for said purchase price or any part thereof without first having demanded and received from said vendor or from his agent the statement provided for in Section 1 of this Act and verified as there provided and without paying or seeing to it that the purchase money of said property is applied to the payment of the bona fide claims of the creditors of the vendor pro rata as shown upon such verified statement and without first having sent the notices of said sale and said statement of creditors as provided for in Section 2 of this Act then such sale or transfer shall be fraudulent and void Provided however that no proceeding at law or equity shall be brought against the purchaser to invalidate any such sale after the expiration of ninety days from the consummation thereof

Section 4 Any vendor of any stock of goods wares or merchandise of any kind or of goods wares or merchandise of any kind and fixtures in bulk or any person who is acting for or on behalf of any vendor who shall knowingly or wilfully make or deliver or cause to be made or delivered a statement as provided for in Section 1 of this Act which shall not include the names of all of the creditors of such vendor with the correct amount due and to become due to each of them or which shall contain any false or untrue statement shall be deemed guilty of misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding Five Thousand ($5,000) Dollars or to undergo an imprisonment not exceeding six months or both or either at the discretion of the court

Section 5 A sale and transfer or attempted sale and transfer in bulk in contemplation of this act shall be deemed to be any sale or transfer in bulk of the whole or a large part of any stock of goods wares or merchandise of any kind or of goods wares or merchandise of any kind and fixtures otherwise than in the ordinary course of trade and in the regular and usual prosecution of the seller's business Provided however that if such vendor produces and delivers a written waiver of the provisions of this Act from his creditors as shown by such verified statements then in that case the provisions of this Act shall not apply

Section 6 Nothing contained in this act shall apply to sales made under any order of a Court or to any sales made by executors assignees for the benefit of creditors administrators receivers or any public officer in his official capacity or by any officer of a Court

Section 7 Provided that nothing herein contained shall prevent or hinder the vendor from demanding and receiving security from any purchaser or vendee to insure faithful performance of the contract prior to the furnishing the list of creditors as hereinabove set forth

Section 8 Any person or persons firm or corporation or any person or persons acting for or on behalf of any firm or corporation who shall procure from any seller or vendor a list of creditors as hereinabove set forth through fraud misrepresentation or deceit for the purpose of injuring said seller or vendor in his business and not for the purpose of securing the creditors of such seller or vendor as contemplated by this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars

Section 9 All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, J. F.,	McKee,	Snyder, C. A.,
Beidleman,	Graff, W. P.,	McNichol,	Snyder, P. W.,
Buckman,	Hackett,	Miller,	Sones,
Burke,	Haldeman,	Nason,	Sproul,
Catlin,	Hindman,	Patton,	Stewart,
Craig,	Homsher,	Phipps,	Vare,
Croft,	Jenkins,	Salus,	Warner,
Crow,	Jones,	Sassaman,	Wasbers,
Daix,	Kline,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten.
Endsley,	Martin,	Smith, W. W.,	
Eyre,	McConnell,		

NAYS—1.

Leiby,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

The PRESIDENT. The Chair desires to call the attention of the Senators to their not either anwsering to their names, or when answering making answer in so low a tone of voice that they cannot be heard. There are a number of important bills on this calendar to-day, and if later on it should be discovered that somebody was recorded improperly, there will be much objection on the part of the Senator so recorded, and possibly some scandal. Now, let us obviate objection and we will prevent the possibility of scandal by answering to your name when called in a tone that is sufficiently loud to be heard by the Clerk.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 612 (House Bill No. 847), as follows:

An Act to amend section two thousand six hundred twenty of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish

a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand six hundred twenty of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 2620 Such auditors shall begin their duties on the first Monday in July each year and promptly audit the accounts of the school district for which they were appointed including the accounts of the treasurer the school depositories and other school funds for the preceding fiscal year in the manner herein provided On the completion of the audit they shall make a correct duplicate report thereof which shall contain an itemized statement of all receipts expenditures and credits whatsoever of school officials and the assets and liabilities of the district one copy to be filed with the board of school directors of the district and the other copy in the court of common pleas to the number and term in which their appointment was made" is hereby amended to read as follows

Section 2620 Such auditors shall begin their duties on the first Monday in July in each year and promptly audit the accounts of the school district for which they were appointed including the accounts of the treasurer the school depositories and other school funds for the preceding fiscal year in the manner herein provided The auditors shall complete their audit not later than the first day of September in each year and shall file their itemized statement as hereinafter required not later than said first day of September On the completion of the audit they shall make a correct duplicate report thereof which shall contain an itemized statement of all receipts expenditures and credits whatsoever of school officials and the assets and liabilities of the district one copy to be filed with the board of school directors of the district and the other copy in the court of common pleas to the number and term in which their appointment was made

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,	Graff, J. F.,	McConnell,	Smith, W. W.,
Beidleman,	Graff, W. P.,	McKee,	Snyder, C. A.,
Buckman,	Hackett,	McNichol,	Snyder, P. W.,
Burke,	Haldeman,	Miller,	Sones,
Catlin,	Hindman,	Nason,	Sproul,
Craig,	Homsher,	Patton,	Stewart,
Croft,	Jenkins,	Phipps,	Vare,
Crow,	Jones,	Salus,	Warner,
Daix,	Kline,	Sassaman,	Wasbers,
DeWitt,	Leiby,	Schantz,	Weaver,
Endsley,	Lynch,	Semmens.	Whitten,
Eyre,	Martin,	Smith, R. E.,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 770, as follows:

An Act to further amend an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and, providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven by providing for further instruction prior to examination for licensure by clarifying sections five (5) and twelve (12)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day June Anno Domini one thousand nine hundred and eleven which as amended by an act entitled "An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen reads as follows

"Section 5 Applicants for licensure under the provisions of this act shall furnish prior to any examination by the said bureau satisfactory proof that he or she is twenty-one years of age is of good moral character is not addicted to the intemperate use of alcohol or narcotic drugs and has a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and physics all of which have been received before admission to medical study and have attended four graded course of not less than thirty-two weeks of not less than thirty-five hours each of actual work in didactic laboratory and clinical study in different calendar years in some reputable and legally incorporated medical school or college or colleges recognized as such by the Bureau of Medical Education and Licensure of the State of Pennsylvania the dean or proper officer of which college having certified that the applicant has successfully passed each of said respective courses and shall have completed a year as intern in a hospital which shall have at least twenty-five beds to each intern devoted to the treatment of medical surgical gyneacological and special diseases shall maintain or establish co-operation with a maternity department or hospital in which each intern shall have not less than six weeks service or the equivalent thereof during which time he shall have attended or participated in the attendance upon not less than six confinements shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital and the records on file of the cases treated in said hospitals shall give evidence of the laboratory work so done by the intern shall maintain a department of anaesthesia consisting of one or more anaesthetists who shall have supervision over all the anaethesia given in the institution and whose duty it will be to instruct all interns in the administration of anaethetics Nothing in this act however shall be construed as applying to hospitals employing on salary graduate interns whose service is confined exclusively to the said institution A school or college to be reputable under the meaning of this act must conform to the standard required in section three of this act

Applicants from countries foreign to the territory of the United States who desire to be licensed by said bureau shall before examination furnish similar proof as to age moral character use of alcohol and narcotics and shall present a certificate or diploma indicating the completion of a preliminary and medical and surgical education equivalent to the above Each application to the said bureau for examination or licensure shall have attached thereto the affidavit or affirmation of the applicant as to its verity Any applicant stating any fact in his application which shall thereafter be proven to be false shall be deemed guilty of perjury and on conviction shall be subject to its penalties" is hereby amended to read as follows

Section 5 Applicants for licensure under the provisions of this act shall furnish prior to any examination by the said bureau satisfactory proof that he or she is twenty-one years

of age is of good moral character is not addicted to the intemperate use of alcohol or narcotic drugs and has a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and physics all of which have been received before admission to medical study and have attended four graded course of not less than thirty-two weeks of not less than thirty-five hours each of actual work in didactic laboratory and clinical study in different calendar years in some reputable and legally incorporated medical school or college or colleges recognized as such by the Bureau of Medical Education and Licensure of the State of Pennsylvania the dean or proper officer of which college having certified that the applicant has successfully passed each of said respective courses and shall have completed not less than a year as an intern in an approved hospital which shall have at least twenty-five beds to each intern devoted to the treatment of medical surgical gynaecological and special diseases shall maintain or establish cooperation with a maternity department or hospital in which each intern shall have not less than six weeks' service or the equivalent thereof during which time he shall have attended or participated in the attendance upon not less than six confinements shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital and the records on file of the cases treated in said hospitals shall give evidence of the laboratory work so done by the intern shall maintain a department of anaesthesia consisting of one or more anaesthetists who shall have supervision over all the anaesthesia given in the institution and whose duty it will be to instruct all interns in the administration of anaethetics and in the case of applicants of acceptable age and otherwise exceptable to the Federal Government shall have received an approved three months' field course and service in military medicine Nothing in this act however shall be construed as applying to hospitals employing on salary graduate interns whose service is confined exclusively to said institution A school or college to be reputable under the meaning of this act must conform to the standard required in section three of this act

Applicants from countries foreign to the territory of the United States who desire to be licensed by said bureau shall before examination furnish similar proof as to age moral character use of alcohol and narcotics and shall present a certificate or diploma indicating the completion of a preliminary and medical and surgical education equivalent to the above Each application to the said bureau for examination or licensure shall have attached thereto the affidavit or affirmation of the applicant as to its verity Any applicant stating any fact in his application which shall thereafter be proven to be false shall be deemed guilty of perjury and on conviction shall be subject to its penalties

Section 2 Section twelve of said act which reads as follows "The Bureau of Medical Education and Licensure shall refuse to grant a license to practice medicine or surgery to an applicant upon the presentation to said Bureau of Medical Education and Licensure of a court record showing the conviction in due course of law of said persons for producing or aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever and further the Bureau of Medical Education and Licensure upon such evidence and proof shall cause the name of such convicted person if a licentiate to be removed from the record in the office of the Superintendent of Public Instruction

The Bureau of Medical Education and Licensure may refuse revoke or suspend the right to practice medicine or surgery in this State for any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellect and judgment to such an extent as to incapacitate for the performance of professional duties

Any person who is a licentiate under this act or who is an applicant for examination for licensure to practice medicine or surgery in this State against whom are preferred any of the foregoing charges for causing the revocation or suspension of license or for causing refusal of the right to be examined for licensure shall be furnished by the Bureau of Medical Education and Licensure with a copy of the complaint and shall have a hearing before the Bureau or by attorney and witnesses may be examined by said bureau respecting the guilt or innocence of said accused The suspension of license of any licentiate under this act shall be removed when said narcotic or vicious habit herein before specified shall have been adjudged by the said bureau to be cured or overcome and said suspended licentiate deemed capable of practicing his or her profession" is hereby amended to read as follows

The Bureau of Medical Education and Licensure shall refuse to grant a license to practice medicine and surgery or any of its branches to an applicant upon the presentation to said Bureau of Medical Education and Licensure of a court record showing the conviction in due course of law of said person for producing or aiding or abetting in producing a crimnial abortion or miscarriage by any means whatsoever and further the Bureau of Medical Education and Licensure upon such evidence and proof shall cause the name of any physician licensed to practice medicine and surgery or any of its branches in the Commonwealth of Pennsylvania to be removed from the record in the office of the Superintendent of Public Instruction

The Bureau of Medical Education and Licensure may refuse revoke or suspend the right to practice medicine and surgery or any of its branches in this State for any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellect and judgment to such an extent as to incapacitate for the performance of professional duties

Any person who is licensed to practice medicine and surgery or any of its branches in the Commonwealth of Pennsylvania or who is an applicant for examination for licensure to practice medicine and surgery or any of its branches in this State against whom are preferred any of the foregoing charges for causing the revocation or suspension of license or for causing refusal of the right to be examined for licensure shall be furnished by the Bureau of Medical Education and Licensure with a copy of the complaint and shall have a hearing before the bureau or by attorney and witnesses may be examined by said bureau respecting the guilt or innocence of said accused The suspension of license of any person licensed to practice medicine and surgery or any of its branches shall be removed when said narcotic or vicious habit herinbefore specified shall have been adjudged by the said bureau to be cured or overcome and said suspended licentiate deemed capable of practicing his or her profession

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,	Graff, J. F.,	McConnell,	Smith, W. W.,
Beidleman,	Graff, W. P.,	McKee,	Snyder, C. A.,
Buckman,	Hackett,	McNichol,	Snyder, P. W.,
Burke,	Haldeman,	Miller,	Sones,
Catlin,	Hindman,	Nason,	Sproul,
Craig,	Homsher,	Patton,	Stewart,
Croft,	Jenkins,	Phipps,	Vare,
Crow,	Jones,	Salus,	Warner,
Daix,	Kline,	Sassaman,	Wasbers,
DeWitt,	Leiby,	Schantz,	Weaver,
Endsley,	Lynch,	Semmens,	Whitten,
Eyre,	Martin,	Smith, R. E.,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. W. W. SMITH. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 216, on final passage postponed for the present, entitled

An Act relating to the salaries and expenses of the examiners in the Department of Banking.

Mr. JENKINS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 216, entitled

An Act relating to the salaries and expenses of the examiners in the Department of Banking

And the question recurring,

Shall the bill pass finally?

Mr. W. W. SMITH. Mr. President, just a word to explain that this bill is not a salary raiser. It simply puts the employes of this bureau on annual pay instead of a per diem pay.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Eyre,	McConnell,	Smith, R. E.,
Beidleman,	Graff, J. F.,	McKee,	Smith, W. W.,
Buckman,	Graff, W. P.,	McNichol,	Snyder, C. A.,
Burke,	Hackett,	Miller,	Snyder, P. W.,
Catlin,	Hindman,	Nason,	Sones,
Craig,	Homsher,	Patton,	Sproul,
Croft,	Jenkins,	Phipps,	Stewart,
Crow,	Kline,	Salus,	Vare,
Daix,	Leiby,	Sassaman,	Wasbers,
DeWitt,	Lynch,	Schantz,	Weaver,
Endsley,	Martin,	Semmens,	Whitten,

NAYS—3.

Haldeman, Jones, Warner,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Represenatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Mr. McNICHOL. Mr. President, I move that the Senate do now resume the third reading and consideration of Senate Bill No. 588, on third reading postponed for the present, entitled

An Act to amend section fourteen of an act approved the second day of June one thousand nine hundred fifteen entitled "An Act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof."

Mr. BEIDLEMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 588, entitled

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BEIDLEMAN. Mr. President, lest some of the members of the Senate may not understand the provisions of this bill, I desire to call the attention of the Senate to the importance of its passage. Two years ago I think perhaps the most bitter fight that ever took place on the floor of this Senate was waged upon the proposition to bring the miners of Pennsylvania within the provisions of the Workmen's Compensation Law. The members of this Senate who happened to belong to the body at that time will recall that that was a contest and fight which ran over weeks during the session of 1915, and when the matter came to final consideration in the Senate, it was the unanimous will of the members of this body that the miners of Pennsylvania should come within the provisions of the Workmen's Compensation Law, and yet when that compensation fund is created and put into working order, we are confronted with the fact that the insurance which is carried by the Commonwealth of Pennsylvania upon what they call the hazard risks, meaning especially the miners of this Commonwealth, is placed with a company that is not licensed to do business not only in this Commonwealth, but is not licensed to do business in any Commonwealth in this country. The insurance which is carried by the State Insurance Fund is carried in what is known as the London-Lloyds and when a resolution was presented to this body some weeks ago calling upon the Insurance Commissioner to present a report to this Senate indicating what insurance was underwritten by it in its insurance fund, we found a very large amount of that insurance carried in what is known as the London-Lloyds. The only excuse and only reason which has been advanced why that should be so is that it costs the Commonwealth of Pennsylvania $38,000 in excess of what it would cost to carry the insurance with companies licensed to do business within this Commonwealth. For the information of the Senate, I simply desire to state what the London-Lloyds are. It is not a lawfully incorporated company. It is a partnership consisting of approximately twenty-five Englishmen living in the City of London, and if there were a loss which was contested by that insurance partnership, having its place of business on the other side of the waters, the Commonwealth of Pennsylvania, or any person carrying insurance, would be without right to recover upon that except he took his case to England. I respectfully submit, Mr. President, that it becomes the duty of the Commonwealth first and above everyone else to see that she carries her insurance, and the Legislature of this Commonwealth should write upon her statute books the necessity of a requirement to that effect. Before any person can take insurance with a company here, the State requires that the insurance companies shall be licensed to do business within the State, and that brings two things to the Commonwealth, first, a revenue derived from taxation for their right to be here, and secondly, an assurance to the person in whose favor the insurance is carried, that he will have the right to recover and get his money; because the insurance laws of the Commonwealth require that before an insurance company, licensed to do business within the State, shall be permitted to do or carry on its business, it shall deposit with the State a certain reserve. We find more than three hundred thousand workmen of Pennsylvania intended to be covered by the provisions of the workmen's compensation fund, and awaken to the fact that they are not protected by a reliable insurance collectible at home. The insurance company to which I refer is engaged in business of every kind. I could go to one of its agents now, and take out a policy that would guarantee my safe passage across the ocean. I wager I could make a bet, and I could procure insurance insuring the payment of the bet in case I should win it, and I respectfully submit, Mr. President, that Pennsylvania, when she underwrites insurance, should underwrite it in insurance companies which undoubtedly guarantee the payment of the money to the insured. When we passed the Workmen's Compensation Fund in 1915, we did not guarantee the credit of the Commonwealth of Pennsylvania to the payment of insurance policies. When you carry insurance in the Workmens' Compensation Fund, you do not have standing behind that insurance the funds and moneys of the Commowealth as a guarantee for payment, because we find the third section of that act reads as follows: "Certain sums to be paid by employes as hereinafter provided are hereby constituted a fund to be known as the State Workmen's insurance fund for the purpose of insuring such employes agaist liability under Article three of the Workmen's Compensation Act of 1915, and of assuring the payment of compensation therein provided. Such fund shall be administered by the board without liability on the part of the State except as hereinafter provided." And the statement as hereinafter provided is this: In section 28, "the sum of three hundred thousand dollars or so much thereof as may be necessary, is hereby appropriated for the expenses of the organization and administration of the said fund." The only purpose for which the Legislature ever appropriated this money, these three hundred thousand dollars, was to see that the fund should be created and administered, but there is not a single word in that act nor is there a single word in any Act of Assembly which guarantees the payment of insurance by the Commonwealth of Pennsylvania. Mr. President, I respectfully submit, that hazard insurance can be obtained from the companies doing business within the State, and I contend if the officers will not take insurance from licensed companies the Legislature should write on its statute books an Act of Assembly requiring them to do it, and Mr. President, I respectfully ask the careful consideration of this bill upon the part of every member of this Senate in the interest of justice, not only to the companies doing business in the State, but in the interest of that greater justice in favor of the workmen of this Commonwealth, who are obliged to earn their living beneath the ground, and who when they go into what is regarded as the most hazardous employment known to the people of the Commonwealth, they may have insurance if anything befalls them while in that employment, as insurance on other people that the insurance which is carried in their behalf and for the benefit of their families will be met and paid.

Mr. VARE. Mr. President, for the information of the Senate I would just like to explain this bill in a brief way as I understand it. It does not make any difference to me personally whether this bill passes or whether it does not. The facts of this case are that the workmen are not only getting the Insurance Fund of the State behind them but they are also re-insured in Lloyds, so that if Lloyds fail or refuse to pay a claim—in more than one hundred years their credit has never been questioned—but if they did fail or refuse to pay any of these claims, the State fund is still there. The reason for re-insuring the most hazardous claims of the State is for the purpose of not putting your State Insurance Fund in danger of being wiped out by some terrible explosion similar to that which took place last week down in Delaware County. Now the reason that the Insurance Board of the Work-

men's Act went to Lloyds to get insurance was because of the stability of the Lloyds, for one reason, and the other reason was that none of the State Insurance people wanted to reinsure these hazardous risks, the same as the Lloyds do, and, of course, the report from the State Board of the Insurance Fund shows that they took Lloyds after every other insurance company in Philadelphia refused to take them. The Manager of the State Insurance Fund told me recently that if this bill passes it will cost at least thirty-eight thousand dollars more a year to do the same insurance that they insured in Lloyds last year, and it is not true that they will take these hazardous risks at any time. To repeat, I have no interest in the bill except the explanation that the manager of the insurance fund came to me and asked me to repeat it to the Senate. What position would our insurance fund be in to back up these workmen in the State if we had some awful calamity and it wiped out the entire fund? Then the workmen's act, or the insurance fund would become null and void, and those who are insured in it would lose their money. The safe way is to have the insurance fund behind these poor workmen and then have another company behind the Insurance Fund; then the Insurance Fund is safe and the workmen are safe.

Mr. BEIDLEMAN. Mr. President, I simply desire to say in reply to the Senator from Philadelphia that when the Insurance Fund was created, they set up a very unique position with the insurance companies doing business within the Commonwealth, they arbitrarily fixed a rate at which they will sell insurance. They say to the insurance companies doing business within the State that they cannot do business unless they charge ten per cent. higher than State rates. They do not permit insurance companies to do business in this State upon rates which the insurance companies might fix, but they set up an arbitrary rate and then the State Insurance Fund, instead of standing behind its policy holders, instead of creating a reserve which would be good business, I submit, for the purpose of obtaining greater business and endeavoring to declare a dividend on the first year, and I respectfully submit in the application of business rules and business principles there cannot possibly have been earned by the Commonwealth or any individual or any corporation what was returned in the nature of dividends to those taking insurance in the State insurance fund. And when you come to look into the Insurance Fund you find the State not with sufficient reserve, and no obligation upon the part of the State to pay these insurance policies. But even with that condition, would the Senator from Philadelphia or any other person argue that it would be wise or provident to go into a foreign country and take insurance with a company not licensed to do business in any state in the Union and for the sum of thirty-eight thousand dollars. This is the statement which I understood the Senator to make, and I am advised that this company has contested claims. I understand in the County of Lancaster one was contested not very long ago, and I am also advised before you can collect any risk on policies insured by that company you are obliged to go down into your pocket and take therefrom one per cent. of the amount of the insurance and give it to the broker on the other side of the water as payment of his services rendered to the one who is in the State of Pennsylvania, endeavoring to collect his risk because he is suffering his loss or the family may have suffered the loss of his life in the hazardous work which he was called upon to undertake.

Mr. SALUS. Mr. President, in order that we might not be deceived in this matter, let us see if we cannot ascertain just what the story is. My recollection of the passage of that bill is that at the time the bill was framed, was about to be passed, that the insurance companies of Pennsylvania were dissatisfied with the rate and that at the time and before the passage of the bill they openly and notoriously stated that if this Senate and Legislature insisted on these rates, there would be no insurance in Pennsylvania. Now those of us who are familiar with the insurance business and those of us who are familiar with the placing of insurance, know this one thing, there is no closer corporation, no more compact trust combination in all this great United States than the combination of insurance companies. We have no say in our every-day life as to what the rates may be. We have no right to demand insurance if these underwriters get together and say this man cannot have insurance, or the rate in this particular locality is so much, or the rate in this particular locality is so much. There is nothing else left for the residents of this Commonwealth to do but bow their heads and do the inevitable and that is pay the rates. In other words, the insurance combination has the citizens of this and every other community by the throat and they must pay. Now then, there is no reason why the various insurance companies doing business in this Commonwealth cannot have the business if they want the business. Let them meet competition. It is the only experience I have ever known of where the insurance people doing business in the Commonwealth were met face to face with a proposition which said to them, you may grab the people of the Commonwealth by the throat and compel them to pay the rates you say, or you get no insurance. This Commonwealth, has said to Mr. Insurance Combination, we will pay you these rates or get business somewhere else. There is no driving Pennsylvania insurance companies, or those doing business in Pennsylvania away from this business, if the business is worth while having, it is here for them to get, but at the price that other insurance companies are willing to take it, and it does not befit us as members of this Assembly to stand here because of the fact that the insurance companies of Pennsylvania are dissatisfied and take $40,000 of our fund and hand it to the combination that has every citizen of this Commonwealth by the throat, and I think it ill befits us to place this great Commonwealth of Pennsylvania in that same grip or vice. Now insofar as the Lloyds are concerned, it is true it is a combination of wealthy men in England who furnish insurance and they have been furnishing it for years, and I believe it is the strongest combination in the world. They place insurance of every kind, at every time, in every place that is within reason, they charge rates according to their hazard and they have never been known to fail to pay a just obligation. That is the history possibly for one hundred years back or more. This is the time for this Senate to say to that combination, which is the strongest combination of any business in this great United States, this is the time for the Senate to say, "You cannot take Pennsylvania by the throat, you have got its farmer, you have got its laboring man, you have got its business man, and every man buying insurance, kneeling at your footstools, kneeling at your dictation." You have to pay their price or you go without insurance. Nobody in this Senate would do otherwise than like Pennsylvania and home industries to have this business but let them have it at the price outsiders charge. They can have it and it is here for them—but they want this Senate to say to the State of Pennsylvania, "Well, this insurance combination licked you too, and you have to pay the freight same as we, this board of Underwriters dictate or you cannot have the insurance." This one time we have a chance to get back at this great combination and trust and I hope this Senate will not approve of this measure.

Mr. VARE. Mr. President, I would just like to explain very briefly to the Senate that outside insurance companies or insurance companies of the State send agents all around to get business which the State does not do, and of course, the State insures ten per cent. cheaper than the regular companies that have agents all over the State bringing in business. If the State employed a lot of agents and sent them around and paid them a percentage I suppose they could charge ten per cent. more too and compete with the companies, but as they do not do that they are entitled to give a lower rate because the people bring the business to the State and the State does not have to go after that. The fact that Lloyds back up this fund does not make the fund any less substantial, it makes it more substantial. It prevents any occurrence whereby an explosion would wipe out the whole fund and leave the State Insurance Fund, the workmen of the State, with no chance of paying and the workmen with no chance of receiving. Now for the benefit of those who were not members of the Senate when this bill was passed, this very Senate was lined up with all the high insurance men of the State who came here to show the committee that this bill should not pass, and when the Attorney General got through with them he just showed that they made a clear profit on their premiums, the year before, that the lowest company was

sixty-five per cent. and the highest eighty-five per cent. So you know these insurance companies certainly did not buy coal by the bucket that particular winter. I want to say I have no interest in the bill one way or the other.

Mr. McNICHOL. Mr. President, I think the arguments of the Senator from Philadelphia should convince the members of this Senate that this bill should pass. We are now upon the verge of extra taxation that is to be levied throughout the length and breadth of this United States for the purpose of accumulating funds to defend this Commonwealth and these United States with all the money at our command possible. I am engaged in business relations with these men, and have been almost every year all my life for the last twenty-five years, and I have never found a more substantial, more thoroughly reliable body of men in my association with men than I have found in the insurance companies of the United States and of the State of Pennsylvania. If we are going to sit here and permit the United States to levy a condition upon their receipts and profits, say it is sixty-five per cent., then they are to pay to the United States government for the next year or two years probably forty per cent. of the sixty-five per cent., leaving their funds available for their risks in a very precarious condition, and it ill behooves the members of this Senate to say that we will permit men to come from the other side of the water without any restrictions, not the payment of a dollar, and that we, the citizens of this Commonwealth, are to be saddled with this condition. I cannot believe this constitutes the attitude of the Senate, and I hope this bill will pass out of fairness and justice to these members.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,	Graff, J. F.,	McConnell,	Smith, R. E.,
Beidleman,	Graff, W. P.,	McKee,	Snyder, C. A.,
Buckman,	Hackett,	McNichol,	Sones,
Catlin,	Haldeman,	Miller,	Sproul,
Craig,	Hindman,	Nason,	Stewart,
Crow,	Homsher,	Patton,	Warner,
Daix,	Jones,	Phipps,	Wasbers,
DeWitt,	Kline,	Sassaman,	Weaver,
Endsley,	Leiby,	Semmens,	Whitten,
Eyre,	Lynch,		

NAYS—7.

Jenkins,	Salus,	Smith, W. W.,	Vare,
Martin,	Schantz,	Snyder, P. W.,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORTS FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Corporations, reported as committed Senate Bill No. 814, entitled

An Act authorizing any company incorporated under the laws of any other State for the manufacturing, purchasing, and selling of rubber boots, shoes, tires and goods of which rubber, caucho, gutta percha, balata, or any of their substitutes are a component part, and the various materials entering into the manufacturing of any and all of such goods, to erect and maintain buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor.

Also from the Committee on Corporations, reported as committed, Senate Bill No. 820, entitled

An Act authorizing manufacturing corporations now or hereafter organized under the laws of this State to engage in the production of necessary raw material for such manufacturing purposes.

Also from the Committee on Corporations, reported as committed Senate Bill No. 821, entitled

An Act authorizing corporations now or hereafter organized under the laws of this Commonwealth for the purpose of manufacturing to own and operate certain conveyances for the transportation of raw materials and the products manufactured therefrom.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 42, as follows

An Act authorizing a married woman to mortgage or make conveyances of her real estate without her husband joining therein where the husband has by agreement duly executed and acknowledged released his courtesy right or such right or estate as he may have or may inherit after the death of his wife in said real estate, whether he has in said release undertaken and agreed to join in a mortgage deed or deeds for the mortgaging or conveyance of said real estate or not and validating all such mortgages or conveyances heretofore made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any married woman is authorized to mortgage or make conveyances of her real estate without her husband joining therein and as if she were a feme sole if her husband has theretofore executed and duly acknowledged an agreement whereby he the said husband has released his courtesy right in said real estate or has thereby undertaken and agreed to release all of his right interest or estate which he may then have or which he may inherit upon or after the death of his wife in said real estate Such mortgage or conveyances may be made without regard to whether the husband in and by said agreement has undertaken and agreed to join in mortgages or conveyances for said real estate or not

Section 2 All mortgages or conveyances of real estate which have heretofore been made by a married woman without the husband joining therein and which have been duly signed acknowledged and delivered by such married woman and whose husband has theretofore executed and duly acknowledged an agreement whereby he the said husband has released his courtesy right in said real estate or has thereby undertaken and agreed to release all of his right interest or estate which he may then have or which he may inherit upon or after the death of his wife in said real estate are hereby validated and made good in law and this without regard as to whether the said husband in and by said agreement has undertaken and agreed to join in mortgages or conveyances for said real estate or not

And said bill having been read at length the third time,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Beidleman,	Haldeman,	McNichol,	Snyder, C. A.,
Buckman,	Hindman,	Miller,	Snyder, P. W.,
Craig,	Homsher,	Nason,	Sones,
Crow,	Jenkins,	Patton,	Sproul,
Daix,	Jones,	Phipps,	Stewart,
DeWitt,	Kline,	Salus,	Vare,
Endsley,	Leiby,	Sassaman,	Warner,
Eyre,	Lynch,	Schantz,	Wasbers,
Graff, J. F.,	Martin,	Semmens,	Weaver,
Graff, W. P.,	McConnell,	Smith, R. E.,	Whitten,
Hackett,	McKee,	Smith, W. W.,	

NAYS—1.

Baldwin,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 197, entitled

A Joint Resolution proposing an amendment to section six of article eight of the Constitution of Pennsylvania.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. PATTON. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. McCONNELL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 394 (House Bill No. 266), entitled

An Act to amend the first section of an act entitled "An Act to amend the first section of an act approved the fourth day of April Anno Domini one thousand nine hundred and seven entitled 'An Act to fix the salaries of the deputy register clerks and employes in the office of the register of wills of any county of this Commonwealth having a population of one million or over so as to make it apply to counties containing a population of one million four hundred thousand or over" approved the fifth day of May Anno Domini one thousand nine hundred and eleven so as to change the salaries of the said deputy register clerks and employes of the office of register of wills of said counties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, W. P.,	McConnell,	Smith, W. W.,
Beidleman,	Hackett,	McKee,	Snyder, C. A.,
Buckman,	Haldeman,	McNichol,	Snyder, P. W.,
Catlin,	Hindman,	Miller,	Sones,
Craig,	Homsher,	Nason,	Sproul,
Croft,	Jenkins,	Patton,	Stewart,
Crow,	Jones,	Phipps,	Vare,
Daix,	Kline,	Salus,	Warner,
DeWitt,	Leiby,	Sassaman,	Wasbers,
Endsley,	Lynch,	Schantz,	Weaver,
Eyre,	Martin,	Semmens,	Whitten,
Graff, J. F.,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 494, entitled

An Act authorizing the courts of common pleas to order the sale in certain cases to transfer to remainder interests of real property devised by will to a person or persons for life with a vested remainder to others

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. ENDSLEY. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 508, entitled

An Act regulating the fees of notaries public

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. LEIBY. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. SASSAMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 521 (House Bill No. 308), entitled

An Act to amend section one of an act approved the twenty-second day of April, one thousand nine hundred thirteen entitled "An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia, or rabies, after having been bitten by any animal believed to be suffering therefrom; repealing all prior acts relating hereunto; and providing for the payment of expenses for such treatment heretofore incurred in good faith," by providing for payment of expenses for treatment of all persons bitten by dogs by the county from the fund collected from the taxation of dogs.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Baldwin,	Graff, W. P.,	McKee,	Smith, W. W.,
Beidleman,	Hackett,	McNichol,	Snyder, C. A.,
Buckman,	Haldeman,	Miller,	Snyder, P. W.,
Catlin,	Hindman,	Nason,	Sones,
Craig,	Homsher,	Patton,	Sproul,
Croft,	Jenkins,	Phipps,	Stewart,
Crow,	Jones,	Salus,	Vare,
Daix,	Kline,	Sassaman,	Warner,
DeWitt,	Leiby,	Schantz,	Wasbers,
Endsley,	Lynch,	Semmens,	Weaver,
Eyre,	Martin,	Smith, R. E.,	Whitten,
Graff, J. F.,	McConnell,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return the same to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 543, as follows:

An Act defining cold storage and regulating time of storage of certain articles of food and providing penalties for the violation of the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of this act "cold storage" shall mean the storage or keeping of articles of food at or below a temperature above zero of thirty-four (34) degrees Fahrenheit in a cold storage warehouse "Cold storage warehouse" shall mean any place artificially cooled to or below a temperature above zero of thirty-four degrees Fahrenheit in which articles of food are placed and held for thirty days or more "Articles of food" shall mean fresh meat and fresh meat products and all fresh food fish game poultry eggs and butter

Section 2 No person firm or corporation shall maintain or operate a cold storage warehouse without a license so to do issued by the Dairy and Food Commissioner Any person firm or corporation desiring such a license shall make written application to the Dairy and Food Commissioner for that purpose stating the location of the warehouse The Dairy and Food Commissioner thereupon shall cause an examination to be made of said warehouse and if it be found by him to be in a proper sanitary condition and otherwise properly equipped for its intended use he shall issue a license authorizing the applicant to operate the same as a cold storage warehouse during one year The license shall be issued upon payment by the applicant of a license fee of fifty dollars ($50) to the Treasurer of the State

Section 3 In case any cold storage warehouse or any part thereof shall at any time be deemed by the Dairy and Food Commissioner to be in an unsanitary condition or not properly equipped for its intended use he shall notify the licensee of such condition and upon the failure of the licensee to put such cold storage warehouse in a sanitary condition or to properly equip the same for its intended use within a time to be designated by the Dairy and Food Commissioner he shall revoke such license

Section 4 Every such licensee shall keep accurate records of the articles of food received in and of the articles of food withdrawn from his cold storage warehouse and the Dairy and Food Commissioner shall have free access to such records at any time

Section 5 The Dairy and Food Commissioner shall inspect and supervise all cold storage warehouses and make such inspection of articles of food therein as he may deem necessary to secure the proper enforcement of this act and

he shall have access to all cold storage warehouses at all reasonable times The Dairy and Food Commissioner may appoint such persons as he deems qualified to make any inspection under this act

Section 6 No article of food intended for human consumption shall be placed received or kept in any cold storage warehouse if knowingly diseased tainted or otherwise unfit for human consumption or knowingly in such condition that it will not keep wholesome for human consumption No article of food for use other than for human consumption shall be placed received or kept in any cold storage warehouse unless previously marked in accordance with forms to be prescribed by the Dairy and Food Commissioner in such a way as to indicate plainly the fact that such article of food is not to be sold or used for human food

Section 7 No person firm or corporation shall place receive or keep in any cold storage warehouse in this State articles of food unless the same shall be plainly marked stamped or tagged either upon the container in which they are packed or upon the article of food itself with the month and year when placed therein or in the case of articles of food being stored therein in bulk the month and year of original storage shall be marked upon the doors or walls of the rooms in which the same are stored and when such articles are removed such month and year shall be marked upon the container in which the same shall be removed and no person firm or corporation shall remove or allow to be removed such articles of food from any cold storage warehouse unless the same shall be plainly marked stamped or tagged either on the container in which it is enclosed or upon the article of food itself with the month and year of such removal and such marks stamps and tags shall be prima facie evidence of such receipt and removal of the dates thereof All articles of food in any cold storage warehouse at the time this act goes into effect shall before being removed therefrom be plainly marked stamped or tagged with the month and year when this act goes into effect and the date of removal therefrom

Section 8 No person firm or corporation shall hereafter keep or permit to remain in any cold storage warehouse any article of food which has been held in cold storage either within or without the State for a longer aggregate period than twelve months

Section 9 It shall be unlawful to sell or to offer for sale any article of food which has been held for a period of thirty days or over in cold storage either within or without the State without notifying persons purchasing or intending to purchase the same that it has been so held by the display of a placard plainly and conspicuously marked "Cold Storage Goods" on the bulk mass or articles of food and it shall be unlawful to represent or advertise as fresh any article of food which has been held in cold storage for a period of thirty days or over

Section 10 It shall be unlawful to return to any cold storage warehouse any article of food which has been once released from storage for the purpose of placing it on the market for sale It shall be unlawful to transfer any article of food from one cold storage warehouse to another if such transfer is made for the purpose of avoiding any provision of this act and such transfer shall be unlawful unless all prior stampings markings and taggings upon such article shall remain thereon

Section 11 The Dairy and Food Commissioner may make all necessary rules and regulations to carry this act into effect Such rules and regulations shall be filed in the Commissioner's office and shall not take effect until thirty (30) days after such filing

Section 12 Any person firm or corporation violating any provision of this act shall be guilty of a misdemeanor and shall upon conviction be punished for the first offense by a fine not exceeding two hundred dollars ($200) and for the second or any subsequent offense by a fine not exceeding three hundred dollars ($300) or by an imprisonment of not more than one year or by both such fine and imprisonment in the discretion of the court

Section 13 An act approved the sixteenth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred sixteen) entitled "An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof" and the amendments thereto and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Graff, W. P.,	McNichol,	Semmens,
Beidleman,	Hackett,	Miller,	Smith, W. W.,
Buckman,	Haldeman,	Nason,	Snyder, C. A.,
Catlin,	Jenkins,	Patton,	Sones,
Crow,	Jones,	Phipps,	Sproul,
Daix,	Kline,	Salus,	Warner,
DeWitt,	Lynch,	Sassaman,	Wasbers,
Endsley,	Martin,	Schantz,	
Graff, J. F.,	McConnell,		

NAYS—8.

Hindman,	McKee,	Snyder, P. W.,	Vare,
Leiby,	Smith, R. E.,	Stewart,	Whitten,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 670, entitled

An Act to increase the powers of courts in proceedings for desertion and non-support of wives, children or aged parents, and in proceedings for failure to comply with orders of court in fornication and bastardy proceedings or other proceedings for the support of illegitimate children; directing that imprisonment in such cases be at hard labor in such institution as the court shall name; providing for the payment by such institution, or in certain cases by the county from which the defendant was committed, of the sum of sixty-five cents per day, to be paid to the person designated by the order of the court; providing for the issuance of attachments and for the disbursement of moneys collected on forfeiture of bonds, bail bonds or recognizances; and providing for the payment by the county of the expenses incident to carry out this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Baldwin,	Graff, J. F.,	McConnell,	Snyder, C. A.,
Beidleman,	Graff, W. P.,	McKee,	Snyder, P. W.,
Buckman,	Hackett,	McNichol,	Sones,
Catlin,	Haldeman,	Miller,	Sproul,
Craig,	Hindman,	Nason,	Stewart,
Croft,	Homsher,	Patton,	Vare,
Crow,	Jenkins,	Phipps,	Warner,
Daix,	Jones,	Salus,	Wasbers,
DeWitt,	Kline,	Sassaman,	Weaver,
Endsley,	Lynch,	Schantz,	Whitten,
Eyre,	Martin,	Semmens,	

NAYS—1.

Leiby,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the Chair.

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I move that Senate Bill No. 690 (House Bill No. 738), on second reading, entitled

An Act vesting in the persons appointed by the county commissioners of the several counties of this Commonwealth to inspect and repair county roads improved and maintained by such counties the power and authority now vested by law in the constables of the several cities, boroughs and townships of this Commonwealth for the preservation of the peace in and along such roads and for the enforcement of acts of Assembly regulating the speed of automobiles and other vehicles thereon and for the enforcement of rules and regulations governing the use of such roads, designating such persons county road caretakers and providing for badges evidencing their authority.

be recommitted to the Committee on Judiciary General.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 691 (House Bill No. 856), entitled

An Act to further amend section fifteen of an act approved the twenty-second day of June, one thousand eight hundred and ninety-one, entitled "An Act to provide for

the selection of a site and the erection of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor," as amended, fixing the maximum for maintenance weekly per capita.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Baldwin,	Hackett,	McNichol,	Snyder, C. A.,
Buckman,	Haldeman,	Miller,	Snyder, P. W.,
Catlin,	Hindman,	Nason,	Sones,
Craig,	Homsher,	Patton,	Sproul,
Croft,	Jenkins,	Phipps,	Stewart,
Crow,	Jones,	Salus,	Vare,
Daix,	Kline,	Sassaman,	Warner,
DeWitt,	Leiby,	Schantz,	Wasbers,
Endsley,	Lynch,	Semmens,	Weaver,
Eyre,	Martin,	Smith, R. E.,	Whitten,
Graff, J. F.,	McConnell,	Smith, W. W.,	Beidleman,
Graff, W. P.,	McKee,		Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 710, entitled

An Act to amend an act approved the seventeenth day of April one thousand eight hundred seventy-six entitled "An Act relating to appeals in cases of summary convictions"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Graff, J. F.,	Martin,	Smith, R. E.,
Buckman,	Graff, W. P.,	McConnell,	Snyder, C. A.,
Catlin,	Haldeman,	McKee,	Snyder, P. W.,
Craig,	Hindman,	McNichol,	Sones,
Croft,	Homsher,	Nason,	Vare,
Crow,	Jenkins,	Patton,	Wasbers,
Daix,	Kline,	Phipps,	Weaver,
DeWitt,	Leiby,	Sassaman,	Whitten,
Endsley,	Lynch,	Semmens,	Beidleman,
Eyre,			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. McKEE. Mr. President, at the request of the sponsor, I ask that Senate Bill No. 725, on third reading, entitled

An Act requiring cities of the second class to give an increase of at least one hundred and fifty dollars per year to all employes now drawing a salary of fifteen hundred dollars per annum or less and providing a method to enforce the provisions of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 745, entitled

An Act to validate affidavits acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Baldwin,	Haldeman,	Nason,	Sones,
Buckman,	Hindman,	Patton,	Sproul,
Catlin,	Homsher,	Phipps,	Stewart,
Crow,	Jenkins,	Salus,	Vare,
Daix,	Jones,	Sassaman,	Warner,
DeWitt,	Kline,	Schantz,	Wasbers,
Endsley,	Leiby,	Semmens,	Weaver,
Eyre,	Lynch,	Smith, R. E.,	Whitten,
Graff, J. F.,	Martin,	Smith, W. W.,	Beidleman,
Graff, W. P.,	McConnell,	Snyder, P. W.,	Pres. pro tem.
Hackett,	McNichol,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 755 (House Bill No. 8), entitled

An Act validating certain elections of counties, cities, boroughs, townships, school district and other incorporated districts, held pursuant to the provisions of an act, approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto, and validating bonds issued or authorized to be issued, in pursuance of such elections.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Hackett,	Nason,	Sproul,
Buckman,	Haldeman,	Phipps,	Stewart,
Catlin,	Hindman,	Sassaman,	Vare,
Crow,	Homsher,	Semmens,	Wasbers,
Daix,	Jenkins,	Smith, R. E.,	Weaver,
DeWitt,	Jones,	Smith, W. W.,	Whitten,
Endsley,	Leiby,	Snyder, C. A.,	Beidleman,
Eyre,	Lynch,	Snyder, P. W.,	Pres. pro tem.
Graff, J. F.,	Martin,	Sones,	
Graff, W. P.,	McConnell,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 768, entitled

An Act providing a method of establishing title to land acquired at a sale for unpaid taxes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Baldwin,	Hackett,	McNichol,	Snyder, P. W.,
Buckman,	Haldeman,	Miller,	Sones,
Catlin,	Hindman,	Nason,	Sproul,
Craig,	Homsher,	Patton,	Stewart,
Croft,	Jenkins,	Phipps,	Vare,

Crow,	Jones,	Salus,	Warner,
Daix,	Kline,	Sassaman,	Wasbers,
DeWitt,	Leiby,	Schantz,	Weaver,
Endsley,	Lynch,	Semmens,	Whitten,
Eyre,	Martin,	Smith, R. E.,	Beidleman,
Graff, J. F.,	McConnell,	Smith, W. W.,	Pres. pro tem.
Graff, W. P.,	McKee,	Snyder, C. A.,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 776, as follows:

An Act relating to free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties cities boroughs town and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "municipality" wherever used in this act shall be interpreted as meaning any county city borough town or township as the case may be

Section 2 The term "municipal authorities" wherever used in this act shall be interpreted as meaning the mayor and council of any city the burgess and council of any borough or town the supervisors of any township or the commissioners of any county as the case may be

Section 3 Any municipality may make appropriations to establish or maintain or both a free public non-sectarian library for the use of the residents of such municipality The appropriations for maintenance shall not exceed two mills on the dollar on all taxable property annually Special taxes for these purposes may be levied on the taxable property of the municipality or the same may be levied and collected with the general taxes

Section 4 The municipal authorities of any municipality may submit to the qualified electors of such municipality at any election the question of establishing or maintaining or both a free public non-sectarian library and must submit such question if petitioned for by three per centum of the voters at the next preceding general election At such election the question of establishing an annual tax at a certain rate not exceeding two mills on the dollar on all taxable property of the municipality shall be submitted and voted upon

Section 5 If the majority of votes cast upon this question shall be in favor of establishing such tax rate the municipal authorities at the first meeting following the official announcement of the result of such election shall take the necessary steps to levy and collect the tax so levied and shall appoint a board of library directors as provided in section nine of this act Said board shall have exclusive control of the library so established or maintained or both and shall be governed as provided in other sections of this act

Section 6 The rate of tax so voted shall be an annual tax rate until another vote is taken changing the same provided that the municipal authorities may increase said rate not to exceed two mills on the dollar on all taxable property of the municipality without submitting the question to a vote The tax shall be levied and collected in like manner as other taxes in the municipality and shall be in addition to all other taxes and shall be used for no other purpose than that of establishing or maintaining or both a free public library The money so raised shall be under the exclusive control of the board of library directors provided in section nine of this act

Section 7 If the residents of any municipality shall raise by popular subscription a sum equal to or exceeding the gross amount of a two mill tax on all taxable property in the municipality and shall offer the sum so subscribed to the municipality for the purpose of establishing a free public non-sectarian library said sum shall be accepted by the municipal authorities and shall be used for the sole purpose of establishing such library Provided not more than two per centum of the said sum shall be subscribed by one individual or firm Said subscription may be made payable in four quarterly payments and shall be in such form as to be collectable by legal process if necessary

Section 8 In case of the establishment of a free public non-sectarian library under the provisions of section seven of this act the municipal authorities shall immediately place the sum so subscribed under the control of a board of library directors appointed as provided in sectioin nine of this act and proceed to levy and collect a tax at the annual rate of not less than one half mill nor more than two mills on the dollar on all taxable property in the municipality for the purpose of maintaining the library so established

Section 9 The affairs of all public libraries established or maintained or both under the provisions of the preceding sections of this act shall be under the exclusive control of a board of library directors to be composed of not less than five nor more than seven members as may be decided by the municipal authorities who shall appoint the members and fill any vancancies occuring from any cause The first appointees shall be appointed as nearly as may be one-third for one year one-third for two years and one-third for three years All appointments to fill the places of those whose terms expire shall be for a term of three years Vacancies shall be filled for the unexpired terms No member of this board shall receive any salary for his services as such

Section 10 The Board of library directors shall organize as soon as may be after appointment by the election of a president a secretary and a treasurer from its membership and such other officers and agents as the board may deem necessary The treasurer shall give bond to the municipality with satisfactory surety in such amount as the board may determine

Section 11 Two or more municipalities may unite in establishing or maintaining or both a free library under the terms of an agreement entered into between them Said agreement shall be in writing and shall set forth the purpose the terms as to support and control and the conditions under which the agreement shall be altered or terminated Said agreement shall not be valid until it has been accepted by a majority vote of the municipal authorities of each of the municipalities agreeing thereto and signed by the proper officer of each of said municipalities

Section 12 Any municipality may make appropriations not to exceed two mills on the dollar on all taxable property in the municipality to maintain or aid in the maintenance of a free library established otherwise than under the provisions of sections three four and seven of this act provided that the municipal authorities shall be represented by two members of the board having control of the affairs of said library

Section 13 Any municipality may contract with the managers or owners of any existing non-sectarian library for the free use of such library by the residents of such municipality whether said library is located in the same or in another municipality The term of such contract shall be three years but it may be renewable as therein provided

Section 14 The municipality may appropriate annually from the taxes levied and collected for municipal purposes an amount not to exceed two mills on the dollar on all taxable property in the municipality for the purpose specified in section thirteen of this act

Section 15 When the county commissioners of any county levy a tax for the purpose of establishing or maintaining or both a free public non-sectarian library they are hereby authorized to exempt from said levy all taxable property in any municipality which is already levying a tax for the purpose of maintaining a free library provided however that the municipal authorities of such municipality may elect to join with the county in establishing or maintaining or both such library in which case the taxable property in such municipality shall be included in such tax levy by the county commissioners and the free library in such municipality shall become a part of the county library system and be supported from the tax for maintaining the county library

Section 16 All monies appropriated for the establishment or maintenance or both of a free public non-sectarian library and all monies if any received from other sources for its use shall be under the exclusive control and shall be disbursed under the direction of the board of library directors who shall make an annual report to the proper municipal authorities The accounts of the treasurer of the board of library directors shall be audited as in the case of other municipal expenditures

Section 17 The annual report required by the last preceding section shall cover the fiscal year of the municipality Said report shall contain an itemized statement of all receipts from whatever source and expenditures and shall show the condition of the library and any branches thereof the number of volumes maps pamphlets and other material the number added by purchase gift or otherwise the number lost or withdrawn the number of registered borrowers and readers a classified statement of the circulation of material with such other information and suggestions as may seem desirable A copy of each report made to the municipal authorities shall be sent to the State Free Library Commission

Section 18 The Board of library directors may establish branches deposit stations traveling libraries and such other agencies as it may deem necessary to bring the books within convenient reach of all the residents

Section 19 Every library established or maintaiued or both under the provisions of this Act shall be free to the use of all the residents of the municipality subject to such reasonable rules and regulations as the board of library directors may adopt and the board may exclude from the use of the library any person who may wilfully violate such rules The board may extend the privileges of such library to persons residing outside the limits of such municipality upon such terms and conditions as the board may prescribe

Section 20 It shall be lawful for any municipality or any corporation owning or managing a free public non-sectarian library to take and hold any property real or personal or both for library purposes and any person desiring to make donations of books money personal property or real estate for the benefit of a free public non-sectarian library whether established or maintained under the provisions of this act or not may vest

the title thereto in the municipality or the corporations having control of the affairs of the said library to be held and controlled by said municipality or corporation according to the terms of the deed gift devise or bequest and as to such property the said municipality or corporation shall be held to be special trustee but in the absence of restrictions by the terms of such donation deed gift devise or bequest the said property shall be controlled and administer by the board of library directors or by the corporation as the case may be

Section 21 Whenever there is in any municipality a free public non-sectarian library which is open to the use of all the residents thereof no new library shall be there established under the provisions of this Act but all public aid hereby authorized shall be given to such existing library under proper agreement to enable it to meet as far as possible the needs of such residents Provided however that wherever there may be at the time of the passage of this Act two or more such libraries receiving aid from the same municipality the appropriation authorized by this Act shall be divided between said libraries according to the terms of an agreement previously entered into between said libraries

Section 22 Any municipality is hereby authorized to purchase or set apart lands and buildings or parts of buildings already owned by it or both to erect or lease buildings to be used for free library work or to alter buildings already erected so as to make them suitable for such use and it is hereby authorized to provide for the cost of the same as in the case of other buildings to be used for municipal purposes

Section 23 Any municipality may by ordinance or resolution purchase enter upon and appropriate private property within its limits for the purpose of erecting or enlarging public library buildings

Section 24 Whenever any municipality shall appropriate private property for public library purposes and the municipality cannot agree with the owners thereof for the price to be paid therefor or when by reason of the absence or legal incapacity of the owner thereof no such compensation can be agreed upon the court of common pleas or any judge thereof in vacation on application thereto by petition by the municipal authorities of any person interested shall appoint a board of viewers for the assessment of damages caused by such appropriation as in such cases provided.

Section 25 The proceedings before the viewers for the allowance of damages for property taken injured or destroyed and the proceeding upon their report shall be as provided in other cases where such municipality appropriates private property for municipal purposes

Section 26 If five per centum of the registered voters of any municipality shall petition the municipal authorities to submit the question of creating a bonded indebtedness for purchasing grounds and erecting buildings for library purposes the said authorities must submit such question at the next ensuing election

Section 27 Any building which shall be owned and occupied by a free public non-sectarian library and the land on which it stands and that which is immediately and necessarily appurtenant thereto shall be exempt from all county city borough town school bounty poor or road taxes notwithstanding the fact that some portion or portions of said building or lands appurtenant may be yielding rentals to the corporation or association managing such library provided that the net receipts of said corporation or association from rentals shall be used solely for the purpose of maintaining the said library All gifts devices grants or endowments made to such a library and for such purposes shall be free from collateral inheritance tax and any gifts endowments or funds of such a library which are invested in interest bearing securities the income from which is used solely for the purchase of books or the maintenance of such library shall be exempt from any State tax on money at interest

Section 28 This act shall not in any way affect any agreement or agreements heretofore made by any municipality under any prior act relating to free public libraries but all such agreements are hereby ratified and are to continue as binding contracts between the parties

Section 29 Any one who shall wilfully cut mutilate mark or otherwise injure any book volume map chart magazine newspaper painting engraving or other property of or deposited in any free library shall be deemed to be guilty of a misdemeanor and may be prosecuted for said offense before any court of competent jurisdiction and upon conviction thereof shall be liable to a fine of not more than twenty-five dollars and costs of prosecution or to imprisonment in the county jail not exceeding fifteen days or both at the discretion of the court the said fine when collected to be for the use of the said library against which the aforesaid offense was committed The Following Acts of Assembly and Parts of Acts viz

An act entitled "An act appropriating the tax on dogs to the support of public libraries in boroughs" approved the twenty-third day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred sixty-four)

An act entitled "An act empowering any city in this Commonwealth to take and hold donations of money books real and personal property for the purposes of a free library in said city and to make appropriations to maintain the same" approved the twenty-third day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred seventy-nine)

An act entitled "An act to authorize cities of the first class of the Commonwealth of Pennsylvania to levy a tax and make appropriations for the establishment and maintenance of free libraries" approved the seventh day of June one thousand eight hundred ninety-five (Pamphlet Laws one hundred seventy)

An act entitled "An act to authorize boroughs of the Commonwealth of Pennsylvania to make appropriations for the establishment and maintenance of free public libraries" approved the twenty-fifth day of May one thousand eight hundred ninety-seven (Pamphlet Laws eighty-four)

An act entitled "An act authorizing borough councils or school boards of this Commonwealth to purchase acquire take use and appropriate private property for public library purposes and providing the manner in which damages sustained thereby shall be assessed and collected" approved the eleventh day of May one thousand nine hundred one (Pamphlet Laws one hundred sixty-nine

An act entitled "An act to authorize the co-operation of cities of the third class school districts thereof and incorporated library associations therein for the erection and maintenance of free public libraries" approved the twenty-second day of May one thousand nine hundred one (Pamphlet Laws two hundred eighty-eight)

An act entitled "An act exempting from taxation the lands buildings and funds of free public non-sectarian libraries in boroughs and townships yielding revenues only partially sufficient for the maintenance of the same" approved the twenty-ninth day of May one thousand nine hundred one (Pamphlet Laws three hundred forty-one)

An act entitled "An act for the establishment and maintenance of public libraries in cities of the second and third class and in borough" approved the seventeenth day of June one thousand nine hundred one (Pamphlet Laws five hundred sixty-nine)

An act entiled "An act supplementary to an act entitled 'An act to authorize the cities of the first class of the Commonwealth of Pennsylvania to levy a tax and make appropriations for the establishment and maintenance of free libraries' approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five authorizing cities of the first class to enter into contracts and agreements with the donor or donors of funds for the erection of free libraries or branches thereof or his or their representatives and to provide sites for the erection and funds for the maintenance thereof" approved the twentieth day of March one thousand nine hundred three (Pamphlet Laws forty-six)

An act entitled "An act to authorize boroughs of the Commonwealth of Pennsylvania to contract with the duly constituted managers or owners of existing non-sectarian public libraries for the free use of such libraries by the residents of such boroughs and to make appropriations for the hiring and procuring of such free use" approved the twenty-second day of April one thousand nine hundred five (Pamphlet Laws two hundred eighty-one)

An act entitled "An act to provide for the establishment and maintenance of free public libraries on a permanent basis in all municipalities throughout the Commonwealth of Pennsylvania except in cities of the first second and third class townships and counties in same manner as is now provided in case of boroughs" approved the sixth day of June one thousand nine hundred seven (Pamphlet Laws four hundred twenty-one)

Chapter ten of an act entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve)

And all other acts and parts of acts general special or local appertaining to the subject matter covered by this act be and the same are hereby repealed it being intended that this act shall furnish a complete and exclusive system in itself so far as relates to free public non-sectarian libraries supported wholly or in part by the several municipalities of the Commonwealth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,	Haldeman,	Miller,	Snyder, P. W.,
Catlin,	Homsher,	Nason,	Sones,
Crow,	Jenkins,	Patton,	Sproul,
Daix,	Kline,	Phipps,	Vare,
DeWitt,	Leiby,	Salus,	Warner,
Endsley,	Lynch,	Sassaman,	Wasbers,
Eyre,	Martin,	Schantz,	Weaver,
Graff, J. F.,	McConnell,	Smith, R. E.,	Whitten,
Graff, W. P.,	McKee,	Smith, W. W.,	Beidleman,
Hackett,	McNichol,	Snyder, C. A.,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 792, entitled

An Act authorizing and empowering the several counties of this Commonwealth to locate, lay out, open, construct and maintain public bridges whether wholly or partly within any city, borough or township therein, across any river or stream dividing or separating any part of said county from any other part thereof, together with the necessary bridge approaches, viaduct or other approaches, to conveniently connect the same with existing streets or public roads in such cities, boroughs or townships; authorizing the cities and boroughs wherein such bridges are located, to share in the cost thereof and to provide approaches therefor; authorizing the taking and appropriation of property and rights of property, public or private, for such purposes; providing a method for making compensation for property taken, injured or destroyed thereby; authorizing the several counties to enter upon and over public streets or roads in cities, boroughs or townships for said purposes; authorizing the several counties to appropriate money, levy taxes and incur indebtedness therefor; and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street railway, telegraph, telephone or other corporations or persons making use thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Baldwin,	Haldeman,	Phipps,	Stewart,
Buckman,	Homsher,	Sassaman,	Wasbers,
Catlin,	Lynch,	Semmens,	Weaver,
Craig,	Martin,	Smith, R. E.,	Whitten,
Crow,	McConnell,	Smith, W. W.,	Beidleman,
Daix,	McKee,	Snyder, P. W.,	Pres. pro tem.
DeWitt,	McNichol,	Sones,	
Endsley,	Nason,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 797, entitled

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million five hundred thousand

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,	Haldeman,	Miller,	Snyder, P. W.,
Buckman,	Homsher,	Nason,	Sones,
Catlin,	Jenkins,	Patton,	Sproul,
Crow,	Kline,	Phipps,	Vare,
Daix,	Lynch,	Sassaman,	Wasbers,
Endsley,	Martin,	Schantz,	Weaver,
Eyre,	McConnell,	Semmens,	Whitten,
Graff, J. F.,	McKee,	Smith, W. W.,	Beidleman,
Graff, W. P.,	McNichol,		Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 813, as follows:

An act relating to the assessment and payment of damages to owners of property abutting on State highways in certain counties damaged by a change of the existing lines and location of such State highway imposing certain powers and duties upon the Highway Commissioner and the county commissioners and providing for the payment of such damages by such counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That before the Highway Commissioner shall in any county having a population of less than eight hundred thousand inhabitants undertake the construction reconstruction or improvement of any State highway on the plan of the State highways wherein a change of existing lines and location is necessary and damage is likely to result to abutting property he shall notify the county commissioners of the proper county in writing of the contemplated change in such existing lines and location whereupon the county commissioners when possible shall enter into an agreement with the owner or owners of said property as to amount of damage to be paid to said owner or owners which damage if agreed upon shall be paid by the county or in case an agreement satisfactory to the county commissioners and the said owner or owners cannot be made the State Highway Commissioner may proceed with the work of construction reconstruction or improvement and the owner or owners of said property damaged thereby may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages The proceedings upon said petition and by the viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for laying out and opening public highways and such damages when ascertained shall be paid by the county in which the State highway is located

Section 2 All acts and parts of acts of Assembly inconsistent with this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Graff, J. F.,	Phipps,	Sproul,
Buckman,	Graff, W. P.,	Salus,	Stewart,
Catlin,	Jenkins,	Sassaman,	Vare,
Croft,	Martin,	Schantz,	Warner,
Crow,	McConnell,	Semmens,	Wasbers,
Daix,	McNichol,	Smith, W. W.,	Weaver,
DeWitt,	Miller,	Snyder, C. A.,	Beidleman,
Endsley,	Nason,	Sones,	Pres. pro tem.
Eyre,	Patton,		

NAYS—5

Haldeman,	Lynch,	McKee,	Smith, R. E.,
Homsher,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 817, entitled

An Act to amend the second section of an act approved the thirteenth day of June, Anno Domini nineteen hundred and eleven, entitled "An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand, a Board of assessment and revision of taxes for State and county purposes, prescribing the method of their appointment, their powers and duties; fixing their salary, to be paid by the proper county; and abolishing the office of ward, borough and township assessors, in so far as respects the assessment of state and county taxes" by changing the pay of subordinate assessors from four to five dollars per day

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Graff, W. P.,	Nason,	Sones,
Buckman,	Haldeman,	Patton,	Vare,
Catlin,	Homsher,	Phipps,	Warner,
Crow,	Jenkins,	Schantz,	Wasbers,
Daix,	Lynch,	Semmens,	Weaver,
DeWitt,	Martin,	Smith, R. E.,	Whitten,
Endsley,	McConnell,	Smith, W. W.,	Beidleman,
Eyre,	McNichol,	Snyder, C. A.,	Pres. pro tem.
Graff, J. F.,	Miller,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 829 (House Bill No. 1087), entitled

An Act to give exclusive jurisdiction to the municipal court of Philadelphia over all houses of detention established within the limits of the city of Philadelphia providing that the board of managers of the said houses of detention shall be appointed and removed by the judges of the municipal court of Philadelphia and repealing all acts or parts of acts inconsistent herewith.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. VARE. Mr. President, I ask unanimous consent to amend the title, page 1, line 3, by inserting after the word "Philadelphia" the following words: "for the care of delinquent, dependent and neglected children;" also in section 1, page 1, line 7, by inserting after the word "Philadelphia" the following words: "for the care of delinquent, dependent and neglected children."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 831, entitled

An Act fixing the compensation of registers of wills in counties containing a population of one million five hundred thousand and upwards for services rendered the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Baldwin,	Graff, W. P.,	McNichol,	Warner,
Buckman,	Haldeman,	Nason,	Wasbers,
Catlin,	Homsher,	Patton,	Weaver,
Crow,	Jenkins,	Semmens,	Whitten,
Daix,	Kline,	Snyder, C. A.,	Beidleman,
DeWitt,	Lynch,	Sones,	Pres. pro tem.
Eyre,	Martin,	Vare,	
Graff, J. F.,	McConnell,		

NAYS—1.

Smith, W. W.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORTS FROM COMMITTEES.

Mr. McKEE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McKEE, from the Committee on Military Affairs, re-reported as committed Senate Bill No. 702 (House Bill No. 612), entitled

An Act providing for the organization, government, discipline, maintenance and regulation of the armed land forces of this Commonwealth.

Also from the Committee on Appropriations, re-reported as committed Senate Bill No. 729, entitled

An Act to provide for an additional law judge of the several courts of the Thirty-eighth Judicial District.

Also from the Committee on Banks and Building and Loan Associations, reported as committed Senate Bill No. 730, entitled

An Act empowering banks and trust companies to accept drafts and issue letters of credit.

Mr. KLINE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Judiciary General, re-reported as committed Senate Bill No. 617, entitled

An Act providing for and regulating the maintenance and government of a county home in each county of the State for indigent orphans and for delinquent incorrigible indigent dependent and neglected children under sixteen years of age and providing for their commitment thereto.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 646 (House Bill No. 854), entitled

An Act providing for the appointment of probation officers in certain counties fixing their powers, duties and salaries.

Also from the Committee on Judiciary General, reported as amended Senate Bill No. 786, entitled

A supplement to an act, entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State or municipal corporation concerned and giving persons whose property is thereby taken, injured or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such Commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases; and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled "An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains," by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act approved the fourth day of June, 1883, entitled "An Act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals;" and an act entitled "To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars," approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled "An Act to provide for the incorporation and regulation of certain corporations," approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act," requiring street railway corporations whose facilities cross or are adjacent to the facilities of street railway lines owned, leased or operated by municipal corporations, under certain circumstances, to establish transfer points and switch or other connections at points of crossing or adjacency and through routes and service and joint rates for the conveyance of passengers over two or more lines connected at transfer points; giving the Public Service Commission jurisdiction in the premises; and prescribing the conditions upon which the Commission shall have jurisdiction to regulate the joint facilities, services or rates of a street railway corporation and a street railway line operated by a municipal corporation.

BILLS INTRODUCED.

Mr. VARE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 868, entitled

An Act to regulate the manner of creating or incurring, or increasing the indebtedness against counties and the expenditure of the proceeds of any such indebtedness, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof or the failure of certain officers to perform their duties under this act.

Which was committed to the Committee on Municipal Affairs.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 869, entitled

An Act providing for the admission of soldiers to practice in the several courts of the common pleas of Pennsylvania.

Which was committed to the Committee on Judiciary General.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reding and consideration of Senate Bill No. 230 (House Bill No. 37), entitled

An Act to further amend sections sixteen and twenty-five of an act approved the seventh day of February, one thousand nine hundred and five, entitled "An Act to create the Department of Public Printing and Binding, to carry out the provisions of section twelve, article three of the Constitution, in relation to the public printing and binding, and the supply of paper and other materials therefor" as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 523 (House Bill No. 392), entitled

An Act to amend an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five authorizing and establishing a board of recreation for the creation organization care management conduct and supervision of recreation facilities of cities of the first class except as herein provided" approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred thirty-nine) by changing the number of the members of the Board of Recreation their length of term and the officers to be elected

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 531, as follows

An Act authorizing insurance companies upon any increase of capital to issue the same at a price in excess of par to require payment of such price as a condition to the right to subscribe and also to sell in such manner as the board of directors may prescribe for not less than such price any unsubscribed stock

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act any increase of capital made by fire or fire and marine insurance companies or life or casualty insurance companies organized under any general or special law of this Commonwealth may be issued at such price in excess of par as the stockholders may direct and each stockholder shall have the right to first subscribe for the new shares in proportion of his interest in the company Provided that notice to the stockholders to exercise their right to subscribe for and to take the stock at the price so fixed or waive such right shall be mailed to each stockholder at the last address of such stockholder appearing on the books or records of the company thirty days previous to the date fixed by the board of directors for the expiration of the right to subscribe and shall also be given by publication once a week for three weeks in a newspaper of general circulation published in the city or county in which the company has its principal office Any stock not subscribed for and taken by the stockholders may be sold and disposed of by the board of directors in such manner as the stockholders may direct Provided however That it shall not be sold or disposed of at any price less than that originally fixed by the stockholders Provided further that any proceedings for increase of capital stock begun under existing law prior to and not completed at the date this act becomes effective shall be consummated under the authority of this act if the antecedent proceedings shall have conformed to its requirements but if such antecedent proceeding shall not have so conformed then the proceeding shall be consummated under the provisions of the law existing prior to the passage of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 561, entitled

An Act to further amend the act approved the fifth day of March one thousand nine hundred and six entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" by providing for special registration for special elections.

The first and second sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" as amended by section two of the act approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fourteen) which reads as follows

"Section 3 The registrars of each precinct or ward shall meet at the polling-place thereof in even-numbered years on the ninth Thursday seventh Tuesday and fifth Saturday preceding the November election which shall be known as the Fall registration and on the third Wednesday preceding the Spring primary which shall be known as the Spring registration and in odd-numbered years on the tenth Thursday ninth Tuesday and eighth Saturday preceding the November election which shall be known as the Fall registration and shall remain in open session from eight ante meridian to one post meridian two to six post meridian and from seven post meridian to ten post meridian of each registration day They shall on said days receive personal applications from persons who claim that they are entitled to be registered as voters They shall have power to administer oaths shall examine said applicants under oath and shall record on the registers the names of such persons as are qualified to vote as herein provided Two weeks' notice of the registration days shall be given by the registrars posting notices at the polling-places Electors who did not register at Fall registration may register at Spring registration and the list shall become of no validity at the beginning of the period of Fall registration next succeeding that at which the registers were opened The old registers shall be preserved by the county commissioners for at least two years after the year in which they shall have been in use" is hereby amended to read as follows

Section 3 The registrars of each precinct or ward shall meet at the polling-places thereof in even-numbered years on the ninth Thursday seventh Tuesday and fifth Saturday preceding the November election which shall be known as the Fall registration and on the third Wednesday preceding the Spring primary which shall be known as the Spring registration and in odd-numbered years on the tenth Thursday ninth Tuesday and eighth Saturday preceding the November Election which shall be known as the Fall registration and in any year when any special election for any purpose is held on the third Wednesday preceding such special election which shall be known as a special registration and shall remain in open session from eight ante meridian to one post meridian two to six post meridian and from seven post meridian to ten post meridian of each registration day They shall on said days receive personal

applications from persons who claim that they are entitled to be registered as voters They shall have power to administer oaths shall examine said applicants under oath and shall record on the registers the names of such persons as are qualified to vote as herein provided Two weeks' notice of the registration days shall be given by the registrars posting notices at the polling-places Electors who did not register at Fall registration may register at Spring registration or at any special registration and the list shall become of no validity at the beginning of the period of Fall registrations next succeeding that at which the registers were opened The old registers shall be preserved by the county commissioners for at least two years after the year in which they shall have been in use

Section 2 So much of section four of said act as amended by section three of said act approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fourteen) which reads as follows

"Section 4 Every person claiming the right to vote must appear in person before the registrars in the precinct or ward in which he lives on one of the days prescribed by law prior to every November election and if he has subsequently to the said November election moved into another precinct or ward he must appear in person before the registrars in the district to which he has thus removed in order to enable him to vote at the ensuing Spring primary unless in either case he is prevented by sickness or necessary absence from the city from appearing before the said registrars to be registered in person In either of these cases it shall be his right at any time to present his petition to the county commissioners and in case they shall refuse to order his name placed on the registration list the said petitioner may appeal to the court of common pleas of the district in which he resides if the said court is in session or if not in session to any judge thereof whereupon the said court shall grant a rule upon the said county commissioners to show cause why the name of the said person should not be placed upon the register and the said court or judge thereof shall fix a day certain for the return of the said rule at which time parties can be heard and upon the return of the said rule upon a hearing duly had if the said court or judge shall be satisfied that the facts set forth in the petition are true and that the applicant was prevented by sickness or necessary absence from the city from appearing in person before the registrars and being registered and is qualified to vote the rule may be made absolute and the registrars shall be directed to place the name of such person or persons upon the registers" is hereby amended to read as follows

Section 4 Every person claiming the right to vote must appear in person before the registrars in the precinct or ward in which he lives on one of the days prescribed by law prior to every November election and if he has subsequently to the said November election moved into another precinct or ward he must appear in person before the registrars in the district to which he has thus removed in order to enable him to vote at the ensuing Spring primary or any ensuing special election unless in either case he is prevented by sickness or necessary absence from the city from appearing before the said registrars to be registered in person In either of these cases it shall be his right at any time to present his petition to the county commissioners and in case they shall refuse to order his name placed on the registration list the said petitioner may appeal to the court of common pleas of the district in which he resides if the said court is in session or if not in session to any judge thereof whereupon the said court shall grant a rule upon the said county commissioners to show cause why the name of the said person should not be placed upon the register and the said court or judge thereof shall fix a day certain for the return of the said rule at which time the parties can be heard and upon the return of the said rule upon a hearing duly had if the said court or judge shall be satisfied that the facts set forth in the petition are true and that the applicant was prevented by sickness or necessary absence from the city from appearing in person before the registrars and being registered and is qualified to vote the rule may be made absolute and the registrars shall be directed to place the name of such person or persons upon the registers

The third section of the bill was read as follows:

Section 3 Section seven of said act as amended by section five of the act approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fourteen) which reads as follows

"Section 7 On the registration day preceding the Spring primary the registrars shall in addition to the registration of electors strike from the list the names of such persons as shall be proven to their satisfaction by the affidavits of at least two qualified electors of the precinct or ward to have died or removed from the district since the last registration The registrars shall record on blank forms provided for that purpose the names and previous places of registration giving wards and precincts of all persons registered by them on said day who give as such place of previous registration a place in the same city and shall forward the same to the commissioners for their information Thereafter upon the return of the registers to the office of the commissioners it shall be their duty to examine the same and wherever registered persons have given as their last place of registration another election district in the same city to strike said name from the register of said district or prior residence and to note thereon the reason for so removing the name Any registered elector who has removed between the November election and the Spring primary from one election district to another in the same city two calendar months prior to the Spring primary and who failed to apply to have his name transferred on the register on the registration day prior to the Spring primary and who failed to apply to have his name transferred on the register on the registration day prior to the spring primary in the district to which he has removed may apply on the eleventh or tenth day prior to the Spring primary at the office of the county commissioners and have the registry of his name transferred from the district from which he has removed to the one in which he has taken up his new residence It shall be the duty of the commissioners upon satisfactory proof of the electors' identity to strike his name from the register in the district from which he has removed to examine him in the regular way as to his qualifications and if his answers are satisfactory to register him in the district to which he has removed is hereby amended to read as follows

Section 7 On the registration day preceding the Spring primary and on the registration day preceding each special election the registrars shall in addition to the registration of electors strike from the list the names of such persons as shall be proven to their satisfaction by the affidavits of at least two qualified electors of the precinct or ward to have died or removed from the district since the last registration The registrars shall record on blank forms provided for that purpose the names and previous places of registration giving wards and precincts of all persons registered by them on said day as such place of previous registration a place in the same city and shall forward the same to the commissioners for their information Thereafter upon the return of the registers to the office of the commissioners it shall be their duty to examine the same and wherever registered persons have given as their last place of registration another election district in the same city to strike said name from the register of said district of prior residence and to note thereon the reason for so removing the name Any registered elector who has removed between the November election and the Spring primary or any special election from one election district to another in the same city two calendar months prior to the spring primary or special election and who failed to apply to have his name transferred on the register on the registration day prior to the Spring primary or special election in the district to which he has removed may apply on the eleventh or tenth day prior to the spring primary or special election at the office of the county commissioners and have the registry of his name transferred from the district from which he has removed to the one in which he has taken up his new residence It shall be the duty of the commissioners upon satisfactory proof of the electors identity to strike his name from the register in the district from which he has removed to examine him in the regular way as to his qualifications and if his answers are satisfactory to register him in the district to which he has removed

On the question,

Will the Senate agree to the section?

Mr. McNICHOL. Mr. President, I move to amend section 3, page 7, line 4, by striking out "preceincts" and inserting in lieu thereof the word "precincts"; also line 12, by striking out the word "or" and inserting in lieu thereof the word "of"; also line 17 by striking out the words "and who"; also lines 18 and 19, by striking out the words "failed to apply to have his name transferred on the register on the registration day prior to the spring primary"; also page 8, line 16, by inserting after the word "day" the words "who give".

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 Section ten of said act as amended by section six of said act approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and fourteen) which reads as follows

"Section 10 At the end of each day's registration the registrars shall compare the two registers so kept and cause any errors in either of them to be corrected by aid of the entries in the other so as to make the same agree where there is any difference between them The registers shall then sign their initials on the line immediately under the last name registered under each letter in both books together with the date At the close of both fall and spring registrations the registrars shall sign a certificate the form of which shall be printed on the last page of the register setting forth the number of persons registered on each day and the number of names which have been stricken out if any" is hereby amended to read as follows

Section 10 At the end of each day's registration the registrars shall compare the two registers so kept and cause any errors in either of them to be corrected by aid of the entries in the other so as to make the same agree where there is any difference between them The registrars shall then sign their initials on the line immediately under the last name registered under each letter in both books together with the date

At the close of both Fall and Spring registrations and of any special registration the registrars shall sign a certificate the form of which shall be printed on the last page of

the register setting forth the number of persons registered on each day and the number of names which have been stricken out if any

On the question,

Will the Senate agree to the section?

Mr. McNICHOL. Mr. President, I move to amend Section 4, page 9, lines 26, by striking out the word "registers" and inserting in lieu thereof the word "registrars"; also page 10, line 9, by striking out "corected" and inserting in lieu thereof the word "corrected".

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth section of the bill was read as follows:

Section 5 So much of section twelve of said act as amended by section seven of the act approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fourteen) which reads as follows

"Section 12 The registrars shall obtain at the office of the county commissioners the blank books forms and other supplies prepared for their use before the first fall registration day and shall have the same at the polling place on the said day On registration days and during the time from one day to another until the close of the registration period the said registrars shall have the custody and control and shall be charged with the safe keeping of the registers in which they have made entries together with all affidavits forms and so forth which have been taken in duplicate as hereinbefore provided At the close of the registration and before twelve o'clock noon of the following day the registrars shall deliver the registers together with all affidavits vouchers unused forms and so forth to the office of the county commissioners and the said papers shall remain there on file open to public inspection under proper regulations for their safe-keeping subject however to further provisions of this act On Monday or Tuesday prior to the third Wednesday preceding the Spring primary the said registrars shall obtain from said office each the register kept by him together with a sufficient number of blank forms and other supplies and shall have the same at the polling place for use on said registration day and as before shall be charged with the safekeeping and return of said records before noon of the day following the registration day" is hereby amended to read as follows

Section 12 The registrars shall obtain at the office of the county commissioners the blank books forms and other supplies prepared for their use before the first fall registration day and shall have the same at the polling place on the said day On registration days and during the time from one day to another until the close of the registration period the said registrars shall have the custody and control and shall be charged with the safekeeping of the registers in which they have made entries together with all affidavits forms and so forth which have been taken in duplicate as hereinbefore provided At the close of the registration and before twelve o'clock noon of the following day the registrars shall deliver the registers together with all affidavits vouchers unused forms and so forth to the office of the county commissioners and the said papers shall remain there on file open to public inspection under proper regulations for their safekeeping subject however to further provisions of this act On Monday or Tuesday prior to the third Wednesday preceding the Spring primary or any special registration the said registrars shall obtain from said office each the register kept by him together with a sufficient number of blank forms and other supplies and shall have the same at the polling place for use on said registration day and as before shall be charged with the safekeeping and return of said records before noon of the day following the registration day

On the question,

Will the Senate agree to the section?

Mr. McNICHOL. Mr. President, I move to amend section 5, page 11, line 20, by striking out after the word "day" the word "and".

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth section of the bill was read as follows and agreed to:

Section 6 Section thirteen of said act as amended by section five of the act approved the twenty-fifth day of May one thousand nine hundred and seven (Pamphlet Laws two hundred fifty-one) which reads as follows

"Section 13 Any person whose name is on the register shall be entitled to vote at any general special municipal or primary election unless it shall be shown to the satisfaction of the election officers that he is no longer a resident of the election district in which he is registered Provided That if a special election shall intervene between registration day and the next general or municipal election the presence of the name of an elector on the list shall only be prima facie evidence of his right to vote If his name is not registered he shall not be entitled to vote at any election Before receiving his ballot every voter shall satisfy the election officers of his identity and if challenged by signing his name in the place provided for that purpose if able to do so and by the production of such other evidence as is or may be required by law" is hereby amended to read as follows

Section 13 Any person whose name is on the register shall be entitled to vote at any general special municipal or primary election unless it shall be shown to the satisfaction of the election officers that he is no longer a resident of the election district in which he is registered If his name is not registered he shall not be entitled to vote at any election Before receiving his ballot every voter shall satisfy the election officers of his identity and if challenged by signing his name in the place provided for that purpose if able to do so and by the production of such other evidence as is or may be required by law

The title of the bill was read as follows and agreed to:

An Act to further amend the act approved the fifth day of March one thousand nine hundred and six entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" by providing for special registration for special elections.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 640, entitled

An Act to amend sections three four five six and eleven of an act approved the twentieth day of May one thousand nine hundred and fifteen entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions."

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred sixty-six) entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" which reads as follows

"Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury thereof as hereinabove provided if any of the age of sixty years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained" be amended to read as follows

Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury thereof as hereinabove provided if any of the age of sixty years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained Provided That if any person or persons had been employed by the said cities for a period covering eighteen years or more prior to the passage of this act and shall thereafter be re-employed it shall be necessary that the period of their re-employment shall extend over a period of two years or more before such person or persons shall be entitled to receive the pension fixed by this act

The second section of the bill was read as follows:

Section 2 That section four of said act which reads as follows

"Section 4 During the lifetime of the said person he or she shall be entitled to receive as a pension annually from the fund set aside for the purpose fifty per centum of the

amount which would constitute the average annual salary or wages which he or she received during the last five years of his or her employment by the said city or other public employment as aforesaid Said pension to be paid in monthly payments Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to the pension above mentionel notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office The pension paid to any one employe shall not exceed one hundred dollars per month" be amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension form the fund set aside for the purpose of fifty per centum of the amount which would constitutie the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city or other public employment ar aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be requried to pay unto the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office The pension paid to any one employe shall not exceed one hundred dollars per month

On the question,

Will the Senate agree to the section?

Mr. PATTON. Mr. President, I move to amend section 2, page 4, line 7, by striking out the word "form" and inserting in lieu thereof the word "from".

Mr. VARE. Mr. President I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third, fourth and fifth sections of the bill were read as follows and agreed to:

Section 3 That section five of said act which reads as follows

"Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages—in no event however paying at a rate greater than four dollars a month—which shall be applied to the purposes of this act Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full without interest Provided however if any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter such public employment said employe shall not be entitled to the pension designated until twenty years after the said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employes" be amended to read as follows

Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages—in no event however paying at a rate greater than four dollars a month—which shall be applied to the purposes of this act Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided if such beneficiary has so contributed to the pension fund during a period of twenty years If at the time the beneficiary receives the pension herein provided he or she shall not have been a contributor to the pension fund during a period of twenty years such person shall be required to pay unto the board of pensions an amount equal to two per centum of his or her monthly pension until such time as his or her contribution shall have extended during a period of twenty years If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full without interest Provided however if any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter such public employment said employe shall not be entitled to the pension designated until twenty years after the said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employe

Section 4 That section six of said act which reads as follows

"Section 6 Should any person holding position in said cities of the first class or any county or other public employes if any paid out of the treasury of such cities as aforesaid be paid a per diem wage he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act" be amended to read as follows

Section 6 Should any person holding position in said cities of the first class or any county or other public employes if any paid out of the treasury of such cities as aforesaid be paid a per diem wage or a salary at a rate of three hundred and sixty dollars each year or less he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act

Section 5 That section eleven of said act which reads as follows

"Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or both as aforesaid and need not be continuous No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen" be amended to read as follows

Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or both as aforesaid and need not be continuous Provided That in no case shall a period of more than eighteen years be credited to the service record of any person or persons who shall be employed after the passage of this act and who shall have been employed by the said cities prior to the passage of this act No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen

The title of the bill was read as follows and agreed to:

An Act to amend sections three four five six and eleven of an act approved the twentieth day of May one thousand nine hundred and fifteen entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 665, as follows:

An Act providing that every advertisement and notice required by authority of law or rules of court to be published in any county in the Commonwealth or in any city coincident to the boundaries of a county may in addition to the publication of such advertisements or notices required to be made in newspapers published and printed in the English language be also published by the public officer body or court directed by law or rules of court to publish such advertisement or notice in newspapers printed in the English language in one or more daily newspapers printed in a foreign language or languages such newspapers printed in a foreign language or languages to be printed in and have general circulation in the county or the city coincident to the boundaries of said county for at least three years continuously before the publication of such advertisements or notices and further providing for the prices to be charged for publishing such advertisements or notices in any such foreign newspapers how often the same shall be published and the stipulation and regulations under which the same shall be published

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter every advertisement and notice required by authority of law or by rules of court to be published in any county of the Commonwealth or in any city thereof whose boundaries are coincident with a county may in addition to the publication thereof required to be made in newspapers printed in the English language be also published by the public officer body or court directed by law or rules of court to publish such advertisements or notices in newspapers printed in the English language in one or more daily newspapers printed in a foreign language or languages Such newspaper or newspapers printed in such foreign language or languages to be such as are printed in and of general circulation in such county or a city whose boundaries are coincident thereto for at least three years continuously before the publication of such advertisements or notices That the prices to be charged for such publication of such advertisements or notices in such newspapers published in a foreign language or languages shall not exceed the rates charged for such publication in newspapers printed in the English language for the same services When publication is made in such newspaper or newspapers printed in a foreign language or languages it shall be made as often as the made in newspaper or newspapers printed in the English language and shall be subject to the same stipulations and regulations as those imposed for like services in such newspapers printed in the English language

Section 2 That all acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 672, entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Article one of Chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding the following sections thereto

Section 18 The council and burgess shall each year within sixty days after the organization of the council by ordinance estimate the several amounts of money which will be required for the several specific purposes of borough government and expenses during the current fiscal year and appropriate out of the revenues available for the said year the specific sum so estimated to be required The tax levied by the borough authorities shall be fixed at such figure within the limit fixed by law as will with all other sources of revenue meet and cover said estimate and appropriation except such thereof as may be provided for out of moneys to be borrowed for purposes of permanent improvement The total appropriation shall not exceed the revenues available for the fiscal year

Section 19 No construction or improvement of highways sewers or other public works shall be undertaken by the borough authorities during any fiscal year unless it shall have been determiend upon and appropriation for the borough's share of the expenses thereof shall have been made by ordinance at the time provided by law for the annual estimate and appropriation for borough government and expenses as provided in the preceding section nor unless provisions shall then have been made by ordinance for obtaining the borough's share of the fund necessary for such improvements by borrowing money through the issue of securities described specifically and in detail if the same is not to be provided out of ordinary current revenues appropriated for that purpose

Section 20 No money shall be transferred from one appropriated fund to another during any fiscal year except by ordinance nor unless at the time of such transfer the amount of moneys theretofore appropriated to and paid into the fund from which such transfer shall be made shall be in excess of the requirements of the purpose for which such fund was appropriated and such transfer shall be made only of such excess

Section 21 The council shall not create any charge or obligation upon any fund where the amount of such order warrant charge or obligation together with the charges already standing against such fund shall be in excess of such fund or at a time when there shall be sufficient money in the treasury belonging to such fund to pay such warrant or order

Section 22 No securities issued or contracts hirings or purchases made or orders or warrants issued on behalf of any borough in violation of the provisions of this act shall be valid or have any binding effect upon the borough

Section 23 All contracts or purchases made by any borough involving expenditure of over three hundred dollars shall be in writing and shall not be made except with the lowest financially responsible bidder after due notice by the secretary published once a week for three weeks in one newspaper of the county in which such borough shall be situated and such bids shall be received and opened in open meeting of council at a time fixed by such notice

On the question,

Will the Senate agree to the section?

Mr. WARNER. Mr. President, I move to amend section 1, page 3, line 8, by inserting the word "not" after the word "shall".

Mr. WASBERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 That Section one of Article four of Chapter seven of said act which reads as follows

"Section 1 The auditors of the borough shall meet on the third Tuesday of January one thousand nine hundred and sixteen and annually thereafter and shall audit adjust and settle the accounts of the tax collectors and all officers of the borough Any officer whose act or neglect contributes to the financial loss of any borough shall be surcharged with the amount of such loss" is hereby amended to read as follows

Section 1 The auditors of the borough shall meet on the third Tuesday of January one thousand nine hundred and sixteen and annually thereafter and shall audit settle and adjust the accounts of the tax collectors and all officers of the borough The auditors shall surcharge the amount of any loss or shortage or the amount of any expenditure of a kind or made in a manner not authorized by law against any officer who by vote act or neglect or otherwise has been responsible for or has approved or permitted the same

The third section of the bill was read as follows:

Section 3 That Article four of Chapter seven of said act is hereby amended by adding the following sections thereto

Section 17 In the making of any audit settlement and adjustment and in the authentication of any act or claim or demand against the borough the auditors of such borough shall have the same power and authority to obtain the attendance before them of parties and witnesses and the production of books and papers and to administer oaths and affirmations as are given by law to county and township auditors All persons guilty of swearing or affirming falsely before the auditors shall be liable to the penalty of perjury

Section 18 The accounts of the secretary shall be annually audited and report thereof filed by the borough auditors in the same manner as the accounts of other officers are audited and filed and subject to all rights of appeal conferred by law in the case of reports of auditors upon the accounts of such officers The secretary and his sureties shall be liable in the amount of any loss to or a legal payment by the borough consequent upon any neglect or violation of his duties

On the question,

Will the Senate agree to the section?

Mr. WARNER. Mr. President, I move to amend section 3, page 5, line 8, by striking out "a legal" and inserting in lieu thereof the word "illegal".

Mr. WASBERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 That Article five of Chapter seven of said act is hereby amended by adding the following sections thereto

Section 13 The accounts of the secretary shall be annually audited and a report thereof filed by the controller in the same manner as the accounts of other officers are audited and filed and subject to all rights of appeal conferred by law in the case of reports of controllers upon the accounts of such officers The secretary and his sureties shall be liable in the amount of any loss to or a legal payment by the borough consequent upon any neglect or violation of his duties

Section 14 The controller shall keep books of account of all appropriations and charges whether by ordinance resolution contracts warrants or orders against the same and shall not sign attest or countersign any warrant or order nor direct the issue of any warrant or order upon any fund where the amount of such order warrant charge or obligation together with the charges already standing against such fund shall be in excess of such fund or at a time when there shall not be sufficient money in the treasury belonging to such fund to pay such warrant or order

On the question,

Will the Senate agree to the section?

Mr. WARNER. Mr. President, I move to amend section 4, page 5, line 20, by striking out "a legal" and inserting in lieu thereof the word "illegal".

Mr. WASBERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth, sixth and seventh sections of the bill were read as follows, and agreed to:

Section 5 That section four of Article six of Chapter seven of said act which reads as follows

"Section 4 The borough treasurer shall before entering upon the duties of his office give bond with surety as required by the borough he shall perform the duties of the township treasurer within the borough shall keep a just account of all receipts and disbursements and shall annually submit his account to the borough auditors and publish the same in a manner directed by the borough he shall pay over all moneys remaining in his hands and deliver all books papers accounts and other things belonging to the borough to his successor All moneys received by any officer for the use of the borough shall be forthwith paid to the borough treasurer" is hereby amended to read as follows

Section 4 The borough treasurer shall before entering upon the duties of his office give bond with surety as required by the borough he shall perform the duties of the township treasurer within the borough shall keep a just account of all receipts and disbursements and shall annually submit his account to the borough auditors and publish the same in a manner directed by the borough he shall pay over all moneys remaining in his hands and deliver all books papers accounts and other things belonging to the borough to his successor All moneys received by any officer for the use of the borough shall be forthwith paid to the borough treasurer

The treasurer shall pay out the moneys coming into his hands for the fiscal year only upon warrants or orders numbered in the order of their issue signed by the president and attested by the secretary of the borough and countersigned by the controller where such office exists and designating the appropriated fund out of which said orders shall be paid No treasurer shall pay any order from any fund other than the one designated for such purposes nor may he pay out moneys in his hands in excess of any appropriation nor contrary to any provision prescribed by law for the regulation of such funds

Any borough treasurer who shall pay out any moneys otherwise than as provided by law shall be allowed no credit therefor in the settlement of his accounts nor shall he have any claim or right of action against the borough therefor

Section 6 That Section six of Article six of Chapter seven of said act which reads as follows

"Section 6 The secretary shall attend all meetings of the borough council and shall keep full minutes of their proceedings he shall transcribe the by-laws rules regulations and ordinances adopted into a book kept for that purpose and when signed by the presiding officer shall attest the same he shall preserve the records and documents of the borough and shall have custody of the corporate seal He shall certify copies of any book paper record by-law rule regulation ordinance or proceeding of the borough under the seal thereof which copies so certified shall be admitted in evidence in any court of the Commonwealth He shall attest the execution of all instruments record the publication of all enactments and attest the same by his signature He shall file or record the proof of service of all notices required by law and the certificate thereof shall be good evidence of such notice He shall deliver to his successor the seal and all books papers and other things belonging to the borough" is hereby amended to read as follows

Section 6 The secretary shall attend all meetings of the borough council and shall keep full minutes of their proceedings he shall transcribe the by-laws rules regulations and ordinances adopted into a book kept for that purpose and when signed by the presiding officer shall attest the same he shall preserve the records and documents of the borough and shall have custody of the corporate seal He shall certify copies of any book paper record by-law rule regulation ordinance or proceeding of the borough under the seal thereof which copies so certified shall be admitted in evidence in any court of the Commonwealth He shall attest the execution of all instruments record the publication of all enactments and attest the same by his signature He shall file or record the proof of service of all notices required by law and the certificate thereof shall be good evidence of such notice He shall deliver to his successor the seal and all books papers and other things belonging to the borough

The secretary of the council shall in every borough not having a controller keep books of account of all appropriations and charges whether by ordinance resolution contracts warrants or orders against the same and shall not sign attest or countersign any warrant or order nor direct the issue of any warrant or order upon any fund where the amount of such order warrant charge or obligation together with the charges already standing against such fund shall be in excess of such fund or at a time when there shall not be sufficient money in the treasury belonging to such fund to pay such warrant or order

No secretary of any borough council shall proceed with the duties of his office until he shall have given bond to the borough to be held by the burgess with sufficient surety or sureties in double the amount of his annual salary or compensation conditioned for the turning over to his successor at the end of his term of any books papers and property belonging to or relating to borough affairs and for the faithful performance of the duties of his office The secretary may be compelled to justify his bond both as to the amount and responsibility of the sureties thereof before the court of common pleas by any taxpayer upon rule upon him to that effect

The minute book and all other records papers and documents of every borough and officer thereof shall be open to the inspection of any taxpayer thereof his her or its agent upon demand therefor

Section 7 That Section seventeen of Article one of Chapter seven of said act which reads as follows

"Section 17 Where in the conduct of its business a borough has received the benefits of services performed in good faith and the charges therefor are considered reasonable by the council or where there is a moral obligation on the part of the borough to pay for services rendered the council of the borough may pay to the person officer or employe the amount in question or any proportion thereof" is hereby repealed

The title of the bill was read as follows, and agreed to:

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 694, as follows:

An Act amending an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A Further Supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirty-two of an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred twenty) entitled "A Further Supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" which reads as follows

"Section 32 That no corporation company joint-stock association association or limited partnership made taxable by this act shall hereafter be dissolved by the decree of any court of common pleas nor shall any judicial sale be valid or a distribution of the proceeds thereof be made until all taxes due the Commonwealth have been fully paid into the State treasury and the certificate of the Auditor General State Treasurer and Attorney General to this effect filed in the proper court with the proceedings for dissolution or sale" is hereby amended to read as follows

Section 32 That no corporation company joint-stock association association or limited partnership made taxable by this act shall hereafter be dissolved by the decree of any court of common pleas nor shall any judicial sale be valid or a distribution of the proceeds thereof be made until all taxes due the Commonwealth have been fully paid into the State treasury and the certificate of the Auditor General State Treasurer and Attorney General to this effect filed in the proper court with the proceedings for dissolution or sale Provided That whenever any land owned by any corporation company joint-stock association association or limited partnership made taxable by this act or its supplements shall have heretofore been sold or shall hereafter be sold for the payment of any debt arising out of or charged against said land or owned by such corporation company joint-stock association association or limited partnership taxable as aforesaid by any sheriff or other officer under any judicial proceedings of which sale the Commonwealth had notice or shall hereafter have notice prior to the holding thereof in the manner provided by law and such land at such sale heretofore held did not or at any sale which shall hereafter be held shall not bring sufficient money to pay the claims of the Commonwealth and the purchaser at such judicial sale has or shall pay to the sheriff or other officer conducting such judicial sale the amount of his bid and has complied or shall comply with the conditions of such sale and has heretofore received or shall hereafter receive from such sheriff or other judicial officer a deed for such land such purchaser shall be deemed to have taken and hereafter shall take and hold said land free and divested of all claims of the Commonwealth and the title acquired by him at such sale shall be as good and valid as he would have acquired had the said land been owned by an individual or as if the said Commonwealth had had no claims liens or taxes against it Provided further That if it shall appear to the Commonwealth that any land upon which it had or has a lien or claim as aforesaid shall or may have been sold in any judicial proceeding before the passage of this act for an insufficient price by reason of which the claims of the Commonwealth have not been paid the Commonwealth may at any time within one year after the approval of this amendment present its petition to the court of common pleas of the county in which such land heretofore sold is situated setting forth such insufficiency and the said court shall thereupon cause such land to be resold by the sheriff of said county upon a writ of fieri facias and the purchase money theretofore paid by the purchaser at the previous judicial sale with interest and money invested in improvements shall be first refunded out of the proceeds of such subsequent sale

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 716, as follows:

An Act prohibiting holders of brewers licenses from having offices or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person partnership association or corporation holding a license to conduct a brewery to maintain an office or offices or to have an agent soliciting business in any county except the county in which such brewing is located unless there is in such other county an agency license for the sale of the products of such brewery

Section 2 Any person partnership association or corporation violating the proviisons of this act shall upon proof to the court of quarter sessions have his or its license to conduct such brewery revoked

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 757 (House Bill No. 451), entitled

An Act exempting free from the claims of all creditors the proceeds of certain life insurance and annuity contracts bona fide taken out by any person not exceeding one hundred dollars per month.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 763, entitled

An Act to amend article 2, section 1, sub-section T, and article 5, section 12 of an act, entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes, prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the court of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission, making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains, by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum care service charges, including car storage charges, that railroad companies and corporations, or associations may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisions of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act," approved the twenty-sixth day of July, one thousand nine hundred and thirteen, by providing the proportions in which the cost of establishing overhead and undergrade crossings shall be borne by railroad companies, the Commonwealth and the various municipal divisions of the Commonwealth.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of article two section one sub-section T of an act entitled "An act defining public service companies prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the prac-

tice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas and giving the court of common pleas of Dauphin county exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thonsand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anna Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" approved the twenty-sixth day of July Anno Domini one thousand nine hundred and thirteen which reads as follows

"(t) To obey and abide by all lawful orders and regulations of the commission made under the provisions of this act regulating he manner in which the tracks or other facilities of any railroad corporation street railway corporation or any other public service company may be constructed across the tracks or other facilities of any other railroad corporation street railway corporation or any other public service company at grade or above or below grade or at any prescribed level or in which the tracks or other facilities of any railroad corporation or street railway corporation may be constructed across any public highway at grade or above or below grade or in which any public highway may be constructed across the tracks or other facilities of any railroad corporation or street railway corporation at grade or above or below grade or regulating the manner in which such crossings shall be operated maintained and protected including the stationing of watchmen thereat installation and regulation of lights blocks or other system of signalling safety appliances devices or such other means or instrumentalities as the commission may prescribe as well as to obey and abide by all lawful orders and regulations of the commission made under the provisions of this act requiring the alteration relocation removal or abolition of any such crossings to the end intent and purpose that accidents may be prevented and also to bear and pay the expenses damages or compensation incident thereto either severally or in such proportions as the commission may determine under the provisions of this act' be and the same is hereby amended so as to read as follows:

(t) To obey and abide by all lawful orders and regulations of the commission made under the provisions of this act regulating the manner in which the tracks or other facilities of any railroad corporation street railway corporation or any other public service company may be constructed across the tracks or other facilities of any other railroad corporation street railway corporation or any other public service company at grade or above or below grade or at any prescribed level or in which the tracks or other facilities of any railroad corporation or street railway corporation may be constructed across any public highway may be constructed across the tracks or other facilities of any railroad corporation or street railway corporation at grade or above or below grade or regulating the manner in which such crossing shall be operated maintained and protected including the stationing of watchmen thereat installation and regulation of lights block or other system of signalling safety appliances devices or such other means or instrumentalities as the commission may prescribe as well as to obey and abide by all lawful orders and regulations of the commission made under the provisions of this act requiring the alteration relocation removal or abolition of any such crossings to the end intent and purpose that accidents may be prevented Provided however that whenever the commission pursuant to the authority conferred upon it by this act shall be required or shall undertake to prescribe the terms and conditions upon which the tracks or other facilities of any railroad corporation may be constructed across any public highway above or below grade or any public highway may be constructed across the tracks or other facilities of any railroad corporation above or below grade the commission shall apportion the cost of establishing constructing and maintaining such crossings including in such cost compensation to owners of property taken injured or destroyed as the result of the establishment and construction of such crossing in the manner following One-half of such cost shall be imposed upon and shall be borne by the railroad corporation and the remaining one-half in case the highway is a State highway by the Commonwealth and in case the highway is a county highway jointly by the Commonwealth county city borough township or other municipality if the point of crossing is located in a city borough township or other municipality in such proportions as the commission shall by its order designate And further provided That whenever the commission pursuant to the authority conferred upon it by this act shall be required or shall undertake to prescribe the terms and conditions upon which any then existing crossing either at grade or at the same or different levels of the tracks or facilities of a railroad corporation and of a public highway shall be relocated altered or abolished it shall apportion the cost thereof including therein compensation for property taken injured or destroyed by reason of such relocation alteration or abolition of the said crossing in the manner following One-half of the cost thereof shall be imposed upon and borne by the railroad corporation one-quarter thereof by the Commonwealth of Pennsylvania and the remaining one-quarter thereof jointly by the county and the city borough township or other municipal corporation in which the crossing is located in such proportions as the Commission shall by its order designate

On the question,

Will the Senate agree to the section?

Mr. PATTON. Mr. President, I move to amend section 1, page 4, line 5, by inserting after the word "companies" the words "and providing for their regulation by"; also page 5, line 1, by striking out "determination" and inserting in lieu thereof the word "determinations"; also line 14 by striking out "cariers" and inserting in lieu thereof the word "carriers"; also line 26 by striking out "colect" and inserting in lieu thereof the word "collect"; also page 6, line 3, by striking out provsios" and inserting in lieu thereof the word "provisos"; also page 7, line 23, by inserting after "highway" the following words "at grade or above or below grade or in which any public highway"; also page 28 by striking out "block" and inserting in lieu thereof the word "blocks"; also page 8, line 23, by striking out the words "the highway is a county highway" and inserting in lieu thereof the words "of all other highways"; also in line 24 by inserting after the word "county" the words "and the"; also in lines 25 and 26 by striking out the words "if the point of crossing is located in a city, borough, township or other municipality" and inserting in lieu thereof the words "in which the crossing is located."

Mr. JENKINS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 That Article five section twelve of the said act which reads as follows

"Section 12 Except in cases in which grade crossings are in process of abolition at the time of the passage of this act under agreement or contract with a municipality as set forth in the proviso of section five of article three of this act the commission shall have exclusive power to determine order and prescribe in accordance with plans and specifications to be approved by it the just and reasonable manner including the particular point of crossing in which the tracks or other facilities of any public service company may be constructed across the tracks or other facilities of any other public service company at grade or above or below grade or at the same or different levels or in which the tracks or other facilities of any railroad corporation or street railway corporation may be constructed across the tracks or other facilities of any other railroad corporation or street railway corporation or across any public highway at grade or above or below grade or in which any public highway may be constructed across the tracks or other facilities of any railroad corporation or street railway corporation at grade or above or below grade and to determine order and prescribe the terms and conditions of installation and operation maintenance and protection of all such crossings which may now or hereafter be constructed including the stationing of watchmen thereat or the installation and regulation of lights block or other system of signalling safety appliances devices or such other means or instrumentalities as may to the commission appear reasonable and necessary to the end intent and purpose that accidents may be prevented and the safety of the public promoted No such crossing shall be constructed without the approval of the commission evidenced by its Certificate of Public Convenience as provided in section five of article three of this act but in no case shall the approval or consent of any court board or other commission or officer or of any municipality be necessary therefor It shall be proper however for the commission by general rule or order whenever the same can be properly regulated by suitable general rule to prescribe the terms and conditions under which

such crossing may be constructed operated maintained or protected without the particular approval of the commission

"The commission shall also have exclusive power upon its own motion or upon complaint and after hearing as hereinafter provided (of which all the parties at interest including the owners of adjacent property shall have due notice) to order any crossing aforesaid now existing or hereafter constructed at grade or at the same or different levels to be relocated or altered or to be abolished according to plans and specifications to be approved and upon just and reasonable terms and conditions to be prescribed by the commission

"The compensation for damages which the owners of adjacent property taken injured or destroyed may sustain in the construction relocation alteration or abolition of any such crossing specified in this section (for which compensation the said owners are hereby invested with warrant of authority upon appeal from the determination of the commission to sue the Commonwealth) shall after due notice and hearing be ascertained and determined by the commission and such compensation as well as the expense of the said construction relocation alteration or abolition of any such crossing shall be borne and paid as hereinafter provided by the public service company or companies or municipal corporations concerned or by the Commonwealth either severally or in such proper proportions as the commission may after due notice and hearing in due course determine unless the said proportions are mutually agreed upon and paid by those interested as aforesaid

"In prescribing the terms and conditions upon which any such crossing may be constructed or relocated or altered or abolished and the proportionate contributions to the expense thereof including the damages or compensation to the owners of adjacent property as aforesaid the commission may among other things take into consideration the relative importance to the public of the services rendered by the public service companies concerned as well as the priority of location Provided That where any portion of the cost and expenses thereof shall have been or shall be borne in the future by the Commonwealth or any municipal corporation such portion shall not be taken into account by the commission in fixing any valuation for any purpose under any of the provisions of this act And Provided further That where the order of the commission shall as part of the regulation of the construction relocation alteration or abolition of any crossing aforesaid require as incidental thereto a relocation changes in or the removal of any adjacent structures equipment or other facilities of any telegraph telephone gas electric light water-power pipe-line or other public service company said company shall at its own expense relocate change or remove such structures equipment or other facilities in conformity with the order of the commission and in default of compliance with such order the commission shall cause the work and materials to be done and furnished in accordance with the said order and may recover the cost and expense thereof from the public service company

"Before the commission shall make any final order relative to the construction relocation alteration or abolition of any crossing involving any public highway or street an effort shall be made by the commission to reach an agreement with the proper officials of the municipal corporations concerned determining the plans and specifications governing such crossings and in default of such agreement the commission shall exercise the exclusive power vested in it under this section and shall finally determine and adopt the complete plans and specifications and locate all lines and grades in said public highways and streets and may permit the public service company or companies or the municipal corporation to do the whole or any portion of the work in accordance therewith otherwise the commission shall do the work by contract or contracts to be awarded after due advertisements to the lowest responsible bidder in accordance with the said plans and specifications

"The said contractor shall be authorized in the name of the commission to collect by due process of law from the public service company or companies or the said municipal corporations or from the Commonwealth either severally or proportionately as may be determined by the commission the amount which may be justly due him under the terms of his said contract with the commission and any amount so determined to be paid the said contractor by the Commonwealth as well as the amount of damages or compensation determined and awarded to be paid the owners of adjacent property as aforesaid shall in each instance be paid by the State Treasurer on a warrant drawn by the Auditor General upon the presentation to that officer of a statement setting forth the amount determined to be paid as aforesaid duly certified by the commission said payments to be paid out of any funds specifically appropriated for such purpose or generally appropriated for the improvement of the roads or highways of the Commonwealth and in case of a verdict and judgment thereon for the damages or compensation recorded by any such adjacent property owners upon appeal the same shall be paid out of any funds appropriated as aforesaid and any court of common pleas hearing and determining said appeal is hereby authorized and empowered to issue a writ of mandamus to said commission the Auditor General and the State Treasurer or any of them as the case may require for the payment of such judgment

"The commission shall have the right to recover for and on behalf of the Commonwealth by due process of law as debts of like amount are now by law recoverable from the public service company or companies or municipal corporations in such amounts or proportions against each as may be determined by the commission as aforesaid the amount of the damages or compensation awarded to the owners of adjacent property by the commission or by the court of the proper county on appeal and the amounts so recovered shall be paid into the State Treasury for the improvement of the roads of the Commonwealth' be and the same is hereby amended so as to read as follows

Section 12 The commission shall have exclusive power to determine order and prescribe in accordance with plans and specifications to be approved by it the just and reasonable manner including the particular point of crossing in which the tracks or other facilities of any public service company may be constructed across the tracks or other facilities of any public service company at grade or above or below grade or at the same or different levels or in which the tracks or other facilities of any railroad corporation or street railway corporation may be constructed across the tracks or other facilities of any other railroad corporation or street railway corporation or across any public highway at grade or above or below grade or in which any public highway may be constructed across the tracks or other facilities of any railroad corporation or street railway corporation at grade or above or below grade and to determine order and prescribe the terms and conditions of installation and operation maintenance and protection of all such crossings which may now or hereafter be constructed including the stationing of watchmen thereat or the installation and regulation of lights block or other system of signaling safety appliances devices or such other means or instrumentalities as may to the commission appear reasonable and necessary to the end intent and purpose that accidents may be prevented and the safety of the public promoted No such crossing shall be constructed without the approval of the commission evidenced by its 'Certificate of Public Convenience as provided in section five of article three of this act but in no case shall the approval or consent of any court board or other commission or officer or of any municipality be necessary therefor It shall be proper however for the commission by general rule or order whenever the same can be properly regulated by suitable general rule to prescribe the terms and conditions under which such crossing may be constructed operated maintained or protected without the particular approval of the commission

The commission shall also have exclusive power upon its own motion or upon complaint and after hearing as hereinafter provided (of which all the parties in interest including the owners of adjacent property shall have due notice) to order any crossing aforesaid now existing or hereafter constructed at grade or at the same or different levels to be relocated or altered or to be abolished according to plans and specifications to be approved and upon such terms and conditions as hereinbefore provided

The compensation for damages which the owners of adjacent property taken injured or destroyed may sustain in the construction relocation alteration or abolition of any such crossing specified in this section (for which compensation the said owners are hereby invested with warrant of authority upon appeal from the determination of the commission to sue the Commonwealth) shall after due notice and hearing be ascertained and determined by the commission and such compensation as well as the expense of the said construction relocation alteration or abolition of any such crossing shall be borne and paid by the public service company or companies or municipal corporations concerned or by the Commonwealth as hereinbefore provided unless the said proportions are mutually agreed upon and paid by those interested as aforesaid

In prescribing the terms and conditions upon which any such crossing may be constructed or relocated or altered or abolished and the proportionate contributions to the expense thereof including the damages or compensation to the owners of adjacent property as aforesaid the commission may among other things take into consideration the relative importance to the public of the service rendered by the public service companies concerned as well as the priority of location Provided That where any portion of the cost and expense thereof shall have been or shall be borne in the future by the Commonwealth or any municipal corporation such portion shall not be taken into account by the commission in fixing any valuation for any purpose under any of the provisions of this act And provided further That where the order of the commission shall as part of the regulation of the construction relocation alteration or abolition of any crossing aforesaid require as incidental thereto a relocation changes in or the removal of any adjacent structures equipment or other facilities of any telegraph telephone gas electric light water-power water pipe-line or other public service company said company shall at its own expense relocate change or remove such structures equipment or other facilities in conformity with the order of the commission and in default of compliance with such order the commission shall cause the work and materials to be done and furnished in accordance with the said order and may recover the cost and expenses thereof from the said public service company

Before the commission shall make any final order relative to the construction relocation alteration or abolition of any crossing involving any public highway or street an effort shall be made by the commission to reach an agreement with the proper officials of the municipal corporations concerned determining the plans and specifications governing such crossings and in default of such agreement the commission shall exercise the exclusive power vested in it under this section and shall finally determine and adopt the complete plans and specifications and locate all lines and grades in said public highways and streets and may permit the public service company or companies or the

municipal corporations to do the whole or any portion of the work in accordance therewith otherwise the commission shall do the work by contract or contracts to be awarded after due advertisements to the lowest responsible bidder in accordance with the said plans and specifications

The said contractor shall be authorized in the name of the commission to collect by due process of law from the public service company or companies or the said municipal corporations or from the Commonwealth either severally or proportionately as hereinbefore provided the amount which may be justly due him under the terms of his said contract with the commission and any amount so determined to be paid the said contractor by the Commonwealth as well as the amount of damages or compensation determined and awarded to be paid the owners of adjacent property as aforesaid shall in each instance be paid by the State Treasurer on a warrant drawn by the Auditor General upon the presentation to that officer of a statement setting forth the amount determined to be paid as aforesaid duly certified by the commission said payments to be paid out of any funds specifically appropriated for such purposes or generally appropriated for the improvement of the roads or highways of the Commonwealth and in case of a verdict and judgment thereon for the damages or compensation recorded by any such adjacent property owners upon appeal the same shall be paid out of any funds appropriated as aforesaid and any court of common pleas hearing and determining said appeal is hereby authorized and empowered to issue a writ of mandamus to said commission the Auditor General and the State Treasurer or any of them as the case may require for the payment of such judgment

The commission shall have the right to recover for and on behalf of the Commonwealth by due process of law as debts of like a mount are now by law recoverable from the public service company or companies or municipal corporations in such amounts or proportions against each as has been hereinbefore provided the amount of the damages or compensation awarded to the owners of adjacent property by the commission or by the court of the proper county on appeal and the amounts so recovered shall be paid into the State Treasury for the improvement of the roads of the Commonwealth

On the question,

Will the Senate agree to the section?

Mr. PATTON. Mr. President, I move to amend section 2, page 10, line 4, by striking out "raiway" and inserting in lieu theerof the word "railway;" also page 11, line 5, by striking out "at" and inserting in lieu thereof the word "in."

Mr. JENKINS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to amend article two section one sub-section T and article five section twelve of an act entitled "An Act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the commission of the expense and damage resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the court of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled "To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled "An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" approved the twenty-sixth day of July one thousand nine hundred and thirteen by providing the proportions in which the cost of establishing overhead and undergrade crossings shall be borne by railroad companies the Commonwealth and the various municipal divisions of the Commonwealth

On the question,

Will the Senate agree to the title?

Mr. PATTON. Mr. President, I move to amend the title, page 2, line 2, by striking out "damage" and inserting in lieu thereof the word "damages;" also page 2, line 14, by striking out "court" and inserting in lieu thereof the word "courts;" also page 3, line 13, by striking out "colect" and inserting in lieu thereof the word "collect."

Mr. JENKINS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 769, as follows

An Act to amend an act approved the twenty-fifth day of August one thousand eight hundred sixty-four entitled "An Act to regulate elections by soldiers in actual military service"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of an act approved the twenty-fifth day of August one thousand eight hundred sixty-four (Pamphlet Laws nine hundred and ninety) entitled "An Act to regulate elections by soldiers in actual military service" which reads as follows

"Section 8 Each ticket shall have written or printed or partly written and partly printed thereon the names of all the officers which may properly be voted for at said election for which the said elector desires to vote" is hereby amended to read as follows

Section 8 The commanding officer of each company battery and troop unit shall whenever any soldiers are in service at rendezvous secure and transmit to the Adjutant General of the Commonwealth the names of all soldiers in his command showing their residences and voting precincts This list shall also show the company battery or troop and the regiment to which each soldier is attached The Adjutant General shall in turn transmit to the county commissioners of the several counties a list showing the soldiers in service from their respective counties and giving the residences and voting precincts of each soldier together with the companies batteries or troops and regiments to which such soldiers are attached The county commissioners shall prepare proper ballots in the manner now provided by law for each district within their respective counties in which soldiers reside

The ballots for each separate district within such county in which soldiers reside shall be sealed in an envelope on the outside of which shall be endorsed the district to which such ballot is applicable and the company battery or troop and regiment for which the same was prepared The ballots so prepared and sealed shall be transmitted by the county commissioners of the respective counties to the Secretary of the Commonwealth in ample time so that the same may be forwarded to the respective regimental commanders Each ballot shall have printed thereon the names of all the officers which may properly be voted for at said election for which the said elector desires to vote

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 789, entitled

An Act validating divorces granted on the ground of the hopeless insanity of the respondent, under the provisions of an act, approved the eighteenth day of April, one thousand nine hundred and five, entitled "An Act to amend section eight of the act approved the thirteenth day of April, one thousand eight hundred and forty-three, entitled 'An Act to convey certain real estate, and for other purposes,' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis, and to further regulate the procedure in action for divorce."

The preamble of the bill was read as follows:

Whereas Under the act of Assembly approved the eighteenth day of April Anno Domini nineteen hundred and five entitled "An Act to amend section eight of the act approved the thirteenth day of April eighteen hundred and forty-three entitled 'An Act to convey certain real estate and for other purposes' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis and to further regulate the procedure in actions for divorce" certain divorces were granted by courts of common pleas on the ground of the hopeless insanity of the respondent and subsequent thereto was held by the Superior Court that the said act of Assembly did not constitute insanity a new ground of divorce and it is desired to settle the legality of such divorces as may have heretofore been therefore

On the question,

Will the Senate agree to the preamble?

Mr. SALUS. Mr. President, I move to amend the preamble, page 2, line 1, by striking out the word "actions" and inserting in lieu thereof the word "action"; also page 2, line 8, by inserting after the word "been" the word "granted".

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the preamble as amended?

It was agreed to.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where divorces have been heretofore granted by the courts of common pleas under the provisions of an act approved the eighteenth day of April Anno Domini nineteen hundred and five entitled "An Act to amend section eight of the act approved the thirteenth day of April eighteen hundred and forty-three entitled 'An Act to convey certain real estate and for other purposes' so as to extend its provisions to the husband or wife of a lunatic or non-compos mentis and to further regulate the procedure in actions for divorce" on the ground of hopeless insanity in which the libellant therein complied with all of the provisions of said act that the said divorce shall be legal and valid and binding upon the parties thereto

On the question,

Will the Senate agree to the section?

Mr. SALUS. Mr. President, I move to amend section 1, page 2, line 21, by striking out the word "actions" and inserting in lieu thereof the word "action".

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act validating divorces granted on the ground of the hopeless insanity of the respondent under the provisions of an act approved the eighteenth day of April nineteen hundred and five entitled "An Act to amend section eight of the act approved the thirteenth day of April eighteen hundred and forty-three entitled 'An Act to convey certain real estate and for other purposes' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis and to further regulate the procedure in action for divorce."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 794 on second reading, entitled

An Act authorizing the State Librarian to edit a revised edition of "The Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania" and providing for the printing binding and distribution thereof.

be recommitted to the Committee on Appropriations.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 796, as follows

An Act validating all acts done all contracts and expenditures made by virtue of and all obligations for money borrowed issued under the provisions of an act approved the first day of May one thousand nine hundred and nine Pamphlet Laws three hundred and two entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the amendments thereof and supplements thereto and making such acts contracts and obligations as valid and effective as if the said act had applied to each and every county within this Commonwealth and was constitutional and valid vesting title to any and all property purchased or condemned by any county for said schools under said act in the county which paid for the same

Whereas Doubts have arisen as to whether an act of Assembly of this Commonwealth entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine Pamphlet Laws three hundred and two and the supplements and amendments thereto is constitutional and valid or unconstitutional and invalid and

Whereas Schools have been established under the authority of said act and its supplements and amendments and land has been acquired by counties thereunder and bonds have been issued by counties for the indebtedness created therefor and expenditures of money have been made by counties thereunder

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore any county of this Commonwealth under or by virtue of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine and the amendments thereof and supplements thereto has established and maintained a school for the care and education of male children under the jurisdiction of the juvenile courts all acts done all contracts and expenditures made by virtue of and all obligations issued under the provisions of said act are hereby validitated ratified and confirmed to the same extent and with like effect as if the said act had applied to each and every county within this Commonwealth and to the same extent as if such act of Assembly was constitutional and valid.

Section 2 That whenever any county under and by virtue of said act of Assembly has acquired any land for any such school or schools either by purchase or by condemnation the title thereto shall vest in the county which paid therefor and shall be deemed good and valid in law for all purposes to the same extent as if such act of Assembly applied to all counties in this Commonwealth and was constitutional and valid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 802, as follows

An Act regulating the time for advertising for and receiving proposals for furnishing paper cardboard cuts plates and other supplies for the use of the Commonwealth for executing the Public Printing and the time contracts for furnishing such supplies shall run

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Superintendent of Public Printing and Binding with the approval of the Governor Auditor General and State Treasurer shall when necessary advertise for and receive sealed proposals for furnishing for one two three or four years the Commonwealth with book bill cover bond flat and ledger paper parchments envelopes cardboard and other supplies or any one or more kinds of such supplies required to be furnished the contractor or contractors for executing the public printing and for furnishing for one two three or four years the Commonwealth with half-tones, line cuts electrotypes steel plates and other plates or one or more kinds of such plates required for executing the public printing and the said Superintendent of Public Printing with the approval of the Governor Auditor General and State Treasurer shall enter into contract or contracts for furnishing the Commonwealth with the kind or kinds and quantities of supplies required for executing the public printing for a period of one two three or four years as may be for the best interests of the Commonwealth Provided That nothing in this act shall be construed to in any way alter or change the present method of advertising for and receiving such proposals or of making contracts for furnishing such supplies except to vest in the said Superintendent of Public Printing and Binding with the approval of the Governor Auditor General and State Treasurer the discretion to determine the time or times for advertising for and receiving such proposals and the time for which such contracts shall run

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 812, as follows

An Act fixing the residence of the warden of the county jail or prison in counties of this Commonwealth where the government of such jail or prison is or may hereafter be vested in a prison board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of this Commonwealth where the government of the county jail or prison is or may hereafter be vested in a prison board such prison board may fix the place of residence of the warden of such county jail or prison either in the jail or elsewhere

Section 2 All acts or parts of acts general local or special inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 823, as follows

An Act validating proceedings by town councils in boroughs for the paving and curbing of public highways and validating municipal liens filed therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in any borough in this Commonwealth prior to the passage of this act a highway or part thereof has been improved by being paved or paved and curbed with brick or other paving and curbing material in pursuance of authority of an act of Assembly and an ordinance passed and enacted in pursuance thereof and the costs and expenses or part thereof of the improvement assessed on the abutting property owners as provided by the ordinance and act of Assembly authorizing and directing such improvement and a municipal lien has been filed against the property owner therefor but by reason of some defect in the service of or because of the omission to give or serve any notice required by law the proceedings by the town council authoriing and directing the improvement or any municipal lien filed therefor is defective or invalid such proceedings authorizing the improvement and any municipal lien filed therefor is hereby validated and made binding for the amount justly and equitably due and payable on account of such paving and curbing

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 837, as follows

An Act authorizing appeals from the courts of common pleas to the Supreme and Superior Courts from orders granting new trials

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all actions pending or which may hereafter be brought in any court of common pleas in this Commonwealth and in which any of said courts shall make an order granting a new trial it shall be lawful for the party aggrieved to except to the order or decree of said court granting a new trial and thereupon he may appeal to the Supreme or Superior Court in like manner and with the same effect as though final judgment had been entered

Section 2 The Supreme and Superior Courts shall have power in all such cases to review the action of the court from which such appeal is taken and to affirm reverse amend or modify said order or decree appealed from and to enter such judgment order and decree in the case as the appellate court may think proper and just without returning the record for amendment or modification to the court from which such appeal is taken or may enter judgment on the verdict

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 701 (House Bill No. 354), entitled

An Act authorizing the Legislative Reference Bureau to continue the work commenced under the provisions of an act, approved the twentieth day of May, one thousand nine hundred and thirteen, entitled "An Act directing the Legislative Reference Bureau to prepare compilations or codes, by topics, of the existing general laws of this Commonwealth, for adoption or rejection by the General Assembly; fixing the powers and duties of the bureau therein, fixing the compensation of the assistant director; and making an appropriation therefor," fixing the powers and duties of the bureau therein, and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 774, entitled

An Act making an appropriation to refund certain monies to the estate of the late Joseph P. Kennedy

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 785, entitled

An Act relating to bridges in townships of the second class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 850, entitled

An Act to further amend an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer chief draughtsman superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connect-

ing county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part, requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 877, entitled

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts.

House Bill No. 773, entitled

An Act authorizing directors or overseers of the poor to provide a building or rooms for the care treatment and maintenance of persons temporarily mentally deranged

House Bill No. 775, entitled

An Act to fix and determine the salary of the several clerks of the Courts of Common Pleas of the County of Philadelphia in accordance with Article five Section seven of the Constitution of this Commonwealth.

House Bill No. 734, entitled

An Act amending section one of an act approved the seventh day of June one thousand nine hundred one entitled "An Act to authorize the township commissioners in townships of the first class to lay out widen open and vacate streets and the highways within their respective townships at the expenses of the township or the properties benefited."

House Bill No. 461, entitled

An Act to amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and nine (P. L. 237) entitled "An Act regulating the sale of milk and its fluid derivatives in cities of the first class providing for the licensing of those engaged in that business and providing penalties for the violation thereof."

House Bill No. 359, entitled

An Act allowing appeals from orders of court entered on motions to quash or dissolve writs of foreign attachment.

House Bill No. 69, entitled

An Act fixing the compensation of employes of the Department of Banking.

House Bill No. 262, entitled

A Supplement to an act entitled "An Act to provide for the incorporation and regulation of natural gas companies" approved the twenty-ninth day of May one thousand eight hundred and eighty-five providing that corporations engaged in the business of supplying natural gas may manufacture or purchase and transport and supply manufactured fuel gas.

Whereupon,
The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the presence of the Senate signed the same.

RECESS.

Mr. W. W. SMITH. Mr. President, I move that the Senate do now take a recess for five minutes.
Mr. SALUS. Mr. President, I second the motion.
The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILL SIGNED.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 52, entitled

An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products and prescribing penalties.

Whereupon,
The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the presence of the Senate signed the same.

BILL INTRODUCED.

Mr. C. A. SNYDER. Mr. President, I ask unanimous consent to read a bill in place at this time.
The PRESIDENT. Is there objection? The Chair hears none.

Mr. C. A. SNYDER read in his place and presented to the Chair Senate Bill No. 870, entitled

An Act to prohibit the appointment of non-residents to any office, position, or place, or as an employe under the Commonwealth.

Which was committed to the Committee on Judiciary Special.

ADJOURNMENT.

Mr. EYRE. Mr. President, I move that the Senate do now adjourn until 10 o'clock to-morrow morning.
Mr. SASSAMAN. Mr. President, I second the motion.
The motion was agreed to.
The Senate adjourned at 2.47 o'clock P. M. until Wednesday morning, April 18, 1917, at 10 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, April 17, 1917.

The House met at 10.30 o'clock A. M.
The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

O Lord, this beautiful morning we would acknowledge Thy divine providence in everything that we do or say. May Heaven's richest benediction attend us in all our comingling with humanity. Give us clearer visions of life's duties; intensify our every endeavor for good; enlarge our spheres of actions and graces; beautify our Christian characters by causing us to continually go

about doing kind acts so that we write our names in the hearts of men and inscribe our spiritual worth in the Lamb's Book of Life.

Give us strength, patience and endurance to overcome all evil, to resist temptations, to practice more tolerance, and to glorify Thy most Holy Name. Grant all these favors, and save us all. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Bovee, the further reading was dispensed with, and the Journal was approved.

PETITION.

PROTESTING AGAINST REPEAL OF NON-PARTISAN BALLOT, FOR ELECTION OF OFFICERS IN CITIES OF THE SECOND CLASS.

Mr. GEARY presented the petition from the City Council of the City of Pittsburgh protesting against passage of bill repealing the law providing for the election of officers of cities of the second class on a non-partisan ballot.

Referred to the Committee on Elections.

BILL INTRODUCED AND REFERRED.

By Mr. WOODWARD. House Bill No. 1514.

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth, the safety of its people and the protection of their property, and to aid the Government of the United States in protecting and defending said Government and the people thereof, and their property; and making an appropriation.

Referred to the Committee on Appropriations.

BILL ON THIRD READING (SPECIAL ORDER).

The SPEAKER. The hour of 10.30 A. M. having arrived, the Chair lays before the House House Bill No. 117, File Folio 2257, the special order set for this hour.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 117, entitled

An Act proposing an amendment to section one article eight of the Constitution of Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WHITAKER. Mr. Speaker, this bill proposes an amendment to the Constitution, which if adopted by another legislature, will start the legislative process which will enable the people to pass on this subject three and a half years from now, or November, 1920. This subject has long since passed the stage of frivolous discussion. It is now a serious matter in the minds of most of the voters and nearly all of the people in this State. That fact is shown by the great interest shown and the numerous resolutions lately presented by the two hundred and fifty labor unions and other labor organizations to the members of this House. It shows it is a live issue, one that is calling earnestly and constantly upon our attention and which can only be settled by again referring it to the people for a final decision. When this question was submitted to a vote of the people a few years ago, a greater interest was then shown by the voters than in voting upon any other amendment submitted to the people since the adoption of the Constitution. The vote at that time, which was an off year, and when four other amendments were being considered at the same time, was three hundred and eighty-five thousand votes for it, with four hundred and forty-one thousand votes opposed to it, making a total of eight hundred and twenty-six thousand voters who expressed their opinion on this subject. Yet the majority opposed to the adoption of the amendment amounted to six and a half per cent. of the vote, a majority which many and many a time by which a political party has been defeated, and yet that party was returned triumphant perhaps six months or a year afterward. At that same time thirty-three of the sixty-seven counties actually gave a majority in favor of this amendment. This certainly shows that there is no lack of interest in the minds of the people or the voters in this State on this subject, and if you add to that fact the undoubed truth that constantly sentiment is growing in its favor, if you recall the fact that three of the large and important states, within the past year or so, have adopted suffrage, if you recall also that in Europe our greatest and largest ally on the other side, Great Britain, has come to the conclusion that it is time to accord women this privilege, when we remember that Canada has already put in complete suffrage, and even that the new democracy of Russia is preparing to include this as one of its blessings of its new-born liberty, we must realize certainly that it is a live question and one which is appropriate at this time to put before the voters. Within the past year or so the large states of Ohio, Indiana and North Dakota have adopted suffrage in one form or another, and there is no question but that the subject is growing keener and closer to the minds of the people every day, and the legislative machinery, which is necessary to bring about another referendum on the subject ought now to be started, because even at best another vote cannot be taken until November, 1920, over five years after the last decision. I think it is only fair at this time that we should determine this question, not by saying that it is a matter unworthy of the voters' consideration, but on the contrary we should say that that is the place for it to be decided, by the voters of the Commonwealth, and it ought to be submitted in full and fair confidence so that it may be decided finally and decided right.

MR. MILLIRON IN THE CHAIR.

Mr. MILNER. Mr. Speaker and Gentlemen of the House: I believe that we should favor this amendment and give the men of Pennsylvania the right to vote again at the polls upon this subject in 1920.

In 1915 with no educational campaign among the voters, a similar amendment was defeated by ony 55,000 votes. We should be fair to both the men and the women of this State and at least allow them to deliberate upon the great question of granting woman suffrage, and indicate their preference three years hence.

I have always been an apostle of mere man—the old fellow who brings home the rent, eats out of the kettle at noon—and fills it with kindling to carry home in the evening—the old fellow who pays for the clothes, food, heat and light and wrestles with the mortgage—the old codger who tunnels the mountains, bridges the rivers, builds the railroads, endures the privations of construction camps, breathes the compressed aid in the caissons—hews the wood and draws the water—passes laws for the protection of women and with infinite thought and back-breaking labor constructs the astonishing apparatus of civilization. Those old fellows who fight the bloody battles of the world and fill the war trenches with themselves. I stand for. No one now denies in this country that under certain proper conditions they should have the right to vote. But we seem to forget that women also are part and parcel of our body politic—that they bear, rear and educate the children, keep the home, care for and administer to the men; that their part in the life of the states is important and essential; that they have worthy ideas that it would be to the benefit of mankind to express in governmental action. For untold centuries women have been regarded as inferior to men—she has been kept in the background. In the Hindoo scriptures it is provided that man's will is his wife's will; and if he die first, her religion demands that she shall ascend the funeral pyre and herself burn over the remains of her husband. She is taught that in doing this, she gains some short leave of Heaven, not like her husband who enters into an everlasting kingdom, but a temporary rest and peace with him or near him in the heavenly abode. But when the wife dies first, what then? Does the husband robe himself in white and with uplifted face, trusting in heaven, quietly and serenley ascend the funeral pyre and burn with his departed wife? No, there is no record of a case of that kind. So we might take up each nation and each period of history, the Turkish harems with their virtual women prisoners, the slavish wives of the Romans, whom they lent to their friends, the woman drudges of present day continental Europe. In all times and all countries, women have been subdued and restrained in their social development. English and

American men have put their women on a plane of equality with themselves in everything except political rights. In neither country have women lost any of their feminity, none of their charm. But they have come to a realization of their rights and so have the men. In the United States eleven States and one Territory have granted full suffrage to women, four more States have granted presidential suffrage and nineteen more have granted partial suffrage so that there are only fourteen States in the Union, including Pennsylvania, that have granted no suffrage to their women.

New York and Maine have recently referred woman suffrage amendments to the people. It is apparent that England will soon grant suffrage to women. Universal suffrage in all of the United States is inevitable—the granting of suffrage to women is simply an incident in the marvelous advance the world is making. The wonderful realities of modern life seem like vaporings of a dreamer when first we hear them, yet as Kaufman says, "A flash out in the night leaps leagues of snarling seas and cries to shore for help which but for one man's dream would never come. Wings of canvas beat the air and add the highways of the eagles to the human paths. A god-hewn voice is caught upon a disk of wax and wells out through a throat of wood to last beyond the maker of the song because a dreamer dreamt.

Lord Kelvin said that just as the inventions of the past 100 years surpassed all the inventions of the preceding centuries, so the inventions of the next 50 years will surpass those of the century which has just come to a close. Think of it, gentlemen, we are trembling on the verge of marvels, we are going to live out the day dreams and fairy tales of our youth.

In such an age it is fitting that universal suffrage should prevail—and it will—it is in keeping with the spirit of the age—it will help to purify politics and the law—I, therefore, intend to vote for this amendment and hope my fellow members of the House will be chivalrous enough to the ladies to do likewise.

SPEAKER BALDWIN IN THE CHAIR.

Mr. PALMER. Mr. Speaker, I present the following petitions from the Labor Unions of Pennsylvania in favor of the Womans Suffrage proposition.

The SPEAKER. Does the Chair understand that these are resolutions that the gentlemen from Schuylkill has presented?

Mr. PALMER. Mr. Speaker, they are resolutions which have been passed by the Labor Organizations of Pennsylvania, a great many in number, and they want this amendment passed. I offer them as petitions.

The SPEAKER. The Chair will recognize them as being filed with the Chief Clerk, as provided by the Rules of the House.

Mr. STOFFLET. Mr. Speaker and gentlemen of the House, I have been here but a very short time but I have been here long enough to notice that nearly every measure that is brought before this House, has one side to it that receives more consideration than another, and that is the economic side of it.

Now, let us pause for an instant and consider the economic side of the measure that is before us this morning. There are twenty-seven million men of voting age and twenty-four million women of voting age in this country. Today we are printing and distributing for the use and accommodation of the twenty-seven million men who vote thirty million ballots. Now let use add, by legislative enactment, twenty-four million women to this voting list and we will be obliged to double the number of ballots so distributed yearly; we will be obliged to double the number of polling places; we will be obliged to double the number of election officers to man these polling places; we will be obliged to issue and to print double the number of return sheets; and it will take twice as long to compute the official count as it does now; in short, all of which means double the expense. Now, gentlemen, what are we going to get for this vast outlay of money? What is it that the suffragette is going to give us in return for this money? That is the question to be considered. Consider this for one moment from the economic standpoint. Does it pay? And what secrets of good legislation are hidden in the brains of the suffragettes, I would like to know. What law is there, beneficient to mankind, that they cannot secure under our present system? Ever since the suffrage question has become a public annoyance and indubitable menace to our free institutions I have asked several statesmen of international reputation and indisputable ability this question: "Has a Republican form of government been brought to the state of perfection in this country? Invariably I received the same answer: "Decidedly not." These are men who are learned in the law, men versed in every department and feature of State government, men who ought to know and who do know; and if what they say is true then this is no time to inject into the politics of this country a question with such a troublesome feature.

If what they say be not true that our government has not been brought to a state of perfection in this country, then looking at all other things in an imperfect condition it is still in an experimental stage. We must admit that our form of government is the grandest that the world has ever seen, but if it had arrived at a state of perfection it would again be not only unwise but truly foolish to inject into it any new and troublesome political features, for fear of disturbing the state of perfection which it has taken us centuries to arrive at. It has been stated on the floor of this House that a good many states have adopted woman suffrage. So they have, but let me say this, that the suffragists, since we have a number of states that have adopted suffrage, in those states there are thousands and thousands of square miles of unoccupied territory and if the electorate and all such of this grand old Commonwealth are not suited with this State without suffrage let them go there; that is the place for them. Suffragists have resorted to all kinds of misleading statements and untruths to carry their points. They have stolen the slogan from the colonists of 1776 that "Taxation without Representation is tyranny." There is no such thing as that in this country at the present time. They have attempted by all the powers they could invoke to their assistance to establish a parallel between the colonists of 1776 and prior to that time with the women that want the vote today and they have failed utterly, for the simple reason that between these two no parallel exists. The men in the British Parliament who voted the taxes in 1776 and prior, the colonists did no pay one single cent of that tax. On the contrary, the more money they could extract from the colonists the less they themselves had to pay in England. Well in this country seven-eighths of the taxes, by some singular coincidence are paid by seven-eights of the men; and by another singular coincidence the remaining one-eighth of the taxes are paid by one-eighth of the women, not on wealth or property which they have created or acquired but on wealth and property that has descended to them from some male member of the family; a grandfather, a father, an uncle or some other male representative of the family. Another mistatement that they make is when they say as to the benefits that would accrue to the laboring classes. Who ever heard that the laborer and mechanic increased his wages or bettered his working conditions by votes? They have had the ballot for more than one hundred years. The laboring man and mechanic looks to labor organiztions and labor unions for better wages and better working conditions, and not to votes. There is, as I have said before, twenty-four million women of voting age in this country. Out of these twenty-four million there are over three million who are engaged in wage earning occupations. What earthly use could this handfull of wage earning women have by a vote in any political conditions against the twenty-one millions who are not so engaged? It is absurd. The reason why women do not earn the wages that men earn is, first, because of their physical condition, and this you cannot change by votes. Secondly, because the average length of the wage earning life of a woman is seven years, hardly long enough for a woman to become proficient in any one branch of industry. After a period of seven years engaged in wage earning occupations they graduate into matrimony, which is the desire and expectation of every normal woman. The women in the states of Washington and Oregon in 1914 defeated an eight-hour law and they defeated a forty-eight hour week law; they defeated a room ventilation law. The have not been equal in New York, Massachusetts, New Jersey, Connecticut, Michigan and Pennsylvania, which are in the forefront for good laws for women and children—Judge Ben Lindsay in 1915 in a speech in Denver said that Colorado was twenty years behind Massachusetts and other eastern states in in laws relating to women and children in spite of suffrage. Look at the promises they make to local optionists and prohibitionists. They say "Give us the ballot and then you will get what you want." Have

they proved it? In one of our western states when it was referred to the voters whether the number of saloons in a certain town be decreased from eighty to forty the women decided the liquor interest who publicly congratulated the suffragists for the work they did. In another city the suffragists had a parade and they excluded from that parade the women of the Women's Christian Temperance Union. There is no truth in it and public confidence has had several severe jolts and it cannot stand many more from the suffragists. I have said normal women. It is not the duty of women to go about on this subject. If women would only realize that men and women were not made for competition but for co-operation then they would come to us and say, "We don't want to usurp your places, neither in politics nor in public life, but help us to find our places so that we may do more for you and for our children and for your children," and if they want to come tha tway or if they would come that way the men in this House would be only too glad to say we are only too happy to assist you. I honestly believe that the men who vote against this measure today are the men that are going to try to save women from themselves. Thos are the men who stand here today to protect the honor the virtue and the sancitity of womanhood and the home.

Mr. LAUCKS. Mr. Speaker, it falls to my lot to answer the arguments advanced by the gentleman who has just proceeded me. The arguments which have been advanced by the gentlemen from Northumberland, who seems to place special emphasis upon the economic phase of this proposition is not difficult to do. He seems to be very much disturbed about the actual cost of printing ballots that would have to be printed if women are allowed to vote and that it will require twice as many ballots as it does at the present time. I would like to ask the gentleman what he would prefer to have? Whether he would have the number of ballots printed that we do print at the present time or to have a system of government where there are practically no ballots printed. If that agrument holds good, when women are allowed to vote, the same arguments would apply at the present time and the cost that is now imposed upon the people in general for printing ballots, if so large a number could be eliminated, if only ten or fifteen per cent. of the people of these United States were allowed to vote that might, according to the argument of the gentleman improve matters. Go one step further: We could improve, according to the argument of this gentlemen this condition by having a system of government like that of Turkey where there are no ballots to be printed; or a system of government like that which has previously existed in Russia where there are no ballots to be printed. It seem to me, gentlemen, that anyone whether he is prejudiced either for or against equal suffrage, can see that there is absolutely nothing in this argument. The gentleman referred to our system of government as the best system of government existing on the face of the earth but he said, "It is not perfect." We agree with him on that.

Our system of government is not perfect, but then he went one step further and said we must not, or we should not, inject anything new until this system is made perfect. I would like to ask the gentleman how we are going to perfect this system of government unless we inject something new. There are those among us who are always opposed to anything new. They are afraid of it. I do not know exactly why that is. Perhaps they have some particular interest that they fear is going to be injured. If we are not to inject anything new, we are going to stay exactly where we are, and this system of government if it is not perfect will never become perfect. We now elect Senators by the direct vote of the people. Was not that something new? Was not that injected into a system which was established a number of years ago by our forefathers? Do we not see that it is an improvement? Those men who are always afraid of injecting something new or taking hold of an experiment, place themselves in the same position as those people who opposed anything new centuries ago. If we were always opposed to something new, we would still be worshiping idols of wood and stone—gods of wood and stone—and we would still be in the same position politically, educationally and morally we were five thousand years ago.

This question it seems to me is one of great importance because it involves the principal of democracy; because the sentiment in favor of woman suffrage is growing. It is not only a State wide issue, but it is a Nation wide issue as well, yes, even a world wide issue. State after state, as well as nation after nation is considering this matter seriously and adopting it as rapidly as they possibly can. There is one agrument advanced by the opposition which it seems to me does not carry great weight, and that is giving the right to vote to women would be an imposition upon those who do not want it. It seems to me that it is a greater imposition upon those who do want it if we refuse to give those persons the right of suffrage. There is nothing to compel anyone to vote or to hold office even though they are given that right.

Now, if there is nothing to compel any women to vote or hold office, how is it that this can be an imposition upon the one who does not desire to do so, if they are merely given that privilege by law. Another argument advanced is that woman's place is in the home. I would like to ask what is meant by the home. Does that mean that woman's is within the confines of her own house? Is it the idea that woman is to be a slave in the kitchen? That she is not to come into contact with the world in general? It is said that woman's place is in the home for the purpose of properly bringing up children. How can woman properly bring up children if she is not allowed to come into contact with the affairs of everyday life? How can mothers teach their boys those things that boys ought to know if she is not allowed to get out into the world and come into contact with those things about which boys should be taught.

Another argument is that women would lose their influence. It seem to me that that needs no comment. Women have a certain influence but at the present time they can exert that influence only indirectly, and anyone knows, who makes a study of the subject, that indirect influence is very slow. It may exert itself in the course of time, but the fact is that it canot be produced until time has elapsed. The people of Russia no doubt desired a change many many years ago, but they were in exactly the same position as woman. They could not exert their influence directly and as a result of that a revolution was necessary. One other argument is that because woman cannot fight, that is woman cannot serve in the army, they should not be allowed to vote. May I ask you this: How many men who cast their ballots every year are physically, mentally, or morally able to be members of the United States Army? Thousands of them. If we wish to stop there and say that because woman cannot fight at the front, or in the trenches, they should not be allowed to vote, we are advancing an argument that has absolutely nothing in it. Besides do woman take any part in actual warfare? Take into consideration the catastrophe at Chester only a few days ago. The majority of those people, were women and girls. They were engaged in the manufacture of munitions, and that is exactly the thing that takes place when war demands it. The men are called to the front and the women are called upon to bear the burden at home. That is exactly what is happening in Europe to-day, and if it happened in Europe, it will happen here. If women are obliged to bear the burden at home, are they not taking part in actual warfare just as well as the men? I do not think it is necessary for me to take up any more time. It seems to me that any one after giving this subject due consideration, and after listening to the arguments in favor of this amendment that have proceded mine, must come to the conclusion that this amendment should be submitted to the people of Pennsylvania in 1920. If you are not actually in favor of woman suffrage, you should be chivalrous enough to let the people of Pennsylvania decide for themselves whether or not woman shall have the right to vote.

Mr. BENCHOFF. Mr. Speaker and gentlemen of the House, I believe in the old saying, "that the government is of the people, for the people and by the people." Perhaps that is quoted wrong, nevertheless, it means what I mean. I do not believe that we have a right to discriminate between the classes of people.

We, the people, are the government, and therefore should have the right to say what the government shall be. I have been engaged in school work all my lifetime, and my judgment and knowledge up to this time have shown to me plainly that women cope with men equally in intelligence. In our common schools seventy-five per cent. of the girls are graduates of the high school, and twenty-five per cent. are boys. In nine cases out of ten a girl leads the class, showing that girls rule and lead in intelligence. Now, why can any sane man say that an intelligent woman, a creature of God's work, shall be deprived of the right of voting? Now take the history in the past and look over the nations and their government. Man has ruled not from the point of intelligence, but from the point of physical strength. Now I claim, or ask for justice for all. Why

should a woman be deprived of the right to make a law, and yet at the same time be subjected to the law? Women to-day pay taxes; they are submitted to the courts, and they must be content according as the decisions are given by the judges. Therefore, I would ask you, gentlemen, in a matter of common sense, in a matter of justice to all, to vote to-day and give us the right to say whether women shall have the right to vote. I would ask you to do that.

Mr. WILLIAM DAVIS. Mr. Speaker and members of the House, this is a home question and one in which we should be familiar. The question of the right of woman suffrage is a grave question; it is a grave problem. It should not be met or looked upon as a matter of gossip, because we are dealing with one of the most serious subjects and propositions that can come before a legislative body of this State or nation. We have different classes among the masses. I only wish to say a word or two upon this subject for the reason that I did not expect to talk on it. In the first place, we have the motherhood of the nation and the State. In the second place, we have the high-heeled, low-necked, short-skirted society lady who manages to reach her limousine some time in the afternoon, to go downtown to take her lunch with some other subject, while her husband is busy at his desk. In the third place, we have another class, the scarlet woman, who is on the street with the lash snapped in the ring of some mastiff, moving down the street to meet some other cur to spend the balance of the day. I only wish to say a word, Mr. Speaker, about the motherhood of the State and nation, for there is where we began and there is where the prosperity of this State, nation and the world began, with the motherhood of the State, the motherhood of the family. Talk about molding sentiment and character! Where is the sentiment and character of manhood built, and who builds it? Is it man? No. We have to admit it is the mother. The mother has more to do than ever the man can or ever will be able to do. Why, she molds character and sentiment in her unborn baby before she gives birth to it. Her habits and customs and the life she walks mold the character and sentiment of her offspring. She then takes that child, and what does she do with it? She loves it up to her bosom, she administers to that child love and affection, she nourishes it on her bosom, the most sacred place on earth that ever you and I have rested, and while that child is nursing and receiving its nourishment, it listens to the pulsations of the mother's heart, and it listens to that sound, and when it ceases from its nursing it turns its face to that mother and smiles, because in listening to the pulsations of her heart it is learning. The point I wish to make is that she is imparting knowledge to that child before and after birth and every day of its life. I want to say, Mr. Speaker, that I belong to that class of the motherhood of the State, for I had a good, grand, old mother, and she never believed in woman suffrage, although she died at the age of eighty-nine years. I have been fortunate enough to have had three mothers at my home. My mother-in-law is there to-day, at the age of seventy-seven, and she opposes woman suffrage. My wife is there to-day, and I am glad to say that she is a mother, and opposed to woman suffrage, and if I came here and favored this proposition there would be a division in the house, and you know what the result would be when I would meet my mother-in-law. The great question of this day and this age and the future generations is where and what is to become of man,—just exactly what the mother teaches the child. She teaches it from day to day and from week to week and year to year, and you know the old saying, that as you train the child so will he go.

Look back to the days of Thomas Jefferson and look at the prohpecy he made. That prophecy extended over the last one hundred years of the history of the United States, and considering the population of the United States at that time he said that if the motherhood of this nation would continue to guide the Ship of State that we would reach a population in the next hundred of years of twelve million. This we are not going to reach on the prohpecy of Thomas Jefferson as shown in our statistics. Why? There is a race suicide, unfortunately, has come into our midst and the second and third classes I have named are practicing race suicide. We have only one class of women and I want to say that so far as I have consulted with them and conferred with them they are the motherhood of the nation and are opposed to Womans Suffrage. But the question as you consider it is that they are not as intelligent as the Italians, the Hungarians and the Polanders. That is not the question. They are so far superior that we do not want them down on the common level with that class of people. You say they can do what the men can. Who wants to see his wife or his daughter down in the rolling mill and puddling mill with horned hands and bronzed brow? Woman was created as a helpmate for man. She is the flower of mankind as she ought to be, at any and all times the sweet woman and other of the home to receive the husband and the children and thereby mould their sentiment so that they cast their ballots in the way they should cast them and that is the place she has been holding and that is the place for her to-day.

Now, Mr. Speaker, I want to be understood and all to know that I am opposed to Woman Suffrage because I would rather see any measure come before this House tending to elevate woman rather than a measure that would require her to go out on the highways and byways and street corners and curbstones and be holding hands with other men than myself. If that will tend to elevate women I will be for the ballot, but I know in my own heart, from the history of the States that are enjoying Womans Suffrage—if they really call it enjoyment, and I dare say that the motherhood of those Sttes do not enjoy it—I venture this assertion, that there are more ill feelings, there are more bad social gatherings between husband and wife by reason of women going out after votes and button-holing men upon the street corners trying to persuade men to her views and ideas. What do you expect from that? More breaks of the human family, with loss of love and affection for the home circle, absence from the children, away where she ought not to be and not where should should be, moulding the mind and character of her boy, and following that you will find disruption and divorce in the family at home. Mr. Speaker and gentlemen, I want to say to you that if you want your women to grow coarser, less affectionate, go away from home, neglect your children, neglect you, neglect the entire family circle, vote for this measure; but if you want her to become more refined it is your duty and you took the obligation when you married her to take care of her, to protect her and stand by her. I would not want to stand by her unless she looked like the good God intended she should, unless she looked like the flower of the human family.

MR. MILLIRON IN THE CHAIR.

MR. STITES. Mr. Speaker and gentlemen of the House, I was asked to discuss the constitutional features of this question. Now, I do not intend to do it because all of us, I think, would be thoroughly tired. I see the House appears to be in good humor this morning and therefore I just propose to add a little word by way of a story.

When I consider the rather anomalous condition of women in this country, the fact that we are very glad to receive their taxes and require them to shoulder many of the larger burdens of society and that we give them very few privileges insofar as the management of affairs is concerned, it reminds me of the two Irishmen who were standing on the corner of Trafalgar Square, London, watching a Scotch regiment pass by. The Scotch regiment was dressel in the traditional kilts. Denny said to Pat, "Pat, I didn't know they allowed women to fight in the war;" and Pat looked at him and said, "Why, Denny, they are not women, they have mustaches;" and Pat said, "I wonder what regiment that can be." "Ah," Denny said, "I know; it is the famous Middlesex Regiment." And, gentlemen, of the House, it seems to me that in our treatment of the ladies we put them in the class of the Middlesex regiment; they are neither one thing or the other.

When I consider that the wayward steps of childhood are guided by our mothers, that they smooth the wrinkles in the case of sickness and pain, that in the last ministrations of death they shoulder many of the larger burdens of society, it seems to me entirely unjust that we would fail to accord them the privileges and the responsibilities that we give to the ignorant colored man and the untutored laboring man or even to some of the higher classed society who have not anything like as much intelligence, it seems to me every one of us here should sincerely support this bill this morning.

Mr. HORNE. Mr. Speaker and gentlemen of the House, in the early history of the human race, one man as leader of his tribe or nation was supposed to be endowed by heaven to make laws, judge the people and rule. Soon it became the custom for rules to allow their advisers to

assist in making laws, and after centuries of despotic sway, lands were divided among these advisers, who in turn became barons, and usurped the franchise, gave plots of land to their soldiers or friends, who later demanded the ballot—and so on down through the ages, more and more the people have demanded some part in formulating the laws that governed them, until the American Republic formulated and adopted what seemed to be a universal law,—that all men are created equal; that they are endowed by their Creator by certain unalienable rights, and among these are life, liberty and the pursuit of happiness.

Those early governments that usurped the rights of the people, ruling them against their will, came to ruin and decay. The Jewish nation was scattered to the ends of the earth, Grecian power fell a victim of her own spoils, Rome in her splendor brought on her own weakness, and fell prey to the towers of her own building. England, too, lost a grip on those who left her shores to seek fortunes, worship under a kinder sky, and a great new empire sprang into existence, whose message to the world was: equal opportunity, free speech, free press, religious liberty, the right to assemble peaceably, and the right to a redress of grievances.

In our struggle to maintain these principles, the right to hold property has been extended, suffrage was obtained so that instead of 5 per cent. (rich or large landholders, or those of religious tendencies) nearly all whites were granted suffrage by 1870—then the negro was added, and to-day, only the idiots, aliens, criminals and women are barred.

1. Why have we treated women so unfairly?

2. Shall a few govern the many in a democracy without the consent of the many?

3. Shall we compel our free-born women to accept a condition which our forefathers overthrew—taxation without representation? Why was this tyranny for men but not for women?

Shall foreign borns, who are coming in at the rate of ten million, many of whom cannot read or write our language, be given the power to govern our wives, sisters, daughters and mothers?

Should any men presume the arrogance and pretense that their wisdom is sufficient to represent their mothers, wives and sisters?

They were born under the same sky, having equal parentage, the women equal to men in intelligence, health, energy and far their superior in ideals and morals. No man present dare say the mother who bore him, caressed, cared for and raised him, is unfit to vote as well as he. Could she be trusted to the ballot? Will you do so? She fought the great battle which brought you into existence. She levied a tax on her own soul when she took on the duties of motherhood; her ceaseless care and sleepless nights consumed far more time than is required to cast a thousand ballots. How dare any man have the affrontery to say to that mother or wife that she is not fit to vote—not his equal, or entitled to equal rights?

Sure enough she is fit to bear the sons and daughters of the nation, even fit to offer her sons as a sacrifice on the altar of war, fit to die a dozen deaths for those she gives—but not fit to vote.

You who are opposing equal suffrage know you are not upholding democratic rule, know you are not willing to give to thers—your equals—what you demand for yourselves; you are attempting to believe that you are a special ruling class; who gave you this "divine right" to govern human souls?

Many men are not able to govern themselves, but are allowed to help control the property and lives of the women in their community. Why cling to the false "divine right" of sex any longer?

Whether it costs more or assists one cause or another, makes better or worse the conditions for society—it is right; and all fair men should vote to liberate a greater, better and nobler class of people than has ever been set free in any state.

If three million voters were appealing to you there would be a stempede to cast your aye. Remember! they are going to be votes. They now have one-third of the territories. It has never been recalled where adopted.

Shall this really be a government of the people, for the people and by the people?

Here is a petition of the people, for the people—our own American best blood—and we as men cannot ignore this petition for redress—this petition for equal rights—asking that they be given their God-given rights, not as slaves, not as aliens, but as the highest type of American citizens.

Mr. Speaker, I present petitions from the women of this Commonwealth, from all over this State, favoring this measure.

(Whereupon petitions containing signatures of thousands of women were strung through the aisles of the House of Representatives.)

Mr. DAWSON. Mr. Speaker, I desire to present another huge petition from citizens of Pennsylvania in favor of woman suffrage, including the names of Richard Beamish, esq., Honorable William S. Vare, Judge Archibald, Gifford Pinchot, Mitchell Palmer and others.

Mr. PALMER. Mr. Speaker, much has been said on the subject of suffrage. I don't think I can add anything to what has already been said, but I wish to say just a few words in favor of the passage of this measure. We are not voting this morning on the question directly but we are simply voting on the question of whether or not in the year 1920 the voters of this State will again have an opportunity of voting on the question of whether or not the women of this State shall vote.

It is nothing more than right to my mind that we pass this amendment. This question was voted on in 1915. The sentiment for suffrage has greatly increased and by 1920 there is no doubt in my mind that the voters of this State will want the opportunity to pass on this question again. A great many arguments have been made here this morning for and against this amendment, but there is one thing that comes to me, that is an argument in favor of the right of women to vote. To begin with, if the right to vote is inherent in somebody, and we have assumed as the men of this nation that it is inherent in the men, if it is inherent for a government to be by the people, for the people and of the people, as the only form of a democracy, then I would like to ask the gentlemen of this House if this is a democracy or not to-day. The whole theory of our government is that of a democracy. Our forefathers fought for our independence. They wrote the Declaration of Independence, the Bill of Rights, and the Constitution of this government, and in every one of those great documents they put this thought, that all men are created equal, and that they are endowed with certain inalienable rights among which are life, liberty, and the pursuit of happiness. They have carried this thought out in every great document, that all of our people shall be given equal rights, and yet from that day to this, we have denied the right of franchises to more than one-half of our population. I want to say to this House this morning that we will never have a pure democracy in this nation until we give the women the right to vote. I wish to say further that it will be absolutely impossible for this great nation to arrive at that point in its perfection where it can call itself a true democracy without the motherhood of this nation having something to say about the government. It is true, as has been said, and argued by those opposed to this amendment, that the womanhood of this nation should have the right to vote, or the motherhood of this nation, I should say, should have the right to vote. I agree with them, and while we have the motherhood of this nation and we have the high heeled and low neck dressed women, and we have the scarlet woman, we have the fatherhood of this nation and we have the thug, the gambler, and the man who does not know how to vote, and votes wrongly, just as well as we have women. Gentlemen of the House, while we have granted the right to the fatherhood of this nation we should give it to the motherhood of this nation and we should not hesitate this morning to vote for this amendment simply because you have some women in this nation who would not know how to use the ballot if they had it, because we have just as many men in this nation who do not know how to use the ballot as we have women, and I dare say that we have more. Why we talk about denying women the right to vote; we say that they should stay in the home; that was true one hundred years ago, and possibly fifty years ago, but circumstances have changed. The women no longer can control their families in the home. The environment of our children and everything else has changed until the motherhood of this nation must have their right to vote if she shall control her family properly. They no longer

make the clothes for the children, but they are made in the factories. The children are to-day employed when one hundred years ago they were employed only on the farms and scarcely anywhere else. If the women of this nation are to control their families, they must have the right to vote. We need the humanity of the mother in the vote to bring about the changes that are necessary to give this nation what it needs. I ask the members of this House to look at this question fairly and not be influenced by any prejudice, but to think about what it will mean to the State of Pennsylvania when the women vote. I ask you to consider this question not from the standpoint of whether the women will revolutionize voting. It is possible that they will vote very much like the men vote in some instances and in some communities, but I feel that they will elevate the voting of this State and nation and that they should be given the right to vote. It is nothing more than fair that we again this morning pass this amendment, and say to the women of this State who want the right to vote that we are willing at least that in 1920 the voters of this State shall again pass on this question, and that is all we are doing here this morning.

This amendment will have to be passed in two years again. I am very frank to say to you that when the time comes to vote on this question, directly, I will vote for it, but you have a right to vote against it if you wish to. I think we ought to pass this amendment this morning.

Mr. DITHRICH. Mr. Speaker and gentlemen of the House, it was not my intention to enter into the discussion of this measure, and it is only because one very important feature has not been mentioned that I arise to address myself to the subject. When I came to this session I stated to the advocates of woman suffrage that I was opposed to it, but I had not made up my mind whether or not I would vote against submitting it to the voters of the State. The measure had carried in our district and I was influenced in the beginning by that vote, but when I analyzed the figures, I found that while suffrage had carried by a majority of about 2,000 the vote on the subject of the amendment was about 3,000 below the normal Republican majority. I think that I have heard members say that they were opposed to it, that they were going to vote for it this time because it had carried in their district, but if you will sit down and analyze the figures throughout the State you will find that the vote for suffrage was far below the normal vote and that the only thing that carried it at that time were the orders that had gone out to vote for all amendments in order to have Workmen's Compensation. Now, I do not want to be placed in the position of being opposed to giving the people of this State the right to pass upon any question, but I do not think that the majority of the voters of the State are in favor of it, and for that reason I will vote no on the bill before us.

Mr. GOODWIN. Mr. Speaker and gentlement of the House, this question is not confined to any one state or group of states, but extending wider and wider it has become a National issue.

Full suffrage both to male and female is granted in eleven of the states in the Union; partial suffrage in 23 more states, and that leaves only 14 in our whole galaxy of states but what has some form of equal suffrage.

This issue is not confined to the United States alone, if we look across the sea to England, and to far away Australia and New Zealand, we find that it is a question that is knocking at the door of civilization.

Etymologically, the word woman means wife and this explains a long history of subserviency from which the women of this age are extracting themselves. Although marriage is a predominating element in her life it is not the whole of it, and the present movement is a struggle for equal rights and an equal opportunity with men regardless of sex. The difficulty of attaining this recognition is due to historical causes which had their origin in almost all the ancient systems of government.

Under the Mosaic law divorce was a privilege of the husband and not of the wife. Her vow could be waived by either her father or husband. And daughters could inherit property only when there were no sons in the family.

In Roman law, women were completely dependent. When married, she and her possessions became the property of her husband.

The governments of the ancient world were based on the idea that women could take no part in administrative affairs. Except as monarchs who inherited the throne in the absence of males in the royal house. Among such exceptions were Cleopatra. Asparia was recognized as the able adviser of a political solon; but with few exceptions women had no political status among the governmental systems of the old world. The average law-maker of those times looked upon her not as an equal, but mainly as possessing the temptress functions of Eve.

The framers of this Republic declared "that all men are created equal" that they are tntitled to the inalienable rights to life, liberty and the pursuit of happiness. And they further declared that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed. But when it came to the interpretation of our governmental structure the word men was qualified when it came to women.

Our forefathers took up arms against the mother country rather than be taxed without representation, but for more than a hundred years, we have been taxing women, who in some States own about one third of the property, without their consent, and without representation.

What right have we as men to make all the laws governing ourselves, and also our wives, sisters and mothers, and that without their consent. It is as great an assumption of authority for us to dictate who shall be permitted the right of the ballot as it is to assume any other power. Can we assume such power on the ground of superior partriotism or intelligence? Not at all. The present National crisis demonstrates that they are just as patriotic as the men are. And the tests of scholarships ineducational institutions demonstrate that the girls on an average are equal in intellectual attainments to the boys.

The law in regard to woman's property rights have been slow and gradual. Her disabilities have one after another been removed until now her legal position as to the control of her property, both real and personal, is little different from that of men. But they are not allowed to express themselves on maters of legislation that affects their property. Their property is annually taxed for the support of the schools, and all municipal improvements yet they have no voice as to their taxation. Our forefather said "that taxation without representation is tyranny." But why is it tyranny to tax men without representation and not women. Does the mere fact of sex give any vested rights in the taxation and control of property.

One of the most strenuous objections made to adopting and amendment to the National Constitution was on the reason that the right of franchise is a subject which belongs to the province of the separate States. It was there argued that the adoption of such an amendment to our Federal Constitution would force upon some States a franchise which they might deem detrimental to its citizens.

It is maintained that woman's proper sphere is in the home. granting this to be true it reveals one of the strongest arguments in favor of suffrage. If her proper sphere of usefulness be with the children, with their preliminary education and the welfare of the home is not all this affected by politics in the passage of the necessary laws affecting the public school; the sanitation of the homes in the neighborhood. Are not the necessitics of life with which she must support her home affected by politics—by nidustrial combination, by tariffs; by railroad rates, and by well drawn food-laws.

While her rational sphere is in the home his is in the business world; and he is often so eagerly engaged in the pursuit of business, that he overlooks the surrounding of the home. Are the affairs with which she is directly concerned of less social importance than his business enterprises? Should not the governess of the home have the political power to protect her sanctum from ill-advised legislation.

Man is naturally interested in his home, and his business is often carried on for the sake of his home, but while he is interested in his home, his more alert activities are engaged with business and industry. While woman's activity is naturally associated with home surroundings, and therefore, she is especially well qualified to assert her influence on all legislation pertaining to the home.

It is contended that the right of suffrage should belong only to those who can bear arms. But I do not believe the right should be based on such grounds. Such distinction is not made among the voters of the State. The old and the young, the active and decrepit, the strong and the weak, all have the right of the ballot. But if she can not bear arms, she does bear patriotic sons who to-day are enlisting by the thousand in the defense of our National honor. Who sacrifices more than the mother when she dedicates he son to the battlefield.

It is one of the anomalies of our present civilization that women shall have no voice in the determination as to whether her country shall engage in the European conflict when the sacrifice of her sons may be required, and when he property may be taxed for the prosecution of the struggle. She suffers for her loved ones more than does the soldier on the field of strife. She has a deeper realization than man of the horrors and agonies of war. And how retarding to the progress of the human race is its mad course.

The intelligence and civilization of the present and the future demand that disputes among the nations of the earth shall not be settled by great armies, or arial or submarine engines of death, but by arbitration, and woman's influence backed by her intelligence, her patriotism, and her vote is needed in the great work of establishing a tribunal to settle international disputes.

Let use write this law upon our statute books and thereby make this more truly a representative government—a better land in which to live.

Let us pass this resolution; let us give the women an equal chance with the men, and thereby make this in a truer sense a representative government; a better land in which to live.

Mr. STERN. Mr. Speaker and gentlemen of the House, I am only going to consume a few moments in the discussion of this subject, and I ask for attention. My friend, the "Mark Twain" of the House, the gentleman from Montgomery, spoke of the Middlesex Regiment. I want to say, Mr. Speaker, and I say it without any apology and without fear or equivocation of any kind, that the only "middlesex" regiment that I know of, as applied to the question of woman suffrage, is a regiment composed of the men who favor woman suffrage, and I never yet in my life knew a one hundred per cent. man who favored woman suffrage. Mr. Speaker, I ask the House at this time to give its attention for one moment to the foremost suffragettes of this country, the first woman in the history of the United States who has ever had the honor and privilege of sitting in our national House, in Congress, Miss Jeannette Rankin. Some weeks ago the question of the declaration of war came before that august body. None of us—and far be it from me individually—will criticise the act or personal vote of any member of that body. We recognize and realize the inherent constitutional right of a man who sits in a legislative body, or of a woman, that he or she may vote in the manner in which he or she sees fit. It is not so much the question, as the manner of action of this young woman, this Congresswoman at Washington, that I want to bring to your attention. When the question as to whether or not there should be a declaration of war came up, they called her name eight or nine times, but she responded not once.

She sat in her seat, her hair disheveled, running her fingers through her hair. She was hysterical. She did not know how to vote, and Uncle Joe Cannon, whom many of you have heard or read about, called her out to the lobby of Congress and said to her: "Young woman, it does not matter how you vote but for the sake of the women that you represent in this country you should vote one way or the other." Then she went back and almost inaudibly said, "No." Now I have not criticism to make of the vote, I have nothing to say derogatory of this young woman for voting against the declaration of war when the majority voted for war. I only have to say, Mr. Speaker, that if the crisis arises, if this country is up in the most critical condition would you leave it to the women to decide as to our future action?

My friend from Jefferson spoke of the Declaration of Independence. Let me say, too, gentlemen of the House, that no woman ever wrote the Declaration of Independence. If at the time this country was in war, in trouble with England, that question came up before a body of women you probably would have had no Declaration of Independence and if all the men would have voted as Miss Rankin voted to do we to-day would have been under the yoke of a foreign government.

Furtherwore, Mr. Speaker, this question was up before this House heretofore. The amendment was submitted to the voters of this Commonwealth in 1915. It cost six hundred thousand dollars to submit this proposition to the voters of this Commonwealth. Are we going to be perennially and perpetually voting to expend that amount of money just to gratify the whim and desire of a few of the women? And I say a few of the women because you will find that the majority of the women themselves are opposed to Woman Suffrage.

My attention has been called to these long petitions that were drawn across the floor. A member of the Legislature who sat alongside of me picked up a list and in six signatures he found the names of women from New York, New Jersey, Rhode Island, England, Illinois and Maryland. What kind of bunk is that to bring into a Legislature of this kind?

Furthermore, Mr. Speaker, it has been said, and it is sophistical argument, it is pure sophistry, that this is a government of the people, for the people and by the people. Nobody subscribes to that more loyally and more heartily and more cordially than I do. That is true. This government is like every other government. It is formed for the mutual protection and welfare of its citizens. The manner in which to obtain that welfare is the business of the citizens, the people of this government. It, therefore, requires force behind the government to see that there is a good government because only by force can we obtain protection as you know by the present world-wide conflagration. Therefore, Mr. Speaker and gentlemen of the House, every woman, every child, every female is represented in that government. If there is any trouble the men go forward and see that the government is protected. The right to vote, therefore, is a constitutional right. It is not a natural right. It is a right that is given under and by the constitution. The fathers, the uncles and the brothers of all these women framed and formed that constitution. They are all represented in that constitution and they have the constitutional rights that are given every other citizen. They are all represented.

Mr. Speaker and gentlemen of the House, just a few words more. In Colorado, where they have Womans Suffrage, the question of the adoption of the Susan B. Anthony amendment came up before the legislature and, if I am not mistaken, I believe there are female members of that legislature, and that amendment is a national one giving the right of franchise to women. The legislature of Colorado voted against endorsing the Susan B. Anthony Amendment. The women themselves of the government where they have a right of franchise voted against it. What does that argue? That argues that they themselves know the inefficiency and bad points of Womans Suffrage. In Illinois, where the women have the right to vote, a majority of them do not exercise the right of franchise. They do as my friend from Jefferson said—they are slackers; they don't vote.

One more point, Mr. Speaker. In the right of women to vote you simply duplicate the vote of the men. If you don't, you have a house that is divided against itself and it is said that a house divided against itself cannot stand. You give the women a right to vote and you will have more arguments and more troubles than we have ever had in this country. This, too, Mr. Speaker, is a critical time for this country. It is no time for these women with whims and fancies to come here and foist upon us their individual desires. This the time for no agitation. This is the time when we all, with sober minds, must confront the difficulty that presents itself before the entire world at this time.

Mr. Speaker and gentlemen of the House, I sincerely hope that this bill will be voted down overwhelmingly.

Mr. WHITAKER. Mr. Speaker, I want to take just a moment to correct a statement which was made by the gentleman from Philadelphia, Mr. Stern. He is mistaken in his figures which leads to a misapprehension in the minds of the members which I am sure he would not want to create. We have taken the trouble to consult the Clerk in the State Treasurer's office to ascertain the actual cost of the advertisements.

The last time that it was submitted to a vote the actual cost of advertising this amendment in two hundred papers which was acually more than the law requires, it was thirty-four thousand seven hundred and eighty-nine dollars. That is a decided difference from the figures that have been mentioned by Mr. Stern, the figures which Mr. Stern has stated and it is so marked that I think the gentleman would be glad to have that mistake corrected.

Mr. STERN. Mr. Speaker, just one word in reply to my friend from Chester. That is only the cost of publishing this state amendment and that does not include the

cost to every county for printing and distribution of the ballots.

Mr. STITES. Mr. Speaker, I move the previous question.

The SPEAKER. The Chair wishes to state that all those whose names were on the list to speak, having been given an opportunity to speak on the question, we will now proceed to the roll call. The Chair wishes to request that during the roll call there be silence and every member be in his place and vote in an audible tone.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

The SPEAKER. This roll will be verified.

Whereupon, the roll was verified as follows:

YEAS—101.

Aston,	Dunn,	Laucks,	Rudisill,
Baldi,	Eby,	Lewis,	Sampsel,
Baldridge,	Ehrhardt,	Lohr,	Scott,
Barner,	Fitzgibbon,	Marvin,	Shaffer, C. A.,
Bell,	Fowler,	Maurer,	Shattuck,
Benchoff,	Franklin,	McCullough,	Showalter,
Bennett,	Glass,	McCurdy,	Siggins,
Bidelspacher,	Golder,	McKay,	Snyder,
Black,	Goodnough,	McKinney,	Sones,
Boulton, H.,	Goodwin,	McPeake,	Speicher,
Burnett,	Gormley,	Miller, Allan,	Stites,
Campbell, J. O.,	Graham,	Milliron,	Sweitzer,
Campbell, T.,	Haight,	Milner,	Thomas,
Canon,	Hecht,	Mitchell,	Vickerman,
Coldsmith,	Helt,	Morgan, T. J.,	Vogdes,
Cook,	Hess,	Musser,	Walker,
Corbin,	Hoffman,	Ogden,	Wallace,
Cox,	Hollingsworth,	Palmer,	Walter,
Cummins,	Horne,	Phillips,	Wells,
Davis, D. F.,	Isherwood,	Reichenbacker,	Whitaker,
Dawson,	Jack,	Reynolds,	Williams, G. W.
Dean,	Jennings,	Rhodes, W. M.,	Williams, J. P.,
Dell,	Jones,	Rich,	Wobensmith,
Dewey,	Kennedy,	Rininger,	Wood,
Drake,	Lanius,	Ross,	Wylie,
Drinkhouse,			

NAYS—94.

Albee,	Graeff,	Miller, G. J. A.,	Smith, L.,
Arthur,	Gransback,	Murphy,	Smith, O. W.,
Baker,	Haldeman,	Neary,	Snowden,
Bechtold,	Heffernan,	Patterson,	Somerman,
Benninger,	Heyburn,	Perry,	Sprowls,
Beyer,	Hibshman,	Pickering,	Stadtlander,
Bouton, V. B.,	Hollern,	Powell,	Steedle,
Bovee,	Horton,	Ramsey,	Sterling,
Boyd,	Hough,	Reitzel,	Stern,
Brady,	Howarth,	Rhoads, H. L.,	Stoffiet,
Christman,	Lafferty,	Ringler,	Strauss,
Clements,	Lauler,	Robertson,	Sullivan,
Conner,	Leary,	Rogers,	Taylor,
Crosby,	Luppert,	Rothenberger,	Ulsh,
Curry,	Mangan,	Ruddy,	Urich,
Davis, W.,	McArdle,	Sarig,	Wagner,
Dithrich,	McCaig,	Schaeffer, A. C.,	Weimer,
Donneley,	McNichol,	Shunk,	West,
Erdman,	Mearkle,	Simpson,	Wickman,
Fackler,	Mehring,	Sinclair,	Woodward,
Flynn,	Mervine,	Smith, E. R.,	Wynne,
Fretz,	Michel,	Smith, F. I.,	Zanders,
Gans,	Miller, A. D.,	Smith, J. W.,	Baldwin,
Geary,	Miller, C. G.,		Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SPEAKER BALDWIN IN THE CHAIR.

BILL ON THIRD READING (SPECIAL ORDER).

The SPEAKER. The Chair lays before the House as a special order House Bill No. 1211 (Senate Bill No. 19), on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1211 (Senate Bill No. 19), entitled

An Act fixing the penalty for murder of the first degree and repealing inconsistent legislation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

MR. GEORGE W. WILLIAMS IN THE CHAIR.

Mr. HESS. Mr. Speaker and gentlemen of the House, I sincerely regret that owing to the fact that I am just recovering from an attack of tonsilitis I am not in voice to do justice to a piece of legislation that is as important as the one now before this legislative body for its consideration. The question is whether the death penalty shall continue to be the penalty for a murder in the first degree. Ten States in this Union have already abolished the death penalty. The State of Kansas abolished it in 1907; as a matter of fact the death penalty was not inflicted in the State of Kansas since 1872. The State of Main abolished it in 1877; Michigan in 1847; Minnesota in 1911; North Dakota and South Dakota in 1915; Rhode Island in 1852; Washington in 1913; Wisconsin in 1853. It was abolished in the State of Oregon in 1914 by a constitutional amendment in which the people of the State expressed their will. This gives us ample precedent to judge from. Statistics clearly prove that in all of these States the ratio of crime did not increase but in every instance, without exception, it diminished. In other words, capital punishment is no deterrent to crime. Society has made remarkable progress along the line of the punishment it inflicts upon its criminal classes. Run back through history and you will find that in the year 1810, just a little more than a century ago, England punished more than two hundred crimes by exacting the death of the offender. Even the stealing of a shilling's worth of wheat at one time was punished by death. A father was privileged to take the life of a disobedient son; a husband was privileged to take the life of a disobedient wife, if you please, in various times in the history of various countries. Under the Mosaic law, there were twenty-nine crimes punishable by death. All of these have been stricken from the statute books of all civilized countries today and at this time none of the States of the Union punish in excess of six crimes and few of them in excess of three crimes; in fact, the majority not is excess of one crime, by inflicting capital punishment. In other words, as civilization advanced laws that were out of accord with the public mind became impotent. When England punished the theft of a pound of barley or anything amounting in value to a pound, by inflicting capital punishment, the juries refused to find the amount of the theft worth a pound or equal to a pound because public sentiment said, "No, we will not inflict the death penalty for a trivial offense." That is why capital punishment, to-day, as it is inflicted by our civilization, is a misnomer and a farce. It does not deter crime and consequently it is not a protection to society.

I say it is a misnomer for the reason that public sentiment is so strong against the infliction of capital punishment, that it is with difficulty that you can secure a jury of citizens of average standing in a community to serve on a case where a man's life is involved, as a result of which only three murderers out of one hundred homicides reach the electric chair. Only three out of one hundred reach the electric chair. What happens to the other ninety-seven? They are convicted of murder in the second degree, or they are convicted of manslaughter, and in many cases they make a clean get-away. If capital punishment were abolished crime would be more certain to be punished and the thing that deters crime is not the severity of the punishment, but the certainty of punishment. I want you to get that thought, man. The thing that deters crime is not the severity of punishment, but the certainty of punishment. Now while the sentiment of the public is so pronounced against capital punishment, that they will not take th ebenefit of any doubt doubt whatever, but will give the benefit of every doubt to the accused we have the result that I have just stated, only three out of the one hundred who commit homicide reach the electric chair and ninety-seven escape with a sentence altogether out of proportion to the enormity of their crime. If the death penalty were removed, and I wish it understood that I am not pleading for lighter sentences, I support this bill because I believe it will be the means of heavier sentences, juries will then not be conscientious upon the point of sitting in the trial of a murder case, and they will recognize the fact that if they make any mistake, if they give the benefit of the doubt to the Commonwealth, the penalty is not an irrevocable one, but if as time passes by it is proved that the accused was

innocent the verdict can be recalled, but in the case of the infliction of the death penalty the verdict is irrevocable. For this reason I say, men, the death penalty as it is being supported by our civilization and society to-day is a misnomer, it is the means of permitting men to escape rather than the means of inflicting sure punishment. Think of it from the standpoint of the men who commit wilful, deliberate, premeditated murder. If he were confronted with the fact that very few escape, that almost invariably they are found guilty and sentence imposed and that sentence was imprisonment for the rest of their natural lives, would he not be deterred to a greater extent than when he to-day looks down the line and says, "why they only get three out of one hundred of them, the rest get away with a second degree or a manslaughter verdict or make a clean getaway, I will take the chance." I say to you, men, capital punishment as it is backed by public sentiment to-day is not a deterrent to crime.

Another argument, and I have a letter here that supports it and puts it in language possibly stronger than I could frame it, on the sixth day of February I received this letter. It makes a point that I want to emphasize and I ask your indulgence to use this letter to accomplish it. "Am writing you relative to electrocution of Patrick Callery, of Easton, Pennsylvania. Since you have introduced a bill aganist capital punishment I know you will give me a patient hearing. This unfortunate wretch, the wreck that rum left, a mental and physical wreck, will die in the death chair March 12, if the Board of Pardons turns us down for the second time, and if good men like you and your aiders do not push this bill through. I am his oldest sister, a gray-haired woman, whom he shot down without any warning simply because he was crazy. He never gave me a disrespectful word or act prior to this awful deed. He always treated me with respect. He never in Gods world would have shot me if he was in his right mind. My health is not and may never be what it was. The expense incurred was heavy on poor people, the suffering was long, four weary months, and yet I say the man was and is crazy and should not be electrocuted. For the love of God will you do all you can to pass this capital punishment bill? If you do, you will save the great State of Pennsylvania from the lasting shame of putting a crazy man in the chair. You will avert so much that is wrong if you cause this bill to pass. When men are put to prison for life or the asylum they are the ones that suffer, which is as it should be. When they are electrocuted the innocent suffer, their families, for a lifetime, which is as it should not be."

I want you to get that point, men. Speaking of her own brother condemned to death, feeling the shame, feeling the disgrace, feeling the scanting looks of the social circle in which she moves, feeling the manner in which society has withdrawn from her, she exclaims in agony when men are put to prison for life they are the ones who suffer, which is as it ought to be.

"Will you never cease drumming this into those on whom you depend to vote for this bill. There have been infamous lies that even have passed the of the law, said about this wretch. Lies that will come home to those who started and are spreading them. Rum was his only crime. Rum was what put him in the murderer's class. And now the very rum ring in this town are with marble hearts pushing him to the chair. Why don't they stand by what they have made? They should be his best friends. But it is sober men and women who are his best friends. Such is the worry of fate. I ask you again, will you in the name of God and humanity hurry this bill through and save this poor man whose brain has weakened from alcohol until on that fatal morning he started out to kill his own flesh and blood without any reason only the insane delusion that they were his enemies?"

When they are electrocuted, the innocent, the friends, the relatives, the children, the wife, the father and mother, suffer, which is as it should not be. Gentlemen, I ask you this question: If society to-day regards the infliction of capital punishment as a deterrent to crime, why do we hide them away to seclusion, between the four walls of the death building up in Centre County, at which place to accomplish the awful deed? Gentlemen, we know that public execution incites to crime. The last public execution in my own home city of Lancaster occurred back in 1842. A man by the name of Leshner was to be hanged on a certain day, and the announcement went out all over the county and into the surrounding counties that at 9 o'clock in the morning his execution would be accomplished, and that it was open to everyone to come. Crowds gathered from far and near. That very afternoon a man by the name of Wilson, who stood near the scaffold when that drop fell, met on his way home from Lancaster a man against whom he had a grievance for years, and he stabbed him to death on the spot; and before the sun went down on that very day that man sat in the Lancaster County prison with the same irons shackeling him that shackeled that murderer who was hanged in the early morning. Does capital punishment deter crime? It does not, and for that reason society has insisted that electrocutions and hangings must be accomplished behind closed doors. Did capital punishment deter the spread of religion? Is it in line with the forces that move the human being to say so? Think of old Nero in the days of ancient Rome, when he sowed his wild oats by having Christians nailed to the cross, their bodies saturated with oil, and arranged upon his race course, at a given word the match was applied, and as their bodies blazed and burned, he seized the reins of his steed, jumped into his chariot, and raced around that course, over and over again. Did it deter the spread of Christianity? No. Nero sowed his wild oats, and old Rome fell, but Christianity went steadily on her way.

The records of the legislature of the State of Kansas prove that if capital punishment had not been abolished in 1872, that seven innocent men would have been hanged. Seven men who were condemned to a sentence of life imprisonment in the State of Kansas, and who would have been hanged instead had capital punishment not been abolished, were after their trial and conviction proven innocent. Men, can you picture what that means? Our penal code is written upon the proposition that it is better for ninety-nine guilty men to escape than for one innocent man to suffer. But the records of the legislature and the courts of the State of Kansas prove that seven men in that state who were innocent would have been hanged had not capital punishment been abolished. I do not believe that there is a man in this House who doubts that innocent men have been put to death within the confines of the State of Pennsylvania. I ask you men to picture what that offense of society against the individual means. Can you picture a man who down deep in his own heart is fully convinced of the fact that he is innocent, yet circumstances point forcibly toward his guilt, and in spite of the fact that he pleads with the judge and insists, "I am innocent," the judge turns a deaf ear to him; in spite of the fact that he pleads to the jury and his attorney pleads that he is innocent, the jury turns a deaf ear on him; in spite of the fact that he goes forth to the public that he is innocent, and the public turns a deaf ear to him; and finally he is convicted and day by day he waits the hour when the mandate of the law will require his life for a crime he did not commit, and his friends, his children, perchance his relatives, lives blighted, blighted, blighted, opportunities destroyed, and finally after they have either lived it down or moved from the scene, some damnable wretch who committed the crime and was not man enough to come forward and admit it to save the innocent man, when he faces the time of departure of life to step into the grave, upon seeing the accusing eyes of his victim staring out from the regions beyond, he calls for those about him and says, "I am the man who committed that offense," and the law has taken the life of a man who was innocent. Now men, I ask you to search your hearts. Do you get enough sweetness of revenge out of the fact that you are carrying to the electric chair three out of a hundred to justify that kind of an outrage on the part of society toward the individual? I ask you, gentlemen, to vote in favor of this bill, and society will not suffer and punishment instead of possibly not being quite so severe, will be certain, and it is the certainty of punishment that deters crime.

Mr. WALTER. Mr. Speaker and gentlemen of the House, from the time one begins the study of law we are taught as lawyers, and our citizenship is also taught, that the principal object of the administration of law is to protect human life. I presume that every man in this House and every good law abiding citizen is of that opinion and the only question here to be discussed is, what method best secures the protection of human life.

In the first place, let us consider for a moment what sort of murder or homicide involves the infliction of the death penalty under existing law. It is only wilful, premeditated and deliberate murder or murder committed in the commission of cer-

tain felonies that involves the infliction of the death penalty. I submit, sir, that statistics are to a great extent misleading because when you say here are so many murders it usually means the same thing and is taken to mean the same thing as so many homicides; and when you say that but three out of a hundred are hanged or electrocuted because of having committed a homicide why you mean that three who have been guilty of murder in the first degree are convicted. Every district attorney, and I speak with knowledge because I had the honor to serve in that office myself many years ago, also draws a bill charging murder in the first degree because he does not know what circumstances may develop upon the trial of the case that makes the crime murder rather than manslaughter as it so often is.

Now the object of punishment is to prevent crime. I take it, sir, that whenever a man has committed wilful and deliberate murder his life is forfeited to the State. The question of reformation in his case does not enter into it because what you want to do with him is to see that he does not repeat his crime.

Now, let us see whence this bill came from. It was here in slightly different form two years ago; that is, permitting the jury to determine whether or not the death penalty should be inflicted. It has been here time and again but this is the first proposition in a long time to absolutely abolish it. Now, what have we here? We have this skilfully staged newspaper campaign based on the Mottorn-Haines case that arose in Jefferson County. I have taken the trouble, sir, to read the record in that case. I am judging that case by what the lawyer for young Mottern said to the Board of Pardons. It is very brief. I do not propose to read it but I want the members of this House to know that I am speaking from the most favorable viewpoint and I have in my hand the brief of his counsel. That shows these facts; That on the evening of March 21, 1916, Haines and Mottern—now this is Mottern's own story—met by accident or arrangement at a blacksmith shop in the village of Sprankles Mills, near their respective homes. At this meeting, young Haines inquired of Mottern whether the latter would do him a favor. He, Mottorn, desired to know what favor he could do, and Haines informed him that he wanted to go West on the following Monday and that he did not have sufficient money for that purpose: He stated, further, that his father, William Haines, had considerable money "on him," and suggested that about dark that evening, he, Mottorn, should go to certain cut along the line of the Pittsburgh and Shawmut Railroad, where, he, Haines, would meet him and furnish him with a shotgun and shells or cartridges, with which to shoot and kill the elder Haines on the following day. Haines further stated that his father would pass through this cut the next day, on his way to Sprankles Mills, between twelve and one o'clock. Mottern inquired of Haines about his mother's feelings if this arrangement was carried into execution, and he replied that she would not care.

About dark, the same evening, the two boys met at the appointed place. Haines brought with him a single barreled shotgun, and, after loading it, hid it and an additional shell or cartridge in a pine tree or shrub near the edge of the railroad cut. He, Haines, then instructed Mottorn to come to that place the following day, at about twelve o'clock, wait for his father, William Haines, shoot him when he came through the cut, and then, immediately, go to Sprankles Mills, where he, Haines, would meet him at a certain "pump station."

Acting upon these instructions, Mottorn went to the appointed place on the following day, Wednesday, March 22, 1916, waited for the elder Haines, and, when he came along the railroad, shot and killed him. In the meantime, the younger Haines had secreted himself behind a pile of boards, near the railroad cut in question, and, after the shooting, went to his father's body, took some two hundred and fifty dollars from his pocket, and joined Mottorn at the "pump station," as previously arranged.

Now, sir, have any of you in all your experience ever heard of a case of more deliberate and premeditated murder than those boys committed? And the only thing urged in their behalf was that Mottorn grew up in comparative ignorance and that he was less than seventeen years of age. Now, I do not say that this bill should be passed upon in view of that case alone but I do say that except for that case being exploited by the Public Ledger, of Philadelphia, that this bill would not be here in its present form; and that is the foundation of the whole thing and that is what Mottorn's counsel was able to say to the Board of Pardons in support of his appeal for clemency. These facts are stated by Mottorn's counsel and surely are as favorable to him as they can possibly be. Now, sir, the case of Haines has been appealed to the Supreme Court and reversed because the jury were not sufficiently cautioned against the danger of convicting Haines on the testimony of Mottorn. Now justice, I believe, sir, is being done in that case and I believe our courts are competent to administer the law.

Now another thing; Kansas has been adverted to. I trust that every member of this House has read the excellent pamphlet prepared by Mr. Duane, of Philadelphia bar, and mailed to each member of the House, and he gives you some statistics relative to Kansas that are both interesting, instructive and illuminating and these are to this effect: I understand that the rate of homicide in the United States is one to every ten thousand inhabitants, enormously high, but that in the State of Kansas alone the ratio is higher than it is throughout the United States, or one murder to every six thousand two hundred and thirty-five inhabitants, and Kansas has had capital punishment abolished since 1872, as the gentleman from Lancaster has told you. Now, in 1915,—and this is all in this pamphlet and because the gentleman from Lancaster has chosen to refer to it I feel some of you did not give the pamphlet the attention it deserves. In 1915 Sherman L. Axford investigated the administration of the law relative to capital punishment for the New York Outlook and you know the New York Outlook does not do anything by halves. Now he found out that during thirty-one years—now mark this, I am not going to deal with any more statistics—he found out that during thirty-one years out of one hundred and forty-three life prisoners who by death or otherwise departed from the Kansas State Penitentiary, during that period, ninety-four (two-thirds) left as the result of a pardon. Now, you cannot absolve or abdicate this pardoning power. The sovereign in all states must have the power to pardon, otherwise how would you correct injustice. That is something you must leave somewhere and it shows it was exercised without discretion and out of sympathy in Kansas. Then he goes on and gives instances. These ninety-four life prisoners served an average term of twelve years and in eleven cases which we investigated in detail one of the worst escaped through political influence eight months after the crime was committed.

Another who had missed killing his mother by poor marksmanship had later killed his wife while pregnant and secured a pardon in eight years through the efforts of a prominent Methodist minister. Another who had killed his rival for the hand of a woman was pardoned in eight years but subsequently shot dead for resisting an officer. Another conspired with the wife of his benefactor to kill the latter and burn his body. Another who killed the benefactor who had brought him up was released in eight years and six months." Are we any better than the people in Kansas? I trust we are, but would we be? I was up in college when Gentry killed Madge York. He was sent up for life and he has been pardoned. The poor fellow is dead now, but that is what would happen and all of you or most of you have heard Governor McClain tell about the case in Lancaster where he was active in securing the pardon of the man who murdered his father, and a year after he was out of the penitentiary he killed a woman and then killed himself. I tell you, sir, that this homicidal instinct is something that ought to be extinguished and civilization has determined that the best way to extinguish it is to take the life of him who takes life wilfully and with premeditation. I might go on and cite other instances. Italy abolished capital punishment and in the year 1880 murder became a business there and the Camorro Society was formed for the purpose of putting people out of the way and then furnishing evidence to acquit those who were accused. I submit to you that France and England are the best governed nations of the world with respect to the administration of the criminal law. The great City of London with its teeming population has the lowest homicide rate of any great city. It is because the law is certain; because the juries and judges and district attorneys are not sentimental; and because the lawyers are not scrupulous in the acquittal of guilty persons. They administer the law, the criminal law, better than we do but the law is right, and what we should do would be to bring ourselves up to that standard of administration of the law. This thing of saying that juries do not convict and would not convict, and that judges would not

punish and men would not serve on juries because of conscientious scruples—that is an indictment of our democracy and shows that our way of doing things in this country in the administration of justice is not correct and we ought to do and insist on doing as they do in England, on the proper administration of justice and juries ought to do their duties. They say "we are improving that if we pass this bill." Have we not forty men or more convicted to the electric chair, now under conviction, and is that any indication that juries do not convict in Pennsylvania? This bill was considered in the Senate and after forty men are on the way to the death chair at this time who were guilty of murder in the first degree, do you think that is an indication that it is a cinch that a man gets off after he commits murder in Pennsylvania? A word more and I am done. Last week there died in Philadelphia the greatest lawyer of that city and one of the greatest lawyers who has ever graced the bar of the United States. It is true his principal business was that of a corporation lawyer, but no case was too small for Mr. John G. Johnson's attention and it was the best attention that any case could have when he had it in his hands. He was a man of surpassing intellect and great and wide information. He was the law's most faithful and willing servant until he was seventy-six years of age. That man expressed his opinion on this subject and that was an opinion that in business matters and real estate and property was worth hundreds of thousands of dollars. He received fees for his opinions that were anything that he might name. Do you want to know what he said to Mr. Duane? You have had an opportunity to read it, but I will repeat what he said. It was this: "March 2nd. Dear Mr. Duane: I think the proposition to abolish capital punishment is ridiculous. Very truly yours, John G. Johnson." That is the letter of one of the most prominent members of the bar of this country. That should make you think that you should not give way and we should have none of that sentimentaliay which is spreading all over this country akin to the song, "I did not raise my boy to be a soldier." That sentiment that is for peace at any price. That sentiment that hesitated when the issue of war was at stake.

Don't you think you should think twice before you say it is safer to murder in Pennsylvania than in New York, New Jersey or Massachusetts. It is said in the Public Ledger, and I don't suppose it is properly understood, that fifty judges and district attorneys have written letters to the effect that capital punishment ought to be abolished and life imprisonment substituted—I suppose it is not understood that there are about one hundred common pleas judges in the State and more than that many district attorneys because some of the judges have as many as there district attorneys in their courts, and then there are the judges of the supreme and superior courts and out of all that number, those who could be secured in this campaign of unexampled energy conducted by this great newspaper, was fifty. The others are evidently satisfied with the law as it stands. Now, I hope that the members of this House will stand by the law as it stood before and that this agitation will result in better administration and that is what we need; we need to safeguard human life and not say to a man, "For all that you can do, or all that can be done, you will be imprisoned for life." Because many men would take imprisonment for life in order to gratify their passions and their revenge upon one another. There is nothing pleasant about taking human life; there is nothing pleasant in standing up and arguing that the safeguards there are around it should not be removed. I have prosecuted for murder and I must admit that when a verdict of second degree murder came in that I personally felt relieved. It is repulsive to a district attorney or a juror or to any right minded man to take human life, but it is a solemn duty, and unless we perform our duty here the safety of the lives of the citizens of Pennsylvania will be in peril

Mr. WELLS. Mr. Speaker and gentlemen, the gentleman who has just preceded me has referred to a number of murderers and the horrible crimes that they have committed. He told you of one man who had strangled his wife, another man who had stabbed his wife to death while she was in a pregnant condition, and a number of other cases all horrible in their details, but like a great many other people my friend from Franklin did not go into the investigation as deeply as he might have gone. I would like to know whether he knows any of those men who committed those crimes, how and when and where they were born; how they lived; where they were raised and under what circumstances all their lives; were they educated; did they have a father and mother whom they knew, and did they have loving and kind friends around them. I will tell you my friends that that makes a big difference. He stands up there and refers you to cases of murder that have been committed, but he does not tell you about those men who committed those murders, nor what was the course of their life up until that time. Now a man, it is an old saying, that a man is often judged by the company he keeps, and so I say to you that it is a very significant fact in connection with this issue that is here before you that the men primarily responsible as advocates of this measure, as the man who appeared before you at the public hearing here. Philadelphia and in Pittsburgh were men who came in close contact with the criminal classes, and men who have known murderers. Now those men were men speaking from close contact, from real experience. You heard Dean Kershwin and you could not help but be impressed by the sincerity of his purpose and the honesty of his argument. You heard the District Attorney of Philadelphia, a man who has held office for nine or ten years or more, and I say without fear of contradiction by himself that he through his office has prosecuted more murderers than any man in the State of Pennsylvania, and you heard him come here as an advocate for the passage of this bill.

You also heard another man, one who was born, lived his young days in the coal region, a young man who worked his way up, studied law and became a lawyer, a district attorney, and prosecuted murderers himself for about nine years, and after became a judge upon the bench, and who is one to-day, and you heard him come here as an advocate of this mesaure. You also heard men in other walks of life, religious, professional and ordinary business men. You have had letters here from wardens of the prisons, Warden McKenna of the Eastern Penitentiary, Warden Francis of the Western Penitentiary, all advocating the passage of this bill, men who have come into contact with the criminals and the so-called murderers every day of their lives. Now I say to you that those men have pressed you with the sincerity of their purpose and the honestry of their convictions. The advocates for the death penalty and those who want to maintain it always say that it is the only absolute safeguard to socieety. That it is the only deterrent that will prevent people from committing murder. I have heard it said by some one sitting in this hall a few weeks ago, one member said, why if we pass that bill, any married man's life will be unsafe because his wife if she has a grudge against him will poison him. I do not know whether it occurred to that member or not, but it is a fact, that I think you men here will agree with me, that so far as women are concerned, capital punishment has been abolished for some time in the State of Pennsylvania. I cannot recollect in my time of one woman who has been executed for murder. I know it has not been for a great many years. Has there been any cry throughout the State that the crime of murder perpetrated by women has increased to an alarming extent? Have you heard men express the fear that women are committing murder more frequently than they used to, but to the contrary it is a most rare occurrence now-a-days when you hear of a woman committing such an offense. So I say if you take that home with you, the very fact that so far as women are concerned it has been abolished, why not abolish it so far as men are concerned? Psychologically speaking, we think the same way, our brains work practically in the same way, and if the women do not take advantage of the situation why should men take advantage of it. As my friend from Lancaster said a few minutes ago, about a century ago England punished over 150 offenses by inflicting the death penalty. They contended that in order to stop a man from stealing they must hang him, and the servitude and promptitude of the punishment would so instill fear in the breast of every man that the offense of larceny would no longer exist in England. And yet right under the noose of the hangmen, on the gallows, thievery was committed, and the pick-pockets worked there while the execution was taking place. It did not stop them, they were stealing just the same. They found that

it did not have any effect upon it, and the result was that England abolished capial punishment for all offenses except murder. I cannot understand if the punishment is to act as a deterrent and it did not deter a man from stealing, why should it prevent him from committing murder, when surely a man's passions are much stronger and his reason is more more taken from him than it is in the ordinary case of stealing.

A good many countries both in this continent and abroad have existed for many years without capital punishment. Many of the great countries of Europe have lived for many years without capital punishment and it is not regarded as far as I know by the population there that the citizens over there have felt that their lives have been in danger to such an extent that they had to demand that capital punishment be inflicted again. Here in this country eleven states are now doing without capital punishment. Ever since the war started, the other day, the Governor of Missouri signed a bill exactly similar to this bill; and since Russia, the great new democracy, was established, the first thing they did was to abolish capital punishment, although it had been abolished in Russia previous to that time by the monarchs. Now my friends, I have a fair conviction, and it is not a matter of sentiment with me, it is an opinion gained from my experience in the trial of cases in the criminal courts, and I believe that if we pass this bill we can go away with the first conviction that we have done what is right, that we have done nothing to harm the citizens in every particular, and I sincerely hope that the men of this House will vote in the affirmative on this bill.

Mr. HAIGHT. Mr. Speaker, I have been called upon to make some remarks in regard to this bill. I am taken somewhat by surprise, as I do not claim to be a public speaker. It is out of my line entirely, but I have strong convictions in regard to this act. I believe that capital punishment is the only safeguard, the only punishment for a man who has committed murder. You all understand the definition of murder,—premeditated, deliberate and wilful. If a man commits the crime of murder he should be punished for the crime. It is the only thing in my judgment that will properly deal with the evildoer. We have a large amount of criminals in this country, and capital punishment is the only thing that keeps them anywhere in line. We have punishment for all sorts of crime, for misdemeanors of all description, with the proper punishment for them. They have a regard for the law in those cases, and that is the same idea that should prevail in regard to capital punishment. It is the certainty of punishment that has a restraining influence on men. If we can arrange this thing in some manner to make punishment more certain, that man will receive justice, they will have more respect for the law. I recall an article comparing this country with Germany. It was a wonderful comparison. They, of course, have police regulations far exceeding ours. They have just reversed the matter, and very few men after having committed the crime of murder have escaped. They were punished accordingly. It is the certainty of punishment that restrains a man. That is the idea that restrains a man from committing a crime, the certainty of conviction and punishment. We are unfortunate in this country that we have so many criminals, and the greatest crimes are the crimes committed by those who takes the lives of other men. Yet the restraining influence is the fear of detection and punishment. One thing I would suggest that would in some way mitigate this, and that would be better police regulations. In Germany they have police regulation far exceeding anything in this country. They are divided into districts, and it is almost impossible for a man to prove an alibi. That is the greatest thing they try to prove, that they were not there when the murder was commited. We all know that every man was absent when he committed murder. If we have better police regulation such a man could be kept from offiering that defense, and it would be almost impossible for him to escape. As far as murder is concerned we all agree that it is a heinous crime. A man who commits cold-blooded murder ought to have no sympathy. We have no sympathy with him, and he ought not to have it. We are getting too sentimental on this question. We are governed by public sentiment, it is a powerful thing, and public sentiment is in favor of capital punishment. I fully believe that capital punishment restrains the criminal.

Mr. PALMER. Mr. Speaker and gentlemen of the House some years ago a man followed another man from one state into a state that had abolished capital punishment, and shot him in the breast. You remember that; you remember the time when the man shot Theodore Roosevelt, in the state of Wisconsin—a good American, a man valuable to his country—and this man knew if he could get him into a state where there was no capital punishment that he would be brave enough to make himself notorious.

"Know thyself, presume not God to scan,
The proper study of mankind is man."

Now they come on both sides with many and numerous statistics until we are lost in the maze of figures. Ask yourself this question. Is the fact that they take your life where you deliberately, wilfully and with malice aforethought lie in wait and there kill your fellow-man, does that deter you more than if they were going to give you life imprisonment? If you were going to kill a man, which would deter you, the life imprisonment or the fact that they were going to take you out of the death cell and there take your life? There is only one answer to that question, and you would say that that would deter you more than the life imprisonment. I know a man who told me that if it was not for the fact that they would take his life that he would kill a certain fellow. Now then, it is true the death penalty does not abolish murder, but it deters. Retributive justice we admit belongs alone to God Almighty, but in the walls of society and the imperfection of human nature it is necessary for the protection of good men, good women, good children, law-abiding and peaceful, that you deter some man who has no regard for law, no regard for life, and no regard for those things which have been handed down by divine and holy writ. They can give you all the statistics and talk all the criminology that they want. When we have reached the stage of human perfection, when we have reached the time when all men shall reason properly, when passion no longer dethrones reason, it will not be necessary to have penalties for the crime of murder because men will not desire to commit murder. A man when he is convicted of the crime of murder is given a long term of imprisonment, almost life, or as many years as a man can endure within the prison cell. It practically takes his life. When a man who is burglarizing a house is alarmed, he flees, because he does not want to be put in a position where it is necessary to kill, but if you do away with capital punishment you do away with that deterring fact that puts a premium on every man,

You do away with that deterring factor and it puts a premium upon every man who does burglary and you hereby notify him, if you pass this bill that when he goes into a house where there is no other defense than the fact that the woman and children are there to cry and you are prompting him to notify them that he will proceed with this burglary and if they intercept, that he is going to kill them, and it would be better to do so as far as a criminal is concerned if he did kill, because why? He silences the mouth of the only witnesses that can appear against him either for the burglary or anything else. You put a premium up to every burglar, you put a premium up to every man who stops you on the highway that he kills you because he gets away with his proposition and he silences the mouth of the witness. I have no fault to find with the men who have gotten up to the point perhaps when they believe that "Thou shalt not kill," either the State or anybody else, but holy writ says that "He who sheds a man's blood by man shall his blood he shed." There are certain things which work themselves out in society and there are certain plans which we must make for ourselves. God Almighty left us free agents. If he did not in his general scheme desire that we work out certain things for ourselves, then murder would be done away with. I know the time is becoming very tiresome with this continual speaking on the proposition and I take it for granted that a lot of thought has been given this matter and that you will conscientiously decide and register your vote, but without regard I speak from another standpoint. The men who desire to abolish capital punishment desire to do it for the purpose of humanity and for the purpose of leading out a man who deliberately kills

and save that life. All this talk about circumstantial evidence and about the juries not coming up to the mark comes from the famous case of Durant who was hanged on circumstantial evidence in the State of California. There was a great big point on this circumstantial proposition and afterwards it developed that another man had killed those two girls in the belfry of the church and that the jury had convicted Durant on circumstantial evidence because Durant committed perjury all during the trial. He said he had been at school that afternoon and when they went to the school they found by examination of the scholars and the teacher that he had not been at school and they went over the school roll call and found he had not been there, and they found that he had lied and he wilfully mislead that jury into a conviction. Why? He became a perjurer and, of course, when you perjure yourself and the jury knows that you lie they are apt to believe, and so are you and so am I, that the man is guilty of the crime charged; otherwise why didn't he tell the truth. So they talk to you and argue to you and appeal to you on the ground that a few men should be kept at the pay of the State and I ask you for my own mother. I ask you for my wife and children and for all the people near and dear to me, and for every decent man, woman and child in the great Commonwealth of Pennsylvania, that you give them this protection and tell the man who does kill anyone of them that you are going to take him out and make him answer for that life; and that is my argument and that is why I ask you to vote against this bill.

Mr. MITCHELL. Mr. Speaker and gentlemen of the House, I am in favor of the passage of this bill. On principal I am opposed to capital punishment and always have been. If capital punishment for the death penalty deterred crime, if it lessened the number of murders in one scintilla or had done so during the years we have had it in force in Pennsylvania and in other states and in other nations, then I would be agaist this bill. The history of capital punishment has been the very opposite. It has not deterred crime. The object of punishment is to reform the criminal and to deter crime, and if the death penalty does not reform the criminal and does not deter crime then in the face of the fact that there is a great question as to whether or not it is right to commit legal murder, as we say, and that ought to be a question of serious import to every member of this House. I wish to tell of an instance of personal experience that I had as an attorney relative to the death penalty. While I had always been opposed to the death penalty I have been convinced by my own experience that it ought not to be inflicted and that life imprisonment should be inflicted instead of the death penalty. A few years ago I prosecuted a prisoner accused of murder. At the same term of court I defended a prisoner accused of murder. I succeeded in convicting both of them and they both were hanged in Jefferson County. I became familiar with all the details of the crimes that they were accused of having committed. I knew absolutely what had taken place, the motives of these men. Both of them were Italians. They were foreigners. One of them had been in this country for six weeks only; the other had been here for a number of years. The one was guilty of murder; the other was not guilty of murder; and yet both were convicted and both were hanged, as I said before. If the death penalty had not been inflicted in those cases long since a man who was innocent would have been a free man because he was convicted upon the perjured testimony of some of his fellow-countrymen who were prejudiced against him, and these same men who went on the witness stand and swore away his life would have come out later, if he had been sentenced to life imprisonment, and admitted the facts and he would have been a free man to-day. For that reason alone, in view of the fact that capital punishment does not deter crime and that the man behind the bars is just as safe as he is in his grave, for that reason, gentlemen of the House, we should abolish capital punishment in Pennsylvania.

There are hundreds of cases of that kind on record in this State and every other state in the Union where men have been convicted of murder when they were innocent and they have been hanged. We have on the records of this State and in other states and other nations many instances where afterwards, after men were convicted of murder and sentenced to life imprisonment, afterwards others came forward and admitted that they had committed the crime and they were set free. The doubt is always there, but in these instances to which I refer I know positively that the one man was innocent and the other man was guilty and they were both hanged. I say then that while I always, on principle, opposed capital punishment I am opposed to it positively for that reason if for no other. I ask the members of this House to consider, first, does capital punishment reform the criminal? Second, does it defeat crime? If it does not then vote for this law and abolish capital punishment in Pennsylvania.

Mr. LOHR. Mr. Speaker, as a member of the Assembly in 1913 it was my privilege to sit in this House and listen to the very able address of my friend from Lancaster, Mr. Hess, when he spoke in favor of substituting electrocution for hanging. Four years later it is my privilege again to sit in the halls of this House and listen to the able address of the same member advocating the abolition of the death penalty in Pennsylvania. I was beginning to think until a few years ago that probably the time for crime would soon pass away and when we as Americans could have gotten along so far that capital punishment was unnecessary, and that even life imprisonment would be unnecessary. At the present time, when hundreds of thousands of men are being called to the front to sacrifice their lives for the sake of their country I do not believe that this is the time and that we have not yet arrived at that time. I believe that this is the most inopportune time to abolish the death penalty in Pennsylvania. I believe that after the war now in progress in this country, that the people in general will have a lighter regard for the value of a life than they have at the present time. Those who go to the front become inured to seeing life sacrificed in every possible manner and when they come home any grievances they may have, and with less gravity than at the present time will cause them to take a life when occasion presents itself. I believe that the death penalty is a deterrent of crime; also that Pennsylvania is one of the states that should not be the first to abolish the death penalty, because we have in this State a conglommerate people. Pennsylvania with its diversified interests with people from other sections of the world, from the offscourings of Southern Europe and from all sections of the world, come to our shores. If we abolish the death penalty in Pennsylvania at this time I believe that we can only look for an increase in the number of murders. The gentlemen who spoke on the opposite side of this question say that the death penalty is not a deterrent of crime. They cannot prove it. There are no statistics to show it.

It may not have been a deterrent in other states, but other states exist under different conditions from Pennsylvania; they have a different class of people to deal with. They have to deal with agricultural and industrial peoples while we have the mining sections and we have as low a class of people among the miners as you find anywhere in the United States. You take from those fellows the fear of being required to give their life for the life they take and I believe that the rate of murders will increase and increase perceptibly. I believe also that something else will increase: I believe that the number of lynchings will increase in Pennsylvania if this bill is passed. Take for instance the case of the man who outrages or assaults your daughter to whom you have given your best care and attention, and through that assault and outrage the daughter dies. Would you as an American citizen with any red blood in your veins feel that you have done your duty if you allowed that scoundrel to escape, or would you attempt to get your neighbors to your assistance and see that the person who committed the outrage should not be allowed to perpetrate the same crime again. They tell us this man shall be imprisoned for life and thereby there will be reform. The history of imprisonment for life is entirely a different matter. We find that many who are confined to imprisonment for life are pardoned or some of them escape. We have an instance in our own county where men have been imprisoned for murder who have escaped and while escaping have assaulted those under whose charge they were, their keepers, and tried to murder them. There is no certainty at all that that man whom you have imprisoned for life is going to serve out that sentence. There may be a pardon or some means of escape. I take it for granted that the man who is about to commit a heinous crime either such as a robbery

or if he has a spite or a grudge against some one if there is no death penalty back of it, he will not hesitate, as has been said by my friend from Lackawanna, in the least to seal the mouth of the only witness that will possibly be against him, in the event of his having been caught in the act of a robbery and therefore will commit murder also, because the penalty for the murder will not be much greater than the penalty for robbery. Therefore, I claim that if we pass this bill that we are taking away a safeguard in this Commonwealth. I believe that this is a most inopportune time to take up a measure of this gind and pass it. I believe that Pennsylvania, at the present time, is not the proper place in which to pass a bill of this kind. Therefore, I hope my friends will vote against it.

Mr. WALLACE. Mr. Speaker, in rising to speak on this question I realize that we are throwing ourselves open to the accusation that we may be inhuman, but I want to say that I am in favor of capital punishment on the high and broad ground of humanity, because I believe that it is absolutely essential and necessary in order to preserve the lives of our members of society. I am an advocate of capital punishment because I am convinced that it is right and that it is founded on the same ancient authority, if you please, that all our laws are founded upon and that is so universally recognized by the people of this country. We have just as good authority for our position in this matter as the advocates of the bill have for theirs, and I believe considerably better.

I believe that capital punishment deters crime notwithstanding all the statistics that you may quote in favor of abolishing it. I can quote just as good, and just as many statistics to the contrary. Statistics and figures in a matter of this kind will fall down absolutely in the face of our own human nature, and in the face of our inherent instincts that tells us that capital punishment is a deterrent for this crime. Some people appear to believe that we who oppose the passage of this bill believe that the inflicting of capital punishment is a joyful occasion. I want to say to you, my friends, the saddest thing that the law of this country has to perform is the infliction of capital punishment, but I want to say it is a duty which surmounts all sentimentality and fanaticism that may creep into this great proposition. The advocates of this bill have made one grave blunder in their consideration of it, in that they have failed, if you please, to make any distinction between homicide and murder. Of all the killings which are properly termed homicides, murder is a very small proportion. We have murder which is premeditated, carefully planned killing; we have murder on the spur of the moment which is termed second degree murder, we have both voluutary and involuntary manslaughter, the penalty for which is not nearly so great, and then, gentlemen, we have justifiable killing. Would any man in this House say that any citizen in Pennsylvania does not have the right to take life in the proteciton of himself or his family? Will you say that killing in every circumstance is a crime under the laws of this country? Oh no, you cannot go that far. There has been a great compaign put on in this State by a great newspaper in the city of Philadelphia, and they have advocated that you place the passage of this bill on the grounds of sentiment, and not on the grounds of substantial facts. Only a day or two ago they came out and said that the perpetrators of the great explosion that happened a few days ago, if they were apprehended and brought to trial and convicted, they, of course, would be stood up against the wall and shot as they deserve. Yet they will say the man who carefully premeditates and plans the killing of a fellow human being should only be sentenced to life imprisonment. Murder in the true sense of the word is the result of premeditation. I want to say to you, my friends, the man who takes the time to premeditate, and calculate his crime, has the time to meditate on what the result may be of his taking human life, and while he is predominating he meditates on what may be the result, and in many instances I am entirely satisfied it deters him from the commission of that crime.

The real question at issue and which we are considering, or ought to be considering, is whether or not the passage of this bill will hinder and deter the commission of crime. I am not so "sot" in my ways, in my belief, on this particular question that if anything definite and tangible could be produced, that was convincing, and that would show that the passage of this bill would lessen the crime of murder, then I would gladly support it, but everything points to the contrary. There are more of us that believe that capital punishment deters and that murder would increase if this bill were passed. There may come a time in this world, but I hardly think there will, when we would be justified in abolishing capital punishment, but just so long as man commits premeditated murder, for the protection and safeguard of society the law must step in and say if you commit murder, you forfeit your life. I have very little sympathy with the men who are so narrow in their views and that allow their sentimentality to get away with their better judgment, to the extent that they will boldly assert in the midst of intelligent thinking men that legalize killing as a punishment for crime is murder. Of all the ridiculous propositions that have been argued upon and down throughout this Commonwealth that is the most ridiculous. I say that the man whose duty it is to carry out the mandate of our law is justified, not only justified, but it is a high public duty that he owes to the Commonwealth, and when the man whose duty it is to inflice capital punishment, inflicts it, he is carrying out a great duty that is imposed upon him by the people of this Commonwealth.

Gentlemen, if you will pardon me, I will make reference to our own county, the county of Lawrence, because I think we have there the best example of the salient influence of capital punishment in our whole country. Only a few years ago we had a notorious band of black-handers that was the terror of that community. They were almost daily committing grave offenses against the law and against the peace. They were committing murders so frequently that they terrorized the whole community. Our legal authorities in the Commonwealth went after that proposition and put on a campaign. They detected those men in their crime, went into the courts, and convicted them on lawful proof and we hung a number of men in our county. Gentlemen of this House, from that day to this we have been almost absolutely free from the heinous crime of murder in that county.

Now would any man say that that foreign element would be deterred from the commission of that crime simply because they were taken out of their homes and transplanted in penitentiary for life? Don't you know my friends that under the present conditions you would take men from environments about their homes and transplant them into the penitentiary, and you would give them a much better, and much more wholesame and much pleasanter place to spend the rest of their lives than they had in the place where they were living. Gentlemen of this House you cannot deter a man from committing murder by transplanting him in a more pleasant place to live than he had before. You cannot deter the commission of this crime by making it so easy for the man to escape. Don't you know that under present conditions, average number years that a man who committed murder serves is twelve years. Now are you going to pas this law and incarcerate those men who have committed first degree murder in prison, and let them out on an average of twelve years. You cannot deter men from committing crime that way. After all is said and done the one thing that man loves most is his life. The thing that man will hesitate most for is for the protection and safety of his own life. The thing that deters a man most is the protection of his life and the protection of his family and loved ones from disgrace. I believe that every man within my hearing, if he were for a moment contemplating in his own mind the commission of the crime of murder, the thing that would deter him most would be the little family he has at home, the disgrace that it would bring to that family, the disgrace that it would bring to the wife, and when he premeditates the commission of that crime, he unquestionably considers those things. If he commits murder on the spur of the moment he does not have time to premeditate on these things, but that is not first degree murder, and the penalty now is but life imprisonment. They use the argument on the other side that we cannot now get convictions, but you know who have been in court that the overwhelming proportion of men who are charged ought not to be convicted of first degree murder. All the presumption of law are in favor of the accused, and the proof submitted, and must pass twelve men who must be convinced beyond a reasonable doubt not only the majority of them, if you please, but must convince every man beyond a reasonable doubt of the guilt of that man of premeditated murder. We have thrown safeguards around the man who is accused, and any of you men who have had experience in the court room during the trial of a man charged with murder know that there is in the overwhelming propor-

tion of cases something in those cases that convinces you that he is not guilty of first degree murder beyond a reasonable doubt. Do not let your sentiment get away with you in this matter and do not let this question get conflicted in your mind so that you are unable to make the distincion beween homicide and murder in the first degree. There is the real issue in this matter. Almost all the statistics you have heard, almost all the arguments you have heard, have been based on the number of homicides and not the number of first degree murders, as distinguished from homicide. Yes, and they will agrue that we cannot get enough convictions under the present law. Of course, if you lessen the penalty you will get more convictions. If you would lessen the penalty now, for example, and make it thirty days in jail for any man who had commited murder you would find that every man perhaps charged with murder would step up and plead guilty and take his sentence. The fallacy of that argument ought not to be convincing, because we do not want to be convicted of premeditated murder until it has passed the acid test of the twelve men who have to be convinced beyond a reasonable doubt. All we attorneys have tried cases in criminal court and almost invariably we are convinced that our client is innocent, and we believe it, and feel in our own minds that we know he is innocent, yet we have all had the sad awakening of developments thereafter, and we find out that our client, instead of being innocent, was guilty and most guilty. The real question, as I said before, is not to get more convictions, but is to give man such a punishment that will deter him from committing the crime. What, my friends, would you do in this case, where in a neighboring county only a few days ago there was an awful catastrophy where many lives were sacrificed? Supposing now that the law shall apprehend some person or persons and prove beyond a reasonable doubt that they were the perpetrators of that awful crime. You would take those men, after this law has been passed, and incarcerate them in a penitentiary for life. Then in a short time some person from outside of the walls of that penitentiary would smuggle in a explosive and they would explode a part of that penitentiary and murder a great number of other people. How in the name of Heaven, my friends, would you punish the men for the second crime committed? Men have been murdered in prison. Under the provisions of this bill you could give them no punishment for their second crime. Gentlemen, what we need in this country is not the abolishment of capital punishment, but what we need is to model the administration of our affairs of this state a little more after the administration of criminal law in England, where men who are proven to have committed murder are brought speedily to justice, with the result that murder in England is almost nothing in comparison with every other place. What we need is a speedy and sure administration of justice, the conviction and punishment of the man who commits the crime, and we never can accomplish that by the elimination of capital punishment. I trust that the men of this House will vote down this bill; vote it down because as long as we have crime such as murder we must have punishment equal to that, in order that we may cure the man and deter him from committing the offense.

Mr. MILNER. Mr. Speaker and gentlemen of the House, the gentleman from Schuylkill, Mr. Palmer, use the old text from Genesis that he who sheds man's blood by man shall his be shed. Men have been resorting to the Bible for many years to justify their acts or deeds. I heard a faith cure lecturer argue that a man should not go to a physician, and he quoted a verse in Chronicles which says that Asa in his thirty-ninth year was taken sick with a disease in his feet and that in his illness he sought not the Lord but went unto his physician, and Asa slept with his fathers. The apologists the Negro slavery in the days of the Civil War tried to justify their position by quoting the Bible. And it strikes me as an argument in favor of this bill that capital punishment does not deter a man from crime. The fallacy that underlies the plausible argument that it does is that it assumes that it acts upon a man at a particular moment, at the moment that he actually commits the crime, whereas the fact is, and human experience shows it, that the man who commits murder does not think of the thing at the time he commits the crime.

It may be that in the solemn court of justice when he is confronted with all the paraphernalia of the law and he is brought to bay and the passion, the hatred or lust of greed has long since been extinguished, that then there looms up before the unhappy wretch the penalty of death, but certainly not when he actually is committing the crime because it is often committed by an insane man who has no contemplation of crime, by the drunken man who has no reason or a man who is laboring under intense excitement or a mental defective; and the trouble of society as to the latter class is that they put the gallows at the end of the lane instead of the guide posts at the beginning.

Now, heavy punishments have never deterred men from crime. The ancients exercised horrible ingenuity in finding a way to punish the prisoner. They even nailed them to the cross and put them in hot oil and burned them at the stake and broke them over wheels or tortured them on the rack, yet none of those things deterred men from crime. It was once the law in this land that we brand a man with red-hot irons for certain crimes and that did not deter them and we would not want to do that now. It was also once the law to cut off a man's hands for crime and yet that did not stop them; then why maintain this barbaric relic, the electric chair. I tell you that every time I read of the description of an electrocution in the electric chair, such as I did the other day when they stated that a man was brought into the room and there was intense stillness in the room, everybody's face was blanched and the attendants could hardly bring the poor wretch in, and then they tried to buckle him to the chair and their fingers trembled so that they could hardly buckle the straps and then finally the current was sent through the poor wretch and the State took the human life, and I thought of the words of one of the victims of old of capital punishment when he was nailed to the cross, "Father, forgive them for they know not what they do." Now this teaching comes down to us all through the ages. Even from Mount Sinai we get the injunction "Thou shalt not kill;" and we all recall the Sermon on the Mount and the injunction given "Be merciful even as thy Father is merciful." And so, as capital punishment does not reform and does not deter, I think the enlightened conscience of this Commonwealth should veto this old decree of the law and write a new decree of law, "Thou shalt not kill."

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—83.

Albee,	Erdman,	Laucks,	Reichenbacker,
Arthur,	Fackler,	Lauler,	Reynolds,
Baker,	Fitzgibbon,	Leary,	Rich,
Baldi,	Fowler,	Maurer,	Sampsel,
Benchoff,	Franklin,	McCaig,	Siggins,
Benninger,	Geary,	McCurdy,	Smith, E. R.,
Beyer,	Glass,	McKinney,	Smith, F. I.,
Black,	Golder,	Mehring,	Sterling,
Bouton, V. B.,	Gormley,	Michel,	Stites,
Canon,	Haldeman,	Miller, A. D.,	Stofflet,
Christman,	Hecht,	Miller, Allan,	Sullivan,
Cook,	Helt,	Milner,	Sweitzer,
Cox,	Hess,	Mitchell,	Vickerman,
Curry,	Hoffman,	Morgan, T.,	Walker,
Davis, D. F.,	Hollingsworth,	Morgan, T. J.,	Wells,
Dawson,	Hough,	Musser,	West,
Dean,	Howarth,	Neary,	Whitaker,
Dewey,	Isherwood,	Ogden,	Wickman,
Donneley,	Kennedy,	Patterson,	Wobensmith,
Drake,	Lafferty,	Phillips,	Wylie,
Drinkhouse,	Lanius,	Pickering,	Zanders,

NAYS—97.

Aston,	Goodnough,	Miller, C. G.,	Sinclair,
Baldridge,	Goodwin,	Miller, G. J. A.,	Smith, J. W.,
Barner,	Graeff,	Milliron,	Smith, L.,
Bechtold,	Graham,	Murphy,	Smith, O. W.,
Bell,	Gransback,	Palmer,	Snowden,
Bennett,	Haight,	Perry,	Snyder,
Bidelspacher,	Heffernan,	Powell,	Somerman,
Boulton, H.,	Heyburn,	Ramsey,	Sones,
Brady,	Hollern,	Reitzel,	Sprowls,
Burnett,	Horton,	Rhodes, W. M.,	Stadtlander,
Campbell, J. O.,	Jack,	Ringler,	Steedle,
Campbell, T.,	Jennings,	Rininger,	Strauss,
Clements,	Jones,	Robertson,	Taylor,
Coldsmith,	Lewis,	Rogers,	Thomas,
Corbin,	Lohr,	Rothenberger,	Ulsh,
Crosby,	Luppert,	Ruddy,	Urich,
Cummins,	Marvin,	Sarig,	Vogdes,
Davis, W.,	McArdle,	Schaeffer, A. C.,	Wagner,
Dell,	McCullough,	Scott,	Wallace,
Dithrich,	McKay,	Shaffer, C. A.,	Walter,
Dunn,	McNichol,	Shattuck,	Williams, G. W.
Ehrhardt,	McPeake,	Showalter,	Williams, J. P.,
Flynn,	Mearkle,	Shunk,	Wynne,
Fretz,	Mervine,	Simpson,	Baldwin,
Gans,			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE.

Mr. McCURDY. Mr. Speaker, I having voted on the affirmative of this bill did so for the following reasons:

First, the courts of Blair County which I represent have not been able to return a verdict of murder in the first degree for a period of thirty years, the jury always returning a compromise verdict after laboring until tired out. The last murder trial held in Blair County, it was necessary for the sheriff and his deputies to go to several towns outside of the county capitol for sufficient talismen to fill juries owing to so many, when called, declared themselves as being against capital punishment.

Second, I do not believe man has a right to take the life of another when we can place these criminals securely in prisons where they should work to help support the dependents of those they murdered.

Third, Many innocent men have been hanged or electrocuted, the real murderer having made the confession of committing the crime instead of the one that suffered the penalty for the same.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I offer the following reasons for voting "no" on this bill:

Because the present conditions of our country in war with Germany does not warrant any change at this time.

Second, the majority of the members of the Bar of Columbia County are against it; the Medical Society in session week of April 9th, per resolution, unanimously oppose abolishing capital punishment; the ministers spoke publicly in pulpit on Sunday, April 15th, against abolishing capital punishment and my constituent, my belief, are opposed to it.

Mr. STRAUSS. Mr. Speaker, I vote "no" on this bill as I am in favor of House Bill No. 60 now on the calendar and will vote "aye" in favor of the proposition therein to let the jury trying the case say whether the penalty in murder of the first degree shall be death or life imprisonment.

SPEAKER BALDWIN IN THE CHAIR.

MOTION TO RECONSIDER VOTE.

Mr. FLYNN. Mr. Speaker, I move you that the vote by which House Bill No. 117, File Folio No. 2257, entitled

An Act proposing an amendment to section one article eight of the Constitution of Pennsylvania.

on page one of to-day's calendar, was defeated on final passage be reconsidered.

Mr. RAMSEY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. MILLIRON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

POINT OF ORDER.

Mr. MILLIRON. Mr. Speaker, the point of order is that the vote on this bill cannot be reconsidered, as I understand it, until it lies over for one day.

The SPEAKER. The Chair will rule that the point of order is not well taken.

Mr. WHITAKER. Mr. Speaker, I don't believe that at this time, when many of the members are absent, that it is the intention of the gentleman from Elk or members of this House to vote on this proposition, at least until it has had a fair chance to be thought over and if any members are desirous of changing their mind on the subject that they have an opportunity to do so. It appears to me that to vote the motion down at this time would be unfair to the supporters of the bill. If any members of the House desire to change their vote on the subject and desire to vote for a reconsideration those members who will do so, will do so at a time when the full membership of the House is present and when it has a genuine reconsideration. I doubt if the gentleman wishes to be unfair to the measure and kill it at this time and I ask him for that reason to withdraw his motion for the present. I know of no members of the House who as yet have changed their attitude on the subject. If they do they will make a motion to reconsider the bill and it will have a fair opportunity. If the gentleman insists on the motion I would like an opportunity at least to make a motion to lay his motion on the table.

Mr. FLYNN. Mr. Speaker, my purpose in making the motion at this time is to dispose of this bill now, once and for all for the present session. We have had this matter before us at various sessions in the past and it has been one of the measures on which we members have button-holed and dragged here and there, and there is not a member in this House that is not perfectly familiar with the provisions of this act, and we had a fair and sincere vote on it this morning and practically the entire membership of the House was present. We have perhaps as many members present now as we will have at any time during this week and therefore I insist upon my motion being considered at this time.

Mr. WHITAKER. Mr. Speaker, the gentleman who makes that motion makes the definite statement that his object is to kill the bill, finally. That to our minds is a definite statement and that his attitude is unfair because of it. With the passage of that motion it is not possible to secure a reconsideration of the bill. He knows, as we all know, that it failed of passage by a very slight majority and he also knows that a very few, two or three members, were not present for various reasons, and did not have an opportunity to vote for it. If there were any genuine bona fide attempt to reconsider it, this motion would not be made at this time. That is the only reason for which this rule has been provided, it will be done by those who have changed their minds on the subject at another time. The rules have provided wisely that a bill defeated may be reconsidered at any time within five days. If this is a fair rule, and there is no doubt that it is, five days ought to be accorded to those who favor the bill and a majority of the members that have already expressed themselves in favor of it would be given another opportunity, and it seems to me that it would be only a matter of fairness to the members of the House to stand by it and postpone it at the present time. I, therefore, move that the motion of the gentleman from Elk, Mr. Flynn, be laid on the table.

Mr. LEWIS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Walter and Mr. Lohr and were as follows:

YEAS—85.

Aston,	Dewey,	Laucks,	Ross,
Baldi,	Drake,	Lewis,	Rudisill,
Baldridge,	Dunn,	Lohr,	Sampsel,
Barner,	Ehrhardt,	Marvin,	Shattuck,
Bell,	Fackler,	Maurer,	Showalter,
Benchoff,	Fitzgibbon,	McCullough,	Siggins,
Bennett,	Fowler,	McCurdy,	Snyder,
Bidelspacher,	Franklin,	McKay,	Sterling,
Black,	Glass,	McNichol,	Stites,
Boulton, H.,	Golder,	Mehring,	Sweitzer,
Burnett,	Goodwin,	Miller, Allan,	Vickerman,
Campbell, J. O.,	Gormley,	Milner,	Vogdes,
Canon,	Graham,	Mitchell,	Walker,
Coldsmith,	Hecht,	Morgan, T. J.,	Wallace,
Cook,	Helt,	Musser,	Walter,
Corbin,	Hollingsworth,	Ogden,	Wells,
Cox,	Isherwood,	Phillips,	Whitaker,
Cummins,	Jack,	Reichenbacker,	Williams, G. W.
Davis, D. F.,	Jones,	Reynolds,	Williams, J. P.,
Dawson,	Kennedy,	Rhodes, W. M.,	Wobensmith,
Dean,	Lanius,	Rich,	Wylie,
Dell,			

NAYS—98.

Albee,	Graeff,	Murphy,	Smith, L.,
Arthur,	Gransback,	Neary,	Smith, O. W.,
Baker,	Haight,	Palmer,	Snowden,
Bechtold,	Haldeman,	Patterson,	Somerman,
Benninger,	Heffernan,	Perry,	Sones,
Beyer,	Heyburn,	Pickering,	Speicher,
Bouton, V. B.,	Hollern,	Powell,	Sprowls,
Bovee,	Horton,	Ramsey,	Stadtlander,
Boyd,	Hough,	Reitzel,	Steedle,
Brady,	Howarth,	Ringler,	Stern,
Campbell, T.,	Lafferty,	Rininger,	Stofflet,
Christman,	Lauler,	Robertson,	Strauss,
Clements,	Leary,	Rogers,	Sullivan,
Crosby,	Luppert,	Rothenberger,	Taylor,
Curry,	Mangan,	Ruddy,	Ulsh,
Davis, W.,	McArdle,	Sarig,	Urich,
Dithrich,	McCaig,	Schaeffer, A. C.,	Wagner,

Donneley,	McKinney,	Scott,	West,
Drinkhouse,	McPeake,	Shunk,	Wickman,
Erdman,	Mearkle,	Simpson,	Wood,
Flynn,	Mervine,	Sinclair,	Woodward,
Fretz,	Michel,	Smith, E. R.,	Wynne,
Gans,	Miller, A. D.,	Smith, F. I.,	Zanders,
Geary,	Miller, C. G.,	Smith, J. W.,	Baldwin,
Goodnough,	Miller, G. J. A.,		Speaker.

So the question was determined in the negative, and the motion was not agreed to.

Mr. FLYNN. Mr. Speaker, I now desire to renew my motion.

The SPEAKER. The motion is before the House.

On the question recurring,

Will the House agree to the motion to reconsider the vote?

Mr. WALTER. Mr. Speaker, I move the House do now adjourn.

Mr. VICKERMAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion.

The motion was not agreed to.

Mr. FLYNN. Mr. Speaker, I ask you what question is now before the House.

The SPEAKER. The question before the House is on the motion to reconsider by Mr. Flynn, of Elk.

On the question recurring,

Will the House agree to the motion to reconsider the vote?

Mr. WALTER. Mr. Speaker, I bowed before the decision of the Chair. I take it now that the question is on the motion of the gentleman from Elk, Mr. Flynn. I have never been an enthusiastic advocate of suffrage. I have announced myself as against suffrage in principle each time that the question has been voted on here when it was submitted two years ago and I voted against the granting of suffrage to the other six. That, in my judgment, was inconclusive and therefore I am in favor of resubmission, but I cannot let this occasion pass without expressing my opinion upon the tactics that are being used by the gentlemen who are opposed to this resolution and wish to sandbag it. It is the first resolution before the House at this session that a deliberate and premeditated attempt has been made to kill. It may succeed but I don't know why so many of these chivalrous gentlemen who wanted to protect the other sex from the roughhouse of politics would use this sort of method to sandbag the bill.

POINT OF ORDER.

Mr. FLYNN. Mr. Speaker, I rise to a point of order. The gentleman is making charges.

The SPEAKER. The Chair sustains the point of the gentleman from Elk, and the gentleman from Franklin will confine himself to the subject under discussion.

Mr. WALTER. Mr. Speaker, I will apologize to the gentleman from Elk, but I cannot help but observe that it is extraordinary that this particular measure should be singled out and that this is the only time that the House exercises this method. And it is in some respect, to my mind, bad politics on the part of the majority of the House. I trust that the motion to reconsider will be agreed to and that the resolution will again be placed on the calendar.

The SPEAKER. The question is whether the vote shall be reconsidered by which this bill was lost.

Mr. VICKERMAN. Mr. Speaker and gentlemen of the House, I want to call your attention to the fact that the proceedings of the gentleman on the opposite side, the minority party, is going to put the Republican Party in a hole. I want to say to you here who are of the majority party that we put a plank in our platform during the last election in favor of this amendment. This is a deliberate attempt to put the Republican Party in wrong, It is not fair, it is not right to vote it down in this way, and we will hear from the people next November.

Mr. MILLIRON. Mr. Speaker and gentlemen of the House, I am mighty sorry that this quetsion has arisen. I believe you will agree with me when I say that both sides have had a fair decision and as fair a consideration as any measure that has been before this House. Now accusations have been going back and forth across the House of gang rule, one man moves to re-consider another man moves to adjourn, and they are both trying to work the gag rule. Now let me given you a little bit of inside information. If woman suffrage is defeated by this House, it is defeated by the advocates of woman suffrage. The members had no more than gotten out into that lobby there until Mrs. Funk stated that liquor interests were back of the defeat of this bill, and has lobbyied here for a defeat, and that is what stirred the people up. If a man cannot come here and vote for a measure as a matter of decency without having that slur cast in his face it is a mighty unfortunate thing for any woman from the State of Illinois to make the accusation that the liquor interests control any votes in this House on this question.

Mr. RICH. Mr. Speaker, I would like to interrogate the gentleman from Armstrong.

The SPEAKER. Will the gentleman from Armstrong, Mr. Milliron, permit himself to be interrogated?

Mr. MILLIRON. With pleasure.

Mr. RICH. Mr. Speaker, does the gentleman believe that the accusations supposed to have been made by that woman are true?

Mr. MILLIRON. Mr. Speaker, absolutely not as far as it applies to me.

Mr. MILLIRON. Mr. Speaker, I would like to interrogate the gentleman from Clinton, Mr. Rich.

The SPEAKER. Will the gentleman from Clinton, Mr. Rich, permit himself to be interrogated?

Mr. RICH. Mr. Speaker, yes, sir.

Mr. MILLIRON. Mr. Speaker, has Mrs. Funk had any influence on the gentleman from Clinton?

Mr. RICH. Mr. Speaker, I would say for the information of the gentleman that the lady did not try to have an influence on me.

Mr. VICKERMAN. Mr. Speaker, I would like to interrogate the gentleman from Armstrong.

The SPEAKER. Will the gentleman from Armstrong permit himself to be interrogated?

Mr. MILLIRON. Mr. Speaker, with pleasure.

Mr. VICKERMAN. Mr. Speaker, the gentleman from Armstrong, made a statement a few minutes ago with reference to the statements made by Mrs. Funk, with regard to the liquor dealers' lobby, I want to ask the gentleman from Armstrong if he does not know for a fact that in this House last night and to-day and for several days there have been paid lobbists working against this bill, one Bonner has been here and all the paid lobbists from Allegheny and Philadelphia have been here.

Mr. MILLIRON. Mr. Speaker, in answer to that with uplifted hand I will say that I do not know that to be true, and no one has spoken to me with reference to the matter.

Further than that, I do not need to ask the gentleman from Allegheny the same question I asked the gentleman from Clinton, Mr. Rich, because everybody knows that it is true with regard to him.

Mr. RAMSEY. Mr. Speaker, and gentlemen of the House, it seems to me that the House has taken a humorous turn in regard to this motion which is entirely in order and which should be acted upon on its merit. What difference does it make whether all the paid lobbyists of all the liquor dealers in the State, or all the manufactures in the State, or all the paid lobbyists in the National Capital, lobby against this bill, the question before this House now to be considered by us is the question as to whether this motion of Mr. Flynns' to reconsider will be voted upon favorably or unfavorably. Let us stop all this nonsense that we are in now. Might I just simply say this in passing, suppose we wait until to-morrow, suppose we wait until the next day, suppose we wait until the next, or within five days, and what do we wait for. We wait for an opportunity for the advocates of woman suffrage to turn the votes of men in this House. Is that fair, is it fair that they might be able to use some method to change votes. This is a full House here now. It is almost as full a House as it was this morning. There is no better time to act upon it than now, and I hope that in sound judgment the gentlemen will vote on the question now without further debate.

The SPEAKER. The Chair desires to state that he has permitted the House to proceed along in parlimentary lines on the question of sustaining the decision of the Chair, and it was only because the Chair did not want to appear to railroad anything that he permitted this to proceed as it has. The members all know that it is only a question on the decision of the Chair. Now the Chair decides the noes have it, and

The question recurs,

Will the House reconsider the vote by which this bill was lost?

Mr. COX. Mr. Speaker, I appreciate the motion made by the gentleman from Elk, he has distinctly stated that he was tired of the proposition and we should finish it to-day, and I get on my feet only for a common purpose, and that is to appeal to this House for common courtesy to the member from Chester who introduced this joint resolution. I believe that we should reconsider the bill, put it on the postponed calendar, and treat this measure just the same as we have treated many other measures that have been defeated. We should at least extend to the gentleman from Chester the courtesy of that proceeding, and I hope that the spirit of fairness will permeate everyone here to-day and show that courtesy to the gentleman from Chester.

The yeas and nays pere required by Mr. Ehrhardt and Mr. Glass and were as follows:

YEAS—82.

Aston,	Dell,	Lanius,	Rudisill,
Baldi,	Dewey,	Laucks,	Sampsel,
Baldridge,	Drake,	Lewis,	Scott,
Barner,	Dunn,	Lohr,	Shaffer, C. A.,
Bell,	Ehrhardt,	Maurer,	Shattuck,
Benchoff,	Fitzgibbon,	McKinney,	Showalter,
Bennett,	Franklin,	McPeake,	Siggins,
Bidelspacher,	Glass,	Mehring,	Snyder,
Black,	Golder,	Miller, Allan,	Stites,
Boulton, H.,	Goodwin,	Milliron,	Sweitzer,
Burnett,	Gormley,	Milner,	Vickerman,
Campbell, J. O.,	Graham,	Mitchell,	Vogdes,
Canon,	Hecht,	Morgan, T. J.,	Walker,
Coldsmith,	Helt,	Musser,	Wallace,
Cook,	Hollingsworth,	Ogden,	Walter,
Corbin,	Horne,	Phillips,	Wells,
Cox,	Isherwood,	Reichenbacker,	Whitaker,
Cummins,	Jack,	Reynolds,	Williams, G. W.
Davis, D. F.,	Jennings,	Rhodes, W. M.,	Williams, J. P.,
Dawson,	Jones,	Rich,	Wylie,
Dean,	Kennedy,	Ross,	

NAYS—101.

Albee,	Goodnough,	Miller, C. G.,	Smith, O. W.,
Arthur,	Graeff,	Miller, G. J. A.,	Snowden,
Baker,	Gransback,	Murphy,	Somerman,
Bechtold,	Haldeman,	Neary,	Sones,
Benninger,	Heffernan,	Palmer,	Speicher,
Beyer,	Heyburn,	Patterson,	Sprowls,
Bouton, V. B.,	Hollern,	Perry,	Stadtlander,
Bovee,	Horton,	Pickering,	Steedle,
Boyd,	Hough,	Powell,	Sterling,
Brady,	Howarth,	Ramsey,	Stern,
Campbell, T.,	Lafferty,	Reitzel,	Stoffiet,
Christman,	Lauler,	Ringler,	Strauss,
Clements,	Leary,	Rininger,	Sullivan,
Crosby,	Luppert,	Robertson,	Taylor,
Curry,	Mangan,	Rogers,	Ulsh,
Davis, W.,	Marvin,	Rothenberger,	Urich,
Dithrich,	McArdle,	Ruddy,	Wagner,
Donneley,	McCaig,	Sarig,	West,
Drinkhouse,	McCullough,	Schaeffer, A. C.,	Wickman,
Erdman,	McCurdy,	Shunk,	Wobensmith,
Fackler,	McKay,	Simpson,	Wood,
Flynn,	McNichol,	Sinclair,	Woodward,
Fowler,	Mearkle,	Smith, E. R.,	Wynne,
Fretz,	Mervine,	Smith, F. I.,	Zanders,
Gans,	Michel,	Smith, J. W.,	Baldwin,
Geary,	Miller, A. D.,	Smith, L.,	Speaker.

So the question was determined in the negative and the motion was not agreed to.

BILLS INTRODUCED AND REFERRED.

By Mr. BAKER. House Bill No. 1477.

An Act to repeal the act approved the twenty-seventh day of March, one thousand eight hundred twenty-three (Pamphlet Laws one hundred twenty), entitled "An Act to erect the town of West Middletown, in the County of Washington, into a borough."

Referred to the Committee on Counties and Townships.

By Mr. JENNINGS. House Bill No. 1478.

An Act to further amend article three of section one of an act approved the eighth day of April, one thousand eight hundred and fifty-three, entitled "An Act relating to the descent and distribution of the estates of inebriates," as amended.

Referred to the Committee on Judiciary Local.

By Mr. JENNINGS. House Bill No. 1479.

An Act providing for and regulating the maintenance and government of "County Homes" for indigent orphans and for delinquent, incorrigible, indigent, dependent and neglected children under sixteen years of age, and providing for their commitment thereto.

Referred to the Committee on Judiciary Local.

By Mr. SARIG. House Bill No. 1480.

An Act to provide a just and equitable method of distributing money appropriated for the relief of the poor requiring medical and surgical treatment in hospitals and sanitoria in this Commonwealth not under the absolute control of the state and unable to pay for the same

Referred to the Committee on Judiciary Local.

By Mr. HAIGHT. House Bill No. 1481.

An Act making an appropriation to the supervisors of Howe Township, Forest County, to reimburse said township for moneys expended in the repair of a section of State Highway route number two hundred and fifty-three.

Referred to the Committee on Appropriations.

By Mr. LUPPERT. House Bill No. 1482.

An Act making an appropriation to refund to Willard Weis, of South Williamsport, moneys erroneously paid into the State Treasury.

Referred to the Committee on Appropriations.

By Mr. HESS. House Bill No. 1483.

An Act to amend an act approved June second, one thousand nine hundred and fifteen, entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder."

Referred to the Committee on Manufactures.

By Mr. RAMSEY. House Bill No. 1484.

An Act to amend section four of an act approved the twenty-ninth day of May, one thousand nine hundred and thirteen, entitled "An Act to amend the third and fourth sections of an act, entitled 'An Act establishing in each county a board of viewers; prescribing their duties; providing for their appointment as viewers, road juries, juries of view, and commissioners to view land; and providing for the charges upon the respective counties in the matter of salaries, costs, and expenses thereof, approved the twenty-third day of June, Anno Domini one thousand nine hundred and eleven; fixing the per diem compensation and mileage of the said board of viewers, and providing for the payment thereof by the proper county, and increasing the powers of viewers regarding the administration of oaths."

Referred to the Committee on Counties and Townships.

By Mr. DITHRICH. House Bill No. 1485.

An Act requiring alderman, justices of the peace, and committing magistrates to return a transcript of all information to the district attorney and clerk of the Court of Quarter Sessions within three days after the binding over or cimmittal of any defendant charged with any crime or misdemeanor.

Referred to the Committee on Judiciary Local.

By Mr. SWARTZ. House Bill No. 1486.

An Act amendatory of an act, entitled "An Act providing for the escheat of deposits of money or property of another received for storage or safe-keeping; the dividends, profits, debts, and interest on debts of corporations, companies, banks, trust companies, insurance companies, limited partnerships, and partnership associations, organized under the laws of this Commonwealth, except mutual saving fund society not having a capital stock represented by shares, and except also building and loan associations, and property held for the benefit of another by the same, and the profits, accretions, and interest on such property, as well as interest thereon accrued, or which should have accrued, between the fixing of the amount of such property by the award of any court and the actual distribution thereof," approved the seventh day of June, one thousand nine hundred fifteen, Pamphlet Laws page eight hundred seventy-eight, amending the title thereof; repealing section six of said act, relating to the advertisement of notice of the report of money and property under the provisions of the act, and amending sections two, seven and eleven thereof, so as to

provide more effectually for the escheat of certain trusts and other funds, the beneficial owners of which have been unknown for seven or more successive years.

Referred to the Committee on Judiciary General.

By Mr. DUNN. House Bill No. 1487.

An Act for the health of the traveling public by requiring street railway cars to have thermometers; requiring the heating apparatus to be under the control of and subject to adjustment by the crew operating the car; fixing the minimum temperature at which cars are to be operated; and providing penalties.

Referred to the Committee on Electric Railways.

By Mr. POWELL (By request). House Bill No. 1488.

An Act validating certain elections of counties, cities, boroughs, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto, and validating bonds issued or authorized to be issued in pursuance of such elections.

Referred to the Committee on Counties and Townships.

By Mr. WALKER. House Bill No. 1489.

An Act allowing and regulating appeals from orders of the courts of quarter sessions refusing to set aside the imposition of costs made by grand or petty juries.

Referred to the Committee on Judiciary Local.

By Mr. DRINKHOUSE. House Bill No. 1490.

An Act making an appropriation to the Philadelphia School of Design for Women, the Teachers' Annuity and Aid Association, and the Teachers' Institute.

Referred to the Committee on Appropriations.

By Mr. WILLIAM DAVIS (By request). House Bill No. 1491.

An Act to provide for the safeguarding of the lives of employes in the coal mines of the Commonwealth of Pennsylvania.

Referred to the Committee on Mines and Mining.

By Mr. THOMAS J. MORGAN. House Bill No. 1492.

An Act to provide for the safety of persons employed in and about the anthracite coal mines of this Commonwealth, and to limit the hours of labor of fan-engineers and pump-engineers employed at or about the same, and fixing a penalty for the violation of this act.

Referred to the Committee on Mines and Mining.

By Mr. McCULLOUGH. House Bill No. 1493.

An Act authorizing Edward F. Martin, a resident of Butler Borough, Butler County, Pennsylvania, to bring suits in the court of Common pleas of Butler County against the Commonwealth of Pennsylvania.

Referred to the Committee on Judiciary Local.

By Mr. GEORGE W. WILLIAMS. House Bill No. 1494.

An Act to amend section thirty of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff or assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for the percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for the payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of this act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. STADTLANDER. House Bill No. 1495.

An Act providing for the recording of deeds, the registration of same and for payment of registration fee.

Referred to the Committee on Municipal Corporations.

By Mr. GANS. House Bill No. 1496.

An Act to amend an act approved the seventeenth day of June, one thousand nine hundred and fifteen, entitled "An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act."

Referred to the Committee on Judiciary Special.

By Mr. BOVEE. House Bill No. 1497.

An Act to amend an act, entitled "An Act granting a gratuity and an annuity to Patrick Leonard late sergeant in Captain J. H. Wilson's Company G, Seventeenth Regiment National Guard of Pennsylvania," approved the seventh day of July, one thousand eight hundred and eighty-five, by fixing the annuity herein provided for.

Referred to the Committee on Judiciary General.

By Mr. CROSBY. House Bill No. 1498.

An Act providing that retail and wholesale liquor licenses, goodwills, and leaseholds in connection therewith, and the proceeds of the sale thereof, shall be an asset for the payment of the debts of deceased licensee, and for the transfer and holding of such license, and for whose benefit such license shall be held; and for the form of application thereof, and liabilities of transferee.

Referred to the Committee on Law and Order.

By Mr. WALTER. House Bill No. 1499.

An Act granting power in certain cases to the Commonwealth of Pennsylvania or to any department thereof and to any municipal sub-division of the Commonwealth to purchase or condemn lands having thereon located road building material and to enter upon and cross private property and to locate and erect necessary machinery thereon; and providing a method for the assessment of damages.

Referred to the Committee on Public Roads.

By Mr. ROGERS. House Bill No. 1500.

An Act making an appropriation to Saint John's Orphan Asylum, Philadelphia.

Referred to the Committee on Appropirations.

By Mr. ROGERS. House Bill No. 1501.

An Act making an appropriation to the Saint Joseph's Protectory, Norristown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ROGERS. House Bill No. 1502.

An Act making an appropriation to the Catholic Home for Destitue Children, Philadelphia, Pennsylvania.

Referred to the Committee on Appropirations.

By Mr. ROGERS. House Bill No. 1503.

An Act making an appropriation to Saint Vincent's Home, Philadelphia.

Referred to the Committee on Appropriations.

By Mr. ROGERS. House Bill No. 1504.

An Act making an appropriation to Saint Vincent's Home and Maternity Hospital, Philadelphia.

Referred to the Committee on Appropriations.

By Mr. ROGERS. House Bill No. 1505.

An Act making an appropriation to the Philadelphia Protectory for Boys, Protectory Station, Montgomery County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. LAULER. House Bill No. 1506.

An Act authorizing and directing the Treasurer of the Commonwealth of Pennsylvania to pay to John Mangan of the City of Pittsburgh, Pennsylvania, out of any moneys unappropriated in the treasury of the Commonwealth of Pennsylvania the sum of two hundred forty-one dollars and ninety cents, being a sum of money which he paid to the Register of Wills and Clerk of the Orphans' Court of the County of Allegheny, Pennsylvania, as collateral inheritance tax upon the estate of John Mangan, Absentee, at Number three hundred thirty-eight June Term one thousand nine hundred and eleven, in the Orphans' Court of the County of Allegheny, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. BOULTON. House Bill No. 1513.

An Act providing for the valuation and assessment of fee simple mineral estates and mining rights in land for taxation purposes and the collection of taxes thereon as in the case of unseated land.

Referred to the Committee on Judiciary General.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate, being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 784 (House Bill No. 1507)

An Act authorizing the Superintendent of Public Instruction to appoint one clerk who shall be an expert stenographer and four stenographers and fixing their salaries.

Referred to the Committee on Education.

Senate Bill No. 604 (House Bill No. 1508)

An Act to amend part of the fourth section of the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended.

Referred to the Committee on Counties and Townships.

Senate Bill No. 622 (House Bill No. 1509)

An Act to amend section one and further amend section two of an act approved the 23d day of April, 1903, entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments, and the re-assessment between the periods of the triennial assessment of property, and fixing the time for the return thereof," by providing for a quadrennial assessment instead of a triennial assessment.

Referred to the Committee on Counties and Townships.

Senate Bill No. 741 (House Bill No. 1510)

An Act to provide for a stadium in cities of the first class.

Referred to the Committee on Municipal Corporations.

Senate Bill No. 728 (House Bill No. 1511)

An Act conferring upon certain corporations the right to take and appropriate lands and waters for the erection of dams and reservoirs and the transportation of water for irrigating farm lands.

Referred to the Committee on Manufactures.

Senate Bill No. 767 (House Bill No. 1512)

An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State Aid for the transportation of pupils to and from consolidated schools.

Referred to the Committee on Education.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 69

An Act fixing the compensation of employes in the Department of Banking and providing for the appointment of an additional clerk.

House Bill No. 262

A Supplement to an act entitled "An Act to provide for the incorporation and regulation of natural gas companies" approved the twenty-ninth day of May one thousand eight hundred and eighty-five providing that corporations engaged in the business of supplying natural gas may manufacture or purchase and transport and supply manufactured fuel gas.

House Bill No. 461

An Act to amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred thirty-seven) entitled "An Act regulating the sale of milk and its fluid derivatives in cities of the first class providing for the licensing of those engaged in that business and providing penalties for the violation thereof.

House Bill No. 734

An Act amending section one of an act approved the seventh day of June one thousand nine hundred one entitled "An Act to authorize the township commissioners in townships of the first class to lay out widen open and vacate streets and the highways within their respective townships at the expense of the township or the properties benefited."

House Bill No. 775

An Act to fix and determine the salary of the several clerks of the courts of record of the county of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth.

House Bill No. 877

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts.

House Bill No. 359

An Act allowing appeals from orders of court entered on motions to quash or dissolve writs of foreign attachment

House Bill No. 773

An Act authorizing trustees of the insane or directors or overseers of the poor to provide a building or rooms for the care and treatment and maintenance of persons temporarily mentally deranged

Whereupon,

The Speaker in the presence of the House signed the same.

REPORTS FROM COMMITTEES.

Mr. WOODWARD, from the Committee on Appropriations, reported as committed House Bill No. 1514, entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth, the safety of its people and the protection of their property, and to aid the Govermnent of the United States in protecting and defending said government, and the people thereof, and their property; and making an appropriation.

BILL ON FIRST READING.

Mr. WOODWARD asked and received unanimous consent to have House Bill No. 1514 read for the first time.

Agreably to order,
The House proceeded to the first reading and consideration of House Bill No. 1514, entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth, the safety of its people and the protection of their property, and to aid the Govermnent of the United States in protecting and defending said government, and the people thereof, and their property; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. STOFFLET, from the Committee on Ways and Means, reported as amended House Bill No. 1127, entitled

An Act empowering cities and boroughs to provide for the licensing of cats.

Mr. WICKMAN, from the Committee on Ways and Means, reported as committed House Bill No. 1380, entitled

An Act amending section one of an act approved the fifteenth day of July, one thousand eight hundred ninety-seven, entitled "An Act to provide revenue by taxation."

Mr. GLASS, from the Committee on Judiciary Special, reported as committed House Bill No. 1268, entitled

An Act authorizing any city of the first class to acquire existing street railway transit facilities within such city or adjacent thereto and the franchises for operating the same by the exercise of the power of eminent domain; providing for the determination by The Public Service Commission, subject to appeal, of the amount of compensation to be paid for the properties and franchises taken; and empowering such cities to operate, maintain, use, lease, license or contract for the operation of the facilities so acquired.

Mr. STOFFLET, from the Committe on Ways and means, reported as committed House Bill No. 1424, entitled

An Act for the imposition and collection of certain inheritance taxes.

Mr. BENNINGER, from the Committee on Judiciary Special, reported as committed House Bill No. 1301 (Senate Bill No. 624), entitled

An Act dividing the Middle Coal-Field Poor District into four districts and providing for the nomination and election of a director and auditor from each district and one director at large to be elected by the voters of all the districts; fixing the time when such nominations and elections shall be held and when those elected shall take office; providing for appointments and filling of vacancies; placing the affairs of the District under the supervision and control of the court of quarter sessions of Carbon County; making it lawful to erect new or additional buildings for said District after the approval of the court of quarter sessions of Carbon County and repealing certain acts.

Mr. SNOWDEN, from the Committee on Judiciary Special, reported as amended House Bill No. 1325 (Senate Bill No. 203), entitled

An Act defining and regulating boxing and wrestling contests.

Mr. DEAN, from the Committee on Ways and Means, re-reported as committed House Bill No. 494, entitled

An Act to further amend an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A Further Supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by removing the exemption granted corporations' limited partnerships and joint-stock associations organized for laundering purposes and imposing a tax of two mills on the capital stock of certain corporations limited partnerships and joint-stock associations organized for manufacturing purposes and appropriating the same for State and State-aid highway purposes

ADJOURNMENT.

Mr. GRANSBACK. Mr. Speaker, I move that this House do now adjourn until to-morrow morning at 11 o'clock.

The motion was agreed to and (at 3.30 P. M.) the House adjourned until to-morrow morning at 11 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

VOL. 4. HARRISBURG, PA., WEDNESDAY, APRIL 18, 1917. No. 40.

SENATE.

WEDNESDAY, April 18, 1917.

The Senate met at 10 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the Chair.

PRAYER.

The Rev. M. D. Lichliter offered the following prayer:

Oh Lord, we thank Thee for this beautiful morning; for this new day. With it come new duties and renewed responsibilities. Help us each in our several duties to dedicate to Thee all that is true and good and best within us in order that we may meet with Thy approval and our hearts may be blessed at Thy hands. We ask in Jesus's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. EYRE, from the Committee on Public Roads and Highways, reported as committed Senate Bill No. 795, entitled

An Act making it a misdemeanor for any person to deface, mutilate or destroy any sign board or sign post, or any markings, directions or lettering thereon, placed by the public authorities upon any State, county or township road, or upon any other street or public highway, and prescribing the punishment for violations thereof.

Mr. JENKINS, from the Committee on Judiciary General, reported as committed Senate Bill No. 642 (House Bill No. 843), entitled

An Act authorizing Edward Fay and son a corporation of the State of Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 644 (House Bill No. 482), entitled

An Act to repeal an act, entitled "An Act creating a sinking fund commission in any county now or hereafter containing not less than two hundred and fifty thousand nor more than one million two hundred thousand inhabitants, prescribing its powers and duties and repealing acts inconsistent herewith," approved the 1st day of April, A. D. 1909.

Mr. MILLER, from the Committee on Public Health and Sanitation, reported as committed Senate Bill No. 577, entitled

An Act regulating the display or exhibit for sale of food, imposing duties upon the Dairy and Food Commissioner, and providing penalties.

Mr. SEMMENS, from the Committee on Education, reported as committed Senate Bill No. 852, entitled

An Act to amend section sixteen hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. LEIBY, from the Committee on Judiciary General, reported as committed Senate Bill No. 825 (House Bill No. 386), entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 849, entitled

A Joint Resolution proposing an amendment to section eleven of article sixteen of the Constitution of Pennsylvania.

Mr. WHITTEN, from the Committee on Judiciary General, reported as committed Senate Bill No. 636 (House Bill No. 414), entitled

A Supplement to an act approved the twenty-sixth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a public service commission for the regulation aforesaid prescribing and defining the powers and duties of such commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases; providing the terms, salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the public service commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An Act to enforce provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May Anno

Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" providing for switch and other connections between the lines of street railway companies and railway lines owned leased or operated by municipal corporations when required by the public service commission providing for the establishment of through routes and joint rates over such connecting lines and prescribing and defining the duties of the public service commission relating to such connections through routes and joint rates

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 834, entitled

An Act making it a misdemeanor for a parent wilfully to neglect to support a child born out of lawful wedlock whether such child shall have been begotten or shall have been born within or without this Commonwealth (or whether such child shall have been begotten before or after the taking effect of this act) providing punishment therefor and empowering the court to make an order for support and to enforce the same, and making it a misdemeanor to make false declarations as to who is the parent of the child and providing punishment therefor.

Mr. P. W. SNYDER, from the Committee on Public Health and Sanitation, reported as amended Senate Bill No. 827 (House Bill No. 866), entitled

An Act to regulate the practice of Pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof, defining the words "Drug" and "Poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality, strength and purity.

BILL ON FIRST READING.

Mr. P. W. SNYDER. Mr. President, I ask unanimous consent that Senate Bill No. 827 (House Bill No. 866), entitled

An Act to regulate the practice of Pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "Drug" and "Poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity.

be read the first time.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 827 (House Bill No. 866), entitled

An Act to regulate the practice of Pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "Drug" and "Poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. BUCKMAN, from the Committee on Appropriations, reported as amended Senate Bill No. 323, entitled

An Act making an appropriation to the Pennsylvania State College for educational extension work, and for maintaining a summer session for teachers.

Also from the Committee on Appropriations, reported as committed Senate Bill No. 828 (House Bill No. 889), entitled

An Act providing for the payment by State Hospitals for the insane of the traveling expenses from said hospitals to their homes respectively of indigent inmates of said hospitals discharged by order of the Committee on Lunacy of the Board of Public Charities and for the reimbursement to such hospitals of the amounts so paid.

Also from the Committee on Appropriations, reported as committed Senate Bill No. 843, entitled

An Act making an appropriation for the payment of the judgments and costs recovered in the court of common pleas of Dauphin County in the suits of the Western Saving Fund Society of Philadelphia vs. Robert K. Young, Treasurer of the State of Pennsylvania.

Mr. PATTON, from the Committee on Judiciary General, reported as committed Senate Bill No. 649 (House Bill No. 951), entitled

An Act amending section two of an act, entitled "An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk to the county commissioners of each county to organize themselves into a state association for the purpose of holding annual meetings and providing for the payment of the expenses thereof" approved the 10th day of May, A. D. 1913, by providing that the necessary expenses of the convention shall not be more than twenty-five dollars to any county per annum.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 723 (House Bill No. 815), entitled

An Act authorizing Wilbur Kay, Fanny Kay, his wife, Ellingwood Kay, Dorothy Kay and Hubert Kay, their children, residents of the Borough of East Washington and Mabel Mason, resident of the Borough of Washington, all of Washington County, Pennsylvania, to bring suit in the court of common pleas of Washington County, against the Commonwealth of Pennsylvania jointly or severally.

Mr. NASON, from the Committee on Judiciary General, reported as committed Senate Bill No. 641 (House Bill No. 770), entitled

An Act providing fees and mileage for witnesses attending coroners inquests and providing for the payment thereof by the several counties.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 637 (House Bill No. 488), entitled

An Act providing for leave to pay fines and costs in criminal proceedings by installments.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 793, entitled

An Act extending to the County of York the provisions of an act, entitled "An Act granting the courts of this Commonwealth the power to appoint viewers to veiw certain streets, and alleys in this Commonwealth," approved the 15th day of April, 1845, and repealing so much of the provisions to the third section of said acts as excludes from the operation of said act the County of York.

Mr. BALDWIN, from the Committee on Mines and Mining, reported as committed Senate Bill No. 645 (House Bill No. 649), entitled

A Joint Resolution directing the Chief of the Department of Mines to have prepared and printed the report of the Commission relative to surface support in the Anthracite Coal Region and which report was made to the Governor and the General Assembly March 1st, 1913.

BILLS INTRODUCED.

Mr. W. P. GRAFF read in his place and presented to the Chair Senate Bill No. 871, entitled

An Act making an appropriation to the Pennsylvania Historical Commission for the purpose of repairing, improving and preserving the Penn Monument and the site thereto in Cherry Tree, Indiana County.

Which was committed to the Committee on Appropriations.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 872, entitled

An Act regulating the manufacture, keeping, storage, transportation and sale of explosives, providing for the inspection of plants manufacturing explosives and providing penalties for any violation of this act.

Which was committed to the Committee on Judiciary General.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 873, entitled

An Act to amend section two hundred and twenty-six of an act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

Mr. P. W. SNYDER read in his place and presented to the Chair Senate Bill No. 874, entitled

An Act to amend part of section six of an act, approved the 31st day of May, 1911 (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public road connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said township, or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 875, entitled

An Act to amend part of section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, (Pamphlet Laws 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public road connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said township, or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 876, entitled

An Act to amend part of section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, (Pamphlet Laws 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public road connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said township, or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

Mr. DeWITT read in his place and presented to the Chair Senate Bill No. 877, entitled

An Act providing that the capital of certain National Banks authorized to act in trust capacities, shall be taken and considered as security for the faithful performance of the duties of such trusts; and making such capital liable for any default.

Which was committed to the Committee on Banks and Building and Loan Associations.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 829 (House Bill No. 1087), as follows:

An Act to give exclusive jurisdiction to the municipal court of Philadelphia over all houses of detention established within the limits of the City of Philadelphia for the care of delinquent dependent and neglected children providing that the board of managers of the said houses of detention shall be appointed and removed by the judges of the municipal court of Philadelphia and repealing all acts or parts of acts inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the municipal court of Philadelphia shall have exclusive jurisdiction over all houses of detention that are now or may hereafter be established within the limits of the City of Philadelphia for the care of delinquent dependent and neglected children and that the board of managers of the said house or houses of detention shall hereafter be appointed by the judges of the municipal court of Philadelphia to the exclusion of any authority to appoint said board that may be now vested in the judges of the court of oyer and terminer and general jail delivery and the courts of quarter sessions of the peace having jurisdiction in the said city

Section 2 The said board of managers shall have the same power and authority and shall serve for the same terms and be subject to the same supervision as now provided by law subject however to removal from office by the judges of the municipal court of Philadelphia

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Baldwin,	Graff, W. P.,	Miller,	Snyder, P. W.,
Beales,	Hackett,	Nason,	Sones,
Buckman,	Haldeman,	Patton,	Sproul,
Catlin,	Homsher,	Phipps,	Stewart,
Craig,	Jones,	Salus,	Vare,
Croft,	Kline,	Sassaman,	Warner,
Daix,	Leiby,	Schantz,	Wasbers,
DeWitt,	Lynch,	Semmens,	Weaver,
Endsley,	Martin,	Smith, R. E.,	Whitten,
Eyre,	McConnell,	Smith, W. W.,	Beidleman,
Graff, J. F.,	McKee,	Snyder, C. A.,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 230 (House Bill No. 37), entitled

An Act to further amend sections sixteen and twenty-five of an act approved the seventh day of February one thousand nine hundred and five entitled "An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor" as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, W. P.,	Miller,	Snyder, P. W.,
Beales,	Hackett,	Nason,	Sones,
Buckman,	Haldeman,	Patton,	Sproul,
Burke,	Homsher,	Phipps,	Stewart,
Catlin,	Jenkins,	Salus,	Vare,
Craig,	Jones,	Sassaman,	Warner,
Crow,	Kline,	Schantz,	Wasbers,
Daix,	Leiby,	Semmens,	Weaver,
DeWitt,	Lynch,	Smith, R. E.,	Whitten,
Endsley,	Martin,	Smith, W. W.,	Beidleman,
Eyre,	McConnell,	Snyder, C. A.,	Pres. pro tem.
Graff, J. F.,	McKee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 523 (House Bill No. 392), entitled

An Act to amend an act entitled "A Supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five authorizing and establishing a board of recreation for the creation organization care management conduct and supervision of recreation facilities of cities of the first class except as herein provided" approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred thirty-nine) by changing the number of the members of the Board of Recreation their length of term and the officers to be elected.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,	Graff, J. F.,	McKee,	Snyder, C. A.,
Beales,	Graff, W. P.,	McNichol,	Snyder, P. W.,
Buckman,	Hackett,	Miller,	Sones,
Burke,	Haldeman,	Nason,	Sproul,
Catlin,	Homsher,	Patton,	Stewart,
Craig,	Jenkins,	Phipps,	Vare,
Croft,	Jones,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,	Smith, R. E.,	Beidleman,
Eyre,	McConnell,	Smith, W. W.,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 531, entitled

An Act authorizing insurance companies upon any increase of capital to issue the same at a price in excess of par to require payment of such price as a condition to the right to subscribe and also to sell in such manner as the board of directors may prescribe for not less than such price any unsubscribed stock

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, J. F.,	McKee,	Snyder, C. A.,
Beales,	Graff, W. P.,	Miller,	Snyder, P. W.,
Buckman,	Hackett,	Nason,	Sones,
Burke,	Haldeman,	Patton,	Sproul,
Catlin,	Homsher,	Phipps,	Vare,
Craig,	Jenkins,	Salus,	Warner,
Croft,	Jones,	Sassaman,	Wasbers,
Crow,	Kline,	Schantz,	Weaver,
Daix,	Leiby,	Semmens,	Whitten,
DeWitt,	Lynch,	Smith, R. E.,	Beidleman,
Endsley,	Martin,	Smith, W. W.,	Pres. pro tem.
Eyre,	McConnell,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 561, as follows:

An Act to further amend the act approved the fifth day of March one thousand nine hundred and six entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" by providing for special registration for special elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" as amended by section two of the act approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fourteen) which reads as follows

"Section 3 The registrars of each precinct or ward shall meet at the polling-place thereof in even-numbered years on the ninth Thursday seventh Tuesday and fifth Saturday preceding the November election which shall be known as the Fall registration and on the third Wednesday preceding the Spring primary which shall be known as the Spring registration and in odd-numbered years on the tenth Thursday ninth Tuesday and eighth Saturday preceding the November election which shall be known as the Fall registration and shall remain in open session from eight ante meridian to one post meridian two to six post meridian and from seven post meridian to ten post meridian of each registration day They shall on said days receive personal applications from persons who claim that they are entitled to be registered as voters They shall have power to administer oaths shall examine said applicants under oath and shall record on the registers the names of such persons as are qualified to vote as herein provided Two weeks' notice of the registration days shall be given by the registrars posting notices at the polling-places Electors who did not register at Fall registration may register at Spring registration and the list shall become of no validity at the beginning of the period of Fall registration next succeeding that at which the registers were opened The old registers shall be preserved by the county commissioners for at least two years after the year in which they shall have been in use" is hereby amended to read as follows

Section 3 The registrars of each precinct or ward shall meet at the polling-places thereof in even-numbered years on the ninth Thursday seventh Tuesday and fifth Saturday preceding the November election which shall be known as the Fall registration and on the third Wednesday preceding the Spring primary which shall be known as the Spring registration and in odd-numbered years on the tenth Thursday ninth Tuesday and eighth Saturday preceding the November Election which shall be known as the Fall registration and in any year when any special election for any purpose is held on the third Wednesday preceding such special election which shall be known as a special registration and shall remain in open session from eight ante meridian to one post meridian two to six post meridian and from seven post meridian to ten post meridian of each registration day They shall on said days receive personal applications from persons who claim that they are entitled to be registered as voters They shall have power to administer oaths shall examine said applicants under oath and shall record on the registers the names of such persons as are qualified to vote as herein provided Two weeks' notice of the registration days shall be given by the registrars posting notices at the polling-places Electors who did not register at Fall registration may register at Spring registration or at any special registration and the list shall become of no validity at the beginning of the period of Fall registrations next succeeding that at which the registers were opened The old registers shall be preserved by the county commissioners for at least two years after the year in which they shall have been in use

Section 2 So much of section four of said act as amended by section three of said act approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fourteen) which reads as follows

"Section 4 Every person claiming the right to vote must appear in person before the registrars in the precinct or ward in which he lives on one of the days prescribed by law prior to every November election and if he has subsequently to the said November election moved into another precinct or ward he must appear in person before the registrars in the district to which he has thus removed in order to enable him to vote at the ensuing Spring primary unless in either case he is prevented by sickness or necessary absence from the city from appearing before the said registrars to be registered in person In either of these cases it shall be his right at any time to present his petition to the county commissioners and in case they shall refuse to order his name placed on the registration list the said petitioner may appeal to the court of common pleas of the district in which he resides if the said court is in session or if not in session to any judge thereof whereupon the said court shall grant a rule upon the said county commissioners to show cause why the name of the said person should not be placed upon the register and the said court or judge thereof shall fix a day certain for the return of the said rule at which time parties can be heard and upon the return of the said rule upon a hearing duly had if the said court or judge shall be satisfied that the facts set forth in the petition are true and that the applicant was prevented by sickness or necessary absence from the city from appearing in person before the registrars and being registered and is qualified to vote the rule may be made absolute and the registrars shall be directed to place the name of such person or persons upon the registers" is hereby amended to read as follows

Section 4 Every person claiming the right to vote must appear in person before the registrars in the precinct or ward in which he lives on one of the days prescribed by law prior to every November election and if he has subsequently to the said November election moved into another precinct or ward he must appear in person before the registrars in the district to which he has thus removed in order to enable him to vote at the ensuing Spring primary or any ensuing special election unless in either case he is prevented by sickness or necessary absence from the city from appearing before the said registrars to be registered in person In either of these cases it shall be his right at any time to present his petition to the county commissioners and in case they shall refuse to order his name placed on the registration list the said petitioner may appeal to the court of common pleas of the district in which he resides if the said court is in session or if not in session to any judge thereof whereupon the said court shall grant a rule upon the said county commissioners to show cause why the name of the said person should not be placed upon the register and the said court or judge thereof shall fix a day certain for the return of the said rule at which time the parties can be heard and upon the return of the said rule upon a hearing duly had if the said court or judge shall be satisfied that the facts set forth in the petition are true and that the applicant was prevented by sickness or necessary absence from the city from appearing in person before the registrars and being registered and is qualified to vote the rule may be made absolute and the registrars shall be directed to place the name of such person or persons upon the registers

Section 3 Section seven of said act as amended by section five of the act approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fourteen) which reads as follows

"Section 7 On the registration day preceding the Spring primary the registrars shall in addition to the registration of electors strike from the list the names of such persons as shall be proven to their satisfaction by the affidavits of at least two qualified electors of the precinct or ward to have died or removed from the district since the last registration The registrars shall record on blank forms provided for that purpose the names and previous places of registration giving wards and precincts of all persons registered by them on said day who give as such place of previous registration a place in the same city and shall forward the same to the commissioners for their information Thereafter upon the return of the registers to the office of the commissioners it shall be their duty to examine the same and wherever registered persons have given as their last place of registration another election district in the same city to strike said name from the register of said district of prior residence and to note thereon the reason for so removing the name Any registered elector who has removed between the November election and the Spring primary from one election district to another in the same city two calendar months prior to the Spring primary and who failed to apply to have his name transferred on the register on the registration day prior to the spring primary in the district to which he has removed may apply on the eleventh or tenth day prior to the Spring primary at the office of the county commissioners and have the registry of his name transferred from the district from which he has removed to the one in which he has taken up his new residence It shall be the duty of the commissioners upon satisfactory proof of the electors' identity to strike his name from the register in the district from which he has removed to examine him in the regular way as to his qualifications and if his answers are satisfactory to register him in the district to which he has removed is hereby amended to read as follows

Section 7 On the registration day preceding the Spring primary and on the registration day preceding each special election the registrars shall in addition to the registration of electors strike from the list the names of such persons as shall be proven to their satisfaction by the affidavits of at least two qualified electors of the precinct or ward to have died or removed from the district since the last registration The registrars shall record on blank forms provided for that purpose the names and previous places of registration giving wards and precincts of all persons registered by them on said day who give as such place of previous registration a place in the same city and shall forward the same to the commissioners for their information Thereafter upon the return of the registers to the office of the commissioners it shall be their duty to examine the same and wherever registered persons have given as their last place of registration another election district in the same city to strike said name from the register of said district of prior residence and to note thereon the reason for so removing the name Any registered elector who has removed between the November election and the Spring primary or any special election from one election district to another in the same city two calendar months prior to the spring primary or special election and who failed to apply to have his name transferred on the register on the registration day prior to the Spring primary or special election in the district to which he has removed may apply on the eleventh or tenth day prior to the spring primary or special election at the office of the county commissioners and have the registry of his name transferred from the district from which he has removed to the one in which he has taken up his new residence It shall be the duty of the commissioners upon

satisfactory proof of the electors identity to strike his name from the register in the district from which he has removed to examine him in the regular way as to his qualifications and if his answers are satisfactory to register him in the district to which he has removed

Section 4 Section ten of said act as amended by section six of said act approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and fourteen) which reads as follows

"Section 10 At the end of each day's registration the registrars shall compare the two registers so kept and cause any errors in either of them to be corrected by aid of the entries in the other so as to make the same agree where there is any difference between them The registrars shall then sign their initials on the line immediately under the last name registered under each letter in both books together with the date At the close of both fall and spring registrations the registrars shall sign a certificate the form of which shall be printed on the last page of the register setting forth the number of persons registered on each day and the number of names which have been stricken out if any" is hereby amended to read as follows

Section 10 At the end of each day's registration the registrars shall compare the two registers so kept and cause any errors in either of them to be corrected by aid of the entries in the other so as to make the same agree where there is any difference between them The registrars shall then sign their initials on the line immediately under the last name registered under each letter in both books together with the date

At the close of both Fall and Spring registrations and of any special registration the registrars shall sign a certificate the form of which shall be printed on the last page of the register setting forth the number of persons registered on each day and the number of names which have been stricken out if any

Section 5 So much of section twelve of said act as amended by section seven of the act approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fourteen) which reads as follows

"Section 12 The registrars shall obtain at the office of the county commissioners the blank books forms and other supplies prepared for their use before the first fall registration day and shall have the same at the polling place on the said day On registration days and during the time from one day to another until the close of the registration period the said registrars shall have the custody and control and shall be charged with the safe keeping of the registers in which they have made entries together with all affidavits forms and so forth which have been taken in duplicate as hereinbefore provided At the close of the registration and before twelve o'clock noon of the following day the registrars shall deliver the registers together with all affidavits vouchers unused forms and so forth to the office of the county commissioners and the said papers shall remain there on file open to public inspection under proper regulations for their safe-keeping subject however to further provisions of this act On Monday or Tuesday prior to the third Wednesday preceding the Spring primary the said registrars shall obtain from said office each the register kept by him together with a sufficient number of blank forms and other supplies and shall have the same at the polling place for use on said registration day and as before shall be charged with the safekeeping and return of said records before noon of the day following the registration day" is hereby amended to read as follows

Section 12 The registrars shall obtain at the office of the county commissioners the blank books forms and other supplies prepared for their use before the first fall registration day and shall have the same at the polling place on the said day On registration days and during the time from one day to another until the close of the registration period the said registrars shall have the custody and control and shall be charged with the safekeeping of the registers in which they have made entries together with all affidavits forms and so forth which have been taken in duplicate as hereinbefore provided At the close of the registration and before twelve o'clock noon of the following day the registrars shall deliver the registers together with all affidavits vouchers unused forms and so forth to the office of the county commissioners and the said papers shall remain there on file open to public inspection under proper regulations for their safekeeping subject however to further provisions of this act On Monday or Tuesday prior to the third Wednesday preceding the Spring primary or any special registration the said registrars shall obtain from said office each the register kept by him together with a sufficient number of blank forms and other supplies and shall have the same at the polling place for use on said registration day and as before shall be charged with the safekeeping and return of said records before noon of the day following the registration day

Section 6 Section thirteen of said act as amended by section five of the act approved the twenty-fifth day of May one thousand nine hundred and seven (Pamphlet Laws two hundred fifty-one) which reads as follows

"Section 13 Any person whose name is on the register shall be entitled to vote at any general special municipal or primary election unless it shall be shown to the satisfaction of the election officers that he is no longer a resident of the election district in which he is registered Provided That if a special election shall intervene between registration day and the next general or municipal election the presence of the name of an elector on the list shall only be prima facie evidence of his right to vote If his name is not registered he shall not be entitled to vote at any election Before receiving his ballot every voter shall satisfy the election officers of his identity and if challenged by signing his name in the place provided for that purpose if able to do so and by the production of such other evidence as is or may be required by law" is hereby amended to read as follows

Section 13 Any person whose name is on the register shall be entitled to vote at any general special municipal or primary election unless it shall be shown to the satisfaction of the election officers that he is no longer a resident of the election district in which he is registered If his name is not registered he shall not be entitled to vote at any election Before receiving his ballot every voter shall satisfy the election officers of his identity and if challenged by signing his name in the place provided for that purpose if able to do so and by the production of such other evidence as is or may be required by law

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, W. P.,	Miller,	Snyder, P. W.,
Beales,	Hackett,	Nason,	Sones,
Buckman,	Haldeman,	Patton,	Sproul,
Burke,	Homsher,	Phipps,	Stewart,
Catlin,	Jenkins,	Salus,	Vare,
Craig,	Jones,	Sassaman,	Warner,
Croft,	Kline,	Schantz,	Wasbers,
Daix,	Leiby,	Semmens,	Weaver,
DeWitt,	Lynch,	Smith, R. E.,	Whitten,
Endsley,	Martin,	Smith, W. W.,	Beidleman,
Eyre,	McConnell,	Snyder, C. A.,	Pres. pro tem.
Graff, J. F.,	McKee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 640, as follows:

An Act to amend sections three four five six and eleven of an act approved the twentieth day of May one thousand nine hundred and fifteen entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred sixty-six) entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" which reads as follows

"Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury thereof as hereinabove provided if any of the age of sixty years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained" be amended to read as follows

Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury thereof as hereinabove provided if any of the age of sixty years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained Provided That if any person or persons had been employed by the said cities for a period covering eighteen years or more prior to the passage of this act and shall thereafter be re-employed it shall be necessary that the period of their re-employment shall extend over a period of two years or more before such person or persons shall be entitled to receive the pension fixed by this act

Section 2 That section four of said act which reads as follows

"Section 4 During the lifetime of the said person he or she shall be entitled to receive as a pension annually from the fund set aside for the purpose fifty per centum of the

amount which would constitute the average annual salary or wages which he or she received during the last five years of his or her employment by the said city or other public employment as aforesaid Said pension to be paid in monthly payments Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to the pension above mentionel notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office The pension paid to any one employe shall not exceed one hundred dollars per month" be amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitutie the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city or other public employment ar aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be requried to pay unto the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office The pension paid to any one employe shall not exceed one hundred dollars per month

Section 3 That section five of said act which reads as follows

"Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages—in no event however paying at a rate greater than four dollars a month—which shall be applied to the purposes of this act Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full without interest Provided however if any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward reenter such public employment said employe shall not be entitled to the pension designated until twenty years after the said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employes" be amended to read as follows

Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages—in no event however paying at a rate greater than four dollars a month—which shall be applied to the purposes of this act Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided if such beneficiary has so contributed to the pension fund during a period of twenty years If at the time the beneficiary receives the pension herein provided he or she shall not have been a contributor to the pension fund during a period of twenty years such person shall be required to pay unto the board of pensions an amount equal to two per centum of his or her monthly pension until such time as his or her contribution shall have extended during a period of twenty years If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full without interest Provided however if any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter such public employment said employe shall not be entitled to the pension designated until twenty years after the said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employe

Section 4 That section six of said act which reads as follows

"Section 6 Should any person holding position in said cities of the first class or any county or other public employes if any paid out of the treasury of such cities as aforesaid be paid a per diem wage he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act" be amended to read as follows

Section 6 Should any person holding position in said cities of the first class or any county or other public employes if any paid out of the treasury of such cities as aforesaid be paid a per diem wage or a salary at a rate of three hundred and sixty dollars each year or less he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act

Section 5 That section eleven of said act which reads as follows

"Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or both as aforesaid and need not be continuous No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen" be amended to read as follows

Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or both as aforesaid and need not be continuous Provided That in no case shall a period of more than eighteen years be credited to the service record of any person or persons who shall be employed after the passage of this act and who shall have been employed by the said cities prior to the passage of this act No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Baldwin,	Graff, W. P.,	McKee,	Snyder, P. W.,
Beales,	Hackett,	Miller,	Sones,
Buckman,	Haldeman,	Nason,	Sproul,
Burke,	Hindman,	Patton,	Stewart,
Catlin,	Homsher,	Phipps,	Vare,
Craig,	Jenkins,	Salus,	Warner,
Croft,	Jones,	Sassaman,	Wasbers,
Daix,	Kline,	Schantz,	Weaver,
DeWitt,	Leiby,	Semmens,	Whitten,
Endsley,	Lynch,	Smith, R. E.,	Beidleman,
Eyre,	Martin,	Smith, W. W.,	Pres. pro tem.
Graff, J. F.,	McConnell,	Snyder, C. A.,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 665, entitled

An Act providing that every advertisement and notice required by authority of law or rules of court to be published in any county in the Comomnwealth or in any city coincident to the boundaries of a county may in addition to the publication of such advertisements or notices required to be

made in newspapers published and printed in the English language be also published by the public officer body or court directed by law or rules of court to publish such advertisement or notice in newspapers printed in the English language in one or more daily newspapers printed in a foreign language or languages such newspapers printed in a foreign language or languages to be printed in and have general circulation in the county or the city coincident to the boundaries of said county for at least three years continuously before the publication of such advertisements or notices and further providing for the prices to be charged for publishing such advertisements or notices in any such foreign newspapers how often the same shall be published and the stipulations and regulations under which the same shall be published

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, J. F.,	McKee,	Snyder, P. W.,
Beales,	Graff, W. P.,	McNichol,	Sones,
Buckman,	Hackett,	Miller,	Sproul,
Burke,	Haldeman,	Nason,	Stewart,
Catlin,	Hindman,	Patton,	Vare,
Craig,	Homsher,	Phipps,	Warner,
Croft,	Jenkins,	Salus,	Wasbers,
Crow,	Jones,	Sassaman,	Weaver,
Daix,	Kline,	Schantz,	Whitten,
DeWitt,	Lynch,	Semmens,	Beidleman,
Endsley,	Martin,	Snyder, C. A.,	Pres. pro tem.
Eyre,	McConnell,		

NAYS—3.

Leiby,	Smith, R. E.,	Smith, W. W.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. WARNER. Mr. President, I ask that Senate Bill No. 672, on third reading, entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 694, entitled

An Act amending an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A Further Supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Graff, W. P.,	Miller,	Snyder, P. W.,
Beales,	Hackett,	Nason,	Sones,
Buckman,	Haldeman,	Patton,	Sproul,
Burke,	Homsher,	Phipps,	Stewart,
Catlin,	Jenkins,	Salus,	Vare,
Craig,	Jones,	Sassaman,	Warner,
Croft,	Kline,	Schantz,	Wasbers,
Daix,	Leiby,	Semmens,	Weaver,
DeWitt,	Lynch,	Smith, R. E.,	Whitten,
Endsley,	Martin,	Smith, W. W.,	Beidleman,
Eyre,	McConnell,	Snyder, C. A.,	Pres. pro tem.
Graff, J. F.,	McKee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. C. A. SNYDER. Mr. President, I ask that Senate Bill No. 716, on third reading, entitled

An Act prohibiting holders of brewers' licenses from having officers or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses

go over in its order.

The PRESIDENT. Is there objection?

Mr. C. A. SNYDER. Mr. President, I have been requested by several members to ask that this bill go over for the present. I want to say that I have consented to that, while I am very much in favor of this bill, because it regulates certain brewers in the State of Pennsylvania, who do not seem to respect the business of other brewers, and who go into other counties and sell their beer cheaper than they do in their own county, and in that way destroy the business of the man who has a brewery in the county for which a license is granted. I submit to the Senate that any of these gentlemen who have brewer clients who are interested in this bill, that they should get together between now and next Monday night and agree to conduct their brewery business properly, and I do not hesitate to say that the gentlemen whom I have in mind are the gentlemen from Berks, Mr. Lauer, and Mr. Horlacher, in Lehigh, and several other brewers who send their product throughout the State and sell it cheaper in one district than they do in their own. It is an unfair competition with brewers who establish large refrigerators and pay large sums of money in order to conduct their business. These men sell their product in other counties without license, send it on telephone orders, and so on, and we desire either to get revenue from that kind of business or stop it, and I wish that Senators who are interested in pirates of that sort, would see them and insist that they stop it, or see that the bill goes through.

The PRESIDENT. The Chair hears no objection.

Mr. W. W. SMITH. Mr. President, for the reasons that the Senator from Schuylkill, Mr. Snyder, has just stated, I ask that Senate Bill No. 725, on third reading, entitled

An Act requiring cities of the second class to give an increase of at least one hundred and fifty dollars per year to all employes now drawing a salary of fifteen hundred dollars per annum or less and providing a method to enforce the provisions of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 729, entitled

An Act to provide for an additional law judge of the several courts of the Thirty-eighth Judicial District

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Baldwin,	Haldeman,	Patton,	Stewart,
Beales,	Homsher,	Phipps,	Vare,
Craig,	Jenkins,	Schantz,	Wasbers,
DeWitt,	Kline,	Semmens,	Whitten,
Endsley,	Martin,	Snyder, C. A.,	Beidleman,
Eyre,	McConnell,	Snyder, P. W.,	Pres. pro tem.
Graff, W. P.,	Nason,	Sproul,	

NAYS—9.

Buckman,	Leiby,	McKee,	Smith, W. W.,
Graff, J. F.,	Lynch,	Smith, R. E.,	Warner,
Jones,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 757 (House Bill No. 451), on third reading, entitled

An Act exempting free from the claims of all creditors the proceeds if certain life insurance and annuity contracts bona fide taken out by any person not exceeding one hundred dollars per month

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 763, as follows:

An Act to amend article two section one sub-section T and article five section twelve of an act entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such commission and its officers including the exclusive power to regulate construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the court of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" approved the twenty-sixth day of July one thousand nine hundred and thirteen by providing the proportions in which the cost of establishing overhead and undergrade crossings shall be borne by railroad companies the Commonwealth and the various municipal divisions of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of article two section one sub-section T of an act entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas and giving the court of common pleas of Dauphin county exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thonsand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved twenty-fourth day of May Anna Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" approved the twenty-sixth day of July Anno Domini one thousand nine hundred and thirteen which reads as follows

"(t) To obey and abide by all lawful orders and regulations of the commission made under the provisions of this act regulating he manner in which the tracks or other facilities of any railroad corporation street railway corporation or any other public service company may be constructed across the tracks or other facilities of any other railroad corporation street railway corporation or any other public service company at grade or above or below grade or at any prescribed level or in which the tracks or other facilities of any railroad corporation or street railway corporation may be constructed across any public highway at grade or above or below grade or in which any public highway may be constructed across the tracks or other facilities of any railroad corporation or street railway corporation at grade or above or below grade or regulating the manner in which such crossings shall be operated maintained and protected including the stationing of watchmen thereat installation and regulation of lights blocks or other system of signalling safety appliances devices or such other means or instrumentalities as the commission may prescribe as well as to obey and abide by all lawful orders and regulations of the commission made under the provisions of this act requiring the alteration relocation removal or abolition of any such crossings to the end intent and purpose that accidents may be prevented and also to bear and pay the expenses damages or compensation incident thereto either severally or in such proportions as the commission may determine under the provisions of this act' be and the same is hereby amended so as to read as follows:

(t) To obey and abide by all lawful orders and regulations of the commission made under the provisions of this act regulating the manner in which the tracks or other facilities of any railroad corporation street railway corporation or any other public service company may be constructed across the tracks or other facilities of any other railroad corporation street railway corporation or any other public service company at grade or above or below grade or at any prescribed level or in which the tracks or other facilities of any railroad corporation or street railway corporation may be constructed across any public highway at grade or above or below grade or in which any public highway may be constructed across the tracks or other facilities of any railroad corporation or street railway corporation at grade or above or below grade or regulating the manner in which such crossing shall be operated maintained and protected including the stationing of watchmen thereat installation and regulation of lights block or other system of signalling safety appliances devices or such other means or instrumentalities as the commission may prescribe as well as to obey and abide by all lawful orders and regulations of the commission made under the provisions of this act requiring the alteration relocation

removal or abolition of any such crossings to the end intent and purpose that accidents may be prevented Provided however that whenever the commission pursuant to the authority conferred upon it by this act shall be required or shall undertake to prescribe the terms and conditions upon which the tracks or other facilities of any railroad corporation may be constructed across any public highway above or below grade or any public highway may be constructed across the tracks or other facilities of any railroad corporation above or below grade the commission shall apportion the cost of establishing constructing and maintaining such crossings including in such cost compensation to owners of property taken injured or destroyed as the result of the establishment and construction of such crossing in the manner following One-half of such cost shall be imposed upon and shall be borne by the railroad corporation and the remaining one-half in case the highway is a State highway by the Commonwealth and in case of all other highways jointly by the Commonwealth county and the city borough township or other municipality in which the crossing is located in such proportions as the commission shall by its order designate And further provided That whenever the commission pursuant to the authority conferred upon it by this act shall be required or shall undertake to prescribe the terms and conditions upon which any then existing crossing either at grade or at the same or different levels of the tracks or facilities of a railroad corporation and of a public highway shall be relocated altered or abolished it shall apportion the cost thereof including therein compensation for property taken injured or destroyed by reason of such relocation alteration or abolition of the said crossing in the manner following One-half of the cost thereof shall be imposed upon and borne by the railroad corporation one-quarter thereof by the Commonwealth of Pennsylvania and the remaining one-quarter thereof jointly by the county and the city borough township or other municipal corporation in which the crossing is located in such proportions as the Commission shall by its order designate

Section 2 That Article five section twelve of the said act which reads as follows

"Section 12 Except in cases in which grade crossings are in process of abolition at the time of the passage of this act under agreement or contract with a municipality as set forth in the proviso of section five of article three of this act the commission shall have exclusive power to determine order and prescribe in accordance with plans and specifications to be approved by it the just and reasonable manner including the particular point of crossing in which the tracks or other facilities of any public service company may be constructed across the tracks or other facilities of any other public service company at grade or above or below grade or at the same or different levels or in which the tracks or other facilities of any railroad corporation or street railway corporation may be constructed across the tracks or other facilities of any other railroad corporation or street railway corporation or across any public highway at grade or above or below grade or in which any public highway may be constructed across the tracks or other facilities of any railroad corporation or street railway corporation at grade or above or below grade and to determine order and prescribe the terms and conditions of installation and operation maintenance and protection of all such crossings which may now or hereafter be constructed including the stationing of watchmen thereat or the installation and regulation of lights block or other system of signalling safety appliances devices or such other means or instrumentalities as may to the commission appear reasonable and necessary to the end intent and purpose that accidents may be prevented and the safety of the public promoted No such crossing shall be constructed without the approval of the commission evidenced by its Certificate of Public Convenience as provided in section five of article three of this act but in no case shall the approval or consent of any court board or other commission or officer or of any municipality be necessary therefor It shall be proper however for the commission by general rule or order whenever the same can be properly regulated by suitable general rule to prescribe the terms and conditions under which such crossing may be constructed operated maintained or protected without the particular approval of the commission

"The commission shall also have exclusive power upon its own motion or upon complaint and after hearing as hereinafter provided (of which all the parties in interest including the owners of adjacent property shall have due notice) to order any crossing aforesaid now existing or hereafter constructed at grade or at the same or different levels to be relocated or altered or to be abolished according to plans and specifications to be approved and upon just and reasonable terms and conditions to be prescribed by the commission

"The compensation for damages which the owners of adjacent property taken injured or destroyed may sustain in the construction relocation alteration or abolition of any such crossing specified in this section (for which compensation the said owners are hereby invested with warrant of authority upon appeal from the determination of the commission to sue the Commonwealth) shall after due notice and hearing be ascertained and determined by the commission and such compensation as well as the expense of the said construction relocation alteration or abolition of any such crossing shall be borne and paid as hereinafter provided by the public service company or companies or municipal corporations concerned or by the Commonwealth either severally or in such proper proportions as the commission may after due notice and hearing in due course determine unless the said proportions are mutually agreed upon and paid by those interested as aforesaid

"In prescribing the terms and conditions upon which any such crossing may be constructed or relocated or altered or abolished and the proportionate contributions to the expense thereof including the damages or compensation to the owners of adjacent property as aforesaid the commission may among other things take into consideration the relative importance to the public of the services rendered by the public service companies concerned as well as the priority of location Provided That where any portion of the cost and expenses thereof shall have been or shall be borne in the future by the Commonwealth or any municipal corporation such portion shall not be taken into account by the commission in fixing any valuation for any purpose under any of the provisions of this act And Provided further That where the order of the commission shall as part of the regulation of the construction relocation alteration or abolition of any crossing aforesaid require as incidental thereto a relocation changes in or the removal of any adjacent structures equipment or other facilities of any telegraph telephone gas electric light water-power pipe-line or other public service company said company shall at its own expense relocate change or remove such structures equipment or other facilities in conformity with the order of the commission and in default of compliance with such order the commission shall cause the work and materials to be done and furnished in accordance with the said order and may recover the cost and expense thereof from the public service company

"Before the commission shall make any final order relative to the construction relocation alteration or abolition of any crossing involving any public highway or street an effort shall be made by the commission to reach an agreement with the proper officials of the municipal corporations concerned determining the plans and specifications governing such crossings and in default of such agreement the commission shall exercise the exclusive power vested in it under this section and shall finally determine and adopt the complete plans and specifications and locate all lines and grades in said public highways and streets and may permit the public service company or companies or the municipal corporation to do the whole or any portion of the work in accordance therewith otherwise the commission shall do the work by contract or contracts to be awarded after due advertisements to the lowest responsible bidder in accordance with the said plans and specifications

"The said contractor shall be authorized in the name of the commission to collect by due process of law from the public service company or companies or the said municipal corporations or from the Commonwealth either severally or proportionately as may be determined by the commission the amount which may be justly due him under the terms of his said contract with the commission and any amount so determined to be paid the said contractor by the Commonwealth as well as the amount of damages or compensation determined and awarded to be paid the owners of adjacent property as aforesaid shall in each instance be paid by the State Treasurer on a warrant drawn by the Auditor General upon the presentation to that officer of a statement setting forth the amount determined to be paid as aforesaid duly certified by the commission said payments to be paid out of any funds specifically appropriated for such purpose or generally appropriated for the improvement of the roads or highways of the Commonwealth and in case of a verdict and judgment thereon for the damages or compensation recorded by any such adjacent property owners upon appeal the same shall be paid out of any funds appropriated as aforesaid and any court of common pleas hearing and determining said appeal is hereby authorized and empowered to issue a writ of mandamus to said commission the Auditor General and the State Treasurer or any of them as the case may require for the payment of such judgment

"The commission shall have the right to recover for and on behalf of the Commonwealth by due process of law as debts of like amount are now by law recoverable from the public service company or companies or municipal corporations in such amounts or proportions against each as may be determined by the commission as aforesaid the amount of the damages or compensation awarded to the owners of adjacent property by the commission or by the court of the proper county on appeal and the amounts so recovered shall be paid into the State Treasury for the improvement of the roads of the Commonwealth' be and the same is hereby amended so as to read as follows

Section 12 The commission shall have exclusive power to determine order and prescribe in accordance with plans and specifications to be approved by it the just and reasonable manner including the particular point of crossing in which the tracks or other facilities of any public service company may be constructed across the tracks or other facilities of any public service company at grade or above or below grade or at the same or different levels or in which the tracks or other facilities of any railroad corporation or street railway corporation may be constructed across the tracks or other facilities of any other railroad corporation or street railway corporation or across any public highway at grade or above or below grade or in which any public highway may be constructed across the tracks or other facilities of any railroad corporation or street railway corporation at grade or above or below grade and to determine order and prescribe the terms and conditions of installation and operation maintenance and protection of all such crossings which may now or hereafter be constructed including the stationing of watchmen thereat

or the installation and regulation of lights block or other system of signaling safety appliances devices or such other means or instrumentalities as may to the commission appear reasonable and necessary to the end intent and purpose that accidents may be prevented and the safety of the public promoted No such crossing shall be constructed without the approval of the commission evidenced by its 'Certificate of Public Convenience as provided in section five of article three of this act but in no case shall the approval or consent of any court board or other commission or officer or of any municipality be necessary therefor It shall be proper however for the commission by general rule or order whenever the same can be properly regulated by suitable general rule to prescribe the terms and conditions under which such crossing may be constructed operated maintained or protected without the particular approval of the commission

The commission shall also have exclusive power upon its own motion or upon complaint and after hearing as hereinafter provided (of which all the parties in interest including the owners of adjacent property shall have due notice) to order any crossing aforesaid now existing or hereafter constructed at grade or at the same or different levels to be relocated or altered or to be abolished according to plans and specifications to be approved and upon such terms and conditions as hereinbefore provided

The compensation for damages which the owners of adjacent property taken injured or destroyed may sustain in the construction relocation alteration or abolition of any such crossing specified in this section (for which compensation the said owners are hereby invested with warrant of authority upon appeal from the determination of the commission to sue the Commonwealth) shall after due notice and hearing be ascertained and determined by the commission and such compensation as well as the expense of the said construction relocation alteration or abolition of any such crossing shall be borne and paid by the public service company or companies or municipal corporations concerned or by the Commonwealth as hereinbefore provided unless the said proportions are mutually agreed upon and paid by those interested as aforesaid

In prescribing the terms and conditions upon which any such crossing may be constructed or relocated or altered or abolished and the proportionate contributions to the expense thereof including the damages or compensation to the owners of adjacent property as aforesaid the commission may among other things take into consideration the relative importance to the public of the service rendered by the public service companies concerned as well as the priority of location Provided That where any portion of the cost and expense thereof shall have been or shall be borne in the future by the Commonwealth or any municipal corporation such portion shall not be taken into account by the commission in fixing any valuation for any purpose under any of the provisions of this act And provided further That where the order of the commission shall as part of the regulation of the construction relocation alteration or abolition of any crossing aforesaid require as incidental thereto a relocation changes in or the removal of any adjacent structures equipment or other facilities of any telegraph telephone gas electric light water-power water pipe-line or other public service company said company shall at its own expense relocate change or remove such structures equipment or other facilities in conformity with the order of the commission and in default of compliance with such order the commission shall cause the work and materials to be done and furnished in accordance with the said order and may recover the cost and expenses thereof from the said public service company

Before the commission shall make any final order relative to the construction relocation alteration or abolition of any crossing involving any public highway or street an effort shall be made by the commission to reach an agreement with the proper officials of the municipal corporations concerned determining the plans and specifications governing such crossings and in default of such agreement the commission shall exercise the exclusive power vested in it under this section and shall finally determine and adopt the complete plans and specifications and locate all lines and grades in said public highways and streets and may permit the public service company or companies or the municipal corporations to do the whole or any portion of the work in accordance therewith otherwise the commission shall do the work by contract or contracts to be awarded after due advertisements to the lowest responsible bidder in accordance with the said plans and specifications

The said contractor shall be authorized in the name of the commission to collect by due process of law from the public service company or companies or the said municipal corporations or from the Commonwealth either severally or proportionately as hereinbefore provided the amount which may be justly due him under the terms of his said contract with the commission and any amount so determined to be paid the said contractor by the Commonwealth as well as the amount of damages or compensation determined and awarded to be paid the owners of adjacent property as aforesaid shall in each instance be paid by the State Treasurer on a warrant drawn by the Auditor General upon the presentation to that officer of a statement setting forth the amount determined to be paid as aforesaid duly certified by the commission said payments to be paid out of any funds specifically appropriated for such purposes or generally appropriated for the improvement of the roads or highways of the Commonwealth and in case of a verdict and judgment thereon for the damages or compensation recorded by any such adjacent property owners upon appeal the same shall be paid out of any funds appropriated as aforesaid and any court of common pleas hearing and determining said appeal is hereby authorized and empowered to issue a writ of mandamus to said commission the Auditor General and the State Treasurer or any of them as the case may require for the payment of such judgment

The commission shall have the right to recover for and on behalf of the Commonwealth by due process of law as debts of like amount are now by law recoverable from the public service company or companies or municipal corporations in such amounts or proportions against each as has been hereinbefore provided the amount of the damages or compensation awarded to the owners of adjacent property by the commission or by the court of the proper county on appeal and the amounts so recovered shall be paid into the State Treasury for the improvement of the roads of the Commonwealth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Hindman,	Patton,	Sproul,
Beales,	Jenkins,	Phipps,	Stewart,
Craig,	Jones,	Schantz,	Vare,
DeWitt,	Leiby,	Semmens,	Warner,
Endsley,	Lynch,	Smith, R. E.,	Weaver,
Eyre,	Martin,	Smith, W. W.,	Whitten,
Graff, J. F.,	McConnell,	Snyder, C. A.,	Beidleman,
Graff, W. P.,	McKee,	Snyder, P. W.,	Pres. pro tem.
Hackett,	Miller,	Sones,	
Haldeman,	Nason,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 769, entitled

An Act to amend an act approved the twenty-fifth day of August one thousand eight hundred sixty-four entitled "An Act to regulate elections by soldiers in actual military service."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Baldwin,	Homsher,	Patton,	Sproul,
Beales,	Jenkins,	Phipps,	Stewart,
Buckman,	Jones,	Sassaman,	Vare,
Craig,	Kline,	Schantz,	Warner,
DeWitt,	Leiby,	Semmens,	Wasbers,
Endsley,	Lynch,	Smith, R. E.,	Weaver,
Eyre,	Martin,	Smith, W. W.,	Whitten,
Graff, J. F.,	McConnell,	Snyder, C. A.,	Beidleman,
Graff, W. P.,	McKee,	Snyder, P. W.,	Pres. pro tem.
Hackett,	Miller,	Sones,	
Haldeman,	Nason,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 789, as follows:

An Act validating divorces granted on the ground of the hopeless insanity of the respondent under the provisions of an act approved the eighteenth day of April nineteen hundred and five entitled "An Act to amend section eight of the act approved the thirteenth day of April eighteen hundred and forty-three entitled 'An Act to convey certain real estate and for other purposes' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis and to further regulate the procedure in action for divorce"

Whereas Under the act of Assembly approved the eighteenth day of April Anno Domini nineteen hundred and five entitled "An Act to amend section eight of the act approved the thirteenth day of April eighteen hundred and

forty-three entitled 'An Act to convey certain real estate and for other purposes' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis and to further regulate the procedure in actions for divorce" certain divorces were granted by courts of common pleas on the ground of the hopeless insanity of the respondent and subsequent thereto was held by the Superior Court that the said act of Assembly did not constitute insanity a new ground of divorce and it is desired to settle the legality of such divorces as may have heretofore been granted therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where divorces have been heretofore granted by the courts of common pleas under the provisions of an act approved the eighteenth day of April Anno Domini nineteen hundred and five entitled "An Act to amend section eight of the act approved the thirteenth day of April eighteen hundred and forty-three entitled 'An Act to convey certain real estate and for other purposes' so as to extend its provisions to the husband or wife of a lunatic or non-compos mentis and to further regulate the procedure in actions for divorce" on the ground of hopeless insanity in which the libellant therein complied with all of the provisions of said act that the said divorce shall be legal and valid and binding upon the parties thereto

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Haldeman,	Miller,	Stewart,
Beales,	Homsher,	Nason,	Vare,
Buckman,	Jenkins,	Phipps,	Warner,
Craig,	Jones,	Schantz,	Wasbers,
DeWitt,	Leiby,	Semmens,	Weaver,
Endsley,	Lynch,	Smith, R. E.,	Whitten,
Graff, J. F.,	Martin,	Snyder, P. W.,	Beidleman,
Graff, W. P.,	McConnell,	Sones,	Pres. pro tem.
Hackett,	McKee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 796, entitled

An Act validating all acts done all contracts and expenditures made by virtue of and all obligations for money borrowed issued under the provisions of an act approved the first day of May one thousand nine hundred and nine Pamphlet Laws three hundred and two entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the amendments thereof and supplements thereto and making such acts contracts and obligations as valid and effective as if the said act had applied to each and every county within this Commonwealth and was constitutional and valid vesting title to any and all property purchased or condemned by any county for said schools under said act in the county which paid for the same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	Haldeman,	Sassaman,	Vare,
Beales,	Homsher,	Schantz,	Warner,
Buckman,	Jenkins,	Semmens,	Wasbers,
Craig,	Jones,	Smith, R. E.,	Weaver,
DeWitt,	Leiby,	Smith, W. W.,	Whitten,
Endsley,	Martin,	Snyder, P. W.,	Beidleman.
Graff, J. F.,	McConnell,	Sones,	Pres. pro tem.
Graff, W. P.,	Miller,	Sproul,	
Hackett,	Nason,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 802, entitled

An Act regulating the time for advertising for and receiving proposals for furnishing paper cardboard cuts plates and other supplies for use of the Commonwealth for executing the public printing and the time contracts for furnishing such supplies shall run.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Hindman,	Nason,	Sones,
Beales,	Homsher,	Patton,	Stewart,
Buckman,	Jenkins,	Phipps,	Vare,
Croft,	Jones,	Sassaman,	Warner,
DeWitt,	Leiby,	Schantz,	Wasbers,
Endsley,	Martin,	Semmens,	Weaver,
Graff, J. F.,	McConnell,	Smith, R. E.,	Whitten,
Graff, W. P.,	McKee,	Smith, W. W.,	Beidleman,
Haldeman,	Miller,	Snyder, P. W.,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 812, entitled

An Act fixing the residence of the warden of the county jail or prison in counties of this Commonwealth where the government of such jail or prison is or may hereafter be vested in a prison board.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Hackett,	Nason,	Snyder, P. W.,
Beales,	Haldeman,	Patton,	Sones,
Buckman,	Homsher,	Phipps,	Stewart,
Craig,	Jones,	Sassaman,	Warner,
DeWitt,	Kline,	Schantz,	Wasbers,
Endsley,	Leiby,	Semmens,	Weaver,
Eyre,	Martin,	Smith, R. E.,	Whitten,
Graff, J. F.,	McConnell,	Smith, W. W.,	Beidleman,
Graff, W. P.,	Miller,	Snyder, C. A.,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 823, entitled

An Act validating proceedings by town councils in boroughs for the paving and curbing of public highways and validating municipal liens filed therefor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Baldwin,	Graff, W. P.,	McKee,	Snyder, P. W.,
Beales,	Hackett,	Miller,	Stewart,
Buckman,	Haldeman,	Nason,	Warner,

Craig,	Homsher,	Phipps,	Weaver,
DeWitt,	Jenkins,	Sassaman,	Whitten,
Endsley,	Jones,	Semmens,	Beidleman,
Eyre,	Martin,	Smith, R. E.,	Pres. pro tem.
Graff, J. F.,	McConnell,	Smith, W. W.,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 837, entitled

An Act authorizing appeals from the courts of common pleas to the Supreme and Superior Courts from orders granting new trials.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Homsher,	Salus,	Sones,
Buckman,	Jenkins,	Sassaman,	Sproul,
Craig,	Jones,	Schantz,	Stewart,
DeWitt,	McConnell,	Semmens,	Vare,
Endsley,	McKee,	Smith, R. E.,	Weaver,
Eyre,	Miller,	Smith, W. W.,	Whitten,
Graff, J. F.,	Nason,	Snyder, C. A.,	Beidleman,
Graff, W. P.,	Patton,	Snyder, P. W.,	Pres. pro tem.
Haldeman,	Phipps,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 617, entitled

An Act providing for and regulating the maintenance and government of a county home in each county of the State for indigent orphans and for delinquent incorrigible indigent dependent and neglected children under sixteen years of age and providing for their commitment thereto.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of any county by and with the approval of the grand jury and of the court of Quarter Sessions of the Peace of the county shall have the authority and are hereby authorized to purchase a farm or plot of ground within the county and erect buildings thereon or add to and improve buildings already erected and make such improvements thereon and thereto as may be convenient and necessary for the use and purpose of providing a home within the county for the keeping care education and training of all indigent orphans delinquent incorrigible indigent dependent and neglected children of either sex under sixteen years of age who shall be committed to said home by the court of Quarter Sessions of the Peace juvenile court of the county county commissioners poor directors of said county or the poor directors of any poor district within the county and pay for the same out of the public funds belonging to the said county

On the question,

Will the Senate agree to the section?

Mr. JONES. Mr. President, I move to amend section 1, page 1, line 4, by inserting after "county" the words "having a population of less than one million."

Mr. HALDEMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The first, second, third, fourth, fifth, sixth, seventh, eighth and ninth sections of the bill were read as follows, and agreed to:

Section 2 The courts county commissioners poor directors or any other authority in making all orders for the commitment of children to said "County Home" shall place them first as far as possible in care and custody of persons having the same religious belief as the parents of the child or with some association which is controlled by persons of such religious belief And shall as far as possible provide in making orders of commitment that the care custody and discipline of the child shall be as nearly as possible that which should be given by its parents In all cases where it can be properly done the child shall be placed in an approved family home and become a member of the family by legal adoption or otherwise

Section 3 That said land when purchased shall be deeded to the county and shall be known as "County Home" and shall be thereafter supported and maintained by the county out of the public funds of the said county

Section 4 The said county commissioners are hereby authorized to receive from time to time donations gifts legacies endowments devises and conveyance or conveyances of property either real or personal that may be made given or granted towards the support and maintenance of said "County Home" and use the same for said purpose

Section 5 Said county commissioners shall have full control of said "County Home" and of the inmates therein and may in their discretion place the said inmates or any one or more of them in private homes to be kept and maintained in said private homes for such time and under such circumstances as shall be agreed upon by the said parties and the county commissioners without any expense to the county and may discharge from said home any inmate when in their discretion they consider him or her capable and able to care for themselves or for any other sufficient reason

Section 6 Said county commissioners shall have authority and they are hereby authorized in the support conduct and management of said "County Home" to employ a superintendent and sufficient help and assistance to keep said children or inmates properly clothed fed and care for in sickness and in health and to make proper provisions for giving said inmates instructions in reading writing arithmetic drawing duties of citizenship and such branches as may be deemed requisite for a good English education

Section 7 It shall be lawful for said county commissioners to employ and require the inmates committed in said "County Home" to do and perform any work in said home or on said farm not beyond their strength and not interfering with their attendance at school during school hours established by said institution

Section 8 Said county commissioners shall have authority to adopt all necessary by-laws rules and regulations not inconsistent with the Constitution and laws of this Commonwealth for the control conduct and management of said "County Home"

Section 9 Said county commissioners shall have authority and are hereby authorized at any time after the purchase of said farm or property to buy and purchase any additional land and erect additional buildings from time to time as the circumstances and requirements of the said "County Home" shall require and pay for the same out of the funds of the said county by and with the approval of the grand jury and the Court of Quarter Sessions of the Peace of the said county

The title of the bill was read as follows:

An Act providing for and regulating the maintenance and government of a county home in each county of the State for indigent orphans and for delinquent incorrigible indigent dependent and neglected children under sixteen years of age and providing for their commitment thereto.

On the question,

Will the Senate agree to the title?

Mr. JONES. Mr. President, I move to amend the title, line 2, by inserting after the word "State" the words "having a population of less than one million."

Mr. HALDEMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 701 (House Bill No. 354), entitled

An Act authorizing the Legislative Reference Bureau to continue the work commenced under the provisions of an act approved the twentieth day of May, one thousand nine

hundred and thirteen, entitled "An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly; fixing the powers and duties of the bureau therein fixing the compensation of the assistant director and making an appropriation therefor," fixing the powers and duties of the bureau therein and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 702 (House Bill No. 612), entitled

An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 774, as follows:

titled

An Act making an appropriation to refund certain monies to the estate of the late Joseph P. Kennedy

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five hundred dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of refunding to the estate of Joseph P. Kennedy deceased former State Senator from the second senatorial district who was a member of the State Senate during the special session of the General Assembly held from June seventh to December sixth in the year one thousand eight hundred eighty-three the amount due from the Commonwealth as compensation for such special session which said amount was not paid to the said Joseph P. Kennedy or not received by him for said session and is still due and owing by the Commonwealth.

Payment of the amount due the estate of Joseph P. Kennedy shall be on warrant of the Auditor General upon production of satisfactory proof to him that compensation was not paid to the said Joseph P. Kennedy or was not received and that it is still owing by the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 785, as follows:

An Act relating to bridges in townships of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever authority has been given by the State Highway Department to township supervisors under existing laws or laws that may hereafter be anacted for the construction repair alteration or maintenance of any township bridge it shall not be necessary for such township supervisors to procure permits from any other department consenting to the construction repair alteration or maintenance of such bridge This act shall not repeal or modify any of the provisions of the act of the twenty-sixth day of July one thousand nine hundred and thirteen Pamphlet Laws one thousand three hundred and seventy-four known as "The Public Service Company Law"

Section 2 All acts and parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 850, as follows:

An Act to further amend an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendent of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the im- provement thereof providing for purchase or acquiring of turnpikes or tollroads forming all or part of any State Highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporatd towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An act providing for the establishment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of June Anno Domini one thousand nine hundred and eleven there shall be established a State Highway Department by the appointment by the Governor of the Commonwealth of a State Highway Commissioner who shall serve for a term of four years and shall give his entire time and attention to the duties of his office He shall receive a salary of eight thousand dollars per annum and shall furnish a bond to the Commonwealth in the sum of fifty thousand dollars to be approved by the Governor conditioned for the faithful performance of his duties The Governor shall also appoint two Deputy State Highway Commissioners to be known as First Deputy State Highway Commissioner and Second Deputy State Highway Commissioner respectively one of whom shall be a competent civil engineer They each shall receive a salary of six thousand dollars per annum They shall each give bond to the Commonwealth in the sum of twenty-five thousand dollars to be approved by the Governor conditioned for the faithful performance of their duties They shall be subject at all times to the authority of the State Highway Commissioner and in the absence of the Commissioner shall in the order of their precedence to each other perform and discharge all the duties of the State Highway Commissioner as required by law and the provisions of this act The Governor shall also appoint an auditor of the said department who shall be an expert accountant and who shall be a certified public accountant under the laws of this Commonwealth He shall receive a salary of three thousand dollars per annum and shall give bond to the Commonwealth in the sum of twenty-five thousand dollars subject to the approval of the Governor conditioned for the faithful performance of his duties It shall be the duty of said Auditor to examine and audit all the accounts of the department and to countersign all warrants" be and the same is hereby amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of June Anno Domini one thousand nine hundred and eleven there shall be established a State Highway Department by the appointment by the Governor of the Commonwealth of a State Highway Commissioner who shall serve for a term of four years and shall give his entire time and attention to the duties of his office He shall receive a salary of eight thousand dollars per annum and shall furnish a bond to the Commonwealth in the sum of fifty thousand dollars to be approved by the Governor conditioned for the faithful performance of his duties The Governor shall also appoint two Deputy State Highway Commissioners to be known as First Deputy State Highway Commissioner and Second Deputy State Highway Commissioner respectively one of whom shall be a competent civil engineer They each shall receive a salary of six thousand dollars per annum They shall each give bond to the Commonwealth in the sum of twenty-five thousand dollars to be approved by the Goverønr conditioned for the faithful performance of their duties They shall be subject at all times to the authority of the State Highway Commissioner and in the absence of the Commissioner shall in the order of their precedence to each other perform and discharge all the duties of the State Highway Commissioner as required by law and the provisions of this act The Governor shall also appoint an auditor of the said department who shall be an expert accountant and who shall be a certified public accountant under the laws of this Commonwealth He shall receive a salary of four thousand dollars per annum and shall give bond to the Commonwealth in the sum of twenty-five thousand dollars subject to the approval of the Governor conditioned for the faithful performance of his duties. It shall be the duty of said auditor to examine and audit all the accounts of the department and to countersign all warrants

Section 2 That section two of said act which as amended by the act approved the twenty-eighth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred eighty-three) reads as follows

"Section 2 The Governor shall appoint a chief engineer of the department who shall be a capable and competent civil engineer and experienced in the building and maintenance of improved roads who shall be paid a salary at the rate of seven thousand dollars per annum The State Highway Commissioner shall appoint as an assistant to the chief engineer an engineer of bridges who shall be a capable and competent civil engineer experienced in the designing and construction of bridges who shall be paid a salary at the rate of thirty-six hundred dollars per annum He may also appoint not to exceed fifty superintendents experienced in the construction and maintenance of improved roads who shall be known as superintendents of highways each of whom shall be paid a salary at the rate of fifteen hundred dollars per annum He may also appoint as the work of the department requires fifteen competent civil engineers experienced in improved road building to act as assistants to the chief engineer and who shall each be paid a salary at the rate of twenty-four hundred dollars per annum He may also appoint a chief draughtsman who shall also be an experienced civil engineer and who shall be paid a salary at the rate of twenty-four hundred dollars per annum He may also appoint an engineer of maintenance an engineer of construction additional civil engineers and engineers' assistants superintendents inspectors a statistician paymasters draughtsmen bookkeepers a chief clerk additional clerks stenographers and such other employes as in his opinion are sufficient to carry on the work of the State Highway Department and shall fix the salaries to be paid the aforementioned employes

"The State Highway Commissioner his deputies and other officers shall be paid in addition to their stipulated salary or compensation traveling expenses necessarily and actually incurred by each of them in the performance of the duties required by this act or performed by direction of the State Highway Commissioner The State Highway Commissioner shall assign the superintendent of highways to such sections or parts of the State as in the judgment of said commissioner will enable said superintendents to render most efficient service in the improvement of the highways It shall be the duty of each superintendent of highways subject to the authority of the commissioner and in accord with the rules and regulations of the department to superintend supervise and take charge and control of all work of rebuilding maintenance and repair of the State-aid and State highways or any portions thereof in his said district or placed in his charge and it shall be the further duty of each superintendent of highways to instruct the authorities having charge of the highways in the counties or townships in his district which receive aid from the State in the maintenance of highways as to the methods to be employed at all times in the construction maintenance and repair of county or township roads culverts and bridges in said counties or townships" be and the same is hereby amended so as to read

Section 2 The Governor shall appoint a Chief Engineer of the Department who shall be a capable and competent civil engineer and experienced in the building and maintenance of improved roads who shall be paid a salary at the rate of seven thousand dollars per annum The State Highway Commissioner shall appoint as an assistant to the chief engineer an engineer of bridges who shall be a capable and competent civil engineer experienced in the dsigning and construction of bridges who shall be paid a salary at the rate of thirty-six hundred dollars per annum He shall also appoint fifty superintendents experienced in the construction and maintenance of improved roads who shall be known as superintendents of highways each of whom shall be paid a salary of not less than twelve hundred dollars nor more than two thousand dollars per annum at the discretion of the commissioner. He shall also appoint fifteen competent civil engineers experienced in improved road building to act as assistants to the Chief Engineer and who shall each be paid a salary of not less than twenty-one hundred dollars nor more than thirty-six hundred dollars per annum at the discretion of the commissioner He may also appoint a chief draughtsman who shall also be an experienced civil engineer and who shall be paid a salary at the rate of twenty-four hundred dollars per annum He may also appoint an engineer of maintenance an engineer of construction additional civil engineers and engineers' assistants superintendents inspectors a statistician paymasters draughtsmen bookkeepers a chief clerk additional clerks stenographers and such other employes as in his opinion are sufficient to carry on the work of the State Highway Department and shall fix the salaries to be paid the aforementioned employes

The State Highway Commissioner his deputies and other officers shall be paid in addition to their stipulated salary or compensation traveling expenses necessarily and actually incurred by each of them in the performance of the duties required by this act or performed by direction of the State Highway Commissioner The State Highway Commissioner shall assign the superintendents of highways to such sections or parts of the State as in the judgment of said commissioner will enable said superintendents to render most efficient service in the improvement of the highways It shall be the duty of each superintendent of highways subject to the authority of the commissioner and in accord with the rules and regulations of the department to superintend supervise and take charge and control of all work of rebuilding maintenance and repair of the State-aid and State Highways or any portions thereof in his said district or placed in his charge and it shall be the further duty of each superintendent of highways to instruct the authorities having charge of the highways in the counties or townships in his district which receive aid from the State in the maintenance of highways as to the methods to be employed at all times in the construction maintenance and repair of county or township roads culverts and bridges in said counties or townships

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 864, as follows:

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a commission to be known as the

Commission of Public Safety and Defense of the Commonwealth of Pennsylvania is hereby created which shall be composed as follows viz The Governor the Lieutenant Governor the members of the Military Board and the following named members of the executive committee of the Committee of Public Safety for Pennsylvania viz Mr. W. W. Atterbury of Philadelphia Mr. E. T. Stotesbury of Philadelphia and Mr. Andrew W. Mellon of Pittsburgh The Governor shall be chairman of the Commission The Commission shall organize immediately after the passage of this act and shall appoint a secretary who shall be a member of said commission

Section 2 The Commission shall take all necessary means to prepare for the defense of the Commonwealth and to provide for the safety of its people and the protection of their property and shall aid the Government of the United States in protecting and defending said Government and the people thereof and their property

The Commission is authorized to employ such stenographical and clerical help as may be deemed necessary and to fix the compensation of such help

Section 3 For the purpose of carrying out the provisions of this act the sum of two million dollars ($2,000,000) is hereby specifically appropriated for the use of the Commission The amount herein appropriated shall be paid from time to time on warrant of the Auditor General on the State Treasurer in the usual manner upon the filing of itemized vouchers by the Commission signed by the Secretary thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 199, entitled

An Act prohibiting certain institutions receiving State aid from restricting pay patients in the selection of physicians and surgeons not connected with the institution.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 646 (House Bill No. 854), entitled

An Act providing for the appointment of probation officers in certain counties fixing their powers duties and salaries.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 730, entitled

An Act empowering banks and trust companies to accept drafts and issue letters of credit.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 786, entitled

A supplement to an act, entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and regulating their incorporation, and to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State or municipal corporation concerned and giving persons whose property is thereby taken, injured or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such Commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases; and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled "An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains," by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act approved the fourth day of June, 1883, entitled "An Act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals;" and an act entitled "To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars," approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled "An Act to provide for the incorporation and regulation of certain corporations," approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act," requiring street railway corporations whose facilities cross or are adjacent to the facilities of street railway lines owned, leased or operated by municipal corporations, under certain circumstances, to establish transfer points and switch or other connections at points of crossing or adjacency and through routes and service and joint rates for the conveyance of passengers over two or more lines connected at transfer points; giving the Public Service Commission jurisdiction in the premises; and prescribing the conditions upon which the Commission shall have jurisdiction to regulate the joint facilities, services or rates of a street railway corporation and a street railway line operated by a municipal corporation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 814, entitled

An Act authorizing any company incorporated under the laws of any other State for the manufacturing purchasing and selling of rubber boots shoes tires and goods of which rubber caucho gutta percha balata or any of their substitutes are a component part and the various materials entering into the manufacturing of any and all of such goods to erect and maintain buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 820, entitled

An Act authorizing manufacturing corporations now or hereafter organized under the laws of this State to engage in the production of necessary raw material for such manufacturing purposes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 821, entitled

An Act authorizing corporations now or hereafter organized under the laws of this Commonwealth for the purpose of manufacturing to own and operate certain conveyances for the transportation of raw materials and the products manufactured therefrom.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 391 (House Bill No. 260), entitled

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth.

Mr. C. A. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. C. A. SNYDER, from the Committee on Judiciary Special, reported as committed Senate Bill No. 806, entitled

An Act to amend an act approved May 3, 1909, entitled "An Act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire escapes, fire extinguishers, and other preventives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Labor and Industry; and by providing proper penalties for any violation of the same."

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 870, entitled

An Act to prohibit the appointment of non-residents to any office, position, or place, or as an employe under the Commonwealth.

RECESS.

Mr. ENDSLEY. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES.

Mr. SPROUL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SPROUL, from the Committee on Banks and Building and Loan Associations, reported as committed Senate Bill No. 732, entitled

An Act to amend sections two and three of the act entitled "An Act to provide for the creation and maintenance of a reserve fund in all banks, banking companies, savings banks, savings institutions, companies authorized to execute trusts of any description and to receive deposits of money, which are now or which may hereafter be incorporated under the laws of this Commonwealth, and in all trust companies or other companies receiving deposits of money, which may have been heretofore or which may hereafter be incorporated under section twenty-nine of the act approved April twenty-ninth, one thousand eight hundred and seventy-four, entitled 'An Act for the creation and regulation of corporations,' and the supplements hereto," approved the eighth day of May, Anno Domini one thousand nine hundred and seven, by providing that a portion of such reserve fund may be deposited in any bank or trust company located in any state other than Pennsylvania which shall have been approved by the Commissioner of Banking of this Commonwealth.

Mr. KLINE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Judiciary General, re-reported as committed Senate Bill No. 690 (House Bill No. 738), entitled

An Act vesting in the persons appointed by the county commissioners of the several counties of this Commonwealth to inspect and repair county roads, improved and maintained by such counties, the power and authority now vested by law in the constables of the several cities, boroughs and townships of this Commonwealth, for the preservation of the peace in and along such roads, and for the enforcement of acts of Assembly regulating the speed of automobiles and other vehicles thereon, and for the enforcement of rules and regulations governing the use of such roads, designating such persons county road caretakers, and providing for badges evidencing their authority.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 606, entitled

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania so as to consolidate the courts of common pleas of Philadelphia County.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 634 (House Bill No. 225), entitled

An Act requiring that the proper officers of every county city borough or township of the Commonwealth of Pennsylvania be notified of any injury sustained by any person or persons either in property or person upon any property owner by the said county city borough or township or road street or highway within the said county city borough or township and providing that no recovery may be had on any action for damages arising therefrom in the event of failure to give such notification.

Mr. C. A. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. C. A. SNYDER, from the Committee on Judiciary Special, reported as committed Senate Bill No. 720 (House Bill No. 135), entitled

An Act to fix the salaries of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over.

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 599 (House Bill No. 445), entitled

An Act to amend section four of an act, entitled "A Supplement to an act, entitled 'An Act to establish a health office and to secure the City and Port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes,' approved the twenty-ninth day of January, one thousand eight hundred and eighteen (1818), empowering the Governor to suspend the State Quarantine creating a Quarantine Board, authorizing the Governor to appoint a Quarantine Physician, and to purchase or lease or acquire land for a State Quarantine Station, and thereupon to abandon the present Lazaretto," approved the fifth day of June one thousand eight hundred and ninety-three.

Mr. McKEE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McKEE, from the Committee on Military Affairs, re-reported as committed Senate Bill No. 684, entitled

An Act relating to divorce and defining the conditions under which remarriages may be lawful by husband or wife after both separation and decree a mensa et thoro for a certain time and providing the procedure in and effect of the same.

BILL INTRODUCED.

Mr. KLINE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 878, entitled

An Act fixing the fee for services of jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than one million four hundred thousand inhabitants under writs of inquisition, condemnation, inquiry of damages, lunacy and habitual drunkard proceedings, or under writs of process issued directing inquests.

Which was committed to the Committee on Judiciary General.

BILL RECOMMITTED.

Mr. McKEE. Mr. President, I move that Senate Bill No. 684, entitled

An Act relating to divorce and defining the conditions under which remarriage may be lawful by husband or wife after both separation and decree a mensa et thoro for a certain time and providing the procedure in and effect of the same.

be recommitted to the Committee on Forestry.

Mr. PHIPPS. Mr. President, I second the motion.
The motion was agreed to.

SENATE BILL NO. 219 RECALLED FROM THE GOVERNOR.

Mr. LEIBY. Mr. President, I ask unanimous consent to offer a resolution at this time.
The PRESIDENT. Is there objection? The Chair hears none.

Mr. LEIBY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 18, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 219, entitled, "An Act to authorize counties cities boroughs towns townships school districts and poor districts to require a bond to protect labor and material men and providing for suits thereon by laborers and material men furnishing labor and material in and about the erection alteration addition and repair of public buildings," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECONSIDERATION OF SENATE BILL NO. 864.

Mr. VARE. Mr. President, I move to reconsider the vote by which Senate Bill No. 864, entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation.

passed second reading.

The PRESIDENT. How did the Senator vote?
Mr. VARE. Mr. President, I voted aye.
Mr. SPROUL. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. SPROUL. Mr. President, I voted aye.
The motion was agreed to.
And the question recurring,
Will the Senate agree to the bill?
Mr. VARE. Mr. President, I move to reconsider the vote by which the Senate agreed to the title.
The PRESIDENT. How did the Senator vote?
Mr. VARE. Mr. President, I voted aye.
Mr. SPROUL. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. SPROUL. Mr. President, I voted aye.
The motion was agreed to.
And the question recurring,
Will the Senate agree to the title?
Mr. VARE. Mr. President, I move to reconsider the vote by which the Senate agreed to the section.
The PRESIDENT. How did the Senator vote?
Mr. VARE. Mr. President, I voted aye.
Mr. SPROUL. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. SPROUL. Mr. President, I voted aye.
The motion was agreed to.
And the question recurring,
Will the Senate agree to the section.

BILL POSTPONED.

Mr. VARE. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.
Mr. SPROUL. Mr. President, I second the motion.
The motion was agreed to.

BILL ON SECOND READING.

Mr. KLINE. Mr. President, I move that the Senate do now resume the second reading and consideration of Senate Bill No. 4, on second reading postponed for the present, entitled

An Act to amend an act approved the 5th day of June one thousand nine hundred and fifteen entitled "An Act relating to the payment of fines and costs of persons committed to prisons and lockups and their discharge.

Mr. JENKINS. Mr. President, I second the motion.
The motion was agreed to.

The Senate resumed the second reading and consideration of Senate Bill No. 4, entitled

An Act to amend an act approved the 5th day of June one thousand nine hundred and fifteen entitled "An act relating to the payment of fines and costs of persons committed to prisons and lockups and their discharge.

And the question recurring,
Will the Senate agree to the first section?

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I move that this bill be recommitted to the Committee on Judiicary General.
Mr. JENKINS. Mr. President, I second the motion.
The motion was agreed to.

BILL ON SECOND READING.

Mr. KLINE. Mr. President, I move that the Senate do now resume the second reading and consideration of Senate Bill No. 11, on second reading postponed for the present, entitled

An Act to amend section two of an act approved the eighteenth day of March one thousand nine hundred and nine entitled "An Act relating to surety of the peace and defining the procedure in such cases" by providing for the payment of costs by counties in certain cases.

Mr. JENKINS. Mr. President, I second the motion.
The motion was agreed to.

The Senate resumed the second reading and consideration of Senate Bill No. 11, entitled

An Act to amend section two of an act approved the eighteenth day of March one thousand nine hundred and nine entitled "An Act relating to surety of the peace and defining the procedure in such cases" by providing for the payment of costs by counties in certain cases.

And the question recurring,
Will the Senate agree to the first section?

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I move that this bill be recommitted to the Committee on Judiciary General.
Mr. JENKINS. Mr. President, I second the motion.
The motion was agreed to.

BILL ON SECOND READING.

Mr. KLINE. Mr. President, I move that the Senate do now resume the second reading and consideration of Senate Bill No. 15, on second reading postponed for the present, entitled

An Act relating to costs in certain cases of summary conviction before aldermen magistrates and justices of the peace providing for the assessment of such costs upon the prosecutor or defendant and their commitment in case of default and providing for the payment of such costs by counties in certain cases.

Mr. JENKINS. Mr. President, I second the motion.
The motion was agreed to.

The Senate resumed the second reading and consideration of Senate Bill No. 15, entitled

An Act relating to costs in certain cases of summary conviction before aldermen magistrates and justices of the peace providing for the assessment of such costs upon the prosecutor or defendant and their commitment in case of default and providing for the payment of such costs by counties in certain cases.

And the question recurring,
Will the Senate agree to the first section?

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I move that this bill be recommitted to the Committee on Judiciary General.
Mr. JENKINS. Mr. President, I second the motion.
The motion was agreed to.

BILLS INTRODUCED.

Mr. BEALES. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEALES read in his place and presented to the Chair Senate Bill No. 879, entitled

An Act to establish as a State Highway a certain section of public road in the County of Adams.

Which was committed to the Committee on Public Roads and Highways.

Mr. LEIBY. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LEIBY (by request of Mr. Warner) read in his place and presented to the Chair Senate Bill No. 880, entitled

An Act making an appropriation to the General Hospital of East Stroudsburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. JONES. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 881, entitled

An Act to amend the first and second sections of an act approved the 1st day of May, 1913, entitled "An Act to amend the 4th, 5th, 8th and 9th sections of an act, entitled 'An Act to create a Board of Public Charities,' approved the 24th day of April, A. D. 1869, so as to confer additional powers upon said board, and extend the duties and fix the compensation of the secretary and general agent," so as to confer additional powers upon said board, and to include within its powers supervision of all medical schools and hospitals, and authorizing said board to appoint two additional assistant general agents and prescribing the qualifications and duties and fixing the compensation of such additional general agents.

Which was committed to the Committee on Public Health and Sanitation.

Mr. W. W. SMITH. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. W. W. SMITH (by request of Mr. Salus) read in his place and presented to the Chair Senate Bill No. 882, entitled

An Act making it unlawful for any person, firm or corporation, to dismiss or discharge any employee from his or their employment because of absence for jury duty and providing a penalty therefor.

Which was committed to the Committee on Judiciary General.

REPORT FROM COMMITTEE.

Mr. JONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 666, entitled

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen, entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs.

SENATE BILL NO. 205 RECALLED FROM THE GOVERNOR.

Mr. W. W. SMITH. Mr. President, at the request of the Senator from Philadelphia, Mr. Salus, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. W. W. SMITH offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 18, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 205, entitled "An Act authorizing Louis Gumbiner, a resident of Philadelphia County, State of Pennsylvania, to sue the Commonwealth of Pennsylvania, in the Court of Common Pleas of Dauphin County, for the amount of such part, if any, of a certain wholesale liquor license fee as required by and paid by him to the Treasurer of the City and County of Philadelphia in excess of the amount of such fee as was justly and legally due and payable," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGES.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 17, 1917.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, April twenty-third, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, April twenty-third, at nine o'clock.

RESOLUTION RELATIVE TO RECRUITMENT.

He also presented extract from the Journal of the House of Representatives which was read as follows:

Whereas The Government of the United States by virtue of the state of war existing with the German government faces a condition unequalled in its entire history and

Whereas The use of calm judgment and the adoption of practical systems in the present crisis will aid greatly in bringing victory to the arms of the United States and accomplish the great purposes for which this Government stands in this present crisis and

Whereas The great assets in the waging of successful warfare are the soldier in the trench the efficient worker in the factory and industrial establishment and the agriculturist and

Whereas The granaries of the world due to the drain thereupon by the European war of the last few years are practically empty and

Whereas The producer at home who furnishes to the army in the field the means of waging successful warfare should be considered as much a patriot as the man who serves in the field therefore

Resolved (if the Senate concur) That the President and the Congress of the United States be respectfully petitioned to avoid so far as possible the mistakes of European countries in recruiting into their armies soldiers unprepared for the proper conduct of modern warfare in recruiting skilled workmen from her factories and industries whose work in such factories and industries was of more importance to the success of their cause than was their enlistment into actual service and in recruiting men engaged in agricultural pursuits whose continuation in their present occupations is absolutely a necessity to produce the food which eventually goes to feed an army and to keep it up to its highest standard

Resolved That the Secretary of the Commonwealth be directed to send a copy of this resolution to the President of the United States the Senate of the United States and the House of Representatives of the United States

Mr. SPROUL. Mr. President, I move that the resolution just read be referred to the committee on Military Affairs.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

RECESS.

Mr. SPROUL. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE CONCURS IN RESOLUTION RECALLING SENATE BILL NO. 219 FROM THE GOVERNOR.

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 18, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 219, entitled, "An Act to authorize counties cities boroughs towns townships school districts and poor districts to require a bond to protect labor and material men and providing for suits thereon by laborers and material men furnishing labor and material in and about the erection alteration addition and repair of public buildings," be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING SENATE BILL NO. 205 FROM THE GOVERNOR.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 18, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 205, entitled, "An Act authorizing Louis Gumbiner, a resident of Philadelphia County, State of Pennsylvania, to sue the Commonwealth of Pennsylvania, in the Court of Common Pleas of Dauphin County, for the amount of such part, if any, of a certain wholesale liquor license fee as required by and paid by him to the treasurer of the City and County of Philadelphia in excess of the amount of such fee as was justly and legally due and payable," be recalled from the Governor for the purpose of amendment.

ADJOURNMENT.

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until next Monday evening at nine o'clock.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12.05 o'clock P. M. until Monday evening, April 23, 1917, at nine o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 18, 1917.

The House met at 11 o'clock A. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

Gracious Father, we come to Thee at the opening of the day to crave Thy blessing and thank Thee for the rest of the past night. Thou hast sustained us and art our refuge and strength.

Incline our hearts to keep Thy commandments; cleanse us from secret faults and keep us back also from presumptuous sins; make us strong for duty which requires wisdom and patience; fit us for doing good at home, yea, everywhere the one to the other.

Let nothing embitter our affection or mar our fellowship, and may our love for each other be more sincere, more patient, more thoughtful, and more devoted.

May the light shine out from the windows of our souls to show others how to live more sweetly.

We pray that the grace of God be upon us in proportion to our need, filling our hearts and lives and upbuilding of the Kingdom of God. We ask all in the name of the Redeemer. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Gransback, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. CHARLES A. SHAFFER. House Bill No. 1515.

An Act to establish as a State Highway a certain section of public road in the Counties of Columbia and Lycoming.

Referred to the Committee on Public Roads.

By Mr. BRADY. House Bill No. 1516.

An Act to provide for the payment of salaries to constables in the County of Philadelphia, and requiring all fees payable to them for the service of process out of magistrates' courts under seal to be paid into the county treasury.

Referred to the Committee on Municipal Corporations.

By Mr. RAMSEY. House Bill No. 1517.

An Act to regulate the mining of coal in the several counties of the Commonwealth, so as to more fully conserve the lives, health, safety and comfort of the citizens and residents of said counties; providing for the appointment of several mine inspectors who shall inspect all mines, and who shall prevent the mining of coal which may endanger the surface of lands or the improvements thereon erected, or the public streets, highways, lanes and alleys; and providing further for the erection of artificial constructions for the support of said surface, streets and improvements, the cost of which shall be paid by the Commonwealth upon vouchers duly approved by the Auditor General; and providing penalties for the violation of this act.

Referred to the Committee on Mines and Mining.

By Mr. WALKER. House Bill No. 1518.

An Act relating to alcoholic liquors; providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale, or offering for sale, or advertising for sale, or having in possession with intent to sell, of adulterated or misbranded alcoholic liquors; providing penalties for the violation thereof and providing for the enforcement thereof.

Referred to the Committee on Law and Order.

By Mr. SCOTT. House Bill No. 1519.

An Act relating to payment of taxes on seated lands by joint tenants, tenants in common or coparceners.

Referred to the Committee on Judiciary Special.

By Mr. SHOWALTER. House Bill No. 1520.

An Act supplemental to an act, entitled "An Act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by defining the procedure in prosecutions; and by repealing all acts or parts of acts inconsistent with the provisions thereof," approved the twenty-fifth day of July, one thousand nine hundred thirteen, providing for the granting of modifications of the provisions of said act affecting the hours and conditions of employment of females in certain establishments except the maximum hours per week, providing for the terms and conditions of such modifications, providing for the changing and withdrawing of such modifications, and providing penalties for violation thereof.

Referred to the Committee on Manufactures.

By Mr. CONRAD G. MILLER. House Bill No. 1521.

An Act authorizing Edward W. Fenstermacher, a resident of Butler Township, County of Luzerne, to bring suits in the court of common pleas of Luzerne County against the Commonwealth of Pennsylvania.

Referred to the Committee on Judiciary Local.

By Mr. CONRAD G. MILLER. House Bill No. 1522.

An Act to further amend section two of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State

line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. LEWIS. House Bill No. 1523.

An Act to establish as a State Highway a certain section of public road in the County of Jefferson.

Referred to the Committee on Public Roads.

REPORTS FROM COMMITTEES.

Mr. DELL, from the Committee on Game, re-reported as amended House Bill No. 954, entitled

An Act regulating hunting trapping and fishing on unseated and auxiliary forest reserve lands providing for the propagation of game and fish on such lands and providing penalties for violations.

Mr. THEODORE CAMPBELL, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1401, entitled

An Act to provide for the regulation of rag shops, second hand paper shops and junk shops, in cities of the first class and providing a penalty for the violation of this act.

Mr. RICH, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 400, entitled

An Act to protect the public health by prohibiting the use of public cigar cutters.

Mr. MERVINE, from the Committee on Fisheries, reported as committed House Bill No. 619, entitled

An Act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bull-frogs, tad-poles and terrapin, and providing penalties and punishments for violation of any of the provisions of this act, and the manner of proceeding to enforce compliance therewith; providing for the disposition of the penalties and fines recovered and received, and how and by whom the costs in such cases shall be paid.

Mr. GLASS, from the Committee on Judicial Apportionment, reported as committed House Bill No. 1417, entitled

An Act to provide for an additional Law Judge of the several Courts of the Thirty-first Judicial District.

Mr. REYNOLDS, from the Committee on Judiciary Special, reported as committed House Bill No. 1267, entitled

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of Pennsylvania.

Mr. WICKMAN, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1342, entitled

An Act amending section six hundred and one (601) of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violations thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven.

Mr. BOVEE, from the Committee on Fisheries, reported as amended House Bill No. 1140, entitled

An Act to revise, amend and consolidate the law relating to fish and providing penalties.

Mr. WICKMAN, from the Committee on Labor and Industry, reported as amended House Bill No. 1437 (Senate Bill No. 700), entitled

An Act to provide for the classification of inspectors of the Department of Labor and Industry according to qualifications determined by a Committee of the Department of Labor and Industry and fixing the salaries of inspectors within the several classifications.

Mr. SPEICHER, from the Committee on Agriculture, reported as committed House Bill No. 1440 (Senate Bill No. 662), entitled

An Act regulating the packing of apples providing penalties for violations and imposing certain duties upon the Department of Agriculture.

Mr. GANS, from the Committee on Public Health and Sanitation, reported as amended House Bill No. 1330 (Senate Bill No. 560), entitled

An Act amending sections eight and ten of an act approved the 19th day of March, 1909, entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," as amended, by providing for the extension of time necessary for graduation; by revising the fee for reciprocity licenses; and by further regulating the preliminary educational requirements for matriculation into colleges.

Mr. FRANK I. SMITH, from the Committee on Public Health and Sanitation, reported with a negative recommendation, House Bill No. 714, entitled

An Act to protect the public health by prohibiting the manufacturing, selling, giving, furnishing or using, or offering to sell, give or furnish, of cigarettes or cigarette paper and providing penalties.

Mr. COX, from the Committee on Manufactures, reported as committed House Bill No. 1352, entitled

An Act to amend the second section of an act approved the fifteenth day of April, one thousand nine hundred and thirteen, entitled "An Act to amend the second section of an act, entitled 'An Act amending section two of an act, entitled "An Act for the relief of wives and children deserted by their husbands and fathers, within this Commonwealth," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-seven, by authorizing and empowering courts to fix the allowance for the support of wives and children, without limitation as to the amount thereof, by empowering courts to issue writs of attachment against the money or property belonging to, or which the husbands and fathers may be entitled to, whether under what is known as spendthrift trusts or otherwise," by empowering courts to issue writs of execution against any property real or personal, belonging to the defendant and writs of attachment execution against the money or property to which defendant may be entitled whether under what is known as a spendthrift trust or otherwise no matter when said trust was created and making same a continuing lien and levy for fifty per centum thereof until the order and costs are paid and abolishing the benefit of the exemption law in such case.

Mr. COX, from the Committee on Manufactures, reported as committed House Bill No. 1391, entitled

An Act to amend section five of an act, approved the tenth day of April, one thousand eight hundred seventy-nine, entitled "An Act relating to mutual saving fund, building and loan associations, regulating the mode of charging premiums, bonus or interest in advance, of withdrawals, of re-payment and collection of loans, also restricting the power to levy excessive fines, and defining the rights and liabilities of married women stockholders, and prescribing the non-application to these associations of the bonus tax and registry laws for corporations."

Mr. MILNER, from the Committee on Judiciary Special, reported as committed House Bill No. 918, entitled

An Act prohibiting the attendance of any minor child under the age of sixteen years to any exhibition open to the public in any building tents or enclosure or any part of the premises connected therewith of any dramatic or operatic or vaudeville performances or tragedies or comedies or farces or exhibition of fixed or moving pictures or stereopticon films or songs or acrobatic performances or exhibition of trained animals or any equestrian circus or menagerie or museum or wild west show unless accompanied by an adult providing for a certain exception and fixing penalties for the violation of this act.

Mr. GLASS, from the Committee on Judiciary Special, reported as committed House Bill No. 1130, entitled

An Act to amend section forty-five of the act, approved the nineteenth day of May, one thousand nine hundred and fifteen, entitled "An Act relating to the sale of goods."

Mr. ZANDERS, from the Committee on Judiciary Special, reported as committed House Bill No. 232, entitled

An Act to amend an act, entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," approved the second day of June, one thousand nine hundred fifteen.

Mr. BENNINGER, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 886, entitled

An Act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering; providing for the appointment by the Governor of an examining board; defining the powers and duties of such board; regulating barber shops, barber schools and barber colleges and apprentices and students therein; and providing penalties.

Mr. PATTERSON, from the Committee on Judiciary Special, reported as committed House Bill No. 1438 (Senate Bill No. 696), entitled

An Act to amend the second section of an act, approved April 4th, 1907, entitled "An Act creating, in counties having a population from three hundred thousand to one million, a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments and divisions thereof; prescribing the powers and duties of said board, and regulating appeals from the decision thereof," by providing that, where said board as constituted by said act is composed of the county controller and county commissioners only, the president of the board, in case of a tie vote, shall be entitled to a deciding vote.

LEAVES OF ABSENCE.

Mr. VICKERMAN asked and obtained leave of absence for Mr. McVicar on account of sickness in his family.

Mr. BALDRIDGE asked and obtained leave of absence for Mr. Murdoch on account of sickness.

RESOLUTION NO. 13.

Mr. COOK. Mr. Speaker, I call up Resolution No. 13, File Folio No. 1349.

The SPEAKER. The resolution will be read by the Clerk.

Whereas The Government of the United States by virtue of the state of war existing with the German government faces a condition unequaled in its entire history and

Whereas The use of calm judgment and the adoption of practical systems in the present crisis will aid greatly in bringing victory to the arms of the United States and accomplish the great purposes for which this government stands in this present crisis and

Whereas The great assets in the waging of successful warfare are the soldier in the trench the efficient worker in the factory and industrial establishment and the agriculturist and

Whereas The granaries of the world due to the drain thereupon by the European war of the last few years are practically empty and

Whereas The producer at home who furnishes to the army in the field the means of waging successful warfare should be considered as much a patriot as the man who serves in the field therefore

Resolved (if the Senate concur) That the President and the Congress of the United States be respectfully petitioned to avoid so far as possible the mistakes of European countries in recruiting into their armies soldiers unprepared for the proper conduct of modern warfare in recruiting skilled workmen from her factories and industries whose work in such factories and industries was of more importance to the success of their cause than was their enlistment into actual service and in recruiting men engaged in agricultural pursuits whose continuation in their present occupations is absolutely a necessity to produce the food which eventualy goes to feed an army and to keep it up to its highest standard

Resolved That the Secretary of the Commonwealth be directed to send a copy of this resolution to the President of the United States the Senate of the United States and the House of Representatives of the United States

On the question,

Will the House concur in the resolution?

It was concurred in.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows, viz:

Senate Bill No. 52

An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products or any other products and prescribing penalties.

Whereupon,

The Speaker in the presence of the House signed the same.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

TIME OF NEXT MEETING.

In the Senate, April 17, 1917.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, April twenty-third, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, April twenty-third, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate, being introduced, returned bills from the House of Representatives numbered and entitled as follows:

House Bill No. 8

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections.

House Bill No. 266

An Act to amend the first section of an act entitled "An Act to amend the first section of an act approved the fourth day of April Anno Domini one thousand nine hundred and seven entitled 'An Act to fix the salaries of the deputy register clerks and employes in the office of the register of wills of any county of this Commonwealth having a population of one million or over' so as to make it apply to counties containing a population of one million four hundred thousand or over" approved the fifth day of May Anno Domini one thousand nine hundred and eleven so as to change the salaries of the said deputy register clerks and employes of the office of register of wills of said counties.

House Bill No. 308

An Act to amend section one of an act approved the twenty-second day of April, one thousand nine hundred thirteen, entitled "An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia, or rabies, after having been bitten by any animal believed to be suffering therefrom; repealing all prior acts relating hereunto; and providing for the payment of expenses for such treatment heretofore incurred in good faith," by providing for payment of expenses for treatment of all persons bitten by dogs by the county from the fund collected from the taxation of dogs.

House Bill No. 856

An Act to further amend section fifteen of an act approved the twenty-second day of June one thousand eight hundred and ninety-one entitled "An Act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor" as amended fixing the maximum for maintenance weekly per capita.

House Bill No. 37

An Act to further amend sections sixteen and twenty-five of an act approved the seventh day of February one thousand nine hundred and five entitled "An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor" as amended

House Bill No. 392

An Act to amend an act entitled "A Supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five authorizing and establishing a board of recreation for the creation organization care management conduct and supervision of recreation facilities of cities of the first class except as herein provided" approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred thirty-nine) by changing the number of the members of the Board of Recreation their length of term and the officers to be elected.

with information that the Senate has passed the same without amendment.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate, being introduced, presented bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 847

An Act to amend section two thousand six hundred twenty of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

with the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

On page three strike out from line 14 to line 25 as follows:

"Any auditor or auditors who shall refuse or fail or neglect to complete their report or who shall refuse or fail or neglect to file the same with the board of school directors or with the court of common pleas within the time specified in this section shall be subject to a fine of five dollars for each day he shall so refuse or fail or neglect to complete and file said report to be recovered before any magistrate alderman or justice of the peace of the county in a summary proceeding and no auditor shall be paid any per diem compensation for making and audit after the first day of September of the year in which the audit is made."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albee,	Fackler,	McKinney,	Shunk,
Arthur,	Fitzgibbon,	McNichol,	Siggins,
Aston,	Flynn,	McPeake,	Simpson,
Baker,	Fowler,	McVicar,	Sinclair,
Baldi,	Franklin,	Mehring,	Smith, E. R.,
Baldridge,	Gans,	Mervine,	Smith, F. I.,
Bechtold,	Glass,	Michel,	Smith, L.,
Bell,	Goodnough,	Miller, A. D.,	Smith, O. W.,
Benchoff,	Goodwin,	Miller, C. G.,	Snowden,
Bennett,	Gormley,	Miller, G. J. A.,	Somerman,
Benninger,	Graham,	Milliron,	Sones,
Beyer,	Gransback,	Milner,	Spangler,
Bidelspacher,	Haight,	Morgan, T.,	Speicher,
Black,	Haldeman,	Morgan, T. J.,	Stadtlander,
Bouton, V. B.,	Hecht,	Murphy,	Steedle,
Bovee,	Heffernan,	Musser,	Sterling,
Boyd,	Helt,	Neary,	Stern,
Brady,	Hess,	Ogden,	Stites,
Burnett,	Heyburn,	Palmer,	Stofflet,
Campbell, J. O.,	Hibshman,	Patterson,	Strauss,
Canon,	Hoffman,	Phillips,	Sullivan,
Chestnut,	Hollern,	Powell,	Sweitzer,
Christman,	Hollingsworth,	Ramsey,	Taylor,
Coldsmith,	Horne,	Reichenbacker,	Thomas,
Conner,	Hough,	Reitzel,	Ulsh,
Cook,	Howarth,	Reynolds,	Urich,
Corbin,	Isherwood,	Rhoads, H. L.,	Vogdes,
Cox,	Jack,	Rich,	Wagner,
Crosby,	Jennings,	Richards,	Walker,
Cummins,	Jones,	Ringler,	Wallace,
Curry,	Lafferty,	Rininger,	Walter,
Davis, D. F.,	Lanius,	Robertson,	Weimer,
Davis, W.,	Lauler,	Rogers,	Wells,
Dawson,	Lewis,	Ross,	West,
Dean,	Lohr,	Rothenberger,	Whitaker,
Dell,	Luppert,	Ruddy,	Williams, G. W.,
Dithrich,	Malie,	Rudisill,	Williams, J. P.,
Donneley,	Mangan,	Sampsel,	Wobensmith,
Drake,	Marvin,	Schaeffer, A. C.,	Wood,
Drinkhouse,	McArdle,	Scott,	Woodward,
Dunn,	McCaig,	Shaffer, C. A.,	Wynne,
Eby,	McCullough,	Shattuck,	Zanders,
Ehrhardt,	McCurdy,	Showalter,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendment concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate, being introduced, presented bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 364

An Act relative to the sale in bulk of the whole or a large part of the stock of goods wares or merchandise of any kind or of goods wares or merchandise of any kind and fixtures not in the ordinary course of business providing certain requirements therefor and imposing certain duties upon the seller and buyer and making their violation a misdemeanor.

with the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the title by striking out all after the word "relative" and inserting in lieu thereof the following: "to the sale in bulk of the whole or a large part of the stock of goods wares or merchandise of any kind or of goods wares or merchandise of any kind and fixtures not in the ordinary course of business providing certain requirements therefor and imposing certain duties upon the seller and buyer and making their violation a misdemeanor."

Amend section one line two by striking out after the word "goods"' the word "fixtures."

Line three, by inserting after the word "kind" the words "or any goods or merchandise of any kind and fixtures."

Amend section two, line twelve, by striking out after the word "goods" "fixtures."

Line twelve by inserting after the word "kind" the words "or any goods wares or merchandise of any kind and fixtures."

Section three, line twenty-two, by striking out after the word "goods" the word "fixture."

Line twenty-three by inserting after the word "kind" the words "or any goods wares or merchandise of any kind and fixtures."

Page four line ten after the word "and" strike out "voidable" and insert "void."

Section four line one strike out the word "fixtures."

Line fifteen after the word "kind" insert the words "or of goods wares or merchandise of any kind and fixtures."

Section five line four strike out the word "fixtures."

In line five after the word "merchandise" insert the words "of any kind or of goods wares or merchandise of any kind and fixtures."

Insert sections seven and eight as follows:

Section 7 Provided that nothing herein contained shall prevent or hinder the vendor from demanding and receiving security from any purchaser or vendee to insure faithful performance of the contract prior to the furnishing the list of creditors as hereinabove set forth

Section 8 Any person or persons firm or corporation or any person or persons acting for or on behalf of any firm or corporation who shall procure from any seller or vendor a list of creditors as hereinabove set forth through fraud misrepresentation or deceit for the purpose of injuring said seller or vendor in his business and not for the purpose of securing the creditors of such seller or vendor as contemplated by this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars

Page six, line six, after the word "section" strike out the figure "7" and insert the figure "9."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—183.

Albee,	Fowler,	McCurdy,	Siggins,
Arthur,	Franklin,	McKay,	Simpson,
Aston,	Fretz,	McKinney,	Sinclair,
Baker,	Gans,	McNichol,	Smith, E. R.,
Baldi,	Geary,	McPeake,	Smith, F. I.,
Baldridge,	Glass,	McVicar,	Smith, J. W.,
Barner,	Golder,	Mehring,	Smith, L.,
Bechtold,	Goodnough,	Mervine,	Snowden,
Bell,	Goodwin,	Michel,	Snyder,
Benchoff,	Gormley,	Miller, A. D.,	Somerman,
Bennett,	Graeff,	Miller, Allan,	Sones,
Benninger,	Graham,	Miller, G. J. A.,	Spangler,
Beyer,	Gransback,	Milliron,	Speicher,
Bidelspacher,	Haight,	Milner,	Sprowls,
Boulton, H.,	Haldeman,	Mitchell,	Stadtlander,
Bouton, V. B.,	Hecht,	Morgan, T.,	Steedle,
Bovee,	Heffernan,	Morgan, T. J.,	Sterling,
Boyd,	Helt,	Murdoch,	Stern,
Brady,	Hess,	Musser,	Stites,
Burnett,	Heyburn,	Neary,	Strauss,
Campbell, T.,	Hibshman,	Palmer,	Sullivan,
Canon,	Hollern,	Patterson,	Swartz,
Christman,	Hollingsworth,	Phillips,	Sweitzer,
Clements,	Horne,	Powell,	Thomas,
Coldsmith,	Horton,	Ramsey,	Ulsh,
Conner,	Hough,	Reichenbacker,	Urich,
Cook,	Howarth,	Reitzel,	Vickerman,
Corbin,	Isherwood,	Reynolds,	Vogdes,
Cox,	Jack,	Rhoads, H. L.,	Wagner,
Crosby,	Jennings,	Rich,	Walker,
Cummins,	Jones,	Richards,	Wallace,
Curry,	Kennedy,	Ringler,	Walter,
Davis, D. F.,	Lafferty,	Rininger,	Weimer,
Dawson,	Lanius,	Robertson,	Wells,
Dell,	Laucks,	Rogers,	West,
Dewey,	Lauler,	Rothenberger,	Whitaker,
Dithrich,	Leary,	Ruddy,	Williams, G. W.
Drake,	Lewis,	Rudisill,	Williams, J. P.,
Drinkhouse,	Lohr,	Sampsel,	Wobensmith,
Dunn,	Luppert,	Sarig,	Wood,
Eby,	Mangan,	Schaeffer, A. C.,	Woodward,
Ehrhardt,	Marvin,	Scott,	Wylie,
Erdman,	Maurer,	Shaffer, C. A.,	Wynne,
Fackler,	McArdle,	Shattuck,	Zanders,
Fitzgibbon,	McCaig,	Showalter,	Baldwin,
Flynn,	McCullough,	Shunk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate, being introduced, presented bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 1087

An Act to give exclusive jurisdiction to the municipal court of Philadelphia over all houses of detention established within the limits of the City of Philadelphia for the care of delinquent dependent and neglected children providing that the board of managers of the said houses of detention shall be appointed and removed by the judges of the municipal court of Philadelphia and repealing all acts or parts of acts inconsistent herewith

with the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the title third line after the word "Philadelphia" insert the words "for the care of delinquent, dependent and neglected children."

Amend section one line seven by inserting after the word "Philadelphia" the words "for the care of delinquent, dependent and neglected children."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—178.

Albee,	Franklin,	McNichol,	Showalter,
Arthur,	Fretz,	McPeake,	Siggins,
Aston,	Gans,	McVicar,	Simpson,
Baker,	Geary,	Mearkle,	Sinclair,
Baldi,	Glass,	Mehring,	Smith, E. R.,
Baldridge,	Golder,	Mervine,	Smith, J. W.,
Bechtold,	Goodnough,	Michel,	Smith, L.,
Bell,	Goodwin,	Miller, A. D.,	Snowden,
Benchoff,	Graeff,	Miller, Allan,	Snyder,
Bennett,	Graham,	Miller, G. J. A.,	Somerman,
Beyer,	Gransback,	Milliron,	Sones,
Bidelspacher,	Haight,	Milner,	Spangler,
Black,	Haldeman,	Morgan, T.,	Speicher,
Bouton, V. B.,	Hecht,	Morgan, T. J.,	Sprowls,
Bovee,	Heffernan,	Murphy,	Stadtlander,
Boyd,	Helt,	Musser,	Steedle,
Brady,	Hess,	Ogden,	Sterling,
Burnett,	Heyburn,	Palmer,	Stern,
Campbell, T.,	Hibshman,	Patterson,	Stites,
Canon,	Hoffman,	Perry,	Strauss,
Christman,	Hollern,	Phillips,	Sullivan,
Clements,	Hollingsworth,	Pickering,	Swartz,
Coldsmith,	Horne,	Powell,	Sweitzer,
Conner,	Horton,	Ramsey,	Thomas,
Cook,	Hough,	Reichenbacker,	Ulsh,
Corbin,	Howarth,	Reitzel,	Urich,
Cox,	Jack,	Reynolds,	Vickerman,
Crosby,	Jennings,	Rhoads, H. L.,	Vogdes,
Cummins,	Jones,	Rhodes, W. M.,	Wagner,
Curry,	Kennedy,	Rich,	Walker,
Davis, W.,	Lanius,	Richards,	Wallace,
Dawson,	Laucks,	Ringler,	Walter,
Dean,	Lauler,	Rininger,	Wells,
Dell,	Leary,	Robertson,	West,
Dewey,	Lewis,	Rogers,	Whitaker,
Dithrich,	Lohr,	Ross,	Williams, G. W.
Drake,	Luppert,	Rothenberger,	Williams, J. P.,
Drinkhouse,	Mangan,	Ruddy,	Wobensmith,
Dunn,	Marvin,	Rudisill,	Wood,
Eby,	Maurer,	Sampsel,	Woodward,
Ehrhardt,	McArdle,	Sarig,	Wylie,
Erdman,	McCaig,	Scott,	Wynne,
Fitzgibbon,	McCullough,	Shaffer, C. A.,	Zanders,
Flynn,	McCurdy,	Shattuck,	Baldwin,
Fowler,	McKinney,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor, being introduced, presented the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, viz:

VETO OF HOUSE BILL NO. 570.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 5, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith without my approval House Bill No. 57, entitled "An Act providing for the publication and distribution of a revised edition of the railroad

map of Pennsylvania heretofore issued by the Department of Internal Affairs making an appropriation for the work of revising and compiling and proof-reading and an appropriation for printing binding and mounting the same and for paper."

This bill directs the publication of 16,500 copies of a Railroad Map of Pennsylvania. It makes an appropriation of $400 to revise, compile and proof-read the maps. It also makes an appropriation of $7,500 for paper, binding, &c. It is not clear that this is the total cost of these maps. That these maps are much sought after may well be admitted. A relatively few citizens would get copies at the expense of all the people. In the interests of economy and in view of the extraordinary demands that may properly be made upon our people in the present national crisis it is neecssary to husband our resources and avoid any expenditures not manifestly necessary.

For these reasons this bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill become a law, the veto of the Governor to the contrary not withstanding?

Mr. HORTON. Mr. Speaker, I move that the communication, together with the bill, be laid upon the table.

Mr. LEE SMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION INVITING THE MEMBERS OF THE HOUSE OF REPRESENTATIVES TO PARTICIPATE IN A PATRIOTIC PARADE.

The SPEAKER. The Speaker has received a communication which will be read by the Clerk.

The communication was read by the Clerk, as follows:

HEADQUARTERS HARRISBURG CAMP, NO. 8, UNITED SPANISH WAR VETERANS,
304 North Second Street.

Edward Dapp, Commander. Paul Harm, Adjutant.

Harrisburg, Pa., April 12, 1917.

To the Officers and Members, House of Representatives of Penn'a.

Gentlemen: Harrisburg Camp, No. 8, United Spanish War Veterans, extend an invitation to each one of you to participate in a patriotic parade and demonstration on Saturday afternoon, April 21, 1917.

It is the intention of the Camp to have prominent speakers address the paraders and public at a great open air meeting in Market Square.

All marchers are expected to carry American flags in line of parade, military organizations to carry guns and swords, if any.

Kindly advise our secretary, William I. Laubenstein, 2510 N. Sixth Street, Harrisburg, if you will join in making this affair a success, so that arrangements for the parade, etc., can be made, giving the approximate number of men you expect in line, also name band, if any.

Hoping for a favorable and early reply, we remain,

Very truly yours,

(Signed) H. M. STINE, Chairman.

(Signed) WM. I. LAUBENSTEIN, Secretary.

(Signed) CAPT. E. LAUBENSTEIN, Chief Marshal.

EDWARD DAPP (Signed)
Commander.

The SPEAKER. The communication will be spread upon the Journal of the House.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 17, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing for the recall of House Bill No. 384.

MARTIN G. BRUMBAUGH.

Mr. COX. Mr. Speaker, I move that the communication be laid upon the table.

Mr. MILNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1028, entitled

An Act authorizing James L. Baker and Mary A. Baker his wife of Harrisburg Dauphin County Pennsylvania to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—185.

Albee,	Fitzgibbon,	McKay,	Shattuck,
Arthur,	Flynn,	McKinney,	Showalter,
Aston,	Fowler,	McNichol,	Shunk,
Baker,	Franklin,	McPeake,	Siggins,
Baldi,	Fretz,	McVicar,	Simpson,
Baldridge,	Gans,	Mearkle,	Sinclair,
Barner,	Glass,	Mehring,	Smith, E. R.,
Bechtold,	Golder,	Mervine,	Smith, F. I.,
Bell,	Goodnough,	Michel,	Smith, L.,
Benchoff,	Goodwin,	Miller, A. D.,	Smith, O. W.,
Bennett,	Gormley,	Miller, Allan,	Snowden,
Benninger,	Graeff,	Miller, C. G.,	Snyder,
Beyer,	Graham,	Miller, G. J. A.,	Somerman,
Bidelspacher,	Gransback,	Milliron,	Sones,
Black,	Haldeman,	Milner,	Spangler,
Bouton, V. B.,	Hecht,	Mitchell,	Speicher,
Bovee,	Heffernan,	Morgan, T.,	Sprowls,
Boyd,	Helt,	Morgan, T. J.,	Stadtlander,
Brady,	Hess,	Murphy,	Steedle,
Burnett,	Heyburn,	Musser,	Sterling,
Campbell, J. O.,	Hibshman,	Neary,	Stern,
Campbell, T.,	Hoffman,	Ogden,	Stites,
Canon,	Hollingsworth,	Palmer,	Strauss,
Chestnut,	Horne,	Patterson,	Sullivan,
Christman,	Horton,	Perry,	Swartz,
Clements,	Hough,	Phillips,	Sweitzer,
Coldsmith,	Howarth,	Pickering,	Thomas,
Conner,	Isherwood,	Powell,	Ulsh,
Corbin,	Jack,	Ramsey,	Urich,
Cox,	Jennings,	Reichenbacker,	Vogdes,
Crosby,	Jones,	Reitzel,	Wagner,
Cummins,	Kennedy,	Reynolds,	Walker,
Curry,	Lafferty,	Rhoads, H. L.,	Wallace,
Davis, D. F.,	Lanius,	Rich,	Walker,
Davis, W.,	Laucks,	Rininger,	Weimer,
Dawson,	Lauler,	Ringler,	West,
Dean,	Lewis,	Robertson,	Whitaker,
Dell,	Lohr,	Rogers,	Wickman,
Dewey,	Luppert,	Ross,	Williams, J. P.,
Dithrich,	Malle,	Rothenberger,	Wobensmith,
Donneley,	Mangan,	Ruddy,	Wood,
Drinkhouse,	Marvin,	Rudisill,	Woodward,
Dunn,	McArdle,	Sampsel,	Wylie,
Eby,	McCaig,	Schaeffer, A. C.,	Wynne,
Ehrhardt,	McCullough,	Scott,	Zanders,
Erdman,	McCurdy,	Shaffer, C. A.,	Baldwin,
Fackler,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 995, entitled

An Act to prohibit the killing of foxes by certain methods in York County and fixing a penalty for violation of the act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. SPANGLER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. WILLIAM DAVIS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1090, entitled

An Act supplementing and amending section ten (10) of an act, entitled "An Act establishing a court for the

County of Philadelphia, prescribing its jurisdiction and powers, providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," approved the twelfth day of July, one thousand nine hundred and thirteen, by adding the words "and injuries to property" following the words "personal injuries," so that the exception in the said section shall read: "Except that in actions for damages for personal injuries and injuries to property it shall have jurisdiction where the sum demanded by the plaintiff does not exceed one thousand five hundred dollars ($1,500.00)."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—181.

Albee,	Erdman,	McNichol,	Showalter,
Arthur,	Fitzgibbon,	McPeake,	Shunk,
Aston,	Flynn,	Mearkle,	Siggins,
Baker,	Fowler,	Mehring,	Simpson,
Baldi,	Franklin,	Mervine,	Smith, E. R.,
Baldridge,	Fretz,	Michel,	Smith, F. I.,
Barner,	Gans,	Miller, A. D.,	Smith, L.,
Bechtold,	Geary,	Miller, Allan,	Smith, O. W.,
Bell,	Golder,	Miller, C. G.,	Snowden,
Benchoff,	Goodnough,	Miller, G. J. A.,	Snyder,
Bennett,	Goodwin,	Milliron,	Somerman,
Benninger,	Gormley,	Milner,	Sones,
Beyer,	Graham,	Mitchell,	Spangler,
Bidelspacher,	Haight,	Morgan, T.,	Sprowls,
Black,	Haldeman,	Morgan, T. J.,	Stadtlander,
Bouton, V. B.,	Heffernan,	Murphy,	Steedle,
Bovee,	Helt,	Musser,	Sterling,
Boyd,	Hess,	Neary,	Stern,
Brady,	Heyburn,	Ogden,	Stites,
Burnett,	Hibshman,	Palmer,	Stoffiet,
Campbell, J. O.,	Hoffman,	Patterson,	Strauss,
Campbell, T.,	Hollern,	Phillips,	Sullivan,
Canon,	Hollingsworth,	Pickering,	Swartz,
Chestnut,	Hough,	Powell,	Sweitzer,
Christman,	Isherwood,	Ramsey,	Thomas,
Clements,	Jack,	Reichenbacker,	Ulsh,
Coldsmith,	Jennings,	Reitzel,	Urich,
Conner,	Jones,	Reynolds,	Vickerman,
Corbin,	Kennedy,	Rhoads, H. L.,	Wagner,
Cook,	Lafferty,	Rich,	Wallace,
Cox,	Lanius,	Richards,	Walter,
Crosby,	Laucks,	Ringler,	Weimer,
Cummins,	Lauler,	Rininger,	Wells,
Curry,	Leary,	Robertson,	West,
Davis, D. F.,	Lewis,	Rogers,	Whitaker,
Davis, W.,	Lohr,	Ross,	Wickman,
Dawson,	Luppert,	Rothenberger,	Williams, G. W.
Dean,	Malie,	Ruddy,	Williams, J. P.,
Dell,	Mangan,	Rudisill,	Wobensmith,
Dewey,	Marvin,	Sampsel,	Wood,
Dithrich,	Maurer,	Sarig,	Woodward,
Donneley,	McArdle,	Schaeffer, A. C.,	Wylie,
Drake,	McCaig,	Scott,	Wynne,
Dunn,	McCurdy,	Shaffer, C. A.,	Zanders,
Eby,	McKay,	Shattuck,	Baldwin,
Ehrhardt,	McKinney,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 845, entitled

An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—180.

Albee,	Flynn,	McPeake,	Simpson,
Arthur,	Fowler,	Mearkle,	Sinclair,
Aston,	Franklin,	Mervine,	Smith, E. R.,
Baker,	Fretz,	Michel,	Smith, F. I.,
Baldridge,	Geary,	Miller, A. D.,	Smith, J. W.,
Barner,	Golder,	Miller, Allan,	Smith, L.,
Bechtold,	Goodnough,	Miller, C. G.,	Smith, O. W.,
Bell,	Goodwin,	Miller, G. J. A.,	Snowden,
Benchoff,	Gormley,	Milliron,	Somerman,
Beyer,	Graeff,	Milner,	Spangler,
Bidelspacher,	Graham,	Mitchell,	Speicher,
Black,	Gransback,	Morgan, T. J.,	Sprowls,
Boulton, H.,	Haight,	Murphy,	Stadtlander,
Bouton, V. B.,	Haldeman,	Musser,	Steedle,
Bovee,	Hecht,	Neary,	Sterling,
Boyd	Heffernan,	Ogden,	Stern,
Brady,	Hess,	Palmer,	Stites,
Burnett,	Heyburn,	Patterson,	Stoffiet,
Campbell, J. O.,	Hibshman,	Perry,	Strauss,
Campbell, T.,	Hollern,	Pickering,	Sullivan,
Canon,	Horne,	Powell,	Swartz,
Chestnut,	Horton,	Ramsey,	Sweitzer,
Christman,	Hough,	Rothenberger,	Taylor,
Clements,	Howarth,	Reitzel,	Thomas,
Coldsmith,	Isherwood,	Reynolds,	Ulsh,
Conner,	Jack,	Rhoads, H. L.,	Urich,
Cook,	Jennings,	Rhodes, W. M.,	Vickerman,
Corbin,	Jones,	Rich,	Vogdes,
Cox,	Kennedy,	Ringler,	Wagner,
Crosby,	Lafferty,	Rininger,	Walker,
Curry,	Lanius,	Robertson,	Wallace,
Davis, D. F.,	Laucks,	Rogers,	Walter,
Davis, W.,	Lauler,	Ross,	Weimer,
Dawson,	Lewis,	Rothenberger,	Wells,
Dean,	Lohr,	Ruddy,	Whitaker,
Dewey,	Luppert,	Rudisill,	Williams, G. W.
Dithrich,	Mangan,	Sampsel,	Williams, J. P.,
Donneley,	Marvin,	Sarig,	Wobensmith,
Drinkhouse,	Maurer,	Schaeffer, A. C.,	Wood,
Dunn,	McArdle,	Scott,	Woodward,
Eby,	McCaig,	Shaffer, C. A.,	Wylie,
Ehrhardt,	McCullough,	Shattuck,	Wynne,
Erdman,	McCurdy,	Showalter,	Zanders,
Helt,	McKay,	Shunk,	Baldwin,
Fackler,	McKinney,	Siggins,	Speaker.
Fitzgibbon,	McNichol,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MR. WALTER IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 962, entitled

An Act to prohibit the letting of prison labor by contract to regulate the employment of prisoners in all county prisons and reformatories regulating the disposition of the products of prison labor and providing penalty for its violations.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LEWIS. Mr. Speaker, I would like the sponsor of this bill to explain it.

Mr. STADTLANDER. Mr. Speaker, this is the bill pertaining to the letting of prison labor by contract and to regulate the employment of prisoners in all prisons and reformatories and includes the manufacture of brooms. As the law now stands they cannot make a contract with a foreign corporation or individual in the State of Pennsylvania and in the manufacture of brooms they evade the law in this way. They make a contract with firms, corporations and individuals outside of the State of Pennsylvania and ship the brooms outside of the State. That broom contains a prison number. These firms and persons having contracts place their number over the prison number and ship them back into Pennsylvania for sale. It is an act to prevent them doing something indirectly which they cannot do directly.

Mr. LEWIS. Mr. Speaker, this is a very vicious bill. It simply ties the hands of our officials at the prisons when they do manufacture brooms, as they cannot sell them. We have that labor and when they manufacture brooms they must find a sale for the product of that labor; they have to get a market for their products and this act simply prohibits that; it ties the hands of the officials and interferes with the labor of our State prisons and it is a detriment to the State. We simply want this bill

knocked out. It is a bad one to the State in general. I shall vote against it and I hope the rest of the members will do the same.

Mr. STADTLANDER. Mr. Speaker, this bill does not prohibit any contracts made with corporations within the State of Pennsylvania. You can still manufacture your brooms in prisons the same as in the past.

Mr. DEAN. Mr. Speaker, I would like to ask the gentleman if this law, if the bill is passed, will permit prison labor on farms? Last fall a number of persons went to the sheriffs to get prisoners to help out and sheriffs could parole prisoners to work on farms. They would go to our State prisons and reformatories and take prisoners away from the lockup on parole to gather apples, all last fall, which otherwise would have gone to waste.

On the question recurring,

Shall the bill pass finally?

Agreeably to the proviisons of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—98.

Arthur,	Dithrich,	McArdle,	Shunk,
Aston,	Donneley,	McCaig,	Siggins,
Baker,	Drake,	McCullough,	Simpson,
Baldi,	Flynn,	McKay,	Sinclair,
Baldridge,	Fowler,	McPeake,	Smith, E. R.,
Barner,	Fretz,	Michel,	Smith, F. I.,
Bechtold,	Gans,	Miller, A. D.,	Smith, J. W.,
Bell,	Geary,	Miller, G. J. A.,	Snowden,
Benchoff,	Goodwin,	Murphy,	Somerman,
Bennett,	Graeff,	Musser,	Sones,
Benninger,	Gransback,	Neary,	Speicher,
Beyer,	Heffernan,	Phillips,	Stadtlander,
Bouton, V. B.,	Helt,	Pickering,	Steedle,
Bovee,	Hollern,	Powell,	Stern,
Boyd,	Horne,	Reichenbacker,	Strauss,
Brady,	Horton,	Reynolds,	Sullivan,
Campbell, J. O.,	Hough,	Rhoads, H. L.,	Sweitzer,
Campbell, T.,	Howarth,	Ringler,	Taylor,
Canon,	Jennings,	Rininger,	Thomas,
Coldsmith,	Jones,	Rogers,	Wagner,
Cook,	Lafferty,	Rothenberger,	West,
Corbin,	Laucks,	Ruddy,	Wickman,
Crosby,	Lauler,	Rudisill,	Wylie,
Dawson,	Luppert,	Sarig,	Wynne,
Dewey,	Maurer,		

NAYS—47.

Bidelspacher,	Fitzgibbon,	Marvin,	Sterling,
Black,	Franklin,	Mervine,	Stites,
Conner,	Goodnough,	Milliron,	Urich,
Cox,	Haight,	Milner,	Wallace,
Cummins,	Hecht,	Morgan, T.,	Walter,
Curry,	Hess,	Ogden,	Weimer,
Dean,	Heyburn,	Patterson,	Williams, G. W.
Dell,	Hibshman,	Ramsey,	Williams, J. P.,
Drinkhouse,	Isherwood,	Reitzel,	Wobensmith,
Dunn,	Jack,	Robertson,	Wood,
Eby,	Lewis,	Sampsel,	Zanders,
Erdman,	Lohr,	Showalter,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the nagitave and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 752, entitled

An Act to amend sections one, three and five of article three of an act, entitled "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein and repealing, consolidating and extending existing laws in relation thereto," approved the twenty-seventh day of June, Anno Domini one thousand nine hundred thirteen.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. SNYDER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. PHILLIPS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1020, as follows:

An Act relating to tax assessment returns in certain counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the tax assessors of each city borough ward or township in counties having a population of not less than twenty thousand nor more than fifty thousand inhabitants in making the triennial assessment and the intermediate annual assessments shall include in their return to the county commissioners the acutal value of all seated real property assessed by them the acreage or area of each piece of real estate assessed and the names of at least four owners of property adjoining if there are so many of the number of the lot or section with the adjoining streets or alleys in the plan of any city borough or town

Section 2 All acts and parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. DRAKE. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of amendment.

Mr. FRANK I. SMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 832, entitled

An Act to require that every future act of the General Assembly be given a short title for convenience of citation and to require the Legislature Reference Bureau to report to the next session of the General Assembly a list of short titles for certain acts now in force.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Arthur,	Fackler,	McCullough,	Shunk,
Aston,	Fitzgibbon,	McCurdy,	Siggins,
Baldi,	Fowler,	McKay,	Simpson,
Baldridge,	Franklin,	McKinney,	Sinclair,
Barner,	Fretz,	McNichol,	Smith, E. R.,
Bechtold,	Gans,	McPeake,	Smith, F. I.,
Bell,	Geary,	Mearkle,	Smith, J. W.,
Benchoff,	Glass,	Mehring,	Smith, O. W.,
Bennett,	Golder,	Mervine,	Snowden,
Benninger,	Goodnough,	Miller, A. D.,	Snyder,
Beyer,	Gormley,	Miller, Allan,	Somerman,
Bidelspacher,	Graeff,	Miller, G. J. A.,	Sones,
Black,	Graham,	Milliron,	Spangler,
Boulton, H.,	Gransback,	Milner,	Speicher,
Bouton, V. B.,	Haight,	Mitchell,	Sprowls,
Bovee,	Haldeman,	Morgan, T. J.,	Stadtlander,
Boyd,	Hecht,	Murphy,	Steedle,
Brady,	Heffernan,	Musser,	Sterling,
Burnett,	Helt,	Neary,	Stern,
Campbell, J. O.,	Hess,	Ogden,	Stites,
Campbell, T.,	Heyburn,	Palmer,	Stofflet,
Canon,	Hibshman,	Patterson,	Strauss,
Chestnut,	Hoffman,	Perry,	Swartz,
Christman,	Hollern,	Phillips,	Sweitzer,
Clements,	Horne,	Pickering,	Taylor,
Coldsmith,	Horton,	Powell,	Ulsh,
Conner,	Hough,	Ramsey,	Urich,
Cook,	Howarth,	Reitzel,	Vickerman,
Corbin,	Isherwood,	Reynolds,	Vogdes,
Cox,	Jennings,	Rhoads, H. L.,	Wagner,
Crosby,	Jack,	Rich,	Wallace,
Cummins,	Jennings,	Ringler,	Walter,
Curry,	Jones,	Rininger,	Weimer,
Davis, D. F.,	Kennedy,	Robertson,	Wells,
Davis, W.,	Lanius,	Rogers,	West,
Dawson,	Laucks,	Ross,	Whitaker,
Dean,	Lanius,	Rothenberger,	Williams, G. W.
Dell,	Leary,	Ruddy,	Williams, J. P.,
Dewey,	Lewis,	Rudisill,	Wobensmith,
Dithrich,	Lohr,	Sampsel,	Wood,
Donneley,	Luppert,	Sarig,	Woodward,
Drake,	Malie,	Schaeffer, A. C.,	Wylie,
Drinkhouse,	Marvin,	Scott,	Wynne,
Dunn,	Maurer,	Shaffer, C. A.,	Zanders,
Eby,	McArdle,	Shattuck,	Baldwin,
Ehrhardt,	McCaig,	Showalter,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 224, entitled

An Act to amend clause eighteen of section nineteen of an act approved the twenty-eighth day of April one thousand nine hundred fifteen (Pamphlet Laws one hundred seventy-eight) entitled "An Act creating a Division of Distribution of Documents defining its powers and duties regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Arthur,	Fackler,	McCaig,	Shaffer, C. A.,
Aston,	Flynn,	McCullough,	Shattuck,
Baldi,	Fowler,	McCurdy,	Showalter,
Baldridge,	Franklin,	McKay,	Shunk,
Barner,	Fretz,	McKinney,	Siggins,
Bechtold,	Gans,	McNichol,	Simpson,
Bell,	Geary,	McPeake,	Sinclair,
Benchoff,	Glass,	McVicar,	Smith, E. R.,
Bennett,	Golder,	Mearkle,	Smith, J. W.,
Benninger,	Goodnough,	Mehring,	Smith, L.,
Beyer,	Goodwin,	Mervine,	Smith, O. W.,
Bidelspacher,	Gormley,	Michel,	Snowden,
Black,	Graeff,	Miller, A. D.,	Snyder,
Boulton, H.,	Graham,	Miller, Allan,	Somerman,
Bouton, V. B.,	Gransback,	Miller, C. G.,	Sones,
Bovee,	Haight,	Miller, G. J. A.,	Spangler,
Brady,	Haldeman,	Milliron,	Speicher,
Burnett,	Hecht,	Milner,	Sprowls,
Campbell, J. O.,	Heffernan,	Mitchell,	Stadtlander,
Campbell, T.,	Helt,	Morgan, T.,	Steedle,
Canon,	Hess,	Morgan, T. J.,	Sterling,
Chestnut,	Heyburn,	Musser,	Stern,
Christman,	Hibshman,	Neary,	Stites,
Clements,	Hoffman,	Ogden,	Strauss,
Coldsmith,	Hollern,	Palmer,	Sullivan,
Conner,	Hollingsworth,	Patterson,	Swartz,
Cook,	Horne,	Perry,	Sweitzer,
Corbin,	Horton,	Phillips,	Taylor,
Cox,	Hough,	Powell	Thomas,
Crosby,	Howarth,	Ramsey,	Urich,
Cummins,	Isherwood,	Reynolds,	Vogdes,
Curry,	Jack,	Rhoads, H. L.,	Wagner,
Davis, D. F.,	Jennings,	Rhodes, W. M.,	Walker,
Davis, W.,	Jones,	Rich,	Wallace,
Dawson,	Kennedy,	Ringler,	Weimer,
Dean,	Lafferty,	Rininger,	Wells,
Dell,	Laucks,	Robertson,	West,
Dewey,	Lauler,	Rogers,	Whitaker,
Dithrich,	Leary,	Ross,	Williams, G. W.
Donneley,	Lewis,	Rothenberger,	Williams, J. P.,
Drake,	Lohr,	Ruddy,	Wobensmith,
Drinkhouse,	Luppert,	Rudisill,	Woodward,
Dunn,	Mangan,	Sampsel,	Wylie,
Eby,	Marvin,	Sarig,	Wynne,
Ehrhardt,	Maurer,	Schaeffer, A. C.	Zanders,
Erdman,	McArdle,	Scott,	Baldwin, Speaker.

NAYS—1.

Walter,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, April 18, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 219, entitled, "An Act to authorize counties cities boroughs towns townships school districts and poor districts to require a bond to protect labor and material men and providing for suits thereon by laborers and material men furnishing labor and material in and about the erection alteration addition and repair of public buildings."

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, April 18, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 205, entitled "An Act authorizing Louis Gumbiner a resident of Phliadelphia County State of Pennsylvania to sue the Commonwealth of Pennsylvania in the court of Common Pleas of Dauphin County for the amount of such part if any of a certain wholesale liquor license fee as required by and paid by him to the treasurer of the city and county of Philadelphia in excess of the amount of such fee as was justly and legally due and payable.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 937 (Senate Bill No. 217), entitled

An Act preventing the manufacture sale or transportation within the Commonwealth of adulterated or misbranded paris greens lead arsenates lime-sulphur compounds and other insecticides and fungicides and regulating traffic therein providing for inspection of such materials and imposing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. SHOWALTER. Mr. Speaker, the intent of this bill is all right, but I fear it is far reaching. The bill provides that any person who sells paris-green that does not meet the requirements of this act will be fined and guilty of a misdemeanor. A great many storekeepers throughout the State handle paris-green. These men when they receive these shipments of paris-green do not know what they contain. This bill will hold them responsible for the ingredients of all such paris-green. Now if the bill provided that the manufacturer who knows what is in this paris-green would be responsible for the sale of it, I would perfectly agree to it, or if the bill provided that any storekeeper who knowingly sold paris-green that did not meet the requirements of this bill, I would feel that it is all right. As the bill is written a great many of the storekeepers will no doubt have paris-green on their shelves when the inspector comes around, and he will find that it does not meet the requirements of this bill, and the next thing they will arrest the storekeeper and he will be subject to a fine. I know of one case where the Food Department went into a store and examined some vinegar which the storekeeper bought thinking it met the requirements of the Vinegar Act, they arrested him and made him pay a fine. He was innocent, yet he was subject to a fine. Now if the Department had gone out to the manufacturer of that product, and the provisions of such bill would be all right, I would be in favor of it, but when it is likely to take in a great many innocent men I think it is too far reaching. If the Senator who introduced this bill would consent to have it amended that it would take in store-

keepers who intentionally handle this product that is not up to the standard, I will agree to it; otherwise I cannot.

BILL RECOMITTED.

Mr. LOHR. Mr. Speaker, I think it would be quite out of place to defeat this bill at the present time. The intention of it is all right. The provisions of this bill may be a little too stringent, but at this time when we are trying to increase the production of our foodstuffs in this State especially, it is very discouraging to have a farmer spray his plants and after the spray has been put on find that the paris-green is bogus, did not have any strength, and the result is that the blight is not cured, that the labor and the time have been wasted. I think we need a bill of this nature.

For the purpose of amendment, I move, Mr. Speaker, that this bill be recommitted to the Committee on Agriculture for the purpose of amendment.

Mr. ALLAN D. MILLER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 959 (Senate Bill No. 201), entitled:

An Act authorizing cities boroughs and towns to lease water supply works and system providing for the operation thereof and the establishment of rates.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the council of any city borough or town of the Commonwealth of Pennsylvania may on behalf of such city borough or town enter into a contract with any private individual co-partnership association or corporation for the leasing of any water supply works system and property or both of such private individual co-partnership association or corporation.

Section 2 The said leasing may be for such term of years and at such rental as shall be agreed upon by the city borough or town and the private individual co-partnership association or corporation

Section 3 The property so acquired shall be operated in the same manner as if the same had been acquired by such city borough or town by purchase or condemnation proceedings

Section 4 The council of the city borough or town with the consent of the Public Service Commission shall fix the rates to be charged for the water furnished within the limits of such city borough or town to individuals copartnerships associations or corporations.

Section 5 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—110.

Arthur,	Fowler,	Miller, A. D.,	Simpson,
Aston,	Franklin,	Miller, C. G.,	Sinclair,
Baker,	Fretz,	Miller, G. J. A.,	Smith, E. R.,
Baldridge,	Gans,	Morgan, T.,	Smith, J. W.,
Bechtold,	Graeff,	Murphy,	Somerman,
Bell,	Graham,	Musser,	Sones,
Benninger,	Gransback,	Neary,	Spangler,
Beyer,	Haight,	Ogden,	Sprowls,
Bidelspacher,	Haldeman,	Palmer,	Stadtlander,
Bouton, V. B.,	Hecht,	Perry,	Steedle,
Bovee,	Heffernan,	Pickering,	Stofflet,
Boyd,	Heyburn,	Powell,	Sullivan,
Brady,	Hollern,	Ramsey,	Taylor,
Campbell, T.,	Horne,	Reichenbacker,	Thomas,
Canon,	Jack,	Rich,	Ulsh,
Chestnut,	Jones,	Rininger,	Urich,
Clements,	Lafferty,	Robertson,	Vickerman,
Coldsmith,	Lauler,	Rogers,	Vogdes,
Cook,	Lohr,	Ross,	Wagner,
Crosby,	Luppert,	Ruddy,	Walter,
Davis, W.,	Marvin,	Sarig,	Weimer,
Dawson,	McArdle,	Schaeffer, A. C.,	West,
Dell,	McCaig,	Scott,	Wickman,
Dithrich,	McCullough,	Shaffer, C. A.,	Williams, G. W.
Donneley,	McKinney,	Shattuck,	Wood,
Eby,	Mearkle,	Showalter,	Woodward,
Ehrhardt,	Mervine,	Shunk,	Wylie,
Flynn,	Michel,	Siggins,	

NAYS—42.

Baldi,	Dunn,	Kennedy,	Phillips,
Benchoff,	Fackler,	Lanius,	Reitzel,
Black,	Fitzgibbon,	Leary,	Reynolds,
Conner,	Geary,	Lewis,	Rothenberger,
Corbin,	Glass,	McCurdy,	Sampsel,
Cox,	Golder,	McNichol,	Sterling,
Cummins,	Hibshman,	Mehring,	Sweitzer,
Curry,	Hough,	Miller, Allan,	Wallace,
Dean,	Howarth,	Milner,	Williams, J. P.,
Dewey,	Isherwood,	Mitchell,	Wobensmith,
Drinkhouse,	Jennings,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments, in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 678 (Senate Bill No. 186), entitled

An Act relating to the appointment of persons to the fire departments in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation of a secretary.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—161.

Arthur,	Franklin,	McPeake,	Sinclair,
Aston,	Fretz,	Mearkle,	Smith, E. R.,
Baldi,	Gans,	Mehring,	Smith, F. I.,
Baldridge,	Geary,	Mervine,	Smith, J. W.,
Barner,	Glass,	Michel,	Smith, O. W.,
Bechtold,	Golder,	Miller, A. D.,	Snowden,
Bell,	Goodnough,	Miller, Allan,	Somerman,
Benchoff,	Goodwin,	Miller, C. G.,	Sones,
Benninger,	Gormley,	Milliron,	Spangler,
Beyer,	Graeff,	Mitchell,	Speicher,
Bidelspacher,	Graham,	Morgan, T.,	Sprowls,
Black,	Gransback,	Morgan, T. J.,	Stadtlander,
Bovee,	Haight,	Murphy,	Steedle,
Boyd,	Haldeman,	Musser,	Sterling,
Brady,	Hecht,	Neary,	Stern,
Campbell, J. O.,	Heffernan,	Ogden,	Stofflet,
Campbell, T.,	Hollern,	Palmer,	Strauss,
Christman,	Horne,	Patterson,	Sullivan,
Clements,	Horton,	Perry,	Swartz,
Coldsmith,	Hough,	Phillips,	Sweitzer,
Conner,	Howarth,	Pickering,	Taylor,
Cook,	Isherwood,	Reynolds,	Urich,
Corbin,	Jack,	Rhoads, H. L.,	Vickerman,
Cox,	Jennings,	Rich,	Vogdes,
Crosby,	Jones,	Ringler,	Wallace,
Cummins,	Lafferty,	Rininger,	Walter,
Davis, W.,	Lauler,	Robertson,	Weimer,
Dell,	Lewis,	Rogers,	West,
Dewey,	Lohr,	Rothenberger,	Whitaker,
Dithrich,	Luppert,	Ruddy,	Wickman,
Donneley,	Mangan,	Rudisill,	Williams, G. W.
Drake,	Marvin,	Sampsel,	Williams, J. P.,
Drinkhouse,	Maurer,	Sarig,	Wobensmith,
Dunn,	McArdle,	Schaeffer, A. C.,	Wood,
Eby,	McCaig,	Shaffer, C. A.,	Woodward,
Ehrhardt,	McCullough,	Shattuck,	Wylie,
Erdman,	McCurdy,	Showalter,	Wynne,
Fackler,	McKay,	Shunk,	Zanders,
Flynn,	McKinney,	Siggins,	Baldwin,
Fowler,	McNichol,	Simpson,	Speaker.

NAYS—4.

Curry,	Hess,	Ramsey,	Reitzel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 243, entitled

A Joint Resolution proposing an amendment to article nine of the Constitution of Pennsylvania.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. HECHT. Mr. Speaker, I move the further consideration of this bill be postponed.
Mr. GOLDER. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 244, entitled

A Joint Resolution proposing an amendment to article nine of the Constitution of Pennsylvania.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. HECHT. Mr. Speaker, I move the further consideration of this bill be postponed.
Mr. GOLDER. Mr. Speaker, I second the motion.
The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1071, entitled

An Act granting to the borough of Norristown a right of way over the lands of the State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown and providing for the payment of damages.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?
Mr. PHILLIPS. Mr. Speaker, I would like to have the sponsor of the bill explain it.
Mr. BOYD. Mr. Speaker, this bill simply provides for the continuation of a road and joining it with a street in the Borough of Norristown. The bill provides that the trustees shall favor this and shall be paid any damages by the town that might come from this continuation. It runs along the line of the property of the asylum, and would be a benefit to that institution as well as to the town, and I think there is nothing in the bill that would keep any member from voting for it.
On the question recurring,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—178.

Albee,	Erdman,	McArdle,	Scott,
Arthur,	Fackler,	McCaig,	Shaffer, C. A.,
Aston,	Fitzgibbon,	McCullough,	Shattuck,
Baker,	Flynn,	McCurdy,	Showalter,
Baldi,	Fowler,	McKay,	Shunk,
Baldridge,	Franklin,	McKinney,	Siggins,
Barner,	Fretz,	McNichol,	Simpson,
Bechtold,	Gans,	McPeake,	Sinclair,
Bell,	Geary,	McVicar,	Smith, E. R.,
Benchoff,	Glass,	Mearkle,	Smith, F. I.,
Bennett,	Golder,	Mehring,	Smith, J. W.,
Benninger,	Goodnough,	Mervine,	Smith, L.,
Beyer,	Goodwin,	Michel,	Smith, O. W.,
Bidelspacher,	Gormley,	Miller, A. D.,	Snowden,
Black,	Graeff,	Miller, Allan,	Snyder,
Boulton, H.,	Graham,	Miller, C. G.,	Somerman,
Bouton, V. B.,	Gransback,	Miller, G. J. A.,	Sones,
Bovee,	Haight,	Milliron,	Spangler,
Boyd,	Haldeman,	Milner,	Speicher,
Brady,	Hecht,	Mitchell,	Sprowls,
Burnett,	Heffernan,	Morgan, T. J.,	Stadtlander,
Campbell, J. O.,	Hess,	Murphy,	Steedle,
Campbell, T.,	Heyburn,	Musser,	Sterling,
Canon,	Hibshman,	Neary,	Stern,
Chestnut,	Hoffman,	Ogden,	Stites,
Christman,	Hollern,	Palmer,	Strauss,
Clements,	Hollingsworth,	Patterson,	Sullivan,
Coldsmith,	Horne,	Perry,	Thomas,
Conner,	Hough,	Phillips,	Ulsh,
Cook,	Howarth,	Pickering,	Urich,
Corbin,	Jack,	Powell,	Vogdes,
Cox,	Jennings,	Ramsey,	Wagner,
Crosby,	Jones,	Reichenbacker,	Walker,
Cummins,	Kennedy,	Reitzel,	Wallace,
Curry,	Lafferty,	Reynolds,	Walter,
Davis, W.,	Lanius,	Rhoads, H. L.,	Weimer,
Dawson,	Laucks,	Ringler,	West,
Dean,	Lauler,	Rininger,	Williams, G. W.
Dell,	Leary,	Robertson,	Wood,
Dewey,	Lewis,	Rogers,	Woodward,
Dithrich,	Lohr,	Ross,	Wylie,
Donneley,	Luppert,	Rothenberger,	Wynne,
Dunn,	Mangan,	Sampsel,	Zanders,
Eby,	Marvin,	Sarig,	Baldwin,
Ehrhardt,	Maurer,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.
Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 999, entitled

An Act authorizing the Governor to fill vacancies in the office of county commissioners in certain counties.

And said bill having been read at length the third time, considered and agreed to,
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135.

Albee,	Dell,	Hough,	Perry,
Arthur,	Dewey,	Isherwood,	Phillips,
Aston,	Dithrich,	Jack,	Powell,
Baker,	Donneley,	Jennings,	Reichenbacker,
Baldi,	Drake,	Jones,	Rich,
Baldridge,	Drinkhouse,	Kennedy,	Ringler,
Bechtold,	Dunn,	Lafferty,	Robertson,
Benninger,	Ehrhardt,	Laucks,	Ross,
Beyer,	Erdman,	Lauler,	Rothenberger,
Bidelspacher,	Fackler,	Leary,	Showalter,
Black,	Flynn,	Lohr,	Shunk,
Bouton, V. B.,	Franklin,	Mangan,	Simpson,
Bovee,	Fretz,	Marvin,	Smith, F. I.,
Boyd,	Gans,	Maurer,	Smith, J. W.,
Brady,	Geary,	McArdle,	Somerman,
Burnett,	Glass,	McCaig,	Sones,
Campbell, J. O.,	Golder,	McCullough,	Spangler,
Campbell, T.,	Goodnough,	McCurdy,	Speicher,
Canon,	Goodwin,	McKay,	Sprowls,
Chestnut,	Gormley,	McKinney,	Steedle,
Christman,	Graeff,	McNichol,	Sterling,
Clements,	Graham,	McPeake,	Stern,
Coldsmith,	Gransback,	Mearkle,	Stites,
Conner,	Haight,	Mehring,	Sweitzer,
Corbin,	Haldeman,	Mervine,	Taylor,
Cook,	Hecht,	Miller, A. D.,	Thomas,
Cox,	Heffernan,	Miller, Allan,	Walker,
Crosby,	Helt,	Miller, C. G.,	Wallace,
Cummins,	Hess,	Miller, G. J. A.,	Weimer,
Curry,	Hibshman,	Milner,	Wickman,
Davis, D. F.,	Hoffman,	[illegible]hy,	Williams, J. P.,
Davis, W.,	Hollern,	Musser,	Wobensmith,
Dawson,	Hollingsworth,	Neary,	Wynne,
Dean,	Horne,	Palmer,	

NAYS—16.

Barner,	Reitzel,	Sampsel,	Ulsh,
Heyburn,	Rininger,	Shaffer, C. A.,	Urich,
Lanius,	Ruddy,	Siggins,	West,
Ramsey,	Rudisill,	Strauss,	Williams, G. W.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.
Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1117, as follows:

An Act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania or by any county or municipality thereof in its civil service who

have a wife children or parents dependents upon them for support, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment in the army or navy of the United States in time of war or contemplated war prohibiting the removal from their offices of employments of such officers and employed during the period of their service in the army or navy directing that one-half of the salaries or wages of such officers or employes not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents thereof authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any appointive officer or employe regularly employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county or municipality within the Commonwealth shall in time of war or contemplated war enlist in the army or navy of the United States having a wife children or parents dependent upon him for support he shall not be deemed or held to have thereby resigned from or abandoned his said office or employment nor shall he be removable therefrom during the period of his service in the army or navy but the duties of his said office or employment shall during said period be performed by a substitute who shall be appointed by the same authority who appointed such officer or employe if such authority shall deem the employment of such substitute necessary and such substitute shall receive so much of the salary or wages attached to said office or employment as shall not be paid to the dependent or dependents of said officer or employe as hereinafter provided and such substitute may receive such further compensation from appropriations made for that purpose or otherwise as may be required when added to the amount received under the provisions of this act to constitute a reasonable compensation for his services in the opinion of the authority appointing him

Section 2 Any said officer or employe so enlisting and having a dependent or dependents as aforesaid may at the time of his enlistment or immediately thereafter file with the head or chief of the department bureau commission or office in which he is employed a statement in writing executed under oath setting forth the fact and date of his enlistment his intention to retain his said office or employment and to resume the duties thereof after the expiration of his service in the army or navy and the names and addresses of his wife children and dependent parent or parents if any such he have and requesting and directing that one-half of the salary or wages of his said office or employment not exceeding two thousand ($2,000.00) dollars per annum shall be paid during his service in the army or navy as follows If he have a wife to his wife for her use and that of his children if he have children and no wife then to such person as he may designate for the use and benefit of his children If he have a dependent parent or parents then he shall direct such sum as he has theretofore been accustomed to contribute to their support to be paid to them and the amount payable to his wife or children if any he have shall be proportionately decreased If he have no wife or children he may direct the entire one-half of his said salary or wages not exceeding two thousand ($2,000.00) dollars per annum to be paid to his dependent parent or parents if any such he have all sums so directed to be paid shall be paid to the person designated in the same porportional installments as nearly as may be as the salary or wages of the soldier were theretofore paid to him With such statement he shall also file powers of attorney authorizing the proper dependents to receive their proportion of said salary or wages as aforesaid

Section 3 The statement required to be filed by section two of this act shall be prima facie evidence of the dependency of any person named as a dependent in said statement but the head of any department bureau commission or office may in case of doubt satisfy himself as to the fact of such dependency and if the person so nominated as a dependent was not in fact dependent upon the officer or employe enlisting in the army or navy at the time of his enlistment shall refuse to make any payment to such person on account of the salary or wages of such officer or employe Such head of a department bureau commission or office shall also satisfy himself before making payments to dependents under the provisions of this act that the officer or employe was alive during the period for which any payment is made No payment shall be made under the provisions of this act to any officer or employe enlisting as aforesaid and so much of the salary or wages of such officer or employe as is not paid under the provisions of this act to his dependents and his substitute shall be recovered back into the fund from which said salary or wages is paid

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. BEYER. Mr. Speaker, I have been asked by several members to explain this bill. This bill is a military measure and provides that all employes, either county or city employes, who are enlisted in the army of the United States, shall not, by reason of their enlistment, be held to have surrendered the positions they held at the time of the enlistment. It further provides that so much of their salary as may be necessary for the support of a wife or family or parent dependent upon them for support shall be paid out of the salary, and only the balance given to those who take the positions.

It adds nothing to the expense of the office, but simply parcels out the salary between the man who has enlisted and the man who takes his place, and it was because of the present condition of affairs that this bill has been introduced.

Mr. BENCHOFF. Mr. Speaker, I think this bill discriminates against a certain class. It protects one class, those who have a position, a well paying one, and discards one class that will likely undergo just the same hardship and be just as valuable to the country as the ones protected under this bill. Therefore, I am going to vote against the bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—163.

Albee,	Geary,	McPeake,	Simpson,
Arthur,	Glass,	Mearkle,	Sinclair,
Baker,	Golder,	Mehring,	Smith, E. R.,
Baldi,	Goodnough,	Michel,	Smith, F. I.,
Baldridge,	Goodwin,	Miller, A. D.,	Smith, J. W.,
Barner,	Gormley,	Miller, C. G.,	Smith, O. W.,
Bechtold,	Graeff,	Milliron,	Snowden,
Benninger,	Graham,	Milner,	Snyder,
Beyer,	Gransback,	Morgan, T.,	Sones,
Bidelspacher,	Haight,	Morgan, T. J.,	Spangler,
Black,	Haldeman,	Murphy,	Speicher,
Boulton, H.,	Hecht,	Musser,	Sprowls,
Bouton, V. B.,	Heffernan,	Neary,	Stadtlander,
Bovee,	Helt,	Ogden,	Steedle,
Boyd,	Hess,	Palmer,	Sterling,
Brady,	Heyburn,	Patterson,	Stites,
Burnett,	Hibshman,	Perry,	Stoffiet,
Campbell, T.,	Hoffman,	Phillips,	Strauss,
Canon,	Hollern,	Pickering,	Sullivan,
Chestnut,	Hollingsworth,	Powell,	Swartz,
Christman,	Horne,	Ramsey,	Ulsh,
Clements,	Hough,	Reichenbacker,	Urich,
Coldsmith,	Howarth,	Reynolds,	Vogdes,
Conner,	Isherwood,	Rhoads, H. L.,	Wagner,
Corbin,	Jack,	Rich,	Walker,
Cox,	Jennings,	Robertson,	Wallace,
Crosby,	Jones,	Ringler,	Walter,
Cummins,	Lafferty,	Rininger,	Weimer,
Curry,	Lanius,	Robertson,	West,
Davis, W.,	Laucks,	Rogers,	Whitaker,
Dawson,	Lauler,	Ross,	Wickman,
Dell,	Leary,	Rothenberger,	Williams, G. W.
Dithrich,	Lewis,	Ruddy,	Williams, J. P.,
Drinkhouse,	Lohr,	Sarig,	Wobensmith,
Dunn,	Luppert,	Schaeffer, A. C.,	Wood,
Eby,	Marvin,	Scott,	Woodward,
Ehrhardt,	Maurer,	Shaffer, C. A.,	Wylie,
Erdman,	McArdle,	Shattuck,	Wynne,
Fitzgibbon,	McCaig,	Showalter,	Zanders,
Franklin,	McCullough,	Shunk,	Baldwin,
Fretz,	McCurdy,	Siggins,	Speaker.
Gans,	McNichol,		

NAYS—4.

Benchoff,	Cook,	Dean,	Rudisill,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1056, entitled

An Act authorizing the Commissioner of Health to accept private and philanthropic donations to assist in the care and treatment of indigent tuberculous persons.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. STEEDLE. Mr. Speaker, I would like the sponsor of this bill, the gentleman from Armstrong, to explain its

provisions and advise us why it is a necessary proposition. I do not see the necessity for this bill.

Mr. MILLIRON. Mr. Speaker, I do not know anything about the bill. I never read it. I dont' know what its provisions are. It was handed to me by the Department of Health, of which my friend from Allegheny is a partner, and I am doing it for you people. I say it is a good bill or it would not be sponsored by the medical profession.

Mr. STEEDLE. Mr. Speaker, I will have to enlighten my friend from Armstrong that I am not a part of the Department of Health. I only act in my capacity as a professional man, Doctor of Medicine, at times for my people. I feel that if it is not asking too much from the gentleman from Armstrong I should like him to postpone further consideration of this bill until we have an opportunity to read and understand its provisions. I want to act fairly on the proposition and hope he will do this for us.

BILL POSTPONED.

Mr. MILLIRON. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 950, entitled

An Act providing for vacating part or parts of any abandoned or condemned turnpike forming part of a State highway route where the course of said route has been diverted leaving such part or parts of said turnpike outside the limits thereof and providing upon such vacation the same shall become township road.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LANIUS. Mr. Speaker, I would like the sponsor of this bill to kindly explain its provisions.

Mr. SIGGINS. Mr. Speaker and gentlemen, this bill was prepared for the County Commissioners' Association of the State and introduced by me at its request and perhaps it can be best explained if I read a letter from the person who drafted the bill for the association. The letter is as follows:

Replying to your favor of the 7th: "Abandoned and condemned turnpikes since the Act of 1911 are county roads to be maintained at the expense of the county in which the road lies. These roads were built at a very early date and not much regard was paid to grades or curves. Under Section 8 of the Sproul Act of 1911 P. L. 514 the Highway Commissioner is authorized to divert the route of any State Highway created by the Act. Under this Act many abandoned and condemned turnpikes are made State Highways. We have several such in this county. The Highway Commissioner in making permanent improvements of the State Highways, in many instances diverts the route from the original location in order to get a better grade or to avoid curves. In doing this the old road is abandoned by the Highway Department and in many cases is absolutely useless for any purpose whatever. Some of these stretches or road are as short as 150 feet in length, others of them may be a quarter of a mile or a mile in length, the length of them being according to the circumstances. Some of them have a house at the side of the road. In our county we have one short stretch of road in shape of a horse shoe on which there is a school house. The Attorney General in an opinion to the Highway Commissioner, holds that the diverting of a route created under the Act of 1911 does not automatically vacate that part of the route abandoned, that the law applying to vacation of roads still applies to these abandoned parts or State Highways. Under the law applying to vacating portions of the Highways the petition for vacation must be signed by the residents of the township in which the road lies. Consequently under the law as it now obtains all these parts of turnpikes that were made State Highways under the Act of 1911, and will be made State Highways under future acts, that have been abandoned by the Highway Commissioner in diverting routes of State Highways, remain county roads and can only be vacated by the County Commissioners through proceedings under the general law applying to vacating public roads or portions thereof. The County Commissioners unless these short stretches of road are vacated must keep them up for fear somebody will undertake to travel over them and meet with an injury. In a large majority of cases these pieces of road are absolutely useless to anybody, and in other cases they are of use to the person or persons living alongside them and are no use to the general public. Under the County Road Act of 1911 P. L. 244, Section 20, the County Commissioners with the approval of the Court of Quarter Sessions and the Grand Jury, are authorized to vacate any portion of a road made a county road under said Act, and thereafter the portions so vacated shall be township roads.

In order to avoid the expense and inconvenience under the present law of vacating these parts of turnpikes which have been abandoned by the Highway Commissioner I believe it to be entirely proper and just to give the County Commissioners, with the consent of the Court of Quarter Sessions and the Grand Jury, the power to vacate such roads as county roads, leaving them thereafter as township roads as is done under the Road Law of 1911, so that if the people of the particular township desire to use them they may do so, and if they do not desire they can have them vacated."

Is the explanation satisfactory to the gentleman from York?

Mr. LANIUS. Mr. Speaker, it is.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albee,	Franklin,	McNichol,	Siggins,
Arthur,	Fretz,	McPeake,	Simpson,
Aston,	Gans,	McVicar,	Sinclair,
Baker,	Glass,	Mearkle,	Smith, E. R.,
Baldi,	Golder,	Mehring,	Smith, F. L.,
Baldridge,	Goodnough,	Mervine,	Smith, J. W.,
Barner,	Goodwin,	Michel,	Smith, L.,
Bechtold,	Gormley,	Miller, A. D.,	Smith, O. W.,
Bell,	Graeff,	Miller, C. G.,	Snowden,
Benchoff,	Graham,	Miller, G. J. A.,	Snyder,
Benninger,	Gransback,	Milliron,	Sones,
Beyer,	Haight,	Milner,	Spangler,
Black,	Haldeman,	Mitchell,	Speicher,
Bouton, V. B.,	Hecht,	Morgan, T. J.,	Sprowls,
Beyer,	Heffernan,	Murphy,	Stadtlander,
Boyd,	Helt,	Musser,	Steedle,
Burnett,	Hess,	Neary,	Sterling,
Campbell, J. O.,	Heyburn,	Ogden,	Stern,
Campbell, T.,	Hollern,	Patterson,	Stofflet,
Canon,	Hollingsworth,	Perry,	Strauss,
Chestnut,	Horton,	Phillips,	Sullivan,
Christman,	Hough,	Pickering,	Swartz,
Clements,	Howarth,	Powell,	Sweitzer,
Coldsmith,	Isherwood,	Reichenbacker,	Thomas,
Conner,	Jack,	Reitzel,	Urich,
Cook,	Jennings,	Reynolds,	Vogdes,
Cox,	Jones,	Rhoads, H. L.,	Wagner,
Crosby,	Kennedy,	Rhodes, W. M.,	Walker,
Cummins,	Lanius,	Rich,	Wallace,
Curry,	Laucks,	Ringler,	Walter,
Davis, D. F.,	Lauler,	Rininger,	Weimer,
Davis, W.,	Leary,	Robertson,	Wells,
Dawson,	Lewis,	Rogers,	West,
Dell,	Lohr,	Ross,	Whitaker,
Dewey,	Luppert,	Rothenberger,	Wickman,
Dithrich,	Malie,	Ruddy,	Williams, G. W.
Donneley,	Mangan,	Rudisill,	Williams, J. P.,
Drinkhouse,	Marvin,	Sampsel,	Wobensmith,
Dunn,	Maurer,	Sarig,	Wood,
Eby,	McArdle,	Schaeffer, A. C.,	Wylie,
Ehrhardt,	McCaig,	Scott,	Wynne,
Erdman,	McCurdy,	Shaffer, C. A.,	Zanders,
Fitzgibbon,	McKay,	Sweitzer,	Baldwin,
Flynn,	McKinney,	Shunk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 40, as follows:

An Act amending an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by increasing the amount of salary to be paid to the judges of the municipal court of Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and power providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" which reads as follows

Section 2 The judges of said court shall be learned in the law and shall be elected by the duly qualified electors of said county for terms of ten years if they so long behave themselves well

The president judge shall receive a salary of six thousand five hundred ($6,500.00) dollars per annum and the associate judges shall receive salaries of six thousand dollars payable by the State in the same manner that the salaries of the judges of the courts of common pleas are paid The term of office of the judges of the court shall begin on the first Monday of January following their election

The first judges of the said court shall be elected at the general election held in November one thousand nine hundred and thirteen

In the event of a vacancy in the office of judge or when by reason of a new United States census more judges are to be chosen the Governor shall appoint judges to hold office until such time as their successors shall be elected as provided by the Constitution of the State in such case and their successors shall be elected to the full term of ten years

The Governor upon the first election of judges as aforesaid shall designate one of their number to be president judge and shall after the election aforesaid and from time to time when a vacancy occurs in the office of president judge either by expiration of his term or for other reason designate one of the judges to be president judge

It shall be unlawful for any judge of the said court to practice law during his continuance in office" is hereby amended to read as follows

Section 2 The judges of said court shall be learned in the law and shall be elected by the duly qualified electors of said county for terms of ten years if they so long behave themselves well

The president judge shall receive a salary of nine thousand ($9,000.00) dollars per annum and the associate judges shall receive salaries of eight thousand ($8,000.00) dollars per annum payable by the State in the same manner that the salaries of the judges of the courts of common pleas are paid The term of office of the judges of the court shall begin on the first Monday of January following their election

The first judges of the said court shall be elected at the general election held in November one thousand nine hundred and thirteen

In the event of a vacancy in the office of judge or when by reason of a new United States census more judges are to be chosen the Governor shall appoint judges to hold office until such time as their successors shall be elected as provided by the Constitution of the State in such case and their successors shall be elected to the full term of ten years

The Governor upon the first election of judges as aforesaid shall designate one of their number to be president judge and shall after the election aforesaid and from time to time when a vacancy occurs in the office of president judge either by expiration of his term or for other reasons designate one of the judges to be president judge

It shall be unlawful for any judge of the said court to practice law during his continuance in office

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. BEYER. Mr. Speaker, in the absence of the sponsor of this bill, I would ask that it be postponed for the present.

Mr. STERN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1247, entitled

An Act to amend the fifth clause of section three of an act approved the thirteenth day of May, one thousand nine hundred and nine, entitled "An Act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Albee,	Fitzgibbon,	McCurdy,	Shaffer, C. A.,
Arthur,	Flynn,	McKay,	Shattuck,
Aston,	Fowler,	McKinney,	Shunk,
Baker,	Franklin,	McNichol,	Siggins,
Baldi,	Fretz,	McPeake,	Sinclair,
Baldridge,	Gans,	Mearkle,	Smith, E. R.,
Barner,	Geary,	Mehring,	Smith, J. W.,
Bechtold,	Glass,	Mervine,	Smith, L.,
Bell,	Golder,	Miller, A. D.,	Smith, O. W.,
Benchoff,	Goodnough,	Miller, Allan,	Snyder,
Bennett,	Goodwin,	Miller, C. G.,	Somerman,
Benninger,	Gormley,	Miller, G. J. A.,	Spangler,
Beyer,	Graham,	Milliron,	Speicher,
Bidelspacher,	Gransback,	Mitchell,	Sprowls,
Black,	Haight,	Morgan, T.,	Steedle,
Bovee,	Haldeman,	Morgan, T. J.,	Sterling,
Brady,	Hecht,	Murdoch,	Stern,
Burnett,	Heffernan,	Murphy,	Stites,
Campbell, J. O.,	Helt,	Musser,	Stoffiet,
Campbell, T.,	Hess,	Neary,	Strauss,
Canon,	Hibshman,	Ogden,	Sullivan,
Christman,	Hollern,	Palmer,	Swartz,
Clements,	Hollingsworth,	Perry,	Taylor,
Coldsmith,	Horne,	Phillips,	Thomas,
Conner,	Hough,	Pickering,	Urich,
Cook,	Howarth,	Powell,	Vickerman,
Corbin,	Isherwood,	Ramsey,	Vogdes,
Cox,	Jack,	Reichenbacker,	Wagner,
Crosby,	Jennings,	Reitzel,	Walker,
Cummins,	Jones,	Reynolds,	Wallace,
Curry,	Kennedy,	Rhodes, W. M.,	Walter,
Dale,	Lafferty,	Rich,	Weimer,
Davis, D. F.,	Lanius,	Richards,	Wells,
Davis, W.,	Lauler,	Ringler,	West,
Dawson,	Leary,	Rininger,	Whitaker,
Dean,	Lewis,	Robertson,	Wickman,
Dell,	Lohr,	Rogers,	Williams, G. W.
Dewey,	Luppert,	Ross,	Williams, J. P.,
Donneley,	Malie,	Rothenberger,	Wobensmith,
Drake,	Mangan,	Ruddy,	Wood,
Dunn,	Marvin,	Rudisill,	Woodward,
Eby,	Maurer,	Sampsel,	Wylie,
Ehrhardt,	McArdle,	Sarig,	Wynne,
Erdman,	McCaig,	Schaeffer, A. C.,	Zanders,
Fackler,	McCullough,	Scott,	Baldwin, Speaker.

NAYS—2.

Simpson, Sones,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1001, as follows:

An Act to amend part of section two of an act approved the fifth day of March one thousand seven hundred and ninety-one entitled "An Act to enable the Governor to appoint notaries public and for other purposes therein mentioned"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section two of an act approved the fifth day of March one thousand seven hundred and ninety-one (three Smith's Laws Pamphlet Laws six) entitled "An Act to enable the Governor to appoint notaries public and for other purposes therein mentioned" which reads as follows

"Section 2 The Governor shall appoint and commission a competent number of persons of known good character integrity and abilities as notaries-public for the Commonwealth of Pennsylvania to reside within such place or places within this State as the Governor shall in and by the respective commissions direct Provided that no person shall be commissioned as a notary who shall not have resided within this Commonwealth two years next previous to his appointment" is amended to read as follows

Section 2 The Governor shall appoint and commission a competent number of persons of known good character integrity and abilities as notaries public for the Commonwealth of Pennsylvania to reside within such place or places within this State as the Governor shall in and by the respective commissions direct Provided that no person shall be commissioned as a notary who shall not have resided within this Commonwealth one year and shall have been a citizen of the United States two years next previous to his appointment

On the question,

Will the House agree to the bill on third reading?

Mr. WALLACE. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 2, by inserting after the word "shall" in line 14, the word "not."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 919, as follows:

An Act relating to and regulating the operation of motor vehicles and vehicles propelled by or trailing after motor vehicles on the public highways and the storing of the same requiring the registration of the same and the licensing of all operators other than registered owners thereof providing fees methods and qualifications for all registrations or licenses and the disposition of such fees prohibiting tampering with motor vehicles by unauthorized persons prohibiting the enactment of any law or ordinance by any city borough incorporated town township or county requiring any taxes registration or license other than herein provided or the regulation of motor vehicles providing procedure and penalties for any violations thereof and the disposition of the fines collected for said violations and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That except as is provided for nonresidents no motor vehicle shall be operated or driven upon any public street or highway in this Commonwealth until the said motor vehicle shall have been registered with the State Highway Department of this Commonwealth

Section 2 The term "motor vehicle" as used in this act shall apply to all wheeled vehicles operated or propelled by any form of engine motor or mechanical power excepting traction engines road rollers agricultural machinery and vehicles which move upon or are guided by a track The term "motor cycle" as used in this act shall apply to all two or three wheeled motor operated vehicles of the bicycle or tricycle type whether the motive power be a part thereof or attached thereto The terms of this act shall apply to vehicles trailing after or propelled by a motor vehicle

The term "owner" as used in this act shall except where otherwise plainly intended be taken to mean or include the person or persons having such motor vehicle in his or their possession custody or control under a contract of conditional sale or other like agreement vesting in him or them a qualified or defeasible ownership in the same

Section 3 Application for the registration of motor vehicles shall be made to the State Highway Department The application shall contain the full name and residence of the owner or owners with a brief description of the motor vehicle the name the manufacturers number the character of the motive power and the horse power and if equipped with solid or metal tires the gross maximum weight of load and vehicle combined For registration purposes the horse power of motor vehicles equipped with other than solid or metal tires except those propelled by steam or electricity shall be computed by the following formula Diameter of bore in inches squared times the number of cylinders times four tenths (.4) The accepted horse power for registration of motor vehicles propelled by steam or electricity shall be that given and certified to by the manufacturer The said application shall be made upon a blank provided for the purpose by the State Highway Department It shall be signed by the owner or owners in case of joint ownership and be verified by oath or affirmation Upon receipt of the application and the proper fee the State Highway Department shall register the said motor vehicle in a book to be kept for that purpose and shall issue to the owner or owners a registration certificate which shall entitle the holder or holders provided such person be more than eighteen years of age and be not mentally or physically disqualified to lawfully operate any motor vehicle Such certificate shall show the name and address of the owner or owners the name type horse power and manufacturers number of the motor vehicle and the registration number thereof The Highway Department shall also issue two (2) number tags having thereon the registration number the figures of which shall be not less than four (4) inches in height the abbreviated name of the State and the year except in the case of motor cycles the tags for which shall have figures not less than three (3) inches in height On the tags for motor vehicles equipped with solid tires the number shall be preceded by the letter S On the tags for trailers the number shall be preceded by the letter T

No motor vehicle shall be registerable which shall exceed ninety (90) inches outside over all width of vehicle and load combined except that motor busses for carrying passengers to be used within the city limits only in cities of the first second and third class may be registered up to one hundred (100) inches outside over all width of vehicle and load combined or shall exceed a maximum of twenty-four thousand (24,000) pounds gross weight of vehicle and load combined or shall exceed eighteen thousand (18,000) pounds maximum gross weight of vehicle and load combined upon any axle or shall exceed seven hundred and fifty (750) pounds maximum gross weight of vehicle and load combined upon any one wheel for each nominal inch of width of solid tire upon the wheel No motor vehicle equipped with metal tires shall be licensed as aforesaid but the owner shall upon application to the Highway Commissioner upon payment of a fee to be fixed by the Commissioner be given a special permit subject to rules and requirements to be established by the Highway Commissioner and any violation of such rules shall constitute sufficient cause for revocation of such special permit Applicants for registration who reside outside of this State shall in addition to the above requirements designate in their application the State Highway Commissioner as their authorized agent upon whom process may be served

Section 4 Motor vehicles owned or kept by manufacturers or dealers solely for the purpose of demonstrating testing or selling shall be exempt from the necessity of individual registration provided said manufacturer or dealer registers with the State Highway Department in the "dealers class" Applications for such registration shall be made upon a blank provided for the purpose by the State Highway Department which shall set forth the full name and business address of the applicant and shall be verified by oath or affirmation Upon receipt of the application accompanied by the proper fee for each certificate and pair of number tags desired the State Highway Department shall issue to the applicant as many certificates of registration and pairs of number tags as may be desired such tags having thereon the number of the registration in figures not less than four (4) inches in height or in the case of dealers in motor cycles three (3) inches in height the year and the words "Penna. Dealer" the number shall be preceded by the letter X It shall be unlawful under any circumstances to operate a motor vehicle under a dealers registration unless both number tags are displayed as is provided in this act

It shall be unlawful to use or permit the use of the tags issued under a dealers registration on any motor vehicle other than those owned and operated by such dealer or his employes or for any other purposes than those set forth in this section

Section 5 The fee for the registration of a motor cycle shall be three dollars The fee for the rigtsration of other motor vehicles equipped with pneumatic tires except as provided for in the dealers class when registration is issued prior to July of any year shall be five dollars for each motor vehicle of less than twenty horse power Ten dollars for each motor vehicle of twenty and less than thirty-five horse power fifteen dollars for each motor vehicle of thirty-five and less than fifty horse power twenty dollars for each motor vehicle of fifty horse power or more The fee for the registration of motor vehicles equipped with solid tires shall be five dollars for each motor vehicle of less than four thousand pounds gross maximum weight of load and vehicle ten dollars for each motor vehicle of four thousand pounds and less than five thousand pounds gross maximum weight of load and vehicle fifteen dollars for each motor vehicle of five thousand and less than ten thousand pounds gross maximum weight of load and vehicle twenty dollars for each motor vehicle of ten thousand and less than fifteen thousand pounds gross maximum weight of load and vehicle twenty-five dollars for each motor vehicle of fifteen thousand and not more than twenty-four thousand pounds gross maximum weight of load and vehicle The fees for registration of vehicles trailing after or propelled by motor vehicles shall be one dollar for each such vehicle of less than two thousand pounds gross maximum weight of vehicle and load combined three dollars for each such vehicle of more than two thousand (2,000) and less than ten thousand (10,000) pounds gross maximum weight of vehicle and load combined and five dollars for each such vehicle of more than ten thousand (10,000) pounds and less than twenty-four thousand pounds gross maximum weight of vehicle and load combined

The fee shall be ten dollars for each certificate and pair of number tags issued to persons registered in the dealers class except for dealers in motor cycles for whom the fee shall be five dollars

The fees for registration when issued on or after July first shall be one-half those required above

No fee shall be charged for the registration of motor ambulances motor fire apparatus motor patrol wagons and motor cycles used by police officers owned and used by any city county incorporated town borough township duly authoried volunteer fire department hospital humane society or anti-cruelty society nor for any motor vehicle owned by the State of Pennsylvania or the United States but all such vehicles shall be registered and shall display number tags as provided for in case of privately owned vehicles All registrations shall expire December thirty-first of the year issued

The term pneumatic tires as used in this section shall be construed to mean any tire containing air at greater pressure than the surrounding atmosphere and all other tires shall be considered as solid tires.

Section 6 The provisions of this act relative to registration shall apply to a non-resident of this State other than a foreign corporation doing business in the State only

to the extent that under the laws of the foreign country state territory or federal district of his residence like exemption and privileges are granted to residents of this State provided that he shall have complied with the provisions of the law of the foreign country State territory or federal district of his residence relative to registration of motor vehicles and the display of number tags thereon and shall conspicuosuly display the registration number as required thereby

Section 7 Upon the transfer of ownership or destruction of any motor vehicle its registration shall expire The original owner may however by proper affidavit accompanying his application register another motor vehicle upon payment of a fee of one dollar ($1) provided such motor vehicle be ofequal or less horse power or classification than that originally registered or upon payment of a fee of one dollar ($1) and the difference between the fee paid originally and that due if the motor vehicle be properly registerable in a higher class and such owner shall be assigned the number previously issued to him unless the original registration tags have been destroyed

Section 8 The Highway Commissioner may at his discretion revoke or suspend the registration of any motor vehicle or the license of any driver for improper conduct in operationg a motor vehicle upon hearing after due notice in writing of the proposed action and the grounds therefor has been mailed to the owner thereof or to the licensee at the address given in his application.

Section 9 No person under eighteen years of age whether the owner of a motor vehicle or not shall drive or operate a motor vehicle upon any public street or highway in this Commonwealth nor shall any person owning or having charge of any motor vehicle permit any person under eighteen years of age to operate such vehicle.

No person whether an owner or not who is mentally or physically incapacitated shall operate a motor vehicle upon any public street or highway in this Commonwealth unless such person be granted a special license or permit by the Highway Commissioner who shall have discretionary powers in the granting of the same Any person who has lost one hand or both or who has lost the use of one hand or both or who has lost both feet or who has lost the use of both feet or whose eyesight is so impaired that with the aid of glasses he cannot distinguish objects clearly at a distance of one hundred and fifty feet or who shall have less than twenty per cent of normal visage or who shall have less than two per cent of normal hearing shall be considered physically incapacitated and any person who is physically incapacitated as defined in this section who shall operate or drive any motor vehicle upon any public street or highway in this Commonwealth without first securing a special license or permit shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100) or more than three hundred dollars ($300) or in the case of non-payment of such fine within forty-eight (48) hours to undergo imprisonment in the county jail for a period not exceeding thirty (30) days and no license or permit shall be issued thereafter to any person so convicted.

Section 10 Every person desiring to operate a motor vehicle as a paid operator or who is an employee of the owner or custodian thereof shall first obtain a paid driver's license Application for such license shall be made upon a blank furnished by the Highway Department and shall be signed by the applicant and be verified by oath or affirmation It shall contain the full name of the applicant with his place of residence and shall state that said applicant is over eighteen years of age and has had at least ten days experience in the operation of a motor vehicle and is not mentally or physically incapacitated as defined in this act The applicant may also at the option of the Highway Commissioner be required to submit himself to such examination or test of his fitness to operate a motor vehicle as may be required by the Highway Commissioner for which examination no charge shall be made

Upon receipt of the application and fee of two dollars ($2) the State Highway Department shall if the applicant fulfils the requirements issue to the applicant a paid driver's license and a badge The license shall show the licensee's name and residence and the date and number of the license but shall not be valid until the licensee's signature is attached thereto It shall be carried by the licensee at all times when operating a motor vehicle

Upon the badge shall be the words "Penna. Licensed Driver" the year and the number of the license which it accompanies It shall not be less than one and one-half inches in its greatest diameter and shall be conspicuously worn on the front of the outer garment of the licensee at all times when said licensee is operating a motor vehicle All such licenses shall expire December thirty-first of the year issued

Every person other than a paid operator or owner desiring to operate a motor vehicle shall make application for a license to the State Highway Department upon a blank furnished by the Department Such application shall be signed by the applicant and be verified by oath or affirmation It shall set forth the name and residence of the applicant who must be over eighteen years of age and must have had at least ten days experience in the operation of a motor vehicle and be not mentally or physically incapacitated as defined in this act

Any person so physically incapacitated who may desire to operate a motor vehicle shall in his application for a special license or permit clearly set forth the character of the defect or disability from which he may suffer and the experience he has had in the operation of a motor vehicle and furnish such additional information as to his ability to do so without endangering the safety of the public as the Highway Commissioner may require

Upon receipt of the application and a fee of one dollar the State Highway Department shall if the applicant fulfils the requirements issue to such applicant a license which shall be carried by the licensee at all times when operating a motor vehicle Such license shall be numbered and shall set forth the licensees' name and residence but shall not be valid until the licensee's signature is attached thereto All such licenses shall expire December thirty-first of the year issued

The Highway Commissioner shall issue Learners Permits to persons over eighteen years of age not mentally or physically incapacitated desiring to learn to operate a motor vehicle Such permits shall be issued for a period of thirty days but shall be valid only while such person is accompanied by a licensed driver The charge for such permit shall be fifty cents (50c)

The Highway Commissioner may refuse to issue a license to any applicant who in the estimation of the Commissioner is an improper person to operate a motor vehicle

Section 11 No person shall operate any motor vehicle the registration of which has been suspended or revoked

No person whose license has been suspended or revoked or the registration of whose motor vehicle has been suspended or revoked shall operate any motor vehicle upon any public street or highway of this Commonwealth nor shall any person owning or having charge of any motor vehicle knowingly permit any person whose license or registration has been suspended or revoked to operate any such motor vehicle

No person whether an employe of the owner or custodian of any motor vehicle or not shall operate any motor vehicle without the knowledge or consent of the owner or custodian thereof and such owner shall be responsible in an action for damage caused to person or property by the negligent operation thereof upon any public highway whether such vehicle be operated or in charge of the owner thereof or any other person with the knowledge permission or consent of said owner

No person shall display upon any motor vehicle altered or false registration tags or operate any motor vehicle under any other number than that of its own registration

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100) nor more than three hundred dollars ($300) or imprisonment not exceeding one year or both at the discretion of the court and upon certification of such conviction by the clerk of the court to the State Highway Commissioner he may revoke the license of any licensee so convicted

Section 12 Any person operating a motor vehicle when under the influence of intoxicating liquor or any narcotic or habit producing drug or any person taking part in any race or speed contest for a prize or wager or otherwise upon any public highway or attempting to establish or lower any speed record upon any public highway shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100) nor more than three hundred dollars ($300) or imprisonment for not more than one year or both at the discretion of the court and upon the certification of such conviction by the clerk of the court to the State Highway Commissioner he shall revoke the license of any person so convicted or the registration of the motor vehicle owned by him and no license shall be again issued such person until after the expiration of one year from the date of such conviction

Section 13 The moneys derived from registration and license fees under the provisions of this act shall be paid by the State Highway Department into the State Treasury for safe keeping and shall by the State Treasurer be placed in a separate fund to be available for the use of the State Highway Department upon requisition of the State Highway Commissioner All such moneys hereafter paid into the State Treasury are hereby specifically appropriated to the State Highway Department for the purpose of assisting in the maintenance and repair of the State Highways and State-aid Highways of Pennsylvania The Auditor General shall upon requisition from time to time of the State Highway Commissioner draw his warrant upon the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition

Section 14 On no motor vehicle owned by a resident of this Commonwealth while operated or driven upon any public street or highway in this Commonwealth shall there be displayed number tags issued by any other state territory federal district or foreign country

Only one set of number tags shall be displayed upon any motor vehicle and except as provided in this act for non-residents no number tags shall be displayed other than those issued by the State Highway Department

No motor vehicle shall be operated upon any public street or highway in this Commonwealth unless the registration tags are rigidly attached thereto parallel to the axles of the motor vehicle so that they cannot swing or oscillate one on the front the other on the rear of such motor vehicle The lower edge of the tags shall be not less than fifteen (15) inches above the ground They shall be entirely unobscured and be kept free from oil grease dirt or other substance likely to impair their legibility and shall not be bent or defaced in any manner and between one hour after sunset and one hour before sunrise the rear number tag shall be illuminated so that the number can be plainly distinguished provided how-

ever that motor cycles need display but one registration tag which shall be attached to the rear thereof in such manner as to fully comply with the provisions of this section

Should a tag or tags be so defaced that the number thereon becomes illegible it shall be the duty of the owner of the motor vehicle for which same have been issued to apply promptly for new tags

In case of the loss or defacing of one or both number tags or of a badge a new pair of tags or a badge of another number than that of the lost or defaced tag or badge shall be supplied by the State Highway Department A new pair of tags or badge may be obtained by filing with the State Highway Department upon a blank furnished by said Department an affidavit reciting the loss defacing or destruction of said tag or badge accompanied by a fee of one dollar ($1)

No owner or operator of a motor vehicle shall be subject to fine by reason of one number tag or his badge being missing provided that he make affidavit that the same has been lost destroyed or removed without his knowledge or consent within a period of one week and that application for new tags or badge be promptly made

Section 15 Every motor vehicle shall be provided when in use with good and sufficient brakes and with a horn bell or other signal device and where such vehicle is so constructed or so covered as to prevent the driver or operator thereof from having a sufficient view of the traffic following it shall be equipped with some device that will show the operator the road to the rear

Every motor vehicle whether standing or in motion upon any public highway shall from one hour after sunset until one hour before sunrise and whenever it is impossible to see clearly for a distance of two hundred (200) feet show at least two white or blue or amber colored lights on the front of such vehicle provided however that motor cycles to which no side car is attached need display only one such light

Every motor vehicle including motor cycles shall also display one red light visible from the rear but if a trailer or trailers is attached to such motor vehicle a red light shall be displayed on such trailer or on the last trailer if more than one shall be clearly illuminated tag on the rear of every motor vehicle and trailer or last trailer if more than one shall be clearly illuminated from one hour after sunset until one hour before sunrise

Whenever there is not sufficient light within the limits of the highway to clearly reveal persons vehicles or substantial objects within the limit of one hundred and fifty (150) feet the front lights on every motor vehicle shall when the vehicle is in motion clearly illuminate the road for a distance of at least one hundred and fifty (150) feet in front of such motor vehicle and for five (5) feet to the side of such vehicle at a point ten (10) feet ahead of the lamps

On no motor vehicle shall there be displayed more than two lights equipped with reflectors in which electric bulbs of more than four (4) candle power are used and such lights shall be so arranged designed or deflected that no portion of the beam of reflected light when measured seventy-five (75) feet or more ahead of the lamps shall rise more than forty-two (42) inches above the level surface on which the vehicle stands.

The focused rays of light from any movable search light or spot light used on any motor vehicle shall not extend to the left of the center of the highway and shall not illuminate the roadway for a greater distance than fifty (50) feet ahead of the vehicle to which it is attached

The term "beam of reflected light" as used in this section shall be construed to mean the approximately parallel focalized rays gathered and projected by a reflector lens or other device

Every operator of a motor vehicle shall sound his horn bell or signal device giving reasonable warning of his approach whenever necessary to insure the safety of other users of the highways and also when aproaching any street or road crossing or dangerous curve where the proper authorities shall have erected signs easily readable from the highway and at right angles thereto bearing thereon in leters at least five (5) inches in height the words "Danger Blow Horn" provided that such signs may not be erected at street or road crosings where a full view to the right and the left is unobstructed

The unnecessary sounding of horns bells or other signal devices and the use of muffler cutouts upon any public highway is prohibited and no motor vehicle of any description shall be operated or driven on the public highways unless the engine be muffled so that the explosions of the engine shall not constitute a nuisance to the public

Section 16 No person shall drive or operate a motor vehicle on the public highways in this Commonwealth recklessly or at a speed that is greater than is reasonable and proper having regard to the width traffic and use of the highway or so as to endanger property or the life or limb of any person

No person shall drive or operate a motor vehicle at a rate of speed exceeding one (1) mile in two and one-half (2½) minutes and no person shall drive a motor vehicle having solid tires and weighing more than five thousand (5,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one (1) mile in four (4) minutes and no person shall drive a motor vehicle having solid tires and weighing over ten thousand (10,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one (1) mile in five (5) minutes and no person shall drive a motor vehicle having solid tires and weighing over fifteen thousand (15,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one (1) mile in six (6) minutes

The local authorities having charge of any of the highways may however by formal action erect or cause to be erected at dangerous places or in closely built-up sections or at school houses and public play grounds signs having thereon in letters not less than five (5) inches in height the words "Danger Run Slow" Such signs to be placed at right angles to and plainly legible from the highway facing the traffic the speed of which is to be controlled After passing such a sign a rate of speed of one (1) mile in four (4) minutes shall not be exceeded for a distance of one quarter (¼) of a mile beyond such sign and if such dangerous conditions still exist or if such closely built-up section still continues a second sign similar to the above decribed may be erected and the speed limit shall not exceed the rate of a mile in four (4) minutes for not more than a quarter (¼) of a mile beyond such sign and as many such signs as may be necessary may be erected At the end of such dangerous place or closely built-up section there shall be erected a sign reading "End of fifteen mile limit" in letters not less than five (5) inches in height all such signs to be placed at right angles to the highway on the right side thereof and facing the traffic to be controlled

No person shall drive or operate a motor vehicle upon any public street or highway in this Commonwealth having metal spurs or lugs or other metal projections more than three-fourth (¾) of an inch in length upon the tires thereof except upon natural earth roads or where the streets or highways are covered with ice or snow so that the safety of other users of the highway makes such devices necessary

Section 17 When a motor vehicle meets or overtakes a street passenger car which has stopped for the purpose of taking on or discharging passengers the motor vehicle shall not pass said car on the side on which passengers get on or off until the car has started or until any passenger who may have alighted shall have reached the side of the road or any passenger who may be about to board the car shall have done so

When signaled to do so by the driver of any horse or other animal of draft or burden the operator of a motor vehicle shall stop until the danger has been avoided

When meeting or when overtaken by any other motor vehicle legally traveling at a greater speed the operator or driver of any motor vehicle shall turn seasonably to the right of the center of the highway allowing the other vehicle free passage to the left

No driver or operator of any motor vehicle overtaking another vehicle shall pass such vehicle at a sharp turn or curve or where a full view of the highway ahead is obstructed

No person shall hang on to or ride on the rear end of any motor vehicle and no person on a bicycle roller skates or any similar device shall hold fast to or hitch on to any moving motor vehicle No unauthoried person shall blow the horn handle the levers or in any way tamper with or deface any motor vehicle standing upon any public highway

Section 18 Any person or persons removing altering or obliterating the manufacturers plate or number on any motor vehicle for the purpose of destroying the identity of such motor vehicle or any person or persons aiding or abetting in such removing altering or obliterating or any person or persons receiving or purchasing any motor vehicle upon which the manufacturers plate or number has been removed altered or obliterated without being in possession of evidence that the said manufacturers plate or number was not removed altered or obliterated with the intent of destroying the identify of said motor vehicle shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100.00) or more than three hundred dollars ($300.00) or imprisonment not exceeding one year or both at the discretion of the court and the clerk of the court in which such conviction is had shall certify such conviction to the State Highway Commissioner of Pennsylvania who shall forthwith revoke the license of any licensee so convicted

Section 19 The proprietor of every public garage shall cause a record to be kept after the manner to be prescribed by the State Highway Commissioner of the names of any and all persons owning or having charge of any motor vehicle stored or left for repair or other purposes at any such public garage together with the make manufacture number name of the State of registration and the registration number of such motor vehicles Such record shall be kept in ink or indelible pencil and shall be open to the inspection of police officers or the proper authorities Such records shall be retained and be available for a period of one year after entry but not thereafter

Section 20 The State Highway Commissioner shall issue printed monthly bulletins giving the name address and number of each licensee and the name and address of the owner of each motor vehicle registered together with the registration number and the make and manufacturer's number of such vehicle which shall be furnished free of charge to mayors burgesses chiefs of police aldermen and justices of the peace and shall be sold at a nominal fee to all other applicants for the same

He shall also cause such records to be compiled and made available in his department as will reveal the identity of the owner of each motor vehicle registered

It shall be the duty of the Highway Commissioner to cause the original applications for registration and for license to be destroyed three years after the same have been received

Section 21 All operators of motor vehicles shall upon request or signal of any agent of the Highway Department constable police officer or member of the State police force who shall be in uniform or shall exhibit his badge or other sign of authority stop and exhibit their registration certificate or license and shall write their names in the presence of such officer if so required and shall furnish to any legally constituted authority all information in their possession as to the identity of the operator or owner of any motor vehicle

Section 22 All informations for offences as defined in this act committed by motor vehicle owners or users in connection with the operation or use of such motor vehicles shall be brought under this act and not under any local ordinance rule or regulation and all such informations shall be made before a burgess magistrate alderman formation shall be made before a magistrate alderman or justice of the peace within the city borough incorporated town or township wherein such offence is alleged to have occurred.

No city county borough incorporated town or township shall adopt enforce or maintain any ordinance rule or regulation contrary to or inconsistent with the terms of this act or fix a rate of speed, lower than that permitted by this act or require of any person any license tax upon or registration fee for any motor vehicle or any permit or license to operate motor vehicles upon the public highways except that in parks the proper authorities may restrict the speed of motor vehicles to such a rate as may seem reasonable provided said rate of speed shall not be less than that allowed other vehicles and that legible signs shall be conspicuously placed indicating the rate of speed permitted Operators of motor vehicles shall have the same rights upon the public streets and highways as the drivers of any other vehicles and no public road open to horse-drawn vehicles shall be closed to motor vehicles Provided however That each city may regulate the transportation by motor vehicles (not operated on tracks) of passengers or property for pay within the limits of the city or from points in the city to points beyond the limits of the city In such regulation the city may impose reasonable license fees make regulations for the operation of vehicles the rates to be charged for transportation and may designate certain streets upon which such vehicles if operated must be operated

Section 23 In any proceeding for the violation of provisions of this act the registered number displayed on the motor vehicle shall be prima facie evidence that the owner of said vehicle was then operating the same provided however that if at any hearing or proceeding the owner shall testify under oath or affirmation that he was not operating the said motor vehicle at the time of the alleged violation of this act and shall submit himself to an examination as to who at that time was operating such motor vehicle and reveal the name of the person if known or shall forward to the magistrate or justice of the peace an affidavit setting forth these facts then the prima facie evidence arising from the registered number shall be overcome and removed and the burden of proof shifted

Section 24 The constables and police officers of the State and of the counties cities boroughs incorporated towns and townships of this Commonwealth may arrest upon view and without warrant any person or persons violating any of the provisions of this act but such officer shall forthwith make and file with the burgess magistrate alderman or justice of the peace before whom the person arrested is taken an affidavit setting forth in detail the alleged violation of the act complained of and furnish a copy at once to the person arrested In the event of an arrest as aforesaid if the defendant is unabel to give sufficient bail for a hearing or for his appearance at court the burgess magistrate alderman or justice of the peace before whom he is first taken shall accept as bail any article of sufficient value or provided he is the owner thereof hold in custody the motor vehicle found in the possession of the defendant and the court burgess magistrate alderman or justice of the peace after the trial of the defendant or if in the meantime sufficient bail according to law has been given shall make such order as to the disposition of such motor vehicle or other articles accepted as bail as shall seem just and proper

Section 25 Proceedings under this act may be commenced by warrant issued in the name of the Commonwealth which warrant may be served by a constable policeman or other officer having authority to serve warrants in any part of the county in which the violation is alleged to have been committed unless the person who is so charged vountarily responds to the notice mailed by the burgess magistrate alderman or justice of the peace as is hereinafter provided for in this section but if the person charged cannot be served within the county then the constable policeman or officer to whom said warrant is directed shall deputize a constable policeman or other officer having legal authority to serve warrants of the county wherein the person charged resides or may be found who shall serve such warrant and for such service shall receive the usual fees and expenses therefor as allowed by law for such service A copy of the information shall be served with such warrant and the officer serving such warrant shall take the defendant before the nearest magistrate alderman or justice of the peace of the county in which the defendant is found who shall take bail either for the defendant's appearance before the burgess magistrate alderman or justice of the peace who issued the warrant or for the defendant's appearance for trial in the proper court if a summary hearing is waived

All informations charging violations of any of the provisions of this act except as provided in sections nine eleven twelve eighteen twenty-five and twenty-seven shall be brought within two (2) weeks after the commission of the alleged violation and not after and within the period of seven (7) days thereafter the burgess magistrate alderman or justice of the peace shall mail to the person so charged at the proper address as shown by the records of the State Highway Department a notice in writing of the issuing of the warrant together with a copy of the information and if the person named in the warrant shall not within ten (10) days thereafter voluntarily appear the warrant may be served as herein provided within thirty (30) days after the mailing of said notice provided that if any person named in such warrant shall be absent from his place of residence or cannot be found then such warrant may be served at any time within ten (10) days after his return to his place of residence

All money articles of value or motor vehicles deposited with any burgess magistrate alderman or justice of the peace as provided for in this act shall be returned to the defendant immediately upon the termination of the cause

No burgess alderman magistrate or justice of the peace shall try any case involving a violation of this act except upon warrant duly prepared in the form required by law which shall be preserved with the other papers pertaining to his office and no burgess alderman magistrate or justice of the peace shall collect any fine or costs in any such case until he has completed the entries pertaining thereto in his docket kept for the making of his records and all such dockets shall be preserved and subject to inspection by any person upon demand

Burgesses aldermen magistrates or justices of the peace shall deliver without charge to the accused a receipt showing in detail the amount of fine and costs imposed upon and paid by such accused

No burgess alderman magistrate or justice of the peace shall divide the fees of his office with any constable sheriff or other officer or with any individual not an officer who may assist in making an arrest or furnish evidence in a case arising under this act

No constable shall under any circumstances receive or attempt to collect any fine charge or deposit of collateral for appearance in any case involving a violation of this act

Any burgess alderman magistrate justice of the peace constable or other officer violating any provision of this section shall be deemed guilty of a misdemeanor in office and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or imprisonment in the county jail for a period not exceeding sixty (60) days or both at the discretion of the court and shall be subject to removal from office

Section 26 Any person except as provided in sections nine eleven twelve eighteen twenty-five and twenty-seven convicted of violating any of the provisions of this act shall be subject to a fine or penalty of not less than ten dollars ($10.00) nor more than twenty-five dollars ($25.00) to be collected by summary conviction before any burgess magistrate alderman or justice of the peace as like fines and penalties are now by law collected or in case of non-payment of such fine within forty-eight (48) hours to undergo imprisonment in the county jail for a period not exceeding ten (10) days provided That any person so convicted shall have the right of appeal as in other cases of summary conviction and further provided That any person accused of violating any of the provisions of this act may waive the summary hearing and give bond in a sum of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) for appearance for trial before a judge in the court of quarter sessions or in the county court or in the municipal court in counties wherein such courts exist and thereupon the burgess magistrate alderman or justice of the peace shall within fifteen (15) days return the complaint or information to the said court and if any person so accused shall be convicted in said court of the offence charged he shall be subject to a fine of not less than ten dollars ($10.00) nor more than twenty-five ($25.00) or in case of non-payment of such fine within forty-eight (48) hours to undergo imprisonment in the county jail for a period not exceeding ten (10) days

Any person previously convicted of violating any of the provisions of this act upon conviction of any second or subsequent violation within a period of six (6) months after such first conviction shall be sentenced by the burgess magistrate alderman justice of the peace or the court to pay a fine of not less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00) or in case of non-payment of such fine within forty-eight (48) hours to undergo imprisonment in the county jail for a period not exceeding twenty (20) days provided that any person so accused of any second or subsequent violation of the provisions of this act shall have the same right of appeal or may waive summary hearing in the same manner and upon the same conditions as is provided for in cases of first violation

Section 27 All fines and penalties collected under the provisions of this act for violations of the same shall be returned to the State Treasurer to be used for the repair and maintenance of the State highways and State-aid highways except those collected for violations of the provisions as to speed or weight which shall be paid to the Treasurer of the city borough town or township wherein the violation occurred to be used for the repair and maintenance of the highways thereof

Sworn statements of all fines and penalties imposed for violations of this act shall be made to the State Highway Commissioner upon blanks to be furnished by the State Highway Department by the burgess magistrate justice of the peace or other officer imposing or receiving the same Such reports to the State Highway Commissioner and re-

turns to the State Treasurer shall be made quarterly not later than the tenth day of the months of January April July and October of each year Any burgess magistrate justice of the peace or other officer who shall fail to make such quarterly reports and returns or either of them shall be deemed guilty of a misdemeanor in office and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or imprisonment in the county jail for a period not exceeding sixty days or both at the discretion of the court

Section 28 All civil actions for damages arising from the use and operation of any motor vehicle may be brought in the city or county wherein the alleged damages were sustained and service of process may be made by the sheriff of the county where the suit is brought deputizing the sheriff of the county wherein the defendant or his registered agent resides or where service may be had upon him under the existing laws of this Commonwealth in like manner as process may now be served in the proper county

Section 29 The act approved April twenty-third one thousand nine hundred and three entitled "An Act relating to automobiles or motor vehicles providing for the registration thereof regulating the speed limit upon the public highways within this Commonwealth providing for the licensing of the operators thereof and fixing the amount of the license regulating the service of process and of proceedings in actions of damages arising therefrom and prescribing the penalties for the violation of the provisions of the same" and the act approved April nineteenth one thousand nine hundred and five entitled "An Act relating to automobiles or motor vehicles and regulating the speed limit upon the streets and public highways of this Commonwealth providing for the licensing of the operators thereof by the State Highway Department fixing the amount of said license regulating the service of process and of proceedings of actions in damages arising therefrom and prescribing the penalties for the violation of the provisions of the same" and the act approved April twenty-seventh one thousand nine hundred and nine entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder" and the act approved April twenty-first one thousand nine hundred and eleven entitled "An Act to amend section seven of an act entitled 'An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violation of the provisions of this act and providing for the disposition of fines imposed thereunder" by striking out from section seven of said act the word "hire" wherever it may occur in said section and the act approved June first one thousand nine hundred and eleven entitled "An Act to amend the first section of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled 'An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder by exempting hospital motor ambulances and motor fire engines and motor fire apparatus and requiring them to be furnished free of charge with registration certificates and number "tags" and the act approved July seventh one thousand nine hundred and thirteen entitled "An Act relating to and regulating motor vehicles and vehicles trailing after or propelled by motor vehicles controlling their speed upon the public streets and highways in the Commonwealth of Pennsylvania providing for their registration and licensing of certain operators by the State Highway Department prohibiting the operation of any motor vehicle by any person when intoxicated or without the consent of the owner forbidding the passage of any law laying a tax upon or requiring the registration of motor vehicles or licensing of any operator or regulating the speed of motor vehicles by any county borough city incorporated town or township establishing the rights of motor vehicles upon the public highways with relation to other vehicles providing for their equipment and for the width of tires to be used upon motor vehicles and vehicles trailing after or propelled by motor vehicles regulating the service of process and proceedings in actions for damages arising therefrom providing for arrest and for service of process and proceedings for violation of this act prescribing the penalties therefor and providing for the disposition of fees collected and fines imposed thereunder and all other acts or parts of acts inconsistent herewith shall be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COOK. Mr. Speaker, I would like to ask the gentleman from Allegheny to explain the intent of this bill.

Mr. MEARKLE. Mr. Speaker, there must have been a little misconception on this bill. That is, it was first intended that we should amend the Act of 1913. There were a few amendments that we wanted to insert into the automobile Act of 1913 and the bill was so prepared, putting in the amendments and it was introduced in the House. It made such a long, cumbersome piece of legislation and it was finally decided to repeal the Act of 1913 and draw a new piece of legislation, incorporating the amendments. This Act to-day on which we are about to vote is the same act as the law stands today with some few amendments. There has been no change in the registration fees or license fees and the principal change in the bill are these amendments—and I will be glad to go over it section by section and show to the House just what the amendments are. It is principally to clarify the statute, to clarify the reading of the bill so that it may be understood. I will be glad to go over any particular section and explain what the amendments are. I might also add, for the information of the House, that it has been gone over carefully in the Highway Department, by Mr. Black, and he has approved the bill. The bill was drawn at the suggestion of the Highway Department.

Mr. RUDISILL. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Mearkle, permit himself to be interrogated?

Mr. MEARKLE. Mr. Speaker, I will.

Mr. RUDISILL. Mr. Speaker, I would like to ask the gentleman what change was made in the age limit of the drivers licensed

Mr. MEARKLE. Mr. Speaker, that is the same as the law of 1913. The age limit was eighteen years, then it was reduced to sixteen years, in 1915, but eighteen years has been restored and now this bill makes it eighteen years.

Mr. RUDISILL. What was the object?

Mr. MEARKLE. It has been a question whether a young boy or girl should handle a high motor power car weighing from eight to nine thousand pounds, and has sufficient judgment and strength to drive it in a congested district, and whether it is not in the interest of the public and the people to make the age limit eighteen years for a person to handle a high power car in a congested district in a city. It has been raised to eighteen years.

Mr. MILNER. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Mearkle, permit himself to be interrogated?

Mr. MEARKLE. Mr. Speaker, I will.

Mr. MILNER. This bill provides on the 18th page, Section 14, line 14, that "On no motor vehicle shall there be displayed more than two lights equipped with reflectors in which electric bulbs of more than four (4) candle power are used and such lights shall be so arranged designed or deflected that no portion of the beam of reflected light when measured seventy-five (75) feet or more ahead of the lamps shall rise more than forty-two (42) inches above the level surface on which the vehicle stands" and then in the next paragraph, "The focused rays of light from any movable search light or spot light used on any motor vehicle shall not extend to the left of the center of the highway." Every automobile now has three lights with more than 4 candle power. Do you make it illegal or is it illegal for you to carry spotlights of over or more than referred to on the fourteen line? That should be "less" instead of "more" on the fourteenth line. Is not that so?

Mr. MEARKLE. That is right.

Mr. MILNER. Would you agree to make this read "less" instead of "more?"

Mr. MEARKLE. Yes sir. The intention was to have not less but more lights.

Mr. McNICHOL. That can be amended in the Senate.

Mr. STITES. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Mearkle, permit himself to be interrogated?

Mr. MEARKLE. Mr. Speaker, I will.

Mr. STITES. Mr. Speaker, I would like to ask the gentleman if under this act a one-handed driver would be prevented from operating a machine?

Mr. MEARKLE. Mr. Speaker, no sir. That was taken up and thoroughly discussed, as a number in the House have friends in their districts who operate cars with one hand and it was finally agreed to issue a license to them.

Mr. HORNE. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Mearkle, permit himself to be interrogated?

Mr. MEARKLE. Mr. Speaker, I will.

Mr. HORNE. Mr. Speaker, I would like to know whether this bill provides that a machine lighted by kerosene lamps would be compelled to change to the electric system?

Mr. MEARKLE. Positively not. If you will specify the kind of light we don't care what kind of light you carry.

Mr. KENNEDY. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. MEARKLE. Mr. Speaker, I will.

Mr. KENNEDY. Mr. Speaker, on page 17, Section 15, line 16 the bill provides, "Every motor vehicle whether standing or in motion upon any public highway shall from one hour after sunset until one hour before sunrise and whenever it is impossible to see clear for a distance of two hundred feet show at least two white or blue or amber colored lights on the front of such vehicle." Then turning over to page 18 on line 5 provides that "whenever there is not sufficient light within the limits of the highway to clearly see objects within the limit of one hundred and fifty feet then you must display two lights." How do you reconcile these two sections.

Mr. MEARKLE. That is the same as the Act of 1913.

Mr. KENNEDY. Mr. Speaker, is there any discrepency?

Mr. MEARKLE. Mr. Speaker, it was not intended that there should be.

Mr. KENNEDY. Mr. Speaker, in one place the bill provides that you must display your lights when you cannot see for two hundred feet, and over on the next page it provides that you must display your lights when you cannot see clearly for a distance of one hundred and fifty feet.

Mr. MEARKLE. Mr. Speaker, that wos not the intention. The intention was to leave this section as it was in the Act of 1913. That section was copied the same as it was.

Mr. KENNEDY. Mr. Speaker, would the gentleman interpret the section on page 18 beginning at line 5 to read that when a motor vehicle is standing upon a public highway at night, and that the public highway is clearly illuminated so that you can see clearly for a distance of one hundred and fifty feet, that the motor vehicle would have to display its lights or not; that is, if the highway is clearly illuminated, and your ca ris standing still, does that mean that you have to display your lights?

Mr. MEARKLE. Mr. Speaker, yes, sir.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122.

Arthur,	Dewey,	Hough,	Rich,
Aston,	Dithrich,	Isherwood,	Ringler,
Baker,	Drake,	Jack,	Rininger,
Baldi,	Drinkhouse,	Jones,	Robertson,
Baldridge,	Eby,	Kennedy,	Rothenberger,
Barner,	Ehrhardt,	Lafferty,	Ruddy,
Bechtold,	Erdman,	Laucks,	Rudisill,
Benchoff,	Fackler,	Lauler,	Sarig,
Beyer,	Flynn,	Leary,	Schaeffer, A. C.,
Bidelspacher,	Fowler,	McArdle,	Shaffer, C. A.,
Black,	Franklin,	McCaig,	Showalter,
Boulton, H.,	Fretz,	McCullough,	Siggins,
Bouton, V. B.,	Gans,	McKay,	Smith, E. R.,
Bovee,	Glass,	McKinney,	Smith, F. I.,
Boyd,	Golder,	McNichol,	Smith, O. W.,
Burnett,	Goodwin,	McPeake,	Snowden,
Campbell, J. O.,	Gormley,	Mearkle,	Snyder,
Campbell, T.,	Graham,	Michel,	Speicher,
Canon,	Gransback,	Miller, C. G.,	Sprowls,
Chestnut,	Haldeman,	Morgan, T.,	Steedle,
Clements,	Hecht,	Musser,	Sterling,
Coldsmith,	Heffernan,	Neary,	Stern,
Conner,	Helt,	Perry,	Stites,
Cook,	Hess,	Phillips,	Strauss,
Corbin,	Heyburn,	Pickering,	Sullivan,
Cox,	Hibshman,	Powell,	Ulsh,
Crosby,	Hoffman,	Ramsey,	Vogdes,
Curry,	Hollern,	Reitzel,	Walker,
Davis, W.,	Horne,	Reynolds,	Wells,
Dawson,	Horton,	Rhoads, H. L.,	West,
Dean,			

NAYS—17.

Benninger,	Marvin,	Palmer,	Taylor,
Cummins,	Mervine,	Sampsel,	Walter,
Graeff,	Miller, G. J. A.,	Shunk,	Williams, G. W.
Lanius,	Morgan, T. J.,	Sones,	Wood,
Lewis,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 13, as follows:

An Act relative to the carrying use and sale of dangerous weapons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a person who manufactures or causes to be manufactured or sells or keeps for sale or offers or gives or disposes of any instrument or weapon of the kind usually known as a blackjack slungshot billy sandclub sandbag bludgeon or metal knuckles to any person or a person who offers sells or loans leases or gives any gun revolver pistol or other firearm or any airgun spring gun or other instrument or weapon in which the propelling force is a spring or air or in or upon which any loaded or blank cartridges are used or may be used or any loaded or blank cartridges or ammunition therefor to any person under the age of sixteen years shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceding five hundred dollars ($500) and undergo an imprisonment by separate and solitary confinement not exceeding one year or either or both at the discretion of the court

Section 2 That a person who attempts to use against another or who carries or possesses any instrument or weapon of the kind commonly known as a blackjack slungshot billy sandclub sandbag metal knuckles bludgeon or who with intent to use the same unlawfully against another carries or possesses a dagger dirk dangerous knife razor stiletto or any other dangerous or deadly instrument or weapon shall be deemed guilty of a misdemeanor punishable as hereinafter mentioned and for the second and any subsequent offence shall be deemed guilty of a felony punishable as hereinafter mentioned

A person who carries or possesses a bomb or bombshell or who with intent to use the same unlawfully against the person or property of another carries or possesses any explosive substance shall be deemed guilty of a felony punishable as hereinafter mentioned

Any person under the age of sixteen years who shall have carry or have in his possession any of the articles named or described in section one of this act which it is forbidden therein to offer sell loan lease or give to him shall be deemed guilty of juvenile delinquency

Any person over the age of sixteen years who shall have in his possession in this Commonwealth any pistol revolver or other firearm of a size which may be concealed upon the person without a written license therefor issued to him as hereinafter prescribed shall be deemed guilty of a misdemeanor punishable as hereinafter mentioned and for the second or any subsequent offence shall be deemed guilty of a felony punishable as hereinafter mentioned

Any person over the age of sixteen years who shall have or carry concealed upon his person in this Commonwealth any pistol revolver or other firearm without a written license therefor issued as hereinafter prescribed and licensing such possession and concealment shall be deemed guilty of a misdemeanor punishable as hereinafter mentioned and for the second or any subsequent offence shall be deemed guilty of a felony punishable as hereinafter mentioned

Any person not a citizen of the United States unless authorized by license issued as hereinafter prescribed who shall have or carry firearms or any dangerous or deadly weapons in this Commonwealth shall be deemed guilty of a misdemeanor punishable as hereinafter mentioned and for a second subsequent offence shall be deemed guilty of a felony punishable as hereinafter mentioned

It shall be the duty of the high sheriff of any county in this State to whom an application therefor is made by any warden or superintednent of any State prison penitentiary workhouse reformatory county jail or other institution for the detention of persons convicted of or accused of crime or offences or held as witnesses in criminal cases

to issue to each of such persons in his county as may be designated in such applications and who is in the regular employ in such institutions a license authorizing such persons to have and carry concealed a pistol or revolver while such person remains in the said employ

It shall be the duty of any high sheriff in any county in this State upon application therefor by any householder merchant storekeeper or messenger of any banking institution or express company in the State and provided such high sheriff is satisfied of the good moral character of the applicant and provided that no other good cause exists for the denial of such application to issue to such applicant a license to have and possess a pistol or revolver and authorizing him (a) if a householder to have such weapon in his dwelling and (b) if a merchant or storekeeper to have such weapon in his place of business and (c) if a messenger of a banking institution or express company to have and carry such weapon concealed while in the employ of such institution or express company

In addition it shall be lawful for any high sheriff in any county upon proof before him that the person applying therefor is of good moral character and that the proper cause exists for the issuance thereof to issue to such person a license to have and carry concealed a pistol or revolver without regard to employment or place of possessing such weapon provided however that no such license shall be issued to any alien or to any person not a citizen of and usually resident in the State of Pennsylvania except by a judge of a court of record in this State who shall state in such license the particular reason for the issuance thereof and the names of persons certifying to the good moral character of the applicant

Any license issued in pursuance of the provisions of this section may be limited as to the date of expiration thereof and may be vacated and cancelled at any time by the high sheriff or judge who issued the same or by any judge of a court of record in this State Any license issued in pursuance of this section and not otherwise limited as to place or time of possession of such weapon shall be effective throughout the State of Pennsylvania, notwithstanding the provisions of any local law or ordinance

This section shall not apply to the regular and ordinary transportation of firearms as merchandise nor to sheriffs members of the State police county detectives policemen or to duly appointed peace officers nor to paymasters and other employes engaged in the payment of wages nor to duly authorized military or civil organizations when parading nor to the members thereof when going to and from the place of meeting of their respective organizations

Any person guilty of a misdemeanor under this section shall upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars ($500) and undergo an imprisonment by separate and solitary confinement not exceeding two years or either or both at the discretion of the court and any person guilty of a felony under this section shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and undergo an imprisonment by separate and solitary confinement not exceeding five years

Section 3 The possession by any person other than a public officer of any of the weapons specified in section two of this act concealed or furtively carried on the person is presumptive evidence of carrying or concealing or possessing with intent to use the same in violation of section two of this act

Section 4 The unlawful carrying of a pistol revolver or other firearm or of an instrument or weapon of the kind usually known as blackjack bludgeon slungshot billy sandclub sandbag metal knuckles or of a dagger dirk dangerous knife or any other dangerous or deadly weapon by any person save a peace officer is a nuisance and such weapons are hereby declared to be nuisances and when any one or more of the above described instruments or weapons shall be taken from the possession of any person the same shall be surrendered to the sheriff of the county wherein the same shall be taken except that in cities of the first and second classes the same shall be surrendered to the head of the police force or department of said city The officer to whom the same shall be so surrendered shall except upon a certificate of a judge of a court of record or of the district attorney that the nondestruction thereof is necessary or proper in the ends of justice proceed at least once in each year to destroy or cause to be destroyed any and all such weapons and instruments in such manner and to such extent that the same shall be and become wholly and entirely ineffective and useless for the purposes for which destined and harmless to human life and limb

Section 5 No pistol revolver or other firearm of a size which may be concealed upon the person shall be sold or given away or otherwise disposed of except to a person expressly authorized to possess and have such firearm under the provisions of section two of this act

Every person selling a pistol revolver or other firearm of a size which may be concealed upon the person whether such seller is a retail dealer pawnbroker or otherwise shall keep a register in which shall be entered at the time of sale the date of sale name age description occupation and residence of every purchaser of such a pistol revolver or other firearm together with the calibre make model manufacturer's number or other mark of identification on such pistol revolver or other firearm Such person shall also before delivering the same to the purchaser require such purchaser to produce a license for possessing or carrying the same as required by law and shall also enter in such register the date of such permit the number thereof if any and the name of the person by whom the same was issued Every person who shall fail to keep a register and enter therein the facts required by this section or who shall fail to exact the production of a permit to possess or carry such pistol revolver or other firearm if such permit is required by law shall be deemed guilty of a misdemeanor punishable as hereinafter mentioned Such register shall be open at all reasonable hours for the inspection of any peace officer Every person becoming the lawful possessor of such a pistol revolver or other firearm who shall sell give or transfer the same to another person without notifying the police authorities shall be deemed guilty of a misdemeanor Any person who shall impersonate another in securing or attempting to secure a license or permit for possessing or carrying such a pistol revolver or other firearm or who shall by any means whatever fraudulently obtain a license or permit for possessing or carrying the same shall be deemed guilty of a misdemeanor punishable as hereinafter mentioned This section shall not apply to wholesale dealers

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100) and undergo an imprisonment by separate and solitary confinement not exceeding one year

Section 6 It shall be the duty of the high sheriff in each county of this State to keep a public record of all licenses issued by himself or any judge of a court of record in accordance with the provisions of this act

Section 7 This act does not repeal the provisions of the act approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws thirty-three) entitled "An Act to punish persons for carrying concealed weapons within the Commonwealth" nor the provisions of the act approved the eleventh day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and eleven) entitled "An Act to prohibit the manufacture and sale of toy deadly weapons in the Commonwealth of Pennsylvania" nor any of the provisions of the act approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and sixty-six) entitled "An Act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of shotgun or rifle by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation of its provisions

Section 8 The act approved the tenth day of June one thousand eight hundred and eighty-one (Pamphlet Laws one hundred and eleven) entitled "An Act to prohibit the sale to any person under sixteen years of age of deadly weapons gunpowder and explosive substances in the Commonwealth of Pennsylvania" is hereby repealed

Section 9 All other acts or parts of acts inconsistent herewith are repealed

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. THOMAS. Mr. Speaker, I have agreed with a few members of this House that I would not call this bill up unless they were present. Since they are not present I move that this bill be postponed for the present, and I sincerely hope that the members of this House will grant me this courtesy.

Mr. WALKER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1009, as follows:

An Act amending an act entitled "An Act providing for payment of costs in criminal cases by the proper county" approved the nineteenth day of May Anno Domini one thousand eight hundred and eighty-seven by providing for payment of costs by the proper county in criminal cases where the bill of indictment has been quashed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the nineteenth day of May Anno Domini one thousand eight hundred and eighty-seven entitled "An Act providing for payment of costs in criminal cases by the proper county which reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the costs of prosecution accruing in every case of misdemeanor in any of the courts of quarter sessions of the peace of this Commonwealth shall on the termination of the prosecution by the bill of indictment being ignored by the grand jury or by a verdict of a traverse jury and sentence of the court thereon be immediately chargeable to and paid by the proper county Provided That the county shall be liable only for the costs of such witnesses as the district attorney shall certify were subpoenaed by his order and were in attendance and necessary to the trial of the case" is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the costs of prosecution accruing in every case of misdemeanor in any of the courts of quarter sessions of the peace or other court of record of the proper county of this Commonwealth shall on the termination of the prosecution by the bill of indictment being ignored by the grand jury or on the termination of the prosecution by the bill of indictment being quashed by the court or by a verdict of a traverse jury and sentence of the court thereon be immediately chargeable to and paid by the proper county Provided That the county shall be liable only for the costs of such witnesses as the district attorney shall certify were subpoenaed by his order and were in attendance and necessary to the trial of the case

Section 2 All acts or parts of an act general local or special inconsistent with any of the provisions of this act are repealed

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MR. SIMPSON IN THE CHAIR.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. LEWIS. Mr. Speaker, I should like to have the sponsor of this bill explain it.

Mr. PHILLIPS. Mr. Speaker, I understand that the sponsor of the bill, Mr. Thomas Morgan, was called away this morning. If there is any question about the bill, I move that the bill be postponed for the present.

Mr. THOMAS. Mr. Speaker, I second the motion.

It was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 662, as follows:

An Act to amend an act approved the ninth day of April one thousand nine hundred fifteen entitled "An Act to amend an act entitled 'An Act to amend an act entitled 'An Act to amend an act entitled 'An Act to amend an act entitled 'An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for manufacturing purposes' approved the ninth day of June Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate granite stone or rocks or for dressing polishing working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-three" approved the nineteenth day of April Anno Domini one thousand nine hundred and one extending the same to companies formed for the puprose of manufacturing and selling chemicals foodstuffs cement and cement products and the quarrying of cement rock' approved May twenty-eighth one thousand nine hundred and seven extending the same to companies incorporated for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business' approved the twenty-third day of June one thousand nine hundred and eleven by extending the same to companies incorporated for the purpose of refining manufacturing or sale of petroleum and petroleum products" by extending the same to corporations incorporated for the manufacture of leather or articles containing leather

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the ninth day of April one thousand nine hundred fifteen (Pamphlet Laws sixty-three) entitled "An Act to amend an act entitled 'An Act to amend an act entitled "An Act to amend an act entitled 'An Act to amend an act entitled "An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for manufacturing purposes' approved the ninth day of June Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate granite stone or rocks or for dressing polishing working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-three" approved the nineteenth day of April Anno Domini one thousand nine hundred and one extending the same to companies formed for the purposes of manufacturing and selling chemicals foodstuffs cement and cement products and the quarrying of cement rock' approved May twenty-eighth one thousand nine hundred and seven extending the same to companies incorporated for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind oppertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business" ' approved the twenty-third day of June one thousand nine hundred and eleven by extending the same to companies incorporated for the purpose of refining manufacturing or sale of petroleum and petroleum products" which reads as follows

"It shall and may be lawful for any company incorporated under the laws of any other State for the manufacture of any form of iron steel or glass or for the quarrying of slate granite cement rock stone or rocks of any kind or for dressing polishing or manufacturing the same or any of them or for any mineral springs company incorporated for the purpose of bottling and selling natural mineral springs water or for any company incorporated for the purpose of manufacturing supplying and sale of ice or for the manufacture and sale of chemicals or for the manufacture and sale of food-stuffs and eatables cement and cement products and the quarrying of cement rock or for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business or for the refining manufacturing or sale of petroleum and petroleum products to erect and maintain buildings and manufacturing establishments within this Commonwealth and to have and hold real estate to an amount necessary and proper therefor Provided That nothing herein contained shall be deemed to prevent or relieve real estate taken and held by such company under the provisions of this statute from being taxed in like manner with other real estate within this Commonwealth And provided further That no foreign corporation shall be entitled to employ any greater amount of capital in any such business in this State than the same kind of corporation organized under the laws of this State are entitle dto employ And provided further That every such foreign corporation doing business as aforesaid in this Commonwealth shall be liable to taxation to an amount not exceeding that imposed on corporations organized for similar purposes under the laws of this State and every such foreign corporation taking the benefit of this act shall make the same returns to the Auditor General that are now required by law of the corporations of this State" is hereby further amended to read as follows

Section 1 It shall and may be lawful for any company incorporated under the laws of any other State for the manufacture of any form of iron steel or glass or for the quarrying of slate granite cement rock stone or rocks of any kind or for dressing polishing or manufacturing the same or any of them or for any mineral springs company incorporated for the purpose of bottling and selling natural mineral springs water or for any company incorporated for the purpose of manufacturing supplying and sale of ice or for the manufacture and sale of chemicals or for the manufacture and sale of foodstuffs and eatables cement and cement products and the quarrying of cement rock or for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electricity or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control or use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business or for the refining manufacturing or sale of petroleum and petroleum

products or for the manufacture of any form of leather or any article or things which may be manufactured from leather is a component part to erect and maintain buildings and manufacturing establishments within this Commonwealth and to have and hold real estate to an amount necessary and proper therefor Provided That nothing herein contained shall be deemed to prevent or relieve real estate taken and held by such company under the provisions of this statute from being taxed in like manner with other real estate within this Commonwealth And provided further That no foreign corporation shall be entitled to employ any greater amount of capital in any such business in this State than the same kind of corporations organized under the laws of this State are entitled to employ And provided further That every such foreign corporation doing business as aforesaid in this Commonwealth shall be liable to taxation to an amount not exceeding that imposed on corporations organized for similar purposes under the laws of this State and every such foreign corporation taking the benefit of this act shall make the same returns to the Auditor General that are now required by law of the corporations of this State

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Arthur,	Fretz,	McKay,	Siggins,
Aston,	Gans,	McKinney,	Simpson,
Baker,	Geary,	McNichol,	Sinclair,
Baldi,	Glass,	McPeake,	Smith, F. I.,
Baldridge,	Golder,	Mearkle,	Smith, J. W.,
Barner,	Goodwin,	Mehring,	Smith, L.,
Bechtold,	Gormley,	Mervine,	Snowden,
Bell,	Graeff,	Michel,	Snyder,
Benchoff,	Graham,	Miller, A. D.,	Somerman,
Benninger,	Gransback,	Miller, Allan,	Sones,
Beyer,	Haight,	Miller, C. G.,	Spangler,
Bidelspacher,	Haldeman,	Miller, G. J. A.,	Speicher,
Black,	Hecht,	Milner,	Sprowls,
Boulton, H.,	Heffernan,	Mitchell,	Stadtlander,
Bouton, V. B.,	Helt,	Morgan, T.,	Steedle,
Bovee,	Hess,	Musser,	Sterling,
Boyd,	Heyburn,	Neary,	Stern,
Brady,	Hibshman,	Ogden,	Stites,
Burnett,	Hoffman,	Palmer,	Strauss,
Campbell, T.,	Hollern,	Perry,	Sullivan,
Canon,	Hollingsworth,	Phillips,	Swartz,
Christman,	Horne,	Powell,	Sweitzer,
Clements,	Horton,	Ramsey,	Taylor,
Coldsmith,	Hough,	Reichenbacker,	Thomas,
Conner,	Howarth,	Reitzel,	Ulsh,
Cook,	Isherwood,	Reynolds,	Urich,
Cox,	Jack,	Rhoads, H. L.,	Vickerman,
Crosby,	Jennings,	Rich,	Vogdes,
Cummins,	Jones,	Ringler,	Wagner,
Davis, W.,	Kennedy,	Rininger,	Wallace,
Dawson,	Lafferty,	Robertson,	Walter,
Dean,	Lanius,	Rogers,	Weimer,
Dell,	Laucks,	Ross,	Wells,
Dewey,	Lauler,	Rothenberger,	West,
Dithrich,	Leary,	Ruddy,	Whitaker,
Drake,	Lewis,	Rudisill,	Williams, G. W.
Drinkhouse,	Lohr,	Sampsel,	Williams, J. P.,
Dunn,	Luppert,	Sarig,	Wobensmith,
Eby,	Mangan,	Schaeffer, A. C.,	Wood,
Erdman,	Marvin,	Scott,	Woodward,
Fackler,	McArdle,	Shaffer, C. A.,	Wylie,
Fitzgibbon,	McCaig,	Shattuck,	Wynne,
Flynn,	McCullough,	Showalter,	Zanders,
Fowler,	McCurdy,	Shunk.	Baldwin,
Franklin,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1017, entitled

An Act prohibiting the handling or driving of horses or other animals or teams or vehicles on the public highways of the Commonwealth by an intoxicated person and providing penalties therefor.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consttiution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Albee,	Drake,	McArdle,	Smith, L.,
Arthur,	Drinkhouse,	McCullough,	Smith, O. W.,
Aston,	Dunn,	McKinney,	Snowden,
Baker,	Eby,	McPeake,	Snyder,
Baldi,	Ehrhardt,	Mearkle,	Somerman,
Baldridge,	Erdman,	Mehring,	Sones,
Barner,	Fackler,	Mervine,	Spangler,
Bechtold,	Fitzgibbon,	Michel,	Speicher,
Bell,	Flynn,	Miller, Allan,	Sprowls,
Benchoff,	Fowler,	Miller, C. G.,	Stadtlander,
Bennett,	Franklin,	Miller, G. J. A.,	Steedle,
Benninger,	Fretz,	Milliron,	Sterling,
Beyer,	Gans,	Milner,	Stern,
Bidelspacher,	Glass,	Morgan, T.,	Stites,
Black,	Golder,	Murphy,	Strauss,
Boulton, H.,	Goodnough,	Musser,	Sullivan,
Bouton, V. B.,	Goodwin,	Palmer,	Swartz,
Bovee,	Graeff,	Perry,	Taylor,
Boyd,	Gransback,	Pickering,	Thomas,
Brady,	Haldeman,	Ramsey,	Ulsh,
Burnett,	Hecht,	Reichenbacker,	Urich,
Campbell, J. O.,	Heffernan,	Reynolds,	Vogdes,
Campbell, T.,	Helt,	Rhoads, H. L.,	Wagner,
Canon,	Hess,	Rich,	Walker,
Clements,	Hoffman,	Ringler,	Wallace,
Coldsmith,	Hollingsworth,	Robertson,	Walter,
Conner,	Horne,	Rogers,	Weimer,
Cook,	Horton,	Ruddy,	Wells,
Corbin,	Hough,	Rudisill,	West,
Cox,	Howarth,	Sampsel,	Whitaker,
Crosby,	Isherwood,	Schaeffer, A. C.,	Wickman,
Cummins,	Jennings,	Shaffer, C. A.,	Williams, G. W.
Curry,	Jones,	Shattuck,	Williams, J. P.,
Davis, W.,	Kennedy,	Showalter,	Wobensmith,
Dawson,	Laucks,	Shunk,	Wood,
Dean,	Lauler,	Siggins,	Woodward,
Dell,	Leary,	Simpson,	Wylie,
Dewey,	Lohr,	Sinclair,	Wynne,
Dithrich,	Luppert,	Smith, E. R.,	Zanders,
Donneley,	Marvin,	Smith, J. W.,	Baldwin,
			Speaker.

NAYS—4.

Heyburn,	Lewis,	McKay,	Rininger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 621, as follows:

An Act to amend section four of an act approved the seventeenth day of April one thousand nine hundred thirteen entitled "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act approved the seventeenth day of April one thousand nine hundred thirteen (Pamphlet Laws eighty-five) entitled "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received" which reads as follows

"Section 4 Each and every resident of this Commonwealth such resident being a citizen of the United States upon application made verbally or in writing to any county treasurer within the Commonwealth and the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirements of this act and the payment to said county treasurer of one dollar shall beentitled to what is herein designated as a 'Resident Hunter's License' and a tag with the number of the license therein Provided That no person under the age of sixteen years shall be entitled to or receive such license without presenting a written request therefor bearing the signature of his father or mother or his legally constituted guardian Provided further That no person under fourteen years of age shall be granted a license said license shall be issued on a form prepared and supplied by the Board of Game Commissioners at the cost of the Commonwealth Such license shall bear a description of the person applying for the same with the date of its issue and shall authorize the person named therein to use legal firearms for the purpose of hunting and killing any of the wild ani-

mals of game-birds protected by the laws of this Commonwealth under the restrictions and requirements of existing laws during that year the date of which is inscribed thereon Said certificate shall become void on the thirty-first day of December next following the date of issue The Game Commission shall also furnish free of charge and the county treasurer shall issue with each license a tag bearing the license number in figures at least one inch in height which tag said licensee is required to display on the back of the sleeve between the elbow and the shoulder in such manner that the figures be visible at all times while hunting Provided That it shall be lawful under the provisions of this act for any justice of the peace within this Commonwealth who has qualified therefor by having applied to the county treasurer of the county in which he is located and having received and receipted for necessary blanks and tags to issue a resident hunter's license and tag on like conditions and in like manner as prescribed for the issuance of licenses by any county treasurer upon payment of fifteen cents to said justice by the said licensee in addition to the other dollar prescribed as the cost of said license said fifteen cents to be retained by said justice of the peace as his fee for the issuance of said license and reporting the same and remitting payment therefor to the county treasurer of the county in which said justice of the peace is located Such report and remittance to be made and done by said justice of the peace within twenty-four hours after the issuance of said license by him Whereupon said county treasurer shall make a record of and otherwise treat said license as though it had been issued from his office except that he shall also note upon his record the name of the justice issuing the license Every justice of the peace shall deliver the book or books from which he has issued licenses together with the stubs therein properly filled out and showing the names of each licensee and the number of the license issued to him to the treasurer of his county during the month of January of each year" is hereby amended to read as follows

Section 4 Each and every resident of this Commonwealth —such resident being a citizen of the United States— upon application made verbally or in writing to any county treasurer within the Commonwealth and the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirements of this act and the payment to said county treasurer of one dollar shall be entitled to what is herein designated as a "Resident Hunter's License" and a tag with the number of the license therein Provided That no person under the age of sixteen years shall be entitled to or receive such license without presenting a written request therefor bearing the signature of his father or mother or his legally constituted guardian Provided further That no person under fourteen years of age shall be granted a license said license shall be issued on a form prepared and supplied by the Board of Game Commissioners in books or pads containing fifty forms each at the cost of the Commonwealth Such license shall bear a description of the person applying for the same with the date of its issue and shall authorize the person named therein to use legal firearms for the purpose of hunting and killing any of the wild animals or game-birds protected by the laws of this Commonwealth under the restrictions and requirements of existing laws during that year the date of which is inscribed thereon Said certificate shall become void upon the thirty-first day of December next following the date of issue The Game Commission shall also furnish free of charge and the county treasurer shall issue with each license a tag bearing the license number in figures at least one inch in height which tag said licensee is required to display on the back of the sleeve between the elbow and the shoulder in such manner that the figures be visible at all times while hunting Provided That it shall be lawful under the provisions of this act for any justice of the peace within this Commonwealth who has qualified therefor by having applied to the county treasurer of the county in which he is located and having received and receipted for necessary blanks and tags to issue a resident hunter's license and tag on like conditions and in like manner as prescribed for the issuance of licenses by any county treasurer upon payment of fifteen cents to said justice by the said licensee in addition to the other dollar prescribed as the cost of said license Said fifteen cents to be retained by said justice of the peace as his fee for the issuance of said license and reporting the same and remitting payment therefor to the county treasurer of the county in which said justice of the peace is located Such report and remittance to be made and done by said justice of the peace within twenty-four hours after the issuance of said license by him Whereupon said county treasurer shall make a record of and otherwise treat said license as though it had been issued from his office except that he shall also note upon his record the name of the justice issuing the license Every justice of the peace shall deliver the book or books or pad or pads from which he has issued license together with the stubs therein properly filled out and showing the names of each licensee and the number of the license issued to him to the treasurer of his county during the month of January of each year

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. PHILLIPS. Mr. Speaker, there is only one provision in this bill, and that is the changing of the method of issuing resident hunters' licenses. Up to this time they have been issuing them in pads of two hundred and fifty each to the county treasurer and requiring from the county treasurer a report as to who had secured that license, who he was, and a desciption of the man, and this was sent to the game warden so that he could detect whether the man had secured a license in a particular county and was authorized and entitled to hunt in that county. This provides that pads of fifty each be sent to the justices of the peace instead of to the county treasurer. You will understand that it is hard to get them out to all the justices of the peace of the State and have them make this report to the Game Commission, to make a proper report and to have a proper enforcement of the law. I think we should leave it with the county treasurer who is compelled to make a report to the Game Department.

Mr. McCURDY. Mr. Speaker, the only change in this bill is a change in issuing the licenses in pads of fifty instead of two hundred and fifty, thereby enabling the man living in the rural district to obtain his license without going to his county treasurer for the same. A justice of the peace may be able or may not be able to put up two hundred and fifty dollars for a pad of two hundred and fifty licenses, but he may be able to put up fifty dollars for a pad of fifty, thereby enabling the man living in a country district to secure his license on short notice.

Mr. WILLIAM DAVIS. Mr. Speaker, I desire to call the attention of the House to one clause, on page four, line twenty-six, the proviso, "provided that no person under the age of sixteen years shall be entitled to or receive such license without presenting a written request therefor bearing the signature of his father or mother or his legally constituted guardian." I have a natural inclination against boys carrying guns, and I do not think it is the proper thing. I have a boy of my own of that age, and a boy for whom I am guardian, and I do not want to put any one in a position to grant either one of them a license. I think the sponsor ought to agree to strike that out.

Mr. McCURDY. In answer to the gentleman from Cambria relative to the provision that he has just read, I would say that that provision is now contained in the existing law, and that there is no change excepting the change in the issuing of these pads.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—113.

Arthur,	Ehrhardt,	McCaig,	Sampsel,
Baldi,	Fackler,	McCullough,	Sarig,
Baldridge,	Fitzgibbon,	McCurdy,	Shattuck,
Barner,	Flynn,	McKay,	Shunk,
Benninger,	Franklin,	McKinney,	Siggins,
Bidelspacher,	Geary,	Mearkle,	Simpson,
Black,	Glass,	Mehring,	Smith, E. R.,
Bouton, V. B.,	Golder,	Mervine,	Smith, F. I.,
Burnett,	Goodwin,	Miller, Allan,	Smith, L.,
Campbell, J. O.,	Graeff,	Miller, C. G.,	Snowden,
Campbell, T.,	Gransback,	Milner,	Somerman,
Canon,	Hecht,	Morgan, T.,	Sones,
Christman,	Helt,	Murphy,	Spangler,
Coldsmith,	Hess,	Musser,	Sprowls,
Conner,	Heyburn,	Neary,	Stadtlander,
Corbin,	Hibshman,	Palmer,	Sterling,
Cox,	Hollern,	Patterson,	Sweitzer,
Cummins,	Howarth,	Perry,	Ulsh,
Curry,	Isherwood,	Pickering,	Urich,
Davis, W.,	Jack,	Reichenbacker,	Weimer,
Dawson,	Jones,	Reynolds,	West,
Dean,	Kennedy,	Rhoads, H. L.,	Wickman,
Dell,	Lafferty,	Rich,	Williams, J. P.,
Dewey,	Lanius,	Ringler,	Wood,
Dithrich,	Lauler,	Rininger,	Wylie,
Drake,	Lohr,	Ross,	Wynne,
Drinkhouse,	Luppert,	Rothenberger,	Zanders,
Dunn,	Mangan,	Rudisill,	

NAYS—18.

Bell,	Erdman,	Horne,	Sinclair,
Beyer,	Fretz,	Maurer,	Speicher,
Boyd,	Gans,	McArdle,	Stern,
Crosby,	Goodnough,	Phillips,	Walter,
Eby,	Graham,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 711, entitled

An Act to amend part of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth, providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highways, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PALMER. Mr. Speaker, I would desire the sponsor of this bill to explain its purposes.

Mr. DRAKE. Mr. Speaker, this bill is presented for the purpose of changing Route 268, extending from Greensburg to Waynesburg by way of Charleroi. The purpose of presenting the bill was that the Highway Commissioner, when we took the matter up, advised that the route be changed and that it would require an Act of Assembly to do it. The purpose of the bill is to shorten the original route by one mile and a half. Our county is an inland county, and by shortening this route and changing it, it will give us a direct route to the Monongahela River. It is presented under the approval of the Highway Department.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Baldridge,	Golder,	Mervine,	Spangler,
Barner,	Goodwin,	Miller, A. D.,	Sprowls,
Bechtold,	Graeff,	Miller, C. G.,	Stadtlander,
Bell,	Gransback,	Miller, G. J. A.,	Steedle,
Benchoff,	Haight,	Milner,	Sterling,
Beyer,	Hecht,	Morgan, T.,	Stern,
Bidelspacher,	Heffernan,	Musser,	Stites,
Black,	Hess,	Neary,	Sullivan,
Bovee,	Heyburn,	Ogden,	Sweitzer,
Burnett,	Hibshman,	Palmer,	Thomas,
Campbell, J. O.,	Hollern,	Phillips,	Ulsh,
Campbell, T.,	Hollingsworth,	Powell,	Urich,
Canon,	Horton,	Ramsey,	Vogdes,
Christman,	Hough,	Rhoads, H. L.,	Wagner,
Clements,	Howarth,	Rich,	Walker,
Cook,	Isherwood,	Rininger,	Wallace,
Corbin,	Kennedy,	Robertson,	Walter,
Crosby,	Lafferty,	Rothenberger,	Weimer,
Cummins,	Laucks,	Ruddy,	Wells,
Davis, W.,	Lewis,	Scott,	West,
Dean,	Luppert,	Shaffer, C. A.,	Williams, G. W.
Dell,	Marvin,	Showalter,	Williams, J. P.,
Dithrich,	Maurer,	Shunk,	Wobensmith,
Drake,	McCaig,	Siggins,	Wood,
Dunn,	McCullough,	Simpson,	Woodward,
Eby,	McCurdy,	Sinclair,	Wylie,
Fackler,	McKay,	Smith, E. R.,	Wynne,
Fitzgibbon,	McKinney,	Smith, J. W.,	Zanders,
Franklin,	McNichol,	Sones,	Baldwin,
Glass,	Mehring,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 912, as follows:

An Act validating certain foreclosure proceedings instituted by foreign executors administrators and guardians sheriff's sales had thereon and the title acquired thereby

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all foreclosure proceedings by scire facias or otherwise heretofore instituted in any of the courts of this Commonwealth by any executor administrator guardian or other legal representative of the estate of a decedent or a minor acting under any authority granted by or under the laws of any other state or territory of the United States or of any kingdom state sovereignty or country and all sheriff's sales upon any judgments recovered and executions issued in said foreclosure proceedings where such executor administrator guardian et cetera has prior to the institution of said proceedings filed in the office of the Register of Wills in and for the county in which the real estate so sold at sheriff's sale is situate a duly authenticated copy of the will or other grant of authority as aforesaid be and the same are hereby validated the title acquired by such sheriff's sales shall be the same as would have been acquired by an executor administrator guardian or other legal representative duly appointed by the proper courts of this Commonwealth Nothing herein contained shall affect the right of any parties to any suit now pending in which the validity of the title to lands under any such sheriff's sale shall have been questioned

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Arthur,	Dithrich,	Marvin,	Sarig,
Aston,	Donneley,	McCaig,	Showalter,
Baker,	Drake,	McCullough,	Siggins,
Baldi,	Ehrhardt,	McCurdy,	Simpson,
Baldridge,	Erdman,	McKay,	Sinclair,
Bechtold,	Fackler,	Mearkle,	Smith, E. R.,
Bell,	Flynn,	Mervine,	Smith, J. W.,
Benchoff,	Franklin,	Michel,	Somerman,
Beyer,	Fretz,	Miller, Allan,	Sones,
Bidelspacher,	Glass,	Miller, G. J. A.,	Stadtlander,
Black,	Golder,	Milner,	Steedle,
Boulton, H.,	Goodnough,	Morgan, T.,	Sterling,
Bovee,	Goodwin,	Murphy,	Stern,
Boyd,	Graeff,	Musser,	Stites,
Brady,	Hecht,	Ogden,	Sullivan,
Burnett,	Helt,	Palmer,	Sweitzer,
Campbell, J. O.,	Hess,	Patterson,	Ulsh,
Campbell, T.,	Heyburn,	Perry,	Urich,
Christman,	Hollingsworth,	Phillips,	Vogdes,
Coldsmith,	Horne,	Powell,	Wagner,
Cook,	Horton,	Ramsey,	Wallace,
Corbin,	Howarth,	Reichenbacker,	Weimer,
Cummins,	Jack,	Rich,	West,
Curry,	Jones,	Rininger,	Williams, J. P.,
Davis, D. F.,	Kennedy,	Robertson,	Wobensmith,
Davis, W.,	Lafferty,	Ross,	Wood,
Dawson,	Lewis,	Rothenberger,	Woodward,
Dean,	Lohr,	Sampsel,	Wylie,
Dell,	Luppert,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 985, entitled

An Act providing for the establishment of auxiliary state game preserves.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—109.

Baldridge,	Franklin,	Mehring,	Siggins,
Barner,	Fretz,	Mervine.	Simpson,
Bell,	Golder,	Michel,	Sinclair,
Benchoff,	Goodwin,	Miller, A. D.,	Smith, E. R.,
Benninger,	Graham,	Miller, G. J. A.,	Smith, J. W.,
Beyer,	Heffernan,	Mitchell,	Sones,
Black,	Helt,	Morgan, T.,	Speicher,
Boulton, H.,	Hess,	Murphy,	Sprowls,
Bovee,	Heyburn,	Ogden,	Stadtlander,
Boyd,	Hollern,	Palmer,	Steedle,
Burnett,	Hollingsworth,	Phillips,	Sterling,
Campbell, J. O.,	Horne,	Powell,	Stern,
Canon,	Hough,	Ramsey,	Stites,
Clements,	Isherwood,	Reichenbacker,	Sullivan,
Coldsmith,	Jennings,	Reitzel,	Sweitzer,
Conner,	Jones,	Reynolds,	Ulsh.
Corbin,	Kennedy,	Rhoads, H. L.,	Urich,
Cox,	Lafferty,	Ringler,	Vogdes,
Crosby,	Leary,	Rininger,	Wagner,
Dawson,	Lewis,	Robertson,	Wallace,
Dell,	Luppert,	Ross,	Wells.
Dewey,	Mangan,	Rothenberger,	Wickman,
Dithrich,	McCalg,	Rudisill,	Williams, G. W.
Drake,	McCullough,	Sarig,	Wobensmith,
Eby,	McCurdy,	Schaeffer, A. C.,	Woodward,
Erdman,	McKay,	Shaffer, C. A.,	Wynne,
Fackler,	Mearkle,	Shunk,	Baldwin,
Fowler,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1253, entitled:

A Joint Resolution petitioning the government of the United States and the Secretary of War to rescind or modify the order of the Department of War requiring the raising of certain bridges over the Allegheny River.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

MR. MILLIRON. Mr. Speaker and gentlemen of the House, I am sorry at this time to be compelled to oppose this resolution. If I did not offer my objections and protest against its passage I should feel that I was not fair to the constituents of my own county.

The Allegheny River, as you know, passes directly through Armstrong County. It also borders on Clarion County, passes Venango County, into Warren County, and on up to the norther section of the State. The people residing along the Allegheny valley have been for years attempting to have the Allegheny river improved, slack-watered and made navigable as far north as Oil City. We have been spending hundreds and thousands of dollars attending hearings, hiring counsel and appearing before the Secretary of War or his representative during many administrations of our National Government. Congress has from time to time appropriated money for the slack-watering of the Allegheny river. A number of dams have been built and at the present time there is a large appropriation of money made by the National Government for the improvement of this river on the condition that the bridges spanning the Allegheny river would be raised. After years of fruitless effort we have succeeded in having the present Governor issue an order for the raising of the bridges. The purpose of this resolution is that this legislative body ask the Secretary of War to rescind or modify this order.

The jurisdiction over navigable streams in this country is a national question, one over which the states have no jurisdiction, and it seems to me it would be unwise for the legislature of Pennsylvania at this time to interfere with the orders of the Secretary of War. I called attention to the fact a few days ago when this bill was on second reading that this legislative body passed resolutions asking that the State Highway Department of this State improve the main and trunk lines of the State Highways of this State. For what purpose? For the purpose of transporting supplies and men more easily during the progress of the present war. While that has no doubt some merit to it, it is nothing compared to making our streams navigable, taking away those obstructions and making it possible, in case the railroads are so wrecked that it will be impossible for us to tranport ammunition and men, that we will still have those natural waterways that were placed here by the Maker of this universe. So I say that it is not only a bad thing to ask this legislature to do but it is unpatriotic for us in the time of war to try to hinder anyone connected with the War Department, and especially the Secretary of War, from making it possible for us to have the best possible advantages during the progress of the present war.

There is another side to it and that is the side of fairness. It is a fact that in the hills and along the valleys of the Allegheny river there are some of the greatest natural resources in this country. Those hills are filled with coal and ore and clay and stone and it is not anything more than we should ask for that the river be made navigable so that we may transport those minerals and the products from those minerals to market at as low a freight rate as possible to make. So that I say that it is not a selfish thing on the part of any county outside of Allegheny. Armstrong County has her bridges to raise, Clarion County her joint bridges and Warren County her bridges to raise.

We are not objecting. When you take the population and wealth of the county, the expense per capita would be equal to that of Allegheny County.

I want to call your attention to one fact at this time, that those of you who were here two years ago remember how, in my weakness, I tried to prevent the expending of any more money for the building of the Ohio and Lake Erie Ship Canal proposition. Up to this time there has been spent $186,000 and not one shovel of dirt has been turned; and the same civic bodies, the same Boards of Trade, the same Chambers of Commerce that are asking to have this resolution passed in order that the war governor may rescind his order for the raising of those bridges, came over here en masse, not only during the passage of the bill but when the bill was in the Governor's hands and urged him to affix his signature to a law that would expend seventy millions of dollars for the construction of a canal over dry land; and yet they come in at this time and ask you to vote to rescind this order to improve this natural highway.

Much more could be said on this matter but it seems to me that it is unnecessary and I leave the matter with you.

MR. SULLIVAN. Mr. Speaker and gentlemen of the House, fully realizing that this is my case and that it requires 104 votes to pass a measure, if I did not believe that this resolution was absolutely right I would not at this time permit it to come before the House.

As the author of this resolution, I have no desire to see it passed without a free, frank and open discussion of its merits and I am glad that the gentleman from Armstrong County has stated his side of the case. This bill pertains to an old old issue in Pittburgh, one whose history goes back to the days when Pittsburgh was but a thriving village on the banks of the Allegheny river. At that time some enterprising individuals applied to the proper authorities for permission to construct those bridges and to collect toll from all who desired to cross from the one side to the other. This condition, Mr. Speaker, prevailed for many years until the city officials of Pittsburgh and the officials of Allegheny County jointly purchased those bridges from the private owners and made them free to the people. This was not done, however, until after three successive Secretaries of War had on three different occasion refused the petition of the river interests (by the river interests I mean the Sand Companies) ordering the elevation of the structures.

After those petitions had been refused by three successive Secretaries of War the people of Pittsburgh and Allegheny County not only purchased the bridges and made them free to the people but they improved all the streets in the vicinity of those bridges, and this was done at a tremendous cost not only to the City of Pitsburgh and the citizens of Allegheny County but in the great sacrifice of business to the merchants by virtue of the deranged traffic.

I do not propose to argue that if the Allegheny river was made navigable from Pittsburgh to Oil City that the towns along its source would not derive any benefit or advantage, but Pittsburgh would be the chief beneficiary.

To make this river navigable is only the dream of the most visionary. The Allegheny river is a peculiar stream, and as I understand it, its descent is so great that it is absolutely impossible to construct locks to make it navigable to large boats. The government has appropriated three hundred thousaid dollars for the purpose of making this stream navigable to large boats but that sum is totally inadequate to the cost of the purpose. Mr. Speaker, as another argument in favor of this resolution I would like to state that this is the most inopportune time for the government to issue this order when guards are placed on practically every bridge in this Commonwealth to protect them. I feel that it is ridiculous on the part of the government to order these bridges elevated and traffic discontinued on the principal artery between Pittsburgh and points west. As to the traffic that is now on the river I may say that the type of boats that now ply that stream is the only type that can operate there, and it is just as reasonable for the Secretary of War to order that the bridges spanning the Susquehanna river be elevated to accommodate the coal diggers on that river as it is to order the Allegheny river bridges elevated to permit pirates to operate on that stream. This resolution was conceived in my own mind and I would like to state to you, Mr. Speaker, and gentlemen of the House, that I have positively no interest in the measure other than that I feel that it is an injustice to the taxpayers of Pitsburgh, but I wish that each of you members would see this as I do; and, as to my Democratic friends in this House, permit me to say that it is not my intention to cast any reflection upon the Democratic Administration at Washington. I hope that you gentlemen will see this resolution as I do;—By virtue of the fact that there is not one unopposed civic organization, not one corporation in Pittsburgh, and that the merchants, to a man, also are opposed to the elevation of these bridges. You men who are familiar with the peculiar topography of Pittsburg know that the commecial business of Pittsburgh is confined, constricted, to a very small area in the downtown section of the city. I have stated in this resolution that the cost of elevating these bridges amounts to fifty million dollars and I stand by that statement that more than twelve million dollars have already been spent and it will require as much more and I still say that the cost of elevating these bridges is fifty million dollars. When my friend from Armstrong stands on the matter of partiotism, I will state to him that I do not yield my spirit of patriotism to him or to anyone else in the United States of America.

Mr. SARIG. Mr. Speaker, I have no desire to enter into this controversy that appears to have arisen between residents residing in the western part of this State, but I do think that they have brought their case into the wrong court. I really feel that this resolution should never have been brought into this House. This House has no jurisdiction in the matter; it is an issue of a purely local character, and I feel that it is not fair to ask us, from Berks or Lehigh, or men living in any other part of the State, to vote on a local controversy by snap judgment. This matter has been thrashed out, I understand, for years, before the War Department, and both sides of it have been heard. The case has been taken up by the War Department and both sides have had ample and fair opportunity to be heard. If there is to be any more protest against the decision of the Secretary of War I feel that the proper place to carry that protest, if there is any grievance, is before the Secretary of War at Washington. I feel that we are not qualified to vote, I for one, would hardly feel qualified to vote on the merits of this measure. I feel instead of it being brought to this House and asking the other members from all over the State who are not concerned in this local controversy to act on it, that it should be taken and carried where it belongs, before the national government at Washington. I understand that the Secretary has made his decision and if there is any argument why that reason or this reason should be presented before the Secretary of War, then take it there and not before this body. During the last few weeks I have voted several times to uphold the Speaker of this House on propositions in which I did not exactly agree, but I voted to uphold him, because I felt that we could not in any way interfere with the prestige which belongs to his office and which would hinder him from maintaining order. I feel, however, that we should not go on record here and try to more or less impair the prestige of the Secretary of War. I feel that if there is any grievance it can be carried to him and it should be heard there and it should not be brought into this House. At this particular time, especially, I feel that no reflection of any kind should be cast upon the national government, and I, therefore, say to the gentlemen of this House that I feel that it is not a fair proposition to put up to this House, or to bring this local question into this Legislature and ask us men here to vote on it because we are not qualified to pass snap judgment and decide this issue, and that it should be forwarded to the Secretary of War.

Mr. STEEDLE. Mr. Speaker, I am not at all surprised that the gentleman from Berks, who is considered and is looked upon by every man in this House as the Democratic Floor Leader, would come to the assistance of the Secretary of War, Mr. Baker. Permit me to say that every effort possible within the confines of human minds was promulgated and was placed in the hands of the Secretary of War, Mr. Baker, urging him to substantiate, to co-operate, to do just the same as every other Secretary of War of the three Secretaries who preceded him during a Republican administration. Those men I refer to were Secretaries of War during those times—they were Secretary Root, Secretary Taft and Secretary Dickinson. Now, let me tell you men that the gentlemen who are primarily interested in causing this vast amount of money to be expended by the County of Allegheny are none other than the men who have followed the flag of the Democracy all the days of their lifetime, not only that, but further even; one man, W. B. Rogers, president of the Rogers Sand Company, of Pittsburgh, was a delegate to the last Democratic National Convention. He himself, through his personal influence, through his Democratic influence with the Secretary of State or of War, has been able to use that persuasive effort to defeat the propositions that the people of Allegheny County has so urgently requested, not only by personalities but by every civic and commercial body within the confines of the County of Allegheny. This we know without contradiction.

Mr. Rodgers is the most important man who is asking, or who has passed upon this proposition, and he has stated that the bridges of Allegheny County must be raised. Now it has only been within the last three or four years that the City of Pittsburgh and the County of Allegheny have raised their streets above what we have called flood tide. Now it has cost the City of Pittsburgh from $12,000,000 to $15,000,000, and that has only occurred within the last three or four years. The Secretary of War asked the City of Pittsburgh and the county commissioners of the county, to raise those bridges and elevate those streets. Is it fair for them to insist upon this proposition? I will say to the gentleman from Berks, that this possibly is not the proper court to bring this proposition, but this enactment, this resolution, does not nullify and say that the Secretary of War's opinion becomes null and void. It is only a remedial agent, it is only in the hope that he may possibly be interested sufficiently to rescind the decision that he has already rendered upon this so grave a question. I say to the Republican members of this House and my Democratic friends that we are not throwing slurs on the Secretary of War, we are only trying to place before him a few of the facts with the hope that he can see them as we do, and if it comes from this body, it carries prestige and dignity with it. Therefore, gentlemuen, I ask you to vote aye on this question.

Mr. STADTLANDER. Mr. Speaker, I should like to interrogate the gentleman from Armstrong, Mr. Milliron.

The SPEAKER. Will the gentleman from Armstrong, Mr. Milliron, permit himself to be interrogated?

Mr. MILLIRON. Mr. Speaker, yes, sir.

Mr. STADTLANDER. Mr. Speaker, I should like to ask the gentleman what is the population of Armstrong County?

Mr. MILLIRON. Mr. Speaker, about 78,000.

Mr. STADTLANDER. What is the population of Allegheny County?

Mr. MILLIRON. I cannot tell you that, sir.

Mr. STADTLANDER. What class of boats ply up the river through Armstrong County?

Mr. MILLIRON. Large boats.

Mr. STADTLANDER. What size?

Mr. MILLIRON. I cannot tell you the horsepower.

Mr. STADTLANDER. If the bridges were raised on the river, and the river was dammed, would not larger boats be able to ply up that river?

Mr. MILLIRON. Yes, sir, farther up the river.

Mr. STADTLANDER. Are you familiar with the construction of the locks?

Mr. MILLIRON. No, sir.

Mr. STADTLANDER. How many locks are there built?

Mr. MILLIRON. One dam backing water up as far as Kittanning.

Mr. STADTLANDER. What was the cost to Armstrong County of constructing that dam?

Mr. MILLIRON. Mr. Speaker, I cannot tell you that, sir.

Mr. STADLANDER. Does Armstrong County pay anything towards the raising of bridges in Allegheny County?

Mr. MILLIRON. No, they raised their own, four of them.

Mr. STADLANDER. Mr. Speaker, I thank the gentleman from Armstrong, Mr. Milliron.

One gentleman has spoken here of the fact that this is not the proper court to bring this particular resolution to. I say that it is. Allegheny County is an integral part of this great Commonwealth of Pennsylvania. It is our duty, our sworn duty, to stand side by side and protect the interest of every part of this State, whether it is Erie County, Berks County, Luzerne County, or whatever county it may be. This bridge proposition is one of great and vital interest to Allegheny County. It would cost us about $5,000,000 to $6,000,000 to raise these bridges, and I think it is proper for us to influence, or try to influence, the national administration to rescind their recent decision.

It seems to me that the gentlemen who preceded me appeared to take a jealous view of this question, as long as it does not strike them they are satisfied, but immediately it strikes them, they begin to holler. Gentlemen, I ask you to give us assistance on this question to-day, it means not only the raising of the bridges, which will cost us between $5,000,000 and $6,000,000, but it means the destruction of property and the raising of streets in that vicinity where these bridges are located, and you can imagine the stress that we are in, and we are asking for help, we are a part of Pennsylvania, and we want you to help us.

Mr. MILLIRON. Mr. Speaker, the gentleman who has just preceded me, the gentleman who has interrogated me as to whether I knew anything about bridges or locks, has made a statement, and I just want to call the attention of this House to the statement which he has just made, contrary to one which the gentleman from Allegheny, who spoke before him, made. The gentleman who spoke before him, and the sponsor of this resolution on the floor of this House, said that it would cost Allegheny County $50,000,000 or $60,000,000. The gentleman who has preceded me said that it would cost $6,000,000. Now I want to call the attention of the House to those things.

I just want to say this in conclusion, gentlemen, that I am surprised to find that anybody would call this a political measure, because the gentleman from Berks has seen fit in his wisdom to stand for that which affects the whole of western Pennsylvania, saying that it should not be treated as a political measure, which it is not. It is not a political measure. I know that this resolution is going to carry, I know it absolutely. But, I would not be fair to Armstrong County or to Allegheny County, if I did not oppose it. I know what pressure has been brought to bear here in the last half hour. I know that the men who are occupying seats in this House now are not all members of this House, and I know that the resolution will pass.

POINT OF ORDER.

Mr. STADTLANDER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. STADTLANDER. Mr. Speaker, I think that the gentleman is probably in error. I do not wish to question the integrity of any man in this House. I do not think he would ——

The SPEAKER. The gentleman from Allegheny is out of order. That is not a point of order.

Mr. MILLIRON. Mr. Speaker, I ask the members of this House to vote "no" on this resolution.

Mr. STADTLANDER. Mr. Speaker, there is an attempt here this afternoon to throw dust into our eyes. I did not state that the total damage would be $6,000,000, but I did state that the cost of raising the bridges alone would be between $5,000,000 and $6,000,000. The preceding speaker said that it would cost $50,000,000 to $60,000,000, and he is probably correct for the reason that consequential damages arising from the raising of the bridges would probably exceed that amount.

Mr. SARIG. Mr. Speaker and gentlemen of the House, it has been said here that there is an attempt to throw dust into this proposition. Now I tried as far as possible to clarify it. It has been said that we are here to protect the interests of western Pennsylvania, we are here in state matters, but this is not a matter that should be brought here for this reason: the districts which are affected, and even the whole State of Pennsylvania, is represented at Washington.

The State of Pennsylvania has thirty-six congressmen down there and two senators there, and if there is any grievance or wrong which should be righted, that is what these congressmen are there for, and these two senators. This State is, I say, amply protected against any wrong that the National government may inflict against their citizens, and it is their place, the place of the congressmen and the senators, to get together with the Secretary of War and make any such protests as they may deem necessary and advisable, and therefore I reiterate that this is the wrong court, that we have no jurisdiction in the matter, and this resolution is only brought here for the sake of influencing the action of the National government at Washington. This State is directly represented in our National government, and why not use the avenues, the proper avenues, to redress this if it is a wrong? As I said, I have not studied the issue, and would not be qualified to judge which is right and which is wrong, but I do say and insist that this is not the proper court and not the proper place, and we should not at this time do anything that might embarrass or hinder the national government at Washington.

Mr. JACK. Mr. Speaker, I desire to interrogate the gentleman from Allegheny County, Mr. Stadtlander.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STADTLANDER. Mr. Speaker, I will.

Mr. JACK. Mr. Speaker, in interrogating the gentleman from Armstrong, Mr. Milliron, Mr. Stadtlander asked him the population of Armstrong County and also of Allegheny County. I want to ask Mr. Stadtlander if it is not a fact that Allegheny County, from Pittsburgh on up the Allegheny River, is interested in this and wants this river slackwater?

Mr. STADTLANDER. Mr. Speaker, the county itself is satisfied with the slackwater.

Mr. JACK. Mr. Speaker, I know positively that Tarentum and a number of the towns along the Allegheny River in Allegheny County and Armstrong County have been working for years to get this. Committees after committees have gone to Washington to bring bearing on the War Department for the improvement of the river. I do not intend to take up much time in the discussion of this bill, but I do know that the towns in the Allegheny Valley, from Pittsburgh to the headwaters, have been working for years and years to get some improvements in the Allegheny River. Congress, as Mr. Milliron has stated, has made appropriation after appropriation in different sessions of Congress for the improvement of this river, which would only become available by the raising of these bridges in Allegheny County, which are a menace to the whole Alle-

gheny Valley. Mr. Stadtlander asked about the boats that run in the river. I will say that it is impossible for any boat of any size to go up this river. It would not be a good business proposition to build motor boats or submarine boats to use in the Allegheny River or any other river. Take the Ohio and Monongahela Rivers, they both have been improved for years. It is not right for them to say on page 2, "Whereas said bridges do not at present interfere with the traffic on said river and boats can be small enough and of sufficient power to handle all traffic on said river and which can pass safely beneath said bridges." With these boats traveling the Monongahela and Ohio Rivers, is it a good business proposition to build special boats for the Allegheny River? The government has already constructed, I believe, three dams and locks in the Allegheny River, and these dams and locks are utterly useless because of the bridges in Allegheny County and the boats of any size cannot and do not go under water. Now, gentlemen, the same people that are here working for this bill are the same selfish business interests that are working for this ship canal. When they speak of the expense of raising the bridges, they do not figure the expense of digging a ship canal from Pittsburgh to Lake Erie on dry land. They are the same people who are here to-day working for a State highway from Allegheny County to Erie, and they do not figure the expense of that. They are selfish in their motives, simply because it is going to cost Allegheny something. We all know it is going to cost Allegheny something, and it will also cost Armstrong and every other county along the river something. We have a number of bridges in Armstrong County to raise, and we are ready and willing to raise them. He also mentioned the name of a sandman. Dwight C. Morgan has made trip after trip to Washington pleading with the government and the Secretary of war for some improvements on this river, and I think that it is it nothing more than right that this bill should be defeated.

SPEAKER BALDWIN IN THE CHAIR.

Mr. GOODWIN. Mr. Speaker, I do not see why the time and attention of this House should be occupied in considering a question over which we have no jurisdiction. This matter has been considered by the War Department for years. Now after the controversy has been heard, and a full and fair consideration given, the Secretary of War has issued his order, and no resolution that this House may pass will have any binding force whatever on the Secretary of War. If those who are in favor of this bill have any cause to present, it is not before this legislature, but to the War Department, and I therefore object to taking up the time of this House in considering a matter over which we have no jurisdiction whatever. Therefore I move the previous question,

The motion was seconded by the following members:

Messrs. Gans, Geary, Gransback, Hough, Kennedy, McArdle, McCaig, McNichol, Palmer, Ramsey, Rininger, Ross, Showalter, Summerman, Spangler, Sprowls, Stern, Stadtlander, Urich, Wagner, and others.

The SPEAKER. More than twenty members having joined in moving the previous question,

On the question,

Shall the main question be put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. MILLIRON. Mr. Speaker. I ask for a verification of the roll.

Mr. SARIG. Mr. Speaker, I second the request.

The SPEAKER. The roll will be verified.

The roll was verified as follows:

YEAS—108.

Arthur,	Fitzgibbon,	McCurdy,	Smith, J. W.,
Baldridge,	Fowler,	McKay,	Somerman,
Bechtold,	Fretz,	McNichol,	Sones,
Benchoff,	Gans,	McPeake,	Spangler,
Beyer,	Geary,	Mearkle,	Speicher,
Bovee,	Glass,	Mehring,	Sprowls,
Boyd,	Golder,	Michel,	Stadtlander,
Brady,	Graeff,	Miller, Allan,	Steedle,
Campbell, J. O.,	Gransback,	Neary,	Stern,
Campbell, T.,	Haight,	Ogden,	Stites,
Conner,	Hecht,	Palmer,	Sullivan,
Corbin,	Hess,	Perry,	Swartz,
Cox,	Heyburn,	Pickering,	Thomas,
Crosby,	Hough,	Powell,	Ulsh,
Cummins,	Howarth,	Ramsey,	Urich,
Curry,	Jones,	Rich,	Vickerman,
Davis, W.,	Kennedy,	Rininger,	Vogdes,
Dawson,	Lafferty,	Rogers,	Wagner,
Dean,	Lauler,	Ross,	Wallace,
Dell,	Leary,	Ruddy,	Weimer,
Dewey,	Lewis,	Shattuck,	West,
Dithrich,	Luppert,	Showalter,	Wickman,
Drake,	Mangan,	Shunk,	Williams, G. W.
Drinkhouse,	Maurer,	Simpson,	Williams, J. P.,
Dunn,	McArdle,	Sinclair,	Woodward,
Ehrhardt,	McCaig,	Smith, E. R.,	Wylie,
Fackler,	McCullough,	Smith, F. I.,	Baldwin, Speaker.

NAYS—46.

Barner,	Goodwin,	Miller, G. J. A.,	Schaeffer, A. C.,
Bell,	Graham,	Milliron,	Siggins,
Bidelspacher,	Hollingsworth,	Milner,	Smith, O. W.,
Black,	Horne,	Musser,	Snyder,
Bouton, V. B.,	Isherwood,	Phillips,	Sterling,
Burnett,	Jack,	Reichenbacker,	Strauss,
Canon,	Lanius,	Ringler,	Sweitzer,
Christman,	Laucks,	Robertson,	Wells,
Clements,	McKinney,	Rothenberger,	Whitaker,
Eby,	Mervine,	Rudisill,	Wobensmith,
Erdman,	Miller, A. D.,	Sarig,	Wood,
Goodnough,	Miller, C. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION RECALLING HOUSE BILL NO. 295 FROM THE GOVERNOR.

Mr. WOBENSMITH. Mr Wobensmith asked and obtained the unanimous consent to offer the following resolution which was twice read considered and agreed to

Resolved (if the Senate concur), That House Bill No. 295, entitled, "An Act to further amend cluase three of section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four) entitled "A further supplement to the act entitled 'An Act concerning divorces'" as amended by omitting the proviso providing for the allowance of support or alimony in certain cases.

be recalled from the Governor for the purpose of amendment.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 8,

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections.

House Bill No. 37,

An Act to further amend sections sixteen and twenty-five of an act approved the seventh day of February one thousand nine hundred and five entitled "An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor" as amended

House Bill No. 266

An Act to amend the first section of an act entitled "An Act to amend the first section of an act approved the fourth day of April Anno Domini one thousand nine hundred and seven entitled 'An Act to fix the salaries of the deputy register clerks and employes in the office of the register of wills of any county of this Commonwealth having a population of one million or over' so as to make it apply to counties containing a population of one million four

hundred thousand or over" approved the fifth day of May Anno Domini one thousand nine hundred and eleven so as to change the salaries of the said deputy register clerks and employes of the office of register of wills of said counties.

House Bill No. 308

An Act to amend section one of an act approved the twenty-second day of April one thousand nine hundred thirteen entitled "An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for the payment of expenses for such treatment heretofore incurred in good faith" by providing for payment of expenses for treatment of all persons bitten by dogs by the county from the fund collected from the taxation of dogs.

House Bill No. 364

An Act relative to the sale in bulk of the whole or a large part of the stock of goods wares or merchandise of any kind or of goods wares or merchandise of any kind and fixtures not in the ordinary course of business providing certain requirements therefor and imposing certain duties upon the seller and buyer and making their violation a misdemeanor.

House Bill No. 392

An Act to amend an act entitled "A Supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five authorizing and establishing a board of recreation for the creation organization care management conduct and supervision of recreation facilities of cities of the first class except as herein provided" approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred and thirty-nine) by changing the number of the members of the board of recreation their length of term and the officers to be elected.

House Bill No. 847

An Act to amend section two thousand six hundred twenty of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

House Bill No. 856

An Act to further amend section fifteen of an act approved the twenty-second day of June one thousand eight hundred and ninety-one entitled "An Act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor" as amended fixing the maximum for maintenance weekly per capita.

House Bill No. 1087

An Act to give exclusive jurisdiction to the municipal court of Philadelphia over all houses of detention established within the limits of the City of Philadelphia for the care of delinquent dependent and neglected children providing that the board of managers of the said houses of detention shall be appointed and removed by the judges of the municipal court of Philadelphia and repealing all acts or parts of acts inconsistent herewith.

Whereupon,

The SPEAKER in the presence of the House signed the same.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 802 (House Bill No. 1540)

An Act regulating the time for advertising for and receiving proposals for furnishing paper, cardboard, cuts, plates and other supplies for the use of the Commonwealth for executing the public printing and the time contracts for furnishing such supplies shall run.

Referred to the Committee on Printing.

Senate Bill No. 837 (House Bill No. 1541)

An Act authorizing appeals from the courts of common pleas to the Supreme and Superior Courts from orders granting new trials.

Referred to the Committee on Judiciary Special.

Senate Bill No. 823 (House Bill No. 1542)

An Act validating proceedings by town councils in boroughs for the paving and curbing of public highways and validating municipal liens filed therefor.

Referred to the Committee on Judiciary Special.

Senate Bill No. 812 (House Bill No. 1543)

An Act fixing the residence of the warden of the county jail or prison in counties of this Commonwealth where the government of such jail or prison is or may hereafter be vested in a prison board.

Referred to the Committee on Judiciary General.

Senate Bill No. 796 (House Bill No. 1544)

An Act validating all acts done, all contracts and expenditures made by virtue of and all obligations for money borrowed, issued under the provisions of an act approved the first day of May, one thousand nine hundred and nine (Pamphlet Laws three hundred and two), entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand, and not more than one million two hundred thousand inhabitants, to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts, and conferring the powers and regulating the proceedings for the establishment, maintenance and management thereof," and the amendments thereof and supplements thereto, and making such acts, contracts and obligations as valid and effective as if the said act had applied to each and every county within this Commonwealth and was constitutional and valid; vesting title to any and all property purchased or condemned by any county for said schools under said act in the county which paid for the same.

Referred to the Committee on Judiciary General.

Senate Bill No. 789 (House Bill No. 1545)

An Act validating divorces granted on the ground of the hopeless insanity of the respondent under the provisions of an act approved the eighteenth day of April, nineteen hundred and five, entitled "An Act to amend section eight of the act approved the thirteenth day of April, eighteen hundred and forty-three, entitled 'An Act to convey certain real estate and for other purposes,' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis, and to further regulate the procedure in action for divorce."

Referred to the Committee on Judiciary General.

Senate Bill No. 769 (House Bill No. 1546)

An Act to amend an act approved the twenty-fifth day of August, one thousand eight hundred sixty-four, entitled "An Act to regulate elections by soldiers in actual military service."

Referred to the Committee on Elections.

Senate Bill No. 763 (House Bill No. 1547)

An Act to amend article 2, section 1, sub-section T, and article 5, section 12 of an act, entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes, prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of com-

mon pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission, making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains, by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled "To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act," approved the twenty-sixth day of July, one thousand nine hundred and thirteen, by providing the proportions in which the cost of establishing overhead and undergrade crossings shall be borne by railroad companies, the Commonwealth and the various municipal divisions of the Commonwealth.

Referred to the Committee on Judiciary General.

Senate Bill No. 694 (House Bill No. 1548)

An Act amending an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine."

Referred to the Committee on Ways and Means.

Senate Bill No. 665 (House Bill No. 1549)

An Act providing that every advertisement and notice required by authority of law or rules of court to be published in any county in the Commonwealth or in any city coincident to the boundaries of a county may in addition to the publication of such advertisements or notices required to be made in newspapers published and printed in the English language be also published by the public officer body or court directed by law or rules of court to publish such advertisement or notice in newspapers printed in the English language in one or more daily newspapers printed in a foreign language or languages such newspapers printed in a foreign language or languages to be printed in and have general circulation in the county or the city coincident to the boundaries of said county for at least three years countinuously before the publication of such advertisements or notices and further providing for the prices to be charged for publishing such advertisements or notices in any such foreign newspapers how often the same shall be published and the stipulation and regulations under which the same shall be published.

Referred to the Committee on Judiciary General.

Senate Bill No. 640 (House Bill No. 1550)

An Act to amend section three four five six and eleven of an act approved the twentieth day of May one thousand nine hundred and fifteen entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions."

Referred to the Committee on Judiciary Special.

Senate Bill No. 561 (House Bill No. 1551)

An Act to further amend the act approved the fifth day of March one thousand nine hundred and six entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" by providing for special registration for special elections.

Referred to the Committee on Elections.

Senate Bill No. 531 (House Bill No. 1552)

An Act authorizing insurance companies upon any increase of capital to issue the same at a price in excess of par to require payment of such price as a condition to the right to subscribe and also to sell in such manner as the board of directors may prescribe for not less than such price any unsubscribed stock.

Referred to the Committee on Insurance.

Senate Bill No. 831 (House Bill No. 1553)

An Act fixing the compensation of registers of wills in counties containing a population of one million five hundred thousand and upwards for services rendered the Commonwealth.

Referred to the Committee on Judiciary Special.

Senate Bill No. 817 (House Bill No. 1554)

An Act to amend the second section of an act approved the thirteenth day of June, Anno Domini nineteen hundred and eleven, entitled "An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand, a Board for the assessment and revision of taxes for State and county purposes, prescribing the method of their appointment, their powers and duties; fixing their salary, to be paid by the proper county; and abolishing the office of ward, borough and township assessors, in so far as respects the assessment of state and county taxes" by changing the pay of subordinate assessors from four to five dollars per day

Referred to the Committee on Judiciary General.

Senate Bill No. 813 (House Bill No. 1555)

An Act relating to the assessment and payment of damages to owners of property abutting on State highways in certain counties damaged by a change of the existing lines and location of such State Highway imposing certain powers and duties upon the Highway Commissioner and the county commissioners and providing for the payment of such damages by such counties.

Referred to the Committee on Public Roads.

Senate Bill No. 797 (House Bill No. 1556)

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million five hundred thousand.

Referred to the Committee on Judiciary General.

Senate Bill No. 792 (House Bill No. 1557)

An Act authorizing and empowering the several counties of this Commonwealth to locate, lay out, open, construct and maintain public bridges whether wholly or partly within any city, borough or township therein, across any river or stream dividing or separating any part of said county from any other part thereof, together with the necessary bridge approaches, viaduct or other approaches, to conveniently connect the same with existing streets or public roads in such cities, boroughs or townships; authorizing the cities and boroughs wherein such bridges are located, to share in the cost thereof and to provide approaches therefor; authorizing the taking and appropriation of property and rights of property, public or private, for such purposes; providing a method for making compensation for property taken, injured or destroyed thereby; authorizing the several counties to enter upon and over public streets or roads in cities, boroughs or townships for said purposes; authorizing the several counties to appropriate money, levy taxes and incur indebtedness therefor; and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street railway, telegraph, telephone or other corporations or persons making use thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use.

Referred to the Committee on Public Roads.

Senate Bill No. 776 (House Bill No. 1558)

An Act relating to the free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring

library property and for violations of library regulations and repealing existing laws in relation to the above subjects.

Referred to the Committee on Judiciary Special.

Senate Bill No. 768 (House Bill No. 1559)

An Act providing a method of establishing title to land acquired at a sale for unpaid taxes.

Referred to the Committee on Judiciary General.

Senate Bill No. 745 (House Bill No. 1560)

An Act to validate affidavits acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act.

Referred to the Committee on Judiciary General.

Senate Bill No. 710 (House Bill No. 1561)

An Act to amend an act approved the seventeenth day of April one thousand eight hundred seventy-six entitled "An Act relating to appeals in cases of summary convictions."

Referred to the Committee on Judiciary General.

Senate Bill No. 670 (House Bill No. 1562)

An Act to increase the powers of courts in proceedings for desertion and non-support of wives, children or aged parents, and in proceedings for failure to comply with orders of court in fornication and bastardy proceedings or other proceedings for the support of illegitimate children; directing that imprisonment in such cases be at hard labor in such institution as the court shall name; providing for the payment by such institution, or in certain cases by the county from which the defendant was committed, of the sum of sixty-five cents per day, to be paid to the person designated by the order of the court; providing for the issuance of attachments and for the disbursement of moneys collected on forfeiture of bonds, bail bonds or recognizances; and providing for the payment by the county of the expenses incident to carry out this act

Referred to the Committee on Judiciary General.

Senate Bill No. 42 (House Bill No. 1563)

An Act authorizing a married woman to mortgage or make conveyance of her real estate without her husband joining therein where the husband has by agreement duly executed and acknowledged released his courtesy right or such right or estate as he may have or may inherit after the death of his wife in said real estate whether he has in said release undertaken and agreed to join in a mortgage deed or deeds for the mortgaging or conveyance of said real estate or not and validating all such mortgages or conveyances heretofore made

Referred to the Committee on Judiciary General.

Senate Bill No. 588 (House Bill No. 1564)

An Act to amend section fourteen of an act approved the second day of June one thousand nine hundred fifteen entitled "An Act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof."

Referred to the Committee on Insurance.

Senate Bill No. 216 (House Bill No. 1565)

An Act relating to the salaries and expenses of the examiners in the Department of Banking.

Referred to the Committee on Appropriations.

Senate Bill No. 770 (House Bill No. 1566)

An Act to further amend an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said Bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said Bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven by providing for further instruction prior to examination for licensure by clarifying sections five (5) and twelve (12)

Referred to the Committee on Public Health and Sanitation.

Senate Bill No. 91 (House Bill No. 1567)

An Act protecting employes against false charges as to collection of transportation money.

Referred to the Committee on Railroads.

RESOLUTION FIXING LAST DAY FOR INTRODUCING BILLS.

Mr. LEWIS asked and obtained unanimous consent to offer the following resolution, which was twice read, and laid over under the rules:

Be it resolved that May 1, 1917, is hereby fixed as the last day for the introduction of bills in the House of Representatives for the session of 1917.

BILL ON THIRD READING.

Mr. RININGER asked and obtained unanimous consent to call up House Bill No. 1133, File Folio 1947.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1133, entitled

An Act to enable any city town borough or township owning and operating its own water works to require a water-meter to be installed upon every property supplied from such water works at the expense of the owner thereof and providing that the cost of and charge for installing such water-meter shall be a lien upon such property with the same priority and enforceable in the same manner as a municipal claim

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. RININGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of a hearing.

Mr. RAMSEY. Mr. Speaker, I second the motion.

The motion was agreed to.

ANNOUNCEMENT.

The SPEAKER. The Chair would like to state that we have now a pretty heavy calendar accumulated. The Chair does not think it necessary to hold night sessions this week, but next week, unless we are able to work along and dispose of bills faster, it will probably be necessary to hold night sessions. I want to inform the House that it is the wish of the Chair that all members should be here to-morrow so that we can go right along with the calendar and if we can do so it is possible that we can get along without holding night sessions.

ADJOURNMENT.

Mr. RAMSEY. Mr. Speaker, I move that this House do now adjourn until to-morrow morning at 10 o'clock.

The motion was agreed to and (at 3.00 P. M.) the House adjourned until to-morrow morning at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES.

THURSDAY, April 19, 1917.

The House met at 10 o'clock A. M.
The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

O God, we desire to walk with Thee this day. We cannot get on safely without Thy protection. Wilt Thou help us to walk with Thee and give us grateful hearts to acknowledge the divine power in everything. Give us, then, wisdom for all the duties, tasks, responsibilities and struggles of the day. Make us strong for work and deliver us from the arrow that flyeth by day and the pestilence that walketh in darkness. Keep us all day near Thine own heart and give us the grace and the mercy and the peace we need. As the clear spring of water grow into mighty rivers so may the good in our hearts become divine inspirations, kindling holy thoughts, pure desires and lofty aspirations after holiness and a gentle love that makes our lives like altars of incense before Thee. Thus may our influence for good become deeper, tenderer and more unselfish in the ministrations for good. Forgive us every iniquity, cleanse and purify our lives and save us evermore. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Urich, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

PRAYING FOR STATE HIGHWAY FROM MIDDLE SPRING TO NEWBURG.

Mr. BARNER presented several petitions from citizens of Cumberland County praying for the incorporation of the road from Middle Spring to Newburg in the State Highway Plan.

Referred to the Committee on Public Roads.

PRAYING FOR RE-ESTABLISHMENT OF NAUTICAL TRAINING SCHOOL.

The SPEAKER presented the petition of the Philadelphia Bourse requesting legislation and appropriation to re-establish a Nautical Training School.

Referred to the Committee on Appropriations.

BILLS INTRODUCED AND REFERRED.

By Mr. SIGGINS. House Bill No. 1524.

An Act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor, steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers, to attend the annual meeting of the Association of Directors of the Poor and Charities and Corrections of Pennsylvania as part of their official duties, and providing for the payment of the expenses thereof.

Referred to the Committee on Counties and Townships.

By Mr. POWELL. House Bill No. 1525.

An Act to provide and maintain first aid corps and rescue corps in the coal mines of the Commonwealth.

Referred to the Committee on Mines and Mining.

By Mr. STITES. House Bill No. 1526.

An Act to prohibit the gift, loan or sale to, or the purchase or possession by, persons not citizens of the United States, of any firearms, ammunition or explosives.

Referred to the Committee on Municipal Corporations.

By Mr. STITES. House Bill No. 1527.

An Act fixing the pay of assessors, assistant assessors, and registry assessors, in the several boroughs of the Commonwealth.

Referred to the Committee on Counties and Townships.

By Mr. COX. House Bill No. 1528.

An Act to regulate the manner of creating or incurring, or increasing the indebtedness against counties and the expenditure of the proceeds of any such indebtedness, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof, or the failure of certain officers to perform their duties under this act.

Referred to the Committee on Municipal Corporations.

By Mr. STERLING. House Bill No. 1529.

An Act relating to payments made to building and loan associations on account of stock or loans.

Referred to the Committee on Municipal Corporations.

By Mr. GRAEFF. House Bill No. 1530.

An Act to amend sections five and nineteen of article one, chapter eight, and to repeal article four of chapter seven, sections eleven and twelve of article five, chapter seven, and section seventeen, of article one, chapter eight, of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," by abolishing the office of auditor and providing for the election of a controller in each borough.

Referred to the Committee on Municipal Corporations.

By Mr. MERVINE. House Bill No. 1531.

An Act making an appropriation to the Monroe County Hospital located at Stroudsburg, Monroe County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SPANGLER. House Bill No. 1532.

An Act to regulate the construction, alteration, repair, moving, tearing down, maintenance and occupancy of buildings and structures in the Commonwealth of Pennsylvania by establishing a Division of Building Inspection in the State Department of Health and Bureaus of Building Inspection in cities and counties, providing for the appointment of officers and employes of the Division of Building Inspection of the Department of Health and the Bureaus of Building Inspection in cities and counties, defining their powers and duties, imposing certain duties upon the State Department of Health, local Boards of Health, and the Department of Labor and Industry, creating a Building Commission, and providing for the adoption and promulgation of regulations covering the construction, erection, enlargement, alteration, moving, tearing down, repair, inspection, maintenance, use and occupancy of buildings and structures, providing for the issuing of permits and certificates of completion, providing penalties for violations of this act and the

regulations adopted in accordance therewith, and repealing all laws or parts of laws inconsistent with the provisions of this act.

Referred to the Committee on Municipal Corporations.

By Mr. DUNN. House Bill No. 1533.

An Act to safeguard human life and health throughout the Commonwealth by providing for the prevention of infection or contagion from communicable diseases by requiring pencils and penholders distributed to pupils of all schools within the Commonwealth to be disinfected daily.

Referred to the Committee on Public Health and Sanitation.

By Mr. STADTLANDER. House Bill No. 1534.

An Act to amend section five of an act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, entitled "An Act to provide for the personal registration of electors, and their enrollment as members of political parties, in cities of the first and second classes of this Commonwealth; to make such registration a condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities; and providing for the payment of witness fees for persons summoned before the commissioners; to provide penalties for violations of its provisions; and to repeal acts inconsistent herewith."

Referred to the Committee on Municipal Corporations.

By Mr. SULLIVAN. House Bill No. 1535.

An Act to further amend section five of an act approved the seventh day of May, one thousand nine hundred and seven, entitled "An Act regulating and defining the powers and duties of the Dental Council and the State Board of Dental Examiners, providing for appointment of examiners; defining qualifications of applicants for examination; condition of granting licenses; regulating and limiting the practice of dentistry; prohibiting practice by, or employment of, unlicensed persons, and providing punishment therefor; and disposition of fees and fines, and fixing the appropriation to the Dental Council."

Referred to the Committee on Public Health and Sanitation.

By Mr. CONNER. House Bill No. 1536.

An Act prohibiting the influencing of agents, employes and servants and the solicitation of personal benefits by agents, employes and servants, in matters relating to their principal's, employer's or master's business.

Referred to the Committee on Judiciary General.

By Mr. WALKER. House Bill No. 1537.

An Act providing for the employment and the control of the inmates of the Eastern State Penitentiary, the Western Penitentiary of Pennsylvania and the Pennsylvania Industrial Reformatory at Huntingdon and for such other correctional institutions as may be hereafter established by the Commonwealth and the disposition of the proceeds arising from the sales of the manufactured articles thereof.

Referred to the Committee on Labor and Industry.

By Mr. MURPHY. House Bill No. 1538.

An Act to amend section ten of an act approved the tenth day of June, one thousand eight hundred ninety-three, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended.

Referred to the Committee on Elections.

By Mr. SWARTZ. House Bill No. 1539.

An Act appropriating and transferring to the Board of Commissioners of Public Grounds and Buildings the unexpended portions of money heretofore appropriated by the act of June sixteenth, one thousand nine hundred and eleven (Pamphlet Laws one thousand and twenty-seven), entitled "An Act to provide, within the following boundaries—namely: On the west, by the present eastern line of Capitol Park; on the north, by the southern line of North Street; on the east, by the western line of the right of way of the Pennsylvania Railroad company, and on the south, by the northern line of Walnut street—for the extension of Capitol Park in the City of Harrisburg; and for the acquiring, taking, and condemnation of the real estate in connection therewith and within said boundaries, and for the demolition of the buildings and structures thereon; and making an appropriation therefor, and also for the expenses and cost in connection therewith," and designating the purpose for which such money shall be used.

Referred to the Committee on Appropriations.

By Mr. A. C. SCHAEFFER. House Bill No. 1568.

An Act regulating the sale of anthracite coal, fixing standards of size and quality thereof, and requiring inspectors of weights and measures in certain cases to make a test thereof, and providing penalties for violation of this act.

Referred to the Committee on Mines and Mining.

By Mr. WALKER (By request). House Bill No. 1569.

An Act giving to garage keepers and persons engaged in the storage or repair of automobiles, motor trucks, motor cycles, or other motor vehicles, a lien on such motor vehicles for charges for storage or repairs; providing for and regulating the sale of such motor vehicles for satisfaction of any lien, and making the person who leaves the motor vehicle for storage or repair, liable for any unpaid balance of such lien.

Referred to the Committee on Judiciary General.

BILL RE-REFERRED.

By Mr. BOVEE. House Bill No. 1497.

An Act to amend an act, entitled "An Act granting a gratuity and an annuity to Patrick Leonard, late sergeant in Captain J. H. Wilson's Company G Seventeenth Regiment National Guard of Pennsylvania," approved the seventh day of July, one thousand eight hundred and eighty-five, by fixing the annuity herein provided for.

Referred to the Committee on Pensions and Gratuities.

REPORTS FROM COMMITTEES.

Mr. DEWEY, from the Committee on Public Roads, reported as committed House Bill No. 705, entitled

An Act amending sections one, three and twelve of an act entitled "An Act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed roads and highways county roads, authorizing the relocation, opening, straightening, widening, extension, and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties, and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining such roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road," approved the eleventh day of May, one thousand nine hundred and eleven.

Mr. GEORGE W. WILLIAMS, from the Committee on Public Roads, reported as committed House Bill No. 1494, entitled

An Act to amend section six of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highwals solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpike or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the

State to counties and townships desiring the same in improvement of township or county roads; defining highways and State-aid highways; providing method of application for state aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State aid Highways, and kind of materials to be used in the improvement; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the Act; and providing for the repeal of certain acts relating to highway department and improvement of roads, and of all acts and parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act.

Mr. FITZGIBBON, from the Committee on Public Roads, reported as committed House Bill No. 1415, entitled

An Act to amend section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff or assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for the percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for the payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of this act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed House Bill No. 1486, entitled

An Act amendatory of an act, entitled "An Act providing for the escheat of deposits of money or property of another received for storage or safe-keeping; the dividends, profits, debts, and interest on debts of corporations, companies, banks, trust companies, insurance companies, limited partnerships, and partnership associations, organized under the laws of this Commonwealth, except mutual saving fund society not having a capital stock represented by shares, and except also building and loan associations, and property held for the benefit of another by the same, and the profits, accretions, and interest on such property, as well as interest thereon accrued, or which should have accrued, between the fixing of the amount of such property by the award of any court and the actual distribution thereof," approved the seventh day of June, one thousand nine hundred fifteen, Pamphlet Laws page eight hundred seventy-eight, amending the title thereof; repealing section six of said act, relating to the advertisement of notice of the report of money and property under the provisions of the act, and amending sections two, seven and eleven thereof, so as to provide more effectually for the escheat of certain trusts and other funds, the beneficial owners of which have been unknown for seven or more successive years.

Mr. STERN, from the Committee on Judiciary General, reported as committed House Bill No. 394, entitled

An Act relating to sales on the installment plan; providing for a rebate on the purchase price in certain cases by the vendor or lessor to the purchaser or lessee; and providing a procedure for the determination and collection of the same.

Mr. STERN, from the Committee on Judiciary General, reported as committed House Bill No. 817, entitled

An Act relating to the consideration, upon appeal, by the Supreme and Superior Courts of testimony taken in proceedings in courts of record, and providing for the making of such testimony a part of the record.

Mr. WOOD, from the Committee on Judiciary General, reported as committed House Bill No. 1435 (Senate Bill No. 55), entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Mr. WALKER, from the Committee on Judiciary General reported as committed House Bill No. 932 (Senate Bill No. 115), entitled

An Act to promote uniformity in all courts of record in issuing writs and process for the beginning of civil actions.

Mr. WHITAKER, from the Committee on Judiciary General, reported as committed House Bill No. 784 (House Bill No. 177), entitled

An Act authorizing overseers and directors of the poor to enter into contracts with certain incorporated associations for the care and maintenance of indigent deaf and dumb persons, and conferring certain powers on the Board of Public Charities, its officers and agents.

Mr. DRAKE, from the Committee on Judiciary General, re-reported as amended House Bill No. 1096 (Senate Bill No. 286), entitled

An Act to amend an act entitled "An Act to provide for retirement of State employes, permanently disqualified by reason of physical or mental disability to perform their official functions and duties, with half pay, under certain conditions, during the remainder of their lives, except State employes whose retirement has been or shall be otherwise provided for, and the filling of vacancies caused by such retirement," approved the 14th day of June, A. D. 1915, so as to extend the operation thereof to all employes in penitentiaries and other institutions operated by the Commonwealth as well as those more directly in the service thereof.

LEAVES OF ARSENCE.

Mr. GLASS asked and obtained leave of absence for Mr. Cox.

Mr. HOLLINGSWORTH asked and obtained leave of absence for Mr. Graham on account of sickness.

RESOLUTION ON DEATH OF HON. E. S. MEALS.

Mr. ULSH offered the following resolution, which was twice read, considered and agreed to.

The House of Representatives, in General Assembly met, hereby expresses its appreciation of the character and public services of the late E. S. Meals, Mayor of the City of Harrisburg, and hereby manifests its deep regret at the loss to the State of Pennsylvania in his death.

Therefore, be it Resolved, That this resolution be spread upon the Journal of the House of Representatives and a copy thereof be sent to his family.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 149, entitled

An Act to amend an act, approved the twenty-eighth day of May, one thousand nine hundred thirteen, entitled "An Act authorizing and empowering township supervisors, in townships of the second class to enter into contract with electric, gas, or other light companies, for the purpose of lighting and illuminating the streets, highways, and other public places in any village in said township; and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited;" by

providing also for the levying of a tax upon taxable residents in the district benefited.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1305, entitled

An Act to amend the title of an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, entitled "An Act amending section one of an act, approved the seventeenth day of April, one thousand nine hundred and five, entitled 'An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees, between the municipal corporations and telegraph, telephone, or light or power companies;' extending the provisions thereof to street passenger railway, motor traction, gas, or water companies."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 848, entitled

An Act authorizing the attachment of wages or salary upon judgments obtained for necessaries limiting the amount of exemption to be claimed and providing for the payment of the costs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SHOWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Local for a further hearing.

Mr. EBY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1326 (Senate Bill No. 273), entitled

An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof, and the manner of payments therefrom; and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities allowances, returns, benefits and rights from taxation and judicial process; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1127, entitled

An Act empowering cities and boroughs to provide for the licensing of cats

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1380, entitled

An Act to amend section one of an act approved the fifteenth day of July one thousand eight hundred ninety-seven entitled "An Act to provide revenue by taxation"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1268, entitled

An Act authorizing any city of the first class to acquire existing street railway transit facilities within such city or adjacent thereto and the franchises for operating the same by the exercise of the power of eminent domain providing for the determination by the Public Service Commission subject to appeal of the amount of compensation to be paid for the properties and franchises taken and empowering such city to operate maintain use lease license or contract for the operation of the facilities so acquired

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1424, entitled

An Act for the imposition and collection of certain inheritance taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1301 (Senate Bill No. 624), entitled

An Act dividing the Middle Coal-Field Poor District into four districts, and providing for the nomination and election of a director and auditor from each district and one director-at-large to be elected by the voters of all the districts; fixing the time when such nominations and elections shall be held and when those elected shall take office; providing for appointments and filling of vacancies; placing the affairs of the districts under the supervision and control of the court of quarter sessions of Carbon county; making it lawful to erect new or additional buildings for said district after the approval of the court of quarter sessions of Carbon County, and repealing certain acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1325 (Senate Bill No. 203), entitled

An Act defining and regulating boxing and wrestling contests

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1401, entitled

An Act to provide for the regulation of rag shops second hand paper shops and junk shops in cities of the first class and providing a penalty for the violation of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 400, entitled

An Act to protect the public health by prohibiting the use of public cigar cutters

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 619, entitled

An Act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bull-frogs tad-poles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1417, entitled

An Act to provide for an additional law judge of the several courts of the Thirty-first Judicial District

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1267, entitled

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1342, entitled

An Act amending section six hundred and one of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1140, entitled

An Act to revise amend and consolidate the law relating to fish and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No 1437 (Senate Bill No. 700), entitled

An Act to provide for the classification of inspectors of the Department of Labor and Industry according to qualifications determined by a Committee of the Department of Labor and Industry and fixing the salaries of inspectors within the several classifications

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1440 (Senate Bill No. 662), entitled

An Act regulating the packing of apples providing penalties for violations and imposing certain duties upon the Department of Agriculture

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1330 (Senate Bill No. 560), entitled

An Act amending sections eight and ten of an act approved the nineteenth day of March, one thousand nine hundred nine, entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act," as amended, by providing for the extension of time necessary for graduation, by revising the fee for reciprocity licenses and by further regulating the preliminary educational requirements for matriculation into colleges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 232, entitled

An Act to amend an act entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" approved the second day of June one thousand nine hundred fifteen

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 886, entitled

An Act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering providing for the appointment by the Governor of an examining board defining the powers and duties of such board regulating barber shops barber schools and barber colleges and apprentices and students therein and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1438 (Senate Bill No. 696), entitled

An Act to amend the second section of an act approved April fourth, one thousand nine hundred and seven, entitled "An Act creating in counties having a population from three hundred thousand to one million, a Board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments and divisions thereof; prescribing the powers and duties of said Board, and regulating appeals from the decision thereof," by providing that, where said Board as constituted by said act is composed of the county controller and county commissioners only, the president of the board, in case of a tie vote shall be entitled to a deciding vote

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1352, entitled

An Act to amend the second section of an act approved the fifteenth day of April, one thousand nine hundred and thirteen, entitled "An Act to amend the second section of an act, entitled "An Act to amend section two of the act entitled "An Act for the relief of wives and children deserted by their husbands and fathers, within this Commonwealth," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-seven, by authorizing and empowering courts to fix the allowance for the support of wives and children, without limitation as to the amount thereof, by empowering courts to issue writs of attachment against the money or property belonging to, or which the husbands and fathers may be entitled to, whether under what is known as spendthrift trusts or otherwise," by empowering courts to issue writs of execution against any property real or personal, belonging to the defendant and writs of attachment execution against the money or property to which defendant may be entitled whether under what is known as a spendthrift trust or otherwise no matter when said trust was created and making same a continuing lien and levy for fifty per centum thereof until the order and costs are paid and abolishing the benefit of the exemption law in such case.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1391, entitled

An Act to amend section five of an act, approved the tenth day of April, one thousand eight hundred seventy-nine, entitled "An Act relating to mutual saving fund, building and loan associations, regulating the mode of charging premiums, bonus or interest in advance, of withdrawals, of re-payment and collection of loans, also restricting the power to levy excessive fines, and defining the rights and liabilities of married women stockholders, and prescribing the non-application to these associations of the bonus tax and registry laws for corporations."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 918, entitled

An Act prohibiting the attendance of any minor child under the age of sixteen years to any exhibition open to the public in any building tents or enclosure or any part of

the premises connected therewith of any dramatic or operatic or vaudeville performances or tragedies or comedies or farces or exhibition of fixed or moving pictures or stereopticon views or songs or acrobatic performances or exhibition of trained animals or any equestrian circus or menagerie or museum or wild west show unless accompanied by an adult providing for a certain exception and fixing penalties for the violation of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1130, entitled

An Act to amend section forty-five of the act approved the nineteenth day of May one thousand nine hundred and fifteen entitled "An Act relating to the sale of goods"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 190, entitled

An Act providing a system whereby persons absent from their regular polling places may cast their votes; imposing certain powers and duties upon the county commissioners, prothonotaries, judges of election, return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any duly qualified voter of this Commonwealth who by reason of his duties business or occupation is unavoidably absent from his lawfully designated election districts and outside of the county in which he is an elector but within the Commonwealth on the day of holding any general municipal or primary election may vote by marking his ballot in any election district of this Commonwealth where he may be upon the day such election is held Such a voter may vote only for such officers and upon such questions as he would be entitled to vote for or on were he casting his ballot in the district in which he has his legal residence and in the maner hereinafter provided

On the question,
Will the House agree to the section?
Mr. BLACK. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 1, by striking out "a."
Amend section 1, page 2, line 1, by inserting between the words "voter" and "may" the word "however."
Amend section 1, page 2, line 3, by striking out the words "were he casting his ballot" and inserting in lieu thereof "had he presented himself."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The second section was read as follows:

Section 2 Any voter expecting to be absent from the county in which his lawfully designated election district is situated on the day of any general municipal or primary election and who desires to cast his ballot at such election may make application not more than sixty days and not less than five days next preceding such election to the county commissioners of such county for a certificate of qualification and an official absent voter's ballot

On the question,
Will the House agree to the section?
Mr. BLACK. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 10, by striking out the word "sixty" and inserting in lieu thereof the word "thirty."
Amend section 2, page 2, line 11, by striking out the word "five" and inserting in lieu thereof the word "three."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The third section was read as follows:

Section 3 The certificates of qualification shall be issued by the county commissioners and shall set forth the name of such voter the name of the ward or district of the city borough town or township in which he resides if the voter is a resident of a borough town or township the certificate of qualification shall be set forth that such voter's name has been duly entered on the registry list by the assessor thereof as appears from such list if the voter is a resident of a city the certificate of qualification shall set forth that the voter personally registered according to law The certificate of qualification shall be in the following form

Certificate of Qualification

We hereby certify that.....is a resident of the.....(district or precinct) of the.....ward of.....(city borough town or township) of.....county and Commonwealth of Pennsylvania (as appears by the personal registration books or the registry list of said district) and is a duly qualified elector of such district

.....
.....
.....

Dated.....

County Commissioners
County of.....

On the question,
Will the House agree to the section?
Mr. BLACK. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 3, page 2, line 15, by striking out the word "certificates" and inserting in lieu thereof the word "certificate."
Amend section 3, page 2, line 20, by striking out the word "be."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The fourth, fifth, sixth, seventh and eighth sections were separately read and agreed to as follows:

Section 4 The board of registration commissioners in cities of the first and second class shall certify to the county commissioners upon request any information that may be necessary for such county commissioners to properly fill out such certificate of qualification

Section 5 The county commissioners of the several counties shall prepare and have printed in addition to the regular and official ballots additional official ballots to be known as absent voter's ballots Such ballots shall be prepared and printed in the same form as the official ballot and shall in all respects be similar thereto except that on the back thereof shall be printed in addition to the form now required by law the words "Absent Voter's Ballot" There shall also be prepared three envelopes of such size and shape that will permit the placing of one within the other. On the first shall be printed only the words "Absent Voter's Ballot" On the second shall be printed the certificate of qualification the affidavit of the voter and the certificate of the judge of election of the District in which said voter presents himself the forms to be substantially as herein provided On the third shall be printed the name official title and post office address of the prothonotary or the county commissioners of the county in which such voter resides and to whom the returns shall be made as hereinafter provided

Section 6 Application for a certificate of qualification and for an absent voter's ballot shall be made on a blank to be furnished by the county commissioners and shall be in the following form

I ..... a duly qualified voter of the ..... (district or precinct) of the .....ward of..... (city borough town or township) of.....county and Commonwealth of Pennsylvania and entitled to vote in such district at the next election (in case of a primary election give party enrollment) expecting to be absent

from said county on the day for such election hereby make application for a certificate of qualification and an official absent voter's ballot

Witnesses..... .....
Signature of Voter
.....
Dated..... .....
P. O. Address

Section 7 Such application blank shall upon request therefor be sent by the county commissioner to any absent voter by mail or shall be delivered to any voter upon application made personally at the office of the county commissioners

Section 8 Upon receipt of such application properly filled out and duly signed or as soon thereafter as the official absent voter's ballot for the election district in which the applicant resides have been printed the county commissioners shall send to such absent voter by mail or shall deliver one official absent voter's ballot or if there is more than one such absent voter's ballot to be voted by a voter of such election district one of each kind Such ballot or ballots shall be enclosed in the envelopes as provided for in section five of this act and in the order in which they are mentioned therein The envelopes shall be kept unsealed Before sending or delivering such ballot the county commissioners shall satisfy themselves that the applicant is a qualified elector and if so satisfied they shall fill out and sign the certificate of qualification and shall enter or cause to be entered on the registration book or registry list opposite the name of the applicant the words "Received absent voter's ballot"

The ninth section was read as follows:

Section 9 Such voter before voting shall exhibit his ballot or ballots and envelope on which is printed the certificate of qualification affidavit and certificates of the judge of election to the judge of election of the district in which he presents himself to vote on the day of such general municipal or primary election who shall examine the same and see that the ballot or ballots are unmarked After having such voter make and subscribe an affidavit in the following form he shall return the ballot or ballots and the envelopes to the voter

Form of Affidavit

Commonwealth of Pennsylvania ss
County of.....

I ..... do solemnly swear (or affirm) that I have resided in the Commonwealth of Pennsylvania one year (or having previously been a qualified elector or native-born citizen of the Commonwealth that I removed therefrom and returned then six months) immediately preceding this date and in the election district of ..... in the county of ..... at least two months immediately preceding this date and (if twenty-two years of age and upward) have paid within two years a State or county tax and am in all respects a duly qualified voter of said election district that I am a ..... and that because of
(occupation)
my duties business or occupation I am required to be absent from my lawfully designated election district on this day and will have no opportunity to vote therein that I have not voted elsewhere at this election and that I am the person named in the certificate of qualification presented to the judge of election

....
Signature of Voter

Sworn and subscribed to before me this.....day of .....A D 19....

.....
Judge of Election.

District of.....
County of.....

On the question,

Will the House agree to the section?

Mr. BLACK. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 9, page 5, line 25, by striking out the word "certificates" and inserting in lieu thereof the word "certificate."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The tenth and eleventh sections were read and agreed to as follows:

Section 10 Such voter shall thereupon enter the voting booth and mark his ballot or ballots in the same manner as now required by law Before leaving the booth he shall fold such ballot or ballots and insert the same in the envelope on which is printed the words "Absent Voter's Ballott" and shall then and there securely seal the same This envelope shall then be placed in the one on which is printed the certificate of qualification affidavit and certificate to be made by the judge of election and such envelope sealed in like manner by the voter

Section 11 Such voter shall then return such envelopes to the judge of election who shall fill out and sign the certificate of the judge of election thereon The signature of the judge shall be attested by the two inspectors of said election district and shall be in the following form

Certificate of Judge of Election

I the undersigned judge of election of the..... district of .....county hereby certify that the voter .....exhibited to me the enclosed
(name)
ballot (or ballots) unmarked that it is (or they are) marked as official ballot (or ballots) of..... district of.....county and that said voter marked and sealed the same according to law

Attest .....
Judge of Election
..... District of.....
..... County of.....
Inspectors

Such ballot or ballots and envelopes shall then be securely sealed in the third envelope which the judge of election shall send immediately after the polls are closed by mail to the prothonotary or county commissioners In case the ballot was voted at a general or municipal election it shall be sent to the prothonotary if voted at a primary election it shall be sent to the county commissioners of the county in which such voter is a resident The postage necessary to transmit such envelope shall be paid by the voter

The twelfth section was read as follows:

Section 12 The prothonotary or county commissioners upon receipt of such registered letter shall safely keep and preserve the same unopened in their office until the return board canvasses the vote according to law at which time the said return board shall open said registered letter and after examining the certificate of qualification and the certificate of the judge of election shall compare the signature of said absent voter as written on the affidavit with the signature of such voter on the applicaion blank given to the county commissioners If the return board is satisfied that the signatures correspond and that the affidavit is sufficient they shall announce the name of the voter of such absent voter's ballot and shall give any person present an opportunity to challenge the same in like manner and for the same causes as such voter could have been challenged had he presented himself in his own district to cast his ballot If there are no challenges they shall open the second envelope in such manner as not to destroy the certificate of qualification affidavit and certificate of the judge of election as printed thereon which envelope shall be kept in the prothonotary's or commissioner's office for a period of one year thereafter All envelopes on which are printed the words "Absent Voter's Ballot" and containing the ballots shall be put into one depository at one time and said depository well shaken and the envelopes containing the ballots mixed before any ballot is taken thereform The return board shall now break the seals of such envelopes and record the said ballots in the same manner as the election officers record votes and in so canvassing said votes the return board shall count the votes of all absent voters taken as herein provided and add the same to the total result of the election in the county district precinct or ward accordingly as designated on each ballot

On the question,

Will the House agree to the section?

Mr. BLACK. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 12, page 18, line 21, by striking out the word "registered."

Amend section 12, page 8, line 24, by striking out the words "said registered" and inserting in lieu thereof the word "such."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirteenth section was read and agreed to as follows:

Section 13 The ballots after being opened and duly counted by the return board shall be safely kept in the custody of the prothonotary or the county commissioners as the case may be for the period of one year and in case of a contested election the same may be opened and counted as in other cases

The fourteenth section was read as follows:

Section 14 Any voter who has received an absent voter's ballot and who shall return to his properly designated election district on or before the day for holding the election for which such ballot was issued shall be permitted to vote upon presenting himself at his regular polling place in the same manner as he could have voted had he not received such absent voter's ballot however in any such case such voter shall surrender to the judge of election of such district his absent voter's ballot or ballots unmarked and the envelope in which they were contained Such fact shall be noted by the judge of the election on the back thereof and the ballot or ballots and envelopes shall be returned to the county commissioners

On the question,
Will the House agree to the section?

Mr. BLACK. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 14, page 10, line 12, by striking out the word "envelope" and inserting in lieu thereof the word "envelopes."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fifteenth and sixteenth sections and title were separately read and agreed to as follows:

Section 15 If any person voting an absent voter's ballot shall wilfully swear falsely to the affidavit herein provided for or shall vote any ballot other than one properly issued to him or who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars or be imprisoned for a term not exceeding one year or both at the discretion of the court

If any judge of an election district shall permit any person to vote other than as herein provided or without his taking the affidavit of the voter or requiring the voter to exhibit his certificate of qualification or if any such judge shall neglect or refuse to mail such ballot or ballots as herein provided or shall neglect or refuse to perform any other duties prescribed by this act he shall upon conviction thereof be guilty of a misdemeanor and shall be fined not exceeding one hundred dollars

If any prothonotary county commissioner or member of a return board shall neglect or refuse to perform any of the duties prescribed by this act or shall reveal or divulge any of the details of any ballot cast in accordance with the provisions of this act he shall be guilty of a misdemeanor and upon conviction shall be punished by fine not exceeding one hundred dollars

Section 16 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

An Act providing a system whereby persons absent from their regular polling places may cast their votes; imposing certain powers and duties upon the county commissioners, prothonotaries, judges of election, return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties.

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 191, as follows:

An Act to amend section one of an act approved the eighteenth day of April one thousand eight hundred ninety-three entitled "An Act providing that voters in this Commonwealth shall cast their ballots at polling places inside the election district in which they are domiciled and making it the duty of the courts of quarter sessions of the several counties to carry out the provisions of the same"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighteenth day of April one thousand eight hundred ninety-three entitled "An act providing that voters in this Commonwealth shall cast their ballots at polling places inside the election district in which they are domiciled and making it the duty of the courts of quarter sessions of the several counties to carry out the provisions of the same" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any voter in this Commonwealth except when in actual military service of this State or the United States at any election authorized by law to cast his ballot at any polling place outside the lawfully designated election district in which he is domiciled" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any voter in this Commonwealth except when in actual military service of this State or the United States at any election authorized by law to cast his ballot at any place outside the lawfully designated election district in which he is domiciled subject however to any law or laws permitting a voter who by reason of his duties business or occupation is unavoidably absent from his lawfully designated election district and outside of the county in which he is an elector but within the Commonwealth to vote at any general municipal or primary election

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1080, entitled

An Act to amend the first section of an act approved the twenty-first day of April, Anno Domini one thousand nine hundred and fifteen, entitled "An Act extending the powers and duties of foresters, forest rangers, game protectors, deputy game protectors, special deputy game protectors, fish wardens and deputy fish wardens of this Commonwealth."

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-first day of April Anno Domini one thousand nine hundred and fifteen entitled "An Act extending the powers and duties of foresters forest rangers game protectors deputy game protectors special deputy game protectors fish-wardens and deputy fish-wardens and deputy fish-wardens of this Commonwealth" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the approval of this act it shall be the duty of each forester and forest ranger in this Commonwealth to enforce all the laws relating to forestry fish and game it shall be the duty of every game protector deputy game protector or special deputy game protector commissioned in this Commonwealth to enforce all the law relating to fish game and forestry it shall be the duty of every fish-warden or deputy fish-warden commissioned in this Commonwealth to enforce all the laws relating to game fish and forestry under the direction of that department or commission into whose special care the interests or these several subjects have been entrusted namely All prosecutions for violation of laws relating to forestry shall be brought under the direction of the Department of Forestry all prosecutions for violation of the fish laws shall be brought under the direction of the Department of Fisheries and all prosecutions for violation of the game laws shall be brought under the direction of the Board of Game Commisioners and to that end the powers of all the officers aforesaid are hereby extended in such a way as to give them full authority to carry out the purposes of this act" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the approval of this act it shall be the duty of each forester and forest ranger in this Comonwealth to enforce all the laws relating to forestry fish and game it shall be the duty of every game protector deputy game protector or special deputy game protector commissioned in this Commonwealth to enforce all the laws relating to fish game and forestry it shall be the duty of every fish-warden or deputy fish-warden commissioned in this Commonwealth to enforce all the laws relating to game fish and forestry under the direction of that department or commission into whose special care the interests of these several subjects have been entrusted namely All prosecutions for violation of laws relating to forestry shall be brought under the direction of the Department of Forestry all prosecutions for violation of the fish laws shall be brought under the direction of the Department of Fisheries and all prosecutions for violations of the game laws shall be brought under the direction of the Board of Game Commissioners and to that end the powers of all the officers aforesaid are hereby extended in such a way as to give them full authority to carry out the purposes of this act It shall be

the further duty of every such forester forest ranger game protector deputy game protector or special deputy game protector fish-warden and deputy fish-warden whenever such official may have knowledge of the violation of any of the aforesaid laws forthwith to make a full and complete report thereof to that department under which such official may be commissioned which department in case said law relates to a subject whose special care is entrusted to another department shall at once forward such report to the appropriate department charged with the enforcement of said law

Every person connected with either the Department of Forestry or with the Department of Fisheries or with the Game Commission and under pay of the Commonwealth who shall refuse or neglect to safeguard in a reasonable way the interests of the Commonwealth relating to either forestry or fish or game and wild birds as provided for and intended by this act or who without prejudice to the work of that department to which he may specially belong shall refuse or neglect to investigate to a reasonable conclusion any violation of the laws of this Commonwealth relating to either of the other departments named in this act that may be reported to him or who may refuse or neglect to make the reports required by this act shall be guilty of a misdemeanor and for the first offense shall be liable to penalty of twenty-five dollars or in lieu thereof to an imprisonment of one day for each dollar of penalty imposed and for the second offense to double the penalty imposed for the first offense and for the third offense shall be discharged from the service of the State and it shall be the duty of the heads of the several departments mentioned in this act to notify the various employes of the State Government that may be under their control and that are under the pay of the State of the requirements of this act

On the question,

Will the House agree to the section?

Mr. BIDELSPACHER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 9, by striking out "and deputy fish-wardens" preceding "of."

Amend section 1, page 2, line 6, by striking out "Comonwealth" and inserting in lieu thereof "Commonwealth."

Amend section 1, page 2, line 15, by striking out "or" and inserting in lieu thereof "of."

Amend section 1, page 3, line 3, by striking out "Comonwealth" and inserting in lieu thereof "Commonwealth."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend the first section of an act approved the twenty-first day of April, Anno Domini one thousand nine hundred and fifteen, entitled "An Act extending the powers and duties of foresters, forest rangers, game protectors, deputy game protectors, special deputy game protectors, fish wardens and deputy fish wardens of this Commonwealth."

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 60, as follows:

An Act to amend section seventy-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-five of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to Consolidate Revise and Amend the Penal Laws of this Commonwealth" which reads as follows

"Section 75 That every person convicted of the crime of murder of the first degree his aiders abettors and counsellors shall be sentenced to suffer death (by hanging by the neck) and it shall be the duty of the clerk of the court wherein such conviction takes place and he is hereby required within ten days after such sentence to transmit a full and complete record of the trial and conviction to the Governor of this Commonwealth" is hereby amended to read as follows

Section 75 That every person convicted of the crime of murder of the first degree his aiders abettors and counsellors shall be sentenced to suffer death in the manner provided by law or to undergo imprisonment for life at the discretion of the jury trying the case which shall fix the penalty by its verdict the court to impose the sentence so fixed as in other cases In cases of pleas of guilty the court where it determines the crime to be murder of the first degree shall at its discretion impose sentence of death or imprisonment for life and it shall be the duty of the clerk of the court wherein such conviction takes place and he is hereby required within ten days after such sentence of death to transmit a full and complete record of the trial and conviction to the Governor of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1123, as follows:

An Act to further amend section five of an act approved the twenty-ninth day of April one thousand nine hundred and thirteen entitled "An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations coordinate appropriations amounts to be paid form of record eligibility penalties and reports as set forth" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the twenty-ninth day of April one thousand nine hundred and thirteen (Pamphlet Laws one hundred and eighteen) entitled "An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth' as amended by an act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws ten hundred and thirty-eight) entitled "An Act amending an act entitled 'An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth' approved April twenty-ninth nineteen hundred thirteen by limiting the provisions of said act to women whose husbands are dead or permanently insane and who have children under sixteen years of age and providing for uniformity of administration by the appointment of the State supervisor over the boards of trustees of different counties and otherwise amending the provisions of said act and making an appropriation to carry out the provisions of this act" which reads as follows

"Section 5 In order to prevent the alienation of citizenship of those who receive the benefits of this act no family shall be a beneficiary under this act unless the mother has been a continuous resident of the county in which she is applying for such benefits for a period of three years" be further amended to read as follows

Section 5 In order to prevent the alienation of citizenship of those who receive the benefits of this act no family shall be a beneficiary under this act unless the mother has been a continuous resident of the county in which she is applying for such benefits for a period of one year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 986, as follows:

Making a deficiency appropriation to the Department of Agriculture

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six thousand ($6,000) dollars or so much thereof as may be necessary is hereby

specifically appropriated to the Bureau of Zoology in the Department of Agriculture as a deficiency appropriation for the two fiscal years beginning June first one thousand nine hundred and fifteen for the following purposes namely

For the payment of the salaries of inspectors the sum of three thousand eighty ($3,080.00) dollars or so much thereof as may be necessary

For the payment of traveling expenses the sum of two thousand one hundred and sixty ($2,160.00) dollars or so much thereof as may be necessary

For the purchase of filed supplies apparatus postage and incidentals the sum of seven hundred and sixty ($760.00) dollars or so much thereof as may be necessary

That the additional sum of six thousand five hundred and sixty-seven ($6,567.00) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Department of Agriculture as a deficiency appropriation for the purpose of carrying into effect the provisions of the act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred forty-four) entitled "An Act to regulate the manufacture and sale of commercial fertilizers prescribing penalties for its violation and repealing an act entitled 'An Act to regulate the manufacture and sale of commercial fertilizers providing for its enforcement and prescribing penalties for its violation approved the twenty-fifth day of March Anno Domini one thousand nine hundred and one" for the two fiscal years beginning June first one thousand nine hundred and fifteen for the following purposes

For the salary of employes engaged in field work the sum of three thousand three hundred ($3,300.00) dollars or so much thereof as may be necessary

For the payment of the salary of office employes and the expenses of the laboratory in connection with said work the sum of three thousand one hundred and sixty-seven dollars ($3,167) or so much thereof as may be necessary

For the payment of the necessary traveling expenses et cetera the sum of one hundred dollars ($100.00) or so much thereof as may be necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1144, as follows:

An Act to amend section one of an act approved the twenty-first day of March one thousand nine hundred and seven entitled "An Act authorizing the county commissioners of the several counties or the town councils of the several boroughs of this Commonwealth or both to appropriate annually a sufficient sum of money to each post of the Grand Army of the Republic in their respective counties or boroughs to aid in defraying the expenses of Memorial Day" as amended by requiring the commissioners to make appropriations also to Memorial Day or similar organizations where there was heretofore an established post

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-first day of March one thousand nine hundred and seven (Pamphlet Laws twenty-two) entitled "An Act authorizing the county commissioners of the several counties or the town councils of the several boroughs of this Commonwealth or both to appropriate annually a sufficient sum of money to each post of the Grand Army of the Republic in their respective counties or boroughs to aid in defraying the expenses of Memorial Day" as amended by the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws eight hundred and sixty-three) entitled "An Act to amend the first section of an act approved the twenty-first day of March Anno Domini one thousand nine hundred and seven entitled 'An Act authorizing the county commissioners of the several counties or the town councils of the several boroughs of this Commonwealth or both to appropriate annually a sufficient sum of money to each post of the Grand Army of the Republic in their respective counties or boroughs to aid in defraying the expenses of Memorial Day' by requiring the commissioners to make the payments specified and fixing the maximum amount thereof" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of the several counties or the town councils of the several boroughs of this Commonwealth or both be and are hereby required to apropriate annually to each post in their respective counties or boroughs a sum not to exceed fifty dollars to aid in defraying expenses of Memorial Day" be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of the several counties of this Commonwealth are hereby required to appropriate annually to each post in their respective counties or to a regularly organized Memorial Day or similar organization where there was heretofore an established post in which latter case a certified list of expenditures shall be furnished the said commissioners a sum not to exceed fifty dollars to aid in defraying expenses of Memorial Day

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1025, as follows:

An Act authorizing the Commissioner of Banking to appoint five additional examiners and providing for their compensation and expenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commissioner of Banking be and he is hereby empowered to appoint five additional examiners who shall receive such compensation as may be fixed by the said Commissioner for each day actually employed in making examinations of corporations under the order of the said Commissioner not to exceed ten dollars per day and also actual expenses incurred in making such examinations which compensation and expenses shall be paid by warrant drawn by the Auditor General upon the State Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1340, as follows:

An Act to amend part of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) enttiled "An Act providing for the establishment of a State Highway Department by the appointment of a State

Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioners and Deputies and other appointees provided for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State righways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highway wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which reads as follows

"Route Two Hundred and Forty From Williamsport to Danville Commercing at a point on the boundary line of the city of Williamsport thence over route eighteen to Muncy thence by way of Montgomery to a point on the dividing line between Lycoming and Union counties thence by way of Allenwood to a point on the dividing line between Union and Northumberland counties thence by way of Watsontown and Turbotville to a point on the dividing line between Northumberland and Montour counties thence by way of Washingtonville into Danville Montour county" is hereby amended to read as follows

Route Two Hundred and Forty From Williamsport to Danville Commercing at a point on the boundary line of the city of Williamsport thence over route eighteen to Muncy thence by way of Montgomery to a point on the dividing line between Lycoming and Northumberland counties thence by way of Dewart thence by the way of Watsontown and Turbotville to a point on the dividing line between Northumberland and Montour counties thence by way of Washingtonville into Danville Montour county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1165, as follows:

An Act exempting agricultural corporations from the payment of a bonus and of State taxes upon their capital stock

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all corporations at present engaged in or hereafter organized for the purpose of engaging in agricultural pursuits shall be exempt from the payment of all taxes upon the capital stock of such corporation

Section 2 Upon the incorporation of any agricultural corporation or upon the increase of the capital stock of any such corporation no bonus shall be charged

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 410, as follows:

An Act to locate and establish a certain section of State Highway in the county of Lebanon and providing for the construction improvement and maintenance thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a State Highway is hereby established between the village of Colebrook and Cold Spring station of the Cornwall and Lebanon railroad in the county of Lebanon The said State Highway shall commence at the village of Colebrook in State Highway route number two hundred eighty and running thence east along the present public road a distance of about one-half mile thence leaving said present road and continuing along a new road located south of the Cornwall and Lebanon railroad to Mount Gretna and intersecting with the present public road at the ice house at Mount Gretna thence along the present public road through Mount Gretna to a point one hundred feet north of the Cornwall and Lebanon railroad thence east and north of said railroad to a point about fifteen hundred feet west of the summit and intersecting with the present public road thence along said public road and intersecting with State Highway route number one hundred and thirty-eight at a point north of the Cornwall and Lebanon viaduct

Section 2 Such State Highway shall be constructed and maintained at the sole expense of the Commonwealth under the provisions of existing laws governing main State Highways

Section 3 The cost and expense of the construction improvement and maintenance of the highway hereinbefore described shall be paid out of any moneys appropriated to the State Highway Department for maintenance construction reconstruction or improvement of State Highways

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1037, as follows:

An Act to facilitate the collection of taxes assessed upon occupations authorizing and requiring employers to furnish certain information to tax collectors and to deduct from the wages of employes in certain cases sums sufficient to pay delinquent taxes assessed on occupations owing by such employes and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of every person co-partnership association or corporation upon demand of any tax collector and the furnishing of a list of taxables by such collector to designate on such list any of said taxables which are in his or its employ The neglect or refusal of such person partnership association or corporation to furnish such information to any tax collector upon demand made or the furnishing of any false information shall subject the offender to a penalty of twenty-five dollars for each offense to be recovered in a summary proceeding

Section 2 In case any taxpayer of any county city borough town township school district or poor district neglects or refuses to pay any occupation tax assessed against him the collector of such taxes shall notify the person co-partnership association or corporation by whom such delinquent taxpayer is employed that such taxpayer has failed or neglected to pay his occupation tax as required Such collector of taxes shall thereupon request the payment of such occupation tax by such employer out of any money then due and owing or thereafter to become due and owing to such delinquent taxpayer

Section 3 Every person co-partnership association or corporation employing any such delinquent taxpayer shall on demand of any tax collector deduct from any wages that are then or may thereafter become due and owing to him the amount of such delinquent occupation tax and pay the same over to such collector of taxes and the proper receipt for such taxes paid to the tax collector by any employer shall be a good and sufficient voucher to offset any claim that such delinquent taxpayer may have against such employer for any wages to the amount thereof

Section 4 If any person co-partnership association or corporation receiving a notice from any tax collector requesting the payment of any occupation tax of any employe or employes shall fail to deduct from any wages then due or that may thereafter become due and owing to such employe or employes the amount o fsuch occupation tax or if such person co-partnership association or corporation deducts the amount of such occupation tax and fails to pay the same over to the collector of taxes within thirty days after making such deduction or deductions such person co-partnership association or corporation shall forfeit and pay to the proper county city borough town township school district or poor district a sum equal to the amount of such occupation tax which sum together with costs may be recovered in an action of assumpsit as debts of like amount are now recoverable In the collection of any judgment recovered for any such

delinquent occupation tax the defendant therein shall not be entitled to the benefit of any exemption or stay of execution

Section 5 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1193, as follows:

An Act to amend section one of an act approved the twenty-eighth day of April one thousand nine hundred and fifteen entitled "An Act regulating the manner and time of payment of employes of cities of the first class" including employes of school districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-eighth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred ninety-seven) entitled "An Act regulating the manner and time of payment of employes of cities of the first class" which reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That employes of cities of the first class shall be paid semi-monthly on the first day and the fifteenth day of the month Provided This act shall not go into effect until January first one thousand nine hundred and sixteen" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all public employes in cities of the first class whether employed by the city or the school district shall be paid semi-monthly on the first and the fifteenth day of the month

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1026, as follows:

An Act to amend the second section of an act approved the twenty-third day of April one thousand nine hundred and nine entitled "An Act making it a misdemeanor for any president vice-president cashier treasurer secretary teller bookkeeper clerk employe or agent of any mutual savings bank savings bank bank of discount and deposit trust company title insurance company surety company or safe deposit company incorporated under the laws of this Commonwealth or of any private bank or unincorporated association receiving deposits of money or of any building and loan association incorporated under the laws of this Commonwealth or authorized to do business therein his or their aiders and abettors to embezzle abstract or wilfully misapply any of the moneys funds or credits of such institution or to issue certificates of deposit draw any order or bill of exchange make any acceptance assign any note bond draft bill of exchange mortgage judgment or other instrument in writing without authority from the directors of such institution with intent to deceive or defraud or to make a false entry in the books reports or statements thereof with like intent prescribing penalties and authorizing the Banking Commissioner to institute prosecutions"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act of Assembly entitled "An Act making it a misdemeanor for any president, vice-president cashier treasurer secretary teller bookkeeper clerk employe or agent of any mutual savings bank savings bank bank of discount and deposit trust company title insurance company surety company or safe deposit company incorporated under the laws of this Commonwealth or of any private bank or unincorporated association receiving deposits of money of or any building and loan association incorporated under the laws of this Commonwealth or authorized to do business therein his or their aiders and abettors to embezzle abstract or wilfully misapply any of the moneys funds or credits of such institution or to issue certificates of deposit draw any order or bill of exchange make any acceptance assign any note bond draft bill of exchange mortgage judgment or other instrument in writing without authority from the directors of such institution with intent to deceive or defraud or to make a false entry in the books reports or statements thereof with like intent prescribing penalties and authorizing prosecutions" approved the twenty-third day of April one thousand nine hundred and nine which reads as follows

"Section 2 Whenever the Commissioner of Banking shall have knowledge of any violation of this act it shall be his duty to institute prosecutions against all persons voilating any of the provisions hereof" be and the same is hereby amended so as to read as follows

Section 2 Whenever the Commissioner of Banking shall have knowledge of any violation of this act he may institute prosecutions against all persons violating any of the provisions hereof

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1251, entitled

An Act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations and regulating the payment thereof.

The first, second, third, fourth, fifth and sixth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of encouraging agriculture and the holding of agricultural exhibitions of farm products an incorporated agricultural association conforming to the requirements of this act is entitled to receive from the Commonwealth an annual sum not exceeding one thousand dollars equal to the amount paid by such association as premiums for exhibits at its annual exhibition exclusive of premiums paid on trials of speed Such premiums shall be paid only upon products of this Commonwealth

Section 2 In case there is more than one association holding such annual exhibitions in a county such associations shall be entitled to receive from the Commonwealth a sum not exceeding in the aggregate the sum of two thousand dollars to be apportioned by the Auditor General among such associations according to the amount of premiums paid for the exhibits at the last exhibition of each of such associations exclusive of premiums for trials of speed

No association shall receive from the Commonwealth a greater sum than that paid by the association as premiums on exhibits exclusive of premiums paid for trials of speed

Section 3 No incorporated county agricultural association shall be entitled to the benefits of this act unless it shall hold an annual exhibition in the interest of stock-raising grain poultry handiwork dairy products and the like Such exhibitions shall continue at least three consecutive days

Section 4 No county agricultural association hereafter incorporated shall be entitled to the benefits of this act until such association shall have held two consecutive annual exhibitions of the character designated in the preceding section nor shall such association receive any appropriation for their third and fourth years respectively in excess of the amount it paid in premiums in the State exclusive of premiums for trials of speed during its second year and such association upon its incorporation shall file with the Auditor General a declaration of its intention to apply for said premium money for its third year Such association must also file its report during its first two years the same as any other association This section shall not apply to a county agricultural association heretofore incorporated owning their own buildings and grounds which shall hold annual exhibitions of the character designated in section three Nor shall this section apply to a county agricultural association heretofore or hereafter incorporated which shall resume the holding of annual exhibitions of the character designated in section three of this act which exhibitions have been for a period of not more than two years temporarily discontinued

Section 5 Annually on or before the fifteenth day of November an association applying for the benefits of this act shall file with the Auditor General a statement sworn to by its president attested by its secretary with corporate seal attached setting forth the name of the association the time and place of the exhibition and the amount of premiums actually paid giving the names and addresses of the persons to whom such premiums were paid and in what class or kind of department

Section 6 Payments to incorporated agricultural associations under the provisions of this act shall be made by the State Treasurer upon warrant of the Auditor General issued on or before the fifteenth day of December of the year in which the exhibition is held

The seventh section was read as follows:

Section 7 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriate for the two fiscal years beginning June first one thousand nine hundred and seventeen to carry out the provisions of this act

On the question,

Will the House agree to the section?

Mr. HESS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 7, page 3, line 29, by striking out "appropriate" and inserting in lieu thereof "appropriated."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The eighth section was read as follows:

Section 8 The following acts or parts of acts are hereby repealed
An Act entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agriculture exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibitions and providing for the repayment to the county by the State of the sum so paid" approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws seven hundred and two)
An Act entitled "An Act amending the first section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled 'An Act to authorize county commissioners for the purpose of encuraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid' by changing from four to three the required number of days for holding such exhibitions" approved the thirteenth day of April one thousand nine hundred eleven (Pamphlet Laws fifty-eight)
An Act entitled "An Act to amend section one of the act approved the thirteenth day of June one thousand nine hundred and seven entitled 'An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by State of the sum so paid' as amended" approved the twelfth day of June one thousand nine hundred thirteen (Pamphlet Laws four hundred and eighty-six)
An Act entitled "An Act amending the second section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled 'An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid' by changing the date for filing by the association with the county commissioners the statement required from November fifteenth to December tenth in each year" approved the fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and twenty)
An Act entitled "An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" approved the eighteenth day of June one thousand nine hundred and fifteen

On the question,

Will the House agree to the section?

Mr. HESS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 8, page 4, line 9, by striking out "agriculture" and inserting in lieu thereof "agricultural."
Amend section 8, page 4, line 12, by striking out "exhibitions" and inserting in lieu thereof "exhibition."
Amend section 8, page 5, line 4, by striking out "the" and inserting in lieu thereof "an."
Amend section 8, page 6, line 19, by inserting "Pamphlet Laws one thousand and thirty-five."

The ninth and tenth sections and title were separately read and agreed to as follows:

Section 9 All acts or parts of acts inconsistent with this act are hereby repealed
Section 10 This act shall take effect on the first day of July one thousand nine hundred and seventeen
An Act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations and regulating the payment thereof.

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 961, as follows:

A Supplement to an act approved the second day of May one thousand eight hundred and ninety-nine entitled "An Act requiring written notice to be served upon supervisors of the proposed opening and construction of new roads for public use and of views reviews and re-reviews in connection with such proposed new roads" as amended by an act approved the twenty-ninth day of March one thousand nine hundred and five entitled "An Act to amend section one of an act entitled 'An Act requiring written notice to be served upon supervisors of the proposed opening and construction of new roads for public use and of views reviews and re-reviews in connection with such proposed new roads' approved the second day of May Anno Domini one thousand eight hundred and ninety-nine so as to require notice to be served on the supervisors of the territory through which the proposed public road is to pass of the time and place of the appointment of viewers reviewers and re-reviewers to lay out the same and of the time and place of their meetings" requiring petitions for roads to give bond for the payment of costs
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any proceeding is instituted before any county commissioners or courts of this Commonwealth by petition or otherwise looking to the laying out opening and the construction of new roads pursuant to section one of an act entitled "An Act requiring written notice to be served upon supervisors of the proposed opening and construction of new roads for public use and of views reviews and re-reviews in connection with such proposed new roads" approved the second day of May one thousand eight hundred ninety-nine as amended by an act entitled "An Act to amend section one of an act entitled 'An Act requiring written notice to be served upon supervisors of the proposed opening and construction of new roads for public use and of views reviews and re-reviews in connection with such proposed new roads' approved the second day of May Anno Domini one thousand eight hundred and ninety-nine so as to require notice to be served on the supervisors of the territory through which the proposed public road is to pass of the time and place of the appointment of viewers reviewers and re-reviewers to lay out the same and of the time and place of their meetings" approved the twenty-ninth day of March one thousand nine hundred and five the petitioners for said road shall be required when the petition is presented to give bond with surety to be approved by the court conditioned for the payment of the costs of the said proceeding in case the court should direct the said costs to be paid by the petitioners

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1344, entitled

An Act regulating the conduct and prescribing the duties of drivers or operators of automobiles, motor cycles or other vehicles on public highways who shall injure any person or persons while so driving on said highways and providing penalties for violations of this act.

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the driver or operator of any automobile motor cycle or other vehicle which shall have run into over collided with or in any way injured any person or persons upon the public highways of this Commonwealth while being driven or operated thereon forthwith to stop said automobile motor-

cycle or other vehicle and return to the place of said accident and to render such aid and assistance to the person or persons so run into over or otherwise injured as aforesaid as may be necessary and possible under the circumstances

The second section was read as follows:

Section 2 Any person being the driver or operator of any automobile motorcycle or other vehicle upon the public highways of this Commonwealth as aforesaid who shall knowingly violate the provisions of sections one of this act or who after having run into over collided with or otherwise injured any person or persons on said public highways in the manner aforesaid shall knowingly drive or run away from or leave the place of such accident and abandon the person or persons so injured as aforesaid shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars and shall undergo an imprisonment for a perod of not more than one year or either or both in the discretion of the court

On the question,
Will the House agree to the section?
Mr. BEYER. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 2, page 2, line 13, by striking out "perod" and inserting in lieu thereof "period."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The third section and title were separately read and agreed to as follows:

Section 3 All acts or parts of acts inconsistent with this act be and the same are hereby repealed
An Act regulating the conduct and prescribing the duties of drivers or operators of automobiles, motor cycles or other vehicles on public highways who shall injure any person or persons while so driving on said highways and providing penalties for violations of this act.

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 393, entitled

An Act to provide for the establishment and government of six correctional institutions to be known as the Pennsylvania State Farm of the first second third fourth fifth and sixth districts respectively providing for the care and confinement of prisoners therein and the transfer of prisoners thereto and making an appropriation

The first, second, third, fourth, fifth and sixth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there are hereby established under the provisions of this act six correctional institutions for violators of the law to be known as the Pennsylvania State Farm of the First District the Pennsylvania State Farm of the Second District the Pennsylvania State Farm of the Third District the Pensylvania State Farm of the Fourth District the Pennsylvania State Farm of the Fifth District and the Pennsylvania State Farm of the Sixth District
Section 2 The first district shall comprise the county of Philadelphia
The second district shall comprise the county of Allegheny
The third district shall comprise the Counties of Berks Bucks Chester Dauphin Delaware Lancaster Lebanon Lehigh Montgomery Northampton and Schuylkill
The fourth district shall comprise the Counties of Bradford Carbon Columbia Lackawanna Luzerne Lycoming Monroe Montour Northumberland Pike Sullivan Susquehanna Tioga Wayne and Wyoming
The fifth district shall comprise the Counties of Adams Bedford Blair Cambria Cameron Centre Clearfield Clinton Cumberland Elk Franklin Fulton Huntingdon Juniata McKean Mifflin Perry Potter Snyder Somerset Union and York
The sixth district shall comprise the Counties of Armstrong Beaver Butler Clarion Crawford Erie Fayette Forest Greene Indiana Jefferson Lawrence Mercer Venango Warren Washington and Westmoreland
Section 3 Upon the approval of this act a commission shall be created which shall be composed of five reputable citizens of the Commonwealth to be appointed by the Governor not more than three of whom shall be members of the same political party and such Commission is hereby authorized by a majority vote to select suitable sites for the state farm In the selection of the sites for the state farms for the first or second district the commission shall not be restricted in locating the same within the said district The Commission shall serve without compensation but all of their expenses actually and necessarily incurred shall be paid The Commission shall purchase six tracts of not more than five hundred acres of land in each tract the title to which shall be good and sufficient and approved by the Attorney General and such title shall be taken in the name of the Commonwealth of Pennsylvania
Section 4 In the selection of sites the commission shall take into consideration the objects and purposes of the institutions and all or as many as practicable of the following enumerated advantages and resources the land selected and purchased shall be varied topography with natural resources and advantages for varied forms of husbandry fruit growing and stock raising for brick making and for the preparation of road and paving material and shall have good railroad drainage sewage and water facilities
Section 5 Upon the selection of loction and sites and the purchase of land for the State farms the Governor shall appoint a Board of Hrustees for each of said institutions to consist of five members who shall be reputable citizens of Pennsylvania not more than three of whom shall belong to the same political party Such trustees shall serve without compensation but their expenses actually and necessarily incurred shall be paid One member of each board shall be appointed for one year one for two years one for three years and one for four years and one for five years Thereafter all appointments shall be fo ra term of five years respectively In case of a vacancy from any cause the appointment to fill such vacancy shall be made by the Governor for the unexpired term The Governor may remove any of the trustees for misconduct incompetency or neglect of duty after opportunity shall be given him or them to be heard upon written charges
Section 6 All buildings constructed in pursuance of this act shall be plain and inexpensive in character and the labor in constructing such buildings improvements and facilities shall be supplied by the persons committed to the institution or confined in the State penal and reformatory institutions so far as found practicable
The board of trustees shall procure all necessary materials erect and equip such buildings employ such skilled labor as cannot be furnished by the prisoners committed thereto or by prisoners in the Seate penitentiaries or the Pennsylvania Industrial Reformatory at Huntingdon and provide all proper facilities for their use and for the practical use of the institution
When the board of trustees of the State farms shall have made all preliminary arrangements for the construction of the buildings and equipment they shall notify the Governor who shall issue a proclamation thereon and thereafter prisoners having more than thirty days to serve may be transferred to the State farm from any jail or workhouse in that district on the order of the Governor

The seventh section was read as follows:

Section 7 The boards of inspectors of the Pennsylvania State Penitentiaries and of the Pennsylvania Industrial Reformatory at Huntingdon on request fro ma board of trustees of a State farm are authorized to tranfser to a State farm from their respective institutions any prisoners of special or mechanical ability therein who may be found in the judgment of such board and the board of trustees of the State farm suitable for the purpose and provide transportation and proper guards therefor and while such prisoners remain at State farm they shall be subject to the orders of the managers or inspectors of the institution from which they were transferred as to their return and in all other respects except as to discipline and government While at such State farm they shall be under the control discipline and government and subject to the orders of the board of trustees of the State farm and its executive officers
The prisoners transferred for the purpose of supplying labor as aforesaid from the State penitentiaries and the Pennsylvania Industrial Reformatory at Huntingdon shall be apportioned as to number by agreement of the managers or inspectors of said institutions respectively and in case they cannot agree thereon the Governor is authorized to determine the number and kind of mechanics or prisoners of special ability to be transferred from each of said institutions and cause the same to be transferred
The expense of transportation and transfer of the prisoners used in the construction of building and equipment to and from the State farms shall be paid on bills rendered to the Auditor General out of the fund provided for the establishment of the State farms
The maintenance of such prisoners as are transferred from the State penitentiary or reformatory shall be paid by the institution from which they are transferred but the cost of such maintenance in excess of the average per capita cost of the prisoners at the institution from which they are transferred shall be refunded to the said institution from the fund appropriated for the State farm

On the question,

Will the House agree to the section?

Mr. HESS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 7, page 5, line 1, by striking out "form" and inserting in lieu thereof "from."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth sections and title were separately read and agreed to as follows:

Section 8 When any State farm shall be equipped with buildings and other facilities sufficient in the opinion of its Board of Trustees to receive prisoners such Board of Trustees shall notify the Governor and upon such notification the Governor shall by proclamation declare the State farm ready to receive prisoners and thereafter it shall be the duty of all judges of Courts of Record of that district to commit thereto all persons convicted of the violation of any law of this State the punishment for which now consists of imprisonment in any county jail or workhouse whose term of imprisonment shall be for a period of not less than thirty days All such commitments shall be to the State farm of the respective district

Section 9 The cost of transportation of persons committed to the State farm shall be paid by the counties respectively from which the prisoner is committed and the sheriff of the county shall receive the same mileage and fees for prisoners committed to the State farm as are now allowed by law for transporting prisoners committed to the State penatentiaries and reformatory When any prisoner is discharged from a State farm the superintendent or warden thereof shall procure for him a railroad ticket to any point to which said prisoner may desire to go not farther from said State farm than the point from which he was sentenced and it shall be the duty of the superintendent or warden or his duly authorized agent to accompany the prisoner to the railroad station deliver the ticket to the proper railroad conductor and formally release the prisoner on the train which he takes for his destination

Section 10 In case at any time it shall be found that any State farm can accommodate and care for more prisoners than are of the class above designated the Governor may order to be transferred to such a State farm from the State penitentiary the Pennsylvania Industrial Reformatory at Huntingdon or any other State farm such prisoners as he and the boards of any such institutions shall find can be better cared for at such State farm Such prisoners so transferred may be returned to the institution from which they were transferred whenever the Governor and the Board of Trustees of the State farm shall find such return necessary and expedient

Section 11 It shall be the purpose of the State farm to employ the prisoners committed or transferred thereto in work on or about the buildings and farm and in growing produce the supplies for its own use or for the Commonwealth or for any political division thereof or for any public or charitable institution owned or managed and controlled by the Commonwealth or any political division thereof in preparation of road material and in making brick tile paving material and the manufacture of other products or material as may be found practicable for the use of the State or any political subdivision therein and for the proper and healtful employment of such prisoners

Section 12 For the purpose of the land contemplated in this act there is hereby appropriated for the use of the Commission and Board of Trustees created by this act the sum of two hundred thousand dollars ($200,000.00) or so much thereof as may be necessary twenty thousand dollars ($20,000.00) of which shall be made available June first one thousand nine hundred seventeen for the taking of options and the balance January first one thousand nine hundred eighteen For the erection of buildings and other construction and development contemplated by this act and the running expenses of the commission and the boards and the salaries and expenses of executive officers of the institution the sum of eighty thousand dollars ($80,000.00) or so much thereof as may be necessary is hereby appropriated to be available June first one thousand nine hundred seventeen Any part of the appropriation for the purchase of land which shall not be needed therefor shall be placed in the fund for the erection of bulidings and other construction and development Payment of such moneys shall be on requisition of the commission and on warrant of the Auditor General

Section 13 The six Boards of Trustees shall each select one representative who shall meet monthly and acting as a body adopt and amend or revoke or add to at any time rules governing the State farms Such rules shall be subject to the approval of the Governor and shall not be inconsistent with the Constitution or laws of the Commonwealth or of the United States

Section 14 Each Board of Trustees shall appoint a superintendent of the farm and such other employes as the board may deem proper all of whom shall be bona fide citizens of Pennsylvania The compensation and duties of the superintendent and employes shall be fixed by the board

An Act to provide for the establishment and government of six correctional institutions to be known as the Pennsylvania State Farm of the first second third fourth fifth and sixth districts respectively providing for the care and confinement of prisoners therein and the transfer of prisoners thereto and making an appropriation

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 904, as follows:

An Act to provide for the re-incorporation as a stock company of certain corporations organized under the laws of Pennsylvania for the maintenance of a society for beneficial or protective purposes to its members from funds collected therein

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any corporation now formed or organized under the provisions of the ninth paragraph section two of the act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April one thousand eight hundred seventy-four having for its object "the maintenance of a society for beneficial or protective purposes to its members from funds collected therein" except fraternal benevolent charitable or secret societies issuing beneficial certificates and paying benefits to their membership through the lodge system and insurance for relief associations formed by or for the exclusive benefit of employees of corporations or firms or formed by or for the exclusive benefit of members of any religious corporation or association may be incorporated in the manner following that is to say A meeting of the members of such corporation shall be held and if a majority shall vote in favor of the proposed re-incorporation a resolution to that effect shall be adopted and upon the recording of such resolution in the office for the recording of deeds et cetera in the county where such corporation has its principal office it shall be lawful for the directors of such corporation to make and adopt articles of association hereunder upon which articles proceedings shall be had as follows

Section 2 Ten or more of the members of such corporation being citizens of this Commonwealth may associate themselves in accordance with the provisions of this act and form an incorporated company for the purpose of making insurance upon the health of individuals and against personal injury or disablement and against death resulting from natural or accidental causes Provided That such corporation shall not issue policies agreeing to pay more than ten dollars per week in the event of sickness accident or disablement nor more than two hundred and fifty dollars in event of death

Section 3 Such persons shall associate themselves together and the company shall be formed and incorporated in the manner provided by law for the incorporation of insurance companies and shall be authorized to transact the business of insurance in the same manner and upon the same conditions as insurance companies are by law authorized to do in so far as such laws are not inconsistent with the provisions of this act

Section 4 The capital stock of such company shall be not less than twenty-five thousand dollars and shall be divided into shares of not less than ten dollars each payment of which shall be made in lawful money ten per centum on each share at the time of subscribing and the balance at such times as the company may direct not exceeding one year from the time of subscription and the company may provide such rules with regard to forfeiture or partial payments or subscriptions as it may deem advisable which rule shall be binding upon the subscribers provided they are made known at the time of subscription

Section 5 The annual meeting for the election of directors shall be held at such time in the month of January as the by-laws of the company may direct and such notice of the time and place of meeting shall be given to the stockholders as may be provided in the by-laws and at such annual meeting the stockholders shall elect by ballot not less than five nor more than thirteen directors to serve for one year and until their successors are duly chosen Provided, That at any annual meeting of the stockholders it may and shall be lawful to divide the directors which are to be chosen into two three or four classes and to elect the first class to serve for the term of one year and the second third and fourth to serve two three and four years respectively and at all ensuing elections of said company the stockholders shall only elect the number of directors necessary to take the place of those whose terms of office shall then expire and such directors shall be elected for the longest term for which any class may have been elected as hereinbefore provided And in case a vacancy or vacancies shall happen in the number of said directors the board of directors shall choose and elect a proper person or proper persons to fill

such vacancy or vacancies during the remainder of the term or terms for which the person or persons in whose place or places such vacancy or vacancies shall have happened shall have been elected

Section 6 From and after the approval of the articles of association provided for in sections one and two hereof the corporation shall be and become a corporation under this act

Section 7 It is hereby declared to be the intent of this act that it shall inure to the benefit only of corporations now formed under the act of the twenty-ninth day of April one thousand eight hundred seventy-four and that only the members of such corporations shall have the right to take advantage of the provisions hereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1269, as follows:

An Act relating to the jurisdiction powers and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate and for the sale of real estate for the purpose of distribution and the fees costs and expenses therein

Section 1 Jurisdiction of orphans' court.....
(a) In general .....
(b) Coal and timber lands .....
Section 2 Petitioners .....
Section 3 Citation .....
Section 4 Parties respondent notices to unknown parties .....
Section 5 Service outside of State .....
Section 6 Appointment of commissioners or award of inquest .....
Section 7 Compensation and mileage of commissioners and jurors .....
Section 8 Making of partition by commissioners or inquest .....
Section 9 Action of commissioners or inquest where equal partition cannot be made .....
(a) Where no division is possible valuation of the whole .....
(b) Purparts unequal in value .....
(c) Purparts not equal in number to number of parties entitled .....
Section 10 Valuation of undivided interest of decedent.
Section 11 Rule to accept or refuse the whole or purparts at the valuation .....
Section 12 Bids above valuation .....
Section 13 Allotment in the absence of bids .....
(a) Order of choice .....
(b) Offer to next in succession where party entitled fails to appear or refuses to take....
(c) Election to take real estate or share thereof postpones party as to other shares or as to real estate in other county .....
Section 14 Permitting residue of premises to remain for parties not appearing .....
Section 15 Allotment to widow as highest bidder .....
Section 16 Partition to be firm and stable after final decree .....
Section 17 Owelty .....
(a) Payment or security .....
(b) Enforcement of payment by non-resident .....
(c) Appointment of trustees for parties who are unknown or cannot be found .....
Section 18 Widow's interest .....
(a) Interest to remain charged on the premises
(b) Charging widow's interest on particular purparts .....
Section 19 Other undivided life interests to remain charged on real estate .....
Section 20 Deduction of rental value from shares of parties who have been in possession .....
Section 21 Rule to show cause why sale should not be made .....
Section 22 Combination of rule to accept or refuse with rule to show cause why sale should not be made .....
Section 23 Sales for the purpose of distribution on petition of all parties interested .....
(a) In general .....
(b) Lands in different counties .....
Section 24 Appointment of trustee to make sale .....
Section 25 Bond of executor administrator or trustee making sale .....
Section 26 Discharge of liens by sale .....
Section 27 Recognizance by purchaser .....
Section 28 No obligation to see to application of purchase money .....
Section 29 Widow's interest to remain in hands of purchaser .....
Section 30 Other undivided life interests to remain charged on real estate .....
Section 31 Appointment of trustee to hold principal of sum in which there is a life interest .....
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Section 1 (a) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the orphans' court of each county of this Commonwealth shall have jurisdiction but not exclusive jurisdiction in the partition and valuation of real estate within the county or any decedent testate or intestate whether such decedent was at the time of his death seised or possessed of such real estate solely or as tenant in common or joint owner with any other person or persons and whether or not the surviving spouse of such decedent shall elect to take against his or her will and notwithstanding there may be a limitation of an estate or interest in the premises or some part thereof to a person or persons not in existence and several undivided interests in any premises derived from different ancestors by descent or devise may be parted or valued in one proceeding in said court Provided That such court shall not have such jurisdiction during the continuance of any life estate in the whole of such real estate

(b) Partition may be made under this act of lands and coal-rights therein and of lands and timber-rights thereon of any decedent whether the rights of all the parties be co-extensive with the whole or not and whether the rights of some of them extend only to the lands and part of the coal therein or only to the land and part of the timber thereon or only to an undivided interest in the land or in the coal therein or in the timber thereon and any person having an interest as herein set forth may compel partition of the entire tract of land and coal or land and timber provided said coal or said timber has not been entirely severed so as to constitute a separate estate

Section 2 The jurisdiction of the orphans' court under this act shall be exercised on the petition of the surviving spouse of the decedent of any heir of the decedent in a case of intestacy or of any devisee having an interest in the real estate in question in a case of testacy whether the interest of such person be vested in possession or in the remainder or of any person having a life interest in an undivided share of such real estate or of any alienee or devisee of any party in interest If the party be a weakminded person for whom a guardian has been appointed or a minor lunatic or habitual drunkard the petition shall be filed by the guardian or committee of such party

Section 3 On such petition supported by oath or affirmation the court may award a citation returnable at a day certain not less than ten days after the issuing thereof directed to all the parties in interest other than the petitioner or petitioners to show cause why an inquest in partition should not be awarded Such citation shall be served in the manner provided by law for the service of other citations in the orphans' court

Section 4 All parties in interest including those entitled in remainder shall be named in the petition citation decree and notices when known but if it shall appear on oath or affirmation that the names or residences of any of the parties are unknown to the petitioner for the partition the orphans' court shall have the power to direct such notices as shall appear to the court to be reasonable and proper to be given to such parties by publication describing the parties as far as practicable and the proceedings shall be as effectual to all intents and purposes as if all the parties had been named in the proceedings

Section 5 Where any of the parties in interest reside outside of the Commonwealth of Pennsylvania and their places of residence are known the court may in its discretion authorize any citations or notices provided for by this act to be served upon them personally or by registered mail or direct publication thereof

Section 6 If on the return of such citation no answer or an insufficient answer be filed or if after hearing on petition answer replication and proofs it shall appear proper the court may appoint on the agreement and nomination of the parties three or more commissioners to divide or value the real estate described in the partition with the same effect as a sheriff's inquest for the same purpose or if the parties cannot so agree may award an inquest to

make partition among the parties in accordance with their respective interests the inquest to consist of three men

Section 7 The compensation of such commissioners and of the jurors when an inquest is awarded shall be fixed by the court but shall not exceed five dollars a day each for each day engaged in making such partition and valuation unless the parties interest shall agree in writing to a larger compensation Such commissioners and jurors shall also receive in addition to their daily pay three cents per mile circular for each mile necessarily traveled by them counting from the place at which such commissioners or jurors first met

Section 8 The commissioners or inquest shall if the same can be done without prejudice to or spoiling the whole make partition of the real estate in purparts among the parties entitled in accordance with their respective interests be equal or otherwise and shall make return thereof to the court

Section 9 (a) When any such estate cannot be divided among the parties entitled thereto without prejudice to or spoiling the whole the said commissioners or the said inquest as the case may be shall make and return a just appraisement thereof to the court

(b) When equal partition in value or partition in accordance with the respective interests of the parties cannot be made by the said commissioners or the said inquest they shall make a just appraisement of the respective purparts or shares into which they may divide the estate and the court shall award that one or more of the purparts or shares shall be subject to the payment of such sum or sums of money as shall be necessary to equalize the value of the said purparts according to the said appraisement thereof which sum or sums of money shall be paid or secured to be paid by the several persons accepting such purparts in the manner prescribed in section 17 hereof

(c) When such estate cannot conveniently be divided into shares equal in number to the number of parties entitled the said commissioners or the said inquest shall make a just appraisement of the respective purparts or shares into which they may divide the estate and the parties to whom such shares shall be awarded or some one in their behalf shall pay or secure to be paid to the other parties interested their respective parts of the value thereof in the manner prescribed in section seventeen hereof

Section 10 Where the decedent shall die seised or possessed as tenant in common or joint owner of any undivided interest in fee simple in any lands or tenements the commissioners or inquest shall value and return said interest undivided in all cases and if such decedent had other real estate such interest shall be valued and returned either by itself or in connection with some other portion of such decedent's real estate as one of the purparts or shares into which they shall divide the whole real estate and upon the return thereof the proceedings shall be as in other cases

Section 11 In all cases of appraisement or partition mentioned in sections eight and nine of this act the orphans' court shall on application grant a rule on all persons interested including those interested in remainder to come into court at a certain day to be fixed by the court to accept or refuse the estate or a share or portion thereof as the case may be A copy of such rule shall be served upon each party personally ten days before the return thereof in case such party resides within the county or if any party shall reside outside the county the court may in its discretion authorize service of such rule upon him personally or direct such publication thereof as shall appear to the court to be reasonable and proper

Section 12 In all cases of partition of real estate now pending or hereafter to be instituted in any orphans' court wherein a valuation shall have been made or shall be made of the whole or parts thereof the same shall be allotted to such one or more of the parties in interest whether entitled in possession or in remainder or to an undivided interest for life and including the surviving spouse of the decedent who shall at the return of the rule to accept or refuse to take at the valuation offer in writing the highest price therefor above the valuation returned but if no higher offer be made for such real estate or any part thereof it shall be allotted or ordered to be sold as herein provided

Section 13 (a) When no bid above the appraisement of such real estate or any part thereof shall be made as provided in section twelve of this act the court may order such real estate or part thereof to and among the parties in interest including those entitled in remainder as follows

First to the surviving spouse of the decedent if entitled under the interstate law or under the will of the decedent to a share of such real estate or part thereof in fee

Second To the other parties in interest in the order of their seniority in age

(b) In case the party entitled to a choice do not come into court in person or by guardian or committee or attorney duly constituted or in case he shall refuse the same a record shall be made thereof and the court may and shall direct the same to be offered to the next in succession according to the rules provided in clause (a) of this section

(c) In any case where a party has elected to take the real estate of a decedent in one county or any share thereof if divided into shares such party shall not have the right of preference or election to take the real estate or any share thereof in any other county or any other share in the same county until all the other parties shall have neglected after due notice or refusal to take the same at such valuation

Section 14 The orphans' court having jurisdiction in any case of partition shall have power wherever it shall appear advisable and proper to cause the share or shares of the party or parties appearing in court to be allotted and assigned to them and to permit the residue of the premises to remain for the person or persons entitled thereto and subject to a future partition among them if more than one person be so entitled

Section 15 Where the real estate or any part thereof shall be allotted to the widow as the highest bidder two-thirds of the purchase money thereof in cases where by existing laws the widow is entitled to a dower of one-third in the real estate and one-half of the purchase money thereof in cases where by existing laws the widow is entitled to a dower of one-half in the real estate shall be paid to those entitled thereto as provided by law the remaining one-third or one-half of such purchase money as the case may be shall be paid to a trustee or trustees to be appointed by the court which trustee or trustees shall give bond in double the amount to be received the trustee or trustees as aforesaid shall pay semi-annually in lieu of dower the interest on said one-third or one-half of the purchase money as the case may be to the widow during her life and at her death the said trustee or trustees shall pay the purchase money to such persons as are entitled by law thereto

Section 16 Upon return made by commissioners appointed by agreement of the parties or of the inquisition taken or when the real estate or any purpart thereof is awarded or allotted by the court and a final decree is entered the partition thereby made shall be firm and stable forever subject only to the right of appeal

Section 17 (a) In every case provided for in section twelve or section thirteen of this act the party bidding in or accepting the real estate or some one on his behalf shall pay to the other parties interested their proportional parts of the value of such estate according to the amount of the bid or the just appraisement thereof made in manner aforesaid as the case may be or shall give good security by recognizance or otherwise to the satisfaction of the court for the payment thereof with legal interest at such time or times as in the judgment of the court shall be to the advantage of those entitled to the estate and the persons to whom or for whose use payment or satisfaction shall be so made in any of the cases aforesaid for the respective parts or shares of such real estate shall be forever barred of all right or title to the same

(b) Where the court shall decree any share or shares to any person not residing within this Commonwealth with the payment of owelty annexed it shall be lawfully for the court upon application made by any party lawfully interested in the same to order a rule upon such party his or her legal heirs or representatives requiring the payment of said owelty at such time and upon such terms and conditions as the court shall direct If the said rule cannot be served within this Commonwealth the court may in its discretion authorize service of such rule upon him or them personally or direct such publication thereof as shall appear to the court to be reasonable and proper. Upon return and proof of service or publication as aforesaid and upon refusal or neglect to comply with the said rule the court may enforce the same by ordering a sale of such share or shares for the purposes aforesaid as in other cases of sales under this act

(c) Wherever it shall appear than any party or parties in whose favor a lien exists until payment be made to them of their respective shares of the money due from the party or parties to whom the real estate or any purpart thereof is awarded at the appraisement or at a price bid therefor above the appraisement is or are unknown or cannot be found the court shall have power to appoint a trustee to whom the shares of money due said unknown or other party may be paid with power in said trustee upon payment to him of said money to satisfy said lien upon the proper records whereupon the said land shall be freed and discharged from said lien Such trustee shall first file a bond to be approved by the court conditioned for the faithful application of the money to him so paid as aforesaid according to the trust and order of court it shall be the duty of the trustee to invest the said moneys in securities authorized by law

Section 18 (a) Should the widow of the decedent be living at the time of the partition and entitled to a life estate in one-half or one-third of the real estate under the intestate laws or should such widow elect to take against the will of the decedent and thereby be entitled to such life estate she shall not be entitled to payment of the sum at which her purpart or share of the estate shall be valued but the same together with interest thereof shall be and remain charged upon the premises if the whole be taken by one person or upon the respective shares if divided as hereinbefore mentioned and the legal interest thereof shall be semi-annually and regularly paid by the persons to whom such real estate shall be adjudged their heirs or assigns holding the same according to their respective portions to the said widow during her natural life in lieu and full satisfaction of her dower at common law and the same may be recovered by the widow by distress or otherwise as rents in this Commonwealth are recoverable On the death of the widow the said principal sum shall be paid by the persons to whom the said real estate shall have been adjudged their heirs or assigns holding the premises to the persons thereunto legally entitled

(b) When the real estate of any decedent shall consist of several different tracts or pieces of land and the same shall be adjudged to any of the parties entitled thereto or ordered to be sold by any orphans' court such court shall have authority to decree that the share or purpart of the widow of such decedent in the whole of said real estate where such widow is entitled to a life interest together with the interest thereof shall be and remain charged on one or more of the said tracts or pieces of land in the manner and for the purposes now provided by law and that the remaining tracts or pieces of land shall be wholly discharged from the share or purpart of such widow or any part thereof Provided

That the pieces or tracts of land upon which such purpart or share shall be so charged as aforesaid shall in the opinion of such court be fully sufficient to secure the payment of the principal and interest of such purpart or share and Provided further That such widow shall have the same remedies for recovery of her interest as are provided in clause (a) of this section

Section 19 Should any person other than the widow of the decedent be entitled under the intestate laws or should any person including the widow of the decedent be entitled under the will of the decedent to a life interest in an undivided share of the real estate the share of such tenant for life shall not be paid to him or her but the same together with interest thereof shall be and remain charged upon the premises if the whole be taken by one person or upon the respective shares if divided as hereinbefore mentioned and the legal interest thereof shall be semi-annually and regularly paid by the persons to whom such real estate shall be adjudged their heirs or assigns holding the same according to their respective portions to the said tenant for life during his or her natural life and the same may be recovered by such life tenant as debts of like nature in this Commonwealth are recoverable On the death of the life tenant the said principal sum shall be paid by the persons to whom the said real estate shall have been adjudged their heirs or assigns holding the premises to the persons thereunto legally entitled

Section 20 In case of partition of real estate now or hereafter held by two or more persons as tenants in common where one or more of said tenants shall have been or shall hereafter be in possession of said real estate the parties in possession shall have deducted from their distributive shares of said real estate the proportional part of the rental value thereof to which their co-tenant or co-tenants are entitled for the time such real estate shall have been in possssion as aforesaid

Section 21 Upon an appraisement or valuation of real estate made as provided in section nine or section ten of this act should all the parties neglect after due notice as provided in section eleven hereof or refuse to take the same or any part thereof at the valuation or to bid above the appraisement as provided in section twelve hereof the court shall on the application of anyone of the parties grant a rule upon the other parties interested to show cause why the estate or part thereof so appraised and not taken at the appraisement or bid for should not be sold which rule shall be returnable at such time as the court having respect to the circumstances of the case may direct and service of such rule shall be made in the manner provided by law for the service of citations in the orphans' court On the return of such rule the court may on due proof of notice to all persons interested make a decree authorizing and requiring the executor or administrator as the case may be to expose such real estate or part thereof to public sale at such time and place and on such terms as the court may decree Provided That the rule to show cause herein directed may be dispensed with by the court on the application of all the parties in interest if of full age and sui juris and of the guardians or committees of such as are weak-minded persons for whom guardians have been appointed minors lunatics or habitual drunkards for such decree and public notice of such sale shall be given by the person who is to make the sale once a week for a period of three weeks before the day appointed therefor by advertisement in at least one newspaper published in the county if there be one or if there be none then in ad adjoining county and in all cases notice shall also be given by handbills one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such estate and in any case the court may by general rule or special order require such further notice as it shall deem advisable

Section 22 In all cases of the partition or valuation of real estate the orphans' court may upon the application of any party in interest instead of the separate rules herein provided for such cases grant a rule upon the parties interested to appear and accept or refuse the said real estate at the valuation or in case they or any of them should neglect or refuse to take and accept the same as aforesaid show cause why the said real estate or any part thereof should not be sold

Section 23 (a) Whenever any person shall die seised of real estate and the parties in interest desire the same to be converted into money for distribution it shall be lawful for the orphans' court of the proper county in its discretion upon the joint petition of the widow and heirs or devisees and the guardians or commmittees of such as are minors or under disability in whom the real estate of the decedent shall have vested by descent or will and legatées whose legacies are charged on said real estate or the representatives of such as may be deceased or under disability to order the executor or administrator or a trustee to be appointed by said court to make sale of said real estate Such petition shall set forth the description of the property the desire to have the same sold and its estimated value according to the affidavits of two disinterested and competent persons and said petition shall be duly sworn to Said order shall provide that before making sale the executor administrator or trustee shall give bond in double the estimated value of the said real estate and shall proceed thereafter in all respects in the manner provided by this act in cases of the sale of real estate under proceedings in partition The proceeds of such sale after payment of the expenses thereof shall be distributed to and among those entitled thereto the same as real estate Such sale shall have the same effect in all respects as a public sale in proceedings in partition of real estate under this act

(b) When the lands in respect to which a petition for sale shall be filed under the provisions of clause (a) of this section shall lie in one or more adjoining tracts in different counties or shall lie in two or more counties but not in adjoining tracts the proceedings shall be in the courts designated in sections thirty-seven and thirty-eight of this act respectively

Section 24 Whenever any real estate shall be ordered to be sold under proceedings in partition the orphans' court is hereby authorized and required in case of the neglect or refusal of the executor or administrator to execute such order or in case there be no executor or administrator or in case the court for any reason deems it advisable to appoint some suitable person trustee for the purpose of making such sale who shall be subject to the same restrictions and have the same powers and whose procedings shall have the same effect to all intents and purposes as are provided in the case of such sales by executors or administrators

Section 25 In all cases where the carrying out of any decree of the court under the provisions of this act shall involve the receipt of money the court shall direct the person acting under the decree to file a bond to the Commonwealth in a sufficient amount conditioned for the proper application of all moneys to be received Such bond shall inure to the benefit of all persons interested and be executed by two individual sureties or by one corporate surety approved by the court No such decree shall be executed until such bond with sureties as may be required shall be filed Provided That where a corporation duly authorized by law shall be designated to carry out any such decree the court may in lieu of security as aforesaid permit such corporation to enter its own bond without surety

Section 26 All public or private sales of real estate or of any part or purpart thereof under the provisions of this act shall have the effect of judicial sales as to the discharge of liens upon the real estate or part or purpart thereof so sold

Section 27 In all cases of sales of real estate under the provisions of this act when the entire purchase money shall not be paid in case the purchaser or purchasers shall enter recognizance in the orphans' court with sufficient security to be approved by said court for the payment of the purchase money or any balance thereof over and above the costs and expenses of said proceedings to the parties who may be entitled to the same Such recognizance shall be a lien on the real estate so sold until fully paid and satisfied

Section 28 Whenever a public or private sale of real estate shall be directed or confirmed under the provisions of this act the person or persons purchasing the real estate so sold and taking title thereto in pursuance of the decree of the court shall take such title free and discharged of any obligation to see to the application of the purchase money

Section 29 Where a decree for the sale of real estate shall be made by the orphans' court in the event provided for in section twenty-one hereof the court shall direct that if there be a widow entitled to a life interest in such real estate under the intestate laws or should such widow elect to take against the will and thereby be entitled to such life estate the share of the widow in the purchase money shall remain in the hands of the purchaser during the natural life of the widow The interest thereof shall be semi-annually and regularly paid to her by the purchaser his heirs and assigns holding the premises and may be recovered by distress or otherwise as rents are recoverable in this Commonwealth which the said widow shall accept in full satisfaction of her dower in such premises and at her decease her share of the purchase money shall be paid to the persons legally entitled thereto

Section 30 In the case of a sale of real estate under proceedings in partition in the orphans' court should any person other than the widow of the decedent be entitled under the intestate laws or should any person including the widow of the decedent be entitled under the will of the decedent to a life interest in an undivided share of the real estate the share of such person shall not be paid to him or her but shall remain charged on such or other real estate according to the directions of the court and the legal interest thereof shall be semi-annually and regularly paid by the purchaser of such real estate his heirs or assigns holding the same during the natural life of such life tenant and the same may be recovered by such life tenant as debts of like nature in this Commonwealth are recoverable and on the death of the life tenant the said principal sum shall be paid by the person by whom the said real estate shall have been purchased his heirs or assigns holding the premises to the persons thereunto legally entitled

Section 31 In any case of a sale of real estate under the provisions of this act instead of the life interest of any person in an undivided share of the real estate remaining charged on the real estate as aforesaid the court may on the petition of the person entitled to the life interest or of the purchaser direct the purchaser to pay such principal sum to a suitable person or corporation who shall be appointed by the court as trustee to receive and hold such principal sum invest the same in securities authorized by law pay the income thereon after deducting all legal charges to the person entitled thereto and upon the death of such person to pay over such principal sum to the persons thereunto legally entitled after deducting all legal charges thereon Such trustee shall enter such security as the court may direct and shall not be an insurer of the trust fund and shall be liable to the persons interested in the income or corpus of the trust fund only for such care prudence and diligence in the execution of the trust as other trustees are liable for

Section 32 In all cases where the letters testamentary or of administration shall be revoked or the executor administrator or trustee or one or more of the co-executors co-administrators or co-trustees authorized to make a sale of real estate under the provisions of this act shall be removed by the court or shall die or become insane or otherwise be incapable before such sale is affected or before a deed of conveyance is made to the purchaser such sale or such conveyance shall be made in the manner and with the effects as provided by law in other cases of sales by executors administrators or trustees under like circumstances

Section 33 In all cases where in consequence of proceedings in partition the share or any part thereof of a party in interest in real estate shall be converted into money either by reason of the impracticability or inequality of partition or by virtue of a sale or otherwise the orphans' court before making a final decree confirming the partition or distributing the proceeds of sale as the case may be may appoint a suitable person as auditor to ascertain whether there are any liens or other incumbrances on such real estate affecting the interests of the parties If it shall appear by the report of such auditor or otherwise that there are such liens the court may order the amount of money which may be payable to any of the parties against whom liens exist to be paid into court and shall have full power to decree the distribution thereof among the creditors or others entitled thereto Where recognizance or other security shall be given for the payment of money the court may make an order on the party giving such recognizance or other security to pay the amount thereof into court when the same shall become due to be distributed in like manner among the persons holding liens at the time of the partition

Section 34 Upon the sale of any real estate by an executor administrator or trustee in proceedings in partition in the orphans' court it shall be the duty of the said executor administrator or trustee to file in the orphans' court of the proper county on account of the proceeds of such sale

Section 35 (a) The costs in all cases of partition in the orphans' court with a reasonable allowance to the partitioners for counsel fees to be taxed by the court or under its direction shall be paid by all the parties in proportion to their several interests

(b) In all cases of sales of real estate under the provisions of this act it shall be lawful for the court to order and decree that the costs and expenses of said proceedings including a reasonable compensation to the executor administrator or trustee by whom said sale shall be made shall be paid on the confirmation of such sale out of the proceeds thereof

Section 36 (a) When any orphans' court having jurisdiction of any procedings in the partition of real estate shall order or has ordered any such real estate or any purparts thereof to be sold said court may authorize or direct a private sale thereof or may approve ratify and confirm a private sale thereof made under an order for a public sale if in the opinion of the court under all the circumstances a better price can be obtained at a private sale than at a public sale thereof

(b) Before authorizing or directing any private sale of real estate under this act public notice thereof shall be given by advertisement printed in at least one newspaper published in the county where such real estate is situated and in such other papers as may be designated by the court once a week for a period of three weeks prior to the date fixed by such order for authorizing or confirming such sale and also written or printed notices one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such real estate Before authorizing or directing such sale the court shall require proof by affidavit to be filed in the proceeding that notice as aforesaid has been given Such notice shall specify the location and description of the real estate proposed to be sold the name of the proposed purchaser and the price agreed to be paid

(c) On the day fixed by such order and notice for authorizing or directing such private sale any party interested as heir devisee or intending purchaser or any legatee whose legacy is by the express terms of the will or by law charged on such real estate may appear and object to such private sale on account of the insufficiency of the price and if such objection be sustained may offer to give or pay a substantial increase for such property The court at its discretion may thereupon authorize or direct such sale or refuse to authorize or direct the same and accept any substantially increased offer and may authorize the sale of such property to such new bidder upon compliance with the conditions of sale and giving such security as shall be directed by the court Such party interested or legatee may appear as aforesaid and object to such sale on any legal or equitable grounds Nothing herein contained shall be construed to affect the existing law with respect to objections to public sales

Section 37 When the lands in respect to which application for partition shall be made to the orphans' court as aforesaid lie in one or more adjoining tracts in different counties it shall be lawful for the orphans' court of the county in which the mansion house is situated or if there be no mansion house the court of the county where the principal improvements may be or if there be no improvements the court or either county on the application of any person interested either to proceed by the appointment of commissioners as aforesaid or to issue its writ to the sheriff of the county within the jurisdiction of the court specifying the lands of which a partition or valuation is to be made Thereupon the said sheriff shall summon an inquest to divide or value the said lands in the same manner as if the whole were within his proper bailiwick Upon the return thereof or upon the return of the commissioners appointed by the court as aforesaid the court may further proceed therein in all respects as if all the said lands were in the county Any recognizance taken in pursuance of such proceedings shall be as effectual to all intents and purposes as if the lands bound by it were wholly within the county where such recognizance is taken A certified copy of the proceedings which may be had shall within twenty days after the final decree therein be delivered to the clerk of the orphans' court of each county in which the application shall not have been made and in which any part of the said lands are situate which shall be entered on the records of such court at the joint expense of all parties concerned

Section 38 (a) All proceedings for the partition of valuation of real estate under the provisions of this act where the real estate to be divided or valued is situate in two or more counties of this Commonwealth but not in adjoining tracts shall be brought only in the county where the decedent whose land is to be divided or valued had his domicile or if he had no domicile in the State then in the county where the larger part of the estate in value shall be situated or with leave of such court the parties interested may institute proceedings in the orphans' court in each county where such real estate is situated

(b) In proceedings under this section all process writs and notices required to be served personally upon any person or persons interested in such proceedings may be served by the sheriff of any county of this State under deputization from the sheriff of the county in which such proceedings have been instituted or commenced

(c) The commissioners or jurors for making partition or valuation under the provisions of this section may be selected from the county in which such proceedings are instituted or from any one or more of the counties in which such land is situate The compensation and mileage of said commissioners or jurors shall be the same as is provided in section seven of this act

(d) This section shall include all proceedings in partition necessary to be had as well before as after the refusal of the parties to take real estate at the valuation and the said courts in which such proceedings are had are hereby authorized to order the sale of such real estate after such refusal in the same manner as if all the real estate were situated in the county in which such proceedings are instituted Provided That the sales of such real estate shall be held in the county in which the real estate is situated unless otherwise ordered by the said courts

(e) Except as otherwise provided by this section the proceedings hereunder shall be the same as provided by this act in other cases of partition and valuation

(f) Certified copies of the record may be filed in every county where such real estate shall be situated in the office of the clerk of the orphans' court thereof and be received in evidence with the like effect as the records of the court where filed

Sction 39 (a) In all cases of partition in the orphans' court where the court shall order and decree any party taking any portion of the estate at a bid or at the appraisement or purchasing the same at a sale as hereinbefore provided to give any recognizance for the payment of any part of bid valuation or purchase price the court shall have power to appoint an auditor for the purpose of ascertaining advancements and making distributed among the heirs and parties in interest In all cases in which such auditor has not been or may not be appointed it shall be the duty of the court to make a calculation exhibiting the amounts due the respective parties in interest and to direct the clerk of the court to record said calculation upon the partition docket of the court as a part of the proceedings in each case for which services the clerk shall be entitled to a fee of one dollar

(b) 1 Where a recognizance has been or shall hereafter be taken in any orphans. court in any partition proceeding as hereinbefore provided for and the same or any part thereof shall be satisfied or paid to the person or persons interested therein his her or their agent or attorneys any such person so having received satisfaction of the amount coming to him shall enter an acknowledgment thereof upon the record of such court which shall be satisfaction and discharge of the said recognizance to the amount acknowledged to be paid and the recognizance shall cease to be a lien on the real estate of the conusor to a greater amount than the principal and interest actually remining due

2 If any person who shall have received satisfaction as aforesaid for his claim or lien secured by such recognizance shall neglect or refuse to enter upon the record his acknowledgment thereof upon the written request of the ówner of the premises bound by such recognizance or any part thereof or of his legal representative or other persons interested therein on tender of all the costs for entering such acknowledgment the orphans' court on due proof to them made that the entire amount due to any heir legatee or distributee shall have been fully paid and discharged may make an order for the relief of such person from any recognizance or other recorded lien Such order being certified to the proper court where such lien may appear shall be entered on the records and shall inure and be received as a full satisfaction and discharge of the same

Section 40 In all cases arising under this act where there is a limitation of an estate or interest in the premises or

some part thereof to a person or persons not in existence the court shall have power to appoint a trustee to represent such unborn person or persons in the proceedings and shall have power to make such further or other orders in regard to the property or purpart in which such person or persons may become interested or the proceeds of the sale thereof or any recognizance given with respect thereto as justice and equity may require

Section 41 It shall be the duty of the clerks of the orphans' court of the several counties of this Commonwealth and they are hereby required to enter in a book to be procured for that purpose to be called a partition docket all the proceedings in partition in every case in their respective courts from the commencement to the final judgment and decree thereon which shall be and the same is hereby made the record of said court for which service such clerks shall be entitled to receive the same fees as the recorders of deeds receive for recording to be taxed and paid as part of the costs of such proceedings

Section 42 It shall be the duty of the clerks of the orphans' courts of the several counties of this Commonwealth and they are hereby required to keep a separate index to be known as the partition index in which shall be entered in alphabetical order the names of all persons to whom any real estate shall be allotted or awarded in partition proceedings in said courts and the names of all purchasers of real estate in such proceedings

Section 43 Any party aggrieved by any definitive decree or judgment of any orphans' court or by any order or decree awarding or refusing to award an inquest or by an order of sale under the provisions of this act may appeal therefrom to the proper appellate court as in other cases of appeals from the orphans' court

Section 44 This act shall be known and may be cited as the Orphans' Court Partition Act of one thousand nine hundred and seventeen

Section 45 The following acts and parts of acts of Assembly repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause

Section twenty-two of an act entitled "An Act directing the descent of intestates' real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nineteenth one thousand seven hundred and ninety-four three Smith's Laws one hundred and forty-three absolutely

Section eight of an act entitled "An Act supplementary to the act entitled 'An Act directing the descent of intestates real estate and distribution of their personal estates, and for other purposes therein mentioned' " passed April fourth one thousand seven hundred and ninety-seven three Smith's Laws two hundred and ninety-six in so far as it relates to the orphans' court

An Act entitled "A further supplement to the act entitled 'An Act directing the rescent of intestates real estate and distribution of their personal estates and for other purposes therein mentioned' " approved April second one thousand eight hundred and four (Pamphlet Laws four hundred and fifty-nine) absolutely

An Act entitled "A further supplement to an act entitled 'An Act directing the descents of intestates real estates and distribution of their personal estates and for other purposes therein mentioned' " approved April one one thousand eight hundred and five (Pamphlet Laws two hundred and five) absolutely

Sections six seven and eight of an act entitled "An Act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned" approved April seventh one thousand eight hundred and seven (Pamphlet Laws one hundred and fifty-five) absolutely and section nine of said act in so far as it relates to the orphans court

Section two of an act entitled "An Act to amend certain parts of an act entitled 'An Act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned' " approved March twenty-sixth one thousand eight hundred and eight (Pamphlet Laws one hundred and forty-four) absolutely

Sections five and six of an act entitled "A Supplement to the act entitled 'A further supplement to the act entitled an act to alter the judiciary system of this Commonwealth' passed the eighth day of April eighteen hundred and twenty-six" approved April fourteenth one thousand eight hundred and twenty-eight (Pamphlet Laws four hundred and eighty-four) absolutely

Sections thirty-six to forty-six inclusive and forty-eight to fifty-one inclusive of an act entitled "An Act relating to orphans' courts" approved March twenty-ninth one thousand eight hundred and thirty-two (Pamphlet Laws one hundred ninety) absolutely

Section forty-two forty-four forty-five and forty-six of an act entitled "An Act relating to executors and administrators" approved February twenty-fourth one thousand eight hundred and thirty-four (Pamphlet Laws seventy-three) absolutely

Section two of an act entitled "Supplement to the act passed the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts' " approved April fourteenth one thousand eight hundred and thirty-five (Pamphlet Laws two hundred and seventy-five) absolutely

Section four of an act entitled "A further supplement to an act entitled an act relating to orphans' courts passed the twenty-ninth day of March one thousand eight hundred and thirty-two and the supplement thereto passed the fourteenth day of April one thousand eight hundred and thirty-five and for other purposes" approved April thirteenth one thousand eight hundred and forty (Pamphlet Laws three hundred and nineteen) absolutely

Section eight of an act entitled "An Act to incorporate the Butler County Mutual Insurance Company and for other purposes" approved April twenty-fourth one thousand eight hundred and forty-three (Pamphlet Laws three hundred and fifty-nine) absolutely

An Act entitled "An Act supplementary to the acts relating to orphans' court" approved April sixth one thousand eight hundred and forty-four (Pamphlet Laws two hundred and fourteen) absolutely

Section one of an act entitled "A Supplement to the act of Assembly passed the twenty-ninth day of March one thousand eight hundred and thirty-two relating to the proceedings in the orphans' court of this Commonwealth and for other purposes" approved April fifteenth one thousand eight hundred and forty-five (Pamphlet Laws four hundred and fifty-eight) absolutely

Section one of an act entitled "An Act in relation to partitions approved April twenty-one one thousand eight hundred and forty-six (Pamphlet Laws four hundred and twenty-six) absolutely

An Act entitled "An Act relative to the orphans' court" approved March thirteenth one thousand eight hundred and forty-seven (Pamphlet Laws three hundred and nineteen) absolutely

Section four of an act entitled "A Supplement to an act relative to the venders of mineral waters and an act relative to the Washington Coal Company to sheriffs' sales of real estate to the substitution of executors and trustees when plaintiffs to partition in the courts of common pleas and for other purposes" approved April ninth one thousand eight hundred forty-nine (Pamphlet Laws five hundred twenty-four) except in so far as it relates to sales made before its date

Section ten of an act entitled "An Act to enable Thomas Hoge to make a fee simple title to enable the trustees under the wills of Ephraim Clark and Catharine Yohe Alex Calder administrator Joseph B. Baker guardian and Nancy John and William Kline to sell certain real estate relative to a school house in Elizabeth Township Lancaster County to amend the charter of the second Jackson beneficial society of Philadelphia and to extend the jurisdiction of the orphans' court" approved April tenth one thousand eight hundred and forty-nine (Pamphlet Laws five hundred and ninety-one) except in so far as it validates partition proceedings begun before its date

Section two of an act entitled "An Act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rent to trustees of married women to appeals from awards of arbitrators by corporations to hawkers and pedlers in the counties of Butler and Union to the payment of costs in actions by informers in certain cases to taxing lands situate in different townships and in relation to fees of county treasurers of Lycoming Clinton and Schuylkill to provide for recording the accounts of executors administrators guardians and auditors reports to amend and after existing laws relative to the administration of justice in this Commonwealth" became a law April twenty-fifth one thousand eight hundred and fifty by reason of the Governor's failure to return it within ten days (Pamphlet Laws five hundred sixty-nine) absolutely and section ten of the same act in so far as it relates to the orphans' court

Section twenty-two and twenty-three of an act entitled "An Act to incorporate the Wyoming County Mutual Insurance Company relating to Library Street in the City of Philadelphia giving jurisdiction to the court of common pleas in Tioga County in a certain divorce case and relating to paving in front of the prison in the County of Philadelphia" approved April twenty-sixth one thousand eight hundred and fifty (Pamphlet Laws five hundred and seventy-seven) insofar as they relate to recogniances in partition

Section one of an act entitled "An Act relative to suits in dower and partitions" approved February twenty one thousand eight hundred and fifty-four (Pamphlet Laws eighty-nine) insofar as it relates to the orphans' court

An Act entitled "A further supplement to the act entitled "An Act relating to orphans' court" passed the twenty-ninth day of March one thousand eight hundred and thirty-two" approved April twelfth one thousand eight hundred and fifty-five (Pamphlet Laws two hundred and fourteen) absolutely

Section four of an act entitled "An Act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate" approved April twenty-seventh one thousand eight hundred and fifty-five (Pamphlet Laws three hundred and sixty-eight) insofar as it relates to the orphans' court

Sections one and two of an act entitled "A Supplement to an act relative to suits in dower and spartition passed twentieth February one thousand eight hundred and fifty-four" approved April seventeenth one thousand eight hunhundred and fifty-six. (Pamphlet Laws three hundred and eighty-six) absolutely

Section ten of an act entitled "An Act for the greater certainty of title and more secure enjoyments of real estate" approved April twenty-second one thousand eight hundred and fifty-six (Pamphlet Laws five hundred and thirty-two) insofar as it relates to the orphans' court

An Act entitled "An Act requiring administrators and trustees upon the sale of real estate after proceedings in partition to file in the registers office of the proper county an account of their said administration of trusteeship" ap-

proved April eleventh one thousand eight hundred and sixty-three (Pamphlet Laws three hundred and forty-one) absolutely

An Act entitled "An Act relative to costs in cases of partition" approved April twenty-seventh one thousand eight hundred and sixty-four (Pamphlet Laws six hundred and forty-one) insofar as it relates to the orphans' court

An Act entitled "An Act relating to the commitees of the estates of lunatics and habitual drunkards" approved March twenty-second one thousand eight hundred and sixty-five (Pamphlet Laws thirty-one) insofar as it relates to the orphans' court

An Act entitled "An Act relating to proceedings in partition" approved March twenty-seventh one thousand eight hundred and sixty-five (Pamphlet Laws forty-five) absolutely

An Act entitled "A Supplement to an act relating to orphans' courts approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two" approved January seventh one thousand eight hundred and sixty-seven (Pamphlet Laws one thousand three hundred and sixty-seven) absolutely

An Act entitled "An Act to extend the jurisdiction of the orphans' court of York and Fayette Counties" approved February thirteenth one thousand eight hundred and sixty-seven (Pamphlet Laws one hundred and sixty) absolutely

An Act entitled "An Act to repeal a portion of an act entitled 'An Act relating to proceedings in partition' approved the twenty-seventh day of March Anno Domini one thousand eight hundred and sixty-five" approved April twenty-eighth one thousand eight hundred and sixty-eight (Pamphlet Laws one hundred and five) absolutely

An Act entitled "A Supplement to an act entitled 'An Act relative to the orphans' court' approved the thirteenth day of March one thousand eight hundred and forty-seven confirming certain partitions" approved February twenty-sixth one thousand eight hundred and sixty-nine (Pamphlet Laws four) except insofar as it confirms partitions made before its date

An Act entitled "A further supplement to an act entitled 'An Act relative to suits in dower and partition' approved the twentieth day of February Anno Domini one thousand eight hundred and fifty-four and its supplement approved the seventeenth day of April Anno Domini one thousand eight hundred and fifty-six" approved March thirtieth one thousand eight hundred and sixty-nine (Pamphlet Laws fifteen) insofar as it relates to the orphans' court

An Act entitled "A Supplement to the act relating to orphans' court approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two" Approved April thirtieth one thousand eight hundred and sixty-nine (Pamphlet Laws twenty-eighth) except insofar as it relates to declarations theretofore made by married women

Section two of an act entitled "An Act relating to dowers" approved April twentieth one thousand eight hundred and sixty-nine (Pamphlet Laws seventy-seven) absolutely

An Act entitled "A further supplement to an act relating to orphans' court approved the twenty-ninth day of March one thousand eight hundred and thirty-two regulating the sale of real estate by executors administrators or trustees" approved May twenty-third one thousand eight hundred and seventy-one (Pamphlet Laws two hundred and seventy-four) absolutely

An Act entitled "A further supplement to an act relative to suits in dower and partition approved the twentieth day of February Anno Domini one thousand eight hundred and fifty-four and its supplements approved the thirtieth day of March Anno Domini one thousaid eight hundred and sixty-nine construing said act and extending jurisdiction of the courts therein" approved May fourteenth one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and fifty-six) insofar as it relates to the orphans' court

An Act entitled "An Act relating to the estate of decedents" approved May fourteenth one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and sixty-six) absolutely

An Act entitled "An Act enlarging the powers of the orphans' court in regard to fixing the time for the payment of owelty" approved May eighth one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and forty) absolutely

An Act entitled "An Act relating to partition of real estate" approved May one one thousand eight hundred and seventy-nine (Pamphlet Laws forty) insofar as it relates to the orphans' court

An Act entitled "An Act to provide for the keeping of a partition docket by the several clerks of the orphans' courts" approved April fourth one thousand eight hundred and eighty-nine (Pamphlet Laws twenty-three) absolutely

An Act entitled "An Act to enlarge the jurisdiction of the orphans' court in cases of testacy approved May ninth one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and forty-six) absolutely

An Act entitled "An Act relating to sale of the real estate of decedents" approved June twelfth one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and sixty-one) absolutely

An Act entitled "An Act relating to the partition of real estate empowering the courts having jurisdiction to decree and approve and to approve ratify and confirm private sales" approved May twenty-second one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and fourteen) insofar as it relates to the orphans' court

An Act entitled "An Act to provide for the liability of tenants in common in possession of their co-tenants out of possession" approved June twenty-fourth one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and thirty-seven) insofar as it relates to the orphans' court

An Act entitled "An Act relating to proceedings in partition and other actions and for the appointment of commitees ad litem therein when any of the defendants are lunatics" approved June twenty-sixth one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and eighty-one) insofar as it relates to the orphans' court

An Act entitled "An Act amending an act entitled 'An Act relating to proceedings in partition and other actions and for the appointment of commitees ad litem therein when any of the defendants are lunatic or persons of weak mind" approved the twenty-sixth day of June one thousand eight hundred and ninety-five so as to extend the some proceedings in the orphans' court and to enlarge the powers of said committees" approved June tenth one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-three) insofar as it relates to the orphans' court

An Act entitled "An Act relating to partition of real estate and the appointment of a trustee to satisfy liens and to invest the moneys coming into his hands by proceeding in partition" approved April third one thousand nine hundred and three (Pamphlet Laws one hundred and fifty-one) insofar as it relates to the orphans' court

An Act entitled "A Supplement to an act entitled 'An Act for the greater certainty of title and more secure enjoyment of real estate" approved the twenty-second day of April one thousand eight hundred and fifty-six so as to authorize a widow to accept real estate in partition or compete in bidding therefor and regulating and establishing a mode of payment therefor by the widow" approved June one one thousand nine hundred and seven (Pamphlet Laws three hundred and sixty-four) insofar as it relates to the orphans' court

An Act entitled "An Act to amend an act entitled 'A Supplement to an act entitled "An Act for the greater certainty of title and more secure enjoyment of real estate" approved twenty-second day of April Anno Domini eighteen hundred and fifty-six so as to authorize a widow to accept real estate in partition or compete in bidding therefor and regulating and establihsing a mode of payment therefor by the widow' approved the first day of June Anno Domini nineteen hundred and seven by providing the method by which the dower interests of the widow and the principal of the dower fund should be secured in certain cases" approved May eighth one thousand nine hundred and nine (Pamphlet Laws four hundred and eighty-nine) insofar as it relates to the orphans' court

An Act entitled "An Act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred ninety-three entitled 'An Act relating to sale of the real estate of decedents' " approved May twenty-third one thousand nine hundred and thirteen (Pamphlet Laws three hundred and four) absolutely

An Act entitled "An Act to amend section three of an act approved the fourteeth day of May Anno Domini one thousand eight hundred seventy-four entitled 'A further supplement to an act relative to suits in dower and partition approved the twentieth day of February Anno Domini one thousand eight hundred and fifty-four and its supplement approved the thirtieth day of March Anno Domini one thousand eight hundred and sixty-nine constructing said act and extending jurisdiction of the courts therein' by extending the provisions thereof to include persons having an undivided interest in the land or in the coal or timber thereon when the same has not been entirely severed and permitting such persons to compel partition of the entire tract" approved May sixth one thousand nine hundred and fifeen (Pamphlet Laws two hundred and sixty-nine) insofar as it relates to the orphans' court

All other acts of Assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1270, as follows:

An Act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom

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Section 1 (a) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every county of this Commonwealth there shall continue to exist as heretofore a court of record the name and style whereof shall be "The Orphans' Court of (the respective) County"

(b) In the counties of Philadelphia Allegheny Luzerne Berks Schuylkill Westmoreland Montgomery Lancaster Lackawanna and Fayette in orphans' court shall be a separate court of record which shall consist in the county of Philadelphia of five judges learned in the law any one whom may hold the said court and hear and determine all matters and things therein cognizable in the county of Allegheny of three judges learned in the law any one of whom may hold the said court and hear and determine all matters and things therein cognizable and in the counties of Luzerne Berks Schuylkill Westmoreland Montgomery Lancaster Lackawanna and Fayette each of one judge learned in the law and the said judges shall be elected at the same elections and be commissioned for the same term in the same manner as the judges of the courts of common pleas of the respective counties where separat orphans' courts are or shall be established in the counties where separate orphans courts are or shall be established the annual salaries of said judges shall be the same as are paid to the judges of the courts of common pleas in the respective counties where such orphans' courts are or shall be established to be paid in the same manner as the salaries of said judges of the courts of common pleas are now or may be by law payable

(c) The orphans' court of each county except in the counties where separate orphans' courts are or shall be established by law shall be composed of the judge or judges when there are more than one of the court of common pleas thereof but any one judge learned in the law shall have power to hold the court and hear and determine all matters and things therein cognizable

(d) 1 In all counties in which there is or hereafter may be established a separate orphans' court the Governor shall issue a commission as president of said court to the judge of said court who shall be the oldest in commission and continuous service and if there shall be two or more judges of any of said courts whose commissions are of the same date and whose term of service commenced at the same time they shall draw lots for a commission as president of said court and certify the result to the Governor who shall issue a commission as president of said court to the judge who shall draw the right to receive the same

2 In all separate orphans' courts composed of only one judge he shall be styled the president judge of said court and be commissioned as such

3 When the president judge of any of said courts shall be re-elected he shall be again commissioned as and continue to be the president judge of said court and when the said president judge shall go out of office the judge of said court who shall be oldest in commission and continuous service shall be commissioned as and be the president judge thereof

4 Drenever at any election two or more judges of any of said courts are elected who shall not have been commissioned and served as judges of said court immediately before the commencement of the terms for which they were elected they shall draw lots for priority of commission and certify the result to the Governor who shall issue the commissions of said judges on different days giving the priority of commission to the judge drawing the right to receive the same

Section 2 The orphans' court of each county whether separate or otherwise is hereby declared to be a court of record with all the qualities and incidents of a court of record at common law Its proceedings and decrees in all matters within its jurisdiction shall not be reversed or avoided collaterally in any other court but they shall be liable to reversal modification or alteration on appeal

Section 3 (a) Whenever by reason of sickness absence interest or other cause a judge of any separate orphans' court or a judge of the court of common pleas in a judicial district having no separate orphans' court may be able to sit in any matter depending in the orphans' court of

such district and there shall be no other judge of the orphans' court or of the court of common pleas of such district available for the purpose it shall be lawful for said judge to call upon any judge of a separate orphans' court of any judge of the court of common pleas of any other judicial district having no separate orphans' court to preside in and determine such matter with the same force and effect as he the regular commissioned judge of such district if presiding might do

(b) Such judge of another judicial district called in as provided by clause (a) of this section shall be entitled to receive as compensation for so presiding the sum of twenty dollars a day and carfare and no more No payment shall be made for any day consumed in such service of more than expenses and carfare unless said judge so assigned actually presides in open court on such day

Section 4 (a) The judges of the court of common pleas of any judicial district having a separate orphans' court shall when called upon by the president judge of such separate orphans' court as hereinafter provided have power to hear and determine when certified according to the provisions of clause (b) of this section all matters causes and things whatsoever in such separate orphans' court so fully and effectually and to dispose thereof in the same manner as may be done by the judges of said separate orphans' court sitting therein

(b) Nothing in this section shall be construed to make it compulsory upon the judges of said court of comon pleas to render the services aforesaid but whenever the proper despatch of business requires it and an arrangement can be made with a judge of such court of common pleas for such service the president judge of the separate orphans' court of said district may certify all matters to be heard and determined by such judge of the court of common pleas specially presiding as aforesaid

(c) In judicial districts having more than one judge of the separate orphans' court whenever the president judge of such court shall be absent from the district or disabled by sickness and occasion shall occur it shall be competent for the judge next oldest in commission being then in the district and able to act to arrange for the services herein provided for and to make the necessary certificates in like manner and to the same intent effect and purpose as the same could be done by the said president judge

(d) No additional compensation shall be received by said judges of the court of common pleas for any service rendered in pursuance of this section but they shall be entitled to be paid such mileage and other actual expenses as are provided by law for judges of this Commonwealth when holding court outside of the district for which they shall have been commissioned

Section 5 (a) In addition to the powers now possessed and exercised by the judges of the separate orphans' courts of this Commonwealth said judges shall when called upon by the president judge of the court of common pleas of the same judicial district as hereinafter provided have power to hear and determine when certified according to the provisions of clause (b) of this section all pleas actions causes civil or criminal issues and all issues and other matters in equity in the court of common pleas court of oyer and terminer and general jail delivery and court of quarter sessions of the peace for said judicial district so fully and effectually and to dispose thereof in the same manner as may be done by the judges of the court of common pleas sitting in said courts

(b) Nothing in this section shall be construed to make it compulsory upon the judges of said orphans' court to render the services aforesaid but whenever the proper despatch of business requires it and an arrangement can be made with a judge of the court of common pleas of the same judicial district may certify all matters or issues to be heard and determined by such orphans' court judge specially presiding as aforesaid

(c) In districts having one or more additional law judges whenever the president judge shall be absent from the district or disabled by sickness and occasion shall occur it shall be competent for the addtional law judge and in districts having more than one additional law judge for the oldest in commission being then in the district and able to act to arrange for the service herein provided for and to make the necessary certificate in like manner and to the same intent effect and purpose as the same could be done by the said president judge

(d) No additional compensation shall be received by the said orphans' court judges for any service rendered in pursuance of this section but they shall be entitled to be paid such mileage and other actual expenses as are provided by law for judges of this Commonwealth when holding court outside of the district for which they shall have been commissioned

Section 6 Every orphans' court shall have a seal for the use of the said court having engraved thereon the same device as is engraved on the great seal of the state together with the name of the respective court and such seal may be renewed under the direction of such court as often as occasion shall require

Section 7 The commissioners of the several counties wherein separate orphans' courts are now or hereafter shall be established shall provide proper and suitable apartments as may be required by said court in which the business of said courts shall be held and conducted and in which the records thereof shall be safely and securely kept

Section 8 (a) The register of wills of each county in which a separate orphans' court is now or hereafter shall be established shall be clerk of such court and subject to its directions in all matters pertaining to his office and he may appoint an assistant clerk or clerks but only with the consent and approval of said court

In each county having no separate orphans' court a clerk of the orphans' court shall be elected and commissioned in accordance with the existing law

(b) 1 In each county of this Commonwealth the clerk of the orphans' court shall have the custody of the records and of the seal of the respective court and keep the same at the place of holding such court and in the apartments provided by law for that purpose and he shall faithfully perform under the direction of the court all the duties apertaining to his office

2 Said clerks are hereby authorized and required to keep in dockets provided for the purpose a full record of all proceedings of their respective courts and place upon record in a fair legible hand or in typewriting in a book or books to be provided for that purpose all accounts of executors administrators guardians and trustees as well as all reports of auditors appointed by said courts respectively omitting the testimony and documents accompanying the same the fees for this service to be one-half of the amount now allowed by law for the recording of deeds

3 Any person who shall offer any written or printed instrument to be filed in any orphans' court or in the office of the clerk of any orphans' court which instrument shall be in any other than the English language shall furnish at his own expense to the clerk of such court a sworn translation in English of such instrument thus offered and the clerk shall attach or cause to be attached such translation to the original and file both the original and the translation of record in his office in all cases where filing is now or hereafter may be required by law but in all cases where recording is now or hereafter may be required both the original and the translation in English shall be recorded Such clerk shall not file or mark filed record or mark recorded any written or printed instrument in violation of this clause nor shall any paper filed or recorded in violation of this clause be notice to any person in any legal proceeding whatever nor be received or considered in evidence in any proceeding at law or in equity

(c) The separate orphans' courts of this Commonwealth may establish a bill of costs to be chargeable to parties and the estates before them for settlement for the services of the clerks of said courts respectivly in the transaction of business of said courts In counties wherein no separate orphans' courts have been or shall be established the law as to fees to be charged by clerks of the orphans' courts shall remain as heretofore

Section 9 The jurisdiction of the several orphans' courts whether separate or otherwise shall extend to and embrace

(a) The appointment control removal and discharge of the guardians of minors and the settlement of their accounts

(b) The appointment of trustees for any person interested in the real or personal estate of any decedent and the control removal discharge and settlement of the accounts of trustees so appointed and of testamentary trustees whether the testamentary trustees be appointed nominatim or virtue officii

(c) The appointment of trustees for absent persons the control removal and discharge of trustees so appointed and the settlement of their accounts

(d) The control removal and discharge of executors and administrators deriving their authority from the register of the respective county and the settlement of their accounts

(e) The distribution of the assets and surplusage of the estates of decedents among creditors and others interested

(f) The sale of real estate of decedents for payment of their debts

(g) The disposition of the title to real estate of decedents and of persons disabled from dealing therewith in order to render the same freely alienable and productive to the living owners thereof

(h) The partition of the real estate of decedents among the parties entitled thereto the valuation of such real estate and the sale thereof for the purpose of distribution

(i) The specific execution of contracts made by decedents to sell and convey any real estate of which such decedent shall die seised and of contracts made by decedents to purchase any real estate

(j) Proceedings for the collection or enforcement of payment or delivery of all legacies whether pecuniary specific or otherwise and whether charged on real estate or not

(k) Proceedings for the discharge of real estate of decedents from the lien of debts of decedents and for the discharge of real and personal estates from the liens of legacies annuities dower recognizances and other charges

(l) All cases within their respective counties wherein executors administrators guardians or trustees may be possessed of or are in any way accountable for any real or personal estate of the decedent

(m) All appeals from the orders and decrees of the registers of wills of their respective counties and all proceedings removed from said registers by certification

(n) The exercise of all powers needful to the doing of anything which is or may be hereafter required or permitted to be done in said court whether incidental to the powers hereinbefore enumerated or in addition thereto

And such jurisdiction shall be exercised under the limitations and in the manner provided by law

Section 10 The several orphans' courts shall have full power and authority to make from time to time such rules for regulating the practice thereof respectively and for expediting the determination of suits causes and proceedings therein as in their discretion they shall judge necessary or proper for the exercise of the powers hereby conferred or which may hereafter be conferred Provided That such rules shall not be inconsistent with the Constitution and laws of this Commonwealth

Section 11 The orphans' courts of every county of this Commonwealth shall be held during every term of the court of common pleas of the respective county and at such other times and as often as the judges thereof shall think necessary or proper

Section 12 (a) In all cases in which heirs legatees or distributees are interested and in consequence of such interest notice shall be required to be given to them or any of them of any proceedings in the orphans' court such notice shall except in the case of the accounts of executors or administrators and in other cases specially provided for be given in such manner personally by registered mail or by publication as shall appear to the court to be reasonable and proper according to general rules adopted by the court or special orders made by the court in particular cases

(b) The judges of the respective orphans' courts shall have power and are hereby authorized to make such rules and regulations as they may deem proper for the publication of advertisements of notices to parties in all cases within their jurisdiction Provided That such court shall have supervision of and regulate the cost of such publication in all cases as well by special order in particular cases as by general rules

Section 13 All process subpoenas certificates copies of records and other documents which shall be issued out of any of said courts shall be attested in the name of the president judge thereof alone

Section 14 The several orphans courts shall have power to fix the return-days of all process issuing out of the respective court whenever such return-days are not otherwise provided for by law

Section 15 The several orphans' courts of this Commonwealth shall have full power in vacation to administer the business of the court and to issue process Provided That such process shall be made returnable only in the county where the proceeding is pending

Section 16 The said courts shall have power to prevent by orders in the nature of writs of injunction acts contrary to law or equity prejudical to property over which they shall have jurisdiction Provided That security may be required as in other cases of writs of injunction

Section 17 The manner of proceeding in the orphans' court to obtain the appearance of a person amenable to its purisdiction and the procedure in default of appearance shall be as follows

(a) On petition to the court of any person interested whether such interest be immediate or remote setting forth facts necessary to give the court jurisdiction the specific cause of complaint and the relief desired and supported by oath or affirmation the orphans' court or any judge thereof may award a citation retunable at a day certain not less than ten days after the issuing thereof

(b) Such citation may be served by the party obtaining the same or by any authorized agent or if required by the party it shall be served by the sheriff or coroner as the case may require of the proper county

(c) The manner of service shall be by giving a copy thereof to the respondent personally or by leaving such copy with some adult member of his family at his place of residence

(d) Such service may be made anywhere within this Commonwealth and if such party resides outside the Commonwealth and his place of residence is known and the proceeding concerns the property situate within the Commonwealth the court may in its discretion authorize service to be made on such party personally wherever found or by registered mail or may direct notice to be given by publication in such manner as shall appear to the court to be reasonable and proper according to general rules adopted by the court or special orders made by the court in particular cases

(e) If the respondent be not found and have no known residence within the county such citation may be served in like manner upon the person or persons who may be the surety or sureties of such party in any bond or recognizance given by him for the performance of any trust or duty in respect to which such citation may have issued

(f) The return to a citation if made by the party on whose petition it issued or his agent as aforesaid shall be on oath or affirmation and in all cases of service the return shall state how such citation was served

(g) If the party to be cited cannot be found and has no known residence and there is no surety on whom service of the citation can be made as aforesaid and the facts shall be so stated in the return on oath or affirmation by the party complaining or by some one competent to make affidavit in that behalf the orphans 'court may award another citation or pluries citation returnable in like manner with the first

(h) At the time of awarding such second or further citation the court may make an order for publication of the same in such place or places and for such length of time as the court having regard to the supposed place of residence of the respondent and other circumstances shall direct

(i) 1 At the time appointed for the appearance of the respondent should he not appear according to the requisition of the citation and if due proof be made of the service thereof or when service cannot be made of the publication thereof as hereinbefore prescribed the court may with or without another citation as justice may require proceed to make such order or decree in respect to the subject matter as may be just and necessary

2 It shall be lawful for the court on such proof to order that the petition of the complainant be taken as confessed and in case where there is personal service to grant relief according to the prayer thereof When there is no personal service the court shall and when there is personal service the court may in its discretion hear testimony in support of the allegations of the petition or direct a reference to a master or auditor to take proof of the facts and circumstances set forth in the petition and to report thereon and also to report an account against such respondent if necessary On the report of such master or auditor the court shall make such order or decree as may be just and necessary

Section 18 (a) Compliance with an order or decree of the court may be enforced

1 By attachment of the person

2 By sequestration of real or personal property

3 In case of a decree for the payment of money against a party who has appeared the complainant may have a writ of execution in the nature of a writ of fieri facias against personal property only which writ may be allowed by the court or by any judge thereof

4 Whenever any person against whom a decree for the payment of money has been made by any orphans' court is possessed of or entitled to any stock deposits or debts due him or to any legacy or interest in the estate of a decedent the same may be levied on or attached in satisfaction of such decree by the same process and in the same manner as is now or may hereafter be provided by law in the case of judgments of any court of common pleas A writ of attachment for said purpose may be allowed by said orphans' court or any judge thereof as writs of fieri facias in said court are allowed and may be served out of the county in which the same may be issued but service on the party against whom such decree was made shall not be required if he be not found in said county

5 Writs of testatum fieri facias may be issued out of any orphans' court in the same manner that writs of execution in the nature of writs of fieri facias are allowed by this act and the sheriff or other officer to whom any such writ is directed shall proceed to levy and sell the personal property of the person or persons against whom the same shall be issued in the same manner in all respects as if such writ had issued out of a court of common pleas

(b) 1 Writs of attachment of the person and sequestration shall be directed to and executed by the sheriff or coroner as the case may require of the proper county

2 When any executor administrator guardian or trustee shall reside or move out of the county in which his appointment shall have taken place or shall not possess real or personal property in such county sufficient to satisfy any decree or order of the orphans' court of such county it shall be lawful for the orphans' court of such county to issue process to the county in which such executor administrator guardian or trustee may be or in which he may have real or personal estate amenable to such process and such process shall be executed by the sheriff or coroner as the case may require of the county in which such executor administrator guardian or trustee may be or may possess real or personal estate as aforesaid

3 Writs of sequestration shall be in the following form

The Commonwealth of Pennsylvania To the sheriff of the county of greeting Whereas A B (here set out the decree or so much thereof as is material to explain the duty to be performed) Therefore we command you that you do at proper and convenient hours in the day time go to and enter upon all the messauges lands tenements and real estates of the said A B and that you do correct take and get into your hands not only the rents issues and profits of all his said real estates but also all his goods chattels and personal estate and detain and keep the same under sequestration in your hands and also that you attach all stocks held by him in incorporated companies and keep the same under attachment until our said orphans' court shall make other order to the contrary and you are to return with this writ an inventory or schedule of the property you have requestered or attached and a certificate under your hand of the manner in which you shall have executed this writ to our said court on the day of next

Witness et cetera

4 A sequestration shall not abate by the death of the complainant or respondent

5 It shall be the duty of the sheriff or the coroner as the case may be immediately after receiving any such writ or sequestration to file a copy thereof in the office of the prothonotary of the court of common pleas of the same county who shall forthwith enter the substance thereof on his docket with the names of the parties and index the same in the judgment index and the entry thereof shall thenceforth operate to charge the real estate of the respondent according to the form and effect of such writ and shall bind the same in the hands of all purchasers and mortgagees subsequently to such entry without other notice Provided that if such sequestration shall be dissolved by the order of the orphans' court the respondent or any person interested in such real estate may have a certificate of the same from the clerk of the said court which it shall be the duty of such clerk to furnish on application and which being entered on the docket of said court of common pleas shall have the effect of a satisfaction of such lien

6 When proof shall be made on oath or affirmation to the satisfaction of the court or to any judge thereof at the time of filing the petition as aforesaid that the respondent has absconded or is about to abscond or de-

part from his usual place of abode to the prejudice of the complainant it shall be lawful for the court or for such judge to allow the issuing of a writ of attachment of the person or a writ of sequestration or both in the first instance against such respondent and on the return thereof the like proceedings may be had as are authorized on the return of a citation

7 If such attachment of the person or sequestration issued in the first instance be executed the court or any judge thereof may dissolve the same on the respondent giving security to the satisfaction of the court or of such judge to appear on a day certain to answer to the petition and to abide the orders and decrees of the court in the premises

8 Any person attached as for contempt in refusing to obey an order or decree of the orphans' court whether for the payment of money or in any other case may be discharged from custody by said court or his complying with the order or decree of the court or paying the money for which such order or decree has been made or upon his purging himself of contempt to the satisfaction of the court by whose order he was attached

9 When proof shall be made on oath or affirmation to the satisfaction of the court or of any judge thereof at the time of presenting a petition or at any stage of the cause that the party therein named has in his possession trust property or effects which he is wasting or otherwise disposing of contrary to his duty and the trust or that he is about to abscond and to carry such trust property or effects out of the jurisdiction of the court it shall be lawful for the court or such judge to award a writ in the name of the Commonwealth to the sheriff or coroner as the case may require of the proper county returnable on a day certain commanding him to take possession of all such trust property and effects specified in such writ and to hold the same subject to the order of the court and also to attach all debts due to such trust whether by bond mortgage or otherwise and all stocks in incorporated companies and serve a copy of such writ upon each debtor and upon each company in which stock may be held belonging to the trust as aforesaid Provided That before the execution of such writ the sheriff or coroner as the case may be may require of the party at whose instance such writ may have been issued sufficient security to indemnify him against any damages arising from the execution thereof And Provided Also That if the party against whom such writ may issue shall give sufficient security to such sheriff or coroner that the trust property or effects specified in such writ shall be forthcoming at the return thereof then such sheriff or coroner shall not execute the same but shall make return of the facts to the court

10 The like proceedings may be had where the court has made a final order and decree for the delivery of the trust property and effects by the respondent to any person who may be designated by law or by the order of the court to receive them

11 On the return of such writ the court may make such order respecting the disposition of such trust property and effects as may be necessary and proper according to the principles of justice and equity

12 When a decree shall have been made against any party who shall not have appeared according to the requisitions of the citation and a sequestration shall have issued against the real or personal estate of such party the court may order the decree to be satisfied out of the estate and effects sequestered Provided That such order shall not be carried into execution until the complainant shall have given security to the satisfaction of the court to abide the order of the court touching the restitution of what he may have received in case the respondent shall appear and be admitted to defend the suit but it such security shall not be given the estate and effects sequestered or the proceeds thereof shall remain subject to the direction of the court to abide its further order

13 If the party against whom such decree shall have been made or his representatives shall within one year after personal notice of such decree and within five years after entry thereof when no such notice shall have been given present a petition to the same court praying to be admitted to be heard and shall pay such costs as the court shall adjudge the party so petitioning shall be admitted to a defense and the case shall then proceed in like manner as if such party had appeared in due season and no decree had been made

14 If such party or his representatives shall not within such period present a petition as aforesaid the court may make such final order and decree both in respect to any estate or effects that may have been sequestered and in respect to the matters in controversy in the case as may be according to justice and equity and may if necessary award a writ in the nature of a fieri facias in the manner hereinbefore provided as in the case where the party appears

(c) Each of the orphans' courts shall have power to award process to levy and recover such fines forfeitures and amercements as shall be imposed taxed or adjudged by them respectively

(d) Writs of fieri facias shall be directed to and executed by the sheriff or coroner as the case may require of the proper county and the proceedings thereon shall be the same as on writs of fieri facias against personal property issued by the court of common pleas of the same county

(e) 1 It shall be the duty of the prothonotaries of the courts of common pleas to file the docket whenever the same shall be furnished by any parties interested certified transcripts of any definite orders of the orphans' court of the same or any other county upon parties other than fiduciaries to pay certain sums of money which transcripts so filed shall constitute judgments which shall be liens against the real estate of the persons ordered to pay from the time of such entry until payment distribution or satisfaction Executions may be issued thereon out of said court of common pleas against the real estate only of such persons by any party or parties interested for the recovery of so much as may be due to them respectively The liens of such judgments shall cease at the expiration of five years from the time of the entry aforesaid unless revived by scire facias in the manner by law directed in the cases of judgments of the courts of common law

In case of an appeal from the orphans' court the judgment shall be for no more than the amount finally decreed by the appellate court to be due and it shall be the duty of the prothonotary of the common pleas on such decree of the appellate court being certified to him to enter on his docket the amount so found due and decreed by the appellate court If such amount be greater than that decreed by the orphans' court the judgment for such excess shall take effect only from the time of entering the decree of the appellate court but if the amount be reduced by the final decree of the appellate court the prothonotary shall reduce the amount originally entered on his judgment docket and index accordingly and such final decree upon appeal being certified and filed in said court of common pleas the said term of five years shall be counted from the time of such entry

2 When the person liable shall have fully paid and discharged the amount of such judgment the parties who have received payment shall acknowledge satisfaction thereof on the record of the court of common pleas In case of neglect or refusal so to do for the space of thirty days after request in writing and tender of all the costs the orphans' court on due proof to them made that the entire amount due from such person according to the order of the orphans court has been fully paid and discharged may make an order for his release from such recorded judgment which order being certified to the court of common pleas shall be entered on their records and shall operate as a full satisfaction and discharge of such judgment

Section 19 The fees to be taken by the sheriffs of each county for the services enjoined by this act shall be the same as those allowed for like services and for executing a writ of sequestration the same fees shall be allowed as upon a writ of foreign attachment together with reasonable costs and expenses according to the discretion of the court On all writs and process sent from another county no mileage shall be allowed except for the distance actually traveled but an allowance shall be made for the transmission of such writs and process to the clerk of the court from which they may have issued at the common rates of postage

Section 20 (a) Each of the orphans' courts of this Commonwealth is empowered to issue writs of subpoena under its official seal into any county of this Commonwealth to summon and bring before the respective court any person to give testimony in any cause or matter depending before it under the penalties that are or shall be appointed and allowed in any such case by the laws of this Commonwealth

(b) 1 In all proceedings begun by petition where an issue of fact is raised it shall be within the discretion of the orphans' court by general rule or by special order in the case to provide for the reference of the case to a master to take the testimony and report his findings and his recommendations as to a decree or to provide for the taking of depositions before a notary public or other official authorized to administer oaths and affirmations or to provide for the taking of testimony before a judge of said court The office of examiner in the orphans' court appointed merely for the purpose of taking testimony is hereby abolished except in the cases mentioned in paragraph three of this clause and except in cases where at the time of the approval of this act examiners have been appointed and are still in office

2 Every orphans' court of this Commonwealth shall have power to make rules regulating the taking of depositions of aged infirm and going witnesses and the issuance and execution of commissions to take testimony and letters rogatory

3 Where the testimony of any witness is desired to be read in evidence in any proceeding now or hereafter pending in any orphans' court of this Commonwealth and such witness resides in any other state territory or possession of the United States of America or in any foreign country the court may on the application of any party provide for the taking in such other state territory possession or foreign country of the testimony of such witness or witnesses orally before an examiner appointed by the court or before any person authorized by the laws of such other state territory possession or foreign country to administer oaths. In granting any such application the court may impose such terms as it shall deem proper as to the payment by the party applying therefor of the costs and expenses involved including reasonable counsel fees and traveling expenses and may prescribe the notice to be given and the time within which such testimony shall be taken

(c) The orphans' court shall have power to compel the production of any books papers or other documents necessary to a just decision of the question before them or before an auditor or master

(d) Every orphans' court of this Commonwealth shall have the jurisdiction and powers of a court of chancery so far as relates to the perpetuation of testimony in all cases including cases of lost or destroyed records of such court whether such records were lost or destroyed before or after

the passage of this act and the same proceedings orders decrees and judgment shall be had under this section mutatis mutandis in cases now authorized by law and with the like effect and when proved such records shall have the same legal operation as the original records would have had Notice of any proceeding under this clause shall be given to all persons interested or their guardians or committees

(e) 1 On appeal from the decision of any register of wills or in proceedings removed from any register of wills by certification the orphans' court shall hear the testimony de novo unless all parties appearing in the proceeding shall agree that the case shall be heard on the testimony taken before such register Provided That in all cases the court shall have power to require the production before it for examination of witnesses already examined or of any other witnesses

2 The testimony of all witnesses examined in any cause litigated before any orphans' court on appeal from any register of wills or on removal from any register of wills by certification shall be taken in writing and made a part of the proceedings therein upon which testimony the court having jurisdiction of such cause by appeal may affirm reverse alter or modify the decree of the orphans' court

Section 21 (a) The orphans' court shall have power send an issue the court of common pleas the same county for the trial of facts by jury whenever they shall deem it expedient so to do

(b) Whenever a dispute upon a matter of fact arises before any orphans' court on appeal from any register of wills or on removal from any register of wills by certification the said court shall at the request of either party direct a precept for an issue to the court of common pleas of the county for the trial thereof which in the case of an issue devisavit vel non shall be substantially in the following form (L. S.) County ss The Commonwealth of Pennsylvania To the judges of the court of common pleas of the said county greeting Whereas A B on the day of in the year et cetera presented to G H our register of wills of said county for probate a certain writing hereto annexed purporting to have been made the day of in the year et cetera (or otherwise describing the paper in question) which said writing the said A B avers is the last will and testament of the said C D and whereas E D who is a son and heir of the said C D (or intermarried with F D who is a daughter and heir et cetera according to the fact) hath objected before our said register that the said writing was procured by duress and constraint (stating the matters of fact objected) and whereas our said register hath admitted (or refused to admit) said writing to probate as the last will and testament of the said C D and whereas the said E D hath appealed from the decree of our said register to our orphans' court for the said county (or as the case may be) and whereas the said E D (or A B) hath requested that an issue may be directed into our said court of common pleas to try by a jury the validity of the said writing and the matters of fact which may be objected thereto in our said court therefore we command you that you cause an action to be entered upon the records of our said court as of the day of the delivery of this our precept into the office of the prothonotary of our said court between the said A B and the said E D so that an issue may be formed upon the merits of the controversy between the said parties and tried in due course according to the practice of our said courts in actions commenced by writ and further that you cause all other persons who may be interested in the estate of the said C D as heirs relations or next of kin devisees legatees or executors to be warned so that they may come into our said court and become a party to the said action if they shall see cause and that you certify the result of the trial so had in the premises into our said orphans' court Attest I J President Judge of the Orphans' Court of said county

Where the issue directed is other than an issue devisavit vel non the foregoing form shall be changed so far as necessary in accordance with the circumstances of the case

And the facts established by the verdict returned shall not be re-examined in any appeal

(c) 1 Before an issue shall be directed upon the distribution of money arising from any sale of real estate made under order of the orphans' court the applicant for such issue shall make affidavit that there are material facts in dispute therein and shall set forth the nature and character thereof upon which affidavit the court shall determine whether such issue shall be granted subject to appeal by such applicant if the issue be refused in like manner as in other cases in which such appeal is or may be allowed by law

2 Upon granting any such issue it shall be discretionary with the court upon the application of the party or parties appearing by the record prima facie entitled to the said fund to order the same to be invested pendente lite in investments allowed by law in the case of trustees

Section 22 (a) Any party aggrieved by the definitive sentence or decree of any orphans' court or his legal representatives may appeal therefrom to the proper appellate court within six months from the time of the pronouncing such final sentence or decree Provided That no appeal from any decree of such court concerning the validity of a will or the right to administer shall suspend the powers or prejudice the acts of any executor or administrator to whom letters have been granted and Provided further That no reversal or modification of any decree or proceedings of the orphans' court for the sale of real estate shall have the effect of divesting any estate or interest acquired under such decree or proceeding by persons not party thereto where the orphans' court has jurisdiction of the case

(b) The Supreme and Superior Courts of the Commonwealth shall in all cases of appeal from the definitive sentence or decree of the orphans' court hear try and determine the same as to right and justice may belong and decree according to the equity thereof and may refer the same to auditors when in their discretion they may think proper

Section 23 This act shall be known and may be cited as the Orphans' Court Act of nineteen hundred and seventeen

Section 24 The following acts and parts of acts of assembly are repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause of such act

Sections one eight and nine of an act entitled "An Act for establishing orphans' courts" passed March twenty-seven seventeen hundred and thirteen one Smith's Laws eighty-one absolutely

Sections five six and eighteen of an act entitled "An Act to establish the judicial courts of this Commonwealth in conformity to the alterations and amendments in the Constitution" passed April thirteenth seventeen hundred and ninety-one three Smith's Laws twenty-eight absolutely

Section twenty-four of an act entitled "An Act directing the descent of intestates' real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nineteenth seventeen hundred and ninty-four three Smith's Laws one hundred and forty-three absolutely

Sections forty forty-one and forty-two of an act entitled "An Act relating to registers and registers' courts" approved March fifteenth eighteen hundred and thirty-two Pamphlet Laws one hundred and thirty-five absolutely

Sections one to four inclusive fifty-two and fifty-five to sixty inclusive of an act entitled "An Act relating to orphans' courts" approved March twenty-nine eighteen hundred and thirty-two Pamphlet Laws one hundred and ninety absolutely

Sections fifty-two to fifty-seven inclusive of an act entitled "An Act relative to the organization of the courts of justice" approved April fourteenth eighteen hundred and thirty-four Pamphlet Laws three hundred and forty-one absolutely

Section four of an act entitled "Supplement to the act passed the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts" approved April fourteenth eighteen hundred and thirty-five Pamphlet Laws two hundred and seventy-five absolutely

Section two of an act entitled "An Act supplementary to the various acts relating to orphans' and registers courts and executors and administrators and the act relating to the measurement of grain salt and coal" approved June sixteenth eighteen hundred and thirty-six Pamphlet Laws six hundred and eighty-two absolutely

Section nineteen of an act entitled "An Act relating to the jurisdiction and powers of courts" approved June sixteen eighteen hundred and thirty-six Pamphlet Laws seven hundred and eighty-four absolutely and sections twenty-one and twenty-two of the same act insofar as they relate to the orphans' court

Section eight of an act entitled "An Act to confer upon the orphans' court of Lancaster County certain powers in relation to the real estate of John Lindemuth deceased and for other purposes" approved April fourth eighteen hundred and forty-three Pamphlet Laws one hundred and thirty-one insofar as it relates to the orphans' court

Sections two and three of an act entitled "An Act relative to lien creditors becoming purchasers at judicial sales and for other purposes" approved April twenty eighteen hundred and forty-six Pamphlet Laws four hundred and eleven insofar as they relate to the orphans' court

Section two of an act entitled "A further supplement to an act entitled 'An Act relating to executions' passed the sixteenth day of June one thousand eight hundred and thirty-six" approved April twenty-first eighteen hundred and forty-six Pamphlet Laws four hundred thirty absolutely

Section eighteen of an act entitled "An Act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rent to trustees of married women to appeals from awards of arbitrators by corporations to hawkers and pedlers in the Counties of Butler and Union to the payment of costs in actions by informers in certain cases to taxing lands situate in different townships and in relation to fees of county treasurers of Lycoming Clinton and Schuylkill to provide for recording the accounts of executor administrators guardians and auditors' reports and to amend and alter existing laws relative to the administration of justice in this Commonwealth" became a law April twenty-fifth eighteen hundred and fifty by reason of the Governor's failure to return it within ten days Pamphlet Laws five hundred and sixty-nine absolutely

Section one of an act entitled "An Act relating to official seals" approved March sixth one thousand eight hundred and fifty-four Pamphlet Laws one hundred and fifty-five insofar as it relates to the orphans' court

An Act entitled "An Act relative to the perpetuation of testimony in cases of lost records" approved April first one thousand eight hundred and sixty-three Pamphlet Laws two hundred and five absolutely

Sections two three four and six to ten inclusive of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the elec-

tion of judges thereof" approved May nineteenth one thousand eight hundred and seventy-four Pamphlet Laws two hundred and six absolutely

An Act entitled "An Act authorizing the holding of orphans' courts by other than the regularly commissioned judges in certain cases" approved March fourth one thousand eight hundred and seventy-five Pamphlet Laws five absolutely

An Act entitled "An Act relating to orphans' courts" approved March eighteenth one thousand eight hundred and seventy-five Pamphlet Laws twenty-nine absolutely

An Act entitled "An Act authorizing the president or additional law judges of the courts of common pleas to hold courts of quarter sessions and oyer and terminer and orphans' courts in certain cases" approved April seventh one thousand eight hundred and seventy-six Pamphlet Laws nineteen insofar as it relates to the orphans' court

An Act entitled "An Act to provide for the appointment of a president judge of the separate orphans' courts and to provide for the commission thereof" approved May twenty-fourth one thousand eight hundred and seventy-eight Pamphlet Laws one hundred and thirty-one absolutely

An Act entitled "An Act to regulate the compensation of auditors and commissioners" approved June fourth one thousand eight hundred and seventy-nine Pamphlet Laws eighty-four insofar as it relates to auditors and commissioners appointed by the orphans' court

An Act entitled "An Act to amend section three of the act of Assembly of May nineteenth one thousand eight hundred and seventy-four entitled 'An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for the counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof fixing the salaries of judges of separate orphans' courts' " approved June thirteenth one thousand eight hundred and eighty-three Pamphlet Laws ninety-one absolutely

An Act entitled "An Act relative to the transfer of orders and decrees for the payment of money for the purpose of lien and execution into other counties than those where they were originally rendered" approved June fifth one thousand eight hundred and eighty-five Pamphlet Laws seventy-eight insofar as it relates to orders and decrees of the orphans' court

An Act entitled "An Act relative to the granting of citations and rules to show cause by the courts of this Commonwealth" approved May seventh one thousand eight hundred and eighty-nine Pamphlet Laws one hundred and two insofar as it relates to the orphans' court

An Act entitled "An Act requiring all public records within this Commonwealth to be kept in the English language" approved May thirty-first one thousand eight hundred and ninety-three Pamphlet Laws one hundred and eighty-eight insofar as it relates to papers filed or recorded in the orphans' court or the office of the clerk thereof

An act entitled "An Act to authorize the judges of separate orphans courts to hear and determine proceedings in equity at the request of the judges of the common pleas" approved April eighteenth one thousand nine hundred and five Pamphlet Laws two hundred and eight absolutely

An act entitled "An Act authorizing the parties in interest or their counsel to select auditors and masters needed in judicial proceedings except in divorce cases" approved April first one thousand nine hundred and nine Pamphlet Laws ninety-five in so far as it relates to proceedings in the orphans' court

An act entitled "An Act to provide for the taking of testimony to be used in any of the civil courts of record in this Commonwealth of witnesses residing in any other state or in any foreign country" approved June eighth one thousand nine hundred and eleven Pamphlet Laws seven hundred and nine in so far as it relates to the orphans' court

An act entitled "An Act to authorize the judges of separate orphans' courts at the request of the judges of the common pleas to hear and determine all issues in the court of common pleas courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace" approved July nineteenth one thousand nine hundred and thirteen Pamphlet Laws eight hundred and forty-four absolutely

An act entitled "An Act to authorize the judges of the courts of common pleas of judicial districts having separate orphans' courts to hear and determine all matters in such courts at the request of the judges thereof" approved April twenty-first one thousand nine hundred and fifteen Pamphlet Laws one hundred and fifty-six absolutely

All other acts of Assembly or parts thereof that are in any way in conflict with this act or any part thereof are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1271, as follows:

An Act relating to the jurisdiction powers and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground rent leases extinguishment of ground rents partition exchange squaring and adjusting of lines between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of where the court shall be of opinion that such decree will such as have not been accepted by the public authorities be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the state have died refuse to act unreasonably withhold consent or the absent and unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decrees

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the au-

thority of the same That the orphans' court in all cases where real estate or a groundrent issuing thereout shall be or shall have been acquired by descent or last will partly by deed and partly by descent or last will or by purchase by a trustee executor or guardian and in all other cases the court of common pleas of each county of this Commonwealth shall have jurisdiction with respect to real estate situate within the county and in the cases hereinafter specified to authorize or confirm

(a) The sale mortgaging conveying or groundrent and leasing thereof or the extinguishment or assignment of groundrents issuing thereout

(b) The amicable partition and exchange thereof

(c) The squaring and adjusting of lines between adjoining owners

(d) The consolidation and combination of mining lands with other adjoining mining lands so that they shall form one tract and the leasing thereof in such manner that the several persons interested therein shall be seised of undivided interests in the whole proportionate to their several undivided interests before such combination and consolidation the rents or royalties received under the lease to be apportioned among them in like proportions

(e) The joining by owners of undivided interest in making and taking conveyances in order to change in part or in whole the route or location of any right of way or passage existing over and upon adjoining or other lands

(f) The subdivision of the premises so as to command the highest price or greatest rents and for such purpose where the premises shall admit of or require it the laying out and dedication of roads streets and alleys or the vacating or such as shall not have been paid for or received into actual use by the public if found to be inconvenient and to make an unprofitable division of the property

Provided That such court shall be of the opinion that such decree will be to the interest and advantage of all those interested therein and without prejudice to any trust charity or purpose for which the real estate or ground rent shall be held and without the violation of any law which may confer an immunity or exemption from sale or alienation

Section 2 The several courts aforesaid shall exercise the jurisdiction conferred by section one of this act in all cases

(a) Where the legal title is held (One) By minors lunatics or habitual drunkards so duly found by inquisition or by weak-minded persons for whom guardians have been appointed (Two) By a married woman or married man whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years (Three) By corporations of any kind having no capacity to convey or by any unincorporated association (Four) By any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or now or hereafter prescribed by law (Five) By a corporation of any kind or individual or individuals and is subject to a trust of any description whatever (Six) By any person who may have been absent and unheard from for seven years under those circumstances from which the law would presume his or her decease (7) Or any interest therein is held by any person under legal disability to dispose thereof

(b) Where the legal title is an estate tail or is subject to contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained at the time of the entry of the decree

(c) In all cases where estates shall have been devised or granted for special or limited purposes

(d) Where there is a power of sale but (One) the time may not have arrived for its exercise (Two) any preliminary act may not have been done to bring it into exercise (Three) the time limited for its exercise may have expired (4) any one or more persons required to consent or join in its exercise may be a minor non compos mentis removed out of the State have died refuse to act unreasonably withhold consent or be absent and unheard of

(e) Where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance of real estate

(f) Where a trust has been created and no power conferred on the trustee to do any of the acts which the court is empowered to authorize or confirm under the provisions of section one hereof

Such jurisdiction may be exercised whether the ownership or interest in real estate be held in severalty joint tenancy or tenancy in common or by husband and wife as tenants by entireties

Section 3 Nothing herein contained shall be taken to repeal or impair the authority of any Act of Assembly general or private authorizing the sale of real estate by decree of court or otherwise nor to affect or impair any rights or powers otherwise existing in any persons or corporation to do any of the act which the court is empowered to authorize or confirm under the provisions of section one of this act

Section 4 All jurisdiction conferred by this act on the orphans' court or the court of common pleas shall be exercised on the petition of any party in interest supported by oath or affirmation and if all proper parties shall not voluntarily appear as petitioners or respondents the court shall fix a day for them to appear and cause a citation to be served on all persons in being who shall not have appeared and who shall have any present or expectant interest in the premises warning them to appear and that they shall be heard on the day designated and for those who cannot otherwise be served cause advertisement to be made in manner most likely to afford notice and service made in any part of the United States and the territories and possessions thereof or elsewhere with oath or affirmation of the fact taken before any judge or justice of the peace or notary public or any person authorized by the laws of the United States to take oaths or affirmations in foreign countries and filed of record shall be good service Service having been made as aforesaid the court shall on the day fixed make such decree as shall be proper on the premises Guardians shall be notified and appear for their wards and if minors have no guardian the court may appoint one for them in the manner now or hereafter prescribed by law for the appointment of guardians and such appointment may be made on the petition of any party interested with notice to the persons who shall by law be charged with the duty of petitioning for the appointment of a guardian Committees and guardians shall be notified and appear for lunatics habitual drunkards and weak-minded persons and in each of such cases notice shall be given to the next of kin Trustees shall be notified and appear for the cestuis que trust provided that cestuis que trust of age and sound mind having vested interests or interests subject to a condition precedent shall also be notified and all cestius que trust not in being or unascertained shall be represented by the trustees aforesaid

Section 5 In all cases where under the provisions of this act sales mortgages leases or conveyances on ground rent shall be authorized or directed the same shall be made by executors administrators guardians trustees committees or owners having a present vested interest or trustees appointed for the purpose as the court may order

Section 6 Where lands and tenements are held by will or otherwise for life or pur autre vie by any person or persons with remainder to any minor or minors and it shall appear to the court of the proper county that it would be to the interests of such minor or minors that the same should be sold in every such case upon the application of the tenant or tenants for life or pur autre vie as the case may be the said court shall appoint a trustee to make sale of said lands and the said trustee shall receive and hold the proceeds of such sale in trust for the parties in interest therein and shall invest the same in investments authorized by law and shall pay the interest thereof as it shall accrue to the tenants for life or pur autre vie until the estate for life or pur autre vie shall have terminated and shall then pay over the principal sum to the person or persons entitled to such remainder

Section 7 Every such decree made by the court shall have the effect as too the title authorized to be transferred (a) of a common recovery to bar an estate tail or a remainder whether contingent or to a class (b) of barring executory devises (c) Of defeating the right of the Commonwealth to forfeit real estate that may have been held by or for any corporation in excess of the amount now or hereafter duly authorized by law only however in the case where no proceedings to procure a forfeiture shall have been commenced before the filing of the petition (d) Of discharging the lien of decedents debts not of record In all cases where the proceedings shall be for the purpose of freeing the title of any of the limitations or defeasibility described in this section that purpose shall be set forth in the petition in addition to the explanation of the title

Section 8 The title transferred in pursuance of any such decree of the court shall be such as is authorized in the decree which title shall be indefeasible by any person ascertained or unascertained or any class of persons mentioned in the petition or decree and having a present or expectant interest in the premises and shall be unprejudiced by any error in the proceedings of the court and where security shall be entered in accordance with the provisions hereof no party who shall pay over money in pursuance of the decree of the court shall be liable to see to the application thereof or be in any manner liable of debts for or affected by any lien of debts of a decedent not of record or by any trust limitation of or defects in the title set out in the petition or decree in pursuance of which the money is paid over

Section 9 In all cases where the court shall authorize or confirm the making of a mortgage in any of the cases provided for in this act the title shall upon the mortgage being duly paid and satisfied of record revert to its former condition except that nothing herein contained shall operate to extend the lien of the debts of a decedent not of record beyond the time now or hereafter allowed by law and upon legal proceedings being brought upon the mortgage or bond accompanying the same as may now or hereafter be provided by law and the title being sold at sheriffs sale in pursuance of such proceedings the surplus proceeds of the sale if any after paying the mortgage with interest and all costs and liens which may by law be payable out of the fund shall be paid over to the party who made the mortgage or such other person as the court may direct or appoint for that purpose to be held by him as part of the mortgage money and subject to the same liens or limitations provided that the sheriff shall not pay over any such sum until such additional bond shall be filed as the orphans court may require under the circumstances of the case

Section 10 The purchase money mortgage money ground or other rents reserved or the title received in the case

of an exchange or partition for the title subject to a lien or limitation shall be held for and applied to the use and benefit of the same persons and for the same interests legal or equitable present or future vested contingent or executory as the title so sold mortgaged conveyed on ground rent let partitioned or exchanged had been subject or held excepting only the case of an estate tail or the title of a corporation subject to forfeiture which in each case shall by the proceedings without the necessity of a bond being filed by either the corporation or the tenant in tail be converted into an absolute estate in fee simple and all remainders whether contingent or to a class executory devises and debts of a decedent not of record shall be transferred to the fund or title raised by the proceedings in pursuance of the decree as to which fund or title they shall take effect in like manner as they would have taken effect as to the title transferred under the decree The court shall make such order or orders from time to time as to the distribution or investment of such funds as may be requisite to protect the interest of all persons who are or may become entitled thereto or to any part thereof In every case of a sale mortgage lease or conveyance on ground rent under the provisions hereof the purchase money mortgage money ground rent or other rents reserved shall nevertheless have and retain the quality of real estate as respects the devolution under the intestate laws of the interest of any infant lunatic or pesron non compos mentis as whose property the land was sold mortgaged leased or conveyed on ground rent The court having jurisdiction may direct the application of such proceeds or part thereof for the maintenance and education of minor parties whose personal estate shall be insufficient for such purposes or generally for the maintenance and education of minor parties whose personal estate shall be insufficient for such purposes or generally for the maintenance or education of parties having the like interests vested or expectant provided such moneys can be equally and equitably so applied and without diminution of the capital that may of right become the property of parties having unbarred interests or title in remainder or by executory devise

Section 11 No principal moneys raised by sale or mortgage as aforesaid shall be expended for any other purpose than for the payment of liens upon or the improvement of the same real estate when mortgaged or other real estate when held for the same uses and persons except as provided in section ten of this act and it shall be the duty of the court to decree the proper application of all purchase moneys and rents with the aid of an auditor when deemed necessary to the discharge of liens and to parties interested as and when they may be entitled

Section 12 In all cases where an application shall be made to the court for a decree authorized under any of the provisions of this act the court may appoint a suitable person as master to investigate the facts of the case and to report upon the expediency of granting the application and in cases where authority is asked to make a sale or mortgage upon the amount to be raised thereby and upon such report being made the court may decree accordingly

Section 13 In all cases where the carrying out of any decree of the court under the provisions of this act shall involve the receipt of money by the person carrying it out the court shall direct the person acting under the decree to file a bond to the Commonwealth in a sufficient amount conditioned for the proper application of all moneys to be received which bond shall inure to the benefit of all parties interested and be executed by two individual sureties or by one corporate surety approved by the court and before any such decree shall be executed such bond with sureties as may be required shall be filed Provided That where a corporation duly authorized by law shall be designated to carry out any such decree the court may in lieu of security as aforesaid permit such corporation to enter its own bond without surety

Section 14 Whenever by the provisions of this act it shall be lawful for the court to order the public sale of real estate public notice of such sale shall be given by the person who is to make the sale once a week for a period of three weeks before the day appointed therefor by advertisement in at least one newspaper published in the county if there be one or if there be none then in an adjoining county and in all cases notice shall also be given by handbills one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such estate

Section 15 Whenever under the provisions of this act the court has power to authorize or confirm a sale of real estate the same may be made upon such terms as secured on the premises by mortgage

Section 16 All deeds mortgages or leases executed in pursuance of any decree of the court under the provisions of this act may be acknowledge before any officer or person now or hereafter authorized by the laws of this Commonwealth to take the acknowledgment of deeds and other instruments of writing to be recorded therein

Section 17 (a) In all cases where the sale of real estate shall be made by an executor administrator guardian or trustee under an order of or confirmed by the court or where the making of a mortgage by such fiduciary shall be authorized by said court and the letters testamentary or of administration shall be revoked or the executor administrator guardian or trustee shall be removed or shall died or become insane or otherwise be incapable before a conveyance is made to the purchaser or before a mortgage is executed and delivered it shall be lawful for the successor of such executor administrator guardian or trustee having first given security to be approved by said court for the faithful appropriation of the proceeds of such sale to execute and deliver to the purchased a deed of conveyance for the estate so sold on the purchaser's full compliance with the terms and conditions of sale or to execute and deliver said mortgage If there shall be no successor who shall have given security as aforesaid the said court shall have power on petition of the purchaser to direct the clerk of the court to execute and deliver to the purchased the necessary deed of conveyance on his full compliance with the terms and conditions of sale paying into court the moneys payable and executing and delivering to the clerk any bond and mortgage required by the said terms and conditions which moneys and bond and mortgage shall remain subject to the disposition of the court or where the making of a mortgage by a fiduciary shall be authorized by said court the court under the circumstances aforesaid shall have power to direct the clerk of the court to execute and deliver such mortgage The like proceedings may be had where an executor administrator guardian or trustee shall neglect or refuse to execute and deliver such deed or mortgage for the space of thirty days after due notice of an order of the court requiring him to execute and deliver the same

(b) In all cases where the sale of real estate shall be made by co-executors co-administrators co-guardians or co-trustees under an order of or confirmed by the court or where the making of a mortgage by such co-fiduciaries shall be authorized by said court and if one or more of such co-fiduciaries shall be removed or shall die or become insane or otherwise be incapable before a conveyance is made to the purchaser or before such mortgage is executed and delivered said court may upon the facts being made to appear by petition duly verified authorize the surviving or remaining fiduciary or fiduciaries to execute and deliver to the purchaser a deed of conveyance for the real estate so sold on the purchasers full compliance with the terms and conditions of sale or to execute and deliver such mortgage

(c) Where authority is or shall be given by decree of any court to executors administrators guardians or trustees to sell real estate and any of such executors administrators guardians or trustees shall have died been removed become insane or otherwise incapable or cease to act before a sale is effected in all such cases said court may upon the facts being made to appear by petition duly verified authorize the surviving or remaining fiduciary or fiduciaries to effect such sales with as full effect in all particulars as if effected or executed by the executors administrators guardians or trustees in office at the time the sale was originally decreed

(d) Every sale made and every deed or mortgage executed and deliver in pursuance of and agreeably to the provisions of this section shall vest the property therein described in the grantee or mortgagee as fully and effectually as if the same had been made executed and delivered by all the fiduciaries to whom the authority to sell or mortgage was originally given

(e) In all cases of sales or mortgages under the order of or confirmed by the court the title of the purchaser or mortgages shall not be affected by the subsequent revocation of the letters testamentary or of administration of the executor or administrator making such sale or mortgage or by the subsequent removal of the executor administrator guardian or trustee making such sale or mortgage

(f) Whenever in pursuance of proceedings in the court of any county any person therein described as a trustee guardian executor administrator or as standing in any other fiduciary relation to the parties interested shall grant and convey or mortgage any real estate in which proceedings security shall be duly entered by him or her under the order or decree of the court no irregularity or defect in his or her original appointment or the absence of any proper qualification in respect thereto shall affect the title of the grantee purchaser or mortgagee or the liability of the sureties but the same shall be as valid in all respects as if such irregularity or defect had not existed

Section 18 Whenever any court having jurisdiction under this act to decree a sale or mortgage of real state shall issue its order to any executor administrator guardian or trustee specially appointed for the purpose or otherwise to sell or mortgage such real estate and shall in any case within its jurisdiction give authority to any executor administrator guardian or trustee to bid at such sale and shall confirm the sale to such fiduciary or shall authorize the making of such mortgage to any executor administrator guardian or trustee the said court may make an order directing its clerk to execute a deed or mortgage as the case may be for said real estate to such purchaser or moragagee who shall give security and shall account for the amount of said purchase money or mortgage money in the settlement of his accounts to said court

Section 19 (a) In all proceedings under the provisions of this act where the real estate shall lie wholly within one county the petition shall be presented only in the court of that county

(b) When an application shall be made under the provisions of this act for the sale mortgaging leasing or other proceedings relating to real estate through which real estate the line dividing two or more counties runs the court of the county in which the mansion house is situated or if there be no mansion house the court of the county where the principal improvements may be or if there be no improvements the court of either county may exercise jurisdiction as to the whole of such real estate irrespective of the county line and any such sale mortgaging leasing or other decree relating to real estate

shall be as effectual as if the whole of such real estate had been within the county whereof said court has jurisdiction Notices of said proceedings as required by this act shall be given in all the counties in which the land is situated and a certified copy of all proceedings shall be filed in the proper court of each county in which said land is situated Any mortgage taken to secure the purchase money or any part thereof shall be duly recorded in each of the counties in which said lands lie as required by law

Section 20 (a) The courts of the several counties of this Commonwealth in all cases where under the provisions of this act such courts have power to order the sale of real estate may authorize or direct a private sale if in the opinion of the court under all the circumstances a better price can be obtained at private than at public sale as where the interest shall be undivided or for any other sufficient cause

(b) Any party interested as heir devisee or intending purchaser or any legatee whose legacy is by the express terms of the will or by law charged on such real estate may appear and object to such private sale on account of the insufficiency of the price and if such objection be sustained may offer to give or pay a substantial increase for such property and the court at its discretion may thereupon authorize or direct such sale or refuse to authorize or direct the same and accept any substantially increased offer and may authorize the sale of such property to such new bidder upon compliance with the conditions of sale and giving such security as shall be directed by the court or such party interested or legatee may appear as aforesaid and object to such sale on any legal or equitable grounds Provided That nothing herein contained shall be construed to affect the existing law with respect to objections to public sales

Section 21 All public sales of real estate under the provisions of this act shall be subject to confirmation by said court but in the case of private sales authorized or directed under the provisions of this act no return or confirmation shall be necessary

Section 22 All public sales of real estate under the provisions of this act shall have the effect of judicial sales as to the discharge of liens upon the real estate so sold but private sales shall not discharge the liens of debts of record

Section 23 Whenever a public or private sale of real estate shall be authorized directed or confirmed by any court under the provisions of this act the person or persons purchasing the real estate so sold and taking title in pursuance of the decree of the court shall take such title free and discharge of any obligation to see to the application of the purchase money

Section 24 In all cases and proceedings under this act appeals may be taken to the proper appellate court from the orphans' court as now provided by law in other cases and from the court of common pleas as provided in equity cases Provided That if any decree be carried into execution before the appeal be perfected and written notice thereof given to any vendee mortgage or lessee any reversal thereof shall not affect the right or tile of such vendee mortgagee or lessee but the purchase or mortgage moneys or rents shall stand in lieu of the premises sold to mortgaged or leased so far as thus encumbered Provided further That before any decree be carried into effect to afford such indemnity twenty-one days be allowed from its entry to take and perfect such appeal

Section 25 This act shall be known and may be cited as the Revised Price Act of 1917

Section 26 The following acts and parts of acts of Assembly are repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause of such act

Section ten of an act entitled "An act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned" approved April seventh one thousand eight hundred and seven (Pamphlet Laws one hundred fifty-five) absolutely

Section two of an act entitled "A supplement to the intestate law of this Commonwealth" approved April eighth one thousand eight hundred twenty-six (Pamphlet Laws two hundred fifty-five) absolutely

Section one of an act entitled "An act supplementary to the various acts relating to orphans' and registers' courts and executors and administrators and the act relating to the measurement of grain salt and coal" approved June sixteenth one thousand eight hundred thirty-six (Pamphlet Laws six hundred eighty-two) absolutely

Section two of an act entitled "A supplement to an act entitled 'An act relating to orphans' courts' approved the twenty-ninth of March one thousand eight hundred and thirty-two" approved March sixteenth one thousand eight hundred and forty-seven (Pamphlet Laws four hundred seventy-four) absolutely

Sections one to five inclusive of an act entitled "An act supplementary to an act passed the twenty-ninth day of March one thousand eight hundred and thirty-two entitled 'An act relating to orphans' courts' and relating to contracts of decedents and escheats in certain cases and relative to the district court of the city and county of Philadelphia and to registers of wills" approved April third one thousand eight hundred and fifty-one (Pamphlet Laws three hundred and five) absolutely

Sections one to eight inclusive and section ten of an act entitled "An act relating to the sale and conveyance of real estate" approved April eighteenth one thousand eight hundred and fifty-three (Pamphlet Laws five hundred and three) absolutely

Sections one and three of an act entitled "A supplement to an act entitled 'An act relating to the sale and conveyance of real estate'" approved April thirteenth one thousand eight hundred and fifty-four (Pamphlet Laws three hundred and sixty-eight) absolutely

Section five of an act entitled "An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate" approved April twenty-seventh one thousand eight hundred and fifty-five (Pamphlet Laws three hundred and sixty-eight) absolutely

An act entitled "A further supplement to the act entitled 'An act relating to the sale and conveyance of real estate passed the eighteenth day of April one thousand eight hundred and fifty-three' aproved April first eighteen sixty-three (Pamphlet Laws one eighty-seven) absolutely

An act entitled "Supplement to an act entitled 'An act relating to the sale and conveyance of real estate' approved the eighteenth day of April Anno Domini one thousand eight hundred and fifty-three" approved April eighteenth one thousand eight hundred and sixty-four (Pamphlet Laws four hundred and sixty-two) absolutely

An act entitled "A supplement to an act relating to the sale and conveyance of real estate approved the eighteenth day of April one thousand eight hundred and fifty-three" approved April seventeenth one thousand eight hundred and sixty-six (Pamphlet Laws one hundred and eight) absolutely

Sections one and two of an act entitled "An act relating to judicial sales and the preservation of the lien of moregages" approved March twenty-third one thousand eight hundred and sixty-seven (Pamphlet Laws forty-three) absolutely

An act entitled "A further supplement to an act entitled 'An act relating to the sale and conveyance of real estate' approved the eighteenth day of April Anno Domini one thousand eight hundred and fifty-three authorizing the courts to decree the leasing and combination of lands for mining purposes" approved June eighth one thousand eight hundred and seventy-four (Pamphlet Laws two hundred and seventy-seven) absolutely

Section one of an act entitled "An Act to amend the second section of an act entitled 'An Act relative to the sale and conveyance of real estate' approved the eighteenth day of April one thousand eight hundred and fifty-three extending the provisions thereof to real estate upon which are limited vested remainders which are liable to open and let in after born children and validating sales of real estate heretofore made by proceedings under said act of lands and tenements subject to such remainders" approved June fourteenth one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and forty-four) absolutely

Sections one and two of an act entitled "An act authorizing the several orphans' courts of this Commonwealth to decree the sale mortgaging leasing or conveyance upon ground-rent of lands devised or held with remainder to a class of persons some or all of whom are unborn and to validate certain sales and conveyances heretofore made by decree of court in such cases" approved June fifteenth one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and fifty-nine) absolutely

An act entitled "An act amending an act approved April seventeenth one thousand eight hundred and sixty-six entitled 'A supplement to an act relating to the sale and conveyance of real estate' aproved the eighteenth day of April one thousand eight hundred and fifty-three providing that deeds may be acknowledged before any justice of the peace notary public or other officer having authority to take acknowledgement of deeds or other instruments of writing" approved April twenty-second one thousand nine hundred and three (Pamphlet Laws two hundred and forty-one) absolutely

An act entitled "An act relating to acknowledgements of deeds authorizing county treasurers county commissioners sheriffs executors administrators trustees or other persons acting in an official or representative capacity where now required or authorized to make acknowledgement of deeds or other instruments before justices of the peace to make acknowledgements of deeds and other instruments before a notary public or any officer authorized by law to take acknowledgements of deeds and validating all such acknowledgements heretofore made before other officers than justices of the peace" approved April twenty-third one thousand nine hundred and nine (Pamphlet Laws one hundred and fifty-six) in so far as it relates to acknowledgements of deeds or other instruments made in pursuance of decrees entered under the provisions of this act

An act entitled "An act authorizing the several orphans' courts to empower guardians of the estates of minors to join with the cotenants of said minors in effecting amicable partition of lands held in common" approved May twenty-third one thousand nine hundred and thirteen (Pamphlet Laws three hundred and forty-five) absolutely

An act entitled "A supplement to an act approved the eighteenth day of April one thousand eight hundred fifty-three entitled 'An act relating to the sale and conveyance of real estate" approved May twenty-eighth one thousand nine hundred and fifteen (Pamphlet Laws six hundred and thirty-five) absolutely

All other acts of Assembly or parts thereof that are in any way in conflict with this act or any part thereof are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1272, as follows:

An Act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person of sound mind and of the age of twenty-one years or upwards whether married or single may dispose by will of his or her real estate whether such estate is held in fee simple or for the life or lives of any other person or persons and whether in severalty joint tenancy or common and also of his or her personal estate

Section 2 Every will shall be in writing and unless the person making the same shall be prevented by the extremity of his last sickness shall be signed by him at the end thereof or by some person in his presence and by his express direction and in all cases shall be proved by the oaths or affirmations of two or more competent witnesses otherwise such will shall be of no effect Provided That the presence of dispositive or testamentary words or directions or the appointment of an executor or the like after the signature to a will whether written before or after the execution thereof shall not invalidate that which precedes the signature

Section 3 If the testator be unable to sign his name for any reason other than the extremity of his last sickness a will to which his name is subscribed in his presence by his direction and authority and to which he makes his mark or cross unless unable so to do in which case the mark or cross shall not be required shall be as valid as though he had signed his name thereto Provided That such will shall be proved by the oaths or affirmations of two or more competent witnesses

Section 4 Personal estate may be bequeathed by a nuncupative will under the following restrictions

(a) Such will shall in all cases be made during the last sickness of the testator and in the house of his habitation or dwelling or where he has resided for the space of ten days or more next before the making of such will except where such person shall be surprised by sickness being from his own house

(b) Where the sum or value bequeathed shall exceed one hundred dollars it shall be proved that the testator at the time of pronouncing the bequest did bid the persons present or some of them to bear witness that such was his will or to that effect and in all cases the foregoing requisites shall be proved by two or more witnesses who were present at the making of such will

(c) No testimony shall be received to prove any nuncupative will after six months elapsed from the speaking of the alleged testamentary words unless the said testimony or the substance thereof were committed to writing within six days after the making of said will

Section 5 Notwithstanding this act any mariner being at sea or any soldier being in actual military service may dispose of his movables wages and personal estate as he might have done before the making of this act

Section 6 No estate real or personal shall be bequeathed or devised to any body politic or to any person in trust for religious or charitable use except the same be done by will attested by two credible and at the time disinterested witnesses at least thirty days before the decease of the testator and all dispositions of property contrary hereto shall be void and go to the residuary legatee or devisee heirs of next of kin according to law A disinterested witness within the meaning of this section is a witness not interested in such religious or charitable use this section not being intended to apply to a witness interested in some other devise or bequest in the same instrument

Section 7 The emblements or crops growing on lands held by a widow in dower or by any other tenant for life may be disposed of by will as other personal estate Rents and other periodical payments accruing to any tenant for life or to any other person entitled under the laws of this Commonwealth regulating the decent and partition of real estate may so far as the same may have accrued on the day of death of such tenant for life or other person be disposed of by will in like manner

Section 8 (a) Every person competent to make a will being the father or adopting father of any minor child unmarried may appoint a testamentary guardian for such child during his or her minority or for any shorter period Provided That such testamentary guardian shall not be entitled to the custody of the person of such child unless the mother or adopting mother if surviving shall relinquish such custody or unless the best interests of the child shall require that such surviving mother or adopting mother should not retain the custody of the person of such child

(b) Every person competent to make a will being the mother or adopting mother of any minor child unmarried may appoint a testamentary guardian for such child during his or her minority or for any shorter period whenever the father or adopting father of such child shall be deceased and has not appointed such a guardian Such mother or adopting mother who shall leave to such child an estate either real or personal may appoint a testamentary guardian for such estate of the child whether the father or adopting father of such child shall be living or dead and whether he shall or shall not have appointed a testamentary guardian for such child

(c) No father who shall have for one year or upwards previous to his death wilfully neglected or refused to provide for his child or children and no mother who shall have for a like period deserted her child or children or failed to perform her parental duties shall have the right to appoint any testamentary guardian for such child or children

Section 9 Every will shall be construed with reference to the real and personal estate comprised in it to speak and take effect as if it had been executed immediately before the death of the testator unless a contrary intention shall appear by the will

Section 10 The real estate acquired by a testator after making his will shall pass by a general devise unless a contrary intention be manifest on the face of the will

Section 11 A general devise of the real estate of the testator or of the real estate of the testator in any place or in the occupation of any person mentioned in his will or otherwise described in a general manner shall be construed to include any real estate or any real estate to which such description shall extend as the case may be which he may have power to appoint in any manner he may think proper and shall operate as an execution of such power unless a contrary intention shall appear by the will In like manner a bequest of the personal estate of the testator or any bequest of personal property described in

a general manner shall be contrued to include any personal estate or any personal estate to which such description shall extend as the case may be which he may have power to appoint in any manner he may think proper and shall operate as an execution of such power unless a contrary intention shall appear by the will

Section 12 All devises of real estate shall pass the whole estate of the testator in the premises devised although there be no words of inheritance or of perpetuity unless it appears by a devise over or by words of limitation or otherwise in the will that the testator intended to devise a less estate

Section 13 Whenever by any devise an estate in fee tail would be created according to the common law of this State such devise shall be taken and construed to pass an estate in fee simple and as such shall be inheritable and freely alienable

Section 14 In any devise or bequest of real or personal estate the words "die without issue" or "die without leaving issue" or "have no issue" or any other words which may import either a want or failure of issue of any person in his lifetime or at the time of his death or an indefinite failure of his issue shall be construed to mean a want or failure of issue in the lifetime or at the death of such person and not an indefinite failure of his issue unless a contrary intention shall appear by the will in which such devise or bequest is made

Section 15 (a) No devise or legacy in favor of a child or children or other lineal descendant or descendants of any testator whether such children or descendants be designated by name or as class shall lapse or become void by reason of the decease of such legatee or devisee in the lifetime of the testator if such devisee or legatee shall leave issue surviving the testator but such devise or legacy shall be good and available in favor of such surviving issue with like effect as if such devisee or legatee had survived the testator unless the testator shall in the will direct otherwise

(b) Where any testator shall not leave any lineal descendants who would receive the benefit of any lapsed or void devise or legacy no devise or legacy made in favor of a brother or sister or of brothers or sisters of such testator or in favor of the children of a brothers or sister of such testator whether such brothers or sisters or children of brothers or sisters be designated by name or as a class shall be deemed or held to lapse or become void by reason of the decease of such devisee or legatee in the lifetime of the testator if such devisee or legatee shall leave issue surviving the testator but such devise or legacy shall be good and available in favor of such surviving issue with like effect as if such devisee or legatee had survived the testator unless the testator shall in the will direct otherwise

(c) Unless a contrary intention shall appear by the will such real or personal estate or interests therein as shall be comprised or intended to be comprised in any devise or bequest in such will contained which shall fail or be void by reason of the death of the devisee or legatee in the lifetime of the testator or by reason of such devise or bequest being contrary to law or otherwise incapable of taking effect or which shall be revoked by the testator shall be included in the residuary devise or bequest if any contained in such will In any case where such devise or bequest which shall fail or be void or shall be revoked as aforesaid shall be contained in the residuary clause of such will it shall pass to and be divided among the other residuary devisees or legatees if any there be in proportion to their respective interests in such residue

Section 16 (a) Whenever in any will a bequest or devise shall be made to the child or children of testator without naming such child or children such bequest or devise shall be construed to include any adopted child or children of the testator unless a contrary intention shall appear by the will

(b) Whenever in any will a bequest or devise shall be made to the child or children of any person other than the testator without naming such child or children such bequest or devise shall be construed to include any adopted child or children of such other person who were adopted before the date of the will unless a contrary intention shall appear by the will

Section 17 All pecuniary legacies contained in any will shall be charged upon and payable out of any real estate not specifically devised where the personal estate is insufficient for their payment or where the personal estate though originally sufficint has been wasted or misapplied by the executor unless a contrary intention shall appear by the will

Section 18 Unless the testator shall otherwise direct by his will the devisee of real estate which is subject to mortgage shall take subject thereto and shall not be entitled to exoneration out of the other estate of the testator real or personal and this whether the mortgage was created by the testator or by a previous owner or owners and notwithstanding any general direction by the testator that his debts be paid

Section 19 All income whatsoever devised or bequeathed by any will so as to be free from liability for the debts contracts or engagements of the beneficiary or so as not to be subject to execution attachment sur judgment sequestration or other process shall notwithstanding such testamentary provisions be subject to and liable for the support and maintenance of the wife and minor children of the beneficiary and for the value of necessaries furnished to them or any of them where said beneficiary has refused or neglectd to provide suitably for them and all of the income of said beneficiary shall be subject to all legal process issued by any court of this Commonwealth having jurisdiction in the premises in order to enforce such liability of said beneficiary

Section 20 (a) No will in writing concerning any real estate shall be repealed nor shall any devise or directions therein be altered otherwise than by some other will or codicil in writing or other writing declaring the same executed and proved in the manner hereinbefore provided or by burning cancelling obliterating or destroying the same by the testator himself or by someone in his presence and by his express direction

(b) No will in writing concerning any personal estate shall be repealed nor shall any bequest or direction therein be altered otherwise than as hereinbefore provided in the case of real estate except by a nuncupative will made under the circumstances set forth in section four of this act and also committed to writing in the lifetime of the testator and after the writing thereof read to or by him and allowed by him and proved to be so done by two or more witnesses

Section 21 When any person male or female shall make a last will and testament and afterward shall marry or shall have a child or children not provided for in such will and shall die leaving a surviving spouse and such child or children or either a surviving spouse or such child or children although such child or children be born after the death of their father every such person so far as shall regard the surviving spouse or child or children born after the making of the will shall be deemed and construed to die intestate and such surviving spouse child or children shall be entitled to such purparts shares and dividends of the estate real and personal of the deceased as if such person had actually died without any will

Section 22 No person who shall be finally adjudged guilty either as principal or accessory of murder of the first or second degree shall be entitled to take any part of the real or personal estate of the person killed as devisee or legatee or otherwise under the will of such person

Section 23 (a) When any person shall died testate leaving a surviving spouse who shall elect to take against the will such surviving spouse shall be entitled to such interests in the real and personal estate of the deceased spouse as he or she would have been entitled to had the testator died intestate Provided That nothing herein contained shall affect the right or power of a married woman by virtue of any authority or appointment contained in any deed or will to bequeath or devise any property held in trust for her sole and separate use

(b) A surviving spouse electing to take under or against the will of the decedent shall in all cases manifest the election by a writing signed by him or her duly acknowledged before an officer authorized by law to take the acknowledgement of deeds and delivered to the executor or administrator of the estate of such decedent within two years after the issuance of letters testamentary or of administration Neglect or refusal or failure to deliver such writing within said period shall be deemed an election to take under the will

(c) No payment from the estate of such decedent except the exemption allowed by law to the widow shall be required to be made to any surviving spouse unless his or her election shall have been first duly executed acknowledged and delivered as provided in clause (b) of this section

(d) The orphans' court on the application of any person interested in the estate of a decedent may issue a citation at any time after six months from the death of the testator to the surviving spouse of the testator to apear at a certain time not less than one month thereafter in the said court to make his or her election to take under or against the will which election shall be filed of record and shall be conclusive If the surviving spouse shall neglect or refuse to appear on such citation then upon due proof being made to the court of the service thereof the said neglect or refusal shall be deemed an election to take under the will and the decree of the court to that effect shall be conclusive

(e) The election by a surviving spouse or a certified copy of the final decree of any orphans' court in cases where there shall have been an election in accordance with clause (d) hereof or a neglect or refusal to elect within the time prscribed by the order of the said court shall at the cost of the estate be recorded by the personal representative of the decedent in the office for the recording of deeds of the county where the decedent's will is probated in the deed book and shall be indexed by the recorder in the grantor's index under the name of the decedent and in the grantees' index under the name of the surviving spouse and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate if any there be in said county The chrages for recording and registering shall be the same as are provided by law for similar services The election or decree of the court or a certified copy of either may also be recorded in any office for the recording of deeds within the Commonwealth with the same effect as if a duly signed and acknowledged declaration to the effect stated therein had been made by the person authorized to elect and at his or her request recorded in said office according to law After the said election shall have been recorded in the office for the recording of deeds as aforesaid the said election at the cost of the estate shall be filed in the office of the clerk of the orphans' court and a record made of such filing by the said clerk

Section 24 Nothing in this act contained shall be construed to apply to the disposition of personal estate by

a testator whose domicile at the time of his death was out of this Commonwealth

Section 25 This act shall be known and may be cited as the Wills Act of 1917

Section 26 This act shall take effect on the thirty-first day of December one thousand nine hundred and seventeen and shall apply to the wills of all persons dying on or after said day As to the wills of all persons dying before that day the existing laws shall remain in full force and effect

Section 27 The following acts and parts of acts of assembly are hereby repealed as respectively indicated but so far only as relates to the estates real and personal of any person or persons dying on or after the thirty-first day of December one thousand nine hundred and seventeen The repeal of the first section of an act shall not repeal the enacting clause

Sections three four six and seven of on act entitled "An act concerning the probates of written and unucupative wills and for confirming devises of lands' passed in seventeen hundred and five one Smith's Laws thirty-three absolutely

Section twenty-three of an act entitled "An act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nineteen seventeen hundred and ninety-four three Smith's Laws one hundred and forty-three absolutely

Section ten of an act entitled "An act supplementary to the act entitled 'An act directing the descent of intestates real estates and distribution of their personal estates and for oher purposes therein mentioned' " passed April four seventeen hundred and ninety-seven three Smith's Laws two hundred and ninety-six absolutely

Section eleven of an act entitled "An act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned" approved April seven eighteen hundred and seven (Pamphlet Laws one hundred and fifty-five) absolutely

An act entitled "An act to prevent devises and legacies from lapsing in certain cases" approved March nineteen eighteen hundred and ten (Pamphlet Laws ninety-six) absolutely

Section one of an act entitled "An act relative to dower and for other purposes" approved April one eighteen hundred and eleven (Pamphlet Laws one hundred and ninety-eight) absolutely

Section eleven of an act entitled "An act relating to registers and registers' courts" approved March fifteen one thousand eight hundred and thirty-two (Pamphlet Laws one hundred and thirty-five) absolutely

Section thirty-five of an act entitled "An act relating to orphans' courts" approved March twenty-ninth one thousand eight hundred and thirty-two (Pamphlet Laws one hundred and ninety) absolutely

An act entitled "An act relating to last wills and testaments" approved April eighth one thousand eight hundred and thirty-three (Pamphlet Laws two hundred and forty-nine) absolutely

Section two of an act entitled "An act further to regulate proceedings in courts of justice and for other purposes" approved May sixth one thousand eight hundred and forty-four (Pamphlet Laws five hundred and sixty-four) absolutely

An act entitled "A supplement to an act relating to last wills and testaments passed the eighth day of April eighteen hundred and thirty-three" approved January twenty-seventh eighteen hundred and forty-eight (Pamphlet Laws sixteen) absolutely

Sections seven and eleven of an act entitled "A supplement to an act entitled 'An act relative to the Le-Raysville Phalanx" passed March Anno Domini one thousand eight hundred and forty-seven and relative to obligors and abligees to secure the right of married women in relation to defalcation and to extend the boundaries of the borough of Ligonier" approved April eleventh eighteen hundred and forty-eight (Pamphlet Laws five hundred and thirty-six) absolutely

Section eleven of an act entitled "An act relating to corporations and to estates held for corporate religious and charitable uses" approved April twenty-sixth eighteen hundred and fifty-five (Pamphlet Laws three hundred twenty-eight) in so far as it relates to estates real or personal bequeathed or devised

Section one of an act entitled "An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate" approved April twenty-seventh eighteen hundred and fifty-five (Pamphlet Laws three hundred and sixty-eight) in so far as it relates to devises

Sections one and six of an act entitled "An act relating to certain duties and rights of husband and wife and parents and children" approved May fourth eighteen hundred and fifty-five (Pamphlet Laws four hundred thirty) absolutely

Section one of an act entitled "An act relating to dowers" approved April twenty eighteen hundred and sixty-nine (Pamphlet Laws seventy-seven) absolutely

An act entitled "A supplement to an act relating to last wills and testaments approved the eighth day of April one thousand eight hundred and thirty-three providing for the time from which wills shall speak and take effect for the vesting of lapsed or void devises of real estate in the residuary devisee and for the execution of powers over real and personal estate by the person in whom such powers are vested" approved June fourth one thousand eight hundred and seventy-nine (Pamphlet Laws eighty-eight) absolutely

An act entitled "An act to enable mothers in certain cases to appoint testamentary guardians" approved June ten eighteen hundred eighty-one (Pamphlet Laws ninety-six) absolutely

An act entitled "An act to enable mothers in certain cases to appoint testamentary guardians being a supplement to an act bearing the same title approved June tenth one thousand eight hundred and eighty-one and also a supplement to an act entitled "An act relating to certain duties and rights of husband and wife and parents and childrens' approved May fourth one thousand eight hundred and fifty-five" approved May twenty-fifth eighteen hundred and eighty-seven (Pamphlet Laws two hundred sixty-four) absolutely

Section five of an act entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" approved June eighth eighteen hundred and ninety-three (Pamphlet Laws three hundred and forty-four) absolutely

An act entitled "An act declaring the construction of words in a deed will or other instrument importing a failure of issue" approved July ninth eighteen hundred and ninety-seven (Pamphlet Laws two hundred and thirteen) in so far as it relates to devises or bequests of real or personal estate

An act entitled "An act to amend section two of an act entitled 'An act further to regulate proceedings in courts of justice and for other purposes approved the sixth day of May Anno Domini one thousand eight hundred and forty-four relating to devises and legacies to brothers or sisters or the children of brothers or sisters of any testator and preventing the lapse thereof in the case of the death of such devisee or legatee during the lifetime of the testator" approved July twelfth eighteen hundred and ninety-seven (Pamphlet Laws two hundred and fifty-six) absolutely

An act entitled "An act relating to elections by surviving husbands or wives to take under or against the wills of decedents to the recording thereof and of final decrees where parties have failed or refused to elect when required so to do and forbidding payments to such parties until they have made and filed their election" approved April twenty-first nineteen hundred and eleven (Pamphlet Laws seventy-nine) absolutely

An act entitled "An act to amend section eleven of an act entitled "An act relating to corporations and to estates held for corporate religious and charitable uses' approved the twenty-sixth day of April one thousand eight hundred and fifty-five" approved June seventh nineteen hundred and eleven (Pamphlet Laws seven hundred and two) in so far as it relates to estates real or personal bequeathed or devised

An act entitled "An act to amend an act approved the eighth day of April one thousand eight hundred and thirty-three entitled 'An act relating to last wills and testaments' by conferring the same rights upon the mother as upon the father" approved April fifteenth nineteen hundred and fifteen (Pamphlet Laws one hundred and twenty-four) absolutely

An act entitled "An act to amend an act approved the tenth day of June one thousand eight hundred eighty-one entitled 'An act to enable mothers in certain cases to appoint testamentary guardians' by extending certain rights to mothers" approved April twenty-first nineteen hundred and fifteen (Pamphlet Laws one hundred and forty-five) absolutely

All other acts of assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part therof are hereby repealed so far as relates to the estates real and personal of any person or persons dying on or after the thirty-first day of December nineteen hundred and seventeen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1273, as follows:

An Act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom

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Section 1 (a) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person who shall be elected or appointed to the office of register of wills before he shall enter upon the duties of the office shall make oath or affirmation to support the Constitution of the United States and the Constitution of this Commonwealth and to perform the duties of the office of register with fidelity

(b) 1 He shall also with one or more sureties to be approved by the judge or judges if there be more than one of the orphans' court of the county for which the register shall be elected or appointed and also by the Governor give a joint and several bond to the Commonwealth in a sum equal to half the sum prescribed by law for the official bond of the sheriff for the time being of the same county with condition faithfully to execute the duties of his said office and well and truly to account for and pay according to law all moneys received by him for the use of the Commonwealth and to deliver up the books seals records and other writings belonging to his said office whole safe and undefaced to his successor in office which said bond shall be for the use of all persons concerned and for the relief of all who may be aggrieved by the acts or neglect of such register

2 Every person elected or appointed as aforesaid shall cause the bond hereinbefore prescribed being duly acknowledged by him and his securities before a judge of the orphans' court of the county to be recorded by the recorder of deeds of the county and as soon afterwards as convenient to be transmitted into the office of the Secretary of the Commonwealth for custody of which transmission he shall be entitled to receive the secretary's certificate without fee or reward

3 Copies of the record of the official bond of any register acknowledged and recorded as aforesaid and duly certified by the recorder of deeds for the time being shall be good evidence in any action brought against him or his sureties on such bond according to its form and effect in the same manner as the original would be if produced and offered in evidence

4 The provisions of this clause shall not apply to registers of wills in counties having over eight hundred thousand and under one million five hundred thousand inhabitants according to the last preceding United States census

(c) Whenever letters testamentary or of administration shall have been heretofore or shall be hereafter granted by the register of wills of any of the counties in this Commonwealth by the direction and in pursuance of an order of the orphans' court and conformably thereto the said register and his sureties shall not be liable on the register's official bond for any loss or damage which may have accrued or which may hereafter accrue to any person in consequence of the compliance of said register with the said order of the orphans' court

Section 2 Every register shall appoint and keep a deputy to officiate in his absence for whose conduct he and his sureties shall be accountable and such deputy shall be capable in law to take the probate of wills and testamentary papers and to grant letters testamentary and of administration and to do whatever else by law appertains to the office of register

Section 3 Every register qualified to act as aforesaid shall have jurisdiction within the county for which he shall have been elected or appointed of the probate of wills and testamentary papers of the granting of letters testamentary and of administration of the passing and filing of the accounts of executors and administrators and of any other matter whereof the jurisdiction may be at any time expressly annexed to his said office and the act of any register in any matter whereof another register has the exclusive jurisdiction shall be void and of no effect

Section 4 Wills shall be probated only before the register of wills of the county within which was the family or principal residence of the decedent at the time of his decease and if the decedent has no such residence in this Commonwealth then only before the register of the county where the principal part of the goods and estate of such decedent within this Commonwealth shall be

Section 5 Any register of wills shall have power to revoke letters of administration granted by him whenever it shall be made to appear to him that such letters have been granted to or on the nomination of persons who are not the next of kin of the decedent entitled to administer or whenever after the granting of letters of administration a will of the decedent shall be duly proved and admitted to probate

Section 6 No nuncupative will shall be admitted to probate nor shall letters testamentary thereon be issued till fourteen days after the day of the death of the decedent be fully expired nor shall any nuncupative will at any time be admitted to probate unless process have first issued to call in the surviving spouse of the decedent if any and such of his or her relations or next of kin as would be entitled to the administration of his or her estate in case of intestacy to contest the same if they please

Section 7 Copies of wills and testaments proved in any other state territory or possession of the United States of America or any foreign country according to the laws thereof and duly authenticated may be offered for probate before any register having jurisdiction and proceedings thereon may be had with the same effect so far as respects the granting of letters testamentary or of administration with the will annexed as upon the originals and if the executor or other person producing any such copy shall produce also therewith a copy of the record of the proceedings for the probate of the original and of the letters testamentary or other authority to administer issued thereon attested by the person having power to receive the probate of such original in the place where it was proved with the seal of office if there be one annexed together with the certificate of the chief judge or presiding magistrate of the state country county or district where such original was proved that the same appears to have been duly proved and to be of force and that the attestation is in due form such copies and proceedings shall be deemed sufficient proof unless the contrary be shown for the granting of letters testamentary or of administration with the will annexed as the case may require without the production or examination of the witnesses attesting such will

Section 8 The register having jurisdiction as aforesaid shall at the instance of any person interested issue a citation to any person having the possession or control of a testamentary writing alleged to be the last will and testament of a decedent requiring him to produce and deposit the same in his office for probate and if such person shall conceal or withhold such writing during the space of fifteen days after being personally served with a citation issued in the manner aforesaid it shall be the duty of the register forthwith to certify the record of the proceeding to the orphans' court of said county and the said court upon petition of any person interested shall proceed to enforce obedience to said citation by attachment as in cases of citations issued from said court

Section 9 Whenever any testamentary writing shall be offered for probate or application shall be made for letters testamentary or of administration before any register having jurisdiction thereof such register shall have power to issue a subpoena with or without a clause of duces tecum to any person whose name may be subscribed to such testamentary writing as a witness or who may be alleged to him to be otherwise capable of proving the due execution of such testamentary writing or to any person who may be a material witness in the matter of such probate or of the granting of leters testamentary or of administration commanding him under a penalty of three hundred dollars to appear before said register at his office at a day certain not less than five days from the service of such subpoena and depose and testify what he may know concerning the execution of such writing or otherwise concerning the execution of such writing or otherwise concerning such probate or the granting of letters and if such person being subpoenaed as aforesaid shall refuse or neglect to appear as commanded the register shall have power to issue an attachment against such witness to compel his appearance or the party aggrieved may have an action against said witness to recover the said penalty in the manner allowable by law in cases of subpoenas issued to witnesses by the courts of common pleas Witnesses appearing before the register in obedience to subpoenas as aforesaid shall be entitled to the same fees and mileage as are allowed by law to witnesses in the orphans' court

Section 10 On the application of any person interested every register shall have power to issue commissions or rules to take the depositions of witnesses in other counties or states or in foreign countries in all cases within his jurisdiction

Section 11 All original wills after probate and the copies of all original wills produced under the provisions of this act shall be recorded and filed by the register of the respective county and shall remain in his office except when required to be had before a higher tribunal by certiorari or otherwise and if removed for such cause they shall be returned in due course to the office where they belong and the copies of all the probates thereof under the public seals of the courts or officers where the same may have been or shall be so taken or granted respectively

except copies of probates of such wills and testaments as shall appear to be annulled disproved or revoked shall be adjudged and are hereby enacted to be matter of record and good evidence to prove the gift or devise thereby made

Section 12 (a) Any and all person or persons who shall offer for probate any will or codicil or who shall offer any other written or printed instrument to be recorded in any register's office in this Commonwealth or to be filed in said office as required by law which will codicil or instrument shall be in any other than the English language shall furnish at his her of their expense to the register a sworn translation in English of such instrument and the register shall attach or cause to be attached such translation to the original and file both at the original and the translation of record in his office in all cases where filing is now or hereafter may be required by law but in all cases where recording is now or hereafter may be required both the original and the translation in English shall be recorded

(b) The register of wills shall not file or mark filed record or mark recorded any written or printed instrument in violation of this section nor shall any paper filed or recorded in violation of this section be notice to any person in any legal proceeding whatever nor be received or considered in evidence in any proceeding at law in equity or in the orphans' court

Section 13 It shall be the duty of the registers of wills of the several counties of this Commonwealth to record all inventories and appraisements of the estate of any decedent filed in the office of the register of wills by the executor or administrator of any decedent's estate in a book to be prodvided for that purpose and the same shall be indexed by such register of wills in an index book provided for that purpose and true and attested copies or examplifications of all such inventories and appraisements so enrolled certified under the hand and seal of such register of wills shall be allowed in all courts when produced and are hereby declared and enacted to be as good evidence and as valid and effectual in law as the original inventory and appraisement themselves and the said register of wills shall be allowed for performing such duties the same fees as are now allowed by law to such officers for performing similar services

Section 14 It shall be the duty of every register to make and certify under the seal of his office true copies of all bonds inventories accounts actings and procedings whatsoever remaining in his office being thereunto required by any person having an interest therein and to deliver the same within a reasonable time to such person applying therefore on receiving the fee allowed to him by law for such copy or copies and if any register shall refuse after the tender of his lawful fees to make or deliver such copy or copies as aforesaid the orphans' court of the county may on petition filed by the person so applying to the register make and enforce such order upon said register as may be necessary to enforce his duty as aforesaid

Section 15 In any case in which a last will or testamentary paper shall have been duly proved before the register of wills for any county of this Commonwealth and shall relate to real estate in any county thereof it shall be lawful to take from the office of such register a copy of said will or paper and of the probate thereof duly certified by such register under his seal of office to be a full and perfect copy of the same and to file the said copy in the office of the register of wills in any county in which any of the real estate owned by the testator may be which said register shall forthwith record the said copy And the record of such copy shall be and is hereby declared to be as valid and effectual in law as the original will or paper after probate or its duly certified copy or its record would be for all purposes of vesting title of evidence and of notice

Like procedings may be had at the instance of any party interested to obtain the certification of all subsequent proceedings appearing in the records of the register of wills concerning such probate

Section 16 (a) The probate or refusal of probate by the register of the proper county of any will or any other paper purporting to be a will or codicil thereto shall be conclusive as to all property real or personal devised or bequeathed by such will or codical or other paper unless within two years from the date of such probate or refusal of probate those interested shall appeal from the decree of the register as herein provided Provided That all persons who would be sooner barred by this section taking immediate effect shall not be thereby barred before two years from the date thereof

(b) The last will of any decedent may be offered for probate at any time Provided That if such will shall not have been offered for probate within three years from the date of the death of the testator the same shall be void and of no effect against a bona fide conveyance or mortgage of the real estate of said decedent duly recorded before the date of the offering of said will for probate

Section 17 Whenever a caveat shall be entered against the admission of any testamentary writing to probate and the person entering the same shall allege as the ground thereof any matter of fact touching the validity of such writing it shall be lawful for the register at the request of any person interested to issue a precept to the court of common pleas of the respective county directing an issue to be formed upon the said fact or facts and also upon such others as may be lawfully objected to the said writing in substantially the following form viz

(LS) County ss The Commonwealth of Pennsylvania To the judges of the court of common pleas of the said county greeting Whereas A B on the day of in the year et cetera presented to G. H. our register of wills of said county for probate a certain writing hereto annexed purporting to have been made the day of in the year et cetera (or otherwise describing the paper in question) which said writing the said A B avers is the last will and testament of the said C D and whereas E. D. who is a son and heir of the said C D (or intermarried with F D who is a daughter and heir et cetera according to the fact) hath objected before our said register that the said writing was procured by duress and constraint (stating the matters of fact objected) and whereas the said A B (or E D) hath requested that an issue may be directed into our said court to try by a jury the validity of the said writing and the matters of fact which may be objected thereto in our said court therefore we commend you that you cause an action to be entered upon the records of our said court as of the day of the delivery of this our precept into the office of the prothonotary of our said court between the said A B and the said E D so that an issue therein may be formed upon the merits of the controversy between the said parties and tried in due course according to the practice of our said courts in actions commenced by writ and further that you cause all other persons who may be interested in the estate of the said C D as heirs relations or next of kin devisees legatees or executors to be warned so that they may come into our said court and become party to the said action if they shall see cause and that you certify the result of the trial so had in the premises into the office of our said register

Attest G H Register of Wills of the said county

And the facts established by the trial had and certified to the register as aforesaid shall not be re-examined by the said register nor upon any appeal from his decision

Section 18 Where a caveat is entered against the probate of any last will or testamentary paper or where there is a dispute as to such probate or as to the granting of letters testamentary or of administration the orphans' court of the county in which said will or testamentary paper has been offered for probate or said letters testamentary or administration have been applied for may by general rule or by special order in the case on the petition of the register of wills of said county or of any party interested direct said register to certify the entire record there to pertaining to said court which shall then determine whether the will or testamentary paper shall be admitted to probate or an issue devisavit vel non be directed to the court of common pleas of said county or whether said letters testamentary or of administration shall be granted in like manner is if the said will or testamentary paper had ben admitted to probate or said letters testamentary or of administration had been granted by said register and an appeal been taken to the orphans' court from his decree The record may be thus certified at any stage of the proceedings before the register and after its removal to the orphans' court no letters of administration pendente lite shall be granted by the register except by leave of the orphans' court on cause shown by any party interested

Section 19 Where objections are made or a caveat is entered against the probate of any last will and testament and no precept for an issue is directed by the register into the court of common pleas as aforesaid or where objections are made to the granting of letters testamentary or of administration to any person applying therefor or where any question of kindred or other disputable and difficult matter comes into controversy before any register he may certify the entire record thereto pertaining to the orphans' court of the county for the determination by said court of such disputable and difficult matter giving convenient notice of the time when the matter will be heard in said court to all persons interested

Section 20 (a) It shall not be lawful for any register of wills having jurisdiction of the probate of wills and the granting of letters testamentary and of administration within this Commonwealth to entertain consider or regard any caveat against the probate of any last will and testament or the granting of letters testamentary or of administration or any appeal from the probate of any such will or from the grant of any letters testamentary or of administration unless such caveator or caveators appellant or appellants shall within ten days after the filing of such caveat or appeal enter into a bond in the name of the Commonwealth of Pennsylvania with at least two sufficient sureties to be approved by the register in a penal sum of not less than five hundred dollars and not to exceed five thousand dollars as may be determined by the said register conditioned for the payment of all or any costs which may be occasioned by reason of such caveat or appeal and which may be decreed by such register or by the orphans' court to be paid by such caveator or appellant which bond shall remain on file in the office of such register

(b) In case no bond such as aforesaid shall be filed with the register within ten days after the filing of any caveat or appeal as aforesaid such caveat or appeal shall be considered as abandoned and shall be dismissed and proceedings may be had in all respects as if no such caveat or appeal had been filed

(c) Such registers of wills and the orphans' court of the proper county in all cases of appeal from the decree of the register shall have power and they are hereby directed in all cases which may be instituted or adjudicated before them or any of them and in all proceedings which may be had upon or by reason of any such caveat or appeal to determine what amount of costs has been incurred or oc-

casioned by the proceeding and to direct by whom such costs shall be paid and when such costs or any part thereof shall be finally adjudged and decreed to be paid by any aveator or appellant as aforesaid any party to whom such costs are due and payable or who may have advanced money to pay the same as the proceedings shall have progressed may institute an action in the proper court upon such bond for his own benefit or that of all other parties interested and may proceed thereon to final judgment and execution if the same shall be necessary as in other cases

(d) All the orders and decrees of the said register of wills relating to the amount and sufficiency of the security to be required by this section and to the taxation of costs in proceedings upon caveats and appeals before him as aforesaid shall be subject to the right of appeal to the orphans' court of the proper county by or on behalf of any and every person who may appear or have appeared before him as litigants or who may be affected by such order or decree

Section 21 (a) From all the judicial acts and proceedings of the several registers including all decisions granting an issue devisavit vel non in a contest concerning the validity of a will appeals may be taken to the orphans' court of the respective county within the term of two years Provided That any party entitled to appeal may be cited by such court to show cause why he should not appeal within six months from the date of such citation and on the failure of such party to show cause said court may make an order limiting the time for such appeal by said party to said period of six months

(b) No appeal from any decree of the register concerning the validity of a will or the right to administer shall suspend the powers or prejudice the acts of any executor or administer to whom letters have been granted

Section 22 In counties wherein separate orphans' courts are now or may be established the said courts shall establish a bill of costs to be chargeable to parties and to estates for the probate of wills and testaments and granting of letters testamentary and of administration and for all the services of the register of wills of such county in the transaction of the business of his office Provided That the tax to be paid to and received by the register for the use of the Commonwealth shall not be less than the sum now or hereafter fixed by law And provided further That in counties wherein no separate orphans' courts have been or shall be established the law as to fees to be charged by registers of wills shall remain as heretofore

Section 23 Whenever any proceedings before a register shall be wholly ended and the fees and costs accrued thereon shall remain during the space of thirty days thereafter due and unpaid such register may file a bill thereof under his hand and the seal of his office in the orphans' court of the county and upon the docketing thereof an execution may be issued in the name of the Commonwealth to levy the amount of the said bill in like manner as executions may issue out of the orphans' court to enforce payment of decrees of that court for the payment of money

Section 24 On the probate of any will and the granting of letters testamentary thereon also on the granting of any letters of administration every register shall demand and receive for the use of the Commonwealth in each case the sum of fifty cents

Section 25 This act shall be known and may be cited as the Register of Wills Act of one thousand nine hundred seventeen

Section 26 The following acts and parts of acts of assembly are hereby repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause

Sections one two five and eight of an act entitled "An act concerning the probates of written and nuncupative wills and for confirming devises of lands," passed one thousand seven hundred five one Smith's Laws thirty-three absolutely

Sections fourteen fifteen and sixteen of an act entitled "An Act for establishing orphans' courts" passed March twenty-seventh one thousand seven hundred thirteen one Smith's Laws eighty-one absolutely

An act entitled "An act for establishing in the city of Philadelphia and in each county of this State an office for the probate and registering of wills and granting letters of administration and an office for the recording of deeds" passed March fourteenth one thousand seven hundred seventy-seven one Smith's Laws four hundred forty-three in so far as it relates to registers of wills

Section five of an act entitled "An act to confer on certain associations of the citizens of this Commonwealth the powers and immunities of corporations or bodies politic in law" passed April sixth one thousand seven hundred ninety-one three Smith's Laws twenty absolutely

Section two of an act entitled "A supplement to the act entitled 'An act to establish the judicial courts of this Commonwealth in conformity to the alterations and amendments in the constitution'" passed September thirtieth one thousand seven hundred ninety-one three Smith's Laws fifty-eight absolutely

Section five of an act entitled "An act for the levy and collection of taxes upon proceedings in courts and in the offices of register and recorder and for other purposes" approved April sixth one thousand eight hundred thirty (Pamphlet Laws two hundred seventy-two) absolutely

Sections one to five inclusive seven to thirteen inclusive seventeen twenty-five thirty-one thirty-two thirty-six thirty-eight thirty-nine forty-two and forty-three of an act entitled "An act relating to registers and registers' courts" approved March fifteenth one thousand eight hundred thirty-two (Pamphlet Laws one hundred thirty-five) absolutely

Section ten of an act entitled "An act supplementary to an act passed the twenty-ninth day of March one thousand eight hundred and thirty-two entitled 'An act relating to orphans' courts' and relating to contracts of decedents and escheats in certain cases and relative to the district court of the city and county of Philadelphia and to registers of wills" approved April three one thousand eight hundred and fifty-one (Pamphlet Laws three hundred and five) absolutely

Sections four and five of an act entitled "An act for the preservation of the records of the courts" approved April nineteen one thousand eight hundred and fifty-six (Pamphlet Laws four hundred and fifty-eight) absolutely

Section 7 of an act entitled "An act for the greater certainty of title and more secure enjoyments of real estate" approved April twenty-second one thousand eight hundred and fifty-six (Pamphlet Laws five hundred and thirty-two) absolutely

An act entitled "An act relating to the fees and official bond of the register of wills in counties wherein separate orphans' courts are or may be herafter established" approved March twenty-fourth one thousand eight hundred and seventy-seven (Pamphlet Laws thirty-seven) absolutely

An act entitled "An act to provide for the recording of inventories and appraisements of decedents estates by the register of wills approved June twenty-fourth one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and fifty-five) absolutely

An act entitled "An act to authorize registers of wills and orphans courts to require security for costs and to apportion costs in cases of caveats and appeals" approved June sixth one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred and fifty-nine) absolutely

An act entitled "An act to provide for the recording of exemplifications of wills relating to real estate in the office of the register of wills for any county of this Commonwealth in which said real estate is situate and giving to the records of such exemplifications the same effect as the original wills of their duly certified copies or their records" approved April twenty-third one thousand eight hundred and eighty-nine (Pamphlet Laws forty-eight) absolutely

An act entitled "An act requiring all public records within this Commonwealth to be kept in the English language" approved May thirty-first one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and eighty-eight) in so far as it relates to wills and other instruments offered for probate or recording in the office of the register of wills

An act entitled "An act amending section seven of an act entitled 'An act for the greater certainty of title and more secure enjoyments of real estate' approved twenty-second day of April Anno Domini one thousand eight hundred and fifty-six relating to the time when the probate or refusal to probate a will shall be conclusive as to realty" approved June twenty-fifth one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and five) absolutely

An act entitled "An act authorizing appeals to orphans' courts from decisions of registers of wills granting issues devisavit vel non in cases of contested wills" approved February twenty-eighth one thousand nine hundred and five (Pamphlet Laws twenty-six) absolutely

An act entitled "An act providing that the last will of any decedent to be effective against bona fide conveyances or mortgages of the real or personal estate of the decedent must be offered for probate within three years from the date of the death of the testator or before the date of the recording of such conveyance or mortgage" approved April first one thousand nine hundred and nine (Pamphlet Laws seventy-nine) absolutely

An act entitled "An act to amend the second section of an act approved the twenty-fourth day of March Anno Domini one thousand eight hundred and seventy-seven entitled 'An act relating to the fees and official bond of the register of wills in counties wherein separate orphans' courts are or may be hereafter established' by removing the restriction as to population of the counties affected by the act" approved April twenty-seventh one thousand nine hundred and eleven (Pamphlet Laws eighty-seven) absolutely

All other acts of Assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1274, as follows:

An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the real and personal estate of a decedent whether male or female remaining after payment of all just debts and legal charges which shall not have been sold or disposed of by will or otherwise limited by marriage settlement shall be divided and enjoyed as follows namely

(a) Where such intestate shall leave a spouse surviving and one child only or shall leave a spouse surviving and no children but shall leave descendants of one deceased child the spouse shall be entitled to one-half part of the real and personal estate

(b) Where such intestate shall leave a spouse surviving and more than one child or one child and the descendants of a deceased child or children or the descendants of more than one deceased child the surviving spouse shall be entitled to one-third part of the real and personal estate

Section 2 (a) Where such intestate shall leave a spouse surviving and other kindred but no issue the surviving spouse shall be entitled to the real or personal estate or both to the aggregate value of five thousand dollars in addition in the case of a widow to the widow's exemption as allowed by law and if such estate shall exceed in value the sum of five thousand dollars the surviving spouse shall be entitled to the sum of five thousand dollars absolutely to be chosen by him or her from real or personal estate or both and in addition thereto shall be entitled to one-half part of the remaining real and personal estate Provided That the provisions of this clause shall apply only to cases of actual intestacy of husband or wife entire or partial and not to cases where the surviving spouse shall elect to take against the will of the deceased spouse

(b) The appraisement and setting apart of the said five thousand dollars in value of property shall be made by two appraisers who shall be appointed by the orphans' court having jurisdiction of the accounts of the personal representatives of such intestate and shall be sworn or affirmed to appraise the property which the surviving spouse shall choose under the provisions of this act Each of such appraisers shall receive as compensation for each day or fraction thereof necessarily employed in the performance their duties the sum of two dollars and fifty cents and such additional amount as may be allowed by said court

(c) Upon due proof of compliance with such requirements as to notice by advertisement or otherwise as may be prescribed by the orphans' court by general rule or otherwise such court may confirm such appraisement and set apart such personal or real estate or both to the surviving spouse subject to claims of creditors of the decedent and to the lien of debts of the decendent

(d) Whenever the surviving spouse of any intestate shall claim the said five thousand dollars in value or any part thereof under the provisions of this act out of real estate left by said intestate and the real estate appraised cannot be divided so as to set apart the amount so claimed in value without prejudice to or spoiling the whole or any parcel of said real estate and the appraisers shall appraise and value the same at any sum exceeding the amount so claimed it shall be lawful for the orphans' court to which such application shall be made to confirm such appraisement and to set apart for the use of the surviving spouse such real estate conditioned however that the said surviving spouse shall pay the amount of the valuation or appraisement in excess of the amount so claimed within one year from the date of confirmation of such valuation If the said surviving spouse shall refuse to take the real estate at such appraisement or shall fail to make payment as above provided the court on application of any person interested shall direct the executor or administrator to sell the same and the procedure in such case shall be the same as is provided by law in cases of sales of real estate for the payment of debts of a decedent

(e) The real estate if taken by the surviving spouse as aforesaid shall vest in him or her and his or her heirs or assigns upon his or her paying the surplus over and above the sum of five thousand dollars or such part thereof as may be claimed out of the real estate to the parties entitled thereto Where the real estate is sold as provided in clause (d) of this section the sum of five thousand dollars or such part thereof as may be claimed out of the real estate shall be paid out of the purchase money to the surviving spouse and the balance after payment of costs and expenses shall be distributed to the heirs or other persons legally entitled thereto

(f) In all cases where the appraisement of property real or personal or both is confirmed and the property set apart to the surviving spouse under the provisions of this section said surviving spouse shall be entitled to receive for his or her own use the net rents income interest and dividends thereof from the date of the death of such intestate Where the property set apart shall consist of real estate appraised at a sum in excess of five thousand dollars or such part thereof as may be claimed out of the real estate and the surviving spouse shall fail to pay the excess over the amount so claimed as provided in clause (d) of this section and the property shall thereupon be sold there shall be deducted from the sum to be paid to said surviving spouse out of the proceeds of such sale a proportionate part of the rents and income of such real estate received by such surviving spouse

(g) Whenever the surviving spouse of any intestate shall claim the said five thousand dollars in value or any part thereof under the provisions of this section out of real estate left by said intestate and lying in any county of this state other than the county wherein said intestate shall be domiciled at the time of his or her death and the orphans court having jurisdiction of the accounts of the personal representatives of said intestate shall be staisfied upon petition filed of the property of allowing such claim the court may make a decree authorizing such surviving spouse to file his or her petition in the orphans court of the county wherein such real estate may lie or in a case where the real estate is divided by a county line in the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county praying for the appointment of two appraisers

Upon the filing of such petition duly verified the latter court shall appoint such appraisers who shall be duly

sworn or affirmed and shall appraise said real estate and shall be compensated as provided in clause (b) of this section and proceedings shall thereupon be had in said court and subject to its supervision and control in the same manner and with the same effect as is provided in clauses (c) (d) (e) and (f) of this section In every such case a certified copy of the decree confirming such appraisement or if such decree of sale and the confirmation thereof as the case may be shall forthwith be filed with the clerk of the orphans court having jurisdiction of the accounts of the personal representatives of said intestate

The court having jurisdiction of the accounts shall in all cases have exclusive jurisdiction of the distribution of the surplus paid by such surviving spouse or of the proceeds of such sale after the payment of costs and expenses as the case may be

(h) In all cases where a decree shall be entered by any orphans court confirming an appraisement of real estate and setting apart the same for the use of the surviving spouse a certified copy of such decree shall be recorded in the office of the recorder of deeds of each county where such real estate shall lie in the deed book and shall be indexed by the recorder in the grantors index under the name of the decedent and in the grantees index under the name of the surviving spouse and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate if any there be in said county and the charges for recording and registering shall be the same as are provided by law for similar services and shall be paid by said surviving spouse

Section 3 The shares of the estate directed by this act to be allotted to the widow shall be in lieu and full satisfaction of her dower at common law so far as relates to land of which the husband died seised and her share in lands aliened by the husband in his lifetime without her joining in the conveyance shall be the same as her share in lands of which the husband died seised The widow shall be entitled to the same share in an estate in remainder vested in interest in the husband during his lifetime although the particular estate shall not terminate before the death of the husband

Section 4 The shares of the estate directed by this act to be allotted to the surviving husband shall be in lieu and full satisfaction of his curtesy at common law The surviving husband shall be entitled to the same share in an estate in remainder vested in interest in the wife during her lifetime as in property of which she dies seised although the particular estate shall not terminate before the death of the wife

Section 5 No husband who shall have for one year or upwards previous to the death of his wife wilfully neglected or refused to provide for his wife or shall have for that period or upwards wilfully and maliciously deserted her shall have the right to claim any title or interest in her real or personal estate after her decease under the provisions of this act

Section 6 No wife who shall have for one year or upwards previous to the death of her husband wilfully and maliciously deserted her husband shall have the right to claim any title or interest in his real or personal estate after his decease under the provisions of this act

Section 7 The real and personal estate of such intestate not hereinbefore given to the surviving spouse if any there be distributed among his or her issue according to the following rules and order of succession namely

(a) If such intestate shall leave children but no other descendant being the issue of a deceased child the estate shall descend to and be distributed among such children

(b) If such intestate shall leave grandchildren but no child or other descendant being the issue of a deceased grandchild the estate shall descend to and be distributed among such grandchildren

(c) If such intestate shall leave descendants in other degrees of consanguinity however remote from him and all in the same degree of consanguinity to him the estate shall descend to and be distributed among such descendants

(d) If such intestate shall leave descendants in different degrees of consanguinity to him the more remote of them being the issue of a deceased child grandchild or other descendant the estate shall descend to and be distributed among them as follows namely

1 Each of the children of such intestate shall receive such share as such child would have received if all the children of the intestate who shall then be dead leaving issue had been living at the death of such intestate

2 Each of the grandchildren if there shall be no children in like manner shall receive such share as he or she would have received if all the other grandchildren who shall then be dead leaving issue had been living at the death of the intestate and so in like manner to the remotest degree

3 In every such case the issue of such deceased child grandchild or other descendant shall take by representation of their parents respectively such shares only as would have descended to such parents if they had been living at the death of the intestates.

Section 8 In default of issue as aforesaid the real and personal estate of such intestate not hereinbefore given to the surviving spouse if any there be shall go to and be vested in the father and mother of such intestate or if either the father or mother be dead at the time of the death of the intestate the parents surviving shall take such real and personal estate.

Section 9 In default of issue father and mother the real and personal estate of such intestate not hereinbefore given to the surviving spouse if any there be shall descend to and be distributed among the collateral heirs and kindred of such intestate without distinction between those of the whole and those of the half blood according to the following rules and order of succession namely

(a) If such intestate shall leave brothers and sisters or either and no nephew or niece or child of a deceased nephew or niece being the issue of a deceased brother or sister the real and personal estate shall descend to and be distributed among such brothers and sisters

(b) If such intestate shall leave neither brother nor sister and no child of any deceased nephew or niece being the issue of a deceased brother or sister but nephews or nieces being the children of such deceased brother or sister the real and personal estate shall descend to and be distributed among such nephews and nieces

(c) If such intestate shall leave neither brother nor sister nor any nephew or niece being the child of such deceased brother or sister but children of deceased nephews or nieces the real and personal estate shall descend to and be distributed among such children of deceased nephews or nieces

(d) If such intestate shall leave brothers or sisters and nephews or nieces being children of a deceased brother or sister and children of deceased nephews or nieces being issue of deceased brothers and sisters or shall leave members of any two of these three classes the real and personal estate shall descend to and be distributed among such brothers and sisters nephews and nieces and children of deceased nephews and nieces as follows namely

Each brother and sister shall receive such share as he or she would have received if all the brothers and sisters who died before the intestate leaving children or children of deceased children surviving the intestate had been living at the death of the intestate

Each nephew and niece if the intestate shall leave any brother or sister shall receive an equal portion of the share which his or her parent would have taken if then living which portion shall be what he or she would have taken if all the children of his or her parent who died before the intestate leaving children surviving the intestate had been living at the death of the intestate but if such intestate shall leave neither brother nor sister the nephews and nieces shall take per capita

Each child of a deceased nephew or niece whether the intestate shall leave members of one or both of the other classes shall receive an equal portion of the share at the death of the intestate

Section 10 In default of all persons hereinbefore described the real and personal estate of the intestate shall descend to and be distributed among the grandparents or descendants of deceased grandparents of such intestate and in default thereof to the next of kin to such intestate

Section 11 The grandchildren of brothers and sisters and the children of uncles and aunts shall be entitled to take by representation the shares of real and personal estate which their parents would have taken if living but except as hereinafter provided there shall be no representation admitted among collaterals after the grandchildren of brothers and sisters and the children of uncles and aunts

Section 12 If the next of kin of an intestate entitled to take under the provisions of this act shall be one or more than one grandparent of such intestate and there shall be living at the time of the decease of such intestate children or other descendants of any deceased grandparent then the children or other descendants of any such deceased grandparent shall represent the grandparent so deceased and shall take the share of real or personal estate to which such deceased grandparent would be entitled if living

The issue of any such deceased grandparent shall take according to the following rules of succession namely

(a) If there be only children of such deceased grandparent the share of such deceased grandparent shall descend to and be distributed among such children

(b) If there be grandchildren of such deceased grandparent and no other descendants being children of a deceased grandparent shall descend to and be distributed among such grandchildren

(c) If there be decendants of such deceased grandparent in any other degree however remote from him and all in the same degree of consanguinity to him the share of such deceased grandparent shall descend to and be distributed amony such descendants

(d) If there be descendants of such deceased grandparent in different degrees of consanguinity to him the more remote of them being the issue of a deceased child grandchild or other descendant the share of such deceased grandparent shall descend to and be distributed among them as follows namely

1 Each of the children of such deceased grandparent shall receive such share as such child would have received if all the children of such deceased grandparent who shall then be dead leaving issue had been living at the death of the intestate

2 Each of the grandchildren if there shall be no children of such deceased grandparent in like manner shall receive such share as he or she would have received if all the other grandchlidren who shall then be dead leaving issue had been living at the death of the intestate and so in like manner to the remotest degree

3 In every such case the issue of such deceased child grandchild or other descendant of such deceased grandparent shall take by representation of their parents respectively such share only as would have descended to such parents if they had been living at the death of the intestate

Section 13 In all such cases where under the provisions of this act the real estate shall decend to and the personal estate shall be distributed among the next of kin of an intestate the real as well as the personal estate shall pass to

and be enjoyed by such next of kin without regard to the ancestor or other relation from whom such estate may have come it being the true intent and meaning of this act that the rule excluding from the inheritance of real estate persons not of the blood of the ancestor or other relation from whom such real estate descended or by whom it was given or devised to the intestate be abrogated and that the heir at common law shall not take in any case to the exclusion of other heirs and kindred standing in the same degree of consanguinity with him to the intestate

Section 14 Except as otherwise provided in section fifteen the foregoing provisions of this act relative to descent and distribution of real and personal estate among the heirs and next to kin of intestates shall be construed to mean such persons only as may have been born in lawful wedlock

Section 15 (a) The mother of an illegitimate child her heirs and next of kin the maternal grandfather and grandmother of said illegitimate child and said illegitimate child its heirs and next of kin shall have capacity to take or inherit from each other personal estate as next of kin and real estate as heirs under the foregoing provisions of this act in the same manner and to the same extent as if said child or children had been born in lawful wedlock

(b) Every illegitimate child shall be considered as a brother or sister to every other child of its mother legitimate or illegitimate

(c) The intent of this section is to legitimate an illegitimate child only so far as is provided by clauses (a) and (b) hereof This section is not intended to change the existing law with regard to the father of such a child and his heirs and next of kin

(d) In any and every case where the father and mother of an illegitimate child or children shall enter into the bonds of lawful wedlock or shall heretofore have entered into the bonds of lawful wedlock such child or children shall be legitimated for all purposes of inheritance by from or through such child or children under the provisions of this act as if he or they had been born during the wedlock of his or their parents

Section 16 (a) Any minor or adult person adopted according to law and the adopting parent or parents shall respectively inherit and take by devolution from and through each other personal estate as next of kin and real estate as heirs under the provisions of this act as fully as if the person adopted had been born a lawful child of the adopting parent or parents

(b) The person adopted shall for all purposes of inheritance and taking by devolution be a member of the family of the adopting parent or parents The adoptive relatives of the person adopted shall be entitled to inherit and take from and through such person to the exclusion of his or her natural parents grandparents and collateral relatives but the surviving spouse of such adopted person and the children and descendants of such adopted person shall have all his her and their respective rights under this act Adopted persons shall not be entitled to inherit or take from or through their natural parents grandparents or collateral relatives but each adopted person shall have all his or her rights under this act in the estates of his or her spouse children and descendants

Section 17 (a) In default of known heirs or kindred competent as aforesaid the real estate of such intestate shall be vested in the surviving spouse of such intestate if any and the surviving spouse shall be entitled to the whole of the personal estate

(b) If any person shall die or has died intestate leaving a surviving spouse and no known heirs or kindred such surviving spouse his or her heirs or legal representatives may at any time after the expiration of one year from the death of such intestate and after final settlement of the administration accounts of such intestate present a petition to the orphans' court of the county wherein any real estate of such intestate may lie or in the case of personal estate to the orphans' court having jurisdcition of said administration accounts setting forth that the said intestate died leaving no known heirs or kindred and seised or possessed of real or personal estate which by virtue of this act vested in such surviving spouse Such petition shall be verified by the oath or affirmation of the party petitioning or of some other person knowing the facts

Upon the presentation of said petition the said court shall grant a citation to all the heirs or other persons interested or claiming any interest in said estate to appear in said court at some time certain and show cause why a decree should not be made ordering and directing in the case of real estate that the title thereto be adjudged to be in such surviving spouse his or her heirs or in the case of personal estate that the administrator or administrators of the estate of said intestate shall pay over to such surviving spouse his or her legal representatives the balance of such intestates estate in his or their hands Notice of such citation shall be published for such length of time and in such manner as the court in its discretion shall think proper

If upon the return of the citation and due proof of publication thereof agreeably to the order of the court no heirs or kindred claiming said estate shall appear nor any good cause be shown to the contrary the court shall order and decree as aforesaid and in the case of real estate a certified copy of such decree shall be recorded in the office of the recorder of deeds of the county where said real estate shall lie in the deed book and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name of the surviving spouse and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate if any there be in said county The charges for recording and registering shall be the same as are provided by law for similar services The record of such decree shall be deemed and held to be prima facie proof of the facts therein set forth with like force and effect as such citation any person or persons shall appear in court claiming to be heirs or kindred of such intestate whose rights to the said estate shall be disputed by such surviving spouse his or her heirs or legal representatives then the court may direct an issue to determine the matter or may make such order therein as they shall think proper

In all cases the decree of such court entered upon the failure of any heirs or kindred to appear or after the trial of such an issue or otherwise shall not be subject to be reopened by said court after the expiration of six months from the date of its entry except as herinafter provided Any such cause may be remived by appeal to the Supreme Court or Superior Court in the same manner as appeals are now taken by law in cases determined in the orphans' court or tried by jury upon issues directed by that court Where the record in such cause is thus removed to an appellate court the six months' period within which the decree is subject to be reopened by the orphans' court shall cease to run until the return of the record from the appellate court

Section 18 The real estate of such intestate shall be vested in the person or persons entitled thereto under the provisions of this act for such estate as the intestate had therein and such person or persons shall be entitled to the personal estate absolutely

Section 19 Wherever real or personal estate shall descend to or be distributed among several persons whether lineal or collateral heirs or kindred standing in the same degree of consanguinity to the intestate if there shall be only one of such degree he shall take the whole of such estate and if there shall be more than one they shall take in equal shares and if real estate shall hold the same as tenants in common

Section 20 Descendants and relatives of an intestate begotten before the death of the intestate and born thereafter shall in all cases inherit and take in like manner as if they had been born in the lifetime of such intestate

Section 21 All relatives and persons concerned in the estate of any intestate who shall not lay legal claim to their respective shares of the personal estate within seven years of the decease of the intestate shall be debarred from the same forever Provided That if any such relative or person shall at the time of the decease of the intestate be within the age of twenty-one years he or she shall be entitled to receive and recover the same if he or she shall lay legal claim thereto within seven years after coming to full age

Section 22 If any person other than a surviving spouse entitled under the provisions of this act to inherit or take real or personal property from such intestate shall have any estate by settlement of such intestate or shall have been advanced by him in his lifetime either in real or personal estate the amount of such settlement or advancement shall be charged against the share of the person who shall have received it so that the total amount received by him including the amount of such settlement or advancement shall not exceed the amount received by each of the other persons who are equally entitled under the provisions of this act to inherit or take from said intestate

Section 23 No person who shall be finally adjudged guilty either as principal or accessory of murder of the first or second degree shall be entitled to inherit or take any part of the real or personal estate of the person killed as surviving spouse heir or next of kin to such person under the provisions of this act

Section 24 In default of all such known heirs or kindred or surviving spouse competent to take as aforesaid the real and personal estate of such intestate shall go to and be vested in the Commonwealth by escheat

Section 25 Nothing in this act contained relative to a distribution of personal estate among kindred shall be construed to extend to the personal estate of an intestate whose domicile at the time of his death was out of this Commonwealth

Section 26 This act shall be known and may be cited as the Intetsate Act of nineteen hundred and seventeen

Section 27 This act shall take effect on the thirty-first day of December nineteen hundred and seventeen and shall apply to the estates real and personal of all persons dying intestate on or after said day As to the estates real and personal of all persons dying before that day the existing laws shall remain in full force and effect

Section 28 This act of Assembly is intended as an entire and complete system for the descent and distribution of the estates real and personal of persons dying intestate The following acts and parts of acts of assembly are hereby repealed as respectively indicated but so far only as relates to the estates real and personal of any person or persons dying intestate on or after the thirty-first day of December nineteen hundred and seventeen The repeal of the first section of an act shall not repeal the enacting clause

Sections three to thirteen inclusive and eighteen of an act entitled "An act directing the descent of intestates' real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nineteenth seventeen hundred and ninety-four three Smith's Laws one hundred forty-three absolutely

Sections five six and seven of an act entitled "An act supplementary to the act entitled 'An act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned' " passed April fourth seventeen hundred and ninety-seven three Smith's Laws two hundred ninety-six absolutely

An act entitled "An act for the settlement of the estates of intestates where some of the heirs reside out of the State" approved March thirteenth eighteen hundred and fifteen (Pamphlet Laws one hundred and seventy-three)

An act entitled "An act relative to escheated estates" approved January twenty-first eighteen hundred and nineteen (Pamphlet Laws twenty-five) absolutely

An act entitled "A supplement to an act entitled 'An act relative to escheated estates' passed the twenty-first of January eighteen hundred and nineteen" approved April sixth eighteen hundred and thirty-three (Pamphlet Laws two hundred and seven) absolutely

An act entitled "An act relating to the descent and distribution of the estates of intestates" approved April eighth eighteen hundred and thirty-three (Pamphlet Laws three hundred and fifteen) absolutely

Section nine of an act entitled "A supplement to an act entitled 'An act relative to the LeRaysville Phalanx' passed March Anno Domini one thousand eight hundred and forty-seven and relative to obligors and obligees to secure the right of married women in relation to defalcation and to extend the boundaries of the borough of Ligonier" approved April eleventh eighteen hundred and forty-eight (Pamphlet Laws five hundred and thirty-six) in so far as it relates to the distribution of the personal estate of a deceased married woman and section ten of said act absolutely

Section two of an act entitled "An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate" approved April twenty-seventh eighteen hundred and fifty-five (Pamphlet Laws three hundred sixty-eight) absolutely and section three of said act in so far as it relates to inheritance

Section five and the proviso to section seven of an act entitled "An act relating to certain duties and rights of husband and wife and parents and children" approved May fourth eighteen hundred and fifty-five (Pamphlet Laws four hundred and thirty) absolutely

An act entitled "An act to legitimate children born out of lawful wedlock" approved May fourteen eighteen hundred and fifty-seven (Pamphlet Laws five hundred and seven) in so far as it relates to inheritance

An act entitled "An act permitting illegitimates to inherit from each other in certain cases" approved June fifth eighteen hundred and eighty-three (Pamphlet Laws eighty-eight) absolutely

An act entitled "An act to facilitate the proof and record of the title of real estate vested in the heirs of certain intestates" approved June twentieth eighteen hundred and eighty-three (Pamphlet Laws one hundred and thirty-one) absolutely

An act entitled "An act providing for the manner in which estates of intestates shall be distributed where the distributees stand in the same degree of consanguinity to the intestate" approved June thirty eighteen hundred and eighty-five (Pamphlet Laws two hundred and fifty-one) absolutely

An act entitled "An act relating to the mode of inheriting from through or by a child or children adopted according to law and being a supplement to an act entitled 'An act relating to certain duties of husband and wife and parents and children' approved the fourth day of May one thousand eight hundred and fifty-five" approved April thirteenth eighteen hundred and eighty-seven (Pamphlet Laws fifty-three) absolutely

The proviso to section one of an act entitled "An act amending section seventh of an act entitled 'An act relating to certain duties of husband and wife and parents and children' approved the fourth day of May one thousand eight hundred and fifty-five" approved April thirteenth eighteen hundred and eighty-seven (Pamphlet Laws fifty-three) absolutely

The proviso to section one of an act entitled "An act amending section seventh of an act entitled 'An act relating to certain duties and rights of husband and wife and parents and children' approved the fourth day of May Anno Domini one thousand eight hundred and fifty-five providing that married men or women in case of drunkenness or profligacy of husbands or wives may consent to the adoption of their children" approved May nineteenth eighteen hundred and eighty-seven (Pamphlet Laws one hundred twenty-five) absolutely

An act entitled "An act relating to estates of intestates providing that children and descendants of deceased grandparents shall represent such deceased grandparents whenever grandparents are entitled as next of kin to intestates" approved May twenty-fifth eighteen hundred and eighty-seven (Pamphlet Laws two hundred and sixty-one) absolutely

The first proviso to section one of an act entitled "An act relating to the adoption of any person as an heir" approved May ninth eighteen hundred eighty-nine (Pamphlet Laws one hundred and sixty-eight) absolutely

An act entitled "An act to amend the third section of the act entitled 'An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate' approved the twenty-seventh day of April Anno Domini one thousand eight hundred and fifty-five providing that illegitimate children shall take their mother's name and she and her mother and they and their issue shall be capable to take or inherit from each other" approved June fourteenth eighteen hundred and ninety-seven (Pamphlet Laws one hundred and forty-two) in so far as it relates to inheritance

An act entitled "An act to allow legitimate and illegitimate children born from the same mother dying without children to inherit real and personal property from each other in exclusion to the grandmother of the illegitimate child or children as though they had been born in lawful wedlock" approved June tenth nineteen hundred and one (Pamphlet Laws five hundred fifty-one) absolutely

Sections two three and four of an act entitled "An act to regulate and define the legal relations of an illegitimate child or children its or their heirs with each other and the mother and her heirs" approved July tenth nineteen hundred and one (Pamphlet Laws six hundred and thirty-nine) absolutely

An act entitled "An act to amend an act entitled 'An act to regulate and define the legal relations of an illegitimate child or children its or their heirs with each other and the mother and her heirs' approved the tenth day of July Anno Domini one thousand nine hundred and one and applying and extending it to all cases now pending where the estate of such illegitimate or mother has not been actually paid to and received collateral heirs or the Commonwealth" approved March twenty-sixth nineteen hundred and three (Pamphlet Laws seventy) absolutely

The proviso to section one of an act entitled "An act to amend an act entitled 'An act amending section seventh of an act entitled 'An act relating to certain duties and rights of husband and wife and parents and children'" approved the fourth day of May Anno Domini one thousand eight hundred and fifty-five providing that married men or women in case of drunkenness or profligacy of husbands or wives may consent to the adoption of their children" approved April twenty-second nineteen hundred and five (Pamphlet Laws two hundred and ninety-seven) absolutely

An act entitled "An Act relating to the descent and distribution of the estates of intestates' passed and approved April eighth one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestate" approved April first nineteen hundred and nine (Pamphlet Laws eighty-seven) absolutely

Sections three and four of an act entitled "An Act relating to the adoption of adult persons as heirs" approved June first nineteen hundred and eleven (Pamphlet Laws five hundred and thirty-nine) in so far as they relate to inheritance and devolution under the intestate laws

An act entitled "A supplement to an act entitled 'An act to amend section one of an act entitled "An act relating to the descent and distribution of the estates of intestates" passed and approved April eighth one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestate' approved April first Anno Domini one thousand nine hundred and nine" approved July twenty-first nineteen hundred and thirteen (Pamphlet Laws eight hundred and seventy-two) absolutely

An act entitled "An act amending article two of section one of an act entitled 'An act relating to the descent and distribution of the estates of intestates' approved the eighth day of April one thousand eight hundred and thirty-three as amended by further regulating the appointment and number of appraisers" approved July twenty-first nineteen hundred and thirteen (Pamphlet Laws eight hundred and seventy-five) absolutely

An act entitled "An act to amend an act approved the fourth day of May one thousand eight hundred and fifty-five entitled 'An act relating to certain duties and rights of husband and wife and parents and children'" approved May third nineteen hundred and fifteen (Pamphlet Laws two hundred and thirty-four) absolutely

An act entitled "An act amending section one of an act entitled 'An Act amending section seven of an act entitled "An act relating to certain duties and rights of husband and wife and parents and children" approved the fourth day of May Anno Domini one thousand eight hundred and fifty-five providing that married men or women in case of drunkenness or profligacy of husbands or wives may consent to the adoption of their children' approved the nineteenth day of May Anno Domini one thousand eight hundred and eighty-seven" approved May twenty-eighth nineteen hundred and fifteen (Pamphlet Laws five hundred and eighty) in so far as it relates to inheritance and devolution under the intestate laws

All other acts of assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed so far as relates to the estates real and personal of any person or persons dying intestate on or after the thirty-first day of December nineteen hundred and seventeen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1275, as follows:

An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiducaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate

as assets for payment thereof the lien thereof sales and mortgags of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiducaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiducaries refunding bonds transcripts to the court of common pleas of balances due by fiducaries the rights powers and liabilities of non-resident and foreign fiducaries the appointment bonds rights powers duties and liabilities of trustees curante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciraies concerned with the estates of decedents

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That as used in this act the term "fiduciary" shall include executors administrators guardians and trustees whether domiciliary or ancillary subject to the jurisdiction of the orphans' court of any county of this Commonwealth

Section 2 (a) Letters testamentary and of administration shall be grantable only by the register of wills of the county within which was the family or principal residence of the decedent at the time of his decease and if the decedent had not such residence in this Commonwealth then ancillary letters testamentary or of administration shall be grantable only by the register of the county where the principal part of the goods and estate of such decedent within this Commonwealth shall be

(b) No letters testamentary or of administration shall in any case be originally granted upon the estate of any decedent after the expiration of twenty-one years from the day of his decease except on the order of the orphans' court upon due cause shown

(c) Whenever letters of administration are by law necessary the register having jurisdiction shall grant them in such form as the case shall require to the widow if any of the decedent or to such of his relations or kindred as by law may be entitled to the residue of his personal estate or to a share or shares therein after payment of his debts or he may join with the widow in the administration such relations or kindred or such one or more of them as he shall judge will best administer the estate preferring always of those so entitled such as are in the nearest degree of consanguinity with the decendent and also preferring males to females and in case of the refusal or incompetency of every such person to one or more of the principal creditors of the decedent applying therefor or to any fit person at his discretion Provided That if such decedent

was a married woman her husband shall be entitled to the administration in preference to all other persons and Provided further That in all cases of an administration with a will annexed where there is a general residue of the estate bequeathed the right to administer shall belong to those having the right to such residue and the administration in such case shall be granted by the register to such one or more of them as he shall judge will best administer the estate

(d) Every application to any register of wills for the issuance of letters testamentary or of administration shall be in the form of a petition duly verified by affidavit setting forth the residence and citizenship and the place day and hour of death of the decedent the estimated value of his property real and personal the location of his real property and in the case of an intestacy the names and residences of the surviving spouse if any and of the next of kin of the intestate together with an averment that the persons named are the surviving spouse and all the next of kin of the intestate

Section 3 (a) Whenever the executors named in any last will and testament shall all refuse or renounce the trust and execution thereof the register having jurisdiction as aforesaid may receive the probate of such will and grant letters of administration with it annexed to the persons by law entitled thereto

(b) Whenever a sole executor or the survivor of several executors shall die leaving goods or estate of his testator unadministered the register having jurisdiction shall notwithstanding such executor may have made his last will and testament and appointed an executor or executors thereof grant letters of administration of all such goods and estate in the same manner as if the executor had died without having made any testament or last will and the executor of such deceased executor shall in no case be deemed executor of the first testator

(c) In all cases where the administration of the estate of any decedent shall become vacant by reason of death or of any decree of the orphans' court or from any other cause the register having jurisdiction shall on proper proof being made of the fact grant new letters in such form as the case shall require to the person or persons by law entitled thereto

(d) All and singular the powers duties and liabilities of executors are hereby extended to administrators with a will annexed

(e) Administrators de bonis non with or without a will annexed shall have power to demand and recover from their predecessors in the administration or their legal representatives all moneys goods and assets remaining in their hands due and belonging to the estate of the decedent and to commence and prosecute actions upon promises made to such predecessors in their representative character and to take and defend appeal and sue forth and defend writs of scire facias and writs of execution upon judgments obtained by or in the name of the executors or administrators into whose place they may have come and also to proceed with and perfect all unexecuted executions which may have been issued thereon at the instance of such predecessors Provided That when any suit shall have been brought by an administrator de bonis non for the recovery of moneys goods or assets remaining in the hands of his predecessors or their legal representatives before they shall have settled their final administration account the court in which such action shall be brought shall have power to stay the proceedings therein on the defendants' filing such an account in the register's office of the proper county within a reasonable time to be fixed by said court until said account shall have been finally settled and confirmed and on the production of a certified copy of said account so settled and confirmed the court in which such suit shall be pending is hereby authorized and required to render judgment for the balance which shall thereby appear to be due to either party

Section 4 The register of wills having jurisdiction may when the circumstances of the case require grant to any fit person or persons letters of administration durante minoritate durante absentia or pendente lite security to be entered as in other cases of administration

Section 5 All such acts of administration as would be in due course of law in case of intestacy if done in good faith and without notice of a will and all such acts of any executor as would be in due course of law if the will under which letters testamentary were issued were the last will of the testator and if done in good faith and without notice of a later will shall not be impeached though a will or a later will should afterward be discovered and established

Section 6 (a) Whenever hereafter any person shall be presumed to be dead on account of absence for seven or more years from the place of his or her last domicile whether the same be within this Commonwealth or in any other state territory or possession of the United States or in any foreign country any person entitled under the last will and testament of such presumed decedent or under the intestate laws to any share in his or her estate within this Commonwealth or the escheater for the Commonwealth may present a petition to the orphans' court of the county of such person's last residence or where the presumed decedent was a non-resident of this Commonwealth in the orphans' court of the county where the greater part of his property within this Commonwealth may be situated setting forth the facts which raise the presumption of death The said court if satisfied as to the person who would be entitled to letters testamentary or of administration were the presumed decedent in fact dead shall cause to be advertised in a newspaper published in said county once a week for four successive weeks together with such other advertisement as the court according to the circumstances of the case shall deem expedient or advisable the fact of such application together with notice that on a day certain which shall be at least two weeks after the last appearance of said advertisement the court or master appointed by the court for that purpose will hear evidence concerning the alleged absence of the presumed decedent and the circumstancs and duration threof

(b) Whenever hereafter letters of administration or letters testamentary shall have been granted in any other state territory or possssion of the United States or in any foreign country on the estate of a resident thereof presumed to be dead on account of absence for seven or more years from the place of his last domicile it shall be lawful for the person or persons or trust company to whom such letters have been granted to present a petition to the orphans' court of the county within this Commonwealth in which all or the greater portion of the estate of said presumed decedent may be found accompanied by a complete exemplification of the record of the grant of such letters praying for the grant of ancillary letters testamentary or of administration upon the estate of such presumed decedent situate owing or belonging to him within this Commonwealth The said court if satisfied that the person or trust company proposed in such petition would be a fit person or company to whom such letters might be issued shall cause publication to be made in the manner and for the period as provided in clause (a) of this section of the fact of such application together with notice that on a day certain which shall be at least two weeks after the last appearance of said advertisement the court or a master appointed for the purpose will hear evidence concerning the alleged absence of the presumed decedent and the circumstances and duration threof

(c) At the hearing in either of the cases provided for in the preceding clauses of this section the orphans' court shall take such legal evidence as shall be offered for the purpose of ascertaining whether the presumption of death is established or may appoint a master to take such testimony and report his findings thereon and no person shall be disqualified to testify by reason of his or her relationship as husband or wife to the presumed decedent or of his or her interest in the estate of the presumed decedent

(d) If satisfied upon such hearing or upon the report of such master that the legal presumtion of death is made out the court shall so decree and the court may determine in such decree the date when such presumption arose and shall forthwith cause to be published for three successive weeks in the manner provided in clause (a) of this section a notice requiring the presumed decedent i falive to produce in court satisfactory evidence of his continuance in life such evidence to be produced within twelve weeks from the date of the last publication of the notice in the case of an original application for the grant of letters and within four weeks from such date in the case of an application for ancillary letters

(e) If within said period evidence satisfactory to the orphans' court of the continuance in life of the presumed decedent shall be presented said decree shall be vacated but if such evidence shall not be forthcoming such recree shall be confirmed absolutely and it shall be the duty of the court to order the register of wills to issue letters of administration to the person thereto entitled or to receive for probate the last will and testament of such presumed decedent and if duly proved to admit the same to probate and issue letters until revoked and all acts done in pursuance thereof and in reliance thereupon shall be as valid as if the presumed decedent were really dead

(f) Whenever the said court shall enter a decree that the presumption of death of any person has been established and such decree shall be confirmed absolutely the real estate of the presumed decedent shall pass and devolve as in the case of actual death and the persons entitled by will or under the intestate laws may enter and take possession In case the presumption of death is thereafter rebutted by adequate proof that the presumed decedent is in fact alive and said decree is vacated said real estate shall revert to him as fully as though such decree had never been entered subject however to payment of the costs and expenses of the proceedings and advertisement aforesaid Such decree when confirmed absolutely may be recorded in the office of the recorder of deeds of the proper county in the deed-book and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the names of the persons taking the real estate and if so recorded and the persons taking the real estate sell or mortgage the same the purchaser or mortgagee shall take a good title free and discharged of any interest or claim of the presumed decedent but the persons taking such real estate shall not sell convey or mortgage the same or any part thereof without first giving bond in an amount to be fixed by the orphans' court and with sureties to be approved by said court conditioned to account for and pay over to the presumed decedent in case he is actually alive the value of the real estate sold or conveyed or in case of the making of a mortgage to pay the amount of the mortgage and interest thereon or in case of a foreclosure of such mortgage to account for and pay over the value of the real estate mortgaged When the presumed decedent shall have been absent and unheard of for twenty-one years such bond shall be taken without sureties

(g) The executor or administrator to whom letters have been issued upon the estate of a presumed decedent as aforesaid shall administer the estate in the same manner and with the same effect as the same would be administered under existing laws of this Commonwealth if the presumed decedent were in fact dead and the or-

phans' court at the audit of the account of an ancillary administrator of a presumed decedent shall decree the balance if any shown thereby to the expense of administration and the debts of the presumed decedent due to residents of this Commonwealth and the overplus if any to the executor or administrator of said presumed decedent in the foreign jurisdiction for the purpose of administration and distribution

(h) Before any distribution of the proceeds of the estate of such presumed decedent the persons other than creditors entitled to receive the same shall respectively give sufficint real or personal security to be approved by the orphans' court having jurisdiction in such sum and form as the court shall direct with condition that if the said presumed decedent shall in fact be at the time alive they will respectively refund the amounts received by each on demand with interest thereon If any person or persons entitled to reseive the same shall refuse or neglect or be unable to enter such security the orphans' court may upon petition of any person interested and upon due notice to all persons interested so far as such notice can reasonably be given appoint a suitable person or corporation as trustee to receive and hold the share of the distributee refusing or neglecting or being unable to enter security as aforesaid until the further order of the court such trustee not to be an insurer of the trust fund and to be liable to be person or persons interested therein only for such care prudence and diligence in the execution of the trust as other trustees are liable for If the said court shall be satisfied from the evidence adduced at the hearing to ascertain whether the presumption of death is established or from the report of the master that there is no likelihood of the presumed decedent's being still alive then the said court may at its discretion accept refunding bonds from the distributees of the presumed decedent's estate without requiring sureties thereon

(i) The orphans' court may revoke the said letters and vacate the decree that the presumption of death has been established at any time on due and satisfactory proof that the presumed decedent is in fact alive After such revication all the powers of the executors or administrator shall cease but all receipts or disbursements of assets and other acts previously done by him shall remain as valid as if the said letters were unrevoked The executor or administrator shall settel an account of his administration down to the time of such revocaton and shall transfer all assets remaining in his hands to the person as whose executor or administrator he has acted or to his duly authorized agent or attorney Nothing in this section contained shall validate the title of any person to any money or property received as surviving spouse next of kin heir legatee or devisee of such presumed decedent but the same may be recovered from such prson in all cases in which such recovery would be had if this act had not been passed

(j) After revocation of the letters and vacation of the decree that the presumption of death has been established the person erroneously presumed to be dead may on suggestion filed of record of the proper facts be substituted as plaintiff or petitioner in all actions or proceedings at law in equity or in any orphans' court brought by the executor or administrator whether prosecuted to judgment or decree or otherwise He may in all actions or proceedings previously brought against the executor or administrator be substituted as defendant or respondent on proper suggestion filed by himself or by proper service of writ or other process but shall not be compelled to go to trial in less than three months from the time of such suggestion filed or process served Judgments or decrees recovered against the executor or administrator before revocation and vacation as aforesaid of the letters and decree may be opened on application by the presumed decedent made within three months from the said revocation and supported by affidavit denying specifically on the knowledge of the affiant the cause of action or specifically alleging the existence of facts which would be a valid defense but if within the said three months such application shall not be made or being made the facts exhibited shall be adjudged an insufficient defense the judgment or decrees shall be conclusive to all intents saving the defendant's right to have it reviewed as in other cases on appeal Notwithstanding the substitution of the presumed decedent as defendant in any judgment or decree as aforesaid it shall continue as a lien upon his real estate in the county for the period of five years from the date of its entry as other judgments unless and until it shall be set aside by the court below or reversed in the proper appellate court

(k) Whenever hereafter letters testamentary or of administration shall be issued upon the estate of any person presumed to be dead on account of absence of seven years or more from the place of his last domicile in accordance with the foregoing provisions of this section the person having custody of any will which may have been left by such presumed decedent in case letters of administration have been issued or of any later will in case letters testamentary have been issued or any creditor or any person interested in the estate may file a petition in the orphans' court in which the proceedings to establish the death by presumption have been held as aforesaid setting forth the facts of the case a copy of said will or later will or an averment that such will exists and the names of all persons interested in the estate of the presumed decedent Upon the filing of such petition said court after due notice to all parties in interest may enter an order directing the register of wills to receive proof in support of the averments of said petition and if established to admit said will or later will to probate and if an executor be named in said will to revoke said letters of administration or in case an earlier will shall have been admitted to probate to set aside such probate and revoke the letters testamentary issued thereunder

(l) Thereupon the register of wills shall issue a citation to the person to whom letters of administration or letters testamentary have been issued as aforesaid and to all persons interested in the estate of the presumed decedent to appear upon a day fixed and to show cause why the said alleged will or later will should not be admitted to probate

(m) Upon the return of the citation if the register of wills shall be satisfied from all the evidence that may be adduced that the proposed will was in fact the last will and testament made by the presumed decedent before his departure or disappearance from his residence the said will shall be admitted to probate as if the testator were in fact dead If upon such probate it appears that an executor is named in the will the letters of amdinistration previously granted shall be revoked and letters testamentary shall be issued to said executor in the same manner and form as if the testator were in fact dead but if no executor shall be named in such will then a certified copy of said will shall be attached to the letters of administration theretofore issued or to a certified copy of such letters Thereafter the executor or administrator shall execute the said will according to its terms and all property of the decedent shall be distributed and pass as provided by said will to the several legatees and devisees named therein In case an earlier will shall have been admitted to provate the letters testamentary issued thereunder shall be revoked and letters shall be issued under the said last will or if no executor shall be named in said last will then letters of administration with the will annexed shall be issued to the person or persons entitled thereto

(n) The costs attending the issuance or revocation of letters shall be paid out of the estate of the presumed decedent and costs arising upon an application for letters which shall not be granted shall be paid by the applicant

Section 7 (a) Before any register shall issue letters of administration letters testamentary or of administration with the will annexed he shall administer an oath or affirmation to the person or persons receiving the same in the following form namely You do swear (or affirm) that as executor of the last will and testament (or as administrator of the estate) of A B deceased (as the case may be) you will well and truly administer the goods and chattels rights and credits of said deceased according to law and also will diligently and faithfully regard and well and truly comply with the provisions of the law relating to collateral inheritances

(b) In all cases where a corporation is or shall be charged with the execution of any trust the president vice-president trust officer secretary treasurer or actuary of such corporation shall make the oath or affirmation directed to be taken by private persons in such cases

Section 8 (a) It shall be the duty of every register upon his granting any letters of administration domiciliary or ancillary of the goods and chattels of any person dying intestate to take a bond or bonds from the person or persons receiving such letters with two or more sufficient individual sureties or sufficient corporate security or the register may in his discretion permit any corporation to which letters are granted to give its own bond without surety In fixing the amount of any bond respect shall be had to the value of the estate and all bonds shall be in the name of the Commonwealth with a condition in the following form namely The condition of this obligation is that if the above-bounden A B administrator of all and singular the goods chattels and credits of C D deceased do make or cause to be made a true and perfect inventory of all and singular the goods chattels and credits of the said decedent which have come or shall come to the hands possession or knowledge of him said A B or into the hands and possession of any other person or persons for him and the same so made do exhibit or cause to be exhibited into the registers office in the county of within thirty days from the date hereof and the same goods chattels and credits and all other the goods chattels and credits of the said deceased at the time of his death which at any time after shall come into the hands and possession of the said A B or into the hands and possession of any other person or persons for him do well and truly administer according to law and further do make or cause to be made a just and true account of his said administration at the expiration of six months from the date hereof or when thereunto required by the orphans court and all the rest and residue of the said goods chattels and credits which shall be found remaining upon the said administrators account the same being first examined and allowed by the orphans court of the county having jurisdiction shall deliver and pay into such person or persons as the said orphans court by their decree or sentence pursuant to law shall limit and appoint and shall well and truly comply with the laws of this Commonwealth relating to collateral inheritances and if it shall hereafter appear that any last will and testament was made by the said deceased and the same shall be proved according to law if the said A. B. being thereunto required do surrender the said letters of administration into the registers office aforesaid then this obligation to be void otherwise to remain in full force Provided That in every case of special administration the form of the foregoing condition shall be modified so as to suit the circumstances of such case

(b) It shall be the duty of the register of wills in granting letters of administration with the will annexed

to take a bond as prescribed in the foregoing clause that shall include adequate security for the faithful accounting for the proceeds of any sales of real estate the administrator may make under such will and the sureties taken shall be liable therefor as well as for any personal effects to come into the hands of the administrator who shall settle his account thereof before the orphans' court

(c) Before the register shall issue letters testamentary to any executor not being an inhabitant of this Commonwealth he shall take from him a bond with two or more sufficient individual sureties being inhabitants of this Commonwealth or with sufficient corporate security or the register may in his discretion permit any corporation to which such letters are granted to give its own bond without surety In fixing the amount of any bond respect shall be had to the value of the estate to be administered and all bonds shall be in the name of the Commonwealth with the following condition namely The condition of this obligation is that the said A B executor of the last will and testament of C D deceased shall make a true and perfect inventory of all and singular the goods chattels and credits of the said deceased being within this Commonwealth which have come or shall come to his hands possession or knowledge or into the hands and possession of any other person for him and the same so made do exhibit into the office of the register of the county of.....within thirty days from the date hereof and the same goods do well and truly administer according to law and make a just and true account of all his actings and doings therein at the expiration of six months from the date hereof or when thereunto legally required and shall faithfully account for the proceeds of any sales of real estate he may make under such will and shall well and truly comply with the laws of this Commonwealth relating to collateral inheritances and in all other respects with the laws of this Commonwealth relating to his duty as executor then this obligation to be void otherwise to remain in full force

(d) If any register shall grant letters testamentary to any person not being an inhabitant of of this Commonwealth or shall grant any letters of administration to any person or persons whatsoever without having in either case taken a bond in the manner hereinbefore prescribed such letters shall be void and every person acting under them shall be deemed and may be sued and in all respects treated as an executor of his own wrong and the register granting the same and his sureties shall be liable to pay all damages which shall accrue to any person by reason thereof

(e) In any case where application is made for letters testamentary or of administration on the estate of a decedent who was at the time of his death a fiduciary it shall be within the discretion of the register of wills to whom such application is made to require the person or corporation to whom such letters are issued to enter in addition to any other bond required by this act a bond in a sufficient amount with sureties as aforesaid or in case of a corporation its own bond with or without sureties condition for the proper application of the property held by such decedent as fiduciary and coming into the hands and possession of the person or corporation to whom such letters are issued

(f) All bonds taken by any register in pursuance of this act from any executor or administrator may be excepted to before such register by any person interested in respect of the sufficiency of the sureties therein or the amount of the bond or for any other cause Whenever any such exception shall be so made to any such bond the register shall give notice thereof to the executor or administrator and require him to appear before him in a reasonable time not exceding ten days and show cause against the allowance of such exception If upon the hearing of the objections of all persons interested and of such executor or administrator or of such of them as shall appear such register shall see cause he shall order such executor or administrator to find additional sureties or to give security in a larger amount or make such other order as the case may require If such executor or administrator shall refuse to comply with such order or if he shall neglect so to do during the space of thirty days after the making thereof the register shall revoke the letters granted to him and grant other letters in such form as the case shall require to the person by law next entitled thereto such person giving to such register the security by him ordered as aforesaid No such exception shall be so made or proceedings thereunto be had before the register after three months elapsed from the time of the filing of a full and perfect inventory by such executor or administrator of the whole of the estate in question

Section 9 (a) All bonds given or hereafter to be given by fiduciaries shall be held in trust for the use of the Commonwealth and such person or persons as may be interested therein and suits may be brought thereon from time to time by all persons interested therein as provided in the sixth section of the act entitled "An Act relating to bonds with penalties and official bonds" approved the fourteenth day of June eighteen hundred and thirty-six

(b) Whenever any fiduciary has heretofore given or shall hereafter give any bond conditioned for the due performance of his duties or for the accounting for money in his hands such fiduciary or any creditor beneficiary or other party in interest may present a petition to the orphans' court of the proper county alleging that the amount of such bond is greater than the exigencies of said trust require and setting forth the facts and circumstances upon which such allegation is based and praying that such bond be reduced to an amount which shall be stated in the petition At the hearing of said petition after such notice as the court may require if any the court may at its discretion reduce the bond to such an amount as it may deem proper and necessary to give adequate protection to all parties concerned but not to an amount lower than that specified in said petition The costs of said proceeding shall at the discretion of the court be paid out of the estate to protect which said bond was given or by the petitioner

(c) Any fiduciary required by law or by the order of any orphans' court to give a bond as such may include as a part of the lawful expense of executing his trust such reasonable sum paid to a company authorized under the laws of this State so to do for becoming his surety on such bond as may be allowed by the court in which he is required to account not exceeding however one per centum per annum on the amount of such bond

Section 10 The executors or administrators of every decedent shall immediately after the granting of letters testamentary or of administration to them cause notice thereof to be given in one newspaper published at or near the place where such decedent resided once a wek during at least six successive weeks together with their names and places of residence and in every such notice they shall request all persons having claims or demands against the estate of the said decedent to make known the same and all persons indebted to the said decedent to make payment to them without delay

Section 11 (a) It shal be the duty of the said executors or administrators to make a true and perfect inventory of all the goods chattels and credits of the deceased as far as they may know or can ascertain them and file the same in the register's office within thirty days from the time of administration granted Provided That in the case of a will of a decedent not resident at the time of his decease within this Commonwealth proved in another state or in a foreign country where of letters testamentary or of administration with the will annexed may be granted in this state or in a case of ancillary administration of the estate of a non-resident intestate the inventory herein mentioned shall be of the goods chattels and credits of the deceased within this Commonwealth

(b) In case of the failure or refusal of any executor or administrator to file an inventory as aforesaid the orphans' court shall have power on petition of any creditor of the decedent or any party in interest to issue a citation to such executor or administrator to show cause why he should not file such inventory and if no sufficient cause be shown on the return of such citation said court may order the filing of such inventory and may enforce such order by attachment as in other cases

(c) All bonds notes and other evidences of debt also all other claims and demands for money or any other personal property owned or held by the deceased at the time of his decease shall as far as the same may be known to his executors or administrators be included in the inventory to be made and returned as aforesaid

(d) The apointment of any person to be an executor shall in no case be deemed a release or extinguishment of any debt or demand which the testator may have had against him but such debt shall be included in the inventory and be subject to distribution like other personal estate

(e) The rents of any real estate accruing to any person as tenant for life of such estate who had demised the same for a term or time not fully expired at his decease shall go to and be vested in the executors or administrators of such tenant and the due proportion of such accruing rent to be computed according to the time elapsed at the decease of such tenant shall be included in the inventory of personal assets

(f) The arrearages of any rent-charge or other rent or reservation in nature of a rent due at the death of any tenant of such rent in fee-simple of fee-tail or for term of life or lives shall go to and be vested in the executors or administrators of such tenant and be included in the inventory and appraised as personal assets

(g) All estates in lands or tenements of which the decedent was seised at the time of his decease for the life or lives of another person or persons shall unless such estate have been limited to the decedent and his heirs go to the executors or administrators of such decedent and be included in the inventory and be subject to distribution in like manner as leases for terms of years

(h) Whenever personal property or assets of any kind not contained in the inventory made and returned as aforesaid shall afterwards come to the possession or knowledge of the executor or administrator he shall make an inventory thereof and file the same in the office of the proper register within thirty days from the time of the discovery thereof

(i) Every executor or administrator shall cause a just appraisement to be made by two or more appraisers of the goods chattels and credits of the decedent of which an inventory is to be made agreeably to the preceding clauses of this section and the said appraisers shall be sworn or affirmed well and truly and without prejudice or partiality to value and appraise said goods chattels and credits and in all respects to perform their duty as appraisers to the best of their skill and judgment

(j) It shall be the duty of the executors and administrators having given convenient notice to the appraisers of the decedent's estate of a time and place for making the inventory and appraisement thereof to produce or make known to them in the presence of such of the persons interested in the estate as may attend the whole of the personal estate of the decedent which may have come to their possession or knowledge and the inventory and appraisement thereof being finished and certified by the appraisers to file the same in the office of the proper register

(k) Teh appraisers of the estate of a decendent shall be respectively entitled to receive therefrom as compensation for their services in appraising the estate as aforesaid

such sum as the orphans' court having jurisdiction of the accounts of the executors or administrators shall deem proper taking into consideration the labor skill and responsibility involved

Section 12 (a) The widow if any or if there be no widow or if she has forfeited her rights then the children forming part of the family of any decedent dying testate of intestate within this Commonwealth or dying outside of this Commonwealth but whose estate is settled in this Commonwealth may retain or claim either real or personal property or the proceeds of either real or personal property belonging to said estate to the value of five hundred dollars and the property so retained or claimed shall not be sold but suffered to remain for the use of the widow or children It shall be the duty of the executor or administrator of such decedent to have the said property if personal appraised and set apart to said widow or children by the appraisers appointed to appraise the other personal estate of the decedent or if real then by two appraisers to be appointed by the orphans' court who may be the same persons appointed to appraise the personal estate If said five hundred dollars or any part thereof shall be claimed out of money or the proceeds of real or personal property belonging to the estate it shall be the duty of the executor or administrator to set apart to said widow or children the amount so claimed out of said money or out of the proceeds of said real or personal property after he shall have sold the same Should any or all of the appraisers of the other personal estate be unable to make the appraisement of personal property provided for by this section or should there be no such appraisers the orphans' court of the proper county may appoint a properly qualified appraiser or appraisers of the other personal estate of the decedent.

(b) The provisions of this section allowing the widow or children of a decedent to retain real property or the proceeds thereof to the value of five hundred dollars shall not affect or impair any liens for the purchase money of such real property

(c) Such appraisers shall be sworn or affirmed to appraise the property claimed by the widow or children of the decedent under the provisions of this act The compensation of such appraisers for making an appraisement of personal property shall be included in the compensation allowed by the orphans' court for the performance of their duties as appraisers of the other personal estate of the decedent and shall be paid out of the decedent's estate and the compensation of appraisers appointed by the orphans' court as aforesaid shall be fixed by said court and shall be paid out of the decedent's estate

(d) Upon due proof of compliance with such requirements as to notice by advertisement or otherwise as may be prescribed by the orphans' court of the proper county by general rule or otherwise such court may enter a decree directing the payment of the money or confirming the appraisement of the personal or real estate chosen by said widow or children and said appraisement signed and certified by the appraisers and approved by the court shall be filed among the records thereof Provided That all expenses of such advertisement or notice shall be paid out of the decedent's estate

(e) 1 In the case of any decedent leaving to survive him any minor child or children forming part of his family and no widow his administrator or executor without request made to him by any one shall have appraised and set aside for the use and benefit of all such minor children of said decedent property to the full value of five hundred dollars

2 The guardian of said child or children and if there be none the administrator or executor with the appraisers shall make selection of the property to be set aside and in so doing the said guardian or the said administrator or executor with the appraisers shall be governed by the necessities of such child or children under the circumstances of each case

(f) When any decedent shall leave to survive him a widow or children and an estate not exceeding in value five hundred dollars it shall be lawful for such widow or for such children by any next friend or guardian if to said children the right belongs to petition the orphans' court of the proper county for the appointment of two appraisers who shall appraise and set aside any property of said decedent selected by such widow or by such next friend or guardian in the same manner and with the same effect as if letters testamentary or of administration had issued and the appraisers been selected in the usual way Such appraisers shall be sworn or affirmed and shall receive for their services such compensation as shall be allowed by said court

(g) Whenever the widow or children of any decedent shall claim the sum of five hundred dollars in value or any part thereof under the provisions of this act out of real estate left by said decedent and the real estate appraised cannot be divided so as to set apart the amount so claimed in value without prejudice to or spoiling the whole or any parcel of said real estate and the appraisers may have appraised or shall appraise and value the same at an amount equal to or exceeding the amount claimed by said widow or children out of said real estate over and above the liens that are upon it the orphans court to which such application shall be made may confirm such appraisement and set apart for the use of the widow or children such real estate subject to whatever liens may be against the same conditioned however that the widow or children shall pay the amount of the valuation or appraisement over and above the liens that may be against the said real estate in excess of the amount claimed by said widow or children out of said real estate within one year from the date of confirmation of such valuation If the widow or children making such claim shall fail to make payment as above provided the court on application of any person interested shall direct the executor or administrator to sell the said real estate and the procedure in such case shall be the same as is provided by law in cases of sales of real estate for the payment of debts of a deecdent

(h) The real estate if taken by the widow or children as aforesaid shall vest in her or them and her or their heirs or assigns subject to any liens upon it on her or their paying the surplus over and above the amount claimed by her or them out of said real estate to the parties entitled thereto Should the real estate be sold as provided in clause (g) of this section then the sum of five hundred dollars or such part thereof as may be claimed out of the real estate shall be paid out of the purchase money to the widow or children and the balance after payment of costs and expenses distributed to the heirs or other persons legally entitled thereto

(i) In all cases where the appraisement of property real or personal or both is confirmed and the property set apart to the widow or children under the provisions of this section said widow or children shall be entitled to receive for her or their own use the net rents income interest and dividends thereof from the date of the death of such decedent Provided That where the property so set apart shall consist of real estate appraised at an amount exceeding the amount claimed by said widow or children out of said real estate over and above the liens that are upon it and the widow or children shall fail to pay the excess over the amount so claimed as provided in clause (g) of this section and the property shall thereupon be sold there shall be deducted from the sum to be paid to said widow or children out of the proceeds of such sale a proportionate part of the rents and income of such real estate received by such widow or children

(j) Whenever the widow or children of any decedent shall claim the said five hundred dollars in value or any part thereof under the provisions of this section out of the real estate left by the said decedent and lying in any county of this State other than the county wherein said decedent shall be domiciled at the time of his death and the orphans court having jurisdiction of the accounts of the personal representatives of said decedent shall be satisfied upon petition filed of the propriety of allowing such claim it shall be lawful for such court to make a decree authorizing such widow or children to file her or their petition in the orphans' court of the county wherein such real estate may lie or in a case where the real estate is divided by a county line in the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county praying for the appointment of two appraisers Upon the filing of such petition duly verified it shall be the duty of the latter court to appoint such appraisers who shall be duly sworn or affirmed and shall appraise said real estate and shall be compensated as directed by said court and proceedings shall thereupon be had in said court and subject to its supervision and control in the same manner and with the same effect as is provided in clauses (g) (h) and (i) of this section In every such case a certified copy of the decree confirming such appraisement or of such decree of sale and the confirmation thereof as the case may be shall forthwith be filed with the clerk of the orphans' court having jurisdiction of the accounts of the personal representatives of the said decedent The latter court shall in all cases have exclusive jurisdiction of the distribution of the surplus paid by such widow or children or of the proceeds of such sale after the payment of costs and expenses as the case may be

(k) In all cases where a decree shall be entered by any orphans' court confirming an appraisement of real estate and setting apart the same for the use of the widow or children a certified copy of such decree shall be recorded in the office of the recorder of deeds of each county where such real estate shall lie in the deed book and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name or names of the widow or children and shall be registered in the survey bureau or with the proper authorities empowered by law to keep a register of real estate if any there be in each of said counties The charges for recording and registering shall be the same as are provided by law for similar services and shall be paid out of the estate of the decedent

Section 13 (a) All debts owing by any person within this State at the time of his decease shall be paid by his executors or administrators so far as they have assets in the manner and order following namely One Funeral expenses medicine furnished and medical attendance given during the last illness of the decedent and servants wages not exceeding one year Two Rents not exceeding one year Three All other debts without regard to the quality of the same except debts due to the Commonwealth which shall be last paid

(b) No executor or administrator shall be compelled to pay any debt of the decedent except such as are by law preferred in the order of payment to rents until six months be fully elapsed from the granting of the administration of the estate

Section 14 Rents of real estate accruing after the death of the owner of such real estate who shall die on or after the day on which this act shall go into effect shall be assets for the payment of debts of such decedent whenever the personal estate shall be insufficient therefor Wherever the personal estate of such decedent shall appear to be probably insufficient for the payment of debts the orphans' court having jurisdiction of the accounts of the executor or administrator shall upon application of any creditor of the decedent or upon appli-

cation of the executor or administrator or of any other person interested authorize and direct the executor or administrator to collect such rents for such period as the court shall fix In such case the executor or administrator shall have power to collect such rents by action at law distress or otherwise as the decedent in his lifetime might have done as to rents of such real estate and rents so collected shall be accounted for by the executor or administrator in his account of the personal estate of the decedent

Section 15 (a) No debts of a decedent including the cost of settlement of the estate and the funeral expenses of the decedent except as provided in clauses (b) (g) and (h) hereof shall remain a lien on the real estate of such decedent longer than one year after the decease of such debtor unless within said period an action for the recovery thereof be brought against the executor or administrator of such decedent and such action shall be indexed within said period against the decedent and such executor or administrator in the judgment index in the county in which such action is brought and also in the county in which the real estate sought to be charged is situate and be duly prosecuted to judgment and then to be a lien only for the period of five years unless the same be revived by writ of scire facias against the decedent his heirs executors or administrators and the devisee alienee or owner of the land sought to be charged in the manner now provided in the case of the revival of judgments

The plaintiff may at his election join such surviving spouse and heirs and the devisee alienee or owner of the land in such original action in which event such action shall be indexed as aforesaid against all defendents so joined

(b) No bond covenant debt or demand which it not payable within the said period of one year after the decease of the debtor shall remain a lien upon the real estate of such decedent longer than one year after his death unless within said period after his decease a copy or particular written statement thereof be filed in the office of the prothonotary of the county where the real estate to be charged is situate and be indexed against the decedent and the executor or administrator in the judgment index in the county where the executor or administrator resides and also in the county in which the real estate sought to be charged is situate and then to be a lien only for the period of one year after the said bond covenant debt or demand becomes due unless within said period of one year an action for the recovery thereof be brought indexed and duly prosecuted to judgment as provided in clause (a) of this section

(c) The provisions of clause (a) of this section shall be retroactive Provided however That in case of any bond covenant debt or demand that would be sooner barred an action for the recovery thereof may be commenced within one year after passage of this act in manner as provided in clause (a) of this section

(d) It shall be the duty of the prothonotary of any county of this Commonwealth when an action is brought or statement is filed as aforesaid in his office upon praecipe of the plaintiff or his attorney to index the same against the decedent his executor or administrator and any other defendants therein in the judgment index as other liens are indexed and to certify the same as liens in any certificate of liens that he may be required to make by virtue of his office The prothonotary of any court in which said action may be brought shall upon request furnish a copy of such praecipe which when duly certified under the seal of the court may be filed in any other county of this Commonwealth in which the real estate sought to be charged with the debts of such decedent may be situate and when so filed shall be indexed against the parties named therein upon the judgment index in such county

(e) No execution for the levy or sale of any real estate of any decedent shall be issued upon any judgment obtained in an action against his personal representatives under the forgoing clauses of this section unless the surviving spouse and heirs and the devisee alienee or owner of the land sought to be charged and the guardian of such as are minors shall have been made parties to such action or if they shall not have been so made parties unless they shall be warned by a writ of scire facias issued against them on such judgment If any of the parties reside outside of the county the court may by general rule or special order direct service of such writ of scire facias by publication or otherwise

(f) Judgments which were not liens on the real estate of the decedent by entry or revival by due process of law within five years prior to the death of such decedent shall not be revived as liens of record against real estate by the death of the defendant but shall rank and be treated simply as ordinary debts not of record and the lien thereof shall be continued after the expiration of one year from the decease of such debtor only by writ of scire facias to revive issued within one year after the death of the decedent indexed as provided in clauses (a) and (d) of this section and duly prosecuted to judgment and then to be a lien only for the period of five years unless the same be revived by writ of scire facias as provided in clause (a) of this section

(g) All judgments which at the time of the death of a decedent shall be liens on real estate owned by said decedent at the time of his death or on real estate which shall have been conveyed by deed not duly recorded during his lifetime shall continue to bind such real estate during the term of five years from his death although such judgments be not revived by scire facias or otherwise after his death Such judgments shall during such term rank according to their priority at the time of such death and after the expiration of such term such judgments shall not continue liens on the real estate of such decedent unless revived by scire facias or otherwise according to the laws regualting the revival of judgments Any judgment against such decedent which may be a lien upon real estate sold or aliened by such decedent during his life may be revived by writ of scire facias according to law and for the purpose of any such revival the writ of scire facias may be issued in the name of such decedent with the same force and effect as if it were issued in the name of his executors administrators or legal representatives but before any judgment shall be entered thereon the legal representatives shall be made parties defendant and a scire facies shall be served on such legal representatives

(h) Nothing contained in this section shall in any way affect or impair the lien of any mortgage given and executed and duly recorded during the lifetime of any decedent but the bond secured by such mortgage except as to real estate on which said mortgage is a lien shall be subject to all the provisions hereof

(i) No execution for the levy or sale of any real or personal estate of any decedent shall be issued upon any judgment obtained against him in his lifetime unless his personal representatives have been first warned by a writ of scire facias to show cause against the issuing thereof notwithstanding the teste of such execution may bear date antecedently to his death

(j) In all cases where property real or personal of a decedent is sufficeint to pay off liens of record the balance shall be paid over to the executor or administrator for distribution but before any such payment shall be made such executor or administrator shall give bond to the satisfaction of the court conditioned for the legal distribution of such money Provided always That such money shall be distributed as the real estate of which it is the proceeds would have been

(k) In every case of an execution against the executors or administrators of a decedent whether founded upon a judgment obtained against such decedent in his lifetime or upon a judgment obtained against them in their representative character if it shall be made to appear to the satisfaction of the court issuing such execution that there is reason to believe that the personal assets and the rents of real estate are insufficient to pay all just demands upon the estate such court shall thereupon stay all proceedings upon such execution until the executors or administrators shall have made application to the proper orphans' court for the sale of the real estate of the decedent or for the apportionment of the assets or both as the case may require

(l) It shall be competent for the court in the cases aforesaid on application of the plaintiff in such judgment or of any other person interested as heir devisee or otherwise to order the executors of administrators to make application to the orphans' court for the purpose as is hereinbefore mentioned and to enforce such order by attachment

Section 16 (a) Whenever it shall satisfactorily appear to the executor or administrator that the personal estate of the decedent together with the rents of real estate is insufficient to pay all just debts and the expenses of the administration he shall proceed without delay in the manner hereinafter provided to sell or mortgage under the direction of the orphans' court having jurisdiction of his accounts so much of the real estate as shall be necessary to supply the deficiency

(b) The orphans' court which possesses jurisdiction of the accounts of an executor or administrator shall have power to authorize a sale or mortgage of real estate by such executor or administrator in the following cases viz

1 On the application of the executor or administrator setting forth that the personal estate and the rents of real estate of the decedent are insufficient for the payment of debts

2 On the application of such executor or administrator or of any creditor of the decedent setting forth that on the final settlement of the administration account it appears that the personal assets together with the rents of real estate of the decedent are insufficient to pay the balance appearing to be due from the estate of such decedent either to the accountant or creditors

(c) No authority for the sale or mortgage of real estate for the payment of debts of a decedent shall be granted until the executor or administrator shall have exhibited to the court having jurisdiction of his accounts a true and perfect inventory and conscionable appraisement of all the personal estate whatsoever of the decedent together with a full and correct statement of all the real estate of such decedent wherever situated which has come to his knowledge and of the rental value of such real estate and also a just and true account upon oath or affirmation of all the debts of the decedent which have come to his knowledge

(d) When a mortgage authorized under the provisions of this section shall fall due or shall be about to fall due the orphans' court which authorized such mortgage may on the application of the executor or administrator or of any party in interest and although the period of the lien of the decedent's debts may have expired at the time of such application authorize the refunding of such mortgage and the making of a new bond and mortgage the proceeds of which may be used for the payment and satisfaction in whole or in part of the said existing mortgage and necessay expenses Such new mortgage may be for such period and on such terms as to said court shall seem advisable

(e) In all cases where an application shall be made to the court for a decree authorizing the sale or mortgage of real estate under the provisions of this section the court may appoint a suitable person as master to investigate the facts of the case and to report upon the expediency of granting the application and the amount to be raised by such sale or mortgage and upon such report being made the court may decree accordingly

(f) In all cases where the carrying out of any decree of the orphans' court under the provisions of this section shall involve the receipt of money by the person carrying it out the court shall direct the person acting under the decree to file a bond to the Commonwealth in a sufficient amount conditioned for the proper application of all moneys to be received which bond shall inure to the benefit of all parties interested and be executed by two individual sureties or by one corporate surety approved by the court and no such decree shall be executed until such bond with sureties as may be required shall be filed Provided That where a corporation duly authorized by law shall be designated to carry out any such decree the court may in lieu of security as aforesaid permit such corporation to enter its own bond without surety

(g) Whenever by the provisions of this section it shall be lawful for the court to order the public sale of real estate public notice of such sale shall be given by the person who is to make the sale once a week for a period of three weeks before the day appointed therefor by advertisement in at least one newspaper published in the county if there be one or if there be none then in an adjoining county and in all cases notice shall also be given by handbills one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such estate

(h) Whenever under the provisions of this section the court has power to authorize or confirm a sale of real estate the same may be made upon such terms as the court shall approve all unpaid purchase money to be secured on the premises by mortgage

(i) All deeds or mortgages executed in pursuance of any decree of the court under the provisions of this section may be acknowledged before any officer or person now or hereafter authorized by the laws of this Commonwealth to take the acknowledgement of deeds and other instruments of writing to be recorder therein

(j) 1 In all cases where the sale of real estate shall be made by an executor or administrator under an order of or confirmed by the orphans' court or where the making of a mortgage by such executor or administrator shall be authorized by said court under the provisions of this section and the letters testamentary or of administration shall be revoked or the executor or administrator shall be removed by the court or shall die or become insane or otherwise be incapable before a conveyance is made to the purchaser or before a mortgage is executed and delivered it shall be lawful for the successor of such executor or administrator having first given security to be approved by the said court for the faithful appropriation of the proceeds of such sale or mortgage to execute and deliver to the purchaser a deed of conveyance for the estate or sold on the purchaser's full compliance with the terms and conditions of sale or to execute and deliver said mortgage If there shall be no such successor who shall have given security as aforesaid the said court shall have power on petition of the purchaser to direct the clerk of the court to execute and deliver to the purchaser the necessary deed of conveyance on his full compliance with the terms and conditions of sale paying into court the moneys payable and executing and delivering to the clerk any bond and mortgage required by the said terms and conditions which moneys and bond and mortgage shall remain subject to the disposition of the court or where the making of a mortgage by an executor or administrator shall be authorized by said court the court under the circumstances aforesaid shall have power to direct the clerk of the court to execute and deliver such mortgage The like proceedings may be had where an executor or administrator shall neglect or refuse to execute and deliver such deed or mortgage for the space of thirty days after due notice of an order of the court requiring him to execute and deliver the same

2 In all cases where the sale of real estate shall be made by co-executors or co-administrators under an order of or confirmed by the orphans' court or where the making of a mortgage by such co-executors or co-administrators shall be authorized by said court under the provisions of this section and one or more of such co-executors or co-administrators shall be removed by said court or shall die or become insane or otherwise be incapable before a conveyance is made to the purchaser or before such mortgage is executed and delivered said court may upon the facts being made to appear by petition duly verified authorize the surviving or remaining executor or executors administrator or administrators to execute and deliver to the purchaser a deed of conveyance for the real estate so sold on the purchaser's full compliance with the terms and conditions of sale or to execute and deliver such mortgage

3 Where authority is or shall be given by decree of any orphans' court to executors or administrators to sell real estate under the provisions of this section and any of such executors or administrators shall have died been removed become insane or otherwise be incapable or cease to act before a sale is affected in all such cases said court may upon the facts being made to appear by petition duly verified authorize the surviving or remaining executor or executors administrator or administrators to effect such sale with as full effect in all particulars as if effected or executed by the executors or administrators in office at the time the sale was originally decreed

4 Every sale made and every deed or mortgage executed and delivered in pursuance of and agreeably to the provisions of this section shall vest the property therein described in the grantee or mortgagee as fully and effectually as if the same had been made executed and delivered by all the executors or administrators to whom the authority to sell or mortgage was originally given

5 In all cases of sales or mortgages under the order of or confirmed by the orphans' court under the provisions of this section the title of the purchaser or mortgagee shall not be affected by the subsequent revocation of the letters testamentary or of administration of the executor or administrator making such sale or mortgage or by the subsequent removal of the executor or administrator making such sale or mortgage

6 Whenever in pursuance of proceedings in the orphans' court of any county under the provisions of this section any person therein described as an executor or administrator shall grant and convey or mortgage any real estate in which proceedings security shall be duly entered by him or her under the order or decree of the court no irregularity or defect in his or her original appointment or the absence of any proper qualification in respect thereto shall affect the title of the grantee or purchaser or the liability of the sureties but the same shall be as valid in all respects as if such irregularity or defect had not existed

(k) Whenever any orphans' court having jurisdiction under this section to decree a sale or mortgage of real estate shall issue its order to any executor or administrator to sell or mortgage such real estate and shall in any case within its jurisdiction give authority to any executor or adminjstrator to bid at such sale and shall confirm the sale to such fiduciary or shall authorize the making of such mortgage to any executor or administrator the said court may make an order directing its clerk to execute a deed or mortgage as the case may be for said real estate to such purchaser or mortgagee who shall give security and shall account for the amount of said purchase money or mortgage money in the settlement of his accounts to said court

(l) 1 When the real estate with respect to which application shall be made to the orphans' court having jurisdiction of the accounts of the executor or administrator in cases of sales or mortgages for the payment of debts of decedents under clause (b) of this section is situated in the same county the said court may order the sale or mortgage of such part or so much of such real estate as to them shall appear necessary When the real estate is situated wholly in another county or counties and the orphans' court to which such application shall be made shall be satisfied of the propriety of a sale or mortgage of some portion of such real estate not within their jurisdiction it shall be lawful for such court to make a decree authorizing the raising of so much money as the said court may think necessary from real estate situated in such county or counties as they may designate and thereupon it shall be the duty of the orphans' court of the county wherein the real esate so designated is situated upon the petition of such executor or administrator to make an order for the sale or mortgage as they shall think expedient of so much and such parts of such real estate as shall in their opinion be necessary to raise the specified sum and such executor or administrator shall in all cases make return of his proceedings in relation to such sale or mortgage to the orphans' court of the county in which the real estate so sold or mortgaged lies Provided That where the orphans' court to which such application shall be made shall make a decree authorizing the raising of money from real estate which is wholy without the county where such application shall be made and is divided by a county line the further proceedings shall be in the orphans' court of the county where the mansion house is situated or if there is no mansion house in the county where the principal improvements are or if there be no improvements in either county

2 When application shall hereafter be made to the orphans' court having jurisdiction of the accounts of any executor or administrator for leave to sell or mortgage the real estate of a decedent or any part of the same for the payment of debts of such decedent under the provisions of this section and any part of said real estate is situated partly in the county where said application shall be made and partly in one or more other counties by reason of a county line or lines running through the same the said court shall have power to order and direct the sale or mortgage of the whole or any part of said tract of land irrespective of the county boundary lines and such sale or mortgage shall be as effectual to pass the title of such real estate to the purchaser or mortgagee as if the whole of said tract of land had been within the boundaries of the county having jurisdiction of the accounts of the executor or administrator Notices of said sale or mortgage as required by this section shall be given in all the counties in which the land is situated and a certified copy of all proceedings in connection with said sale or mortgage shall be filed in the orphans' court of each county in which said land is situated Any mortgage taken by such executor or administrator to secure the purchase money or any part thereof shall be duly recorded in each of the counties in which said lands lie as now required by law

(m) 1 The orphans' courts of the several counties of this Commonwealth in all cases where under the provisions of this section such courts have power to order the sale of real estate may authorize or direct a private sale if in the opinion of the court under all the circumstances a bet-

ter price can be obtained at private than at public sale as where the interest shall be undivided or for any other sufficient cause

2 Before authorizing or directing any private sale of real estate for payment of debts of a decedent public notice thereof shall be given by advertisement printed in at least one newspaper published in the county where such real estate is situated once a week for a period of three weeks prior to the date fixed by such order for authorizing or directing such sale and also written or printed notices one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such real estate and before authorizing or directing such sale the court shall require proof by affidavit to be filed in such proceeding that notice as aforesaid has been given Such notice shall specify the location and description of the real estate proposed to be sold the name of the proposed purchaser and the price agreed to be paid

3 On the day fixed by such order and notice for authorizing or directing such private sale any creditor of such decedent or party interested as heir devisee or intending purchaser or any legatee whose legacy is by the express terms of the will or by law charged on such real estate may appear and object to such private sale on account of the insufficiency of the price and if such objection be sustained may offer to give or pay a substantial increase for such property and the court at its discretion may thereupon authorize or direct the sale or refuse to authorize or direct the same and accept any substantially increased offer and may authorize the sale of such property to such new bidder upon compliance with the conditions of sale and giving such security as shall be directed by the court or such creditor party interested or legatee may appear as aforesaid and object to such sale on any legal or equitable grounds Provided That nothing herein contained shall be construed to affect the existing law with respect to objections to public sales

(n) All public sales of real estate under the provisions of this section shall be subject to confirmation by the court but in the case of private sales authorized or directed under the provisions of this section no return or confirmation shall be necessary

(o) All public or private sales of real estate under the provisions of this section shall have the effect of judicial sales as to the discharge of liens upon the real estate so sold Provided That the court may decree a sale of the real estate freed and discharged from the lien of any mortgage otherwise preserved from discharge by existing law if the holder of such mortgage by writing filed in said court shall consent to the sale being so made

(p) Whenever a public or private sale of real estate shall be authorized or directed by any orphans court under the provisions of this section the person or persons purchasing the real estate so sold and taking title thereto in pursuance of the decree of the court shall take such title free and discharged of any obligation to see to the application of the purchase money

Section 17 (a) It shall and may be lawful for any executor administrator trustee or any party interested in the real estate of any decedent to present a petition to any court having jurisdiction of the settlement of such estate setting forth all the particulars and also that there are just and reasonable grounds for believing that said decedent left no debts not of record and that it is desirable to have the real estate of said decedent relieved from any lien now given by law for such debts

(d) Said court may hear and determine the same or refer such petition to a master whose duty it shall be to inquire diligently into the facts and circumstances alleged in such petition and report the same to said court The court may in its discretion direct such notices to be given of such application by publication or otherwise as it may deem necessary

(c) It shall be the duty of said court upon being fully satisfied as to the truth and justice of the matters alleged in any such petition to decree that the real estate of such decedent shall be held and enjoyed free and clear of any lien of debts not of record of said decedent and said court shall require the person or persons entitled to said real estate to enter bond in such form and amount and with or without sureties as the court may in its discretion determine conditioned for the payment by such person or persons of an amount sufficient to pay any debts of the decedent not of record which may thereafter be proved and which would have been liens upon said real estate but for such decree

Section 18 (a) Where any person shall have by contract in writing agreed to sell and convey any real estate in this Commonwealth and died seised or possessed thereof or of an undivided interest therein or where any person shall have purchased in writing any real estate in this Commonwealth and died without paying the purchase money therefor it shall be lawful in all such cases for the executor or administrator of the deceased vendor or for the vendor when the purchaser may have died or for the purchaser of such real estate or when he has died for his executor or administrator or for any other person interested in such contract to petition the orphans' court having jurisdiction of the accounts of the executor or administrator of the deceased vendor or the deceased purchaser as the case may be setting forth the facts of the case After due notice of such petition to the persons interested according to the nature of the proceeding to appear in such court on a day certain and answer the petition of such court shall have power if the facts be sufficient in equity no sufficient cause being shown to the contrary to decree specific performance of such contract according to the true intent and meaning thereof

(b) The aforesaid remedy by petition to the orphans' court shall hereafter be exclusive

(c) When any petition for the specific performance of any such contract shall have been filed it shall be the duty of the prothonotary of the court of common pleas of the county in which such real estate or any part thereof shall lie on being certified by the clerk of the orphans' court in which such petition shall have been filed of the fact of such filing to enter the same upon the judgment index under the name of the respondent in such petition and to certify the same as lis pendens in any certificate of search that he may be required to make by virtue of his office

(d) When such order or decree for the specific performance of any such contract shall have been made and the purchase money paid or secured to be paid according to the terms of such contract it shall be the duty of the vendor or when he shall be deceased of his executors or administrators to execute such deed of conveyance as shall be directed by the court in conformity with the intention of such contract Such deed being so made by such executors or administrators shall have the same force and effect to pass and vest the estate intended as if the same had been executed by the decedent in his lifetime In the case of an order or decree for specific performance by the executors or administrators of a deceased vendee the court shall enter a decree for payment by such executors or administrators out of the estate of their decedent of the amount of purchase money with interest if any which decree may be enforced in like manner as other decrees of the orphans court for the payment of money The liability for the costs of such proceedings shall be in the discretion of the court

(e) Like proceedings may be had in all respects wherever any parol contract shall have been entered into by any person for the conveyance of real estate within this Commonwealth and the purchaser shall have died without fully executing such contract or wherever any person may have made such parol agreement and died seised or possessed of such real estate and no sufficient provisions for the performance of such contract shall have been made by the decedent in all cases where such parol contract shall have been so far executed that it would be against equity to rescind the same

(f) In all cases of specific performance of contract which may hereafter be decreed by any orphans' court under the provisions of this section where the party to whom the deed is to be made is an executor or administrator of the deceased vendor the deed shall be made as in other cases by the co-executor or co-administrator if there be one and if there be none the court may make an order directing its clerk to execute such deed and deliver the same to the grantee therein named upon such terms as the court shall se fit to require from the grantee as executor or administrator of the decedent for securing the faithful appropriation of the unpaid purchase money

Section 19 Whenever a devise or bequest shall be made to any corporate body by any last will and testament the executors thereof shall within three months after they undertake the execution of such will make known by letter addressed to such corporate body the nature and amount of such devise and bequest together with their names and places of residence

Section 20 If after deducting the amount of debts of the testator and the expenses of administration the residue shall not be sufficient to discharge all the pecuniary legacies bequeathed an abatement shall be made in proportion to the legacies so given unless it shall be otherwise provided by the will

Section 21 Legacies if no time be limited by the will for the payment thereof shall in all cases be deemed to be due and payable at the expiration of six months from the death of the testator Interest on all pecuniary legacies whether bequeathed directly or in trust shall unless a contrary intention appear by the will begin to run from the expiration of one year from the death of the testator except that if the account of the executor be filed and confirmed and distribution awarded before the end of such year then interest on such legacies shall run from the date of the award Provided That where a pecuniary legacy is bequeathed to or for the use of the widow of the testator or any child or descendant of the testator or any person toward whom the testator in his lifetime stood in loco parentis or for the maintenance of any person interest shall unless a contrary intention appear by the will begin to run from the date of the death of the testator

Section 22 All annuities and all payments of rents income interest or dividends of any real or personal property directed by any will to be made during the lifetime of the beneficiary or for the life or lives of another person or persons or for a term of years shall like interest on money lent be considered as accruing from day to day and shall be apportioned to the date of the death of such beneficiary or of such cestui que vie or to the end of such term of years

Section 23 Whenever any person is or shall be entitled to the income from the proceeds of the sale of a decedent's real estate and whenever any personal property or the increase of profits or dividends thereof has been or shall hereafter be bequeathed to any person for life or for a term of years or for any other limited period or upon a condition or contingency the executor or executors administrator with the will annexed trustee or trustees under such will or trustee appointed by the orphans' court to make such sale of real estate as the case may be shall deliver the property so bequeathed to the person entitled thereto upon such person giving security in the orphans' court having jurisdiction in such form and amount as in the judgment of the court will sufficiently secure the interests of the person or persons entitled in remainder whenever the same shall accrue or vest in possession Should such person or legatee refuse

or neglect or be unable to enter such security the court may upon petition of any person interested including the owner of any subsequent interest vested or contingent in such proceeds of real estate personal property or the increase profits or dividends thereof and upon due notice to all persons interested so far as such notice can reasonably be given appoint a suitable person or corporation as trustee to receive and hold such proceeds of sale or personal property invest the same in securities authorized by law pay the income thereof after deducting all legal charges to the person entitled thereto and upon the termination of the trust account for and pay to the persons entitled thereto the corpus of the trust fund or transfer and deliver to them the securities in which it is invested as the court may direct after deducting all legal charges thereon Such trustee shall enter such security as the court may direct He shall not be an insurer of the trust fund and shall be liable to the persons interested in the income or corpus of the trust fund only for such care prudence and diligence in the execution of the trust as other trustees are liable for

Section 24 The remedy for the collection or enforcement of payment or delivery of all legacies whether pecuniary specific or otherwise aid whether charged on land or not shall hereafter be exclusively in the orphans' court saving the jurisdiction of other courts in actions which may be pending at the time of the approval of this act

Section 25 (a) In all cases in which by the provisions of any last will and testament or by the provisions of this act or by proceedings in the orphans' court in any county any legacy or any money payable at a future period or any money the interest on which is payable to any person is or shall be hereafter charged upon or payable out of real estate it shall be lawful for the legatee or the person entitled to such money or interest to apply by petition to the orphans' court having jurisdiction of the accounts of the fiduciary On the presentation of such petition the court having caused due notice to be given to such fiduciary and the devisee or heir as the case may be and the present owner of the real estate charged with such legacy sum of money or interest and to such persons interested in the estate or property as justice may require may proceed according to equity to make a decree directing such devisee heir or owner to pay the amount of such legacy sum of money or interest then due within a time to be limited by such decree and providing that in case such devisee heir or owner shall fail to make payment within such time the fiduciary or a trustee to be appointed by said court in its discretion shall after giving public notice of such sale once a week for a peroid of three weeks before the day appointed therefor by advertisement in at least one newspaper publishd in the county if there be one or if there be none then in an adjoining county and by hand bills posted at a conspicuous place on the real estate proposed to be sold and in at least three of the most public places in the vicinity of such estate make sale of said real estate or so much thereof as may be necessary for the purpose of payment of such legacy sum or money or interest The proceeds of such sale shall be distributed under the direction of said court as in other cases of judicial sales to the persons legally entitled to receive the same In the case of money charged upon real estate the interest on which is payable to any person the court may instead of directing a sale of such real estate as aforesaid make such decree or order to enforce payment of said interest as shall be just and proper

(b) If the real estate charged with such legacy sum or money or interest shall be situated in a county or counties other than that the orphans' court of which has jurisdiction of the accounts of the fiduciary and the devisee heir or owner against who such decree has been made shall fail to comply therewith according to the terms thereof such decree may be certified to the orphans' court of any county in which such real estate is situated or in case such real estate is divided by a county line then to the orphans' court of the county where the mansion house may be situated or if there be no mansion house to the county where the principal improvements may be or if there be no improvements to either county Upon such certification and petition filed by the legatee or the person entitled to such money or to such interest it shall the the duty of the said orphans' court to make an order for the sale of so much and such parts of such real estate as shall in their opinion be necessary to raise the specified sum and to direct the fiduciary or a trustee to be appointed by said court to make such sale after public notice as aforesaid given in each of the counties in which the real estate is situated Such fiduciary or trustee shall in all cases make return of his proceedings in relation to such sale to the orphans' court making such order of sale when if the same be approved by said court it shall be confirmed but the proceeds of such sale shall be distributed under the direction of the court having jurisdiction of the accounts of the fiduciary or trustee as provided in clause (a) of this section In the case of money charged upon real estate the interest on which is payable to any person the orphans' court to which the decree is certified as aforesaid may instead of directing a sale of such real estate as aforesaid make such decreee or ordr to enforce paymnt of said interest as shall be just and proper

(c) Before such legatee or other person shall be entitled to the benefit of any decree made under the provisions of this section for payment by the devisee heir or owner of the real estate of the amount of such legacy sum of money or interest he or she shall give such security as the court in which application was originally made shall direct for the indemnity of the devisee heir or owner or other persons interested in the event of any debt due by the testator being recovered for the payment of which such real estate would be liable

Section 26 (a) Whenever any testator shall have heretofe by his last will and testament duly proven given or bequeathed any annuity or annuities to any person or persons or directed the payment of an annuity or annuities by his executors or by trustees or bequeathed legacies of principal sums payable at a future period or upon contingencies or under other cricumstances by which the payment or discharge and satisfaction of such legacies may be postponed or may not take place until a distant period after the death of such testator and either by the express words of the will or by the rules of law in the construction thereof such annuities or legacies are made or become a charge upon all the residuary real or personal estate of the testator and whenever any testator shall hereafter make any such bequest and provisions in any such case it shall be lawful, for the executors of any such will or for any such annuitant or legatee or for any person interested in such residuary estate at any time after the expiration of six months from the granting of letters testamentary to apply by petition to the orphans' court having jurisdiction of the accounts of such executors setting forth the facts and praying relief

(b) Upon the filing of such petition the court may order a citation to be issued to the parties interested to appear at a day certain to show cause why the relief prayed for should not be granted and upon the return of such citation if all the anuitants legatees and other persons interested shall have had due notice of the application the court may itself inquire into the circumstances the amount and condition of the estate and the expediency and propriety of exempting any part or portion of the residuary real or personal estate from the lien and charge of such annuities and legacies or either of them having due regard to the absolute and ultimate security of such annuities and legacies or the court may at its discretion refer the case to a master with directions to inquire into the matters aforesaid and to report thereupon

(c) After such inquiry by the court or if the case is referred to a master after his report has been made and after notice thereof to all persons interested it shall be lawful for the court to make a decree in the premises and if it shall appear that all the debts of the testator have been paid or sufficiently secured the court may enter a decree that such part or parts of the residuary real estate or such real securities or investments in public stocks or bonds or such securities as now are or may hereafter be authorized by law as investments by trustees shall be set apart or appropriated or that such part of the residuary estate shall be so invested as in the judgment of the court shall appear to be and with reasonable probability continue to be adequate and sufficient beyond all charges expenses and deductions for the payment of such annuities and legacies providing always a sufficient surplus to meet any contingent diminution or depreciation in the value or income of the estate and securities so set apart

(d) When such decree shall rave been made it shall be further lawful for the court to order and decree that all the remaining real or personal estate of the testator or both not so specifically set apart shall be and remain discharged and exonerated from the lien and charge of any and every such annuity and legacy and such decree shall have the force and effect of discharging and exonerating all such real or personal estate or both accordingly Provided That an appeal from a decree granting or refusing such petition may be taken to the proper appellate court within six months after the entry of the same as in other cases and Provided fruther That nothing in this section contained shall be deemed or held to authorize the exoneration of any real estate which may have been or may be specifically charged by a testator with the payment of any annuity or legacy

(e) The real estate securities and investments set apart and appropriated by order of the court as aforesaid shall be and continue in the possession charge and management of the executors trustees or other persons to whom the same may have been devised or bequeathed by the testator as aforesaid under and subject to the charge of such annuities and legacies It shall be the duty of every such executor trustees and other person upon request of any person interested to file with said court at the expiration of one year after such decree shall have been made and at the expiration of every year thereafter until the termination of such trust an account setting forth the situation and circumstances of such estate securities and investments and the annual income therefrom, and the payments thereof If upon such account it shall appear to the court that the said income exceeds in any considerable degree the amount of the existing annuities and other charges and expenses payable thereout it shall be lawful for the court to order and decree that such surplus income may be paid over to such persons as may be entitled to the residuary estate under the provisions of the will or the court may in their discretion order and decree that the same be invested in real securities public stocks or bonds or such securities as now are or may hereafter be authorized by law as investments by trustees for the further or additional security of such annuitants or legatees

(f) Upon the application of any person interested in any residuary estate set apart as aforesaid setting forth that by reason of the decease of any such annuitant or by the happening of any other event the charge of any annuity or legacy as aforesaid has become extinguished in fact or law it shall be lawful for the said court from time to time after due notice and inquiry into the facts to make an order and decree for the exoneration and discharge of such part or portion or so much of the real estate securities and investments so set apart and appropriated as may appear to such court to be beyond the

amount requisite or proper for the purpose of providing a sufficient continuing security for the payment of the remaining annuities and legacies Every such order or decree shall have the same force and effect in respect to the real estate securities and investments therein and therby exonerated and discharged as is declared in clause (d) of this section in respect to the residuary estate not specifically set apart and appropriated An appeal from the entry of or refusal to enter such order or decree may be taken to the proper appellate court within six months as in other cases

(g) Nothing in this section contained or in any decree or order made by any orphans court by the authority of this section shall be deemed or held to affect in any way the legal or equitable rights of any person or persons interested in the residuary estate set apart and appropriated as aforesaid but all such rights to the ultimate enjoyment of such estate shall remain and continue as before the passage of this act so far as the provisions of this section are concerned

Section 27 (a) 1 In all cases in which under any proceeding in any orphans court of this Commonwealth or by any last will and testament or by the provisions of this act any dower legacy recognizance or ther charge shall have been imposed upon land or any part thereof and such charge is due and payable and the person or persons to whom such payment is due cannot be found after diligent and erasonable search it shall be lawful for the owner of the land charged to apply by petition to the orphans court of the county where said land is situated or in case said land is divided by a county line to the orphans court of the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county setting forth the circumstances of the case the name or names of the person or persons to whom such payment is due or the fact that such names are unknown and the time when such legacy or charge or any part thereof became due and payable and a description of the land subject to the charge Thereupon said court shall make an order directing such petitioner to give public notice of the facts set forth in such petition by publication once a week for four successive weeks in one or more newspapers published within or nearest to said county or within or nearest to each of said counties requiring the person or persons to whom such legacy or charge or any part thereof is due and payable or who wish to lay claim to the moneys as aforesaid to appear in court on a day designated not less than twenty days after the last publication of said notice and show cause why the amount so due and payable as set forth in said petition should not be paid into said court

2 If no persons shall appear to show cause as aforesaid or if the person or persons appearing shall fail to show that he or they are entitled to such moneys the court being satisfied of the truth of the facts set forth in said petition shall enter a decree that the amount of such legacy or charge or part othereof due and payable to the time of final decree be paid into court and that upon such payment such real estate shall be discharged from the lien of such legacy or charge or from so much thereof as shall be so paid into court When the amount of such legacy or other charge does not appear as a matter of record the court may by appointment of a master or by investigation in open court ascertain and fix such amount A certified copy of such degree may be recorded in the deed book in the office for recording deeds in every county where such real estate or any part thereof is situated in the same manner and with like effect as deeds of conveyance of real estate are recorded and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name of the owner of the land and the charges for recording shall be the same as are provided by law for similar services

(b) 1 In all cases in which under any proceeding in any orphans' court of this Commonwealth or by any last will and testament or by the provisions of this act any dower legacy recognizance or other charge shall have been imposed upon land payable presently or at a future time and such charge shall have been paid or a period of twenty years shall have elapsed after the principal of such charge has become due and payable and no payment shall have been made within such period on account of such charge by the owner or owners of the land and no sufficient satisfaction release acquittance or acknowledgment of payment thereof shall be of record in the county in which the land is situated it shall be lawful for the orphans' court of said county or in case said land is divided by a county line then the orphans' court of the county wherein the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county to entertain a petition for the discharge of said land from the lien of said charge

2 Such petition shall be presented by the owner or owners of said land or any part thereof shall be duly verified by affidavit and shall set forth the facts and allege that said charge has been paid or that no payment of principal or interest has been made within said period of twenty years on account of said charge by the present owner or owners or so far as can be ascertained by his or their predecessors in title and shall state the names of all known parties interested in such charge their places of residence if known and a description of the lands subject to the charge and sought to be released and discharged

3 Upon the presentation of such petition it shall be lawful for said court to issue a citation in the manner authorized by law to all such parties which citation shall be served as other citations are required to be served and shall require the parties to appear in court on a day designated to show cause why said land should not be discharged from the lien of such dower legacy or other charge

4 If the court aided if necessary by the report of a master shall determine at a hearing held in pursuance of said citation that such dower legacy or other charge has been paid or is otherwise no longer chargeable upon the land by reason of any presumption of payment or if no person shall appear to answer the citation or if all parties in interest shall have joined in the petition upon which such citation was issued the court being satisfied of the truth of the allegations of the petition shall decree that the land subject to the charge or any part thereof sought to be released or discharged shall be released and discharged from the same and the payment thereof and a certified copy of such decree may be recorded in the office for recording deeds in each county where such land or any part thereof is situated upon the terms and with the effect provided in clause (a) paragraph p of this section

(c) Whenever any dower legacy recognizance or other charge has been or shall be charged upon or payable out of real estate by virtue of any last will and testament by the provisions of this act or under any proceeding in any orphans' court of this Commonwealth or whenever it shall be claimed that such charge exists it shall be lawful for said court in any case not provided for by the preceding clauses of this section on petition of the devisee or heir of such real estate or any owner thereof claiming under such devisee or heir to authorize such petitioner to pay into said court the full amount of such legacy or other charge whereupon the said court shall make a decree discharging such real estate from the lien of such legacy or other charge or from so much thereof as shall be so paid into court and a certified copy of such decree may be recorded in the office for recording deeds in any county where such land or any part thereof is situated upon the terms and with the effect provided in clause (a) paragraph two of this section

(d) All moneys when paid into court under the provisions of any of the preceding clauses of this section shall remain therein until the legatee or other person claiming the same shall present a petition for the distribution thereof whereupon the court shall after due notice to all parties interested make distribution of said moneys to the persons legally entitled to receive the same or may in its discretion appoint an auditor for the purpose of making such distribution

(e) All costs of proceedings under the provisions of any of the clauses of this section shall be paid as may be directed by the court

(f) Any party aggrieved by any definite order or decree entered by the court under any of the provisions of this section may appeal from such order or decree to the proper appellate court as in other cases

Section 28 (a) The executors of the last will of any decedent to whom is given thereby a naked authority only to sell any real estate shall take and hold the same interests therein and have the same power and authorities over such estate for all purposes of sale and conveyance and also of remedy by entry by action or otherwise as if the same had been thereby devised to them to be sold saving always to every testator the right to direct otherwise

(b) All powers to sell or let real estate on groundrent contained in any will shall be deemed and taken to authorize sales conveyances or leases either public or private unless expressly restricted by the said instrument to one or the other mode

(c) All powers authorities and directions relating to real estate contained in any last well and not given to any person by name or by description shall be deemed to have been given to the executors thereof but no such power authority or direction shall be exercised or carried into effect by them except under the control and direction of the orphans' court having jurisdiction of their accounts and after the entry of security if the court shall so direct

(d) In all cases wherein testators shall have devised their real estate or any part thereof to their executors to be sold or shall have authorized or directed such executors to sell and convey such real estate or shall have directed such real estate to be sold without naming or declaring who shall sell the same if one or more of such executors shall die refuse renounce or be dismissed or discharged it shall be lawful for the surviving acting or remaining executor or executors or for the administrator or administrators with the will annexed if such there be to bring action for the recovery of possession of such real estate and against trespassers thereon to sell and convey such real estate or manage the same for the benefit of the persons interested therein and otherwise act respecting the same as fully and completely as he or they together with such dying refusing renouncing dismissed or discharged co-executor or co-executors would be empowered to do if there had been no death refusal renunciation dismissal or discharge or in the case of an administrator with the will annexed as fully and amply as if all the executors named in the will had joined therein Provided That nothing in this clause shall be deemed or taken to prevent any testator from directing by his last will and testament otherwise than is herein declared and enacted

Section 29 Any fiduciary with power to convey lands or tenements in this Commonwealth may make conveyance under such power by and through an attorney or attorneys duly constituted and such conveyances shall be of the same validity as if executed personally by the

constituent and all conveyances so heretofore bona fide made by such fiduciaries are hereby confirmed Provided That nothing herein contained shall authorize any fiduciary to delegate to others the discretion vested in himself for the general management of his trust

Section 30 Whenever any person seised of real estate situated in this Commonwealth has died or shall die having first made and published his last will and testament wherein said real estate is devised to executors or trustees named therein in trust to make sale thereof or wherein the sale of real estate is authorized or directed but no person is designated to make such sale and the executors have complied with the provisions of section twenty-eight clause (c) of this act or wherein said executors or trustees are authorized to make sale of said real estate convert the same into money and distribute the proceeds of such sale or sales or any part thereof or hold the same in trust for any particular purpose or for the use of any particular person or persons named in said last will and testament the person or persons purchasing the real estate so sold from the executors or trustees named in said last will and testament under the power of sale or direction to sell contained therein shall take title thereto free and discharged of any obligation to see to the application of the purchase money

Section 31 Unless it be otherwise provided by the will any testamentary trustee shall have power to make a lease of real estate included in the trust for a term not exceeding five years and any guardian shall have power to make a lease of real estate belonging to his ward for a term not exceeding five years that shall expire before the minor if living would attain his majority If any testamentary trustee or guardian shall deem it advisable to make such lease for a longer period than aforesaid the orphans' court of the county wherein such real estate shall be situated on the application of such trustee or guardian being aided where necessary by the report of a master may authorize such trustee or guardian to lease such real estate on such terms and conditions at such rental and for such period as shall appear just and equitable to said court with the same force and effect as though said lease were made by the beneficial owner or owners and he or they were sui juris and owned the property in fee In all cases where such application shall be approved by any orphans' court the court may direct said trustee or guardian before making such lease to file his bond in said court in such sum as the court shall direct and with good and sufficient corporate security or with two good and sufficient individual sureties approved by said court conditioned for the faithful application or payment by him of all rents to be received under said lease Provided That where such trustee or guardian shall be a corporation duly authorized by law the court may in lieu of security as aforesaid permit such corporation to enter its own bond without surety.

Section 32 (a) Whenever by the provisions of any last will and testament admitted to probate in any county of this Commonwealth any of the real estate of the testator is ordered or directed to be sold and the proceeds therefrom are bequeathed or are payable or distributable in whole or in part to any minor or minors or cestuis que trust and it is the desire of all the legatees and beneficiaries interested in said proceeds to elect to take said real estate in lieu of the several bequests or legacies or interests it shall be lawful for the orphans' court having jurisdiction of the accounts of the executor of said will upon the petition of any fiduciary interested to authorize and empower said fiduciary on behalf of his ward or cestui que trust to enter into an election in writing to take said real estate or part thereof in fee in lieu of the legacy or legacies interest or interests bequeathed or payable or distributable as aforesaid taking and being entitled to an estate in said real estate commensurate with the interest said minor or cestui que trust would have had in the fund derived from the sale of said real estate if the same had been sold in accordance with the provisions of said will Such election shall be duly acknowledged and recorded in the deed book in the office of the recorder of deeds for the county in which such real estate is situated and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name of the ward or cestui que trust the charges for recording to be the same as are provided by law for similar services and shall then be filed in the office of the clerk of the said orphans' court

(b) Whenever by the provisions of any last will and testament admitted to probate in any county of this Commonwealth money is directed to be laid out or invested in real estate for the use of any minor or minors or cestui que trust and it is the desire of all the beneficiaries interested to elect to take said money instead of the real estate it shall be lawful for the orphans' court having jurisdiction of the accounts of the executor of said will upon petition of any guardian or trustee interested to authorize and empower said guardian or trustee on behalf of his ward or cestui que trust to enter into an election in writing which shall be filed in the office of the clerk of said court to take said money in lieu of the real estate taking and being entitled to an interest in said money commensurate with the estate said minor or cestui que trust would have had in the real estate of the same had been purchased in accordance with the provisions of said will

(c) All elections to take real estate in lieu of legacies or interests or money instead of real estate heretofore made by any guardian or trustee pursuant to an order of any orphans' court in this Commonwealth are hereby ratified confirmed and validated

Section 33 (a) Whenever in any last will and testament the testator has directed or shall direct all or any part of his real estate to be appraised and sold or has devised or shall devise such real estate to any person or persons at an appraisement to be made or has given or shall give to any person or persons the right to take such real estate at an appraisement directed by the testator to be made but has not indicated or shall not indicate by whom such appraisement shall be made it shall be lawful for any of the parties interested in such real estate or in the sum to be paid therefor to apply by petition to the orphans' court of the county in which said real estate is situated or in case the real estate is divided by a county line in the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county setting forth the terms and character of such devise or direction of the testator and also the names and residences when known of all parties interested

(b) Upon the presentation of such petition said court shall appoint two or more disinterested and competent persons citizens of the county to make such appraisement unless the testator has designated the number of persons to make such appraisement in which case the court shall appoint the number of persons so designated and the court shall by general rule or by special order in the particular case provide for notice to be given to all parties interested of the time and place of making such appraisement

(c) The appraisers so appointed shall be sworn or affirmed well and truly and without prejudice or partiality to value and appraise such real estate and each of such appraisers shall receive as compensation for his services such amount as may be allowed by said court such compensation to be paid out of the estate of the decedent as part of the costs of administration

(d) The appraisement so made shall be returned to the said orphans' court and if confirmed by said court shall be conclusive on all the parties interested in said real estate unless an appeal be taken from such decree of confirmation to the proper appellate court within six months after the date thereof

(e) Upon the return and confirmation of such appraisement the court shall issue its citation to the person or person entitled to take such real estate on compliance with the terms of the will to appear at a time fixed by said court to accept or refuse the same If upon the return of such citation duly served such person or persons shall appear and accept such real estate at the appraisement and shall pay or secure the payment of the amount thereof at such time and upon such terms as shall be fixed by said court then the court shall adjudge such real estate to such person or persons If such person or persons shall fail or neglect to appear and accept such real estate at the appraisement or shall refuse to accept it or having accepted shall fail to pay or secure the amount of such appraisement as aforesaid then the court shall adjudge such real estate to the person or persons entitled thereto under the provisions of the will in the event of such real estate not being taken at the appraisement directed by the testator or if the will contains no provision for such event then the court shall adjudge such real estate to the persons legally entitled thereto Any such decree may be recorded in the deed book in the office for recording deeds of any county in which such real estate is situated with the same effect as deeds are recorded and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name or names of the person or persons accepting such real estate at the appraisement or of the person or persons entitled thereto in the event of such real estate not being taken at the appraisement or of the person or persons legally entitled thereto where the will contains no provisions for a failure to take at the appraisement as the case may be and shall be registered in the survey bureau or with the proper authorities empowered by law to keep a register of real estate if any there be in said county and the charges for recording and registering shall be the same as are provided by law for similar services

(f) In all cases of wills heretofore or hereafter made and duly proved and recorded wherein the testator has given or shall give the right to one or more persons to take any or all of his real estate at a certain valuation therein named and has appointed or shall appoint such person or persons as executor or executors to whom letters testamentary are issued such person or persons may present his or their petition to the orphans' court of the county in which such real estate is situated or in a case where the real estate is divided by a county line in the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county setting forth the terms and character of such devise or direction that he or they have been appointed executor or executors of the will that letters testamentary have been issued to him or them and formally accepting such real estate at such valuation. Upon the presentation of such petition the court shall have power to adjudge the real estate to such person or persons and to decree that he or they shall account for the valuation thereof in the settlement of his or their accounts in the orphans' court having jurisdiction of such accounts

(g) Whenever any orphans' court shall have heretofore made a decree adjudging real estate to certain persons in any case mentioned and provided for in clauses (e) and (f) of this section such decree shall be valid and available to vest in the person or persons to whom such real estate was adjudged all the right title and interest of the testator who had died leaving a will wherein the right to accept such real estate was given

Section 34 (a) Whenever by any last will and testament any dwelling-house or other building is devised to any person or persons without defining the boundaries of the cur-

tilage or lot appurtenant to such building and necessary for the use and enjoyment of the same it shall be lawful for any of the parties interested to apply by petition to the orphans' court of the county in which such building is situate for the appointment of commissioners to designate the boundaries of the curtilage or lot appurtenant to such building and necessary for the convenient use of the same for the purposes for which it was intended

(b) It shall be the duty of the said court on presentation of such petition to appoint two or more disinterested and competent persons as they shall think proper for the purposes aforesaid which persons shall be sworn or affirmed faithfully to perform their duties as commissioners and shall be respectively entitled to receive from the estate of the testator for their services as commissioners such sum as the said court shall deem proper

(c) It shall be the duty of the commissioners so appointed to give reasonable notice to all parties interested of the time at which they will examine said dwelling-house or other building for the purposes aforesaid and to make report to the court in pursuance of the order to them directed In such report they shall sufficiently designate and describe by metes and bounds with their courses and distances and by draft if necessary the limits and extent of ground necessary for the convenient use of such building for the purposes for which it was intended If such report shall be approved by the court a decree of confirmation shall be entered a certifiy copy whereof shall be recorded in the deed book in the office for recording deeds of the county in which said building is situate in like manner as deeds are recorded and with same effect and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name of the devisee of such dwelling-house or other building and shall be registered in the survey bureau or with the proper authorities empowered by law to keep a register of real estate if any there be in such county upon paymnt of fees for such recording and registration at the rates fixed by law for similar services and the devise of such building shall take the same estate in the ground thus set apart as is devised to him in the building

(d) All costs of proceedings under this section including the fees for recording and registration shall be paid out of the estate of the testator and shall be considered as part of the costs of administration of the estate

Section 35 (a) No personal action hereafter brought except actions for slander and for libels and no action for mesne profits or for trespass to real property shall abate by reason of the death of the plaintiff or the defendant but the executor or administrator of the deceased party may be substituted as plaintinff or as defendant as the case may be and the suit prosecuted to final judgment and satisfaction

(b) Executors or administrators shall have power to commence and prosecute all actions for mesne profits or for trespass to real property and all personal actions which the decedent whom they represent might have commenced and prosecuted except actions for slander and for libels and they shall be liable to be sued in any such action except as aforesaid which might have been maintained against such decedent if he had lived

(c) In all actions of ejectment which may be pending at the time of the death of any vendor of real estate when the object is to enforce the payment of purchase money due and owing upon an agreement of sale of such real estate it shall and may be lawful for the executors and administrators of the deceased vendor to sustain the same in their own names to the same extent and in like manner as their testator or intestate if living could do

(d) The executors or administrators of every person who was the proprietor of any rent-charge or other rent or reservation in nature of a rent in fee or otherwise as mentioned in section eleven clause (f) of this act shall and may have an action for the arrearages of such rent due to the decedent at the time of his decease against the person who ought to have paid such rent or his executors or administrators or they may distrain therefor upon the lands or tenements which were charged with the payment thereof and liable to the distress of such decedent so long as such lands of tenements remain and are in the seisin or possession of the tenant who ought to have paid such rent or in the possession of any other person claiming the same from or under the same tenant by purchase gift or descent in like manner as such decedent might have done if he had lived

(e) The executors or administrators of any tenant for life who shall die before or on a day on which any rent was reserved or made payable upon any demise or lease of any real estate which determined on the death of such tenant for life may have an action to recover from the lessee or under-tenant of such real estate if such tenant for life die on the day on which the same was made payable the whole or if before the day a proportion of such rent for the last year or quarter of a year or other current period of payment according to the time elapsed at the decease of such tenant for life as aforesaid

(f) The executors or administrators of any person who at the time of his decease was a party plaintiff petitioner defendant or respondent in any action or legal or equitable proceeding pending in any court of this Commonwealth shall have full power if the cause of action shall by law survive to or against them to become party thereto and prosecute or defend such suit or proceeding to final judgment or decree as fully as such decedent might have done if he had lived and if such party die after judgment certificate or decree in his favor his executors or administrators may proceed to execution thereupon as such party might have done if he had lived

(g) The court in which any action or legal or equitable proceeding may be pending at the time of the decease of a party plaintiff petitioner defendant or respondent shall have power to require by writ of scire facias the executors or administrators of such party within twenty days after the service thereof to become party to such action or proceeding or to show cause why they should not be made party thereto by judgment of the court and further proceedings be had in such action or proceeding but in every such case the executors or administrators who shall become party as aforesaid shall be entitled to a reasonable continuance of such action or proceeding according to the circumstances of the case

(h) Whenever the executor or administrator of a deceased plaintiff petitioner defendant or respondent in any action or legal or equitable proceeding pending in any court of this Commonwealth resides without the jurisdiction of the said court the writ of scire facias provided by the preceding clauses of this section may be served on such executor or administrator by the sheriff of the county where he is resident if in the opinion of the proper court such service may be reasonably practicable but if otherwise and also where the said executor or administrator resides in some other state of the United States such service may be made by publication in one or more public newspapers as in the opinion of the court will be most likely to give notice to the said executors or administrators the said manner of service herein provided to have the same force and effect as the manner of service provided by the said clauses

(i) No action or other legal or equitable proceeding commenced by or against fiduciaries or in which fiduciaries are parties shall abate or be otherwise defeated by reason of the death dismissal removal resignation or renunciation of any one or more of them nor by reason of the annulling or revoking of the letters or powers granted to them or any of them but such suit or proceeding may be prosecuted to final judgment or decree by or against such other person or persons as may have been joined with them in the administration or trust or by or against such person or persons as may be their successors therein in all cases in like manner as if no such change had occurred or act been done and in all cases of vacancy in the administration or trust as aforesaid the successors therein shall be made party to such action or proceeding in the manner provided by clauses (f) (g) and (h) of this section

(j) The omission of an executor or administrator to plead to any action brought against him in his representative character that he has fully adminstered the estate of the decedent or any other matter relative to the assets shall not be deemed an admission of assets to satisfy the demand made in such action also the omission of the plaintiff to reply to any such matter when pleaded shall not be deemed an admission of the want of assets as aforesaid nor shall such omission otherwise prejudice either party and no mispleading or lack of pleading by executors or administrators shall make them liable to pay any debt or damages recovered against them in their representative character beyond the amount of the assets which in fact have come or may come or should have come into their hands

(k) In any suit now pending or hereafter to be brought in any court of this state if the plaintiff be dead or shall die during the pendency thereof and no letters testamentary or of administration have been or shall be taken out in this state within one year after the suggestion of the death of such plaintiff upon the record it shall not be the duty of the defendant to raise an administrator for the purpose of prosecuting the same but the court in which such suit is or shall be pending may after due service upon the executors named in the will of such plaintiff if known to defendant or upon the next of kin of the decedent entitled to administration of a rule to show cause enter an order that said suit shall abate unless before the return day of such rule letters testamentary or of administration shall be duly issued

Section 36 The statute of limitations shall begin to run against a debt or demand arising or falling due to the estate of a decedent after his or her death from the time such debt or demand shall arise or fall due as aforesaid notwithstanding that letters testamentary or letters of administration have not been granted on such estate

Section 37 In all cases where executors administrators guardians or trustees shall not reside within the county the orphans' court of which has jurisdiction of their accounts proceedings may be had and suits may be brought against them by creditors and others interested in the estates in the counties where such accounts are to be settled and process may be served on said fiduciaries in any other county by the sheriff of such county who shall be deputized for that purpose by the sheriff of the county in which the process issues or process may be served upon any surety on the official bounds of such fiduciaries

Section 38 Where one of two or more fiduciaries shall be personally or individually indebted obligated or liable to the estate which he represents it shall be lawful for the other fiduciaries or either of them to institute an action at law bill in equity or other appropriate legal or equitable proceeding on behalf of the said estate against such fiduciary individually to recover or enforce the said indebtedness obligation or liability in the same manner as though such fiduciary were not connected with the said estate Provided That this shall not in anywise affect the duty or liability of such fiduciary to account therefor in the office of the register of wills or in the

orphans' court in the manner now provided by law the remedy herein provided being in addition to other remedies legal or equitable already existing

Section 39 In all cases where a creditor has appointed or shall appoint his judgment debtor his executor or where such judgment debtor has been or shall be appointed administrator of the creditor and the said judgment is a lien on the real estate of such executor or administrator and the same is bequeathed specifically to a legatee or generally in the residuary clause of such testator's will or where any testator or intestate having a judgment situated as aforesaid shall have creditors interested in preserving the lien of such judgment such legatee or creditor or the next of kin of an intestate interested in such judgment may suggest his or their interest in the same upon the record thereof and issue a writ of scire facias against the defendant to revive the same and continue the lien thereof at any time when such proceedings shall be necessary under the laws of this Commonwealth which judgment so revived shall remain for the use of all persons interested therein

Section 40 Whenever it shall be proposed to compromise or settle any claim whether in suit or not by or against a minor or the estate of a decedent or to compromise or settle any question or dispute concerning the validity or construction of any last will and testament or the distribution of any decedents estate the orphans court having jurisdiction of the accounts of the fiduciary shall be authorized and empowered on petition by such fiduciary setting forth all the facts and circumstances of such claim or question and proposed compromise or settlement and duly verified by oath or affirmation and after due notice to all parties interested and after due consideration aided if necessary by the report of a master if satisfied that such compromise or settlement will be for the best interests of such minor or of the estate of such decedent to enter a decree authorizing the same to be made which decree shall operate to relieve the fiduciary of responsibility in the premises

Section 41 (a) 1 When a fiduciary shall have in his hands any moneys the principal or capital whereof is to remain for a time in his possession or under his control and the interest profits or income whereof are to be paid away or to accumulate or when the income of real estate shall be more than sufficient for the purpose of the trust such fiduciary may invest such moneys in the stock or public debt of the United States or in the public debt of this Commonwealth or in bonds or certificates of debt now created or hereafter to be created and issued according to law by any of the counties cities boroughs townships or school districts of this Commonwealth or in mortgages or ground rents in this Commonwealth Provided That nothing herein contained shall authorize any fiduciary to make any investment contrary to the directions contained in the will of the decedent in regard to the investment of such moneys

2 When a fiduciary shall have in his hands any moneys as aforesaid he may present a petition to the orphans court having jurisdiction of his accounts stating the circumstances of the case and the amount or sum of money which he is desirous of investing whereupon it shall be lawful for the court upon due proof aided if necessary by the report of a master to make an order directing the investment of such moneys in real estate in this Commonwealth other than ground-rents or in the bonds or certificates of debt now created or hereafter to be created and issued according to law by any other state of the United States or by any of the counties or cities of such other state at such prices or on such rates of interest and terms of payment respectively as the court shall think fit Provided That no such investment shall be directed unless it shall be the opinion of the court that it will be for the advantage of the estate and no change be made in the course of succession by such investment as regards the heirs or next of kin of the cestui que trust and Provided further That nothing herein contained shall authorize the court to make an order contrary to the directions contained in any will in regard to the investment of such moneys

3 In case the said moneys shall be invested as set forth in paragraph one of this clause or conformably to the directions of the court under paragraph two of this clause the said fiduciary shall be exempted from all liability for loss on the same in like manner as if such investments had been made in pursuance of directions in the will creating the trust it being hereby declared that the investments mentioned in this section are legal investments of moneys by fiduciaries

(b) Any fiduciary required by law by the order of any orphans court or by the provisions of any last will and testament under or by authority of which such fiduciary is acting to invest funds within his control in mortgages or other securities may include as a part of the lawful expense of executing his trust a reasonable sum paid to a company authorized under the laws of this state so to do for guaranteeing the payment of the principal and interest of such mortgage or other securities not exceeding one-half of one per centum upon the principal of such mortgage or other securities

Section 42 (a) Fiduciaries may themselves or jointly with others organize a corporation to carry on the business of the decedent whether he die testate or intestate whether the business was owned solely by him or in partnership with others if such business be one for which a charter could have been obtained in the life time of the decedent and may contribute all or part of the property of the estate which was invested in the business at the time of the death of the decedent as capital to such corporation and except stock in the corporation in lieu thereof

(b) No such corporation shall be organized without the approval of the orphans court having jurisdiction of the accounts of such fiduciaries first had and obtained upon petition filed setting forth all the facts and circumstances and the proposed terms and conditions of the organization Such notice as shall be prescribed by said court shall be given to all persons having any beneficial interest vested or contingent in the estate of the decedent who are in being at the time of the filing of such petition and the said court shall approve such organization only after inquiring into the circumstances and the proposed terms and conditions of such organization aided if necessary by the report of a master and only with the written consent of all persons interested who shall be sui juris and of the guardians or committee of such as shall be under age or non compos mentis

(c) The stock of any such corporation issued to such fiduciaries shall be held by them for the same uses trusts and persons as the estate and property were held before the organization of such corporation they shall have the same right and power to vote such stock subject to the same control by the court as prescribed by section forty-three of this act regarding shares of stock belonging to the decedent and they shall have the right to sell such stock under the direction of the court

Section 43 Fiduciaries whether appointed by last will and testament or by decree of the orphans court shall have the same right and power either in person or by proxy at all corporate meetings to vote any and all shares of stock held by them in a fiduciary capacity in any corporation organized under the laws of this Commonwealth as the deceased or legal owner thereof had in his lifetime And where such stock is registered on the books of such corporation in the name of or has passed by operation of law or by virtue of any last will and testament to more than two fiduciaries and dispute shall arise among them the said shares of stock shall be voted by a majority of such fiduciaries and in such manner and for such purpose as such majority shall authorize direct or desire the same to be voted If the number of fiduciaries shall be even they shall be equally divided upon the question of voting such stock it shall be lawful for the orphans court having jurisdiction of their accounts upon petition filed by any of such fiduciaries or by any party in interest to direct the voting of such stock in the manner which in the opinion of said court will be for the best interests of the parties beneficially interested in the stock

Section 44 (a) No executor or administrator shall be liable to pay interest but for the surplusage of the estate remaining in his hands or power when his accounts are and ought to be filed Provided That nothing herein contained shall be construed to exempt an executor or administrator from liability to pay interest where he may have made use of the funds of the estate for his own purposes

(b) The amount of interest to be paid in all cases by fiduciaries shall be determined by the orphans' court under all the circumstances of the case but shall not in any instance exceed the legal rate of interest for the time being

Section 45 In all cases where the same person shall under a will fulfill the duties of executor and trustee it shall not be lawful for such person to receive or charge more than one commission upon any sum of money coming into or passing through his hands or held by him for the benefit of other parties and such single commission shall be deemed a full compensation for his services in the double capacity of executor and trustee Provided That any such trustee shall be allowed to retain a reasonable commission on the income he may receive from any estate held by him in trust as aforesaid

Section 46 (a) It shall be the duty of every executor and administrator to file in the registers office a just account of the administration of the estate at the expiration of six months from the time of administration granted or when thereunto required by the orphans court and any executor or administrator may be cited to file his account after the expiration of six months from the date of issuance of letters testamentary or of administration on petition of any person having an interest present or future vested or contingent in the estate of the decedent or on petition of any creditor of the decedent

(b) The several orphans courts of this Commonwealth shall have power by general rule or special order to appoint one or more examiners to make periodical or special examination of the assets of estates in the hands of fiduciaries and power to require all persons in whose custody or control such assets may be held to present them for such examination The examiners so appointed shall be compensated by reasonable fees to be fixed by the court and to be paid out of the respective estates

(c) The several orphans courts of this Commonwealth shall by general rule provide that any person who claiming to be interested in the estate of any decedent as creditor legatee next of kin or otherwise has given written notice of his claim to the execution administrator or trustee or his attorney shall be entitled to receive actual notice from said executor administrator or trustee or his attorney of the filing of his account or such rule of court may provide for the filing of such claims with and the giving of notice by the register of wills or the clerk of the orphans court

(d) Every register with whom an account has been or shall be filed shall transmit the same to the orphans court of the respective county at its next stated meeting being not less than thirty days distant from the time of such filing of all which he shall give notice to all persons concerned in the following manner namely by an advertisement enumerating all the accounts to be presented at any one time to the said court in at least two secular newspapers if there be two published in the respective county or if there be but one newspaper published in such county then in

that one or if there be none then in one printed nearest to the said county at least once a week during the four weeks immediately preceding the meeting of the court at which such account shall be presented setting forth in substance that the accountants naming them and the character in which they respectively act have filed their accounts in the office of the said register and that the same will be presented to the orphans court for confirmation at a certain time and place mentioning the same and also by setting up conspicuously in his office and in at least six other of the most public places in the county at least four weeks before the time appointed for the presentation of such accounts as aforesaid fairly written or printed copies of such advertisement The actual expenses of such advertisement according to the usual rates of advertising in such newspapers and the setting up of such notices shall be divided among all the accounts presented at the same court and the proper portion only shall be charged in any of the said accounts and allowed to the register as the cost of such advertisement and notices

(e) When any of the heirs legatees distributees or creditors of a decedent reside out of this state or out of the United States or from other circumstances it may be expedient to that additional or further notice should be given of the settlement of the account of a fiduciary or of the disposition of the assets or surplusage of the estate it shall be in the discretion of the orphans court to require such further or additional notice to be given by such accountant as they may think proper to appear in court or before the auditor or auditors by them appointed as the case may be at such times as shall be fixed for the examination of such account or for the distribution of the assets or the surplusage of the estate

(f) No account of an executor administrator or guardian shall be confirmed and allowed by the orphans court unless it shall appear at the presentation of such account that notice of such presentation has been given conformly to the directions of this act

(g) All trustees who are subject to the jurisdiction of the orphans' court shall file their accounts in the court appointing them or in the case of testamentary trustees in the orphans' court of the county where the will is or shall be probated The orphans' court shall have exclusive jurisdiction of the accounts of all trustees appointed by such court and of all testamentary trustees whether such trusts are vested in executors or administrators virtue officii or in trustees named in the will saving however the jurisdiciton of the courts of common pleas under existing laws in cases of trustees who have filed their accounts in such courts before the approval of this act and cases of substituted testamentary trustees appointed by any court of common pleas before the approval of this act

(h) All trustees who are subject to the jurisdiction of the orphans' court may hereafter triennially from the date of their appointment file their accounts in said court which accounts shall be duly audited and confirmed absolutely to that date This clause shall apply to and permit all such trustees who have been acting in such capacity for more than three years before the passage of this act to file their accounts which shall be audited and confirmed absolutely to the date of such filing and in like manner to file their accounts triennially thereafter

(i) Due notice of the filing of any account of a trustee in the orphans' court of any county shall be given by advertisement as prescribed by rule of said court and in such other manner as the said court may in each particular case direct to all persons interested in the estate and absolute confirmation of such account shall not be entered unless all such persons interested are legally competent and qualified either personally or by their guardians or committees to appear in court and object to said account if they so desire

Section 47 (a) The judges of the orphans' courts of this Commonwealth respectively shall have power and are hereby authorized to establish in their discretion such rules and regulations as they may deem proper for the publication of advertisements of notices of the auditing of accounts of fiduciaries and shall have supervision of and regulate the cost of such publication in all such cases as well by special order in particular cases as by general rules

(b) In any county in which a sepaarte orphans' court shall be established all accounts filed in the office of the register of wills or in the orphans' court by fiduciaries shall be examined and audited by the court without expense to the parties except where all parties in interest in a pending proceding shall nominate an auditor whom the court may in its discretion appoint

(c) In any county in which a separate orphans' court shall not be established all accounts filed in the office of the register of wills or in the orphans' court by fiduciaries shall be examined by the court and if not excepted to shall after due consideration be confirmed If any person interested in the estate shall except to the account or any of the parties shall desire to refer the account to an auditor the court shall decide whether the matter calls for such reference and if so the court may appoint a suitable person as auditor The auditor so appointed shall be sworn or affirmed to perform his duties with fidelity and shall have power to administer oaths or affirmations to parties and witnesses in the matter referred to him

Section 48 Within five years after the final decree confirming the original or supplementary account of any fiduciary which has been or may be hereafter passed upon petition of review being presented by such fiduciary or his legal repreesntatives or by any person interested therein alleging errors in such account or in any adjudication of the orphans' court or any report of an auditor of such account which errors shall be specifically set forth in said petition of review said petition and errors being verified by oath or affirmation the orphans' court shall grant a rehearing of so much of said account adjudication or auditor's report as is alleged to be error in said petition of review and give such relief as equity and justice may require by reference to auditors or otherwise with like right of appeal to the proper appellate court as in other cases Provided That this act shall not extend to any cause when the balance found due shall have been actually paid and discharged by any fiduciary

Section 49 (a) No executor or administrator shall be compelled to make distribution of the estate of his testator or intestate until six months be fully expired from the granting of the letters testamentary or of administration in the estate After the expiration of said period distribution may be ordered by the orphans' court having jurisdiction of the accounts of the executor or administrator on petition of any person having an interest in the assets to be distributed or on petition of any creditor of the decedent

(b) Executors or administrators may make distribution and pay or deliver legacies without the audit of their accounts upon such security as may be satisfactory to them nevertheless at their own risk but without liability to any creditors of the decedent who shall not have given written notice to the executor or administrator within six months after the granting of letters testamentary or of administration provided that such executor or administrator has complied with the provisions of section ten of this act Where distribution of a decedent's estate is awarded by the orphans' court after audit and confirmation of any account of the executors or administrators such decree of distribution shall protect the executors or administrators from personal liability with respect to the property so distributed In making distribution under such a decree the executors or administrators shall not be entitled to demand refunding bonds from the distributees except in the cases specially provided for by this act and in other cases in which the court shall direct the giving of refunding bonds

(c) When the personal estate of a decedent does not exceed the value of three hundred dollars the executor or administrator may after the expiration of one year after the date of granting the letters testamentary or of administration present his petition to the proper orphans' court with an annexed account showing the administration and legal distribution of the estate the statements in the petition and the account to be verified by the affidavit of such executor or administrator Thereupon the court may upon satisfactory proof or acknowledgment of notice to all parties known to be interested in said estate that said petition and account have been presented order at the end of thirty days from the date of filing the petition and account the discharge of the executor or administrator and his sureties from future liability without the expense of proceedings as in a formal account unless during said period of thirty days exceptions be filed to the account

(d) No creditor of a decedent who shall neglect or refuse to present his claim at the audit of the account of the executor or administrator held not less than six months after the granting of letters testamentary or of administration of which public notice has been given as provided in section ten of this act or at an audit held after actual notice to such creditor of the filing of such account as provided in section forty-six clause (c) of this act shall be entitled to receive any share of the assets distributed in pursuance of such audit whether the estate of the decedent be solvent or insolvent

(e) 1 Whenever it shall appear at the audit and distribution of an estate in the orphans' court that the balance after payment of debts includes stock bonds or other securities which for reasons satisfactory to said court have not been converted by the accountants it shall be lawful for said court to direct distribution of such assets in kind to and among those lawfully entitled thereto including fiduciaries

2 Where stocks bonds or other securities have been distributed in kind as above provided to any fiduciary it shall be the duty of such fiduciary to use reasonable diligence in converting such securities as shall not be investments now or hereafter authorized by law and if such fiduciary be doubtful as to the propriety of making sale of such securities he may apply to the orphans' court having jurisdiction of his accounts by petition for authority and direction to sell the same whereupon after due notice to all parties interested the said court shall make such order in the premises as to it may appear proper

(f) It shall be lawful for any employer in this Commonwealth at any time not less than thirty days after the death of his employe to pay all wages due to such deceased employe to the wife children father or mother sister or brothers (preference being given in the order named) of the deceased employe without requiring letters testamentary or of administration to be issued upon the estate of said deceased employe where such wages due do not exceed seventy-five dollars in amount If such deceased employe shall not leave a wife or any of said relatives surviving him then it shall be lawful for the employer in like manner to pay such wages to the creditors of the decedent as follows undertaker physician boarding-house keeper and nurse each his and her pro rata share upon affidavit of fact furnished The payment of such wages as aforesaid shall be a full discharge and release to the employer from any further claim for such wages

Section 50 (a) Where any fiduciary has been required or hereafter shall be required upon the receipt of money to give a refunding bond it shall be lawful for such fiduciary upon paying over such money to creditors or to parties beneficially interested to require under the direction of the

orphans' court having jurisdiction from each person receiving such money to indemnify such fiduciary to the amount such person may receive

(b) In all cases where refunding bonds shall be given upon the distribution of the estate of any decedent no action or suit thereon shall be brought after the expiration of six years from the date of such bond Provided That where the creditors or other persons entitled to the protection of said bonds shall be within the age of twenty-one years non compos mentis imprisoned or from or without the United States of America or where a creditor whose debt shall not mature within such period shall file within the said period in the office of the clerks of the orphans' court where said distribution shall have been made a copy or particular statement of any bond covenant debt or demand upon which his claim arises then and in any such cases an action may be brought by the creditor at any time not exceeding two years from the coming of age or removal of such disability of the creditor or other person entitled to the protection of said bonds or the maturing of the debt or demand aforesaid

Section 51 (a) It shall be the duty of the prothonotaries of the courts of common pleas to file and docket whenever the same shall be furnished by any parties interested certified transcripts or extracts from the record showing the amount appearing to be due from or in the hands of any fiduciary on the settlement of his accounts in the orphans' court of the same or any other county or by virtue of a decree of said court which transcripts or extracts so filed shall constitute judgments which shall be liens against the real estate of such fiduciary from the time of such entry until payment distribution or satisfaction Executions may be issued thereon out of said court of common pleas against the real estate only of such fiduciary by any person or persons interested for the recovery of so much as may be due on them respectively The liens of such judgments shall cease at the expiration of five years from the time of the entry aforesaid unless revived by scire facias in the manner by law directed in the cases of judgments in the courts of common law

In case of an appeal from the orphans' court the judgment shall be for no more than the amount finally decreed by the appellate court to be due and it shall be the duty of the prothonotary of the common pleas on such decree of the appellate court being certified to him to enter on his docket the amount so found due and decreed by the appellate court If such amount be greater than that decreed by the orphans' court the judgment for such excess shall take effect only from the time of entering the decree of the appellate court but if the amount be reduced by the final decree of the appellate court the prothonotary shall reduce the amount originally entered on his judgment docket and index accordingly and such final decree upon appeal being certified and filed in said court of common pleas the said term of five years shall be counted from the time of such entry

(b) When the fiduciary shall have fully paid and discharged the amount of such judgment the parties who have received payment shall acknowledge satisfaction thereof on the record of the court of common pleas in case of neglect or refusal so to do for the space of thirty days after request in writing and tender of all the costs the orphans' court on due proof to them made that the entire amount due from such fiduciary according to the final settlement of the said account has been fully paid and discharged may make an order for his relief from such recorded judgment which order being certified to the court of common pleas shall be entered on their records and shall operate as a full satisfaction and discharge of such judgment

Section 52 (a) Any fiduciary whose accounts shall have been settled and confirmed and who shall have paid and transferred the remainder of the property in his hands to his successor in the administration or trust if any or to the persons legally entitled thereto may on petition be discharged by the orphans' court having jurisdiction of his accounts from the duties of his appointment and his sureties may be discharged from future liabilitiy with respect thereto Provided That in every case of the petition of a guardian for his discharge during the minority of his ward it shall be the duty of the court to appoint some suitable person to appear and act for the ward in respect thereto

(b) Whenever one or more of several joint fiduciaries shall die or be discharged or removed by the proper orphans' court the said court upon the application of any party interested shall have power to discharge from future liabliitiy said discharged or deceased fiduciary and his surety or sureties and require new or additional security of the remaining fiduciary or fiduciaries with a like result in case of failure to comply as is provided by this act when new or additional security is for any cause required by such court Provided That such discharge shall not affect liabilities existing at the time of the discharge of such fiduciary or fiduciaries surety or sureties

Section 53 (a) Any orphans' court having jurisdiction of the accounts of executors administrators guardians or trustees shall have exclusive power to remove such executor or administrator and vacate the letters testamentary or of administration or to remove such guardian or trustee as the circumstances of the case may require in any of the following cases

1 When such fiduciary is wasting or mismanaging the estate or property under his charge or is like to prove insolvent or has neglected or refused to exhibit true and perfect inventories or render full and just accounts of such estate or property come to his hands or knowledge

2 When such fiduciary has been duly declared a lunatic habitual drunkard or weak-minded person

3 When such fiduciary has become incompetent to discharge the duties of his trust by reason of sickness or physical or mental incapacity and it shall appear to the satisfaction of the court that such incompetency is likely to continue to the injury of the estate under his control

4 When such fiduciary has removed from this state or has ceased to have any known place of residence therein during the period of one year or more

5 When any guardian whether testamentary or otherwise mismanages the minor's estate or misconducts himself in respect to the maintenance education or moral interests of the minor

6 When such fiduciary fails or neglects to pay over the principal or income of the estate according to his duty under the trust or fails or neglects to comply with any order or direction of the court made in relation to said trust

7 When any trustee of property held in trust under the provisions of any last will and testament for religious educational or charitable purposes or for use as a burying ground neglects or abuses such trust

8 When for any reason the interests of the estate or property are likely to be jeopardized by the continuance of any such fiduciary

9 When all the cestuis que trust or a majority of them having the life estate under any trust shall desire the renewal of the trustee or trustees upon any substantial ground not hereinbefore enumerated and the court upon petition filed by them or any of them shall be satisfied that such substantial ground for removal exists in which case the court may remove said trustee or trustees and appoint another or others as chosen by said parties

Provided however That nothing herein contained shall be construed to effect the jurisdiction of any court of common pleas in proceedings pending at the date of the approval of this act

(b) Whenever it shall be made to appear to the orphans' court having jurisdiction of the accounts of any fiduciary on the oath or affirmation of any person interested that there exists any one or more of the grounds for removal of such fiduciary enumerated in the last preceding clause of this section such court may issue a citation to such fiduciary requiring him to appear on a day certain to answer the charge so preferred and may make all such necessary rules and orders as the said court may deem proper for bringing the matter complained of to a hearing If on such hearing the said court shall be satisfied of the truth of the matters charged it may remove such executor or administrator and vacate the letters testamentary or of administration or remove such guardian or trustee as aforesaid and direct the issuance of new letters testamentary or of administration or appoint a new guardian or trustee and make such orders for the security of the trust property and for the delivery of such property and the books accounts papers and moneys belonging or relating to the trust to the successor of such fiduciary as the circumstances of the case may require

(c) Any orphans' court having jurisdiction of the accounts of any fiduciary shall have power in a case of emergency when the exigencies of the case shall appear to the satisfaction of the court to require it in order that the rights of creditors and parties interested in the assets of the estate shall be protected summarily to remove such executor or administrator and vacate the letters testamentary or of administration or summarily to remove such guardian or trustee on any of the grounds enumerated in clause (a) of this section and to direct the issuance of new letters or to appoint a successor to such guardian or trustee on the ex parte petition of any creditor or party interested in the estate and further to make such orders for the security of the trust property and for the delivery of such property and the books accounts papers and moneys belonging or relating to the trust to the successor of such fiduciary as the circumstances of the case may require Provided That it shall be lawful for any such fiduciary so removed to apply by petition to said court to have such decree of removal vacated and to be reinstated in his office

(d) No decree removing one of several co-fiduciaries shall suspend the power or prejudice the acts of any of the other fiduciaries

(e) If such superseded fiduciary shall neglect or refuse to comply with any order or decree of the court made under the provisions of this section the court shall have power to enforce obedience thereto by attachment with or without sequestration execution or otherwise as to such court shall seem necessary and proper for the due protection of the rights and interests of any and all parties interested or the succeeding fiduciary may proceed at law against the superceded fiduciary and his sureties if any there be or against any other person who may be possessed of any goods or chattels belonging to the estate of the decedent or minor as the case may be or be indebted to him or the remedies by execution and suit at law may be pursued at the same time if the case so require until the end be fully attained

Section 54 (a) 1 In any of the cases enumerated in section fifty-three clause (a) of this act the court may upon the return of the citation require such security of an executor or such other and further security of an administrator guardian or trustee as they may think reasonable conditioned for the performance of the trust which security shall be taken in the name of the Commonwealth of Pennsylvania and filed in the said court and shall be deemed and considered in trust for the benefit

of all persons interested in such estate Provided That it it shall be made to appear to the said court that such fiduciary is about to remove from this Commonwealth or that the property under his charge may be wasted or materially injured before he can be reached by the ordinary process of the court it shall be lawful for such court to issue a writ of attachment under which the same proceedings may take place as in other cases of attachment on mesne process in the orphans' court and on the return of such attachment the court may proceed as on the return to the citation

2 If such fiduciary shall neglect or refuse to give such security or such further security so ordered then the said court may remove such executor or administrator and vacate such letters testamentary or of administration or remove such guardian or trustee and direct the issuance of new letters or appoint a new guardian or trustee as aforesaid

(b) Application may be made to the orphans' court in any of the cases mentioned in clause (a) of section fifty-three of this act by any surety on the bond of such fiduciary and upon the petition of such surety duly verified by oath or affirmation the like proceedings may be had for the purpose of compelling such fiduciary to give security and thereupon the court may order such fiduciary to give such counter-securities as they shall judge necessary to indemnify the surety against loss by reason of his suretyship If such fiduciary shall refuse or fail to give such security within such reasonable time as the court shall order it shall be lawful for the court to direct such fiduciary to pay or deliver over forthwith to such surety or to some other person for him all of the property moneys books accounts and papers whatsoever for which such surety may be accountable or which may belong or relate to the trust Provided That such surety shall first give to the satisfaction of the court sufficient security faithfully to preserve and account therefor and deliver and dispose of the same according to the order of the court

(c) It shall be lawful for the orphans' court having jurisdiction of the accounts of any fiduciary on the petition of any surety of such fiduciary or of the personal representatives of a deceased surety to issue a citation requiring such fiduciary at the return thereof not less than thirty days' notice to be given of the presentation of such petition to file an account of his management of the trust or estate The said citation upon such petition and affidavit filed of the facts connected with the execution and position of the trust funds or estate shall further direct the said fiduciary to show cause why the petitioner or his estate should not be discharged from all future liability if the court after due notice to all parties interested deem it reasonable and proper If the court on due consideration shall discharge such surety or his estate the fiduciary shall thereupon give a new bond with surety or sureties as the court shall order and on failure or refusal so to do within such time as is ordered by the court shall be removed from the trust and some other person or corporation appointed When a new bond is required under the provisions of this clause the surety in the prior bond or his estate shall be liable for all breaches of the conditions thereof committed before the new bond is approved according to law

Section 55 In case any surety or sureties or the personal representatives of any deceased surety or sureties upon the bond of any fiduciary or any person interested in the trust shall apply to the fiduciary for a complete and detailed statement of the nature and character of the securities in which the trust funds are invested and the said fiduciary shall fail for the space of ten days to furnish such statement or if such statement having been furnished it shall appear to the said surety or sureties or the representatives of said surety or sureties or other person interested in said trust that the funds in the hands of the said fiduciary are badly invested so as to be likely to result in a loss to the trust the said surety or sureties or the representatives of said surety or sureties or other person interested in the trust may present a petition to the orphans' court having jurisdiction of said trust praying that an order be made requiring the said fiduciary to file an account of the administration of his trust which account shall include a complete and detailed statement of the manner and securities in which said trust funds are invested within twenty days after the service of said order unless the time be enlarged by the court Thereupon the said court shall make such order and if upon the audit of such account it shall appear to the court that the said fiduciary has been guilty of any act of fraud or mismanagement or has invested the trust funds in securities not authorized by law or by the will of the testator or has made investments which are likely to cause a loss to the trust said court may remove the said fiduciary and order payment of the assets to his successor or into court

Section 56 (a) Whenever by the provisions of any last will and testament admitted to probate a trust has been or shall be declared of and concerning any real or personal estate to be executed by a trustee or trustees named in said will or by the executor or executors of said will whether by virtue of their office or otherwise and any of the said executors or trustees shall die renounce resign be dismissed from or refuse to act in the said trust leaving the other executor or executors trustee or trustees continuing therein it shall be lawful for the orphans' court having jurisdiction of the accounts of such executors or trustees on the application of any party in interest and with the consent of such continuing executor or executors trustee or trustees with notice to all persons interested so far as such notice can reasonably be given to appoint a trustee or trustees in the place of the executor or executors trustee or trustees so dying renouncing resigning dismissed or refusing to act and to require the person or persons so appointed to enter sufficient security for the faithful performance of the trust The trustee or trustees so appointed shall have the same power and interest over and in the property in trust as the executor or executors trustee or trustees in whose stead he or they shall be so appointed as aforesaid It shall also be lawful for the said court to appoint a successor or successors to such trustee or trustees from time to time whenever from death resignation or otherwise the same shall be necessary or expedient

(b) Whenever in any of the cases enumerated in clause (a) of this section all of the said executor or trustees shall die renounce resign be dismissed from or refuse to act in the said trust it shall be lawful for the orphans' court having jurisdiction of the accounts of such executors or trustees on the application of any party interested and with notice to all persons interested so far as such notice can reasonably be given to appoint a trustee or trustees in place of the executor or executors trustee or trustees so dying renouncing resigning dismissed or refusing to act and to require the person or persons so appointed to enter sufficient security for the faithful performance of the trust the trustee or trustees so appointed shall have the same power and interest over and in the property in trust as the executor or executors trustee or trustees in whose stead he or they shall be so appointed as aforesaid It shall also be lawful for the said court to appoint a successor or successors to such trustee or trustees from time to time whenever from death resignation or otherwise the same shall be necessary or expedient

(c) In all cases of trusts created by will and annexed to the office of executor such executor may decline to accept the trust or be discharged therefrom without affecting his office of executor and the orphans court of the proper county shall have power to fill the vacancy by appointment and if a trust fund or estate is committed to an executor or other trustee in which several cestuis que trust have or are entitled to enjoy a separate interest and a vacancy should in any manner occur in the office of the trustee thereof the said court may appoint one or more trustees of such estate or fund for each of the said cestuis que trust on his or her application and the said trustee shall give security as in other cases

(d) The jurisdiction of proceedings under the provisions of this section shall be exclusively in the proper orphans' court Provided however That nothing herein contained shall be construed to affect the jurisdiction of any court of common pleas in proceedings pending at the date of the approval of this act

Section 57 (a) Any fiduciary appointed by any orphans' court of this Commonwealth or by virtue of any last will and testament probated within this Commonwealth may if resident within this Commonwealth lawfully execute the duties of his trust whether or not he is a resident of the county in which the trust was created or in which the decedent has his domicile The court having jurisdiction may in its discretion appoint or refuse to appoint as trustee or guardian any person who is not a resident of this Comonwealth or a corporation of any state of the United States of America other than Pennsylvania duly authorized by its charter or by law to act as such fiduciary and shall require in all cases of a nine-resident of this Commonwealth or of such corporation a bond with sufficient sureties conditioned for the faithful discharge of the duties of the trust but the court may in its discretion permit such corporation to give its own bond without sureties Every appointment by will of a trustee or guardian who is a nonresident of this Commonwealth shall be subject to the approval of such court and the court may require the entry of such bond No such apointment shall be made of nor shall letters testamentary be issued to a corporation of another state unless such corporation shall first file with the clerk of said cour or with the register of wills as the case may be an appointment in writing of an attorney-in-fact resident within the respective county upon whom service of process and notices may be made

(b) When the trustee or trustees of any estate shall reside out of this Commonwealth and any part of the trust estate property or fund is situated within this State the proper orphans' court may on the petition of any of the parties interested in said trust property appoint one or more trustees resident within this Commonwealth to act in conjunction with said non-resident trustee or trustees in the management and disposition of said trust and the said court shall have the same power over said trustee or trustees so appointed that it has in other cases of trust

Section 58 (a) Except as hereinafter provided no letters testamentary or of administration or otherwise which may be granted out of this Commonwealth purporting to authorize any person to intermeddle with the estate of a decedent shall confer upon such person any of the powers and authorities possessed by an executor or administrator under letters granted within this State nor except as hereinafter provided shall any appointment of a trustee of a decedent's estate or any part thereof by will probated out of this Commonwealth or by any court out of this Commonwealth confer upon such person any of the powers and authorities possessed by a trustee under a will probated within this State or appointed by an orphans' court of this State

(b) Except as hereinafter provided no appointment of a guardian made or granted by any authority out of this State shall athorize the person so appointed to interfere with the estate or control the person of a minor in this State Provided That such foreign guardian may at the discretion of

the orphans' court having jurisdiction be appointed by said court on giving security for the due performance of his trust

(c) It shall be lawful for any executor administrator trustee or other person duly authorized to take charge or possession of the personal estate of any decedent or for any guardian or other legal representative of the estate of a minor acting under letters testamentary or of administration or other authority granted by or under the laws of any other state territory or possession of the United States of America or of any foreign country to assign and transfer and to receive the dividends or interest of any public debt or loan of the Commonwealth of Pennsylvania or of any county city borough township or school district thereof or any stocks or bonds of any corporation incorporated under the laws of this Commonwealth standing in the name of or belonging to the decedent minor or cestui que trust or any mortgage debt or indenture of mortgage held by or belonging to the decedent minor or cestui que trust upon real estate situate within this Commonwealth and to enter or cause to be entered satisfaction upon the record of such indenture of mortgage Before any such act shall be done by any such executor administrator trustee guardian or other person there shall be filed in the office of the register of wills for the county in which is located the office for the transfer of such loans stocks or bonds or in the case of a mortgage of the county where the mortgaged real estate may be situated when such person is acting under letters or other authority granted by or under the laws of any other state territory or possession of the United States of America a copy of the will probate and letters issued thereon or of such other grant of authority duly authenticated in accordance with the Acts of Congress or when such person is acting under letters or other authority granted by or under the laws of any foreign country a copy of such will probate and letters issued thereon or of such other grant of authority certified by the official custodian of such documents or records under his official seal if any to be a true and correct copy of the originals thereof in his possession or under his control together with the certificate of the presiding judge or the officer having jurisdiction or authority over such custodian that the attestation is in due form and by the proper officer Provided That before any such executor administrator or trustees shall assign or transfer any such loans stocks bonds or mortgages or receive any interest or dividends thereon or enter satisfaction of any such mortgage he shall also file with said register of wills an affidavit stating that the said decedent is not indebted to any person in this Commonwealth and that the proposed transfer assignment receipt or entry of satisfaction is not made for the purpose of removing any of the assets of said decedent beyond the reach of any of the creditors in this Commonwealth and any such transfer assignment receipt or entry of satisfaction without first making and filing such affidavit shall be void

(d) Whenever a citizen of the United States non-resident in the Commonwealth of Pennsylvania shall have died owning real estate in this Commonwtalth and by his last will and testament shall have empowered his executor or trustee to sell and convey his real estate it shall be lawful for said executor or trustee or his duly appointed successor although not a resident in this Commonwealth from and after the expiration of one year from the death of such decedent to execute any power of sale contained in said last will and testament and to sell and convey to the purchaser the whole or any part of such real estate located in this Common wealth Provided That before executing the power of sale a copy of the last will probate and letters testamentary and of the decree appointing such successor if any there be duly authenticated as provided in clause (c) of this section shall be filed in the office of the register of wills of the county where the land is situated Provided further That nothing in this clause shall change or modify the Acts of Assembly relating to collateral inheritance

(e) It shall be lawful for foreign executors or administrators to cause to be issued in their names as such executors or administrators writs of scire facies within this Commonwealth on all judgments in favor of their decedents the lien of which judgments is about expiring Provided That before any further proceedings are had letters testamentary or of administration must be granted within this Commonwealth as provided by law

(f) It shall be lawful for the orphans' court having jurisdiction of the accounts of any fiduciary to award personal property to the foreign executor or administrator of a deceased non-resident creditor legatee or distributee when it shall appear to the satisfaction of the court by affidavit or other evidence that there are no creditors of such non-resident decedent within this Commonwealth and when it shall further appear by certificate of the register of wills surrogate or court of the proper jurisdiction duly authenticated as required by the Acts of Congress if the domicile of such non-resident creditor legatee or distributee was in another state territory or possession of the United States of America or by the proper diplomatic or consular officer appointed by the United States of America under hi sofficial seal if such domicile was in a foreign country that the person claiming to receive such award is authoried under the laws of such state territory possession or country to receive the property of his decedent Provided That the benefits of this clause shall not extend to any case in which it shall appear that the rights of any resident of this Commonwealth may be adversely affected by such transfer of property to such foreign executor or administrator

(g) 1 In all cases where any guardian and his ward or trustee of his cestui que trust or committee and his lunatic or any other fiduciary and the person in whose interest he is acting shall both be non-residents of this state and such ward or cestui que trust shall be entitled to money personal property of any description or the proceeds of any sale of real estate in this state under the control or jurisdiction of any orphans court and such guardian trustee or other fiduciary shall produce satisfactory proof to said court by certificates that he has given bond and security with special reference to the money or personal property to be removed in the state or country in which he and his ward or cestui que trust reside in double the amount of such money or of the value of such property as guardian trustee or other fiduciary and it shall be found that a removal of the property will not conflict with the terms or limitations attending the right by which the ward or cestui que trust owns the same and that no right of any resident of this Commonwealth will be prejudiced by such removal then any such guardian trustee or other fiduciary may demand or sue for and remove any such money or property to the place of residence of himself and his ward or cestui que trust If such guardian trustee or other fiduciary and his ward or cestui que trust reside in another state territory or possession of the United States of America such certificate shall be authenticated as required by the Acts of Congress and if they reside in a foreign country shall be made by the court having jurisdiction of such guardian trustee or other fiduciary and authenticated by and under the official seal of a diplomatic or consular officer appointed by the United States of America and residing in such country Provided That if it shall appear by such certificate that under the laws of such state territory possession or foreign country such guardian trustee or other fiduciary is not required to enter security but that the interests of his ward or cestui que trust are safeguarded by a deposit of the money or property in the court having proper jurisdiction then it shall be lawful for the orphans' court of the proper county in this state to cause suitable orders to be made authorizing the delivering and passing over of such money or property to such court without the entry of security

2 When such non-resident guardian or trustee shall produce an exemplification under the seal of the office if there be a seal of the proper court in the state or country of his residence containing all the entries on record in relation to his appointment and giving bond and authenticated as required by the Acts of Congress or by a diplomatic or consular officer appointed by the United States of America as provided in paragraph one of this clause the orphans' court of the proper county in this state may cause suitable orders to be made discharging any resident fiduciary and authorizing the delivering and passing over of such personal property and also requiring receipts to be passed and filed if deemed advisable Provided That in all cases thirty days' notice shall be given to the resident fiduciary if such there be of the intended application for the order of removal and the court may reject the application and refuse such order whenever it is satisfied that it is for the interest of the ward or cestui que trust that such removal shall not take place or that the claims of residents of this Commonwealth are not fully protected

(h) When all the persons for whose benefit a valid trust shall have been created by will for a term of years or for life shall have removed from this state into any other state territory or possession of the United States to reside permanently therein the orphans' court having jurisdiction of such trust is hereby authorized and empowered on application by or on behalf of all the persons interested in the trust to direct the trustee or trustees appointed in and by said will to pay over said trust moneys or transfer the securities in which they may have been invested to a trustee or trustees duly appointed by the court of such other state territory or possession upon the production to said court of satisfactory proof by certificates of the appointment of such trustee or trustees in the other state terriory or possession the authority of such trustee or trustees to receive such moneys or securities and the entry of bond and security of proof of the fact that under the laws of such state territory or possession security is not required such certificate to be authenticated in the manner provided in clause (g) paragraph one of this section and upon the production of satisfactory proof that the removal of the property will not conflict with the terms or limitations attending the rights which the cestuis que trust have in such money or securities

Section 59 (a) The orphans' court of each county shall have the care of the persons of minors resident within said county and of their estates and shall have power to admit such minors over the age of fourteen when and as often as there shall be occasion to make choice of guardians and to appoint guardians for such as are under the age of fourteen or otherwise incompetent to make choice for themselves Such appointment or admission of a guardian by the orphans' court of the county in which the minor resides shall have the like effect in every other county in this Commonwealth as in that by the orphans' court of which he shall have been so admitted or appointed

(b) Persons of the same religious persuasion as the parents of the minors shall in all cases be preferred by the court in their appointment as guardians of the persons of such minors

(c) No executor administrator or trustee shall be admitted or appointed by the orphans' court guardian of a minor having an interest in the estate under the care of such fiduciary Provided That nothing herein contained shall be construed to extend to the case of a testamentary guardian

(d) The orphans' court shall not appoint the father or the mother of a minor as guardian of the estate of said minor Provided That nothing herein contained shall be construed to extend to the case of a testamentary guardian And provided further That where the estate of

the minor shall be of the value of one hundred dollars or less the court may in its discretion authorize payment or delivery thereof to the natural guardian of the minor or the person by whom the minor is maintained without the appointment of a guardian by the court or the entry of security

(e) The orphans' court of each county shall have power to appoint guardians of the estates of minors residing out of the Commonwealth in all cases where such minors are possessed of estates lying within the jurisdiction of said court upon the petition of the minors if over the age of fourteen and if it be reasonably practicable for such minors to present their own petitions and in other cases on the petitions of persons qualified to act as their next friends without requiring the said minors to appear in court to make choice of such guardian

(f) The orphans' court of each county shall have power to appoint guardians of the persons and estates of minors residents of such county who may be absent in the service of the United States or who may be physically unable to appear and choose for themselves or who may be so distant from the seat of justice of the county as to make it unnecessarily expensive for them to appear upon the petition of the minors if over the age of fourteen and if it be reasonably practicable for such minors to present their own petitions and in other cases on the petitions of persons qualified to act as their next friends without requiring the said minors to appear in court to make choice of such guardians Provided That when the appointment shall be made on petition of a next friend the minor if of the age of fourteen or on attaining that age may subsequently appear and choose his guardian

(g) The orphans 'court having jurisdiction whenever they may deem it proper may require a bond with good and sufficient corporate security or with two good and sufficient individual sureties from every guardian of a minor whether admitted or appointed by the court or appointed by will or in the case of a corporation duly authorized by its charter or by law to act as guardian said court may permit such corporation to give its own bond without surety Guardians' bonds shall be filed in the office of the clerk of the court and be considered in trust for all persons interested the bonds shall be taken to the Commonwealth in such penalties as the court shall direct and the condition shall be in the following form

The condition of this obligation is such that if the above-bounded A B guardian of C D a minor child of E F (late of deceased) shall at least once in every three years and at any other time when required by the orphans' court for the county of render a just and true account of the management of the property and estate of the said minor under his care and shall also deliver up the said property agreeably to the order and decree of the said court or the directions of law and shall in all respects faithfully perform the duties of guardian of the said C D then the above obligation shall be void otherwise it shall be and remain in full force and virtue

Provided That nothing in this act contained shall be construed to deprive a minor of any action or remedy to which he may be entitled at the common law against his guardian for any cause whatever

(h) Every guardian shall within thirty days after any property of his ward shall have come into his hands or possession or into the hands and possession of any person for him file in the office of the clerk of the court a just and true inventory and statement on oath or affirmation of all such property or estate

(i) When any one shall die leaving an infant child or children without having made an adequate provision for the support and education of such child or children during their minority the orphans' court may direct a suitable periodical allowance out of the minor's estate for the support and education of such minor according to the circumstances of each case which order may from time to time be varied by the court according to the age of the minor and the circumstances of the case

(j) 1 Every guardian whether required by the court to give security or not shall at least once in every three years and at any other time when so required by the court render an account of the management of the minor's property under his care which accounts shall be filed in the office of the clerk of the orphans' court for the information of the court and the inspection of all parties concerned

2 After the filing of such account or accounts such guardian or any person qualified to act as next friend of the minor may petition the orphans' court of the respective county for leave to have said account or accounts examined or audited and confirmed with the same force and effect as executors' administrators and trustees' accounts are examined or audited and confirmed

3 Such petition shall set forth the reason why such account or accounts should be examined or audited and confirmed and shall contain full information as to who may be next of kin or nearest relative of age to such minor or minors and all others interested in the minor's estate together with their addresses if it is possible to give them

4 The court may thereupon direct to whom and what notice if any shall be given to such next of kin or nearest relative of age or to the parties interested in said minor's estate including the minor or minors if fourteen years of age or over of the filing of said account or accounts and presentation of said petition

5 After the filing of due proof of the service of said notice if any be required by the court the court may if it be satisfied that any reasonable necessity exists for the examination of audit and confirmation of such account or accounts asked by said petition thereupon appoint some suitable person to act as guardian ad litem for the minor or minors interested in said account or accounts and the same shall be thoroughly examined by said guardian ad litem who shall make report to the court of the result of his examination or the court may examine and audit said account itself and after said examination or audit is completed a final decree of confirmation as to the matters contained in said account or accounts and said report or reports and said audit or audits shall be made by the court which decree of confirmation shall be final and conclusive as to matters contained in said accounts reports or audits and decrees with the same force and effect or such decrees now have in respect to the accounts of executors administrators and trustees and the audits thereof

6 The costs of said audits or examinations including a fee for said guardian ad litem to be fixed by the court shall be allowed as part of the administration expenses and be paid by such guardians out of the property of the ward in their hands and allowed as credits in said decrees or the said courts shall in the discretion of the court be paid by the said guardians personally

7 Appeals from such decrees and rehearings of such accounts shall be allowed in the same manner and form and with the same force and effect as are allowed in the similar cases of other fiduciaries

8 Every such guardian unless previously discharged or removed shall on the arrival of his ward at full age file in the register's office a full and complete account of his management of the minor's property under his care including all the matters embraced in each partial account except where an examination or audit and final decree of confirmation has taken place as hereinbefore provided in which case said final account shall include only such matters as were not included in such former accounts and decrees aforesaid And the decree of the orphans' court upon such final account shall like other decrees of the court be conclusive upon all parties unless reversed modified or altered on appeal

(k) In all cases in which proceedings may be had in any orphans' court affecting the interest of a minor including the audit of accounts notice of such proceedings shall be given to the guardian of such minor in the same manner as is provided by law in the case of persons of full age If such minor has no guardian appointed by an orphans' court of this Commonwealth or by will probated within this Commonwealth the orphans' court in which such proceedings shall be pending shall appoint a guardian ad litem for such minor in the same manner as is provided by this act in the case of ordinary applications for the appointment of guardians If such minor or his next friend shall fail or refuse to apply for the appointment of a guardian ad litem as aforesaid then such guardian shall be appointed by said court on petition filed by any person interested in such proceedings Notice shall be served as aforesaid upon such guardian ad litem whenever notice shall be requisite

Section 60 (a) Whenever it shall be made known to the orphans' court of the county in which shall be found all or the greater portion of the estate within this Commonwealth of any person who has been a resident either of this Commonwealth or of any other state territory or possession of the United States or of any foreign country and who has absented himself from his usual place of abode by the petition verified by affidavit of the husband wife or next of kin of such person or other person interested in the order named such petition being supported by the affidavits of at least two disinterested residents of the city borough township or other territorial subdivision where such person was last known to reside that such person has been absent from his usual place of abode for the space of one year that his whereabouts is not and has not been known for the space of one year and he has left an estate either real or personal or both situated owing or belonging to him within this Commonwealth without any person to take charge of or manage the same it shall be lawful for said court to appoint one or more trustees who shall take charge of and manage the estate of such person so being absent and who shall be under the control and direction of said court

(b) Such trustee or trustees before taking charge of such estate shall give bond in twice the amount of the personal property and seven years' rental of real estate with sufficient corporate security or two sufficient individual sureties to be approved by said court for the faithful discharge of his or their duties and shall within thirty days after his or their appointment file an inventory of said estate and render an account at least once in three years or oftener if required by said court Provided That in the case of a corporation duly authorized by its charter or by law to act as such trustee said court may permit such corporation to give its own bond without surety

(c) If such person so being absent shall return before the expiration of seven years from the time when he was last heard of or before letters testamentary or of administration shall have been issued in his estate on the ground of his presumed death or in case such letters shall have been so issued before the said trustee or trustees shall have paid or delivered over the property or estate to the excutors or administrators so appointed then said trustee or trustees shall render an account and restore to such person the property and estate after deducting the reasonable expenses of said trust and compensation of said trustee or trustees If such absent person shall die within such period of seven years and letters testamentary or of administration shall be duly issued in his estate or if after the expiration of said period of seven years letters testamentary or of administration shall be issued in his estate on the ground of his pre-

sumed death then said trustee or trustees shall render an account and pay and deliver over to the executors or administrators of such person the property and estate after deducting expenses and compensation as aforesaid

Section 61 No immaterial variation from the forms given and prescribed in and by this act shall vitiate or render void any proceedings in which said forms shall be used

Section 62 This act shall be known and may be cited as the Fiduciaries Act of 1917

Section 63 The following acts and parts of acts of Assembly are hereby repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause

An act entitled "An Act directing the order of payment of debts of persons deceased" passed January twelve one thousand seven hundred five and six two Statutes at Large one hundred and ninety-eight Chapter one hundred and thirty-four absolutely

Section two to seven inclusive and ten to thirteen inclusive of an act entitled "An Act for establishing orphans' courts" pased March twenty-seven one thousand seven hundred and thirteen one Smith's Laws eighty-one absolutely.

An Act entitled "An Act for the more easy recovery of legacies" passed March twenty-one one thousand seven hundred and seventy-two one Smith's Laws three hundred and eighty-three absolutely

Section five of an act entitled "An Act for prevention of frauds and perjuries" passed March twenty-one one thousand seven hundred and seventy-two one Smith's Laws three hundred and eighty-nine absolutely

An Act entitled "An Act for continuing an act entitled 'An Act for the more easy recovery of legacies' " passed October nine one thousand seven hundred and seventy-nine one Smith's Laws four hundred and seventy-three absolutely

Section eight of an act entitled "An Act to establish the judicial courts of this Commonwealth in conformity to the alterations and amendments in the Constitution" passed April thirteen one thousand seven hundred and ninety-one three Smith's Laws twenty-eight absolutely

An Act entitled "An Act to enable executors and administrators by leave of court to convey lands and tenements contracted for with their decedents and for other purposes therein mentioned" passed March thirty-one one thousand seven hundred and ninety-two three Smith's Laws sixty-six absolutely

Sections one two and fourteen to twenty-one inclusive of an act entitled "An Act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nineteenth one thousand seven hundred and ninety-four three Smith's Laws one hundred and forty-three absolutely

Sections one to four inclusive and nine of an act entitled "An Act supplementary to the act entitled 'An Act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned' " passed April fourth one thousand seven hundred and ninety-seven three Smith's Laws two hundred and ninety-six absolutely

An Act entitled "An Act declaring the power and authority given by any last will and testament to executors to sell and convey real estates to be and remain in the survivors or survivor of them unless otherwise expressed in the will of the testator and for other purposes therein mentioned" passed March twelve one thousand eight hundred three Smith's Laws four hundred and thirty-three absolutely

An act entitled "An act authorizing executors and administrators in certain cases to convey lands sold by their decedents by order of orphans' court" approved April second eighteen hundred and two Pamphlet Laws one hundred and thirty-three absolutely

An Act entitled "A Supplement to the act entitled 'An Act to enable executors and administrators by leave of court to convey lands and tenements contracted for with their decedents and for other purposes therein mentioned' " approved March twelfth eighteen hundred and four Pamphlet Laws two hundred and seventy-one absolutely

Section three of an act entitled "An Act to amend certain parts of an act entitled 'An Act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned' " approved March twenty-sixth eighteen hundred and eight Pamphlet Laws one hundred and forty-four absolutely

Section two of an act entitled "An Act relative to dower and for other purposes" approved April first eighteen hundred and eleven Pamphlet Laws one hundred and ninety-eight absolutely

An Act entitled "A Supplement to the act entitled 'An Act declaring the power and authority given by any last will and testament to executors to sell and convey real estates to be and remain in the survivors or survivor of them unles otherwise expressed in the will of the testator and for other purposes therein mentioned' " approved February seventh eighteen hundred and fourteen Pamphlet Laws forty-four absolutely

An Act entitled "An Act to compel trustees to account in certain cases and for other purposes" approved February seventeenth eighteen hundred and eighteen Pamphlet Laws one hundred and four in so far as it relates to testamentary trustees

An Act entitled "A Further Supplement to the act entitled 'An Act to enable executors and administrators by leave of the court to convey lands and tenements contracted for with their decendents and for other purposes' " approved March tenth eighteen hundred and eighteen Pamphlet Laws one hundred and eighty-three absolutely

Section seven of an act entitled "An Act to compel assignes to settle their accounts and for other purposes" approved March twenty-fourth eighteen hundred and eighteen Pamphlet Laws two hundred and eighty-five in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

Section two of an act entitled "An Act to limit the time of appeal in cases of divorce and of the settlement of the accounts of guardians executors and administrators" approved February eighth eighteen hundred and nineteen Pamphlet Laws fifty-eight absolutely

Section two of an act entitled "A Further Supplement to an act approved 'An Act to enable the executors and administrators by leave of court to convey lands and tenements contracted for with their decedents and for other purposes therein mentioned' passed the thirty-first of March one thousand seven hundred and ninety-two" approved February fifth eighteen hundred and twenty-one Pamphlet Laws twenty-five absolutely

An Act entitled "An Act relative to guardians of minor children" approved March thirtieth eighteen hundred and twenty-one Pamphlet Laws one hundred and fifty-three absolutely

Section two of an act entitled "An Act to encourage domestic industry and promote the comfort of the poor" approved March thirty-first eighteen hundred and twenty-one Pamphlet Laws one hundred and seventy-eight absolutely

An act entitled "A Further Supplement to the act entitled 'An Act directing the descent of intestates' real estates and distribution of their personal estates and for other purposes therein mentioned' " approved April first one thousand eight hundred and twenty-three Pamphlet Laws two hundred and eighty-six absolutely

Section one of an act entitled "An Act to enable executor administrators guardians and other trustees to invest their trust moneys" approved February eighteen eighteen hundred and twenty-four Pamphlet Laws twenty-five in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An act entitled "An Act to prevent the failure of trusts" approved March twenty-second eighteen hundred and twenty-five Pamphlet Laws one hundred and seven in so far as it relates to testamentary trustees

Section one of an act entitled "A Supplement to the intestate law of this Commonwealth" approved April eighth eighteen hundred and twenty-six Pamphlet Laws two hundred and fifty-five absolutely

Section three of an act entitled "An Act for the relief of the poor" approved April tenth eighteen hundred and twenty-eight Pamphlet Laws two hundred and eighty-five absolutely

Sections one and two of an act entitled "An Act to prevent the failure of trusts to provide for the settlement of accounts of trustees and for other purposes" approved April fourteenth eighteen hundred and twenty-eight Pamphlet Laws four hundred and fifty-three in so far as they relate to testamentary trustees

Sections one and two of an act entitled "An Act concerning executors" approved April third eighteen hundred and twenty-nine Pamphlet Laws one hundred and twenty-two absolutely

An act entitled "A Further Supplement to the act directing the descent of intestates' real estate and distribuion of heir personal estates and for other purposes therein mentioned passed the nineteenth day of April seventeen hundred and ninety-four" approved April seventh eighteen hundred and thirty Pamphlet Laws three hundred and forty-seven absolutely

Sections six fourteen fifteen sixteen eighteen to twenty-four inclusive twenty-six to thirty inclusive forty-three and forty-four of an act entitled "An Act relating to registers and registers' courts" approved March fifteenth eighteen hundred and thirty-two Pamphlet Laws one hundred and thirty-five absolutely

Sections five to thirty-four inclusive forty-seven fifty-three and fifty-four of an act entitled "An Act relating to orphans' courts" approved March twenty-ninth eighteen hundred and thirty-two Pamphlet Laws one hundred and ninety absolutely

Sections one to forty-one inclusive, forty-three forty-five to sixty-one inclusive sixty-six sixty-seven and sixty-eight of an act entitled "An Act relating to executors and administrators" approved February twenty-fourth eighteen hundred and thirty-four Pamphlet Laws seventy-three absolutely

Sections one and three of an act entitled "Supplement to the act passed the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts' " approved April fourteenth eighteen hundred and thirty-five Pamphlet Laws two hundred and seventy-five absolutely

Sections twelve and thirteen of an act entitled "A Supplement to the act entitled 'An Act to establish the district court for the city and county of Philadelphia' passed the twenty-eighth day of March one thousand eight hundred and thirty-five" approved March eleventh eighteen hundred and thirty-six Pamphlet Laws seventy-six in so far as they relate to testamentary trustees

Sections fifteen to twenty-one inclusive and twenty-three to twenty-six inclusive of an act entitled "An Act relating to assignee for the benefit of creditors and other trustees" approved June fourteenth eighteen hundred and thirty-six Pamphlet Laws six hundred and twenty-eight in so far as they relate to testamentary trustees

Section three of an act entitled "An Act supplementary to the various acts relating to orphans' and registers courts and executors and administrators and the act relat-

ing to the measurement of grain salt and coal" approved June sixteen eighteen hundred and thirty-six Pamphlet Laws six hundred and eighty-two absolutely

Section two of an act entitled "An Act to empower the court of common pleas for the City and County of Philadelphia to appoint assignees or trustees in the place of the deceased assignees or trustees of John Vaughan and for other purposes" approved March seventeenth eighteen hundred and thirty-eight Pamphlet Laws eighty in so far as it relates to the orphans' court

Section one and two of an act entitled "A Further Supplement to an act entitled 'An Act relating to orphans' courts' passed the twenty-ninth day of March one thousand eight hundred and thirty-two and the supplement thereto passed the fourteenth day of April one thousand eight hundred and thirty-five and for other purposes" approved April thirteen eighteen hundred and forty Pamphlet Laws three hundred and nineteen absolutely

Section one of an act entitled "An Act relating to orphans' courts and for other purposes" approved October thirteenth eighteen hundred and forty Pamphlet Laws (eighteen hundred and forty-one) one absolutely

Section five of an act entitled "A Further Supplement to the act entitled 'An Act to establish the district court of the City and County of Philadelphia' passed the twenty-eighth day of March one thousand eight hundred and thirty-five and for other purposes" approved March twelfth eighteen hundred and forty-two Pamphlet Laws sixty-six absolutely

Section fifty-two of an act entitled "An Act concerning the trust estate of Hugh Roberts deceased and for other purposes" approved July sixteenth eighteen hundred and forty-two Pamphlet Laws three hundred and seventy-four absolutely

Section twenty-two of an act entitled "An Act to authorize the Governor to incorporate the Delaware Canal Company and for other purposes" approved April thirteenth eighteen hundred and forty-three Pamphlet Laws two hundred and forty-three Pamphlet Laws two hundred and thirty-seven absolutely

Section nine of an act entitled "An Act in regard to certain entries in ledgers in the City of Pittsburgh and relating to the publishing of sheriffs' sales and for other purposes" approved April twenty-second eighteen hundred and forty-six Pamphlet Laws four hundred and seventy-six absolutely

Section one of an act entitled "An Act relative to the appointment of trustees by orphans' court and for other purposes" approved April twenty-second eighteen hundred and forty-six Pamphlet Laws four hundred and eighty-three absolutely

An Act entitled "An Act to enable the executors and administrators of decedents to perfect title to real estate in certain cases" approved February eighth eighteen hundrd and forty-eight Pamphlet Laws twenty-seven absolutely

Section nine of an act entitled "A Supplement to an act entitled 'An Act relative to the LeRaysville Phalanx' passed March Anno Domini one thousand eight hundred and forty-seven and relative to obligors and obligees to secure the right of married women in relation to defalcation and to extend the boundaries of the Borough of Ligonier" approved April eleventh eighteen hundred and forty-eight Pamphlet Laws five hundred and thirty-six in so far as it relates to letters of administration

An Act entitled "An Act relative to sales made by persons acting in a fiduciary capacity" approved March fourteenth eighteen hundred and forty-nine Pamphlet Laws one hundred and sixty-four in so far as it relates to powers to sell or let real estate on ground rent contained in any will or testamentary writing

Section two of an act entitled "A Further Supplement to an act entitled 'An Act authorizing the Governor to incorporate the Mill Creek and Mine Hill Navigation and Railroad Company' passed the seventh day of February Anno Domini one thousand eight hundred and twenty-eight and in relation to orphans' court deeds' 'approved April ninth eighteen hundred and forty-nine Pamphlet Laws five hundred and eleven absolutely

Sections five thirteen and sixteen of an act entitled "A Supplement to an act relative to the vendors of mineral waters and an act relative to the Washington Coal Company to sheriffs' sales of real estate to the substitution of executors and trustees when plaintiffs to partition in the courts of common pleas and for other purposes" approved April ninth eighteen hundred and forty-nine Pamphlet Laws five hundred and twenty-four absolutely

Section two of an act entitled "An Act relative to sheriff's sales and to the appointment of trustees in the County of Philadelphia and to the appointment of trustees incorporating the First Presbyterian Church of Pottstown Montgomery County and changing the venue of a certain suit in Huntingdon county" approved April ten eighteen hundred and forty-nine Pamphlet Laws five hundred and ninety-seven absolutely

Section one of an act entitled "An Act relating to conveyances by trustees" approved March fourteen eighteen hundred and fifty Pamphlet Laws one hundred and ninety-five in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

Sections one five and forty-four of an act entitled "An Act relating to the bail of executrixes to partition in the orphans 'court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rent to trustees of married women to appeals from awards of arbitrators by corporations to hawkers and pedlers in the Counties of Butler and Union to the payment of costs in actions by informers in certain cases to taxing lands situate in different townships and in relation to fees of county treasurers of Lycoming Clinton and Schuylkill to provide for recording the accounts of executors administrators guardians and auditors' reports and to amend and alter existing laws relative to the administration of justice in this Commonwealth" became a law April twenty-five eighteen hundred and fifty by reason of the Governor's failure to return it within ten days Pamphlet Laws five hundred and sixty-nine absolutely

Sections twenty-two and twenty-three of an act entitled "An Act to incorporate the Wyoming County Mutual Insurance Company relating to Library street in the City of Philadelphia giving jurisdiction to the court of common pleas in Tioga County in a certain divorce case and relating to paving in front of the prison in the County of Philadelphia" approved April twenty-six eighteen hundred and fifty Pamphlet Laws five hundred and seventy-seven except in so far as they relate to recognizances in partition and section twenty-five of said act absolutely

Section eight of an act entitled "An Act relative to the Columbia Lyceum and Mechanics Institute to the act relating to inspections to the claims of David King of Venango County and of the heirs of John Bennett of Lycoming County deceased to authorize James T. Crabb to sell gun-powder in the County of Philadelphia relative to the estate of Francis Harley senior deceased and a supplement to an act relating to registers and registers' court passed March fifteenth one thousand eight hundred and thirty-two" approved May fifteenth one thousand eight hundred and fifty Pamphlet Laws seven hundred and sixty-four absolutely

Section six of an act entitled "An Act supplementary to an act passed the twenty-ninth day of March one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts' and relating to contracts of decedents and escheats in certain cases and relative to the district court of the City and County of Philadelphia and to registers of wills" approved April third eighteen hundred and fifty-one Pamphlet Laws three hundred and five absolutely

Section five of an act entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to actions of ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supreme Court to appeals relating to wards boroughs and township officers to the acknowledgments of deeds and sequestration of life estates" approved April fourteenth eighteen hundred and fifty-one Pamphlet Laws six hundred and twelve absolutely

Section eighteen of an act entitled "An Act to incorporate a company to erect a bridge over the River Schuylkill at Spring Mill in Montgomery County relative to the nineteenth section of 'An Act regulating certain election districts et cetera' approved March twenty-ninth eighteen hundred and fifty-one to school directors in Philadelphia County to actions for damages sustained by injuries done to the person by negligence or default relative to the accounts of John Humes deceased to authorize the trustees of the Seventh Presbyterian Church of Philadelphia to convey certain real estate to security for moneys loaned by wives to husbands to unpaid school taxes in Bradford County and relative to service of process on agents of joint stock companies" approved April fifteenth eighteen hundred and fifty-one Pamphlet Laws six hundred and sixty-nine absolutely

An Act entitled "A Supplement to an act relating to executors and administrators passed February twenty-fourth one thousand eight hundred and thirty-four" approved February second eighteen hundred and fifty-three Pamphlet Laws thirty-one absolutely

An Act entitled "An Act to give power to the orphans' court to grant relief in certain cases" approved February twenty-third eighteen hundred and fifty-three Pamphlet Laws ninety-eight absolutely

Section one of an act entitled "An Act relating to bringing suits by creditors and others against executors administrators assignees and other trustees in certain cases and serving notices and for satisfaction of mortgages and opening judgments in certain cases" approved March twenty-seventh eighteen hundred and fifty-four Pamphlet Laws two hundred and fourteen in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

Section two of an act entitled "An Supplement to an act entitled 'An Act relating to the sale and conveyance of real estate' " approved April thirteenth eighteen hundred and fifty-four Pamphlet Laws three hundred and sixty-eight in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "A Supplement to the act relating to executors and administrators" approved May fifth eighteen hundred and fifty-four Pamphlet Laws five hundred and seventy absolutely

Sections two to five inclusive of an act entitled "A Supplement to an act relating to assignees for the benefit of creditors and other trustees" approved May third eighteen hundred and fifty-five Pamphlet Laws four hundred and fifteen in so far as they relate to testamentary trustees

Section four of an act entitled "An Act relating to the rights of property of husband and wife" approved April eleventh eighteen hundred and fifty-six Pamphlet Laws three hundred and fifteen absolutely

An act entitled "An Act respecting the estates of non-resident wards" approved April twenty-first eighteen hundred and fifty-six Pamphlet Laws four hundred and ninety-five absolutely

Section eight of an act entitled "An Act for the greater certainty of title and more secure enjoyments of real es-

tate" approved April twenty-two one thousand eight hundred fifty-six Pamphlet Laws five hundred and thirty-two absolutely

An act entitled "An Act relating to testamentary trustees" approved March thirteen one thousand eight hundred and fifty-nine Pamphlet Laws six hundred eleven absolutely

Section one of an act entitled "An Act relating to orphans' courts" approved March twenty-two one thousand eight hundred and fifty-nine Pamphlet Laws two hundred and seven absolutey

An Act entitled "A Supplement to the act entitled 'An Act relating to executors and administrators approved the twenty-fourth day of February Anno Domini one thousand eight hundred and thirty-four" approved April six one thousand eight hundred and fifty-nine Pamphlet Laws three hundred and eighty-four absolutely

An Act entitled "An Act to extend the jurisdiction of the orphans' court in case of testamentary trusts" approved April seven one thousand eight hundred and fifty-nine Pamphlet Laws four hundred and six absolutely

An act entitled "An Act relative to the exemption of three hundred dollars and to the widows and children of decedents" approved April eight one thousand eight hundred and fifty-nine Pamphlet Laws four hundred and twenty-five in so far as it relates to the exemption allowed to the widow or children of any decedent

An act entitled "A Act relating to executors administrators and guardians" approved April thirteen one thousand eight hundred and fifty-nine Pamphlet Laws six hundred and four absolutely

An act entitled "An Act relative to the lien of legacies" approved May one one thousand eight hundred and sixty-one Pamphlet Laws four hundred and twenty absolutely

An act entitled "An Act authorizing surviving executors and administrators to execute and deliver deeds of conveyance in certain cases" approved May one one thousand eight hundred and sixty-one Pamphlet Laws four hundred and thirty-one in so far as it relates to fiduciaries subject to the jurisdiction of the orphans 'court

An act entitled "An Act relating to executors and other trustees" approved May one one thousand eight hundred and sixty-one Pamphlet Laws six hundred and eighty in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An act entitled "An Act regulating certain charges of executors and trustees" approved March seventeen one thousand eight hundred and sixty-four Pamphlet Laws fifty-three absolutely

An act entitled "An Act extending the provisions of the second section of the act of April tenth one thousand eight hundred and forty-nine entitled 'An Act relative to sheriffs' sales and the appointment of trustees in the County of Philadelphia et cetera' to the several counties of this Commonwealth" approved April twenty-three one thousand eight hundred and sixty-four Pamphlet Laws five hundred and fifty absolutely

An act entitled "An Act relating to the appointment of guardians" approved August twenty-fifth one thousand eight hundred and sixty-four Pamphlet Laws one thousand twenty-nine absolutely

An Act entitled "An Act providing additional remedies against trustees of a trust created for life or during marriage and providing a remedy for the protection of their sureties" approved March twenty-seventh one thousand eight hundred sixty-five (Pamphlet Laws forty-four) in so far as it relates to testamentary trustees

An act entitled "An Act supplementary to the act to set apart for the use of the widow or children of a decedent three hundred dollars of the estate of said decedent approved April fourteenth one thousand eight hundred and fifty-one" approved November twenty-seventh one thousand eight hundred sixty-five Pamphlet Laws one thousand eight hundred sixty-six one thousand two hundred twenty-seven absolutely

An act entitled "Supplement to an act entitled 'An Act providing additional remedies against trustees of a trust created for life or during marriage and providing a remedy for the protection of their sureties approved March twenty-seventh one thousand eight hundred and sixty-five" approved April seventeen one thousand eight hundred and sixty-six (Pamphlet Laws one hundred and eleven) in so far as it relates to trustees subject to the jurisdiction of the orphans court

An act entitled "An Act enlarging the powers of the orphans court so as to discharge liens on real estate" approved May seventeen one thousand eight hundred sixty-six Pamphlet Laws one thousand ninety-six absolutely

An act entitled "A Supplement to the act of the fifteenth of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to registers and register courts'" approved April fifteen one thousand eight hundred sixty-seven Pamphlet Laws eighty-six absolutely

An act entitled "An Act to authorize the court of common pleas and orphans court of the City of Philadelphia to appoint and remove trustees" approved April ninth one thousand eight hundred sixty-eight Pamphlet Laws seven hundred eighty-five in so far as it relates to trustees subject to the jurisdiction of the orphans court

An act entitled "An Act relating to orphans court conferring upon said courts power to define boundaries in certain cases of devises and conveyances for life or term of years" approved April fourteenth one thousand eight hundred sixty-eight Pamphlet Laws ninety-seven absolutely

Section one of an act entitled "An Act relating to the appointment of auditors in the courts of the County of Montgomery" approved February eighteenth one thousand eight hundred sixty-nine Pamphlet Laws one hundred eighty-three absolutely

An act entitled "An Act relative to actions of trespess and for mesne profits" approved April twelfth one thousand eight hundred sixty-nine Pamphlet Laws twenty-seven absolutely

An act entitled "An Act for the protection of contingent interest" approved April seventeen one thousand eight hundred sixty-nine Pamphlet Laws seventy absolutely

An act entitled "An Act relating to the appraisement of real estate devised by any last will and testament within this Commonwealth" approved April seventeenth one thousand eight hundred sixty-nine Pamphlet Laws seventy-two absolutely

An act entitled "A Supplement to an act relating to assignees for the benefit of creditors and other trustees approved June fourteenth one thousand eight hundred and thirty-six" approved May seventeenth one thousand eight hundred seventy-one Pamphlet Laws two hundred sixty-nine insofar as it relates to fiduciaries appointed by the orphans court or by virtue of any last will or testament

An Act entitled "A Further Supplement to an act entitled 'An Act relating to executors and administrators' approved twenty-fourth February one thousand eight hundred and thirty-four" approved May seventeenth one thousand eight hundred seventy-one (Pamphlet Laws two hundred sixty-nine) absolutely

An Act entitled "A Further Supplement to an Act entitled 'A Further Supplement to an act relating to orphans courts' passed the twenty-ninth day of March one thousand eight hundred and thirty-two and the supplement passed fourteenth of April one thousand eight hundred and thirty-five and the further supplement passed fourteenth of April one thousand eight hundred and forty" approved May twenty-five one thousand eight hundred seventy-one (Pamphlet Laws two hundred seventy-nine) absolutely

An Act entitled "An Act providing for the entry of certain proceedings on the judgment indexes ofthe several courts of this Commonwealth" approved June fifteenth eighteen hundred and seventy-one Pamphlet Laws three hundred and eighty-seven in so far as it relates to proceedings to revive and continue the lien of debts against a decedent's real estate

An Act entitled "An Act relating to foreign executors administrators guardians and representatives of decedents and wards" approved April eighth eighteen hundred and seventy-two Pamphlet Laws forty-four absolutely

An Act entitled "An Act to provide for the recording of deaths of testators and intestates in the office of register of wills" approved May fifeenth eighteen hundred and seventy-four Pamphlet Laws one hundred and ninety-four absolutely

An Act entitled "An Act relative to the transfer of the loans of this Commonwealth and of the City of Philadelphia and to amend the provisions of the twenty-second section of an act entitled 'An Act to authorize the Governor to incorporate the Delaware Canal Company and for other purposes' approved the thirteenth day of April eighteen hundred and forty-three and extending the same to the holders of any loans of this Commonwealth or of the City of Philadelphia domiciled or resident out of this Commonwealth who shall have heretofore died or hereafter die" approved May fifteenth eighteen hundred and seventy-four Pamphlet Laws one hundred and ninety-five absolutely

The proviso to section six of "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth eighteen hundred and seventy-four Pamphlet Laws two hundred and six absolutely

An Act entitled "An Act to validate sales and conveyances under the decrees of courts of this Commonwealth by persons irregularly or improperly appointed or defectively qualified" approved April twenty-eighth eighteen hundred and seventy-six Pamphlet Laws fifty in so far as it relates to proceedings in the orphans' court

An Act entitled "A Further Supplement to an act entitled 'An Act relating to orphans court' approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two designed to extend the fourteenth section of said act so as to authorize investments by executors trustees and other persons holding property in a fiduciary capacity in bonds or certificates of debt created by any of the counties cities or municipal corporations of this Commonwealth" approved May eighth eighteen hundred and seventy-six Pamphlet Laws one thousand and thirty-three absolutely

An Act entitled "An Act relating to the execution of trusts by corporations" approved February sixteenth eighteen hundred and seventy-seven Pamphlet Laws three in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

Sections one and two of an act entitled "An Act to provide for and validate the execution and delivery of deeds and conveyances of real estate in cases in which administrators executors guardians and trustees may die or have died between the time of sale and the time appointed for the payment of purchase money and delivery of the conveyance and also in cases in which the administrator executor guardian or trustee may have received authority from the proper court to purchase real estate sold by him either under the provisions of any last will and testament or by the authority or under the direction of any court having jurisdiction to make a decree directing such real estate to be sold" approved May twenty-second eighteen hundred and seventy-eight Pamphlet Laws eighty-three in so far as they relate to the orphans' court

Sections one two and three of an act entitled "An Act to provide for the appointment of trustees durante absentia

and defining the powers and duties of the same " approved April eleventh eighteen hundred and seventy-nine Pamphlet Laws twenty-one absolutely

An Act entitled "An Act to regulate the compensation of auditors and commissioners" approved June fourth eighteen hundred and seventy-nine Pamphlet Laws eighty-four in so far as it relates to auditors and commissioners appointed by the orphans' court

An Act entitled "A Supplement to extend the provisions of an act entitled 'An Act providing additional remedies against trustees of a trust created for life or during marriage and providing a remedy for the protection of their sureties' approved the twenty-seventh day of March Anno Domini one thousand eight hundred and sixty-five to the orphans' court of the respective counties of this Commonwealth" approved May tenth eighteen hundred and eighty-one Pamphlet Laws fourteen in so far as it relates to trustees subject to the jurisdiction of the orphans' court

An Act entitled "A Supplement to an act approved April thirteenth one thousand eight hundred and fifty-nine entitled 'An Act relating to executors administrators and guardians'" approved June tenth eighteen hundred and eighty-one Pamphlet Laws one hundred and six absolutely

An Act entitled "An Act to confer power on the several orphans' courts having jurisdiction of the accounts of executors and administrators to order and direct a sale for the payment of the debts of such decedent of any lands lying partly in two or more counties" approved June fourth eighteen hundred and eighty-three Pamphlet Laws sixty-five absolutely

An Act entitled "An Act providing the manner in which widows and childrens exemption in decedents estates shall and may be set aside to them in certain cases" approved June fourth eighteen hundred and eighty-three Pamphlet Laws seventy-four absolutely

An Act entitled "An Act to permit foreign executors or administrators to issue scire facias to preserve and continue the lien or liens of judgments in favor of decedents within this Commonwealth and before letters of admistration have been taken out within this State" approved June twenty-seventh eighteen hundred and eighty-three Pamphlet Laws one hundred and sixy-three absolutely

An Act entitled "An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domocile" approved June twenty-fourth eighteen hundred and eighty-five Pamphlet Laws one hundred and fifty-five absolutely

An Act entitled "An Act limiting the time within which action may be brought upon refunding bonds given upon the distribution or partition of estates of decedents" approved June thirtieth eighteen hundred and eighty-five Pamphlet Laws two hundred and three absolutely

An act entitled "An Act authorizing executors or trustees to unite with others in the organization of corporations" approved April twenty-second eighteen hundred and eighty-nine Pamphlet Laws forty-two absolutely

An act entitled "An Act to authorize courts having cognizance of trusts created by deed or will to direct trust funds to be placed in the custody of trustees appointed by the courts of another state or territory of the United States in cases where the person or persons beneficially interested in such trust have removed to such other state or territory of the United States" approved May eighteenth eighteen hundred and eighty-nine Pamphlet Laws one hundred and twenty-three in so far as it relates to trusts created by will

An Act entitled "An Act relating to orphans' court sales" approved May ninth eighteen hundred and eighty-nine Pamphlet Laws one hundred and eighty-two absolutely

An act entitled "An Act amending an act entitled 'An Act respecting the estate of non-resident wards' approved the twenty-first day of April Anno Domini one thousand eight hundred and fifty-six extending the provisions thereof so that the same may apply to trustees and cestui que trusts" approved May thirteenth eighteen hundred and eighty-nine Pamphlet Laws one hundred and ninety absolutely

Section two of an act entitled "An Act relating to judicial sales and the presentation of the lien of mortgages" approved May nineteenth eighteen hundred and ninety-three Pamphlet Laws one hundred and ten absolutely

An act entitled "An Act to enable the surety of any trustee committee guardian assignee receiver administrator executor or other trustee or any person interested in the trust to require the filing of statements exhibiting the manner of the investment of the trust funds and providing for the removal of such trustee committee guardian assignee receiver administrator executor or other trustee by the court" approved June third eighteen hundred and ninety-three Pamphlet Laws two hundred and seventy-three in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' courts

An act entitled "An Act regulating the satisfaction extinguishment or discharge of dowers legacies or other charges upon land by judicial decree where the legal presumption of payment of the same exists from lapse of time or where payment of the same has been made in full and no satisfaction extinguishment release thereof appears of record" approved June eighth eighteen hundred and ninety-three Pamphlet Laws three hundred and fifty-six absolutely

An act entitled "An Act to limit the duration of the lien of the debts of decedents other than those of record on their real estate" approved June eighth eighteen hundred and ninety-three Pamphlet Laws three hundred and ninety-two absolutely

An act entitled "An Act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owners or owners of the land sought to be released and discharged and no sufficient release is of record in the county and regulating proceedings for such release and discharge" approved May eighteen hundred and ninety five Pamphlet Laws forty-four in so far as it relates to the orphans' courts

An act entitled "A Supplement to an act entitled "An Act relating to executors and administrators' approved February twenty-fourth one thousand eight hundred and thirty-four relating to the lien of judgments against decedents" approved June eighteenth eighteen hundred and ninety-five Pamphlet Laws one hundred and ninety-seven absolutely

Section one of an act entitled "An Act providing that the right of action for injury wrongfully done to the person shall survive against the personal representatives of the wrongdoer and limiting the time within which suit for such injury must be brought" approved June twenty-fourth eighteen hundred and ninety-five Pamphlet Laws two hundred and thirty-six absolutely

An act entitled "An act to allow receivers assignees guardians committees trustees executors and administrators to include in the lawful expenses of executing their trusts such reasonable sum paid a company authorized under the laws of this state so to do for becoming their surety as may be by court allowed not exceeding one per centum per annum on the amount of such bonds' approved June twenty-fourth eighteen hundred and ninety-five Pamphlet Laws two hundred and forty-eight in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act to authorize executors and trustees non-residents of the Commonwealth to convey real estate" approved June twenty-three eighteen hundred and ninety-seven Pamphlet Laws two hundred absolutely

An act entitled "An Act authorizing the payment into the orphans' court of the money due on dowers legacies or other charge upon land where the person or persons to whom the dower legacy or other charge upon land is due and payable cannot be found and providing for the satisfaction extinguishment or discharge thereof and to ascertain the amount thereof" approved July fourteenth eighteen hundred and ninety-seven Pamphlet Law two hundred and sixty-nine absolutely

An act entitled "An Act enlarging the powers of the orphans' court and to provide a further remedy for the collection on dower interest due to widows" approved April twenty-eighth eighteen hundred and ninety-nine Pamphlet Laws one hundred and twenty absolutely

An act entitled "An Act authorizing the orphans' courts of the Commonwealth to decide specific performance of written contracts and also parol contracts when so far executed that it would be inequitable to rescind for the sale of real estate where the vendor has died without conveying and in cases where the vendee has died without having paid the purchase money and authorizing the recording of the decrees in such cases in the counties where the real estate lies" approved April twenty-eighth eighteen hundred and ninety-nine Pamphlet Laws one hundred and fifty-seven absolutely

An Act entitled "An Act to allow an executor administrator guardian assignee or trustee to institute an action at law or other legal or equitable proceedings against a co-executor administrator guardian assignee or trustee to recover or enforce any debt or obligation individually due the estate which he represents' 'approved May eleventh nineteen hundred and one Pamphlet Laws one hundred and sventy-four in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act to confer on the several orphans' courts having jurisdiction of the accounts of guardians power to order and direct a mortgage or a public or private sale for the payment of debts or for other purposes of any lands lying partly in two or more counties divided by county lines" approved May twenty-one nineteen hundred and one Pamphlet Laws two hundred and seventy-two absolutely

An Act entitled "An Act to amend the first section of an act entitled "An Act to limit the duration of the lien of the debts of decedents other than those of record on their real estate' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three and to extend the provisions of said act so as to limit the duration of the lien upon real estate of the decedents other than those secured by mortgage or by judgment entered or revived by scire facias within five years prior to the death of such decedent" approved June fourteen nineteen hundred and one Pamphlet Laws five hundred and sixty-two absolutely

An Act entitled "An Act authorizing the orphans' court to adjudge real estate to persons to whom the right to take the same at a certain valuation has been given in a will and who are appointed executors of the same will providing for the payment of the purchase money and confirming titles to real estate heretofore taken under similar proceedings" approved March fifth nineteen hundred and three Pamphlet Laws ten absolutely

An Act entitled "An Act providing for the voting of shares of stock incorporations in this Commonwealth held by executors administrators guardians and trustees and the manner of voting the same" approved March sixteenth nineteen hundred and five Pamphlet Laws forty-two in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act to amend the first section of an act approved the eleventh day of April Anno Domini one thousand eight hundred and seventy-nine entitled 'An Act to provide for the appointment of trustees durante absentia and defining the powers and duties of the same' providing for

the appointment of a trustee of the estate of any absentee who has been a resident of this Commonwealth or of any other state territory or foreign country who has left either real or personal estate or both in this Commonwealth" approved March thirtieth nineteen hundred and five Pamphlet Laws seventy-seven absolutely

An Act entitled "An Act to regulate the transfer of funds from executors and administrators in this Commonwealth to foreign executors and administrators" approved March thirty-first nineteen hundred and five Pamphlet Laws ninety-one absolutely

An Act entitled "An Act to extend the statute of limitations to debts or demands arising or falling due to the estate of a decedent after the death of such decedent" approved April sixth one thousand nine hundred and five Pamphlet Laws one hundred and fourteen absolutely

An Act entitled "A Supplement to an act entitled 'An Act relating to the granting of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile' approved June twenty-fourth one thousand eight hundred and eighty-five providing for the probate of a will of a person whose death by presumption has been established and for attachment of such will to letters of administration granted in the case" approved April fourteenth one thousand nine hundred and five Pamphlet Laws one hundred fifty-three absolutely

An Act entitled "An Act to amend an act approved the seventeenth day of May one thousand eight hundred and sixty-six entitled 'An Act enlarging the powers of the orphans' court so as to discharge liens on real estate' so as to include charges on real estate by the provisions of a last will and testament or otherwise" approved March twenty-second one thousand nine hundred and seven Pamphlet Laws twenty-nine absolutely

An Act entitled "An Act authorizing employers to pay to the wife children brother or sister father or mother boarding-house keeper undertaker nurse or physician wages due a deceased employe" approved May twenty-third one thousand nine hundred and seven Pamphlet Laws two hundred and one absolutely

An Act entitled "An Act to allow receivers assignees guardians committees trustees executors and administrators to include in the lawful expenses of executing their trust such reasonable sum paid a company authorized under the laws of this State so to do for guaranteeing the payment of the principal and interest of mortgages or other securities in which they are required to invest the funds of their estate not exceeding one-half of one per centum per annum on the principal of such mortgage or other securities" approved May twenty-eight one thousand nine hundred seven Pamphlet Laws two hundred seventy-one in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act to provide for the discharge of sureties upon bonds of trustees committees guardians assignees receivers executors administrators and other fiudciaries" approved June first one thousand nine hundred seven Pamphlet Laws three hundred eighty-four in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act authorizing the parties in interest or their counsel to select auditors and masters needed in judicial proceedings except in divorce cases" approved April first one thousand nine hundred and nine Pamphlet Laws ninety-five in so far as it relates to proceedings in the orphans' court

An Act entitled "An Act to amend sections twenty-nine and thirty of an act approved the twenty-ninth day of March Anno Domini eighteen hundred and thirty-two entitled 'An Act relating to orphans' courts and validating execution and attachment execution process issued out of the courts of common pleas of the Commonwealth upon transcripts from any orphans' court of this Commonwealth for balances due from or in the hands of any executor administrator guardian or other accountant on the settlement of their respective accounts in the orphans' court" approved April twenty-seventh one thousand nine hundred nine Pamphlet Laws two hundred two except in so far as it relates to proceedings begun prior to its date

An Act entitled "An Act to limit the duration upon real estate of the debts of decedents including the expenses of the settlement of the estate and to provide under what conditions the lien may be continued" approved May third one thousand nine hundred nine Pamphlet Laws three hundred eighty-six absolutely

An Act entitled "An Act to provide for the filing auditing and confirmation in certain cases of accounts of trustees and of committees of lunatics and of habitual drunkards" approved May third one thousand nine hundred nine Pamphlet Laws three hundred ninety-one in so far as it relates to trustees subject to the jurisdiction of the orphans' court

An Act entitled "An Act providing that the widow or children of any decedent dying outside of this Commonwealth but whose estate is settled in this Commonwealth may retain either real or personal property belonging to said estate to the value of three hundred dollars" approved May sixth one thousand nine hundred nine Pamphlet Laws four hundred fifty-nine absolutely

Section one two and three of an act entitled "An Act relating to private sales of real estate ordered decreed or approved by the orphans' court and providing a method of giving notice of such sales and validating such private sales of real estate heretofore made under the authority of the orphans' courts for the payment of debts" approved June ninth one thousand nine hundred eleven Pamphlet Laws seven hundred twenty-four absolutely

An Act entitled "An Act to amend section ten of an act approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts' so as to permit the accounts of the guardians of minors' property therein mentioned and described to be examined and audited and the matters therein contained confirmed by decree of orphans' court with the same force and effect as the partial accounts of executors administrators and temporary trustees are audited examined allowed and confirmed" approved June ninth one thousand nine hundred eleven Pamphlet Laws seven hundred forty-four absolutely

An Act entitled "An Act to confer power on the several orphans' courts having jurisdiction thereof when the balance for distribution in an estate after the debts are paid includes stocks bonds and other securities to make distribution of the same in kind to parties entitled thereto to authorize subsequent sales thereof and to validate such distribution heretofore made" approved June tenth one thousand nine hundred eleven Pamphlet Laws eight hundred seventy absolutely

An Act entitled "An Act to provide that persons buying real estate in this Commonwealth from executors or trustees named in the last will and testament of any person dying testate and who hold the same in trust under the provisions thereof and who make sale of same under the power of sale in said last will and testament contained shall take title to said real estate free and discharged of any obligation to see to the application of the purchase money" approved June tenth one thousand nine hundred eleven Pamphlet Laws eight hundred seventy-four absolutely

An Act entitled "An Act to amend an act approved the eighth day of April Anno Domini one thousand eight hundred and seventy-two entitled 'An Act relating to foreign executors administrators guardians and representatives of decedents and wards' by extending the provisions thereof to the assignment and satisfaction of record of mortgage debts and indentures of mortgage and to the receipt of the interest thereon" approved June thirteenth one thousand nine hundred eleven Pamphlet Laws eight hundred ninety absolutely

An Act entitled "An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred thirty-four entitled 'An Act relating to executors and administrators'" approved May twenty-third one thousand nine hundred thirteen Pamphlet Laws three hundred forty-four absolutely

An Act entitled "An Act relating to the real estate of persons presumed to be dead and providing a method of freeing such estate from all claim or interest of such persons" approved May twenty-eighth one thousand nine hundred thirteen Pamphlet Laws three hundred sixty-nine absolutely

An Act entitled "A Supplement to an act entitled 'An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile' approved June twenty-fourth one thousand eight hundred and eighty-five providing for the grant of ancillary letters of administration in this Commonwealth upon the estates of persons presumed to be dead by reason of long absence from their former domicile in any other state territory or foreign country who have left personal estate within this Commonwealth" approved May twenty-eighth one thousand nine hundred thirteen Pamphlet Laws three hundred seventy-three absolutely

An act entitled "An Act to amend an act approved the ninth day of June one thousand nine hundred and eleven entitled 'An Act relating to private sales of real estate ordered decreed or approved by the orphans courts and providing a method of giving notice of such sales and validating such private sales of real estate heretofore made under the authority of the orphans courts for the payment of debts'" approved June twelfth one thousand nine hundred and thirteen Pamphlet Laws four hundred seventy absolutely

An act entitled "An Act to amend an act approved the fourteenth day of April one thousand eight hundred fifty-one entitled 'An Act relating to the commencement of actions to judgments and decree for the payment of money to the widows and children of decedents to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to actions of ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the supreme court to appeals relating to wards boroughs and township officers to the acknowledgements of deeds and sequestration of life estates' by regulating the appointment and number of appraisers" approved July twenty-first one thousand nine hundred thirteen Pamphlet Laws eight hundred seventy-seven absolutely

An act entitled "An Act authorizing the several orphans' courts to empower guardians and trustees of estates of minors to elect in writing to take land in fee which has been ordered to be sold by the provisions of any duly probated will in lieu of legacies bequeathed or distributable to said minors from the proceeds of such sale and validating certain elections to take land in lieu of legacies heretofore made pursuant to an order of court" approved July twenty-second one thousand nine hundred and thirteen Pamphlet Laws nine hundred eight absolutely

An act entitled "An Act authorizing the orphans court to reduce under certain circumstances the bond of any fiduciary imposing duties on registers of wills in connection therewith" approved May third one thousand nine hundred fifteen Pamphlet Laws two hundred eighteen absolutely

An act entitled "An Act relative to estates of decedents" approved May sixth one thousand nine hundred fifteen Pamphlet Laws two hundrd sixty-five absolutely

An act entitled "An Act to amend an act approved the twenty-fourth day of February one thousand eight hun-

dred thirty-four entitled 'An Act relating to executors and administrators' as amended" approved May sixth one thousand nine hundred fifteen Pamphlet Laws two hundred sixty-seven absolutely

An act entitled "An Act to amend an act entitled 'An Act to limit the duration upon real estate of the debts of decedents including the expenses of the settlements of the estate and to provide under what conditions the lien may be continued' approved the third day of May one thousand nine hundred and nine so as to restrict the revival of judgment liens by the death of the debtor to real estate still owned by said decedent at the date of his death" approved May fourteenth one thousand nine hundred fifteen Pamphlet Laws four hundred seventy-five absolutely

An act entitled "A Supplement to an act approved the fourteenth day of April one thousand eight hundred and fifty-one entitled 'An Act relating to the commencement of actions to judgments and decree for the payment of money to the widows and children of decedents to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to actions of ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supreme Court to appeals relating to wards boroughs and township officers to the acknowledgment of deeds and sequestration of life estates' providing a method of allowing a widows' exemption where the property consists of real estate not readily divided" approved June first one thousand nine hundred fifteen Pamphlet Laws six hundred eight-two absolutely

An act entitled "An Act to amend section three of an act approved the fourteenth day of April Anno Domini one thousand nine hundred and five entitled 'A Supplement to an act entitled 'An act relating to the granting of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eighty-five providing for the probate of a will of a person whose death by presumption has been established and for attachment of such will to letters of administration granted in the case' by providing for the issuance of letters testamentary to the executor named in such will in the same manner and form as if such supposed decedent were actually dead" approved June first one thousand nine hundred and fifteen Pamphlet Laws six hundred eighty-nine absolutely

An act entitled "An Act to amend section five of an act entitled 'An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile' approved the twenty-fourth day of June Anno Domini one thousand eight hundred and eighty-five by authorizing the several orphans courts of this Commonwealth to accept refunding bonds from the distributees without sureties in certain cases" approved June eleventh one thousand nine hundred fifteen Pamphlet Laws nine hundred forty-five absolutely

All other acts of Assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1259 (Senate Bill No. 632), entitled

An Act to further amend section nine of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties of townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties or authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township boroughs or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1339 (Senate Bill No. 681), entitled

An Act to increase the pay of election officers from five dollars ($5.00) per day to ten dollars ($10.00) per day

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act the pay of elecetion officers shall be ten dollars ($10.00) per day instead of five dollars ($5.00) per day as now provided by law

On the question,

Will the House agree to the section?

Mr. SIMPSON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section one by striking out all of said section after the enacting clause, and inserting in lieu thereof the following:

"That the pay of all election officers in cities of the first and second class is hereby fixed at ten dollars ($10.00) per day"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to increase the pay of election officers from five dollars ($5.00) per day to ten dollars ($10.00) per day

On the question,

Will the House agree to the section?

Mr. SIMPSON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title by striking out the following

"Increase the pay of elecetion officers from five dollars ($5.00) per day to ten dollars ($10.00) per day" and inserting in lieu thereof: "fix the pay of election officers in cities of the first and second class."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1235 (Senate Bill No. 562), entitled

An Act authorizing boroughs to assess the cost of the improvement or reconstruction of certain state highways in certain cases upon the property abutting the line of improvement and providing for the collection of such assessments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1369 (Senate Bill No. 243), entitled

An Act to repeal an act approved the twenty-fourth day of July one thousand nine hundred and thirteen entitled "An act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record providing for non-partisan nominations and elections for said offices abolishing certain existing methods of nomination in such cases and the use of party or political names or appelations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses" in so far as it relates to nominations and elections for election officers in cities of the second class

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand and one) entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record providing for non-partisan nominations and elections for said offices abolishing certain existing methods of nomiation in such cases and the use of party or political names or appelations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses" is hereby repealed in so far as it relates to nominations and elections for elective offices in cities of the second class

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. DAWSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purposes of a hearing.

Mr. McCULLOUGH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1255 (Senate Bill No. 255), entitled

An Act to fix the time for filing nomination papers for State and municipal officers and for determination by the courts of contested papers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1256 (Senate Bill No. 256), entitled

An Act to amend paragraph "a" of section four and paragraph one of section five of an act entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record; providing for non-partisan nominations and elections for said offices; abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners, and election officers and clerks; and providing penalties for the violation of the provisions hereof, and the punishment of certain offenses," approved the twenty-fourth day of July, Anno Domini one thousand nine hundred and thirteen, so as to change the time for circulating and filing nomination petitions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1257 (Senate Bill No. 257), entitled

An Act to amend the first, sixth and seventh sections of an act, entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States, and the payment by the several counties and their reimbursement by the State of the expenses of the same; authorizing the State committee of a political party to make and to alter, amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided herein and repealing inconsistent legislation," approved the twelfth day of July, Anno Domini one thousand nine hundred and thirteen, so as to change the time for filing petitions of nomination and the time for the organization of the State committees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1295 (Senate Bill No. 595), entitled

An Act regulating the practice and procedure of the sheriff or deputy sheriff under writs of inquisition condemnation inquiry of damages lunacy or habitual drunkard proceedings partition proceedings or by virtue of any other writ or process issued by the courts of this Commonwealth wherein the existing laws require the sheriff to be present in person

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1239 (Senate Bill No. 583), entitled

An Act to further amend section sixteen of an act approved the thirteenth day of June one thousand eight hundred and thirty-six entitled "An Act relating to lunatics and habitual drunkards" as amended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 338 (Senate Bill No. 61), entitled

An Act to enable foreign religious and charitable corporations to hold real estate

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1331 (Senate Bill No. 567), entitled

An Act to amend section nineteen of an act approved the thirteenth day of June one thousand eight hundred thirty-six entitled "An Act relating to roads highways and bridges"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1337 (Senate Bill No. 675), entitled

An Act validating marriages contracted on or before the first day of January, one thousand eight hundred and ninety-six, within or without the State of Pennsylvania between parties resident within the State of Pennsylvania at the time of the approval of this act, where continuous cohabitation of the parties contracting the marriage for a period of twenty-one years has followed such marriage, notwithstanding any impediment or obstacle which may have existed under the law of Pennsylvania at the time such marriage was performed, and making legitimate all children born of parents whose marriages are validated under this act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1373 (Senate Bill No. 698), entitled

An Act to prevent the incorporation of societies and associations not for profit with names, styles or title identical with or similar to the names, styles or titles of State boards, commissions or other activities and the use by such societies and associations already incorporated of such names, styles or titles, where such identity or similarity is calculated to result or has resulted in a confusion in the public mind between the recommendations and operations of such societies and associations, and those of said State boards, commissions or other activities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1372 (Senate Bill No. 480), entitled

An Act to amend section five of an act approved the fifteenth day of June, one thousand nine hundred and fifteen, entitled "An Act to amend, revise, and consolidate the law providing for the burial of certain honorably discharged soldiers, sailors and marines, at the expense of the counties in which they shall die or have a legal residence at the time of their death; to provide a system for effecting the burial of such soldiers, sailors, and marines; to provide headstones and markers for the graves of such soldiers, sailors, and marines; and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers, sailors and marines."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1338 (Senate Bill No. 680), entitled

An Act to amend section two of an act approved the fifteenth day of June one thousand nine hundred and eleven entitled "An Act providing for the appointment by the District Attorney in counties having a population of over one million and less than one million five hundred thousand inhabitants of a chief county detective and assistant county detective and special county detective defining their duties fixing their salaries and authorizing payment of the same together with the necessary traveling expenses by the county and providing for additional salary and expenses"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1333 (Senate Bill No. 579), entitled

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve and maintain the same; and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways, providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," and further providing that the State Highway Commissioner, and the several counties, townships, boroughs or incorporated towns shall have authority to make and enter into contracts to reconstruct or improve a State Highway or portion thereof, in the same manner as a State-aid highway; and authorizing counties, townships, boroughs or incorporated towns to incur indebtedness and pay their respective shares of the cost thereof, and making valid all such contracts heretofore made; such highway to remain a State Highway.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1097 (Senate Bill No. 326), entitled

An Act to amend sections three and four of an act approved the twenty-eighth day of April one thousand nine hundred and fifteen entitled "An Act creating a Division of Distribution of Documents defining its powers and duties regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly, met and it is hereby enacted by the authority of the same That section three of an act approved the twenty-eighth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and seventy-eight Number one hundred and two) entitled "An Act creating a Division of Distribution of Documents defining its powers and duties regulating the printng binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act" which reads as follows

"Section 3 The chief of the division shall be appointed by the Superintendent of Public Printing and Binding with the approval of the Governor for the term of four years or until his successor has been appointed and has qualified He shall before assuming the duties of his office take and subscribe to the oath of affirmation prescribed by the Constitution of this Commonwealth and shall give bond to the Commonwealth in the sum of ten thousand dollars ($10,000) conditioned on the faithful performance by him of the duties of his office He shall receive a salary of two thousand four hundred dollars" is hereby amended to read as follows

Section 3 The chief of the division shall be appointed by the Superintendent of Public Printing and Binding with the approval of the Governor for the term of four years or until his successor has been appointed and has qualified He shall before assuming the duties of his office take and subscribe to the oath or affirmation prescribed by the Constitution of this Commonwealth and shall give bond to the Commonwealth in the sum of ten thousand dollars ($10,000) conditioned on the faithful performance by him of the duties of his office. He shall receive a salary of three thousand dollars

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. JONES. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. PICKERING. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 615, entitled

An Act to amend the act, approved the twentieth day of May, one thousand nine hundred and fifteen, entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions;" by extending the provisions thereof to public employes paid out of any public treasury within cities of the first class maintained from taxes collected within such cities

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An act requiring cities of the first lcass to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriations of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all cities of the first class shall create a pension fund for the pensioning of employes of said cities and of all county or other public employes if any paid by appropriation of the city councils thereof and out of the city treasury thereof in the manner and under the conditions and subject to the qualifications following" is hereby amended to read as follows

Section 1 That all cities of the first class shall create a pension fund for the pensioning of employes of said cities and of all county or other public employes if any paid out of the city treasury of such city or any other public treasury within such cities maintained from taxes collected within such cities in the manner and under the conditions and subject to the qualifications following

Section 2 That section two of said act which reads as follows

"Section 2 In every such city of the first class there shall be created a board to be known as the pension board consisting of the mayor the city treasurer the city controller one member of select council and one member of common council of said city to be selected annually by the respective bodies It shall be the duty of said board to register all persons employed by the said city and other public employes paid out of the treasury thereof as aforesaid if any and to administer the collection and distribution of the fund herein provided for and to do such acts and make such reasonable rules in the premises as such board may deem necessary to effectually carry into effect the provisions of this act" is hereby amended to read as follows

Section 2 In every such city of the first class there shall be created a board to be known as the pension board consisting of the mayor the city treasurer the city controller one member of select council and one member of common council of said city to be selected annually by the respective bodies It shall be the duty of said board to register all persons entitled to the benefits of this act and to administer the collection and distribution of the fund herein provided for and to do such acts and make such reasonable rules in the premises as such board may deem necessary to effectually carry into effect the provisions of this act

Section 3 That section three of said act which reads as follows

"Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury thereof as herein above provided if any of the age of sixty years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained" is hereby amended to read as follows

Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury or any other public treasury within such cities maintained from taxes collected within such cities as herein above provided if any of the age of sixty years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained

On the question,

Will the House agree to the section?

Mr. DUNN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Amend section 3 page 4 line 21 by adding at the end thereof the following

"Provided, That if any person or persons had been in the employ of said cities or counties or paid out of the city treasurer or any other public treasury within such cities maintained from taxes collected within such cities for a period covering seventeen years or more prior to the passage of this act, and shall thereafter be re-employed, it shall be necessary that the period of their re-employment shall extend over a period of three years or more before such person or persons shall be entitled to receive the pension fixed by this act."

Amend the bill by adding after section 3 page 4 the following section:

'Section 4. That section four of said act which reads as follows:

"Section 4. During the lifetime of the said person he or she shall be entitled to receive a pension annually from the fund set aside for the purpose, fifty per centum of the amount which would constitute the average annual salary or wages which he or she received during the last five years of his employment by the said city or other public employment as aforesaid. Said pension to be paid in monthly payments. Should any person so employed after twenty years of service be dismissed voluntarily, retire or be in any manner deprived of his position or employment before attaining the age of sixty years, upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service, said person shall be entitled to the pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service, but said pension shall not commence until he or she has attained the age of sixty years. Should any employe, however, become totally and permanently disabled after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension. Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office. The pension paid to any one employe shall not exceed one hundred dollars per month' "

be amended to read as follows:

"Section 4. During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty percentum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or

her employment by the said city or other public employment as aforesaid. Said pension shall be paid in monthly payments. Provided, That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years, such person shall be required to pay unto the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years. Should any person so employed after twenty years of service be dismissed, voluntarily retire or be in any manner deprived of of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service, but said pension shall not commence until he or she has attained the age of sixty years. Should any employe however become totally and permanently disabled after twenty years of service and before attaining the age of sixty years, he or she shall be entitled to the said pension. Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office. The pension paid to any one employe shall not exceed one hundred dollars per month."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fourth section was read as follows:

Section 4 That section five of said act which reads as follows

"Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages in no event however paying at a rate greater than four dollars a month which shall be applied to the purposes of this act Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full without interest Provided however If any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter such public employment said employe shall not be entitled to the pension designated until twenty years after the said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employe" is hereby amended to read as follows

Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages in no event however paying at a rate greater than four dollars a month which shall be applied to the purposes of this act Payment of the monthly amount or contribution heerin mentioned shall continue until the beneficiary has contributed the monthly amount or contribution for twenty years when such payment shall cease If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities or any other public treasury within such cities maintained from taxes collected within such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full without interest Provided however If any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter such public employment said employe shall not be entitled to the pension designated until twenty years after the said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employe

On the question,
Will the House agree to the section?
Mr. DUNN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 4, by renumbering the same "Section 5."

Amend section 5, as renumbered, page 6, lines 4, 5 and 6, by striking out the words: "continue until the beneficiary has contributed the monthly amount or contribution for twenty years when such payment shall cease," and insert in lieu thereof the following: "cease and be discontinued at the time the beneficiary received the pension herein provided, if such beneficiary has so contributed to the pension fund during a period of twenty years. If at the time the beneficiary receives the pension herein provided, he or she shall not have been a contributor to the pension fund during a period of twenty years, such person shall be required to pay unto the board of pensions an amount equal to two per centum of his or her monthly pension until such time as his or her contribution shall have extended during a period of twenty years."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fifth section was read as follows:

Section 5 That section six of said act which reads as follows

"Section 6 Should any person holding position in said cities of the first class of any county or other public employes if any paid out of the treasury of such cities as aforesaid be paid a per diem wage he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act" is hereby amended to read as follows

Section 6 Should any person entitled to the benefit of this act be paid a per diem wage he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act

On the question,
Will the House agree to the section?
Mr. DUNN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 5 by renumbering same to section 6

Amend section 6 as renumbered, line 13, page 7 by inserting after the word "wage" the following: "or a salary at a rate of three hundred and sixty dollars each year or less."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The sixth section was read as follows:

Section 6 That section nine of said act which reads as follows

"Section 9 The public authorities of every city of the first class charged with the disbursements expenditures and appropriations shall annually set aside apportion and appropriate out of all taxes and income of the said cities unto the board of pensions a sum sufficient to maintain the pensions or compensations due under this act" is hereby amended to read as follows

Section 9 The several public authorities of every city of the first class charged with the disbursements expenditures and appropriations shall annually set aside apportion and appropriate out of all taxes and income paid unto the city treasury of the city or into any other public treasury maintained from taxes collected within such cities unto the board of pensions a sum sufficient to maintain the pensions or compensations due under this act The amount to be set aside apportioned and appropriated to the said board of pensions by the said several authorities and which is to be paid out of the said several treasuries shall be in proportion to the number of employes receiving the benefits of this act and whose salary or wages are payable from the said respective treasuries

On the question,
Will the House agree to the section?
Mr. DUNN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendment will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 6 by renumbering same to section 7.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The seventh section was read as follows:

Section 7 That section ten of said act which reads as follows

"Section 10 The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions or paid out of the treasury thereof as aforesaid Provided That this act shall not apply to employes of such departments bureaus or offices as are now protected by pension authorized by the laws of this State and in force at the time of the passage of this act" is hereby amended to read as follows

Section 10 The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions or paid out of the treasury thereof or our of any other public treasury within such cities maintained from taxes collected within such cities as aforesaid Provided That this act shall not apply to employes of such departments bureaus or offices as are now protected by pension authorized by the laws of this State and in force at the time of the passage of this act

On the question,
Will the House agree to the section?

Mr. DUNN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 7 by renumbering same to section 8.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The eighth section was read as follows:

Section 8 That section eleven of said act which reads as follows

"Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service out of the city treasury or both as aforesaid and need not be continuous No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen is hereby amended to read as follows

Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or out of any other public treasury within such cities maintained from taxes collected within such cities or both as aforesaid and need not be continuous No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen This section shall apply only to those employes of said cities and all county or other public employes who are paid out of the city treasury or out of any public treasury within such cities maintained from taxes collected within such cities at the time of the passage of this act

On the question,
Will the House agree to the section?

Mr. DUNN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 8 by renumbering to section 9.

Amend section nine as renumbered, page nine line ten by inserting after the word "continuous" the following:

"Provided that in no case shall a period of more than seventeen years be credited to the record of any person or persons who shall be re-employed after the passage of this act, and who had been in the employ of said cities or counties or paid out of the city treasury or any other public treasury within such cities maintained from taxes collected within such cities, prior to the passage of this act."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act to amend the act approved the twentieth day of May one thousand nine hundred and fifteen entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by extending the provisions thereof to public employes paid out of any public treasury within cities of the first class maintained from taxes collected within such cities

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1121, entitled

An Act to amend section fourteen hundred twelve of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" as amended

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fourteen hundred twelve of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collection such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by an act approved the ninth day of May one thousand nine hundred thirteen (Pamphlet Laws one hundred ninety-two) entitled "An act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children" which reads as follows

"Section 1412 The board of school directors of any school district in this Commonwealth in which there is located any orphan asylum home for the friendless children's home or other institution for the care or training of orphans or other children shall permit any children who are inmates of such homes but not legal residents in such district to attend the public schools in said district either with or without charge for tuition text-books or school supplies as the directors of the district in which such institution is located may determine Provided That when the education of such inmates of such institutions is charged for the cost thereof shall not exceed the cost of tuition text-books and school supplies of other children of similar grade in such district And provided further that such cost shall be paid to the district in which such institution is located by the district of which the respective pupils are legal residents" is hereby further amended to read as follows

Section 1412 The board of school directors of any school district in this Commonwealth in which there is located any orphan asylum home for the friendless children's home or other institution for the care or training of orphans or other children shall permit any children who are inmates of such homes but not legal residents in such district to attend the public schools in said district either with or without charge for tuition text-books or school supplies as the directors of the district in which such institution is located may determine Provided That when the education of such inmates of such institutions is charged for the cost thereof shall not exceed the cost of tuition text-books and school supplies of other children of similar grade in such district: And provided further That such cost shall be paid to the district in which such institution is located by

the district of which the respective pupils are legal residents Provided further That where a school district in which such child is being educated is unable after every reasonable effort has been made to collect the cost of tuition text-books and school supplies from the district in which such child has a legal residence the State Superintendent of Public Instruction shall pay to the district in which such child is being educated the cost of such tuition text-books and school supplies which sum shall be deducted from the appropriation apportioned out of the general school appropriation to the district in which such child has a legal residence Provided further That the orphan asylum home for the friendless children's home or other institution for the care or training of orphans or other children shall furnish to the proper officers of the school district in which such child is being educated a certified record of age parentage or guardianship and designate the last place in which such child had legal residence (residence being as defined in section fourteen hundred and two of this act Provided further That where the residence of a child being so educated is in dispute the State Board of Education is authorized and empowered to determine after full and complete examination of all available facts and information the residence of such child such determination to be final Provided further That in case no legal residence for any child can be established or in case the child has a legal residence outside of the State then the orphan asylum home for the friendless children's home or other institution in which such child has a residence shall pay the school district for the cost of tuition text-books and school supplies.

On the question,
Will the House agree to the section?

Mr. URICH. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section one page two line four by striking out the word "collection" and inserting in lieu thereof the word "collecting."

Amend section one page two line twenty-six by striking out the word "cars" and inserting in lieu thereof the word "care."

Amend section one page four line seventeen by inserting after the words "in which such child had" the word "a"

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act to amend section fourteen hundred twelve of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 751, as follows:

An Act to fix the compensation for members of the General Assembly

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the compensation of members of the General Assembly shall be two thousand five hundred dollars for the regular biennial session and mileage to and from their homes at the rate of thirty cents per mile circular to be computed by the ordinary mail route between their homes and the capital of the State and five hundred dollars and mileage as aforesaid for each special or extraordinary session and no other compensation or allowance shall be allowed whatever

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1030, entitled

An Act constituting the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania a commission to act as a joint commission with similar commissions of any other contiguous State or States, or as an independent commission, for the purpose of planning and accomplishing the erection or building of one or more bridges or tunnels, as may be suitable and necessary, over or under any navigable stream or river which is one of the boundaries of this Commonwealth, and providing for the acquisition of ground for the site and approaches of said bridge or tunnel, and for the maintenance of the same by the county or counties wherein it is located.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly and it is hereby enacted by the authority of the same That the Board of Commissioners of Public Grounds and Buildings is hereby constituted a commission to act in conjunction with a similar commission or commissions of any other State or States contiguous to this Commonwealth as a joint commission for the planning and construction of one or more bridges or tunnels such as may be suitable or necessary to provide passage for traffic over or under all navigable streams or rivers which partially bound any county or counties of this State and which streams or rivers are boundaries of this State said State commission may also act as an independent commission for said purposes should in the judgment of the commission it be convenient or necessary

On the question,
Will the House agree to the section?

Mr. CONNER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section one page two line two by striking out "Commsisions" and inserting in lieu thereof "commissions."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second section was read and agreed to as follows:

Section 2 Said commission acting either as a joint or an independent commission shall have the power and it shall be their duty to have prepared the necessary and proper plans for the construction of said bridge or tunnel to select the location for the same to plan and fix the boundaries and approaches thereof to make all necessary estimates of the probable cost of its construction and of the acquisition of the ground for its site and approaches to enter into the necessary contracts to build and equip said bridge or tunnel and to obtain the necessary consent of the Government of the United States and the approval of the Secretary of War Provided however that no contracts shall be entered into and no expense whatsoever incurred by said commission unless a previous appropriation shall have been made there for by the General Assembly and Provided further that all moneys expended or appropriated to be expended for the purposes of this act shall be used and expended under the supervision of said commission and Provided further that the Commonwealth of Pennsylvania shall not be liable or pay for more than the cost of the construction of said bridge or tunnel to the middle of a navigable stream

The third section was read as follows:

Section 3 The term "cost of construction" as used in this act shall refer only to the cost of constructing the physical structure of the bridge or tunnel itself and shall not refer to the cost of the acquisition of the ground to the site of the said bridge or tunnel and the approaches thereto which shall be paid for and at the expense of the county in which said bridge or tunnel is to be located The one-half part of the cost of said bridge or tunnel construction shall be paid by the Treasurer of the Commonwealth of Pennsylvania upon warrants drawn by the Auditor General under such conditions as may be prescribed by said Auditor General

On the question,
Will the House agree to the section?

Mr. CONNER. Mr. Speaker, I desire to make the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section three page three line eleven by striking out "and" following "for"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fourth section was read as follows:

Section 4 The said commission is also hereby authorized to purchase said lands rights or interests in lands necessary for the building of said bridge or tunnel and the approaches thereto or to acquire the same by condemnation proceedings in the manner provided by the general laws of this Commonwealth relating to the condemnation of land for public purposes. The cost of said condemnation proceedings including the court costs compensation of viewers and the required advertising shall be paid by the Commonwealth of Pennsylvania. But said commission shall have no power to enter into any contracts for the purchase of the land rights or interests in land or of any property unless a previous appropriation shall have been made therefor by the proper officers and officials empowered by law to make such appropriation for a municipal or county government Said commission is hereby authorized to accept on behalf of the county or municipality in which said bridge or tunnel is to be located any gifts of lands rights or interests in lands contiguous or adjacent to said bridge or tunnel for the purpose of building the same and shall hold the same for this purpose until such time as said commission in their judgment may transfer such lands rights or interests to the municipality or county in which said bridge or tunnel is to be located Said commission is likewise authorized to accept gifts of money or other property for this purpose

On the question,
Will the House agree to the Section?

Mr. CONNER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 4 page 3 line 19 by striking out "said" and inserting in lieu thereof "such"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fifth section was read as follows:

Section 5 Upon the completion of said bridge or tunnel the care charge control and the expense of maintenance and repairs of the same shall pass to the county or counties of this Commonwealth in which said bridge or tunnel and its approaches are located provided however that the cost of the same shall be borne equally by the county counties or State with which said bridge or tunnel connects. The title ownership and control of said bridge or tunnel to the middle of the stream its approches and the land upon which it is situated shall be vested in the county or municipality in which said bridge or tunnel is located. All revenues received from rentals from all sources to the connecting joint in the middle of a stream shall belong exclusively to the county in which said bridge or tunnel is located one-half of the revenues from through traffic if any shall also belong to the county in which said bridge is located.

This act shall become effective upon approval by the Governor of the Commonwealth of Pennsylvania

All acts or part of acts inconsistent with this act are hereby repaled

On the question,
Will the House agree to the section?

Mr. CONNER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 5 page 4 line 29 by striking out "joint" and inserting in lieu thereof "point"'

On the question,
Will the House agree to the amendment?
It was agreed to.
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An act constituting the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania a commission to act as a joint commission with similar commissions of any other contiguous State or States or as an independent commission for the purpose of planning and accomplishing the erection or building of one or more bridges or tunnels as may be suitable and necessary over or under any navigable stream or river which is one of the boundaries of this Commonwealth and providing for the acquisition of ground for the site and approaches of said bridge or tunnel and for the maintenance of the same by the county or counties wherein it is located

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 682, as follows:

An Act concerning townships and revising amending and consolidating the law relating thereto

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I	Preliminary Provisions	1
II	Classification of townships	15
III	Creation of townships	20
	Article I Erection of townships of the second class	20
	Article II Designation of townships of the first class	30
	Article III Re-establishment of townships of the second class	35
	Article IV Division of townships	40
IV	Township Lines and Boundaries	70
V	Election of Officers Vacancies in Office	100
	Article I In townships of the first class..	100
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VI	Township Officers	190
	Article 1 General provisions	190
	Article II Township Commissioners	210
	Article III Township Supervisors Township Superintendent and Road-masters	230
	Article IV Township Treasurer	260
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	Article VI Township Auditors	325
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	Article VIII Tax Collectors Assessors and Assistant Assessors	365
VII	General Powers	380
	Article I Of townships of the first class.	380
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VIII	Taxation Finance Road Fund	390
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IX	Eminent Domain	460
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CHAPTER 1

Preliminary Provisions

ARTICLE 1

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Petnsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The General Township Act" This act shall take effect on the first day of July one thousand nine hundred and seventeen

Section 2 This act does not include any provisions and shall not be construed to appeal any acts relating to.

(a) The procedure for the collection of municipal claims by liens

(b) The amount and method of incurring or increasing bonded indebtedness

(c) Election officers and conduct of elections

(d) Poor districts

(e) Boards of health

(f) Common schools

(g) Constables

(h) Justices of the peace

(i) The giving of municipal consent to public service corporations

(j) State roads State-aid roads and private roads

(k) Validation of elections bonds ordinanses and acts of corporate officers

Section 3 The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded nor affect the existence or class of any township heretofore created The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All ordinances regulations and rules made pursuant to any Act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed Any person holding office under any Act of Assembly repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 4 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act

Section 5 Whenever in this act reference is made to any act by title such reference shall also apply to and include any codification wherein the provisions of the act referred to are substantially re-enacted

Section 6 This act insofar as it relates to townships of the first class shall apply to all such townships within the Commonwealth and insofar as it relates to townships of the second class shall apply to all such townships within the Commonwealth

Section 7 Whenever any township of the second class is designated a township of the first class or whenever any township of the first class is re-established as a township of the first class or whenever any township is divided all liabilities incurred rights accrued or vested obligations issued or contracted and all suits and prosecutions pending or to be instituted to enforce any right or penalty accrued or punish any offense committed prior to such change of class or division and all ordinances shall continue with the same force and effect as if no such change or division had been made

Section 8 Except so far as modified by the provisions of this act all existing laws in force prior to the twenty-eighth day of April one thousand eight hundred ninety-nine relating to townships shall continue in force as to either class of townships in the same manner as prior to the passage of this act All laws adopted subsequent to said date not modified by this act shall remain in force in the same manner as prior to the passage of this act

Section 9 This act does not provide a complete system for the assessment and collection of township taxes All acts and parts of acts relating to taxation in townships in force prior to the passage of this act which are not re-enacted or specifically repealed by this act shall remain in force as to either class of townships in the same manner as prior to the passage of this act

CHAPTER II

Classification of Townships

ARTICLE I

Section 15 The townships now in existance and those to be hereafter created are divided into two classes Those townships having a population of at least three hundred inhabitants to the spuare mile shall be townships of the first class All other townships shall be townships of the second class

Section 16 Townships of the first class shall include all townships heretofore designated as townships of the first class by the county commissioners of the several counties under the provisions of an act entitled "An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April one thousand eight hundred and ninety-nine and the several amendments thereto and which are now governed by such and also all townships having the requisite population as provided by section fifteen of this act which shall hereafter be designated as townships of the first class under the provisions of this act All other townships now in existence or hereafter erected or created under the provisions of this act shall be townships of the second class

CHAPTER III

Creation of Townships

ARTICLE 1

Erection of Townships of the Second Class

Section 20 The courts of quarter sessions may upon the presentation of a petition erect new townships of the second class out of parts of two or more townships so as to suit the convenience of the inhabitants thereof

Section 21 Upon application by petition to the court for the purpose of erecting a new township of the second class the court shall appoint three impartial men to inquire into the propriety of granting the prayer of the petition The commissioners so appointed or any two of them shall make a plot or draft of the township proposed to be erected if the same cannot be fully designated by natural lines or boundaries all which they or any two of them shall report to the next court of quarter sessions together with their opinion of the same At the term following the one at which the report was made the court shall make such order thereupon as shall be just and reasonable

Section 22 Whenever commissioners appointed under the twenty-first section of this act shall report unfavorably to the erection of a new township the court shall direct a second commission or review for the same purposes on the petition of a majority of the voters of the townships affected by said proceedings Such petition shall be presented to the court at or before the second term thereof after the final confirmation of the report of the first commission

Section 23 When a return has been made by commissioners appointed under the twenty-first section of this act favorable to the erection of a new township the court shall order a vote of the qualified electors of the township from which the largest number of taxables to be embraced in the proposed new township is to be taken and also of the qualified electors outside of such township residing within the bounds of the proposed new township to be taken on the question of the erection of a new township

Section 24 The court shall fix a day upon which the election officers of the township from which the largest number of taxables to be embraced in the proposed new township is to be taken shall hold an election at the place fixed by law for holding township elections in said township which election shall be governed by the laws of this Commonwealth relating to township elections The ballots for said election shall be in the form prescribed by the general election laws At such election all qualified electors residing within the districts mentioned in section twenty-three of this act may vote

Section 25 The constable of the township in which the election is to be held or if there be no constable then one of the supervisors or commissioners designated by the court shall give at least fifteen days' notice of the time and place of holding said election by posting not less than six written or printed handbills in public places in each of the townships which are to be divided by the formation of the new township

Section 26 The election officers after the polls have been closed shall count the ballots and certify before noon of the second day following such election the number of votes for and against a new township to the clerk of the court of quarter sessions of the county The clerk shall after filing the said returns in his office lay the same before the court at the next session If it shall appear that a majority of the votes so taken are for a new township the court shall thereupon order and decree a new township agreeably to the lines marked out and returned by the commissioners If a majority of the votes have been given against a new township no further action shall be had upon said proceedings

Section 27 When any township of the second class is erected under the provision of this article the court of quarter sessions may authorize the citizens of the new township to hold an election for all township officers upon such notice and for such terms not inconsistent with this act as the court may direct

Section 28 Whenever a new township is erected by uniting parts of two or more adjoining townships the court of common pleas of the county sitting in equity may upon the application of the proper authorities of such township or townships by a suit or suits in equity adjust all matters of indebtedness between the said old townships and the said new township In the execution of any decree in any such suit or suits the proper officers of the township liable to pay may levy separate rates of taxation if necessary on the said parts of townships so erected into one

CHAPTER III

Creation of Townships

ARTICLE II

Designation of Townships of the First Class

Section 30 At any time not less than one year before the time fixed for taking a decennial census of the United States whenever the owners of twenty-five per centum of the assessed valuation of the real estate of any township of the second class shall present their petition to the court

of quarter sessions averring that the population of the township is at least three hundred to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any procedure had upon said petition the court shall appoint a commissioner to make an enrollment of the inhabitants of the township the said commissioner shall make enrollment of the inhabitants of such township and make report thereof to the court at the next ensuing term Upon the filing of the report the same shall be confirmed nisi which confirmation shall become absolute unless excepted to within twenty days thereafter during which time notice of the said filing and confirmation shall be advertised in a newspaper published in the county once a week for three weeks If exceptions are filed to the report within the said twenty days the court upon consideration thereof shall confirm the report or modify the said finding After final confirmation the clerk of the court shall certify to the county commissioners the population of the township as shown by the said proceedings The cost and expenses of the proceedings including a reasonable fee for the commissioner shall be paid by the petitioners or by the township or partly by each as the court shall direct

Section 31 In addition to the procedure provided by section thirty of this act the county commissioners of each county shall following each decennial census of the United States ascertain from such census whether any township in the county has a population of three hundred inhabitants to the square mile Before the first day of January following the ascertainment of the population by the decennial census of the United States the county commissioners shall by proclamation designate the townships of the first class if any have the required population By proclamation to be issued prior to the first day of January of each of the intervening years the county commissioners of each county shall designate the townships if any which have been ascertained to come within the said conditions under the procedure provided in section thirty of this act and to be townships of the first class All proclamations by the county commissioners shall be advertised in two newspapers published in the county The cost of the advertisement of any such proclamation shall be paid by the township

Section 32 In all townships designated as townships of the first class the officers provided for by this act for townships of the first class shall be chosen at the municipal election then next ensuing as provided in chapter five Aricle one of this act in such cases and the township government constituted by this act for townships of the first class shall go into force on the first Monday of January next ensuing said election At such time all officers provided for townships of the second slass shall cease to exist in such township and the term of the officers then in office shall expire

CHAPTER III

Creation of Townships

ARTICLE III

Re-establishment of Townships of the Second Class

Section 35 At any time not less than two years before the time fixed for taking a decennial census of the United States whenever twenty or more freeholders residing in any township of the first class shall present their petition to the court of quarter sessions averring that the township no longer has a population of three hundred to the square mile and shall give such security as the court may prescribe for the payment of all costs and expenses which may be incurred in any proceedings had upon said petition the court shall appoint a commissioner to make an enrollment of the inhabitants of the township The commissioner shall make an enrollment of the inhabitants of such township and make report thereof to the court at the next ensuing term Upon the filing of the report the same shall be confirmed nisi The confirmation shall become absolute unless excepted to within twenty days thereafter during which time notice of the said filing and confirmation shall be advertised once a week for three weeks in a newspaper published within the county in general circulation in the district to be affected If exceptions are filed to the report within said twenty days the court upon consideration thereof shall confirm the report or modify the finding After final confirmation the clerk of the court shall certify to the county commissioners and to the township commissioners the finding as shown by the proceedings The costs and expenses of the proceedings including a reasonable fee for the commissioners shall be paid by the petitioners or by the township or partly by each as the court shall direct

Section 36 The county commissioners in every county of the Commonwealth shall by proclamation issued prior to the first day of January of each year designate the townships if any which since the last preceeding proclamation have been ascertained to have less than three hundred inhabitants to the square mile and to be townships of the second class In all townships so designated the officers provided by this act for townships of the second class shall be chosen at the municipal election then next ensuing and the township government constituted by the act for townships of the second class shall go into force on the first Monday of December next ensuing such election

CHAPTER III

Creation of Townships

ARTICLE IV

Division of Townships

(a) By Petition Appointment of Commissioners and Election

Section 40 The courts of quarter sesions may upon the presentation of a petition and the bond required by section fifty-five of this act divide any township of the first or second class so as to suit the convenience of the inhabitants thereof

Section 41 Upon application by petition to the court for the purpose of dividing any township of the first or second class the said court shall appoint three impartial men to inquire into the propriety of granting the prayer of the petition. The commissioners so appointed or any two of them shall make a plot or draft of the township proposed to be divided and the division line proposed to be made therein if the same cannot be fully designated by natrual lines or boundaries all which they or any two of them shall report to the next court of quarter sessions together with their opinion of the same. At the term following the one at which the report was made the court shall make such order thereupon as shall be just and reasonable

Section 42 Whenever commissioners appointed under the forty-first section of this act shall report unfavorably to the division of any township the court shall direct a second commission or review for the same purposes on the petition of a majority of the voters of the township affected by said proceedings. Such petition shall be presented to the court at or before the second term thereof after the final confirmation of the report of the first commission

Section 43 Whenever a return has been made by commissioners appointed under the provisions of section forty-one of this act favorable to a division the court shall order a vote of the qualified electors of said township to be taken on the question of a division thereof

Section 44 The court shall fix a day upon which the election officers of the township proposed to be divided shall hold an election at the place fixed by law for holding township elections which election shall be governed by the laws of this Commonwealth relating to township elections The ballots for said election shall be in the form prescribed by the general election laws

Section 45 The constable of the townships or if there be no constable then one of the supervisors or commissioners designated by the court shall give at least fifteen days' notice of the time and place of holding said election by posting not less than six written or printed handbills in public places in said township

Section 46 The election officers after the polls have been closed shall count the ballots and certify before noon of the second day following such election the number of votes for or against a division to the clerk of the court of quarter sessions of the county The clerk shall after filing the said returns in his office lay the same before the court at the next sessions If it shall appear that a majority of the votes so taken are for a division the court shall thereupon order and decree a division of the township agreeably to the lines marked out and returned by the commissioners If a majority of votes have been against a division no further action shall be had upon such proceedings

(b) By Petition of Property Owners and Election

Section 50 Whenever the owners of twenty-five per centum of the assessed valuation of the real estate of any township of the first or second class shall make application by petition to the court of quarter sessions setting forth that the convenience of the inhabitants of such township will be promoted by a division thereof and shall in said petition accurately describe the proposed division line by courses and distances or natural marks and accompany the same with a plot or draft showing the existing lines of the township proposed to be divided and the proposed division line the court shall order a vote of the qualified electors of the township to be taken on the question of such division The court shall fix a day upon which the election officers of the township proposed to be divided shall hold an election at the place fixed by law for the holding of township elections which election shall be governed by the laws relating to township elections

Section 51 The constable of the township or if there be no constable then of one of the supervisors or commissioners designated by the court shall give at least fifteen days' notice of the time and place of the holding of said election by posting not less than ten handbills written or printed in public places in said township

Section 52 The ballots to be deposited by the electors shall be prepared in the form prescribed by the general election law The officers after the polls have been closed shall count the ballots and certify within two days thereafter the number of votes for and against division to the clerk of the court of quarter sessions and shall file in the office of said clerk the ballots cast at said election The clerk shall lay said returns and ballots before the court at the next session thereof If it shall appear that the majority of the votes so taken are "for division" the court shall therefore order and decree a division of the township agreeably to the lines set forth in the petition If a majority of votes are "against division" no further action

shall be had upon such proceedings If there is any difficulty in locating the division line described in the petition upon the ground the court may appoint commissioners for that purpose

(c) Pay of Commissioners Surveyors Artists and Chain-Carriers

Section 55 The pay of the commissioners appointed to divide townships and to establish township division lines shall be three dollars ($3.00) the pay of surveyors or artists shall be five dollars ($5.00) and the pay of chain-carriers shall be one dollar and fifty cents ($1.50) for each day necessarily employed and five cents per mile for each mile necessarily traveled in the discharge of their duties The same shall be paid by the county at the time of the session or term of court to which their report is rendered and filed The petitioners asking for their appointment shall pay the same amount into the county treasury in all such cases as the court by order may direct The court shall require the petitioners to file a bond with their petition in a suffcient sum to secure the payment of the same

(b) Adjustments of Indebtedness

Section 60 Whenever a township of the first or second class has been divided the court of common pleas of the county sitting in equity may upon the application of the proper authorities of said townships or either of them by a suit or suits in equity adjust all matters of indebtedness between the said new townships In the execution of any decree in any such suit or suits the proper officers of the township liable to pay may levy separate rates of taxation if necessary on the said parts of townships so divided

(e) Organization of Townships Formed by the Division of a Township

Section 65 All townships formed under the provisions of this article by the division of any township of the first or second class shall be townships of the second class The part of the township of the first class or of the township of the second class as the case may be remaining after such division shall remain a township of the first class or second class as the case may be until determined otherwise In all townships so formed the officers provided by this act for townships of the second class shall be chosen at the next municipal election occurring at least three months after such formation and the government constituted by this act for townships of the second class shall go into force on the first Monday of December next following such election

CHAPTER IV

Township Lines and Boundaries

ARTICLE I

(a) Altering and Ascertaining Township Lines and Boundaries

Section 70 The courts of quarter sessions may upon the presentation of a petition alter the lines of any two or more adjoining townships of the first or second class so as to suit the convenience of the inhabitants thereof and cause the lines or boundaries of townships to be ascertained and established

Section 71 Upon application by petition to the court for the purpose of altering the lines of any township or of ascertaining and establishing the lines or boundaries of any township the court shall appoint three impartial men to inquire into the propriety of granting the prayer of the petition The commissioners so appointed or any two of them shall make a plot or draft of the lines of such adjoining townships proposed to be altered or of the lines proposed to be ascertained and established if the same cannot be fully designated by natural lines or boundaries all which they or any two of them shall report to the next court of quarter sessions together with their opinion of the same At the term following the one at which the report was made the court shall make such order thereupon as shall be just and reasonable

Section 72 In all cases where commissioners are appointed under the seventy-first section of this act the court shall direct a second commission or review for the same purposes on the petition of a majority of the voters of the township or townships affected by said proceedings Such petition shall be presented to the court at or before the second term thereof after the final confirmation of the report of the first commission

Section 73 Whenever the boundaries of any township or townships have been altered the court of common pleas sitting in equity may upon application of the supervisors commissioners poor authorities or school directors of any such township poor district or school district by a suit or suits in equity adjust the taxes debts and expenses for road school and poor purposes between the several townships affected In the execution of any decree the officers of the township poor district or school district liable to pay may levy separate rates of taxation if necessary on the said parts of such townships so affected

(b) Ascertaining and Establishing Disputed Lines and Boundaries Between Townships and Townships and Municipalities

Section 80 The courts of quarter sesions may upon the presentation of a petition ascertain and establish disputed lines and boundaries between two or more townships between townships and cities or between townships and boroughs

Section 81 Upon application by petition to the court for the purpose of ascertaining and establishing any such disputed lines or boundaries the court shall appoint three impartial men one of whom shall be a surveyor After having given notice to parties interested as directed by the court the commissioners shall view the said lines or boundaries. The commissioners or any two of them shall make a plot or draft of the lines and boundaries proposed to be ascertained and established if the same cannot be fully designated by natural lines or boundaries all of which they or any two of them shall report to the next court of quarter sessions together with their opinion of the same At the term following the one at which the report was made the court shall make such order thereupon as shall be just and reasonable

Section 82 Any person interested may petition the court for a review or may except to the report of the commissioners When matters of fact are in dispute the court may frame an issue and certify the same for trial to the court of common pleas

Section 83 Whenever any such line or boundary is established the court shall cause the same to be marked with stone monuments placed at intervals not exceeding fifteen hundred feet and the expense of establishing said line or boundary and placing of said monuments when approved by the court shall be borne equally by the municipalities and townships interested

(c) Pay of Commissioners Surveyors Artists and Chain Carriers

Section 90 The pay of commissioners appointed to run township lines shall be three dollars ($3.00) the pay of surveyors or artists shall be five dollars ($5.00) and the pay of chain carriers shall be one dollars and fifty cents ($1.50) for each day necessarily employed and five cents per mile for each mile necesarily traveled in the discharge of their duties. The same shall be paid by the county at the time of the session or term of court to which their report is rendered and filed. The petitioners asking for their appointment shall pay the same amount into the county treasury in all cases as the court by order may direct The court shall require the petitioners to file a bond with their petition in a sufficient sum to secure the payment of the same

(d) Center Line of Navigable Stream as Boundary

Section 95 Whenever any township of the first or second class is bound by the nearest margin of any navigable stream and the opposite township borough or city as the case may be is also bounded by the nearest margin of the same stream the middle of such stream shall be the boundary between such townships township and borough or township and city

CHAPTER V

Election of Officers Vacancies in Offices

ARTICLE I

In Townships of the First Class

(a) General Provisions

Section 100 No person shall be eligible to any office in any township of the first class unless he is an elector of the township for which he is chosen

Section 101 Officers of townships of the first class shall hold their offices until their successors are elected and qualified

Section 102 The electors of each township of the first class shall elect (a) at last five township commissioners or where there are more than five election districts in any township then as many as there are election districts (b) one township treasurer (c) one township assessor and two assistant assessors and (d) three township auditors

(b) Commisioners

Section 110 at the municipal election in the year one thousand nine hundred and seventeen and at the municipal election every two years thereafter the qualified electors of each township of the first class now organized or which may hereafter be designated as such shall elect one township commissioner for each election district in said township The electors of each election district shall elect one of the said commissioners Each township of the first class shall elect at least five township commissioners and where there are not so many election districts in any township the remaining number of township commissioners to which the township is entiled shall be elected at large by the electors of the whole township All township commissioners elected under this section shall hold their office for term of two years from the first Monday of January next following their election Commissioners elected by districts need not reside in the district from which they are elected No township commissioner shall be eligible to hold any other township office

Section 111 The notice of any primary election or nominating caucus convention or meeting held for the purpose of

nominating candiates for the office of township commissioner and the notice of any election of township commissioners shall designate for what election district of the township each commissioner is to be nominated or elected as the case may be In case any one or more of the township commissioners is to be elected by vote of the qualified electors of the township at large the notice shall so state The ballots to be cast at any election for township commissioners shall designate under an appropriate heading the candidate for the office of township commissioner for whom the qualified electors of the election district are entitled to cast their ballots and under an appropriate heading the candidate or candidates for the office of township commissioner which are to be elected by the electors of the township at large

(c) Treasurer

Section 115 At the municipal election in the year preceeding the expiration of the term of the treasurer now in office or at the municipal election following the designation of a township of the first class and at the municipal election every four years thereafter the qualified electors of each township of the first class shall elect a township treasurer The township treasurer elected under this section shall hold office for a term of four years from the first Monday of January next following his election

The same person may hold the office of township treasurer and treasurer of the school board but no township treasurer shall hold the office of township auditor

(d) Assessor and Assistant Assessors

Section 120 At the municipal election in the year preceeding the expiration of the term of the assessor now in office or at the municipal election following the designation of a township of the first class and at the municipal election every four years thereafter the qualified electors of each township of the first class shall elect a township assessor The township assessor elected under this section shall hold office for a term of four years from the first Monday of January next following his election

Section 121 In all townships of the first class now organized the qualified electors shall at the municipal election preceding the expiration of the term of the assistant assessors now in office and at the municipal election every four years thereafter elect two citizens resident in said township to be assistant assessors to take the place of those whose terms expire on the first Monday of January next following such election

In all townships hereafter designated as townships of the first class the qualified election of such township shall at the municipal election next following such designation elect two citizens resident in said township to be assistant assessors

All assessors elected under the provisions of this section shall hold their office for a term of four years from the first Monday of January next following their election

The election of assistant assessors provided for in this section shall extend only to the election of assistant assessors for the valuation of property for taxation and shall not repeal or affect the provisions of any statute providing for the election of assistant assessors for the performance of duties relating to elections The assistant assessors elected under this section shall aid the township assessor only in making any triennial assessment of property during their respective terms of office

(e) Auditors

Section 125 In every township of the first class there shall be three auditors who shall hold their office for a term of four years from the first Monday of January next following their election. These auditors shall be elected as follows

In townships now organized at the municipal election preceding the expiration of the term of any of the auditors now in office and at the municipal election every two years thereafter the qualified electors of each township of the first classes shall elect one or two auditors as the case may be to take the place of those whose terms expire on the first Monday of January next following such election

In all townships hereafter designated as townships of the first class the qualified electors of such townships shall at the municipal election next following such designation elect three auditors Two of the auditors so elected shall hold office for a term of four years and one for a term of two years The ballots at any such election shall designate the term for which each auditor is elected At each municipal election following the electors of such township shall elect one or two auditors as the case may be to take the place of those whose terms expire on the first Monday of January next following such election

No auditor shall at the same time hold the offiee of constable

(f) Vacancies in Office

Section 130 When a vacancy occurs in the office of township commissioner in any township of the first class by reason of death resignation removal from township or otherwise the court of quarter sessions upon the petition of ten qualified voters of the district in which the vacancy occurs may appoint a qualified voter of the township to fill such vacancy. If such petition is not presented to the court within thirty days after such vacancy occurs the board of township commissioners of the township may appoint a qualified voter of the township to fill the vacancy In either event the person so appointed shall hold office for the unexpired term of the person whose place he is appointed to fill

Section 131 The board of township commissioners of townships of the first class may fill any vacancy occurring in the office of township treasurer by death resignation removal from the township or otherwise The person so appointed shall hold office for the unexpired term of the person whose place he is appointed to fill

Section 132 When a vacancy occurs in the office of township auditor in any township of the first class by reason of the death resignation removal from the township or otherwise the court of quarter sessions shall appoint a suitable person to fill such vacancy for the unexpired term of the person whose place he is appointed to fill

Section 133 Vacancies in the office of assessor or assistant assessors in townships of the first class shall be filled in the manner now provided by law

CHAPTER V

Election of Officers Vacancies in Office

ARTICLE II

In Townships of the Second Class

(a) General Provisions

Section 140 No person shall be eligible to any office in any township of the second class unless he is an elector of the township for which he is chosen

Section 141 The electors of each township of the second class shall elect (a) three township supervisors (b) one township assessor (c) three township auditors and (d) one tax collector

(b) Supervisors

Section 145 At the municipal election in the year one thousand nine hundred and seventeen and at the municipal election every two years thereafter the qualified electors of each township of the second class shall elect one township supervisor All township supervisors elected under this section shall hold their office for a term of six years from the first Monday of December next following their election

Section 146 Whenever a township of the second class is created by the division of a township of the first or second class under the provisions of Chapter three Article four of this act or whenever a township of the second class is created by re-establishment from a township of the first class as provided in Chapter three Article three of this act or when a township of the second class is erected under the provisions of Chapter three Article one of this act and in the latter case the court so orders the qualified electors of such township shall at the next ensuing municipal election elect three township supervisors one for a term of two years one for a term of four years and one for a term of six years The ballot shall designate the term for which each township supervisor is elected. The township supervisors so elected shall hold office from the first Monday of December next following their election

Biennially thereafter at each succeeding municipal election the electors of such township of the second class shall elect one township supervisor for a term of six years to serve from the first Monday of December next following such election

(c) Auditors

Section 150 At the municipal election in the year one thousand nine hundred and seventeen and at the municipal election every two years thereafter the qualified electors of each township of the second class shall elect one township auditor All township auditors elected under this section shall hold office for a term of six years from the first Monday of December next following their election

No auditor shall at the same time hold the office of constable

Section 151 In all townships of the second class now organized which have been electing township auditors for four year terms an auditor shall be elected at the municipal election in the year one thousand nine hundred and seventeen for a term of six years commencing on the first Monday of December next succeding his eelction At every biennial municipal election thereafter an auditor shall be elected in each of such townships for a term of six years from the first Monday of December next succeeding his election

If at any time any of such townships shall be without the required number of auditors provided by this act for townships of the second class vacancies shall exist and the court of quarter sessions shall appoint an auditor or auditors to fill such vacancies the auditors so appointed shall hold office until their successors are elected and qualified under the provisions of this section

Section 152 Whenever a township of the second class is created by the division of a township of the first or second class under the provisions of chapter three article four of this act or whenever a township of the second class is created by re-establishment from a township of the first class as provided in chapter three article three of this act or when a township of the second class is erected under the provisions of chapter three article one of this act and in the latter case the court so orders the qualified electors of such township shall at the next ensuing municipal election elect three township auditors one for a term of two years one for a term of four years and one for a term of six years The ballot shall designate the term for which each township auditor is elected The township auditors so elected shall

hold office from the first Monday of December next following their election

Biennially thereafter at each succeeding municipal election the electors of such township of the second class shall elect one township auditor for a term of six years to serve from the first Monday of December next following such election

(d) Assessor

Section 160 At the municipal election in the year one thousand nine hundred and seventeen and at the municipal election every four years thereafter the qualified electors of each township of the second class shall elect one township assessor The township assessor elected under this section shall hold his office for a term of four years from the first Monday of January next following his election

Section 161 Whenever a township of the second class is created by the division of a township of the first or second class under the provisions of chapter three article four of this act or whenever a township of the second class is created by re-establishment from a township of the first class as provided by chapter three article three of this act or whenever a township of the second class is erected under the provisions of chapter three article one of this act and in the latter case the court so orders the qualified electors of any such township shall at the next municipal election elect one township assessor for either of the following terms to-wit If such election occurs in the year in which an election for assessor is held under the provisions of section one hundred and seven of this act then such assessor shall be elected for a term of four years If such election occurs in a year when no assessor is elected under the provisions of said section one hundred and sixty then such assessor shall be elected for a term of two years

All assessors elected under this section shall hold their office for a term of two or four years as the case may be from the first Monday of January next following their election

At the municipal election preceding the expiration of the term of any of the aforesaid assessors and at the municipal election every four years thereafter an assessor shall be elected for a term of four years to hold office from the first Monday of January next succeeding such election

Section 162 The provisions of section one hundred and sixty and one hundred and sixty-one relating to the election of assessors in townships of the second class shall not repeal nor affect the provisions of any statute providing for the election of assistant assessors for the performance of duties relating to elections

(e) Tax Collector

Section 170 At the municipal election in the year one thousand nine hundred and seventeen and at the municipal election every four years thereafter the qualified electors of each township of the second class shall elect one tax collector to serve for a term of four years from the first Monday of January next succeeding such election

Section 171 Whenever a township of the second class is created by the division of a township of the first or second class under the provisions of chapter three article four of this act or whenever a township of the second class is created by re-establishment from a township of the first class as provided by chapter three article three of this act whenever a township of the second class is erected under the provisions of chapter three article one of this act and in the latter case the court so orders the qualified electors of such township shall at the next municipal election elect one tax collector for either of the following terms to-wit If such election occurs in the year in which an election for tax collector is held under the provisions of section one hundred and seventy of this act then such tax collector shall be elected for a term of four years If such election occurs in a year when no tax collector is elected under the provisions of said section one hundred and seventy then such tax collector shall be elected for a term of two years

All tax collectors elected under this section shall hold their office for a term of two or four years as the case may be from the first Monday of January next following their election

At the municipal election preceding the expiration of the term of any of the aforesaid tax collectors and at the municipal election every four years thereafter a tax collector shall be elcted for a term of four years to hold office from the first Monday of January next succeeding such election

(f) Vacancies in Office

Section 180 If the electors of any township of the second class shall fail to choose a township supervisor or if any person elected to such office shall neglect or refuse to serve therein or if a vacancy shall occur in the office by death resignation or otherwise the court of quarter sessions shall upon the presentation of a petition signed by a supervisor and not less than ten voters who are owners of real estate in the township appoint a person to fill the vacancy for the unexpired term of the person whose place he is appointed to fill

In all cases where a vacancy occurs in the board of township supervisors from any cause and within a reasonable time thereafter no petition for the appointment of a person to fill such vacancy has been presented to the court the two remaining supervisors may appoint a successor to fill the office for the unexpired term When a vacancy is filled by the remaining supervisors they shall within fifteen days thereafter certify such appointment to the clerk of quarter sessions

Section 181 When a vacancy occurs in the office of township auditor in any township of the second class by reason of death resignation removal from the township or otherwise the court of quarter sesions shall appoint a suitable person to fill such vacancy for the unexpired term of the person whose place he is appointed to fill

Section 182 Vacancies in the office of assessor in townships of the second class shall be filled in the manner now provided by law

Section 183 If the electors of any township of the second class shall fail to choose a tax collector or if any person elected to such office shall fail to qualify or if a vacancy shall occur in the office by death resignation or otherwise the court of quarter sessions shall upon presentation of a petition of any citizen who is a resident of the township setting forth the facts appoint a person to fill the vacancy for the unexpired term of the person whose place he is appointed to fill

In cases when the person elected to the office shall fail to qualify the court before making the appointment shall declare the office vacant

Whenever a vacancy exists in the office of tax collector in any township of the second class and no person resident within the township is willing to accept the appointment to fill such vacancy the authorities authorized to levy and assess taxes in the township may petition the court of quarter sessions for the appointment of a tax collector whereupon the court may appoint any citizen of the county to collect such taxes

CHAPTER VI

Township Officers

ARTICLE I

General Provisions

Section 190 Every person elected or appointed to any township office in any township of the first and second class shall before entering upon the duties of his office take and subscribe an oath or affiirmation before some person having authority to administer oaths to support the constitution of the United States and of this Commonwealth and to perform the duties of his office with fidelity A copy of such oath or affirmation shall within ten days thereafter be filed with the township secretary

Section 191 When any officer or employe of any township of the first or second class is required to give bond for the faithful performance of his duties and such bond in required to be endorsed by a surety company the township may pay the premium on such bond

Section 192 If any township officer in any township of the first or second class refuses or neglects to perform his duties the court of quarter sessions upon complaint in writing by twenty-five citizens owners of real estate residing in the township or district may issue a rule upon such officer to show cause why his office should not be declared vacant and another appointed in his stead Such rule shall be made returnable not less than two weeks from its date of issue Upon hearing and proof that the facts alleged in the complaint are true the court may declare the office vacant and appoint another in his stead to hold office during the term of the officer deposed

Section 192 If any township officer in any township of the first or second class refuses or neglects to perform his siding in the township or district may issue a rule upon duties the court of quarter sessions upon complaint in rule shall be made returnable not less than two weeks such officer to show another appointed in his stead Such writing by twenty-five citizens owners of real estate refacts alleged in the complaint are true the court may defrom its date of issue Upon hearing and proof that the clare the office vacant and appoint another in his stead to hold office duringthe term of the officer deposed

Section 193 If such complaint shall allege that the public roads and highways of any township are not maintained in accordance with law the court may appoint three persons who shall examine said highways and report to the court their findings In all such cases the complainants shall first enter security in such sum as the court may fix to pay all costs

Section 194 All officers of townships of the first and second class shall produce all accounts and records kept as required by this act for examination and inspection at any reasonable time on demand of a duly appointed representative of the State Highway Department

Section 196 County associations of township supervisors

Section 195 County associations of township supervisors commissioners and other persons officially charged with the construction and maintenance of the public roads or streets may be formed Such associations when formed shall hold annual or semi-annual conventions at the county-seats of the respective counties or some other suitable place within the county for the purpose of considering and discussing questions and subjects pertaining to the best methods for the construction improvement and maintenance of the public highways and bridges

Section 196 The supervisors of townships of the second class and commisioners of townships of the first class shall attend such conventions whenever possible Each township supervisor or commissioner attending such convention shall receive a certificate signed by the presiding officer and acting secretary of the convention attesting his presence at the convention Such certificate shall entitle him to collect from the treasurer of the board of supervisors or commissioners the sum of two dollars per day for each day's attendance and mileage at the rate of three cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held No township supervisor or

commissioner shall be paid for more than two days attendance in any one year

Section 197 The officers of the association shall consist of a president two vice-presidents a secretary and a treasurer all of whom except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen If desiable the secretary may be a person not a regular member of the association and may be paid for his services such compensation not exceeding ten dollars per annum as the other officers may determine Every township supervisor and commissioner atending such convention may vote in the election of officers The mayor of any city the burgess of any borough or their duly appointed representative the county commisioners and the judges of the court in the county the assistant engineer and the suprintendent of highways of the State Highway Department in charge of such county shall be eligible to membership and to hold office but shall not be entitled to to a vote

Section 198 The county treasurer shall pay to the treasurer of such association from the county funds the necessary expenses incurred for the holding of such annual or semi-annual convention including the necessary expenses of the secretary The total sum thus paid by the treasurer of any county shall not exceed one hundred and twenty-five dollars a year No payment shall be made to the treasurer of such association until he has presented to the county treasurer an itemized statement of such expenses verified by affidavit Within thirty days after every such convention the treasurer of such association shall file with the county treasurer an itemized statement under oath showing when and where such convention was held the number of township supervisors and commissioners present and all the expenses connected with such convention together with proper vouchers for all such expenses

CHAPTER VI
Township Officers

ARTICLE II
Township Commissioners

Section 210 The township commissioners shall organize on the first Monday of January of each even numbered year following their election They shall assemble for such purpose at their place of meeting at seven-thirty o'clock post meridian Until otherwise designated by ordinance the place of meeting shall be the oldest polling-place in the township

The board shall organize by the election of one of their number as president The president shall preside at all meetings of the board and perform such other duties as are specified in this act or which may be prescribed by ordinance

If a majority of the commissioners shall not attend at the organization meeting those present may adjourn the meeting from day to day until a majority attend

Section 211 The board shall meet at least once a month at such time and such place as may be designated by ordinance A majority of the members of the board shall constitute a quorum

Section 212 Each township commissioner shall receive a salary of sixty dollars per year payable quarterly as full compensation for the duties imposed by the provisions of this act A proportionate amount shall be deducted from the salary of any township commissioner for each regular meeting of the board of township commissioners which he fails to attend

Section 213 The board of township commissioners may appoint one or more supervisors or engineers of highways and by ordinance specify their duties and fix their salaries All such officers shall hold office at the pleasure of the board. The board shall employ a sufficient number of workmen mechanics and laborers for the proper care of the public roads

CHAPTER VI
Township Officers

ARTICLE III
Township Supervisors Township Superintendent and Roadmasters

Section 230 The general supervision of road affairs in every township of the second class shall be in the hands of three qualified electors of the township who shall be styled township supervisors

Section 231 The supervisors of each township of the second class shall meet at the place where the auditors of the township meet to perform their duties on the first Monday in December of each year The township supervisors shall organize as a board by electing one of their number as chairman The board shall appoint a treasurer and a secretary who may or may not be the same person and who may or may not be a member of the board or the board may select a trust company or a banking institution to act as treasurer

Section 232 The township supervisors shall meet for the transaction of business once each month at a time to be fixed by the board Two members shall constitute a quorum Necessary expenses incurred in such meetings including office rent stationery light and fuel shall be paid out of the township road funds

Section 233 The board of township supervisors shall keep mniutes of their proceedings and such other books as they may find necessary in the performance of their duties All such books shall be open for the inspection of any taxpayer at all reasonable times and shall be submitted to the township auditors when they meet to audit the accounts of the treasurer and other township officers The township supervisors shall deliver such books papers and accounts to their successors

Section 234 The board of township supervisors immediately after their organization shall divide the township into one or more road districts They shall employ a superintendent for the entire township or a roadmaster for each district Township supervisors may require such superintendent or roadmasters to give bond with approved security for the faithful performance of their duties The superintendent or roadmasters shall be subject to removal by the board of supervisors The supervisors shall fix the wages to be paid per hour to the superintendent or roadmasters and laborers for wok on the roads and bridges

This section shall not prohibit the township supervisors from overseeing and working on the roads themselves In such case they shall not be required to employ a superintendent or roadmasters

Section 235 Supervisors who do not act as superintendent or roadmasters shall receive from the township road funds as compensation not less than one dollar nor more than four dollars for each monthly meeting which they attend The amount of the compensation shall be determined by the township auditors The township auditors shall also allow to the supervisors compensation for making a semi-annual inspection of the roads and bridges The compensation of supervisors when overseeing or working on roads shall be fixed by the township auditors and shall be not less than one dollar and fifty cents nor more than three dollars per day

Section 236 The township superintendent of the roadmasters under the direction of the board of supervisors or the supervisors acting as superintendent or roadmasters subject to the rules and regulations of the State Highway Commissioner shall

First Have the general care and superintendance of the improvement of the highways and bridges in the township except as otherwise speciflecally provided

Second Clause such highways and bridges to be kept in repair and free from all obstructions and give the necessary directions therefore and inspect all highways and bridges during the months of April and October of each year or at such other times as the board of supevisors or the superintendent may direct

Third Divide the township into as many sections as may be necessary for the maintenance and repair of the righways and the opening of highways obstructed by snow

Fourth Employ or hire such persons teams and implements as may be necessary for the maintenance and repair of highways and bridges and the removal of obstructions caused by snow subject to the approval of the board of supervisors Provide for the organization and supervision of the person so employed and work on the roads themselves when directed to do so by the board of supervisors Records shall be kept and reports made and filed giving the names of all persons employed including supervisors superintendents or roadmasters dates on which work was done and nature and location of same with compensation paid to each person and the capacity in which he is employed

Fifth Construct and keep in repair all sluices and culverts and keep the waterways bridges and culverts open

Sixth Cause loose stones lying in the beaten track of every highway to be removed Stones so removed shall be conveyed to some place from which they will not work back or be brought back into the track by other implliments used in repairing or maintaining such highways

Seventh Report monthly to the board of supervisors which report shall contain the matter in the form to be prescribed by the State Highway Commissioner

Eighth Attend road metings and conventions when directed to do so by the board of supervisors

Ninth Perform such other duties and have such other powers as may be imposed or conferred by law or the rules and regulations of the State Highway Commissioner

Section 237 The board of township supervisors may make a contract for the improvement and keping in repair of not more than ten miles of road No such contract shall extend over a period of more than four years nor shall it be given unless approved of and signed by at least two members of the board of township supervisors Every contractor for road work shall give bond for the amount of such contract and sign specifications furnished by the township supervisors for the building and care of such contract roads

Section 238 The board of township supervisors shall annually on or before the first day of January in each year make a sworn statement to the State Highway Commissioner on blanks furnished to them by the State Highway Commissioner of the whole amount of tax levied during the preceding year for road purposes and the total amount of road taxes collected during the year They shall sepcify in such report the amount expended for maintenance or repairs of roads for opening and building new roads and for macadamizing or otherwise premanently improving roads the number of miles of roads, thus made and the total number of miles of township roads in the township Such report shall also contain the names and addresses of the chairman members and secretary and treasurer of the board and such other matters and things as the State Highway Commissioner may require

Section 239 It is unlawful for any township supervisor superintendent or roadmaster to be interested directly or indirectly in any purchase made or contract relating to roads and bridges except as provided for in this act or to furnish any materials therefor Any such person knowingly

violating the provisions of this section shall be guilty of a misdemeanor Upon conviction thereof any such person shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to be imprisoned for a term not exceeding six months or both and shall forfeit his office

Section 240 Any township supervisor township superintendent road master or contractor employed to work on the roads bridges and highways of any township of the second class who shall violate any of the provisions of this act other than those for the violation of which specific penalties are provided or who shall fail neglect or refuse to carry out the provisions of this act shall upon conviction before a justice of the peace be sentenced to pay a fine of not more than fifty dollars to be collected in the name of the township as other debts of like amount are collected All such fines shall be paid to the township treasurer for the use of the road fund

Section 241 The township supervisors or township supperintendents elected or appointed in pursuance of this act shall have all the powers and shall perform all the duties imposed by existing laws on supervisors of roads and bridges and highways and road commisioners or other officers having in charge the township roads and shall be subject to all responsibilities and penalties imposed upon such officers

CHAPTER VI

Township Officers

ARTICLE IV

Township Treasurer

(a) General Provisions

Section 260 Whenever any moneys are collected in any township of the first or second class for any special purpose and are paid into the hands of the treasurer of such township it shall be unlawful for such treasurer to apply such moneys or any part thereof to any purpose other than that for which such moneys were collected Every such misapplication shall be a misdemeanor Upon conviction of such offense the treasurer shall be punished by a fine of not less than the amount so misapplied or by imprisonment for not less than three months and not more than one year

Section 261 If any township treasurer of any township of the first or second class shall neglect or refuse to perform any of the duties of his office he shall be fined in a sum not exceding one hundred dollars and shall be disqualified from holding the office

(b) Of Townships of the First Class

Section 270 The treasurer of each township of the first class shall give bond in a sum to be prescribed by ordinance and at least equal to the probable amount of the annual township tax Such bond shall be subscribed by sureties approved by the township commisssioners or by a surety company duly authorized to do business in this Commonwealth The bond given by the treasurer shall be conditioned for the faithful performance of the duties of his office for a just account of all moneys belonging to the township funds that may come into his hands from taxation or otherwise and payment over thereof only in the manner prescribed by law for the delivery to his successor in office of all paper books documents and other things held in right of his office and for the payment of to such successor of any balance in money remaining in his hands or charged against him in the settlement of his accounts Said bond shall be filed with the township commissioners

Section 271 The township treasurer shall receive for his duties as treasurer and tax collector for the township a sum equal to five per centum of all township taxes received or collected by him and in addition thereto a sum equal to one per centum on all other moneys received or collected by him for the township unles a different rate be fixed by ordinance of the township commissioners passed thirty days prior to his elction

Section 272 Every township treasurer shall take charge of all township moneys and to keep distinct accounts of all sums received from taxes and other sources which accounts shall at all times be open to the inspection of the commissioners and township auditors He shall annually state his accounts and lay the same together with the book and the vouchers before the township auditors for setlement

Section 273 The township treasurer shall pay out the moneys coming into his hands for the fiscal year only on orders numbered in the order of their issue signed by the president and attested by the secretary of the board and designating the appropriation out of which the orders shall be paid Any township treasurer who shall pay out moneys in his hands except upon such orders or shall pay out moneys in excess of the appropriations shall be allowed no credit in the settlement of his accounts for the sum or sums so paid out nor shall he have any claim or right of action against the township therefor

Section 274 The township treasurer in townships of the first class by virtue of his office as treasurer shall be tax collector He shall collect all State county township school poor and other taxes within such township of the first class levied by authorities empowered to levy taxes He shall in addition to the powers duties and responsibilities enumerated in chapter eight article one have all the powers preform all the duties be subject to all the obligations and responsibilities and receive the same compensation for collecting such taxes other than township taxes as are now by law vested in conferred upon or imposed upon or received by collectors of the several classes of taxes hereinbefore mentioned

It is the purpose and intent of this section that no taxes shall be collected in any township of the first class except by the treasurer of the township

Section 275 The treasurer of every township of the first class shall before he enters upon the duties of his office as collector of taxes take and subscribe an oath of office and file the same in the office of the court of quarter sessions and shall annually enter into a bond to the Commonwealth in not more than the amount of taxes charged and assessed in the duplicates with at least two sufficient sureties or one trust or bonding company The bond shall be approved by the court of quarter sessions and shall be filed in the office of the clerk of said court The condition of the bond shall be that the treasurer shall well and truly pay over or account for the whole amount of taxes charged and assessed in the duplicates which shall be delivered to him This bond does not cover the collection and payment over of township or school taxes

(c) Of Townships of the Second Class

Section 285 The treasurer appointed by the board of township supervisors in townships of the second class if an individual shall give bond with at least two sufficient securities to be approved by the auditors of the township conditioned that the treasurer shall well and truly account for and pay over all moneys collected for the township and all moneys paid by the State according to the provisions of this act and received by him only upon a written order signed by two members of the board of supervisors for the delivery to his succesor in office of all books papers and documents for the payment to him of any balance of money belonging to the township that may remain in his hands and for the faithful performance of the duties of his office

Section 286 The township treasurer of townships of the second class shall receive as compensation for his services a certain percentage on all moneys received and paid by him which rate shall be settled by the supervisors of the township with the approbation of the township auditors

In no case shall the combined amount paid to the secretary and treasurer exceed two per centum of the money paid out by the treasurer except when the amount would be less than ten dollars ($10.00)

Section 287 The township treasurer shall receive all moneys due the township and keep distinct accounts of all sums received from taxes and other sources which accounts shall at all times be open to the inspection of the supervisors of the township He shall pay out all moneys received by him on orders drawn by the supervisors of the township All orders shall be on blanks prepared and furnished by the State Highway Commissioner He shall annually state his accounts and lay the same together with the vouchers before the township auditors for settlement

CHAPTER VI

Township Officers

ARTICLE V

Township Secretary

(a) Of Townships of the First Class

Section 300 The board of commissioners in townships of the first class shall elect a secretary who must be a qualified voter of the township and not a member of the board He shall act as secretary of the board shall be the official keeper of the minutes and shall perform such other duties as are prescribed by ordinance of the board He shall provide suitable books the cost of which shall be paid out of the township funds wherein he shall enter all matters of which he is required to keep a record His salary shall be fixed by ordinance

Section 301 The secretary of townships of the first class shall keep a record of the appropriations made by the township commissioners and the amounts chargable thereto He shall furnish to any person so requesting a statement showing the amount available for future charges against any appropriation fund Any secretary who shall knowingly furnish an incorrect statement shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars

Section 302 The minute book and other records and documents of every township of the first class shall be open to the inspection of any taxpayer thereof his her or its agents upon demand therefore

Section 303 The township commissioners in townships of the first class except in those counties having a board for the assessment and revision of taxes for State and county purposes shall cause the secretary to keep record books in the form of the indexes kept in the office of the recorder of deeds for the indexing of deeds In such books the secretary shall enter when notified by the recorder of deeds of the county as new provided by law each deed or conveyance of any tract piece parcel or lot or real estate within the township noting the names of the grantor and grantee the acreage of the land conveyed if mentioned the consideration mentioned in the deed and the election district or districts in which the same is located and if the land conveyed is a lot in a recorded plan the number by which the same may be designated on the plan In one such record book conveyances shall be noted in the name of the grantor first and in another they shall be noted in the name of the grantee

(b) Of Townships of the Second Class

Section 310 The secretary of each township of the second class shall be clerk to the board of supervisors He shall keep a record of the proceedings of said officers and shall receive such compensation therefor as shall be fixed by the township auditors The combined amount paid to the secretary and treasurer shall not exceed two per centum of the money paid out by the treasurer except where the same would amount to less than ten dollars ($10.00)

Section 311 The secretary shall provide a suitable book or books for the purpose of entering therein all matters of which he is required to keep a record Such books shall be furnished by the State Highway Department

Section 312 The books of the secretary shall be open to the inspection of any person who may have occasion to search therein

CHAPTER VI

Township Officers

ARTICLE VI

Township Auditors

Section 325 The auditors of townships of the first and second class shall meet annually on the day following the day which is fixed by this act for the organization of township supervisors or the township commissioners of the several townships respectively and shall audit settle and adjust the accounts of the supervisors commissioners roadmaster treaurer and tax collector of the township Two auditors shall constitute a quorum

Any officer whose act or neglect has contributed to the financial loss of any township shall be surcharged by the auditors with the amount of such loss

Each auditor shall receive two dollars per diem for each day necessarily employed in the duties of his office to be paid out of the funds of the township

Section 326 The auditors of each township may issue subpoenas to obtain the attendance of the officers whose accounts they are required to adjust their executors and administrators and of any persons whom it may be necessary to examine as witnesses and to compel their attendance by attachment in like manner as any court of common pleas may in cases depending before them and may also compel the production of all books vouchers and papers relative to such accounts Such subpoena and attachment shall be served and executed by the sheriff or coroner of the county as the case may require

The auditors of each county may administer oaths and affirmations to all persons brought or appearing before them whether accountants witnesses or otherwise All persons guilty of swearing or affirming falsely on such examination shall be guilty of perjury

Section 327 The auditors shall complete their audit settlement and adjustment within as short a time as possible They shall within ten days thereafter publish by posting printed handbills in at least five public places an itemized statement of the receipts and expenditures of the several officers for the preceding fiscal year They shall also within ten days thereafter file a copy of such statement with the secretary and another copy of such statement with the clerk of the court of quarter sessions When any two officers are exercised by the same person only one statement shall be required

Section 328 The auditors shall cancel all orders and vouchers presented to them which they find have been paid by writing the word "audited" on the face thereof

Section 329 Any auditor neglecting or refusing to comply with the preceding provisions of this article shall pay a penalty of one hundred dollars to be recovered by suit instituted in the name of the township upon the complaint of any taxpayer in the same manner as debts of like amount are recoverable Any penalty recovered shall be paid into the treasury of the township

Section 330 The auditors in case of a disagreement with any official or board of officials whose accounts they are required to audit may employ an atorney Such attorney shall not be employed until reasonable effort to reach an agreement has been made and only after notice of their intention so to do has been given to said official or board of officials The compensation for such attorney shall be fixed by the auditors and shall not exced the sum of ten dollars per day nor total in any case more than thirty dollars unless when an appeal is taken to the courts in which case the court shall fix the additional compensation for the attorney The compensation for said attorney shall be paid out of the fund the settlement of which is in dispute by a warrant drawn by the auditors upon the treasurer of such fund immediately upon the final settlement of the account

Section 331 Whenever any person is charged with a sum of money by the report of the township auditors any taxpayer of the township may enforce the collection thereof for the benefit of the township by action or execution upon filing in the court of common pleas a bond with one or more sureties condition to indemnify the township from all costs which may accrue in the proceedings

Section 332 The township or any taxpayer thereof on its behalf or any officer whose account is settled or audited by the township auditors may appeal from any settlement or audit to the court of common pleas within thirty days after the settlement has been filed in the court of quarter sessions

Section 333 No appeal by a taxpayer or officer shall be allowed unless the applicant shall enter into recognizance to prosecute the same with effect and to pay all costs accruing thereon in case if the appellant be a taxpayer he shall fail to obtain a final decision more favorable to the township than that awarded by the auditors or in case the appellant be an accounting officer he shall fail to obtain a final decision more favorable to the officer than that awarded by the auditors

Section 334 Whenever an appeal has been taken from the report of the auditors by the township or by any person charged in such report with any sum of money any taxpayer of the township may intervene in such appeal and either prosecute the same on its behalf or defend it against the appeal of the person so charged No taxpayer shall intervene unless he shall file in the court of common pleas a bond with one or more sufficient securities conditioned to indemnify the township against all costs accruing by reason of such intervention

Section 335 When more than one appeal from the report of the auditors is taken whether by the township an officer or officers thereof or by a taxpayer the court shall upon petition of any party interested direct the several appeals to be disposed of in a single proceeding

Section 336 Any person interested may order the appeal upon the argument list and evidence may be taken before any person authorized to administer oaths upon rule for that purpose served upon the opposite party

Section 337 Whenever any matter of fact is in dispute the court of common pleas is authorized to frame an issue for the trial thereof

Section 338 The accounts of the officer or officers in question may be investigated de novo The figures and facts found and stated by the auditors in their report of audit shall be taken as prima facie correct as against any such officer and the burden shall be upon each officer whose accounts are in question to establish the validity of the credits which he claims

Section 339 After hearing the court shall file its findings of fact and law and enter judgment in accordance therewith and the judgment so entered may be enforced by any appropriate proceedings by the party prevailing

Section 340 In all cases of appeal from the report or audit of township auditors to the court of common pleas the costs shall abide the event of the suit as in other cases

Section 341 Any person interested may except to the rulings of the courts and may appeal therefrom to the Superior or Supreme Court as in other cases

CHAPTER VI

Township Officers

ARTICLE VII

Township Police

Section 355 Upon the petition of twenty-five taxpayers of any township to the court of quarter sessions representing that the safety of the citizens and the security of property requires the appointment of one or more deputy constables to act as policemen the court shall consider said petition If satisfied of the reasonableness and propriety of the application the court shall make appointments for such time as to it may seem proper

Section 356 Such deputy constables shall possess and exercise all the powers of policemen of cities in the several townships in which they are appointed Keepers of jails lockups or station-houses shall receive all persons arrested by such policemen for the comission of any offense against the laws of this Commonwealth within the township for which they are appointed

Section 357 Such deputy constables shall when on duty wear a shield with the words "township police" and the name of the township inscribed thereon

Section 358 The deputy constables shall be paid such compensation out of the township fund as may be approved by the court of quarter sessions They may be discharged whenever the court appointing them is satisfied that their services are no longer required

CHAPTER VI

Township Officers

ARTICLE VIII

Tax Collectors Assessors and Assistant Assessors

Section 365 The tax collector of townships of the second class shall collect all State county township school poor and other taxes levied within townships of the second class by authorities empowered to levy taxes He shall in addition to the powers duties responsibilities and compensation enumerated in chapter eight article two have all the powers perform all the duties be subject to all the obligations and responsibilities and receive the same compensation for collecting such taxes other than township taxes as are now vested in conferred upon or imposed upon or received by collectors of the several classes of taxes hereinbefore mentioned

Section 366 The collector of taxes of townships of the second class shall before he enters upon the duties of his office take and subscribe an oath of office and file the same in the office of the court of quarter sessions and shall annually enter into a bond to the Commonwealth in not more than the amount of taxes charged and assesed in the duplicates with at least two sufficient sureties or one trust or bonding company The bond shall be approved by the court of quarter sessions and shall be filed in the office of the clerk of said court The condition of the bond shall be that the collector shall well and truly pay over or account for the whole amount of taxes charged and assessed in the duplicates which shall be delivered to him This bond does not cover the collection and payment over of school taxes

Section 367 The assessors of townships of the first and second class and the assistant assessors of townships of the first class whose election is provided for in chapter five of this act shall have all the powers perform all the duties be subject to all the obligations and responsibilities and receive the same compensation as is provided for by existing law

CHAPTER VII

General Powers

ARTICLE I

Of Townships of the First Class

Section 380 Townships of the first class may

I Sue and be sued by the name of the township of ....

II Take and hold real estate within their limits and also personal property Such real and personal estate shall be taken and held only for the benefit of the inhabitants of the township and for such objects and purposes as township rates and levies are authorized by law to be laid for

III Make such contracts as may be necessary for carrying into execution the provisions of this act

Section 381 The corporate powers of the township of the first class shall be vested in the board of township commissioners The board shall have power

I To adopt by-laws and ordinances prescribing the manner in which the powers of the township shall be carried out and generally regulating the affairs of the township All such ordinances unless where otherwise provided in this act shall be published at least twice in a newspaper published in the township or if there be no newspaper advertised in such manner as may be designated by ordinance

II To prescribe fines and penalties not exceeding fifty dollars in any instance for the violation of township ordinances which fines and penalties may be collected by suit brought in the name of the township before any justice of the peace in like manner as debts of like amount may be sued for by existing laws

III To establish and maintain a night watch and police force and to define the duties of the same

IV To provide for the erection or purchase of a lockup or watch-house for the detention of vagrants and persons arrested until they can be taken before a justice of the peace for hearing or be committed to prison or be discharged

V To arrest and confine and to set to work on the roads or elsewhere all vagrants found in the township

VI To take all needful means for securing the safety of persons or property within the township

VII To regulate and prohibit shows circuses and public amusements of all sorts

VIII To purchase tools implements machinery timber and materials necessary for the making paving and repairing of streets and highways and to employ sufficient number of laborers to make and repair the same

IX To prohibit or regulate the running at large of animals

X To pass ordinances taxing the owners and harborers of dogs and to provide for the destruction of all dogs found at large contrary to any ordinance

XI To make regulations respecting pig pens slaughter houses manure pits drains cesspools and manufactories that are offensive to abate nuisances prejudicial to public health and public safety and to collect the cost of such abatement from the person responsible

XII To provide by contract or otherwise for the collection and removal of ashes and garbage

XIII To erect watering troughs along the highways at an expense not exceeding twenty dollars and to keep the same in repair

XIV To establish lights along the highways wherever deemed expedient

XV To establish lights on and along State highways and turnpike roads running through such township No such lights shall be established upon State highways or upon turnpike roads under the jurisdiction of the State Highway Department until a permit has first been obtained from the State Highway Commissioner

XVI To take measures for the extinguishment of fires either by making annual appropriations towards the maintenance of fire-companies or in such other manner as said board of commissioners may deem proper and to ordain rules and regulations for the government of such fire-companies and their officers and to regulate the method to be followed in the extinguishment of fire

XVII To enter into contracts with any person or corporation to supply water for fire protection for a period not exceeding twenty years No such contract shall be exclusive as against the right of any other water company nor interfere with the right of such township to erect maintain and operate its own water works

XVIII To purchase and maintain engines for the extinguishment of fire and to make rules and regulations for the management of same

XIX To provide and maintain a suitable place for the housing of engines hose-carts and other apparatus for the extinguishment of fire No such building shall be erected or maintained without obtaining the assent of the electors thereof expressed at an election to be held at the place time and under the same regulations as provided by law for the holding of municipal election At such election the judges inspectors and clerks shall receive tickets from the electors which shall be prepared in the manner prescribed by the general election law In receiving and counting and in making returns of the votes cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating municipal elections and the vote shall be counted by the court as is now provided by laws for municipal elections The constables of the township by direction of the board of township commissioners shall issue proclamation ten days prior to date of the municipal election stating that the qualified electors will vote "For or against building a fire-engine house"

XX To appropriate moneys for the expenses of Memorial Day services

XXI To appropriate money or convey land either independently or in connection with any county city town borough or township to the Commonwealth of Pennsylvania for the purpose of assisting the Armory Board of the Commonwealth in the erection of armories for the use of the National Guard and to furnish water light or fuel free of cost to the Commonwealth for use in any armory and to do all things necessary to accomplish the purposes of this clause

XXII To take by right of eminent domain for the purpose of appropriating to themselves for the use of the National Guard of Pennsylvania such public lands easements and public property as may be in their possession or control and used or held by them for any other purpose Such right shall not be exercised as to any street or highway or wharf but all other public easements and property may be appropriated and used for the purpose herein provided any limitation of the use thereof by the township either by donation dedication appropriation statute or otherwise to the contrary notwithstanding

CHAPTER VII

General Powers

ARTICLE II

Of Townships of the Second Class

Section 385 Townships of the second class may

I Sue and be sued by the name of the township of .....

II Take and hold real estate within their limits and also personal property Such real and personal estate shall be taken and held only for the benefit of the inhabitants of the township and for such objects and purposes as township rates and levies are authorized by law to be laid for

III Make such contracts as may be neecssary for carrying into execution the provisions of this act

Section 386 The corporate power of townships of the second class shall be exercised by the township supervisors They shall have power

I To light and illuminate the street highways and other public places of the township with electric light gas or other illuminating medium and to provide for defraying the cost charges and expenses thereof and for such purposes to enter into contracts or agreements with any person copartnership association or corporation for a period not exceeding five years for the purpose of securing and maintaining a supply of light

II On the petition of the owners of a majority of the lienal feet frontage along any highway or portion thereof in any village within the township to enter into contract with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said villages with electric light gas light or other illuminant.

The township supervisors shall levy for the maintenance of said lights an annual tax upon the property abutting upon the said highways and other public places in the district benefited thereby based upon the assessment for county purposes Such tax shall be collected in the same manner as other taxes The collector of taxes shall receive the same commission as on the road tax No such tax shall be levied against any farm land nor against any property the residence upon which shall be more than five hundred feet from such highway

The township treasurer shall receive all such taxes collected for lighting the highways shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary The treasurer shall make a report to the auditors of the township annually

III On the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within the township to enter into contract with water companies for the placing of fire-hydrants along said highway for the protection of property from fire

The supervisors shall levy for the maintenance of such fire-hydrants and for the purchase of hose et cetera an annual tax upon the property abutting upon said highway in the district benefited thereby based upon the assessment for county purposes Such tax shall be collected in the same manner as other taxes The collector shall receive the same commission as on the road tax

The township treasurer shall receive all such taxes collected for fire protection and keep the same in a separate account and pay the same out only upon orders signed by the chairman of the board of supervisors attested by the secretary The treasurer shall make a report to the auditors of the township annually

IV To purchase such timber material machinery road drags tools and implements as shall be necessary for making and repairing roads and bridges and to employ sufficient number of laborers to make and repair the same

All contracts for the purchase of power-rollers traction-engines stone-crushers concrete-mixers or road machines for grading or scraping shall be made only after consultation with the superintendent in charge of such county or district and no such contract shall be valid unless it shall be approved and signed by such superintendent

V To erect watering troughs along the highway at an expense not exceeding twenty dollars and to keep the same in repair

VI To appropriate moneys for the expenses of Memorial Day services

VII To appropriate money or convey land either independently or in connection with any county city town borough or township to the Commonwealth of Pennsylvania for the purpose of assisting the Armory Board of the Commonwealth of Pennsylvania in the erection of armories for the use of the National Guard and to furnish water light or fuel free of cost to the Commonwealth for use in any armory of the National Guard and to do all things necessary to accomplish the purposes of this clause

VIII To take by right of eminent domain for the purpose of appropriating to themselves for the use of the National Guard of Pennsylvania such public lands easements and public property as may be in their possession or control and used or held by them for any other purpose Such right however shall not be exercised as to any street or highway or wharf but all other public easements and property may be appropriated and used for the purposes herein provided any limitation of the use thereof by the township either by donation dedication appropriation statute or otherwise to the contrary notwithstanding

IX To subscribe for not more than three publications the main subject matter of which pertains to good roads and road building Such publication shall be for the joint use of the supervisors superintendents and roadmasters of the township

CHAPTER VIII

Taxation Finance Road Fund

ARTICLE I

In Townships of the First Class

Section 390 The board of township commissioners of townships of the first class shall each year within sixty days after the first Monday of January estimate the several amounts of money which will be required for the several specific purposes of township government and expenses during the current fiscal year and by ordinance appropriate out of the revenues available for the year the specific sums required The tax levied by the township authorities shall be fixed at such figure within the limit fixed by law as with all other sources of revenue will meet and cover said appropriations The total appropriation shall not exceed the revenues available for the fiscal year The ordinance shall be open to the inspection of any taxpayer of said township or his her or its authorized representatives If the funds available from taxation and other sources shall be estimated to be in excess of the requirements of the current fiscal year an appropriation may be made for the payment of township orders or indebtedness of the previous year

Section 391 No work shall be hired to be done no materials purchased no contracts made and no orders issued for the payment of any moneys by the authorities of any township of the first class in any amount which will cause the sums appropriated to specific purposes to be exceeded No change in the purpose of the appropriations shall be made unless by an ordinance which shall set out in detail the reasons for the character of such change Such ordinance shall be open to the inspection of any taxpayer or his her or its authorized representative Nothing in this section shall prevent any township from incurring an indebtedness or increasing the same in the manner authorized by law for the purposes of permanent improvements

Sections 392 No contracts hirings or purchases made or orders or warrants issued not provided for by an appropriation by the township commissioners as is required by law or which would cause any appropriation to be exceeded shall be valid

Section 393 All contracts or purchases made by any township of the first class involving the expenditure of over five hundred dollars shall be in writing and shall be made with the lowest and best bidder after notice by the secretary published once a week for three weeks in one or more newspapers of the county circulating in the township This section does not apply to the operation or use by any township of the first class of its own tools implements crushers or other machinery necessary for repairing public highways

Section 394 No orders or indebtedness of any previous years shall be paid out of the funds of any fiscal year except as provided in the first section of this article unless after the close of the fiscal year it shall be ascertained that the funds appropriated and available thereof are in excess of the amount required in which case such surplus may be applied to such former orders or indebtedness Any township treasurer who shall pay the orders or indebtedness of any previous year except as herein provided shall be allowed no credit in the settlement of his accounts for any sum so paid out nor shall he have any claim or right of action against the township therefor

Section 395 The board of township commissioners may borrow money and issue evidences of indebtedness therefor The total amount of indebtedness so created shall not exceed two per centum of the county valuation of the property within the township without the assent of the electors of the township The rate of interest on any such indebtedness shall not exceed five per centum No indebtedness shall be incurred or expenditure authorized except by ordinance To authorize the expenditure of more than one hundred dollars a special resolution of the board shall be necessary

Section 396 All disbursements in discharge of township indebtedness duly incurred shall be made by the township treasurer by virtue of warants or orders drawn on him by the order of the board of township commissioners attested by the president or vice president and secretary of the board The board shall prescribe by ordinance the manner in which bills for township indebtedness shall be approved for payment

Section 397 The board of township commissioners may levy taxes upon all property and upon all occupations within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes for the purposes and at the rates hereinafter specified to-wit

I An annual tax for township purposes not exceeding ten mills

II A tax for the purpose of building and maintaining a suitable place for the housing of fire apparatus

III An annual tax not exceeding one-tenth of one mill for the purpose of caring for trees planted under the supervision of the shade-tree commission and for the purpose of publishing notices of meetings to consider the planting removing changing of trees In lieu of the tax provided for in this clause the township commissioners may by specific appropriation provide for the maintenance of such trees from the general funds of the township

IV An annual tax so long as necessary not exceeding fifty per centum of the rate of assessment for road purposes for the purpose of procuring a lot and erecting a building thereon for a town house and for the payment of indebtedness incurred in connection therewith

This article does not include the levy of any taxes upon particular districts or parts of any township for particular purposes

Section 398 In addition to the levies provided for in the preceding section when it is shown to the court of quarter sessions that the debts due by any township exceed the amount which the township commissioners may collect in any years by taxation the court after ascertaining the amount of indebtedness of any such township may by a writ of mandamus direct the township commissioners by special taxation to collect an amount sufficient to pay the same If the amount of such indebtedness is so large as to render it unadvisable to collect the same in any one year taking into consideration other necessary taxation the court may direct the same to be levied and collected by annual instalments and may order such special taxes to be levied and collected during such successive years as may be required for payment of the same

Section 399 As soon as possible after the receipt of the duplicate from the county commissioners as provided in the act of May fifth one thousand nine hundred fifteen entitled "An Act requiring the county commissioners to furnish to townships of the first class duplicates of the adjusted valuation for taxation purposes within such townships" the Board of Township Commissioners shall deliver a duplicate of the assessment of township taxes to the township treasurer together with their warrant for the collection of the same

Section 400 As soon as possible after the receipt of the duplicate the treasurer shall give public notice thereof by at least ten written or printed notices to be posted in public places in the township and by advertisement in a newspaper published in the township if any such there be that the duplicate has been issued and delivered to him A discount of five per centum shall be allowed to any taxpayer who shall make payment in sixty days from the time of such notice

Section 401 The township treasurer within thirty days after receiving the tax duplicate shall notify every taxable whose name appears on such duplicate Such notice shall contain the rate of taxation the valuation of the property of such taxable the occupation of such taxable and the full amount of taxes for which said taxable is liable for the current year Such notice shall further state that such taxes are payable designate a place and time when they shall be paid and also state the time within which an abatement will be allowed when the full amount of tax will be collected and when an additional percentage will be added as a penalty Such notice shall be mailed to the last known post office address of each taxable

Any township treasurer failing to comply with the provisions of this section shall forfeit all commissions on any taxes received and colected by him from any taxable not notified

Before any allowance is made by the township auditors for commissions due to the township treasurer for taxes collected the treasurer shall make an affidavit setting forth that he has complied with the provisions of this section

Section 402 All persons who fail to make payment of any tax charged against them in the duplicate within the period of six months from the date of publciation of notice thereof by the township treasurer as provided in section four hundred and one shall be charged with a penalty of five per centum additional on the amount of tax which penalty shall be added to the tax by the treasurer and collected by him or his deputy

Section 403 At the expiration of three months from the time of receiving the duplicate the treasurer shall proceed to collect all unpaid taxes from the taxpayers and to that end may appoint one or more deputy collectors The treasurer and his deputies shall have and exercise all powers conferred by existing laws on collectors of county and township taxes

Section 404 The township treasurer may retain out of the taxes collected such actual printing and postage expenses as shall be incurred in performing the duties pre-

scribed in this article Such amounts shall be adjusted by the township auditors at the time of auditing the treasurer's accounts

Section 405 The township commissioners shall at all times make abatements or exonerations for mistakes indigent persons unseated lands et cetera as to them shall appear just and reasonable The township secretary shall enter in a book or books to be kept for that purpose the names of all persons abated or exonerated together with the reason why the amount of the tax and date when made and give to the treasurer a certificate stating the nature of the tax and the amount exonerated

Section 406 The accounts of collectors of taxes shall be settled by the township auditors The treasurer shall state a separate account for each different tax collected by him

CHAPTER VIII

Taxation Finance Road Fund

ARTICLE II

In Townships of the Second Class

Section 420 The board of township supervisors of townships of the second class shall annually before their organization meeting in December or as soon thereafter as practicable make a written estimate of the amount of money required for the ensuing year beginning on the first Monday of December which shall be filed with the treasurer Such estimates for the purpose of aiding the board in determining how much road tax to levy shall specify

(a) The amount of money necessary for the maintenance repair and improvement of highways including sluices

(b) The amount of money necessary for the repair and construction of culverts and bridges

(c) The amount of money necessary for the purchase hire repair and custody of tools implements and machinery

(d) The amount of money necessary for the payment of debts or other miscellaneous purpose

Section 421 The board of township supervisors may levy taxes upon all property and upon all occupations within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes and at the rates hereinafter specified to-wit

I An annual road tax not later than the fourth Monday of March of each year not exceeding ten mills unless the board of supervision by unanimous action shall upon due cause shown petition the court of quarter session in which case the court may order a greater rate than ten mills but not exceeding ten additional mills to be levied All road taxes snall be collected in cash

II A tax for the purpose of building and maintaining a lock-up after obtaining the assent of the electors of the township in the manner provided in section twelve hundred and fifty of this act

III Upon the receipt of a petition of a majority of the owners of real estate of the township requesting it an annual tax not exceeding five mills for the purpose of lighting the streets and highways in the manner provided in section three hundred and eighty-six Clause one of this act and of defraying the cost charges and expenses thereof

IV An annual tax so long as necessary not exceeding fifty per centum of the rate of assessment for road purposes for the purpose of procuring a lot and erecting a building thereon for a town house and for the payment of indebtedness incurred in connection therewith

The taxes authorized to be levied by this section shall be levied upon the last adjusted valuation for county purposes which valuation shall be furnished to the township supervisors by the county commissioners If any further adjustment of valuation is made by the county commissioners after any tax is so levied and before said tax is payable such adjusted valuation shall be certified to the township supervisors and to the township collector of taxes by the commissioners and the tax shall be collected on the basis of such adjusted valuation

This article does not include the levy of any taxes upon particular districts or parts of any township for particular purposes

Section 422 In addition to the levies provided for in the preceding section when it is shown to the court of quarter sessions that the debts due by any township exceed the amount which the supervisor may collect in any year by taxation the court after ascertaining the amount of indebtedness of any such township may by a writ of mandamus direct the township supervisors by special taxation to collect an amount sufficient to pay the same If the amount of such indebtedness is so large as to render it unadvisable to collect the same in any one year taking into consideration other necessary taxation the court may direct the same to be levied and collected by annual instalments any may order such special taxes to be levied and collected during such successive years as may be required for payment of the same

Section 423 The township supervisors shall make or cause a duplicate to be made designating the amount of road tax levied against each taxpayer of the township and also duplicate for all other taxes levied and assessed under the provisions of this article and shall deliver the same to the township collector together with a warrant for the collection of the same which taxes shall be collected as folows namely To all taxpayers who pay their taxes to the collector before June first of each year an abatement of five per centum shall be made all road taxes paid to the collector between June first and October first of each year shall be paid in full and to all road taxes remaining unpaid on the first of October in each year the collector shall add five per centum as penalty for such delinquency and shall collect said penalty in addition to the tax levied said penalty to be his compensation for collecting said delinquent taxes

Section 424 Where any duplicate of taxes assessed is issued and delivered to the collector of taxes he shall give public notice as soon thereafter as conveniently can be done by at least ten written or printed notices to be posted in as many public places in different parts of the township Such notice shall state that the duplicate has been issued and delivered to him

Section 425 Each tax collector of the several townships of this Commonwealth within thirty days after receiving the tax duplicate shall notify every taxable whose name shall appear on such duplicate Such notice shall contain the rate of taxation the valuation of the property of such taxable the occupation of such taxable and the full amount of taxes for which said taxable shall be liable for the current year Such notice shall further state that such taxes are payable shall designate a place and time when they shall be paid and shall further state the time within which an abatement of tax will be allowed when full amount of tax will be collected and when an additional percentage will be added as a penalty Such notice shall be mailed to the last known post office address of each of said taxables

Before any allowance is made by the boards of supervisors for commissions due the collector of taxes he shall make an affidavit setting forth that he has complied with the provisions of this section

Section 426 The collector of taxes shall collect the taxes charged in said dpulicates and pay over the same to the treasurer or authorities entitled thereto after deducting his commission for the collection thereof All taxes collected before the first day of June shall be paid over within fifteen days thereafter by the collector All taxes thereafter collected during his term of office shall be paid over at regular intervals of one month A complete settlement of all taxes collected shall be made by the collector of taxes with the treasurer not later than three months after the expiration of his term of office

Section 427 The compensation of the tax collector shall be two percentum on all general road taxes collected prior to the first day of June of each year and five per centum on all such taxes collected between the first day of June and the first day of October For the collection of road taxes collected after the first day of October the collector shall receive the penalty added to such taxes as provided in section four hundred and twenty-three of this act For the collection of special road taxes and all township taxes other than general road taxes his compensation shall be five per centum of the amount collected

Section 428 The tax collector shall keep correct accounts of all moneys collected marking "paid" on his duplicate each taxable with the amount of tax and the date on which paid The collector shall on the first day of each month make a true statement in writing to the secretary of the board of supervisors of all taxes collected during the previous month giving names of taxables and amount collected from each and the total amount received The collector shall pay over on the first day of each month to the treasurer all moneys collected during the previous month and take his receipt for same Any tax collector who neglects or refuses to comply with the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars or to be imprisoned for a term not exceeding one year or both

Section 429 The tax collector may retain out of the taxes collected by them such actual printing and postage expenses as shall be incurred by him in performing his duties Such amount shall be adjusted by the boards of supervisors

Section 430 The supervisors shall at all times make abatements or exonerations for mistakes indigent persons unseated lands et cetera as to them shall appear just and reasonable The township secretary shall enter in a book or books to be kept for that purpose the names of all persons abated or exonerated together with the reason why the amount of the tax and date when made and give to the collector a certificate directed to the treasurer stating the nature of the tax and the amount exonerated in order to make settlement accordingly

Section 431 The accounts of the collector of taxes shall be settled by the township auditors The tax collector shall state a separate account for each different tax collected by him

Section 432 Each township of the second class shall receive annually from the State fifty per centum of the total amount of road tax collected by such township as shown by the sworn statement of the board of township supervisors contained in the annual report furnished to the State Highway Commissioner on or before the first day of January in each year No township shall receive in any one year more than twenty dollars for each mile of township road in said township Such distribution shall be made on a basis of an average amount to each mile of township road

Section 433 Upon receipt of the sworn statement from the board of township supervisors the State Highway Commissioner shall certify to the Auditor General the amount due the respective townships The Auditor General shall draw a warrant upon the State Treasurer for the payment of the amount due such township payable to the treasurer of the board of township supervisors which shall be paid out of the money appropriated for that purpose No such payment shall be made until the township treasurer has filed with the State Highway Commissioner a certified copy of

his bond nor until the agreement for the expenditure of such State money together with the township's money has been made and approved as hereinafter provided for

Section 434 Whenever the township highway funds together with funds appropriated by the General Assembly for State aid to township roads have been exhausted the board of supervisors may issue a certificate of indebtedness and borrow on the credit of the township money in anticipation of taxes to be collected to the end that work may be performed in proper season and in accordance with rules and regulations prescribed

Section 435 Upon the neglect or refusal of the supervisors of any township to carry out the instructions rules and regulations of the State Highway Commissioner then the State Highway Commissioner may withhold from such township the amount to which it would otherwise be entitled for the year in which said neglect or refusal occurred

Section 436 The State Highway Department shall furnish blanks to the supervisors in which said supervisors or a majority of them shall make a sworn statement that the money has been expended in building repairing maintaining dragging and improving the township roads according to the instructions standards and specifications or the rules and regulations prescribed by the State Highway Department so far as the available funds and local conditions make it possible

Section 437 The provisions of sections four hundred and thirty-three to four hundred and thirty-seven inclusive in so far as they provide that each township of the second class shall receive annually from the State fifty per centum of the total amount of road tax collected by such township but not to exceed twenty dollars per mile are hereby suspended until the following conditions have been fulfilled

Instead of fifty per centum of such road tax being paid by the State to the township in the manner provided by said sections such township shall be entitled to receive annually from the State such fifty per centum but not exceeding twenty dollars per mile which however shall be first applied to the payment and satisfaction of any deficiency due the township under the provisions of an act approved the twelfth day of April one thousand nine hundred five (Pamphlet Laws one hundred forty-two) entitled "An Act providing for the election and appointment for road supervisors in the several townships of the second class of this Commonwealth defining their duties authorizing them to make repair and maintain roads and bridges let contracts for the same levy and collect taxes employ labor divide townships into districts appoint roadmasters and treasurer purchase road-making implements and machines prescribing penalties for violation of this act and requiring the road supervisors to report to township auditors and to the State Highway Commissioner from time to time and for the payment of a percentage of road tax to townships that abolish the work tax and for the repeal of all laws general local or special inconsistent herewith or supplied hereby" as amended and of an act approved the fourteenth day of June one thousand nine hundred eleven (Pamphlet Laws nine hundred forty-two) entitled "An Act relating to roads proviidng for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" and of an act approved the twenty-second day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred fifteen) entitled "An Act relating to roads providing for the supervision construction maintenance and repair of township roads relating to road tax and providing penalties for the violation thereof" until such deficiencies have been paid

All moneys so appropriated and paid by the Commonwealth in payment and satisfaction of said deficiency if any shall be paid out and expended in accordance with the provisions of this act

Section 438 Moneys levied and collected by the township authorities or received from the State as aid for township roads shall be expended at such place and in such manner as may be agreed upon by the board of supervisors Such agreement which shall be upon a blank furnished by the State Highway Commissioner shall be written and signed in triplicate by a majority or all of the members of the board and shall be approved by the superintendent in charge of such county or district and the State Highway Commissioner before the same shall take effect and before the States' money shall be paid to the township treasurer One of such triplicate copies shall be filed with the township treasurer one in the office of the superintendent of the county or district and one with the State Highway Commissioner

Section 439 The fiscal year in townships of the second class shall expire on the day before the first Monday in December in each year All receipts disbursements contracts or purchases subsequent to that date shall be chargeable to and entered as of record in the fiscal year following

CHAPTER IX

Eminent Domain

ARTICLE I

Section 460 In all cases where the right of eminent demain is conferred by the provisions of this act townships of the first and second class may enter upon the lands and premises of any person

Section 461 In all proceedings for the condemnation and appropriation of land and property by the right of eminent domain the petition for the appointment of viewers shall contain allegations specifying any judgments mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned

Section 462 A notice in such form as the court shall direct stating a time and place for a hearing to determine the number amount and priority of such liens and the parties entitled thereto shall be served on the owner of the property and on each of the owners of the liens at least ten days before the day fixed for such hearing

Section 463 Testimony shall be taken in such proceedings to ascertain the amounts of such liens and the dates of the entry of the same The amounts of the liens and the dates of entry thereof shall be found as facts by the viewers Certified lists of liens from the courts of the Commonwealth and of the United States shall be prima facie evidence of the existence dates amounts dates of entry and places of record of said liens and unless modified or overcome by oral or documentary evidence shall be conclusive upon the parties thereto as to items specified

Section 464 When it appears that liens exist upon a property sought to be condemned and appropriated a report of the facts found shall be made to the court Such report shall be subject to exceptions as regulated by the Supreme Court by general rule When the court has finally determined the findings in relation to the liens the court shall make an order directing the payment and distribution of the amount found to be payable as compensation to the parties entitled thereto First to the owners of the liens then to the owners of the property appropriated The parties interested shall have the right of appeal from such order of distribution to the Superior or Supreme Court Payment in accordance with the order of distribution evidenced by a receipt of record in the proceedings shall absolutely discharge the party making the payment from all liens by any person copartnership association or corporation as against said property In such receipt and on the record thereof any claimant may reserve the right to proceed against any other property or assets of the owner of the property condemned for any balance due upon his lien

Section 465 Upon payment of the compensation for land or property in accordance with the order of distribution title to such land or property shall vest in the township in accordance with provisions of the law under which the appropriation is made and all claims for compensation shall be thereby paid and satisfied

Section 466 In eminent domain proceedings all witnesses called may when duly qualified state their opinion as to the market value of the property before the exercise of the right of emninent domain and as unaffected by it and its market value immediately after the exercise of such right Such witnesses may also

(a) State in detail and costs all the elements of benefit or damage which they have taken into consideration in arriving at their opinion

(b) In arriving at their opinion as to the market value immediately after the exercise of the right of emninent domain add to their opinion of the market value before such exercise the value of all the elements of benefit or advantage and deduct therefrom all disadvantages or damage

(c) In all proceedings to assess damages or benefits for the opening of any street alley or highway take into consideration as one of the elements of advantage or disadvantage the cost of the improvements

Section 467 In all claims for damages against a township arising from the exercise of the right of eminent domain the party claiming damages may offer in evidence the value of the property affected as assessed for taxation

Section 468 In all cases of the appropriation of land for public use other than for roads streets or highways it shall be unlawful to assess the whole or any portion of the damage done to or value of the land so apportioned against other property adjoining or in the vicinity of the land so appropriated

Section 469 Viewers or juries of view appointed by any court to assess damages and benefits due to the taking injury or destruction of private property in any by the construction or enlargement of any public work highway or improvement shall make their reports within a time which the court shall fix when appointing them If any of the viewers or juries of view so appointed shall for any reason appearing sufficient to the court be unable to file their report within the period so fixed the said court may either before or after the expiration of the time fixed extend the time for the filing of such report

Section 470 Whenever any report of viewers or juries of view appointed by any court of quarter sessions to asses damages and benefits for the opening widening narrowing or vacating of any road street or highway or the taking of private property in the construction or enlargement of any public work or improvement is filed it shall unless otherwise provided be confirmed by the court at the expiration of thirty days from the date of its filing unless exceptions thereto are filed within such time

The party or parties to whom an award has been made and from whose award no appeal has been taken may take such further legal proceedings as may be necessary to enforce payment of the confirmed award either by writ of mandamus execution or otherwise

Section 471 In all cases of damages assessed against any township of the first or second class for property taken injured or destroyel by the construction or enlargement of its work highways or improvements whether such assesment shall have been made by viewers or otherwise than upon trial in court and an appeal is not provided for an appeal demanding a jury trial may be taken by either

party to the court of common pleas of the county within thirty days from the filing of the report

Any such appeal shall be signed by the party taking the same or by his agent or attorney and shall be accompanied by an affidavit of the party appellant or of the agent or attorney that the same is not for the purpose of delay but because the affiant firmly believes that injustice has been done

When no appeal is taken in accordance with the provisions of this section and judgment is entered and the party to whom damages have been awarded refuses to accept payment of such award or judgment then it shall be lawful for such township upon petition to the court after notice as ordered by court to pay the amount of the award and costs into the court The court upon such payment shall order the satisfaction of the award or judgment

Section 472 When any township has tendered a bond in sufficient sum to secure the owner or lessee for damages and the same has been accepted or if the acceptance of such bond has been refused and it has been filed in and approved by the court such township shall have the right to immediate possesion of the land of property appropriated If the owner lessee or occupier refuses to remove his personal property therefrom or to give up possession thereof the township may serve written notice on such owner lessee or his agent or the occupier to remove his personal property therefrom and give up possession of the land or property within sixty days from the date of the service of such notice

Section 473 If the owner lessee or occupier of said land or property appropriated refuses or neglects to remove his personal property therefrom and give possession thereof upon proof of the service of the notice specified in the preceding section of this act in the office of the prothonotary a writ of habere facias possession shall forthwith issue directing the sheriff to give to the party entitled thereto full and peaceable possession

CHAPTER X

Damages For Injury to Property

ARTICLE I

Section 485 The right to damages against townships of the first class is given to all owners or tenants of lands property or material abutting on or through which pass roads streets lanes or alleys injured by the laying out opening widening vacating extending or grading of such roads streets lanes or alleys or the changing of the grades or lines thereof by such townships the construction and the vacation by such townships of bridges and piers abutments and approaches therefor and the construction by such townships of sewers over upon or through such lands or property

Section 486 All juries of view appointed for assessing damages or benefits for taking using occupying or injuring land property or material are directed to assess such damages against townships and the benefits in connection therewith and make a report thereof to the court as under existing laws

Section 487 The right of appeal to the court of common pleas the right of trial by jury and the right to file exceptions are given to any party not satisfied with such report

Section 488 After disposal of exceptions or after verdict and final judgment any interested party may appeal to the Superior or Supreme Court as in other cases

CHAPTER XI

Roads Streets and Highways

ARTICLE I

In Townships of the First Class

(a) Laying Out Opening Widening Straightening Vacating and Relaying Roads Et Cetera

Section 495 The board of township commissioners in townships of the first class may enact ordain survey lay out widen straighten vacate and relay all roads streets lanes and alleys within the township upon the petition of any owner or owners of property through whose lands any such road street lane or alley passes or upon whose land it abuts if in the judgment of the board of commissioners it is necessary for the public convenience

Section 496 No such road street lane or alley shall be laid out and opened through any burial-ground or cemetery

Section 497 The board of commissioners shall give ten days' notice to the property owners affected thereby of the time and place when and where all parties interested may met and be heard Witnesses may be summoned and examined by the board and by the parties interested at such meeting or any adjournment thereof

Section 498 After such hearing and a consideration of the matter should the board of commissioners or a majority thereof decide in favor of granting the prayer of the petition they shall make written report together with a draft or survey of the road street lane or alley fixing the width thereof and nothing the improvements along the line thereof and the names of the owners of property through which the same shall pass or whereon it shall abut Such report and draft shall be filed in the office of the clerk of the court of quarter sessions

Section 499 Any citizen or freeholder of the township may within thirty days after the filing of the report of the board of commissioners upon entering in the court sufficient surety to indemnify the board for all costs incurred in the proceedings file exceptions to the report together with a petition for a review

Section 500 Upon favorable action on such petition by the board of commissioners and after the expiration of the term allowed for filing exceptions or upon the order of the court in case the compensation for the damages or benefit accruing therefrom have not been agreed upon the court of quarter sessions or any law judge thereof in vacation on application by petition by the board of commissioners or any person interested shall appoint three viewers from the county board of viewers and shall appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the line of the improvement and view the same and the premises affected thereby

Section 501 The viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers of the county circulating in the township and by handbills posted upon the premises or otherwise as the court shall direct having regard to the circumstances of the case

Section 502 The viewers having been sworn or affirmed faithfully justly and impartially to decide and true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the property shall hear all parties interested and their witnesses They shall estimate and determine the damages for property taken or injured and to whom the same are payable

Section 503 In all cases of assessment of damages for the opening or widening of any street or highway the award of damages if any shall include all damages due to the grade at which said street or highway is to be opened or widened and the plan attached to the report of the viewers awarding the damages shall have therein a profile plan showing the existing grade as well as the grade to which said street is to be opened and widened

Section 504 Whenever viewers are appointed to vacate any road street or highway and the vacation of the same takes no land from the owner abutting thereon if in the opinion of the viewers such vacation damages the property of the abutting owner they may award damages to such owner as though land had been actually taken

Section 505 Having estimated and determined the damages together with the benefits as hereinafter mentioned the viewers shall prepare a schedule thereof and give notice to all parties to whom damages are allowed or upon whom assessments for benefits are made of a time not less than ten days thereafter and of a place where said viewers will meet and exhibit said schedule and hear all exceptions thereto and evidence Notice of the time and place of such meting shall be given by personal service upon all parties allowed damages or assessed benefits as shown upon the schedule if resident in the township and to all others by publication in newspapers as provided in section five hundred and one of this act

Section 506 After making whatever changes are deemed necessary the viewers shall make report to the court showing the damages and benefits allowed and assessed in each case and shall file therewith a plan showing the improvements the properties taken or injured and the properties benefited thereby When the report is filed notice thereof shall be given by publication once in the newspaper or newspapers publishing the notice provided for in section five hundred and one of this act The notice shall state the date of filing of the report and shall contain a schedule of the damages and benefits as shown therein It shall further state that unless exceptions thereto be filed or an appeal for a trial by jury be taken within thirty days from the date of filing the report it will be confirmed absolutely

Section 507 The payment of damages may be imposed in whole or in part on the township or in whole or in part by assessments upon the property benefited by such improvements as the viewers may determine and the court approve In the latter case the viewers appointed to assess damages having first estimated and determined the same apart from benefits shall also assess the damages or so much thereof as they may deem just and reasonable upon the properties peculiarly benefited by the improvement according to benefits received in each particular case including in the assessment all properties that will be benefited thereby and shall report the same to the court The total asssessments for benefits shall not exceed the total damages awarded or agreed upon

Secion 508 Upon the report of the viewers or any two of them being filed in the court any party may within thirty days thereafter file exceptions thereto The court may confirm the report or modify change or otherwise correct the same or change the assessments made therein or refer the report back to the same or to new viewers with like power as to their report within thirty days from the filing of any report in court any party whose property is taken or injured may appeal and demand a trial by jury Any party interested in an assessment of damages or benefits may within six months after a final decree or final judgment have an appeal to the Superior or Supreme Court The court of quarter sessions may order what notices shall be given in connection with any part of said proceedings and may make all orders it deems requisite

Section 509 After the passage or approval of any ordinance by the board of commissioners for the opening widening straightening extending vacating or improving any road street or alley notice shall within ten days there-

after be given by hand bills posted in conspicuous places along the line of the proposed improvement. Such notice shall state the fact of the passage or approval of the ordinance and the date of the passage or approval

Section 510 The width of a public road in townships of the first class shall not exceed eighty feet

Section 511 Any township of the first class adjacent to any city or borough may lay out and open a public road within the township which will be a continuation or extension of a street already opened and traveled by the public within such city or borough of the same width as the street of which it is a continuation or extension The opening of such road shall be subject to all of the foregoing provisions governing the laying out and opening of public roads in townships of the first class excepting as to the width thereof

Section 512 Townships of the first class may vacate in whole or in part all streets lanes and alleys within their limits laid out by this Commonwealth whenever the same for the portion to be vocated shall have remained unopened for a continuous period of thirty years next preceding such vacation

In exercising this power all proceedings for the ascertaining of damages and the assessment of benefits incident thereto shall be as provided in section four hundred and ninty-five to five hundred and nine inclusive of this act

(b) Laying Out and Establishing Grades and Grading Paving Constructing and Repairing Roads etc at Public Expense

(c) Paving Upon Petition of Two-Thirds of Property Owners and Curbing or Macadamizing Streets etc Assessment of Two-Thirds of Cost and Expenses Upon Abutting Property

Section 535 Any township of the first class may pave curb or macadamize with brick stone or other suitable materials any public street or thoroughfare or part thereof laid out and opened in the township No street or thoroughfare or any part thereof shall be paved under the provisions of this section except upon the petition of two-thirds of the owners of property representing not less than two-thirds in number of feet of the properties abutting on the street or thoroughfare or the part thereof proposed to be paved

Section 536 Two-thirds of the cost and expenses of any such improvement may be collected from the owners of the real estate abutting on such street or thoroughfare or part thereof by an equal assesment on the feet front Such assessment shall be estimated by the person in charge of the work or by other competent authority designated by the township commissioners

Section 537 All assessments for paving curbing or macadamizing under section five hundred and thirty-six of this act shall be filed with the township secretary The secretary shall give thirty days' written or printed notice that the assessments are due and payable to each party assessed either by service on the owner or agent or left on the assessed premises If the assessments or any of them remain unpaid at the expiration of said thirty days they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum additional as attorney's commission and interest from the completion of the improvement by a municipal claim filed against the delinquent owner in like manner as municipal claims are now collected When an owner has two or more lots against which there is an assessment for the same improvement all such lots shall be embraced in one claim

Section 538 The term "owner" means all individual corporations public or private co-partnerships and associations having any title or interest in the property assessed If the owner to whom notice is required to be given is a non-resident of the township and his or her or their place of residence is unknown or if the ownership of the property cannot be ascertained the notice shall be posted on the premises and a copy left with the occupant if there be one

(d) Grading Paving Curbing Macadamizing or Otherwise Improving Streets etc Upon Petition of a Majority of Property Owners and Assessment of Costs Damages and Expenses According to Benefits

Section 550 Townships of the first class may upon petition of a majority of property owners in interest based upon the number of feet abutting on the line of the proposed improvement verified by affidavit of one of the parties to the petition grade pave curb macadamize or otherwise improve any street or public alley or part thereof within its limits or which may be in whole or in part boundaries thereof

Section 551 The majority in interest required for a petition to the township commissioners shall be fixed as of the date of the presentation of the petition After the passage or approval of any ordinance for the grading paving macadamizing or otherwise improving any street lane or alley notice shall within ten days be given by hand-bills posted in conspicuous places along the line of the proposed improvement Such notice shall state the fact of the passage or approval of the ordinance the date of the passage or approval that the petition for the improvement was signed by a majority in interest and number of owners of property abutting on the line of the proposed improvement and that any person interested denying the fact that the petition was so signed may appeal to the court of common pleas within sixty days from the passage or approval of the ordinance

Section 552 The court shall determine whether the improvement was petitioned for by the requisite majority If the court finds that it was not so petitioned for it shall quash the ordinance If said court finds that it was so petitioned for it shall approve the ordinance If no appeal is taken or if the court on appeal approves the ordinance the township may proceed with the improvement Thereafter all parties interested shall be estopped from denying the fact that the petition was signed by the requisite majority of property owners as required by this act

Section 553 The township or any person or persons interested may at any time after such work or labor has been done or material furnished or damage done present a petition in the court of common pleas or to any law judge thereof in vacation The court shall appoint three viewers from the county board of viewers and appoint a time not less than twenty or more than thirty days thereafter when the viewers shall meet upon the line of the proposed improvement and view the same and the premises affected thereby The viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers published in the township or of general circulation therein and by handbills posted upon the premises or otherwise as the court shall direct

Section 554 The viewers having been sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters and things to be submitted to them or in relation to which they are authorized to inquire and having viewed the premises and examined the property shall hear all parties interested and their witnesses They shall estimate and determine the value of property taken injured or destroyed and to whom the same is payable and shall assess the costs and expenses of the grading paving curbing macadamizing or otherwise improving said street lane or alley upon the property benefited according to benefits

Section 555 The viewers shall prepare a schedule of the damages and benefits as determined in the preceding section and shall give notice to all parties to whom damages are allowed or upon whom assessments for benefits are made of a time not less than ten days after the date of such notice and of a place where said viewers shall meet and exhibit said schedule and hear all exceptions thereto and evidence thereon Notice of the time and place of such meeting shall be given in the manner provided by law for the service of a summons in personal actions upon all parties allowed damages or assessed benefits as shown by said schedule if the parties can be found in the township or upon an adult person residing on the property affected by the assessment in case the owner or reputed owner cannot be found and to all other persons by publication in the newspaper in which the first notice of the view was published When no service is made upon the owner reputed owner or upon an adult person residing on the property affected the notice where publication thereof has been made shall be properly served if tacked or conspicuously posted upon the premises

Section 556 After making whatever changes are necessary the viewers shall make report to the court showing damages and benefits allowed and assessed in each case and shall file therewith a plan showing the improvement the properties taken injured or destroyed thereby and the properties benefited

Section 557 The damages sustained and the costs and expenses incurred by making the improvements may be paid either in whole or in part by the township or in whole or in part by assessments upon the property benefited as the viewers may determine and the court approve

If assessments are made on the property benefited the viewers shall first examine and determine the damages apart from the benefits and shall then assess the damages or so much thereof as they deem just and reasonable upon the properties peculiarly benefited by the improvements All property for which damages have been allowed may be included in the assessment if in the judgment of the viewers such properties will be benefited by the improvements The viewers shall report the assessments to the court The total assessment for benefits shall not exceed the total costs damages and expenses awarded and agreed upon

Section 558 When said report is filed notice shall be given by publication once in the newspaper or newspapers publishing the notice provided for in section five hundred and fifty-three of this act the notice shall state the date of the filing of the report and shall contain a schedule of the damages and benefits as shown therein The notice shall further state that unless exceptions to the report are filed or an appeal for a jury trial is demanded within thirty days from the date of its filing the report will be confirmed absolutely

Section 559 The viewers may be appointed at any time before or after the entry taking apropriation or injury of any property or materials for constucting said improvements or before or after the commencement of the improvements All court costs incurred in the proceedings shall be defrayed by the township

Section 560 Upon the filing of the report of the viewers or any two of them in the court any party interested may within thirty days thereafter file exceptions thereto The court may confirm the report or modify change or otherwise correct the same or change the assessments made therein or refer the report back to the same or new viewers with like power as to their report When the report is first filed in court the prothonotary thereof shall mark it confirmed nisi and in case no exceptions are filed thereto within thirty days he shall enter a decree as of course that the report is confirmed absolutely

Section 561 Within thirty days after the report is filed any party whose property is taken injured or destroyed or who is assessed benefits may appeal to the court of common pleas and demand a trial by jury Upon the trial of

any such appeal in court the report of the viewers as finally approved confirmed modified or changed by the court shall be prima facie evidence of the benefits therein mentioned In case the party appellant does not obtain a verdict more favorable than the report of the viewers as finally confirmed modified or changed the appellant shall not recover any costs on the appeal

Section 562 Within six months after the confirmation modification changing or correction of any report or after the verdict of the jury and final judgment any interested party may appeal to the Superior or Supreme Court

Section 563 No such appeals shall prevent the filing of liens by any township of the first class for any assessment made by said report Upon the final determination of the issue the court shall make such order as to liens filed as shall appear right and proper

Section 564 The report as finally confirmed shall be conclusive as to any assessments made therein to pay the costs damages an expenses of the improvement

All assessments for benefits to pay damages costs and expenses shall bear interest at the expiration of thirty days after they are finally ascertained and fixed and shall be payable to the treasurer or proper officer of the township

(e) Grading Paving Curbing Macadamizing or Otherwise Improving Connecting Streets Et Cetera

Section 585 Townships of the first class may without petition of property owners grade pave curb macadamize and otherwise improve public streets and thoroughfares or parts thereof when said streets or thoroughfares do not exceed one thousand feet in length and connect two streets or thoroughfares theretofore paved or improved

Section 586 The ordinance authorizing such improvement shall be adopted by an affirmative vote of three-fourth of the members of the board of commissioners of the township No such ordinance shall be finally adopted in less than thirty days from the date of its introduction Copies of such ordinance shall be published in a newspaper in the township or circulating therein once a week for two weeks and by at least five handbills posted along the proposed inmprovement ten days before the final passage of such ordinance and by mailing a notice to each owner of property abutting on said improvement at his last known post office address at least ten days before the final passage of such ordinance

Section 587 The board of commissioners may collect two-thirds of the cost and expense of such improvement from the owners of real estate bounding or abutting thereon by an equal assessment on the foot front Said assessments shall be made and collected as provided in sections five hundred and thirty-five to five hundred and thirty-eight inclusive of this act

(f) Grading Curbing Paving Macadamizing Boundary Streets Et Cetera

Section 600 Townships of the first class may enter into agreements with adjoining boroughs for the grading paving and curbing or macadamizing of streets and alleys which may be boundaries between such townships and boroughs and may provide in such contract that the damages costs and expenses of such improvement shall be divided between such townships and boroughs in proportions agreed upon

Section 601 In grading paving and curbing or macadamizing any such streets or alleys townships of the first class shall exercise such power upon petition of a majority of the property owners in interest and number abutting the line of the proposed improvement within the township limits to be verified by the affidavit of one of the petitioners a majority in interest of owners of undivided interests in any piece of property to be treated as one person asking that such improvement be made

Section 602 The portion of the damages costs and expenses agreed to be paid by any township shall be ascertained and the benefits incident thereto shall be assessed and collected in the manner provided in sections five hundred and fifty to five hundred and sixty-four of this act

(g) Township Aid in the Improvement of County Roads

Section 610 Whenever the county commissioners are about to improve any road or street in any townships of the first class and the part of such road or street so to be improved will be less than three-fifths of the total width of said road or street as laid out or dedicated the board of township commissioners may by ordinance enter into an agreement with the county commissioners providing that the county improve said road or street for a width of twenty-four feet or a width equal to three-fifths (3-5) of the total width of said road or street

Section 611 Such ordinance shall stipulate that the township shall bear thirty-three and one-third per centum of the total cost of such improvement and the county shall bear the remaining cost thereof It shall further provide that the county commissioners may issue permits determining the manner in which public service or other corporations or individuals shall place under such road or streets pipes conduits telegraph lines or other devices The ordinance shall also provide that after such road or street is improved it shall be the duty of the county to keep and maintain such improved road or street in good repair The township may police such road or street

Secton 612 The board of township commissioners may assess the whole or any part of the one-third (1-3) of the total cost of said improvement upon the real estate abutting upon the improved road or street according to the foot front rule or according to benefits as the board of township commissioners shall by ordinance determine

Section 613 No ordinance shall be passed providing for the assessment of costs or expenses as provided in the next preceding section except upon the petition of a majority in number or of a majority in interest of the owners of property abutting on the line of the proposed improvement requesting the township commissioners to join with the county commissioners in the improvement of the road or street which petition shall be verified by the affidavit of one of the petitioners one-half in interest of owners of undivided interests in any one piece of property shall be treated as one person and sufficient to bind said property for the purpose of such petition

Section 614 When the costs and expenses or any part thereof are to be paid for by the foot front rule the township shall assess the cost and expense upon the real estate abutting on the line of the improvement by an equal assessment on said property in proportion to the number of feet the same fronts on the respective road or street improved The commissioners may provide for an equitable reduction from the frontage of lots at all street and other intersections and at other places where from the peculiar or the pointed shape of the lots an assessment for the full frontage would be inequitable

Section 615 When the costs and expenses of any part thereof is to be paid for by the real estate abutting according to benefits the same shall be assessed by viewers appointed by the court of common pleas in the manner provided in sections five hundred and fifty to five hundred and sixty-four inclusive of this act

(h) Plans of Streets

Section 625 Every township of the first class shall have a general plan of its streets and alleys including those which have been or may be laid out but not opened Such plan shall be filed in the office of the engineer or other proper office of the township and all subdivisions of property thereafter made shall conform thereto No streets or alleys or parts thereof laid out and confirmed shall after wards be altered without the consent of the commissioners of the township No map or plot of streets or alleys shall be entered or recorded in any public office of the county until approved by the board of commissioners No person shall be entitled to recover any damages for any improvements plaged or constructed within the lines of any street or alley after the same has been located or ordained on the plan provided for by this section

CHAPTER XI

Roads Streets and Highways

ARTICLE II

General Provisions

(a) Laying Out Roads Under the General Road Law

Section 640 Except as otherwise in this act provided or except as otherwise provided by local or special legislation all roads wholly within or partly within townships of the second class and all roads partly within townships of the first class shall be laid out widened changed or vacated by the courts of quarter sessions as heretofore in the manner provided by the general road law and the amendments additions and supplements thereto All damages and benefits occasioned by such laying out and the subsequent opening thereof or by any such widening changing or vacation shall be assessed collected and paid in the manner provided by the general road law and the amendments additions and supplements thereto

(b) Opening and Repairing Roads Et Cetera

Section 660 Public roads or highways laid out by lawful authority in townships of the first and second class shall as soon as may be practicable be effectually opened and constantly kept in repair All public roads or highways shall at all seasons be kept clear of all impediments to easy and convenient traveling at the expense of the township

(c) Opening Repairing and Improving Roads and Highways on Division Line of Townships or Townships and Municipalities

Section 670 Roads or highways laid out on a line which divides two townships shall be opened made kept clear and in repair at the joint and equal charge of such townships Any townships of the first or second class necessarily incurring more than its due proportion of such charge may recover the excess so incurred from the other township

Section 671 When any public road is laid on the line of two townships if the commissioners or supervisors of either township neglect or refuse to join with the commissioners or supervisors of the other township in opening or repairing such road the commissioners or supervisors of the other township shall open amend and repair the road and are authorized to collect a just proportion of the cost of the opening and repairing of such road from the township so neglecting or refusing to join in such opening or repairing The commissioners or supervisors so neglecting or refusing shall be liable to a penalty of not less than four dollars and not exceeding fifty to be recovered in a summary proceeding All such penalties when recovered shall be paid into the township road fund

Section 672 Whenever the center line of any highway constitutes the dividing line between a township of the first or second class and any city or borough the commissioners or supervisors of the township as the case may be may jointly with the county enter into a contract with the city or borough providing for the grading curbing and macadamizing or paving of such highway

Section 673 Such alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the city or borough in compliance with the laws governing the construction of

such alterations or improvements in such city or borough and with plans and specifications to be agreed upon in writing between the commissioners or supervisors of the township as the case may be and the city or borough and the commissioners of the county

Section 674 The cost of any alteration or improvement shall be borne one-half by the city or borough and one-half by the county and township in equal portions

The cost of repairs shall be borne one-half by the city or borough and one-half by the township or by the county and township in equal portions or such other proportion as are agreed upon in the joint contract of the township with the county

(d) Changing or Altering Roads by Agreement with Property Owners

Section 685 Whenever the commissioners or supervisors of any township of the first or second class deem it advisable to construct change or alter any part of any public road under their supervision within this Commonwealth and can agree with the property owners affected by such change as to damages they may upon payment of damages agreed upon change or alter such part of such public road as contemplated in such agreement without the formality of a view

Section 686 No such change or alteration of any part of any public road shall be made the costs and expenses of which including damages shall exceed three hundred dollars A petition setting forth the facts accompanied by a map or draft of such proposed change shall be presented to the court of quarter sessions for approval before such actual change is made whereupon the new location approved by the court shall be taken to be the public road and the old location shall be vacated

(e) Entry on Private Property to Secure Road Material and to Open Ditches and Drains

Section 695 When road material cannot be conveniently obtained by contract at reasonable prices the commissioners or supervisors of townships of the first or second class as the case may be may enter upon any land or enclosure within their township lying near the road and dig gather and carry upon the road any stones sand or gravel which they think necessary to make maintain or repair the road In exercising such right they shall do no unnecessary damage to the owners of the land and shall repair any breaches of fences which they make

Section 696 Whenever the commissioners or supervisors and the owners of any such materials cannot agree upon the price to be paid therefor the value of such materials shall be estimated by any two of such three persons as may be agreed upon by such commissioners or supervisors and owners

Section 697 If the commissioners or supervisors and owners cannot agree upon any persons to estimate the value of the materials taken the owner may apply to a justice of the peace residing near the place where such materials were taken Such justice shall appoint three persons one on the nomination of the commissioners or supervisors one on the nomination of the owner of such materials and the third on his own suggestion The decision of the persons so appointed or any two of them shall be entered upon the docket of such justice If either party shall after due notice refuse or neglect to nominate such person the justice shall appoint a person in his stead

Section 698 From any such decision entered upon the justice's docket an appeal may be taken by any party aggrieved to the court of common pleas in the manner provided in section four hundred and seventy-one of this act

Section 699 The township commissioners or supervisors of townships of the first or second class may enter upon any lands or enclosures and cut open maintain and repair such drains or ditches through the same as are necessary to such drains or ditches through the same as are necessary to carry the water from the roads streets lanes or alleys

If any person shall stop fill up or injure any such drain or ditch or shall divert or change the course thereof without the authority of the commissioners or supervisors such person shall for every such offence forfeit and pay a sum not less than four dollars nor more than twenty dollars

(f) Opening Making Amending and Repairing Highways and Bridges by Contracts with Taxpayers

Section 710 Any one or more taxpayers of any township of the first or second class may acquire the right to furnish all the materials and labor necessary for opening making amending and repairing the public highways and bridges of such township in manner and under the conditions set forth in sections seven hundred and eleven to seven hundred and sixteen inclusive of this act

Section 711 To acquire such right such taxpayers shall before the beginning of the township fiscal year present to the court of quarter sessions a petition setting forth that he she or it or they are the owners of property assessed and taxed for road purposes in such township the approximate number of miles of public road in such township and the ability of the petitioner or petitioners to lay out open make amend and repair the public highways and bridges of such township wholly at his her its or their own expense for the ensuing township fiscal year and to pay the other expenses of such township as hereinafter provided without any right against or claim upon such township for or by reason of the materials labor or money so furnished

Section 712 The petitioners shall with the petition present a bond to the township in a sum equal to five hundred dollars for each mile of public road in the township with one or more sufficient sureties to be approved by the court conditioned for the faithful performance of said petitioner or petitioners of his her its or their duty and to save the township harmless from any loss or claim by reason of failure so to perform said duty

Section 713 Notice of the intention of presenting the petition and bond and of the time when said petition and bond will be presented to the court shall be given to the commissioners or supervisors and auditors of the township at least ten days before the same are presented

Section 714 When the petition bond and proof of the notice required in the preceding section are presented to the court the same shall be ordered filed and the court being satisfied of the good faith of the petitioners and the sufficiency of the petition bond and notice shall order and direct the commissioners or supervisors on behalf of the township to enter into a contract with the petitioner or petitioners In such contract the petitioner or petitioners shall bind him her or itself or themselves

First To open make amend and repair the public highways and bridges of the township for the ensuing fiscal year in a lawful and workmanlike manner wholly at the expense of the petitioner or petitioners and without creating thereby any claim upon or right against the township for or by reason of the materials labor or money for persons employed

Second To indemnify and save harmless the township from all claim damage cost or expense of whatever kind for or by reason of any act or omission of said petitioner or petitioners whereby any claim suit or other demand may be set up or recovered against the township

Third To pay within sixty days from the beginning of the fiscal year to the following officers of such township the following sums to be received by said officers in full for all demands against such township for their respective services as such officers of the township for the fiscal years for which the said contract is made which shall be in lieu of the compensation otherwise in this act provided for such officers namely To each township secretary the sum of fifty dollars to each of the auditors of such township the sum of twenty-five dollars to an attorney to be elected by such supervisors or commissioners as counsel for the township the sum of fifty dollars to each supervisor or commissioner the sum of two hundred and fifty dollars

Section 715 In consideration of the obligations set out in the preceding section to be assumed and performed by the petitioner or petitioners the supervisors or commissioners on behalf of such township shall stipulate that the township will not assess levy or collect any tax for road purposes during the fiscal year for which such contract is made

Section 716 The commissioners or supervisors shall view and inspect the making and repairing of the roads in such townships at least once during every month and satisfy themselves that the petitioners have fully complied with their contract before final settlement and expiration of contract If at any time the commissioners or supervisors shall see that any portion of the roads needs repair they shall notify the petitioners to repair said road within five days after notice the commissioners or supervisors are empowered to purchase such materials and employ such men as may be necessary to repair such road and charge the same to the petitioners

(g) Streets and Highways Crossing Railroads

Section 725 Every township of the first or second class constructing a highway across a railroad shall construct the same above or below the grade thereof unless permitted by the Public Service Commission to construct the same at grade

Section 726 Any such crossing of a railroad by a highway or any vacation of any highway crossing a railroad shall be constructed only in the manner prescribed by and under the jurisdiction of the Public Service Commission The compensation for damages to the owners of adjacent property taken injured or destroyed shall be ascertained fixed and paid in the manner prescribed in the Public Service Company Law

(h) Guide Posts and Index Boards

Section 735 The commissioners or supervisors of townships of the first and second class shall erect posts at the intersection of all public roads where trees are not convenient and shall firmly fix boards thereon with index hands pointing to the direction of such roads On such boards shall be inscribed in large and legible characters the name of the town village or place to which such roads lead and the distance thereto computed in miles

Section 736 If any commissioner or supervisor after ten days' personal notice neglects or refuses to put up or keep such index boards in repair such commissioner or supervisor shall for every such offence forfeit a sum not exceeding ten dollars

Section 737 It shall be unlawful for any person to wilfully destroy remove injure or deface any guide post or sign or index board erected upon or near any public street road or bridge by the authorities of any township or erected with the consent of the authorities having jurisdiction over such street or road or bridge by any club association or other organized body for the direction guidance or safety of travelers

Section 738 All such signs of wood metal or other substance affixed to trees or posts in or upon any highways properly erected in such manner that they do not interfere with travel or upon fences telegraph telephone trolley or other poles with the permission of the owners thereof or upon private grounds near roads where consent has been obtained from the owners and tenants thereof shall be within the meaning of the provisions of the next preceding section

Section 739 Any person violating sections seven hundred and thirty-seven and seven hundred and thirty-eight of this act shall be guilty of a misdemeanor and shall pay a fine of not less than ten dollars and not more than twenty-five dollars with all costs of prosecution together with the value of such sign destroyed removed or defaced In default of payment of said fine costs and expenses he shall undergo an imprisonment in the county jail for not less than five nor more than sixty days

(i) Protection of Highways from Snow-Drifts

Section 750 Whenever any highways in townships of the first or second class are so located as to render them liable on account of high wind during the winter season to be so filled with snow as to make them impassible, and in the judgment of the supervisors or commissioners as the case may be such drifts of snow can be avoided by the removal of any fence erected along either side of such highway and replacing the same by a fence constructed of posts wire and boards or rail combined such supervisors or commissoiners may agree with the owners of such fences upon a plan for the erection of a fence constructed of posts wire and board or rail combined The township may pay the owners of such fences a sum not to exceed the first cost of the wire used in the construction of such fences The wire used in the construction of such fences shall be without barbs This section shall not apply to any stone wall hedge or ornamental fence

(j) Laying Out and Opening Roads Leading to Driving Parks Fair Grounds Et Cetera

Section 760 The commissioners or supervisors of townships of the first or second class as the case may be shall upon the petition of persons interested in maintaining grounds as driving parks fair grounds places of holding annual Grand Army or soldiers' or sailors' encampments or reunions or township and general elections asking for roads across the improved lands of any person from any public road or highway to said grounds go upon the lands described in such petition and view the same If the commissioners or supervisors decide that there is occasion for such road they shall proceed to lay out the same and shall assess such damage as in their opinion the owner of said improved lands will sustain by the opening of such road

Section 761 The amount of damage if accepted by the owner of said improved lands shall be paid by the persons at whose request such road was laid out On the payment of such damages the persons at whose request said road was laid out may open the same for the use for which it was designed If required by the owner of the land the persons opening such road shall fence the same and keep said fences in repair

Section 762 In case said owner of the lands through which such road is laid out does not accept of the amount of damages assessed by said commissioners or supervisors and the owner of the land and the persons asking for such road cannot agree upon the amount of damage the persons asking for such road shall make and execute a bond with sureties in double the amount of damage assessed by the commissioners or supervisors and the same shall be submitted to the commissioners or supervisors and if approved by them the same shall be filed with the township secretary and kept by him for the benefit of the owner of the land

Section 763 After the approval and filing of said bond the persons asking for such road shall have the right to open and use the same and after opening said road the owner of said land shall have the right to the same proceedings to assess damages against the persons who petitioned for said road as is now provided by the general road law for assessing damages for the laying out and opening of public roads Any party aggrieved by any assessment may appeal to the court of common pleas and demand a trial by jury in the manner provided in section four hundred and seventy-one of this act The petition together with all proceedings thereon shall be returned to the township secretary who shall enter the same of record as in other road cases

(k) Lanes and Alleys Declared Nuisances by Board of Health or Health Authorities

Section 775 Whenever the board of health or health authorities of any township of the first or second class shall declare as a nuisance any public alley lane or passageway any two or more owners of property adjacent or abutting upon the same may present their petition verified by oath or affirmation to the court of quarter sessions setting forth the facts regarding such nuisance and praying that said alley lane or passageway may be vacated Such petition shall be accompanied by a certificate of the board of health or health authorities of the township setting forth that they have declared such alley lane or passageway a public nuisance

Section 776 The court shall thereupon appoint a jury of view of three men from the county board of viewers The jury being sworn or affirmed to faithfully perform its duties shall give notice to all parties likely to be affected by the proceedings of the time and place of the first meeting in such manner as the court shall direct

Section 777 After the first meeting the jury shall proceed to view the premises hear all parties interested and their witnesses and shall prepare a report of findings and recommendations as to whether or not such alley lane or passageway or part thereof should be vacated and in such report shall award damages and assess benefits to the property affected

Section 778 The jury shall give notice in writing to all parties affected by their report at least ten days before the same is filed in court The notice shall state the time and place where such report will be open to inspection

Section 779 Any person aggrieved by such report may file exceptions thereto with the jury whereupon the jury shall reconsider their report with the exceptions and change the same as justice may require The report as finally prepared shall be filed in court

Section 780 Any person affected by the report shall have an appeal to the court of common pleas within thirty days after the report is filed and the procedure on such appeal shall be the same as in actions of trespass

Section 781 At the end of the period allowed for an appeal the report shall be absolutely confirmed by the court as to such awards or assessments from which no appeals have been taken The costs damages and expenses of such vacation over and above all benefits shall be paid by the township

Section 782 No alley lane or passageway shall be vacated in any case where the vacating deprives any lot abutting thereon of the sole means of ingress or egress otherwise than to or from the front line thereof nor where it was created by grant or contract and not theretofore accepted by the public

(l) Turnpikes and Plank Roads

Section 795 In case of either the abandonment for any length of time or of the condemnation in the manner prescribed by law of the whole or any part of any turnpike road or plank road the supervisors or commissioners of the township through which the same may pass shall forthwith take charge of and put in good order and repair such part of any such road as may be in their township and maintain and keep in good order all such parts of said roads in the same manner as if the same were county roads and in case of a failure to do so shall be liable to all the provisions of law which relate to county roads

In the case of a plank road the commissioners or supervisors shall not be required to relay or repair the plank but may repair and keep in good order such road the same as if it were an ordinary county road

Section 796 from the time of either the abandonment or condemnation of the whole or any part of any such road turnpike or plank road the portion so abandoned or condemned shall be considered a county road and free of all tolls until such time as the company claiming the same shall pay to the commissioners or supervisors of said township all sums of money expended in keeping such roads in repair and good order The commissioners and supervisors shall except in cases where the charter of such turnpike or plank road company has been repealed keep an accurate account in a book of all such expenditures and at the expiration of their respective term of office deliver the same to their successors in office

Section 797 In case any turnpike or plank road company or any lessee or purchaser of such road shall neglect or refuse to keep such road in good order and repair for the space of thirty days and proceedings instituted under the fourteenth fifteenth and sixteenth sections of the act entitled "An Act relating to turnpike and plank road companies" approved the twenty-sixth day of January one thousand eight hundred and forty-nine (Pamphlet Laws ten) shall result in a finding by the inquest that such road or any part thereof is out of order and repair and no appeal shall be taken to the court of common pleas or if upon such appeal the finding of the inquest and judgment of the justice shall be affirmed the commissioners or supervisors of the township through which the road or the part thereof may pass shall forthwith take charge of and put in good order and repair such road in like manner as if such road was a county road Such road shall thenceforth be considered as a county road free of tolls until such time as the company or other persons claiming the same shall pay to the commissioners or supervisors of the township all sums of money with interest expended upon such road In case of a plank road the commissioners or supervisors shall not be required to relay or repair the plank but may repair and keep in good order such road the same as if it were an ordinary county road

(m) Grades of Highways

Section 810 In the construction or repair of any highway in any township of the first or second class it shall be unlawful to raise such highway above the ordinary grade thereof when a drain or culvert shall be constructed under such highway or when such highway shall be constructed or repaired over such drain or culvert That this section shall not be construed in any manner to interfere with the work of the State Highway Department in the reconstruction or improvement of any State highway or State-aid highway or when a township improves a township road under the direction plans and specifications of the State Highway Department

(n) Assessment of Property Outside Limits of Township for Street Improvements

Section 820 Whenever any street or alley entirely within the limits of any township of the first or second class shall divide such township from any other municipality or township located in the same county the property on the side of the street or alley opposite the line of such township of the first or second class shall for a depth of one hundred and fifty feet be assessed for municipal improvements on such streets or alleys on which property shall abut Such assessment shall be made in the same manner and in the same proceeding as is used for the assessment of property

within such township of the first or second class for such improvement

(c) Cutting Trees or Shrubbery Within Limits of Highway

Section 830 Where any highway in any township of the first or second class passes through or along forested lands wild lands or uncultivated lands no trees growing within the limits of such highway at a distance beyond fifteen feet on either side of the centerline thereof and which measure four inches or over in diameter at a point two feet from the surface of the ground shall be cut down or destroyed by the commissioners supervisors or road-masters employed by them or any other person without first obtaining the consent of the abutting owners

Whenever any highway running through improved or cultivated lands has been opened and there are growing along the roadsides and within the road limits shrubs or trees not interfering with public travel no commissioners supervisors or road-masters or other persons in their employ shall remove cut injure or destroy or in any other manner interfere with such shrubs or trees If such removal or cutting is absolutely necesary for the purpose of maintaining the highway at its highest efficiency the commissioners supervisors or road-masters or other persons in their employ may so cut or remove such shrubs or trees after notifying the abutting property owners and entering into an agreement with them relating to the removal cutting or interference with said shrubs or trees

Section 831 In either of the cases set forth in the preceding section if the consent or agreement of the abutting property owners cannot be obtained the board of commissioners or supervisors may appeal to a judge of the court of common pleas The judge shall inquire into the facts of the case and after hearng all parties in interest shall make such order as seems just having due regard for the demand for road improvement as well as for the preservation of the trees From such order there shall be no appeal

Section 832 All logs cordwood branch wood or other forms of wood which shall be derived from the destruction or removal of any trees growing along the highways shall be surrendered to and remain the property of the abutting owners

Section 833 The commissioners or supervisors may clear out brush and other refuse from along the sides of the road to the legal width thereof All such clearing and removal of brush and refuse shall be confined to growth that is within the limits hereinabove described and to the removal of branches that in any way interfere with public travel No other injury by fire cutting abrasion or otherwise shall be done to the standing timber

Section 834 If any commissioner supervisor road-master or person in their employ or any other person shall cut down kill or injure any living tree growing as aforesaid and of a size four inches in diameter or greater at a point two feet from the surface of the ground or shall violate any other provision of sections eight hundred and thirty to eight hundred and thirty-three of this act he shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a penalty of not more than five dollars for every tree so cut injured or destroyed with costs of suit Such penalty shall be recovered in an action brought before any justice of the peace of the county wherein the offence was committed If any defendant upon conviction for any offence fails or refuses to pay the fine and costs imposed or does not give bond with approved surety to pay the same within ten days he shall be committed to the county jail for not more than thirty days or until he has paid the fine and costs in full

Section 835 Nothing in sections eight hundred and thirty to eight hundred and thirty-four of this act shall be so construed as to prevent the commissioners supervisors or road-masters or other persons in their employ from removing such roadside trees which may be thrown down by the wind or lodged in such position as to be a menace to public travel or which by reason of any other cause become a source of danger to the public Every such act of removal shall be made with due regard to the circumstances of the case so as to preserve the true intent and purpose of this act

(p) Penal Provisions

Section 845 If any person working upon any road or highway in any township of the first or second class or if any one in company with such person shall ask money or reward or by any means whatever shall extort or endeavor to extort any money drink or other thing from any person traveling upon or near such road or highway the person so offending shall for every such offence forfeit and pay a sum not exceeding five dollars

If any township commissioner or township supervisor shall connive at any person so asking demanding or contriving to extort money drink or any other thing from any person traveling as aforesaid such commissioner or supervisor shall for every such offence forfeit and pay a sum not exceeding ten dollars

Section 846 If any person shall stop or obstruct any public road or highway in any township of the first or second class or shall commit any nuisance thereon by felling trees making fences turning the road or in any other way and shall not on notice given by the township commissioners or township supervisors forthwith remove the obstruction or nuisance and repair the damages done to such road such person shall for every such offence forfeit and pay a sum not less than ten dollars nor more than forty dollars Nothing in this section shall debar an indictment for any such nuisance as in case of misdemeanor at common law

CHAPTER XII
Bridges and Viaducts

ARTICLE I
In Townships of the First Class

(a) As Part of Road Street Highway Lane or Alley

Section 855 Whenever in the opening grading or improving of any road street highway lane or alley in any township of the first class it is necessary to erect or construct any bridge and the piers and abutments therefor the same may be erected and constructed by the township as part of such road street highway lane or alley In any such erection or construction the township may take use and occupy private property All damages shall be awarded and benefits assessed as part of the proceeding to open grade or improve the road street highway lane or alley of which the bridge is a part

(b) Over Railroads

Section 865 Townships of the first class may build bridges or viaducts over railroads rivers creeks streams and private property or over railroads and any of them or over railroads only whether the bridges or viaducts are wholly or partly within the township limits for the purpose of uniting two or more streets or highways or separate portions of the same street or highway Such bridges and viaducts must in all cases cross railroads

Section 866 Townships of the first class may provide for the laying out and opening of the routes or locations for such bridges and viaducts which shall be public highways The proceedings for the laying out and fixing such locations and for the opening thereof shall be as provided in sections five hundred and fifty-three to five hundred and sixty-four both inclusive of this act except that no petition of property owners shall be required therefor

Section 867 In case the township of the first class has not agreed with the owner of any land for the damages done or likely to be done by the erection of any such bridge or viaduct the township may appropriate the lands and property necessary and the damages and benefits caused by such appropriation shall be assessed by viewers in the manner provided in sections five hundred and fifty-three to five hundred and sixty-four of this act

Section 868 The township of the first class may also enter into a contract with the county commissioners and also with railroads street railways and other companies or parties interested for the building and maintenance of such bridges or viaducts and for the payment of any damages caused by the location or erection thereof

Section 869 Nothing contained in the preceding section shall authorize a township of the first class to contract with a county for the maintenance of any bridge or viaduct which does not cross a place over which the county is authorized to build bridges but such viaduct or bridge shall be maintained as a township structure and the township is authorized to contract with any party interested except the county for the maintenance of the same

Section 870 The contracts herein provided for may stipulate that the township of the first class county railroad company street railway or other company or party interested shall pay a certain part of the contract price of the work including damages or may stipulate that each shall construct a certain portion of the work and may provide otherwise for the payment of damages

Section 871 When any railroad company street railway or other company or party interested agrees to pay a certain portion of the cost of such work it shall pay the same into the township treasury and the township treasurer shall pay the same over to the contractor as may be provided in the contract but the amount to be paid by the county shall be paid directly to the contractor The agreements may provide for the maintenance of the bridges and viaducts after their erection

Section 872 After any such contract has been entered into the township of the first class in conjunction with the county commissioners shall have prepared plans and specifications of the entire work and shall advertise for bids and award the contract to the lowest responsible bidder

Section 873 The contract for the work shall provide that the county shall pay its part of such bridge or viaduct and the township shall contract for the other part of the work The contract as to the township's part shall be based upon the appropriation made by the township for the part of the work for which it had agreed to pay and the remaining part of the contract price shall be based upon the amounts the other parties have agreed to pay

Section 874 The contractor shall have a right of action against each party uniting in the contract provided for in sections eight hundred and seventy and eight hundred and seventy-one of this article for the part thereof agreed to be paid by each party

Section 875 In case the county commissioners do not unite in the contract or in case the viaduct does not cross any river creek stream or place over which the county is authorized to build bridges the township may contract for the construction of such bridge or viaduct and may pay for the entire work or may contract with all or any of the other parties for such work Plans and specifications shall be prepared and advirtisement shall be made for bids by the township and the contract shall be let in the manner hereinbefore provided

Section 876 Any of the contracts provided for may be recorded in the recorder's office of the county and such record shall be notice to all persons who might be affected thereby

Section 877 Before any railroad which has not contributed to the cost of the construction of any such bridge

or viaduct shall be permitted to run its tracks under or upon such bridge or viaduct it shall enter into a contract with the township to thereafter pay a reasonable part of the upkeep thereof

CHAPTER XII
Bridges and Viaducts

ARTICLE II
General Provisions

(a) Over Marshy or Swampy Grounds Creeks Rivulets Gullies Canals and Railroads

Section 890 The commissioners or supervisors of townships of the first or second class in making and repairing the roads shall make and maintain within their township sufficient causeways or stone or timber on marshy or swampy grounds They shall also make and maintain sufficient bridges over all small creeks rivulets deep gullies canals and railroads where the same is necessary for the ease and safety of travelers

Such bridges over canals or railroads shall not obstruct the railroad or canal over which it is built Nothing in this section shall release railroad or other companies or the Commonwealth from the requirements of existing laws

Section 891 In the construction and maintenance of such causeways and bridges all damages shall be awarded and benefits assessed as part of the proceeding to lay out open make or repair the road of which the causeway or bridge is a part

(b) Over Streams Railroads and Canals on Township Boundaries

Section 900 Where a small creek or a railroad or canal over which a bridge is necessary is on the boundary line of two townships the bridge shall be built and maintained at the joint and equal expense of the townships by their respective commissioners or supervisors in the manner directed by section six hundred and seventy and six hundred and seventy-one of this act in the case of public roads which may be the division line of townships

Section 901 Whenever a creek railroad or canal over which a bridge is necessary is on the division line of a township of the first or second class and a municipality the township shall unite with such municipality in the construction and maintenance of such bridge and pay an equal share of the expenses incident thereto

Section 902 If a bridge is built over a railroad or canal by virtue of the provisions of sections nine hundred and nine hundred and one of this act such bridge shall not obstruct the railroad or canal over which it is built Nothing in said sections shall release railroad or other companies or the Commonwealth from the requirements of existing laws

(c) Maintenance Repair and Rebuilding of Bridges Bilt by County

Section 810 Whenever a bridge or part thereof has been built by the county or the whole or part of the money necessary to build it has been furnished by the county and the bridge has not been entered on record as a county bridge such bridge shall be maintained kept in repair and rebuilt when necesary by the township or townships of the first or second class in which or on the boundary line of which it is located without rendering the county liable for the same

(d) Fines and Penalties for the Protection of Bridges

Section 920 If any other person shall wilfully ride drive or lead or cause another person to rid drive or lead any horse or other beast of burden faster than a walk when crossing any wooden or iron bridge in any township of the first or second class having an arch of the length or span of forty-five feet or upwards such person shall for every such offence forfeit and pay a sum not less than five dollars nor more than thirty dollars

If any person shall wilfully drive or cause to be driven any horned cattle faster than a walk when crossing any such bridge such person shall for every such offence forfeit and pay a sum not less than five dollars nor more than thirty dollars

If any person shall carry fire over such bridge except in a lantern or in some vessel in which it will be fully secured such person shall forfeit and pay the sum of five dollars The fines herein provided shall not be collected if the notice of the provisions of this section have not been set up in the manner hereinafter required

Section 921 The commissioners or supervisors of townships of the first or second class shall within their respective townships put up and maintain in a conspicuous place at or near each end of all bridges of iron or other materials erected at the expense of the public and having an arch of the length or span of forty-five feet or upwards a notice in large and legible characters of the fines and penalties provided for the protection of such bridges under the penalty of a sum not exceding twenty dollars

If any such bridge is built across the township boundary line the township commissioners or supervisors shall put up and maintain such notices only at or near the end of the bridge within their township

Section 922 All fines and penalties which may be incurred under any of the provisions of sections nine hundred and twenty and nine hundred and twenty-one of this act shall be recoverable in the name of the Commonwealth at the instance of any person who will sue therefor in the same manner as debts of like amount are recoverable with costs of suit One moiety thereof shall be paid to the person recovering the same and the residue shall be paid into the treasury of the township for the use of the township

CHAPTER XIII
Sidewalks

ARTICLE I
In Townships of the First Class

(a) Footways Constructed by Township Along Highways

Section 950 Townships of the first class may construct footways along the township highways at the expense of the township

(b) Establishing Width and Location of Sidewalks

Section 960 The commissioners of any township of the first class upon the request of any land owner whose land fronts upon a public highway within such township may establish the width and location for a sidewalk along each side of said highway along the lands of such owner The width of the walk on each side of said highway shall not be less than six feet for roads fifty feet in width or less and for roads over fifty feet in width shall be ten feet in width When said sidewalks are so established such land owner shall pay for and keep the same in repair

(c) Grading Paving and Curbing Sidewalks in Villages Upon Petition of Owners of a Majority of the Frontage in Lineal Feet

Section 970 Whenever a majority of the owners in lineal feet of property fronting on either side of a public highway in any village in a township of the first class by petition request that a sidewalk with or without curbing be constructed along that side of the highway between certain points at the expense of the property owners the board of township commissioners may by ordinance require the owners of property abutting on that side of the highway between designated points to grade and pave the sidewalk in front of their respective property in the manner prescribed in the ordinance and also to curb the same if deemed necessary

The ordinance shall provide for written notice to be given to the property owners to construct such sidewalk in front of their respective properties

Section 971 If such owners fail to so pave and curb such sidewalk within sixty days from notice of the ordinance the board of township commissioners may cause the same to be done and collect the cost thereof from the abutting property owners in proportion to their frontage If such cost is not paid the commissioners may file municipal liens therefor against the abutting properties in the court of common pleas and include therein a penalty of twenty per centum on the amount of the cost of the work

(d) Laying Out Grading Curbing and Paving Sidewalks Within Towns or Villages

Section 980 The boards of township commissioners may survey lay out enact and ordain foot-walks pavements boardwalks culverts and drains over and upon the land abutting on turnpike roads where the same pass through any town or village and to fix the size and width thereof Damages for any taking or injury of any property and benefits to any property caused by any action under this section shall be assessed and paid for as provided in sections five hundred to five hundred and eight of this act relating to the widening of roads and streets by township commissioners

The commissioners may require the grading paving and curbing of such foot-walks pavements board-walks culverts and drains by the owners of the land fronting thereon in accordance with general regulations to be prescribed by ordinance

Section 981 The board of township commissioners in townships of the first class may require and direct the grading curbing and paving of the sidewalks and foot-walks along the highways within any town or village by the owners of the lots fronting thereon in accordance with general regulations prescribed by ordinance

Section 982 On failure of any owner of land to do any work required under the two preceding sections of this act within the time prescribed by the township ordinance the township commissioners may cause the same to be done and collect from the owners the cost of the work and material together with a penalty of ten per centum thereon to cover the expense of collection by filing a municipal claim therefor against the abutting property

(e) Sidewalks Along Turnpike Roads Within Towns or Villages

Section 990 Whenever a turnpike road managed and controlled by a private corporation runs through any town or village in any township of the first class the board of township commissioners having first obtained the written consent of the turnpike company or other corporation having control of such road may ordain and establish sidewalks along either one or both sides of the turnpike road within the lines of same The township commissioners may charge the cost of construction of such sidewalk to the owner of the abutting properties according to frontage

Section 991 The ordinances establishing any such sidewalk shall specify the width thereof and shall require such grading and filling as is necessary It shall also specify the kind and character of the pavement or provide for the construction of a board walk in any case instead of a paved sidewalk The manner of laying the pavement may be specified in the ordinance or provided for by general ordinance or by the regulation of a committee of the board

Section 992 The ordinance shall provide for written notice to be given to the property owners to grade and construct such sidewalk in front of their respective properties within a certain period not less than thirty days from the date of service of such notice Service of such notice shall be made by handing the same to the property owner or by leaving it at his place of residence if he has one in the county or if he does not reside in the county by mailing the notice to his address if his address can be obtained In all cases a copy of such notice shall be served upon the occupant of the premises

Section 993 Should any property owner fail to comply with the requirements of the ordinance within the time specified in the notice the board of township commissioners may cause the sidewalk in front of his property to be constructed in accordance with the requirement of the ordinance and collect the cost thereof including the costs of grading and any other incidental matters together with the penalty of ten per centum by action of assumpsit or by filing a municipal lien against said property

Section 994 If at the time of the passage of the ordinance a sidewalk paved with brick stone or concrete has already been constructed by a property owner in front of his property the township commissioners may accept such walk as a compliance with the ordinance although not constructed according to the specifications thereof If such sidewalk is not accepted the township shall bear the expense of reconstructing it

(f) Establishing Grading and Curbing Sidewalks Along the Sides of any Principal Street or Highway Leading to or Connecting Cities Boroughs Villages or Places of Public Resort

Section 1005 The board of township commissioners of any township of the first class may ordain and establish sidewalks within the lines of any principal street or highway in the township along either one or both sides thereof leading directly to or connecting cities boroughs villages or places of public resort for such distance as the board of township commissioners may deem proper and may provide for the grading and curbing of the same In case the street or highway is a turnpike or other road managed and controlled by a corporation incorporated under the laws of this Commonwealth by a corporation incorporated under the laws of this Commonwealth the written consent of the corporation shall first be obtained

Section 1006 Such sidewalk shall in no case be less than five feet in width nor leave a roadway of less than twenty feet in the clear

Section 1007 The ordinance establishing any such sidewalk shall specify the width thereof and shall require such grading and filling as is necessary It shall also specify the kind and character of the pavement or provide for the construction of a boardwalk instead of a paved sidewalk The manner of laying the pavement may be specified in the ordinance or provided for by general ordinance or by the regulation of a committee of the board

Section 1008 The ordinance shall provide for written notice to be given to the property owners to grade and construct such sidewalk in front of their respective properties within a certain period not less than three (3) months from date of the service of such notice Service of such notice shall be made by handing the same to the property owner or by leaving it at his place of residence if he has one in the county or if he does not reside in the county by mailing the notice to his address if his address can be obtained In all cases a copy of such notice shall be served upon the occupant of the premises

Section 1009 When such notice is given on or after the first day of September in any year the property owners affected shall not be in default for failure to construct the sidewalk until the first day of June of the following year

Section 1010 Should any property owner fail to comply with the requirements of the ordinance within the time specified the board of township commissioners may cause the sidewalk in front of his property to be constructed in accordance with the requirements of the ordinance and collect the proportion of the expense thereof which under the ordinance is chargeable upon the property owner including the costs of grading and any other incidental matters together with the penalty of ten per centum by action of assumpsit or by filing a municipal lien against said property

Section 1011 The board of township commissioners may charge to the owners of the properties abutting on such sidewalk according to frontage such part of the expense of the construction thereof including grading and curbing as they deem reasonable Such part of the expenses shall in no case exceed fifty per centum of the total cost of the construction of the sidewalk The remainder of the expense of the construction of the sidewalk shall be paid out of the township funds

Section 1012 When any sidewalk has been constructed by an abutting property owner in front of his property as required by the ordinance the township commissioners upon the presentation to them of a receipted bill for the cost of constructing such sidewalk shall forthwith pay to the property owner the part of the expenses of the construction of the sidewalk which by the terms of the ordinance is to be defrayed from the township funds If such part of the expense of the construction of the sidewalk which is to be defrayed from the township funds is not paid forthwith to the property owned by the board of township commissioners the property owner may collect the same in a suit or suits against the township as debts of like amount are now by law collected

Section 1013 If at the time of the passage of the ordinance a sidewalk paved with brick stone or concrete has already been constructed by a property owner in front of his property the township commissioners may accept such walk as a compliance with the ordinance although not constructed according to the specifications thereof If such sidewalk is not accepted the township shall bear the expense of reconstructing it

(g) Repair of Sidewalks

Section 1025 In townships of the first class where sidewalks have been established by township ordinance the owner of the abutting property shall keep the sidewalk immediately in front of his property in good order and repair and at all times free and clear of all obstruction to safe and convenient passage

Section 1026 If the owner of any property neglects to perform the duty required of him in the preceding section the township commissioners may serve written notice upon him requiring him to do what is necessary If such property owner fails to comply with the requirements of such notice within thirty days from the date of its service the township commissioners may make the necessary repairs or remove any obstruction The cost of the same together with a penalty of ten per centum shall be paid by the delinquent property owner and may be collected by action in the name of the township as debts of like amount are collected or the township commissioners may file a municipal lien against the property

Section 1027 The notice provided for in the preceding section may be served on the property owner by leaving the same at his place of residence or if he has no residence in the township then by leaving the same with the tenant or occupant of the premises and mailing a copy thereof to the owner at his last known address

CHAPTER XIII
Sidewalks

ARTICLE II

In Townships of the Second Class

Section 1040 The supervisors of any township of the second class upon the request of any land owner whose land front upon a public highway within such township may establish the width and location for a sidewalk along each side of said highway along the lands of such owner The width of the walk on each side of said highway shall not be less than six feet for roads fifty feet in width or less and for roads over fifty feet in width shall be ten feet in width When said sidewalks are so established such land owner shall pay for and keep the same in repair

Section 1041 The township supervisors of townships of the second class may construct sidewalks of boards plans or cement or other suitable material along the highways through towns and villages in such townships upon the petition of abutting property owners The expense of the construction of such sidewalk shall be paid by the township and the abutting property owners in proportion agreed upon between the supervisors and the property owner before the construction of such sidewalk Not more than ten per centum of the road taxes raised in the township for the current year shall be used for such purposes

Section 1042 Supervisors of townships of the second class may regulate by ordinance the grade and width of sidewalks constructed along the highways in such townships and shall have general supervision over the same

CHAPTER XIV
Sewers and Drains

ARTICLE I

In Townships of the First Class

(a) Establishing and Constructing Sewer and Drainage Systems Sewer Connections and Rates Disposal of Sewage Assessment of Cost of Construction

Section 1070 Townships of the first class may establish and construct a system of sewers and drainage locating the same as far as practicable along and within the lines of the public roads of the township as seem advisable to the commissioners The township commissioners may permit and where necessary for the public health require adjoining and adjacent property owners to connect with and use the same All persons so connecting shall pay in addition to the cost of making such connection a monthly or annual rate prescribed by ordinance Such monthly or annual rate shall constitute a lien until paid against the property so connecting with such system and the amount thereof may be recovered by due process of law

Nothing in this section shall be construed to repeal or modify any of the provisions of the Public Service Company law

Section 1071 Where it is reasonably impracticable in the judgment of the commissioners in any part of such system to carry such sewers or drains along the lines of public roads the commissioners may locate and construct so much of the same as is necessary through private lands

Section 1072 The commissioners shall make the necessary provision for the disposition of the sewage and drainage within or for carrying the same beyond the limits of the township and to this end they are hereby authorized to enter into contracts with other municipalities and other corporations or persons and to purchase acquire enter upon take appropriate occupy and use such lands rights and interests therein within the corporations limits of other townships or boroughs as shall be necessary for the proper location construction maintenance use and operation of

sewer main drains or disposal plants including such lands rights and interests therein as shall be necessary for future additions to and enlargements of such sewage facilities and as may be necessary to carry out the plans and specifications upon which a permit has been issued by the Commissioner of Health in accordance with the provisions of the act of April twenty-second one thousand nine hundred and five entitled "An Act to preserve the purity of the waters of the State for the protection of the public health

Section 1073 Section 1073 In the event of inability to agree with the owners either for the land necessary for so much of the line of sewers and drains as are not located upon public roads or for so much land as is required for the disposition of the sewage the commissioners may enter upon said land and mark thereon the route and width necessary for the construction of the line of sewers or drains or the boundaries of so much land as is necessary for disposition of such sewage and occupy the said land for such purposes For all damage done or suffered or which accrues to the owner or owners of such land by reason of the taking of the same the funds of the township raised by taxation shall be pledged and deemed as security

Section 1074 The court of common pleas on application thereto by petition either by the township commissioners or by the owner of the land may appoint a jury of viewers from the county board of viewers who shall not be the owners of property or residents in the township and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the land Ten days' notice of such time and place shall be given to the petitioners and to the other party by the viewers

Section 1075 The viewers having been sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises shall estimate and determine what amount of damages if any has been or may be sustained by reason of such occupation taking and use and to whom the same is payable and shall make report thereof to court

Section 1076 When the report is filed in court the same shall be confirmed nisi Thirty days after the filing of the report if no exceptions thereto have been filed nor an appeal to the court for a jury trial is taken the report shall be confirmed absolutely

Within thirty days after the filing of the report either party may file exceptions thereto or appeal to the court and demand a trial by jury

From such final confirmation of the report or from any judgment on a verdict of a jury either party may within six months appeal to the Superior or Supreme Court

Section 1077 The damages as awarded when the report is finally confirmed shall be entered as a judgment and if the same is not paid within thirty days after the entry thereof execution to enforce the collection thereof may be issued as in other cases of judgment against townships

Section 1078 The board of township commissioners of townships of the first class may charge the cost of construction of any system of sewers or drains constructed by the authority of section ten hundred and seventy of this act or such portion of the cost thereof as the board deems proper upon the properties accommodated or benefited thereby The ordinance providing for such charge shall be adopted by the board within six months from the date of the final completion of such system of sewers and drains

Section 1079 Whenever a sewer system is constructed by a township of the first class for the accommodation of a certain portion only of the township the commissioners of such township may constitute the territory accommodated into a sewer district or divide it into several sewer districts In every such case the commissioners shall make an estimate of the proportion of the cost of the sewer system which should equitably be charged on each of said districts and declare and establish such apportionment by ordinance No district shall be charged with more than its due proportion of the cost of the main sewers pumping-stations et cetera used jointly by more than one district the aggregate amount charged on property in any such district shall not exceed the amount of such estimate

Section 1080 Any amount not charged upon properties benefited shall be chargeable either upon all property within the sewer district or a pro rata of the assessed valuation thereof or else shall be paid out of the general township funds raised by taxation as the commissioners may decide

Section 1081 The charge for any such sewer construction in any township of the first class may be assessed upon the properties accommodated or benefited in either of the following methods as the board of township commissoners may determine

(a) By an assessment of each lot or piece of land in proportion to its frontage abutting on the sewer allowing such reduction in the case of properties abutting on more than one sewer as the ordinance may specify No assessment by frontage shall be made on property of such a character as not to be lawfully subject to such manner of assessment The ordinance providing for assessment by this method shall specify the manner in which the charge on each lot shall be calculated and ascertained

(b) By an assessment in proportion to benefits whether the property charged abuts on the sewer or not The amount of the charge on each property to be ascertained as provided in sections ten hundred and eighty-two and ten hundred and eighty-three of this act

(c) By an assessment of a special sewer tax on all properties located within the sewer district which shall be levied on the assessed valuations thereof as established for general taxation Such tax may be levied for a single year or for a term of years as the commissioners may determine and shall be collected as other taxes

When a township is divided into sewer districts the assessment in each district may be by different methods

Section 1082 In all cases where an assessment according to the benefits is adopted the board of township commissioners shall appoint three disinterested citizens residing anywhere in the Commonwealth as viewers neither of whom shall be a resident of that portion of the township which is accommodated by the sewers in question The viewers or a majority of them having been sworn or affirmed to perform their duties with fidelity and impartiality shall assess upon each piece of land located within the sewer district which in their opinion is benefited by the construction of the sewer system whether abutting on a sewer or not such amount as in their judgment represents the benefit accruing to such lot In no case shall the viewers in assessing benefits to private property through which any sewer runs take into consideration any damages which such property has sustained but all such damages shall be assessed in the manner provided in sections ten hundred and seventy-four to ten hundred and seventy-seven inclusive of this act The aggregate of the assessments in any sewer district shall not exceed the amount charged to such district for its share of the cost of the sewer construction The ordinance or resolution appointing the viewers shall specify the compensation to be received by them for their services which with the expenses incident in their proceedings and their report shall be paid from the funds of the township

Section 1083 The viewers or a majority of them shall make report in writing specifying the amount assessed by them on each lot or parcel of land and shall file the same with the township secretary within the time directed by the ordinance appointing them After the report is filed the viewers shall cause public notice thereof to be given by publication for two weeks in two newspapers published in the township or if there are not two newspapers so published then in such other manner as they deem proper Such advertisement shall state a time not less than fifteen days after the filing of the report and a place where the viewers will meet and exhibit their report and hear all exceptions and objections thereto on behalf of any property owners or by representatives of the township After the hearing of such objections the viewers shall make whatever changes they deem proper in their report

When such revision is made and the report is made complete and absolute it shall be presented to a stated meeting of the board of commissioners who shall by ordinance confirm the same or may in their discretion refer the same back to the viewers for further correction or may set the same entirely aside and appoint new viewers

Section 1084 As soon as the amounts of the assessments charged upon the several properties are finally established either by ordinance making assessments accordingly to frontage or by a report of viewers making assessments according to benefits the commissioners shall deliver a schedule of such assessments specifying in each instance the name of the owner the size and location of the property and the amount of the assessment to the township treasurer Such charges shall be payable to the treasurer for the use of the township The commissioners shall also make out bills for the amounts charged against each property which shall be payable to the township treasurer The bills shall be forthwith sent to all property owners residing in the township and mailed to those residing elsewhere whose address is known Notice shall also be given by publication in such manner as the commissioners may direct

Section 1085 At the expiration of thirty days from the date of delivery of such schedule to the township treasurer he shall certify to the township commissioners all amounts then remaining unpaid The commissioners may file in the court of common pleas a municipal lien against each property for the amount with which it stands charged Notice to this effect shall be printed on all bills sent out to the property owners

(b) Contracts With Individuals or Corporations for Construction and Maintenance of Sewer and Drainage System

Section 1095 In any case where under the authority of section ten hundred and seventy of this act a system of sewage and drainage covering any township of the first class in whole or in part shall have been approved and authorized by ordinance the commissioners may enter into a contract with any responsible individual or individuals or corporation for the construction of such system of sewage or drainage at the expense of such individual or individuals or corporation He they or it shall be entitled under such contract to exercise all the powers of the township in the construction maintenance and operation of such system of sewage or drainage with the right to collect such charges in connection therewith as the commissioners prescribe in as full manner as the same might have been collected by the township or the commissioners In such contract the commissioners shall reserve to the township the right at any time or after a prescribed time to itself take possession of such system of sewage and drainage and its appurtenances at a price and upon terms to be fixed in the contract

Nothing in this section shall be construed to repeal or modify any of the provisions of the Public Service Company Law

(c) Sewers and Drains in Streets or Alleys or Over Private Property Assessment of Cost of Construction According to Benefits

Section 1105 Townships of the first class may construct sewers and drains in any street or alley or through or on or over private property The costs damages and expenses of the construction of any such sewer or drain shall be assessed and collected in the manner provided in sections five hundred and fifty-three to five hundred and sixty-four both inclusive of this act

(d) Sewers Under State and County Highways

Section 1115 Townships of the first class may construct sewers and drains in and under any county or State highway within the township boundaries In case of the construction of sewers upon county highways the consent of the county commissioners of the county shall first be obtained and in case of the construction of sewers upon any State highway the consent of the State Highway Commissioner shall first be obtained

Section 1116 Whenever sewers have been or shall be laid or constructed by any first class township in and under such highways such township may ascertain levy and collect the costs and expenses of the construction thereof from the abutting property holders in the manner provided in sections five hundred and fifty-three to five hundred and sixty-four of this act

(e) Connecting With Sewer or Adjoining Municipality

Section 1125 Any township of the first class may connect with an existing sewer owned by any adjacent municipality for sewage purposes in the manner prescribed in the following sections of this article

Section 1126 Whenever any township of the first class shall desire to connect with the existing sewer of any adjacent municipality an application shall be made by the board of commissioners to the court of quarter sessions setting for that fact

Section 1127 If the court shall be of the opinion that such connection can be made without impairing the usefulness of the existing sewer it shall appoint three viewers who shall view the premises and investigate the facts of the case and shall assess the proportionate part of the expense of building the original sewer upon such township of the first class and shall fix the proportion of the expense for repairs which the municipality and the township of the first class shall thereafter bear and determine all other questions liable to arise in connection therewith

Section 1128 The viewers shall report to the court the result of their investigation which report shall be confirmed within thirty days unless exceptions thereto are filed After confirmation of such report or the disposal of any exceptions any party interested may appeal from the decision of the court of quarter session to the Superior Court

CHAPTER XIV
Sewers and Drains

ARTICLE II
Joint Sewers

Section 1140 Townships of the first or second class may enter into agreements with municipalities or other townships for the purpose of building sewers including trunk-line sewers or drains and sewage-disposal plants Such agreement shall provide for the joint maintenance of the same

Section 1141 No such sewer or plant shall be constructed until plans and specifications have been submitted to the State Department of Health and approved in accordance with provisions of the act of April twenty-second one thousand nine hundred and five page two hundred and sixty entitled "An Act to preserve the purity of the waters of the State for the protection of the public health"

CHAPTER XV
Contracts with Railroads and Railways

ARTICLE I

Section 1160 The commissioners or supervisors of any township of the first or second class may enter into contracts with any railroad company whose road enters the township authorizing such railroad company to re-locate change or elevate its road within the limits of the township as in the judgment of the commissioners or supervisors is best adapted to secure the safety of lives and property and promote the interest of the township

Section 1161 Townships of the first or second class may enter into contracts with any street passenger railway company surface elevated or underground or motor power company leasing and operating the franchise and property of such company within the limits of the township regulating the franchises powers duties and liabilities of such companies and the respective rights of the contracting parties Such contracts may inter alia provide for payments by the companies to the township in lieu of the performance of certain duties or the payment of license fees or charges imposed in favor of such township by the charters of the respective companies or by any general law or ordinances for the appointment by the township of a certain number of persons to act as directors of such company in conjunction with the directors elected by the stockholders of such company and may further provide for the ultimate acquisition by the township upon terms mutually satisfactory of the leaseholds property and franchises of the contracting companies

Section 1162 To secure the removal of any street railway tracks or to prevent the laying of any tracks authorized to be laid or to change the route of any street railway on any street a township of the first or second class may enter into a contract with a street railway or motor power company owning leasing or operating such tracks for a period not exceeding fifty years for such considerations and upon such conditions as may be agreed upon

Section 1163 Such contract may include a covenant providing that during the continuance thereof the consent of the township shall not be granted to any other company to use for street railway or passenger transportation purposes any streets covered by such contract Such covenant may be enforced by bill in equity against the township

Section 1164 The contract may also provide for the laying or relaying of tracks upon such terms and upon such conditions as may be agreed upon

Section 1165 No provision of this chapter shall be construed to repeal or modify any of the provisions of the Public Service Company law

CHAPTER XVI
Water Supply and Water Works

ARTICLE I
In Townships of the First Class

Section 1180 Townships of the first class may contract with any adjoining municipality owning a waterworks system for a supply of water for public and private uses to be delivered into the lines of the township at or near the boundary thereof

This section does not authorize a contract between a township of the first class and a municipality for the supply of water in territory being supplied by a private company

Section 1181 A township making such contract may by ordinance provide and regulate and protect a system of distribution of the water after a certified copy of the plans and surveys for such system with a description of the sources from which it is proposed to derive the supply are filed in the Department of Health and a written permit for the construction of such system obtained from the Commissioner of Health in accordance with the provisions of the act of April twenty-second one thousand nine hundred and five (Pamphlet Laws two hundred and sixty) entitled "An Act to preserve the purity of the waters of the State for the protection of the public health"

Section 1182 In providing for regulating and protecting and extending its system of distribution of water the township may occupy public highways and may take injure or destroy private property No highway under the jurisdiction of the State Highway Department shall be occupied until a permit therefor has been obtained from the State Highway Department Property belonging to or used as a cemetery or a place of public worship or any public or parochial school or other educational or charitable institution or seminary shall not be taken injured or destroyed by virtue of this act

Section 1183 If the compensation and damages arising from such taking injury or destruction of private property cannot be agreed upon the township may tender its bond as security to the party claiming or entitled to any damages or to the attorney or agent of any absent person or to the agent or other officer of a corporation or to the guardian or committee of any person under legal incapacity The condition of the bond shall be that the township shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon or assessed in the manner provided in the following sections of this article

In case the party or parties claiming damages refuse or do not accept the security so tendered the township shall give the party his or their agent attorney guardian or committee at least ten days' written notice of the time when the same will be presented to the court of common pleas for approval

Thereafter the township may present its bond to the court and when approved the bond shall be filed in court for the benefit of those interested Recovery may be had thereon for the amount of damages finally determined if the same is not paid or cannot be collected by execution on the judgment in the issue formed to try the question Upon the approval of such security the township may enter into possession

Section 1184 In case the compensation for damages accruing from such taking injury or destruction has not been agreed upon by the parties in interest the court of common pleas or any law judge thereof in vacation on application thereto by the township or any person interested in the property shall appoint three members of the board of viewers of the county as a board of view and appoint a time not less than ten nor more than twenty days thereafter when the board of view shall meet upon the property and view the same and the premises affected thereby

Section 1185 The board of view may be appointed before or at any time after the entry taking or appropriation of any property to be used for the purpose set forth in section eleven hundred and eighty-two of this act They shall have power to administer oaths and adjourn their hearings from day to day as they find necessary

Section 1186 The board of view shall give at least five days' notice of the time of their first meeting by personal service upon the owners agents attorneys or representatives thereof if they reside within the county otherwise by handbills posted upon the premises or by such other notice as the court shall direct

The board of view having been duly sworn or affirmed faithfully justly and impartially to decide and true report

to make concerning all matters and things submitted to them and in relation to which they are authorized to inquire and having viewed the premises or examined the property shall hear all parties interested and their witnesses and having due regard to the advantages and disadvantages shall estimate and determine the damages for the property taken used or appropriated and to whom the same are payable

They shall give at least ten days' notice thereof in the manner provided to all parties interested of the time and place when the board of view will meet and exhibit their report and hear any exceptions thereto After making whatever changes are necessary and property the board of view shall make report to the court showing the damages if any are allowed and shall file therewith a plan showing the properties taken injured or destroyed and the names of the persons to whom such damages are payable

Section 1187 When the report of the board of view or any two of them is filed in court any party may within thirty days thereafter file exceptions thereto The court may confirm the report or modify change or otherwise correct it or refer it back to the same or new viewers with like power as to their report Or within thirty days from the filing of any report in court any party whose property is so taken used or appropriated may appeal to the court of common pleas and demand a trial by jury Any party interested therein may within six months after final decree have an appeal to the Superior or the Supreme Court

Section 1188 If no exceptions are filed or no demand made for trial by jury within thirty days after the filing of such report the same shall become absolute The court may order what notices shall be given in connection with any part of said proceedings and may make all such orders as it deems requisite

Section 1189 The costs of the board of view and all court costs incurred in the proceedings including advertising and printing and posting notices shall be defrayed by the township

Section 1190 All damages when determined shall be assessed against and paid by the township so taking injuring or destroying the property

CHAPTER XVI

Water Supply and Water Works

ARTICLE II

Construction Acquisition and Maintenance of Water Works in Connection with Boroughs

Section 1205 Any township of the first or second class may unite with a borough in the construction or acquisition and maintenance of works for the supply of water

Section 1206 The construction of water works as provided for in the preceding section shall be after plans for such water works have been filed with the State Commissioner of Health and a permit issued in accordance with the Act of Assembly of April twenty-second one thousand nine hundred and five page two hundred sixty entitled "An Act to preserve the purity of the waters of the State for the protection of the public health"

Section 1207 Whenever any township of the first or second class unites with a borough in the construction or acquisition and maintenance of water works the commissioners or supervisors of such township after the passage of an ordinance or resolution to that effect may join with the councils of such boroughs now authorized by chapter six article seventeen section forty of the general borough act of May fourteenth one thousand nine hundred fifteen page three hundred and twelve so to join and apply to the court of common pleas for the appointment of a commission of water works Such commission shall be composed of citizens of each of the boroughs and townships so uniting

CHAPTER XVII

Public Buildings

ARTICLE I

General Provisions

Section 1220 The commissioners or supervisors of townships of the first or second class may procure a suitable lot of ground and erect a suitable building thereon for a town house in which to hold elections store road machinery hold meetings of township officers and for other township uses

Section 1221 For the purpose of procuring a lot of ground and erecting a building thereon as provided in the preceding section of this act the commissioners or supervisors may borrow money at a rate of interest not exceeding six per centum and issue bonds therefor The total indebtedness incurred by any township for such purpose shall not exceed one-half of one per centum of the assessed value of real estate of the township

Section 1222 Townships of the first or second class may enter upon and appropriate private property and also land heretofore granted or dedicated to public or other use within the limits of such township and which is no longer used for the purpose for which the same was granted or dedicated for the erection thereon of a town hall hose-house lock-up and such other public buildings as are necessary for public purposes

Section 1223 No land or property used for any cemetery burying-ground or place of public worship shall be taken or appropriated by virtue of any power contained in the preceding section

Section 1224 Whenever the commissioners or supervisors desire to acquire enter upon take use and appropriate private property or lands for public buildings they shall declare such intention by an ordinance duly enacted

Section 1225 The compensation and damages arising from such taking using and appropriating of private property for such purposes shall be considered ascertained determined awarded and paid in the manner hereinafter provided

Section 1226 If the compensation and damages arising from such taking using and appropriating of private property cannot be agreed upon the township may tender its bond as security to the party claiming or entitled to damages or to the attorney or agent of any absent person or to the agent or other officer of a corporation or to the guardian or committee of any person under legal incapacity The condition of such bond shall be that the said municipality shall pay or cause to be paid such amount of damages as the party is entitled to after the same is agreed upon or assessed by viewers

Section 1227 In case the party claiming damages refuses or does not accept the security so tendered the township shall give the party his or their agent attorney guardian or committee at least ten days' written notice of the time when the same will be presented to the court of common pleas for approval Thereafter the township may present its bond to the court When approved the bond shall be filed in the court for the benefit of those interested Recovery may be had thereon for the amount of damages ascertained or finally determined if the same be not paid or cannot be collected by execution on the judgment in the issue formed to try the question Upon the approval of such security the township may enter into possession take hold use and enjoy the land for the purposes aforesaid

Section 1228 Whenever the commissioners or supervisors desire to take any lands heretofore granted or dedicated to a use or purpose for which they are no longer used they shall pass an ordinance declaring such intention and shall thereupon petition the court of common pleas for leave to file the bond of such township for the purpose of securing any person or persons who may be injured by the taking of such lands The court shall thereupon direct notice to be given by publication in at least two newspapers of the county If no exceptions are filed to the bond on or before the day fixed in the notice the court shall approve the same The court may increase the amount of the bond and hear and determine all exceptions that are filed against the approval thereof Upon the approval of such bond the commissioners or supervisors may enter upon and take such lands for the purposes of erecting public buildings The bond which shall be in the name of the Commonwealth for the use of any person or persons who are entitled to damage by reason of the taking of the lands shall remain on file for their use and benefit

Section 1229 In case the compensation for damages accruing from any appropriation under the provisions of section twelve hundred and twenty-two of this act has not been agreed upon by the parties in interest the court of common pleas or any law judge thereof in vacation on application thereto by the township or any person interested in such land and property or any person damaged by any such appropriation shall appoint three viewers from the board of county viewers and appoint a time not less than ten nor more than twenty days thereafter when the viewers shall meet upon the property and view the same and the premises affected thereby

Section 1230 The viewers may be appointed before or at any time after the entry taking or appropriation of any property to be used for the purpose aforesaid They shall have power to administer oaths and adjourn their hearings from day to day as they find necessary

Section 1231 The viewers shall give at least five days' notice of the time of their first meeting by personal service upon the owners agents attorneys or representatives of such property if they reside within the county otherwise by hand-bills posted upon the premises or by such other notice as the court shall direct

The viewers having been sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters and things to be submitted to them in relation to which they are authorized to inquire and having viewed the premises or examined the property shall hear all parties interested and their witnesses and having due regard to the advantages and disadvantages shall estimate and determine the damages for the property taken used or appropriated and to whom the same are payable

They shall give at least ten days' notice thereof in the manner herein provided to all parties interested of the time and place when the viewers will meet and exhibit their report and hear any exceptions thereto After making whatever changes are necessary and proper the viewers shall make report to the court showing the damages if any allowed and shall file therewith a plan showing the properties taken used and appropriated and the names of the persons to whom such damages are payable

Section 1232 When the report of the viewers or any two of them is filed in court any party may within thirty days thereafter file exceptions thereto The court may confirm the report or modify change or otherwise correct it or refer it back to the same or new viewers with like power as to their report Or within thirty days from the filing of any report in court any party whose property is so taken used or appropriated may appeal to the court of common pleas and demand a trial by jury Any party interested therein may within six months after final decree have an appeal to the Superior or the Supreme Court If no exceptions are filed or no demand made for trial by jury within thirty days after the filing of the report the same

shall become absolute The court may order what notices shall be given in connection with any part of said proceedings and may make all such orders as it deems requisite

Section 1233 The costs of the viewers and all court costs incurred in the proceedings including advertising and printing and posting notices shall be defrayed by the township

Section 1234 All damages when determined shall be assessed against and paid by the township so taking using and appropriating the property

Section 1235 In the preparation of specifications for the erection or alteration of any public building when the entire cost of such work exceeds one thousand dollars the architect engineer or person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work and the township of the first or second class shall receive separate bids upon each of such branches of work and award the contract for the same to the lowest responsible bidder

Section 1236 In letting contracts for the erection of any public buildings when plans and specifications for the same are submitted for bids they shall be accompanied by a list of quantities of material required for such building to be prepared and furnished by the architect or engineer preparing the plans which bill or list shall be attached to the specifications No such list of materials shall be taken as being guaranteed by the township of the first or second class submitting such plans and specifications

CHAPTER XVII
Public Buildings

ARTICLE II
In Townships of the Second Class

Section 1250 The board of supervisors of townships of the second class may after obtaining the assent of the electors of the township expressed by vote at an election to be held at the place time and under the same regulations as provided for the holding of municipal elections build and maintain a suitable place for the purpose of incarcerating criminals disorderly suspicious and intoxicated persons until they can be dealt with according to law The ballots to be deposited by the electors shall be prepared in conformity with the general election law In receiving and counting and in making returns of the votes cast the inspectors judges and clerks of said election shall be governed by the laws regulating municipal elections and the vote shall be counted by the court as provided by the general law governing municipal elections The board of supervisors shall direct the constable of the township to issue a proclamation ten days prior to the date of the municipal election that the qualified electors will vote "For or against building a lockup" Such building when erected shall be under the care of the board of supervisors

CHAPTER XVIII
Licenses and License Fee

ARTICLE I
General Provisions

(a) Transient Merchants

Section 1260 It shall be unlawful for any person copartnership or corporation without license to conduct any business in any township of the first or second class the whole or greater part of which shall consist of the sale of goods which are represented or advertised to be the goods of the estate of any bankrupt or the goods of any assignee or a person firm or corporation about to go out of business or goods that have been damaged in any way

Section 1261 The provisions of the preceding section of this article shall not prohibit the sale of any goods by any assignee trustee receiver or other officer appointed by any court of this Commonwealth or of the United Sttaes acting for the estate of any such bankrupt or other person firm or corporation within the limits of any township of the first or second class wherein such person firm or corporation conducted business or had the goods immediately before the appointment of such assignee trustee receiver or other officer or the sale of any damaged goods if the same are sold within the limits of the township wherein the owner conducted busines or had such goods at the time the same became damaged

Section 1262 The license provided for in section twelve hundred and sixty of this act shall be issued by the treasurer of the township wherein such business is conducted. The license fee shall be twenty-five dollars for each calendar month or fraction thereof and shall be for the use of the school fund of the township The license shall be renewed monthly during the time such person firm or corporation shall conduct such business and shall be in addition to all other license fees and taxes imposed by the Commonwealth and the township

Section 1263 Any person association co-partnership or corporation violating any of the provisions of sections twelve hundred and sixty twelve hundred and sixty-one and twelve hundred and sixty-two of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay for each day such business is conducted without a license a fine of not more than two hundred dollars

(b) Restrictions

Section 1270 It shall be unlawful for any township of the first or second class to levy any license fee or mercantile tax upon any persons taking orders for merchandise by sample from dealers or merchants for individuals or companies who pay a license or mercantile tax at their chief places of business Nothing in this section shall authorize any person to sell by retail to others than dealers or merchants

Section 1271 It shall be unlawful for any township of the first or second class to impose or collect any license fee upon insurance companies or their agents or insurance brokers authorized to transact business under an act approved the first day of June nineteen hundred and eleven page six hundred and seven entitled "An Act to establish an Insurance Department authorizing the appointment of an Insurance Commissioner and prescribing his powers and duties also providing for the licensing examination regulation and dissolution of insurance and surety companies and associations and for the licensing and regulation of insurance agents and insurance brokers also providing for the collection of fees and prescribing penalties for the violation of any of the provisions of this act and repealing all existing acts"

CHAPTER XVIII
Licenses and License Fees

ARTICLE I
In Townships of the First Class

Section 1280 The board of township commissioners of townships of the first class may enact ordinances requiring licenses to be taken out annually for all stages hacks carriages and other vehicles used for carrying persons or property for hire within the township and fixing a reasonable annual charge for such licenses

Nothing in this section shall be construed to repeal or modify any of the provisions of the Public Service Company law

Section 1281 The said ordinances shall be enforced as other township ordinances and the ordinance in each case shall specify the manner in which the license charges are to be collected

CHAPTER XIX
Parks Shade Trees and Forests in Townships of the First Class

ARTICLE I
Parks and Playgrounds

Section 1295 Townships of the first class may improve maintain and regulate public parks parkways and playgrounds within the township limits

Section 1296 Townships of the first class may enter upon appropriate and acquire by gift devise purchase laese or otherwise private property for the purpose of making enlarging and maintaining public parks parkways and playgrounds The provisions of this section shall not authorize the appropriation of private property outside the township limits

Section 1297 No appropriation purchase or lease shall be made pursuant to the preceding sections of this article wherby any township of the first class shall within any period of three years obligate itself to pay in the aggregate any sum exceeding one and one-half mills on the dollar on the assessed valuation of all property offices professions and persons in the township without the consent of a majority of the electors obtained as hereinafter provided

Section 1298 Whenever any township of the first class shall by ordinance provide for the appropriation purchase or leasing of private property for the purposes aforesaid and the value of such property or the rental thereof shall alone or when added to the amount of liability incurred for any of the purposes aforesaid within the preceding three years exceed one and one-half mills on the dollar of valuation as provided in the preceding section the township commissioners shall cause the question of such appropriation purchase or leasing to be submitted to the electors of the township at the municipal or general election next occurring after the expiration of forty days from the date of such ordinance

Section 1299 The township commissioners shall give notice of the proposed submission of such question by weekly advertisements in not more than three newspapers published in the township for a period of four weeks immediately preceding the day of election and if no newspapers are published therein by twenty printed handbills posted in conspicuous places at least twenty-one days prior to such election

Section 1300 For the purpose of having such question appear upon the ballot the township commissioners shall certify the question to the county commissioners at least twenty-one days before the day of the election The question may be stated substantially as follows

"Shall the township of ..... acquire by purchase or condemnation or both at a price not exceeding ..... dollars (or by lease for not more than ..... years at an annual rental of not more than ..... dollars) property for the purpose of making (or of enlarging) public parks parkways and playgrounds within the locality bounded by ....."

The council may at their discretion omit the designation of the locality

Section 1301 The result of the vote on such question shall be ascertained and certified in the same manner as

the vote on the election of officers named on the same ballots No such question determined negatively by the voters shall be again submitted until one municipal or general election shall intervene

Section 1302 The appropriation of private property for the purpose of making enlarging and maintaining public parks parkways and playgrounds is declared to be the taking of private property for public use and for all damage suffered by the owners of any property so taken the funds of the townships raised by taxation shall be pledged as security

Section 1303 Whenever compensation for the damages arising from such appropriation cannot be agreed upon the township of the first class may tender its bond as security to the party claiming or entitled to any damages or to the attorney or agent of any person absent or to the agent or other officer of a corporation or to the guardian or committee of any person under legal incapacity The condition of such bond shall be that the township shall cause to paid such amount of damages as the party shall be entitled to receive after the same have been agreed upon or assessed

Section 1304 Whenever any party claiming damages for property taken under the provisions of the preceding sessions of this article refuses or neglects to accept the security so tendered the township of the first class may upon ten days' written notice given to the party his agent attorney guardian or committee present its bond to the court of common pleas If approved the bond shall be filed for the benefit of those interested and recovery may be had thereon for the amount of damages ascertained or finally determined if the same be not paid by an execution on the judgment in the issue formed to try the question Upon the approval of such security the township may enter into possession hold and use such land for such purposes

Section 1305 Whenever any township of the first class appropriates private property under the provisions of this article and is unable to agree with the owners or lessees for the amount of compensation or whenever by reason of the absence or legal incapacity of any owner or lessee no such compensation can be agreed upon the courts of common pleas or any law judge thereof in vacation on application thereto by the township or any person interested shall appoint three viewers from the county board of viewers and shall designate a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same

Section 1306 The viewers may be appointed before or at any time after the entry upon taking or appropriation of any property

The powers and duties of the viewers may be exercised and performed by any two of them They shall have power to administer oaths and to adjourn their hearings from day to day as they find necesary The notices required to be given by the viewers may be served by any one authorized by them to make such service

Section 1307 The viewers shall give ten days' notice of the time and place of their first meeting to the owners of the property their agents attorneys or representatives by writing served if they reside within the county in the same manner as the service of summons in personal actions otherwise by handbills posted upon the premises or by such other notice as the court may prescribe

Section 1308 The viewers having been sworn or affirmed faithfully justly and impartially to decide and true report to make concerning all matters to be submitted to them in relation to which they are authorized to inquire and having viewed the premises or examined the property shall hear all parties interested and their witnesses and having due regard to the advantages and disadvantages shall estimate and determine the damages for property taken used or appropriated and to whom the same are payable

Section 1309 Having so estimated and detetrmined the damages the viewers shall prepare a schedule thereof and give notice in the manner provided in section thirteen hundred and seven of this act to the parties interested of a time not less than ten days thereafter and of a place where they will meet and exhibit such schedule and hear all exceptions thereto and evidence After making whatever changs are necessary the viewers shall report to the court showing the damages allowed if any and to whom payable They shall file with such report a plan showing the properties taken used and appropriated

Section 1310 When such report is first filed in court the prothonotary shall mark the same confirmed nisi and in case no exceptions are filed thereto and no appeal to a jury is taken within thirty days he shall enter a decree (as of course) that the report is confirmed absolutely

If exceptions are filed which affect the entire report it shall not be confirmed absolutely as to any part thereof until the exceptions have been finally disposed of by the court When exceptiosn are filed that only go to or affect some particular assessment of damages and which in the consideration and final disposal thereof will not affect the assessments made in favor of other parties and when any appeal or appeals may have been taken to the court of common pleas with demand for trial by jury by less than all of the parties having a right to take such appeals the court may confirm all assessments to which no exceptions have been filed or appeal taken

Section 1311 When such report is filed notice thereof shall be given within ten days by publication once in a newspaper published in the township if any otherwise in a newspaper published in the county-seat of the county Such notice shall state the date of filing the report and shall contain a schedule of the damages shown therein It shall further state that unless exceptions are filed or an appeal to a jury taken within thirty days from the date of filing the report will be confirmed absolutely

Section 1312 Upon the report of the viewers being filed in court any party may within thirty days thereafter file exceptions thereto The court may confirm the report or modify change or otherwise correct it or refer it back to the same or new viewers with like power as to their report

Section 1313 Within thirty days from the filing of any report in court any party whose property is so taken used or appropriated may appeal to the court of common pleas and demand a trial by jury In case the party appellant does not obtain a verdict more favorable than the final report of viewers he shall not recover any costs on the appeal

Section 1314 From such confirmation of the viewers' report and from final judgment on the verdict in the case of a trial by jury either party may have an appeal to the Superior Court or Supreme Court

Section 1315 The court of common pleas may order what notices shall be given in connection with any part of said proceedings and make all orders it deems requisite and may by rule or otherwise prescribe the form of the pleadings

The costs incurred in the proceedings shall be defrayed by the township

Section 1316 The final confirmation of the report of viewers shall operate as a judgment against the township in favor of the party to whom damages have been awarded by the report or by so much of the report as is confirmed Interest is allowed on such judgment from the date of filing the report

Section 1317 Whenever any township of the first class repeals any ordinance or discontinues any proceeding taken providing for the appropriation of property under this article prior to the entry upon or injury to such property and within thirty days after the filing of the report of viewers assessing damages the township shall not thereafter be liable to pay any damages which have been or might have been assessed but the costs upon any proceeding had thereon shall be paid by the township together with the actual damage sustained by reason of such proceeding

CHAPTER XIX

Park Shade Trees and Forests in Townships of the First Class

ARTICLE II

Shade Tree Commission

Section 1330 Townships of the first class may establish a commission to be known as the Shade Tree Commission of such township

Section 1331 The commission shall be composed of three freeholders of the township of the first class who shall be appointed by the township commissioners and shall serve without compensation

Whenever a shade tree commission is established by any township of the first class the township commissioners shall appoint three freeholders one for a term of three years one for a term of four years and one for a term of five years

On the expiration of the term of any shade tree commissioner a successor shall be appointed by the township commissioners to serve for a term of five years

Vacancies in the office of shade tree commissioner shall be filled by the township commissioners for the unexpired term

Section 1332 Whenever in any township of the first class there exists a commission for the care of public parks the township commissioner may by a majority vote accept the provisions of this article so far as it relates to the subject of the shade tree commission and thereafter the park commission shall have all the powers and be subject to all the duties prescribed by this article for the shade tree commission

Section 1333 The commission shall have exclusive custody and control of the shade trees in the township of the first class and is authorized to plant remove maintain and protect shade trees on the public highways in the township

Section 1334 The commission may employ and pay such superintendents engineers foresters tree-wardens or other assistance as the proper performance of the duties devolving upon it shall require and may make publish and enforce regulations for the care and protection of the shade trees of the township of the first class No such regulation shall be in force until it has been approved by the township commissioners and until it has been published at least twice in one or two newspapers of the township

Section 1335 The shade tree commission shall annually report in full to the township commissioners its transactions and expenses for the last fiscal year of the township of the first class The park commission in townships accepting this article may incorporate such transactions and expenses in its regular report to the township commissioners

Section 1336 Whenever any shade tree commission or park commission in townships of the first class accepting this article proposed to plant transplant or remove shade trees on any highway notice of the time and place of meeting at which such work is to be considered shall be given in one or more newspapers published in the township once a week for two weeks immediately preceding the time of the meeting The notice shall specify in detail the highways or portions thereof upon which trees are proposed to be so planted re-planted or removed

Section 1337 The cost of planting transplanting or removing any shade trees in the highways of the townships of the first class of the necessary and suitable guards

curbing or grating for the protection thereof and of the replacing of any pavement or silewalk necessarliy disturbed in the execution of such work shall be paid by the owner of the real estate in front of whose property the work is done

The amount each freeholder is to pay shall be ascertained and certified by the commission to the township commissioners and to the township treasurer

Section 1338 Upon the filing of the certificate with the township commissioners the township secretary shall cause thirty days' written notice to be given to the persons against whose property an assessment has been made The notice shall state the amount of the assessment and the time and place of payment and shall be accompanied by a copy of the certificate

The amount assessed against the real estate shall be a lien from the time of the filing of the certificate with the township commissioners and if not paid within the time designated in the notice a claim may be filed and collected by the township in the same manner as municipal claims are filed and collected

Section 1339 The cost and expenses of caring for such trees after having been planted and the expense of publishing the notice provided in the preceding section shall be paid by the township

The needed amount shall each year be certified by the shade tree commissioners to the township commissioners and shall be drawn against as required by the commission in the same manner as money appropriated for township purposes

The township commissioners instead of levying the tax authorized by section three hundred and ninety-seven of this act may provide for the expense of caring for trees already planted and of publishing the notice required by the preceding section by appropriations equal to the amount certified to be required by the shade tree commission

Section 1340 The commision may assess penalties for the violation of its regulations and of this article so far as it relates to shade trees Any penalty so assessed shall be a lien upon the real estate of the offender and may be collected as municipal claims are collected

Section 1341 All penalties or assessments imposed under this article shall be paid to the township treasurer to be placed to the credit of the shade tree commission subject to be drawn upon by the commission for the purpose of the preceding sections of this article

CHAPTER XIX

Parks Shade Trees and Forests in Townships of the First Class

ARTICLE III

Forests

Section 1355 Townships of the first class may acquire by purchase gift or lease and hold tracts of land covered with forest or tree growth or suitable for the growth of trees and administer the same under the direction of the commissioner of forestry in accordance with the practices and principles of scientific forestry for the benefit of the township Such tracts may be of any size suitable for the purpose and may be located within or without the township limits

Section 1356 Before the passage of any ordinance for the acquisition of land to be used as township forests the township commissioners shall submit to the Commissioner of Forestry and secure his approval of the area and location of such land

Section 1357 Whenever the township commissioners deem it expedient to acquire any lands for forests they shall so declare in an ordinance wherein shall be set forth all facts and conditions relating to the proposed action which proposed ordinance shall be advertised once a week for three weeks prior to its passage

Section 1358 All money necessary for the purchase of such tracts shall be appropriated in the same manner as appropriations for township purposes and such funds may be provided from the current revenue or by the proceeds of a sale of bonds in accordance with existing law

Section 1359 Upon the acquisition of any forests or lands suitable for forests the township commissioners shall notify the Commissioner of Forestry who shall make such rules for the government and proper administration of the same as may be necessary and the Commissioner shall publish such rules declare the uses of the forest in accordance with the intent of this article and make such provision for its administration maintenance protection and development as shall be necessary or expedient The rules governing the administration of such forests shall have for their main purpose the producing of a continuing township revenue by the sale of forest products

Section 1360 All moneys necesary to be expended for the administration maintenance protection and development of such forests shall be appropriated and applied as is now done for township purposes All revenue and emoluments arising from such forests shall be paid into the township treasury to be used for general township purposes

Section 1361 Township forests may be used by the public as general outing or recreation grounds subject to the rules governing their administration

Section 1362 Whenever the township commissioners deem it expedient to alienate any forest or part thereof they shall so declare in an ordinance wherein shall be set forth all the facts and conditions relating to the proposed action which proposed ordinance shall be advertised once a week for three weeks prior to its passage No ordinance shall be effective in legalizing such alienation until it has been approved by a majority vote of the people at the next ensuing election

CHAPTER XX

Enforcement of Ordinances of Townships of the First Class

ARTICLE I

Section 1380 The policemen of townships of the first class may without warrant and upon view arrest and commit for hearing all persons guilty of a breach of the peace vagrancy riotous or disorderly conduct or drunkenness or engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any ordinances of the township for the violation of which a fine or penalty is imposed Any person arrested with or without warrant shall be entitled to a trial and to give bail for his or her or their appearance according to the practice in summary convictions

Section 1381 All proceedings for the violation of township ordinances and for the collection of fines and penalties imposed thereby may be commenced by warrant or by summons at the discretion of the justice of the peace before whom the proceeding is begun No warrant shall be issued except upon complaint on oath or affirmation specifying the ordinance for the violation of which the same is issued All proceedings shall be directed to and be served by any policeman or constable of the township who shall execute the same anywhere within the State as may be provided by law Warrants shall be returnable forthwith and upon such return like procedings shall be had in all cases as in summary convictions with the same right of appeal from any final judgment entered therein except where otherwise provided by existing laws

Section 1382 When any person is arrested on view a complaint on oath or affirmation shall be immediately made whereupon the like proceedings shall be had as upon a warrant issued

Section 1383 All fines or penalties for the violation of township ordinances shall be paid over to the township treasurer

Section 1384 Any person arrested for the violation of a township ordinance may be committed to the township lockup pending a hearing or trial In case there is no suitable lockup or place in which to detain prisoners the person arrested may be committed to the county jail Upon judgment against any person by summary conviction or by proceedings by summons on default of payment of fine or penalty imposed by said judgment and the costs the defendant may be sentenced and committed to the township lockup for a period not exceeding five days or to the county jail for a period not exceeding thirty days No fine or penalty shall exceed one hundred dollars for any single violation of any ordinance In case the defendant has goods or property of any kind whatsoever out of which said judgment and costs can be collected by execution capias or other process the plaintiff in the action may elect to proceed to collect the said judgment by such proceedings

Section 1385 When a prisoner is committed to any county jail or prison either for the nonpayment of a fine or penalty imposed for the violation of any ordinance of a township of the first class or while awaiting a hearing upon any charge for the violation of any ordinance of a township of the first class the costs of proceeding and the expenses of maintaining such prisoner during his confinement by virtue of any such commitment shall be paid by the township whose ordinances were alleged to have been violated or to which any such fines or penalties are payable The county shall not be liable to the sheriff for any maintenance or to any officer or person for any costs

CHAPTER XXI

Actions by and Against Townships

ARTICLE I

Section 1395 All suits by a township of the first or second class shall be brought and conducted by the township commissioners or township supervisors In all suits against a township process shall be served upon and defence made by the township commissioners or supervisors

Section 1396 If judgment shall be obtained against a township of the first or second class in any action or proceeding the party entitled to the benefit of such judgment after having complied with the provisions of the act of April twenty-second one thousand nine hundred and five (Pamphlet Laws two hundred and ninety-six) entitled "An Act requiring plaintiffs in judgments obtained before justices of the peace and aldermen against boroughs townships and school districts to file in the office of the prothonotary of the proper county certificates giving the particulars of such judgments directing the prothonotaries to keep a record of such certificates providing for the payment by such municipalities of the prothonotary's fees for such service and prohibiting in case of non-compliance with such provisions the subsequent filing of any transcript of said judgment in the office of the prothonotary and the use of the magistrate's record or transcript thereof as evidence to enforce or collect said judgment" may have execution thereof as follows and not otherwise viz The court in which such judgment is obtained or to which such judgment is removed by transcript from a justice of the peace may issue thereon a writ commanding the township commission-

ers or township supervisors as the case may be to cause the amount thereof with the interest and costs to be paid to the party entitled to the benefit of such judgment out of any moneys unappropriated of such township or if there be no such moneys out of the first moneys that shall be received for the use of such township and may enforce obedience to such writ by attachment

Section 1397 Any taxpayer of any township of the first or second class may inquire into the validity of any judgment or defend the township in any suit or judgment upon filing a petition with the court of common pleas of the county in which such suit is pending or judgment exists accompanied by an affidavit that the taxpayer believes that injustice will be done to the township in such suit or judgment Whenever it is deemed necessary the court may order such taxpayer to file a bond with one or more sureties to be approved by court to save harmless the township from all costs that may accrue in such proceeding subsequent to the filing of such petition

Section 1398 Whenever a judgment is rendered by any justice of the peace or alderman against any township of the first or second class and a right of appeal is given to such township and for ten days immediately after the rendition of such judgment the township officials neglect to perfect an appeal any taxpayer of such township may take an appeal in behalf of the township from such judgment to the court of common pleas of the county within the time prescribed for the taking of such appeal

Section 1399 In taking the appeal the taxpayers shall make an affidavit that the same is not taken for the purpose of delay but because he verily believes that injustice has been done The taxpayer shall pay the costs of the appeal and enter sufficient bail for the payment of all costs before the justice of the peace or alderman and all costs in the court of common pleas

Section 1400 Upon the filing of such appeal in the court of common pleas of the county the taxpayer shall be made a party to the suit and shall have the right to defend such township therein

Section 1401 Townships of the first or second class may proceed for the recovery of municipal claims by lien or by action of assumpsit and jurisdiction is conferred upon justices of the peace to entertain such actions of assumpsit to the amount of three hundred dollars

CHAPTER XXII

Acts of the General Assembly Repealed

ARTICLE I

Section 1500 The following acts and parts of acts of Assembly are repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause of such act

Section one of an act entitled "An Act to authorize the several courts of quarter sessions within their respective counties to lay off alter and divide townships and for other purposes" approved the twenty-fourth day of March one thousand eight hundred and three (Pamphlet Laws four hundred thirty-nine) absolutely

Sections twenty-seven thirty-four and forty-three of an act entitled "An Act relating to county rates and levies and township rates and levies" approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred nine) absolutely

Sections twenty-eight twenty-nine thirty thirty-one thirty-two thirty-three thirty-five thirty-nine forty forty-three forty-seven forty-eight forty-nine and fifty-two of an act entitled "An Act relating to county rates and levies and township rates and levies" approved the fifteenth day of April one thousad eight hundred and thirty-four (Pamphlet Laws five hundred and nine) except insofar as they relate to taxation for poor or county purposes

Sections seven thirteen fourteen eighty-one (Clauses one two three four five) eighty-three ninety-five ninety-six ninety-seven ninety-eight ninety-nine one hundred one hundred and one one hundred and two one hundred and three one hundred and four one hundred and five one hundred and six of an act entitled "An Act relating to counties and townships and county and township officers" approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred thirty-seven) absolutely

Sections three four and five of an act entitled "An Act relating to counties and townships and county and township officers" approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred thirty-seven) insofar as they relate to townships

Sections eighty-four eighty-five eighty-six ninety ninety-one ninety-two and ninety-three of an act entitled "An Act relating to counties and townships and county and township officers" approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred thirty-seven) except insofar as they relate to constables or assistant assessors or overseers of the poor

Section seven of an act entitled "A Supplement to the act relating to county rates and levies and township rates and levies and to the act relating to counties and townships and county and township officers" approved the twenty-eighth day of February one thousand eight hundred and thirty-five (Pamphlet Laws forty-five) absolutely

Sections six ten twenty-seven twenty-eight twenty-nine thirty thirty-one thirty-two thirty-three sixty-one sixty-two sixty-three sixty-four sixty-five sixty-six sixty-seven sixty-eight and sixty-nine of an act entitled "An Act relating to roads highways and bridges" approved the thirteenth day of June one thousand eight hundred and thirty-six (Pamphlet Laws five hundred fifty-one) absolutely

Sections thirty-four sixty-five seventy seventy-one seventy-two and seventy-five of an act entitled "An Act relating to roads highways and bridges" approved the thirteenth day of June one thousand eight hundred and thirty-six (Pamphlet Laws five hundred fifty-one) insofar as they relate to townships

Sections eight and nine of an act entitled "An Act concerning certain states and turnpike roads" approved the nineteenth day of April one thousand eight hundred and forty-four (Pamphlet Laws three hundred fourteen) absolutely

Section six of an act entitled "An Act further to regulate proceedings in courts or justice and for other purposes" approved the sixth day of May one thousand eight hundred and forty-four (Pamphlet Laws five hundred sixty-four) absolutely

Section one of an act entitled "An Act to prevent the opening of streets or public roads through burial grounds and for the protection of cemeteries and grave yards" approved the fifth day of April one thousand eight hundred and forty-nine (Pamphlet Laws three hundred ninety-seven) insofar as it relates to townships of the first class

Section thirty-two of an act entitled "An Act regulating election districts" approved the fifth day of April one thousand eight hundred and forty-nine (Pamphlet Laws five hundred fifty-five) except insofar as it relates to justices of the peace constables overseers of the poor and assistant assessors

Section five of an act entitled "A Supplement to the road laws of this Commonwealth and to incorporate the Mutual fire insurance company of Lawrence County" approved the twenty-sixth day of April one thousand eight hundred and fifty (Pamphlet Laws five hundred ninety-two) absolutely

Section nineteen of an act entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to actions of ejections to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supreme Court to appeals relating to wards boroughs and township officers to the acknowledgments of deeds and sequestration of life estates" approved the fourteenth day of April one thousand eight hundred and fifty-one (Pamphlet Laws six hundred and twelve) insofar as it relates to townships

Section one of an act entitled "A Supplement to an act entitled 'An Act relating to counties and townships and county and townships officers' approved April the fifteenth one thousand eight hundred and thirty-four" approved the twenty-sixth day of April one thousanu eight hundred and fifty-four (Pamphlet Laws four hundred eighty-nine number four hundred eighty-nine) absolutely

An Act entitled "An Act relative to the Erection of Bridges Over Canals and Railroads" approved the twelfth day of April one thousand eight hundred and fifty-five (Pamphlet Laws two hundred twenty number two hundred thirty-three) insofar as it relates to township bridges

An act entitled "A Supplement to an act relating to counties and townships and county and township officers approved April fifteenth one thousand eight hundred and thirty-four" approved the fourteenth day of March one thousand eight hundred and fifty-seven (Pamphlet Laws ninety-three) absolutely

An act entitled "A Further Supplement to an act relating to Counties and Townships and County and Township Officers approved April fifteenth Anno Domini one thousand eight hundred and thirty-four" approved the twenty-fourth day of April one thousand eight hundred and fifty-seven (Pamphlet Laws three hundred four) absolutely

An act entitled "An Act relative to the election of supervisors" approved the sixth day of May one thousand eight hundred and fifty-seven (Pamphlet Laws four hundred fifteen) absolutely

An act entitled "An Act relating to city county and township treasurers" approved the sixteenth day of May one thousand eight hundred and fifty-seven (Pamphlet Laws five hundred thirty-five number five hundred ninety-one) insofar as it relates to township treasurers

An act entitled "An Act requiring Supervisors of Roads and Overseers of the Poor in this Commonwealth to give security" approved the sixteenth day of March one thousand eight hundred and sixty (Pamphlet Laws one hundred seventy-four number one hundred eighty-nine) insofar as it relates to road supervisors

An act entitled "A Supplement to an act relating to county and township rates and levies approved April fifteenth Anno Domini one thousand eight hundred and thirty-four" approved the twenty-ninth day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred thirty-seven) absolutely

An act entitled "An Act relative to the erection of new townships" approved the first day of May one thousand eight hundred and sixty-one (Pamphlet Laws five hundred thirty-nine number five hundred and four) absolutely

An act entitled "A Supplement to an act relating to roads highways and bridges approved June thirtieth one thousand eight hundred and thirty-six" approved the eighteenth day of March one thousand eight hundred and sixty-four (Pamphlet Laws sixty-eight number seventy) insofar as it relates to township bridges

An act entitled "An Act relating to the collection of district and township debts in the several counties of the Commonwealth" approved the thirty-first day of March one thousand eight hundred and sixty-four Pamphlet Laws

one hundred sixty-two number one hundred fifty-six) except insofar as it relates to poor districts

Section one of an act entitled "An Act providing for the adjustment of all indebtedness between an old township or townships and a new township or borough erected therefrom" approved the twelfth day of April one thousand eight hundred and sixty-six (Pamphlet Laws one hundred and nine number ninety-nine) insofar as it relates to townships

An act entitled "An Act to extend to plank roads the provisions of the eighth and ninth sections of the act approved April nineteenth one thousand eight hundred and forty-four entitled 'An Act concerning certain State and turnpike roads'" approved the sixteenth day of March one thousand eight hundred and sixty-seven (Pamphlet Laws thirty-seven number twenty) absolutely

Section two of an act entitled "An Act supplementary to an act entitled 'An Act regulating turnpike and plank road companies' approved the twenty-six day of January one thousand eight hundred and forty-nine" approved the fifth day of April one thousand eight hundred and seventy (Pamphlet Laws forty-eight) absolutely

An act entitled "An Act relating to the assessment of damages for the appropriation of land for public use" approved the fifteenth day of June one thousand eight hundred and seventy-one (Pamphlet Laws three hundred ninety-one) insofar as it relates to townships

An act entitled "An Act to authorize and require the auditors to publish an annual statement of the receipts and expenditures of road commissioners supervisors overseers of the poor and school directors of the several townships and boroughs within this Commonwealth and to designate a day to audit settle and adjust township and borough accounts" approved the twenty-fourth day of April one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and twelve number forty) insofar as it relates to the audit of the accounts of supervisors and township treasurers

An Act entitled "An Act fixing the pay of road commissioners road and bridge viewers and reviewers and appointed commissioners to run township lines and to divide boroughs into wards and township division lines and surveyors in this Commonwealth" approved the thirteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws one hundred thirty-eight) insofar as it relates to townships

An Act entitled "An Act to authorize the counties cities towns or townships of this State respectively to enter into contracts with railroad companies whose roads enter their limits whereby said companies may re-locate change or elevate their railroads" approved the ninth day of June one thousand eight hundred and seventy-four (Pamphlet Laws two hundred eighty-two) insofar as it relates to townships

An Act entitled "An Act fixing and regulating the terms of all members of councils and all other city ward borough and township officers excepting school director elected by the people and fixing the time for organization of the legislative department of the municipal governments of the Commonwealth and the inauguration of the mayors of all the cities of the same" approved the tenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws six number seven) insofar as it relates to townships

An Act entitled "A Suplement to an act entitled 'An Act to authorize and require the auditors to publish an annual statement of the receipts and expenditures of road commissioners supervisors overseers of the poor and school directors of the several townships and boroughs within this Commonwealth and to designate a day to audit settle and adjust township and borough accounts' approved the twenty-fourth day of April Anno Domini one thousand eight hundred and seventy-four" approved the thirty-first day of March one thousand eight hundred and seventy-six (Pamphlet Laws twelve number thirteen) insofar as it relates to the audit ofthe acounts of supervisors and township treasurers

Section three of an act entitled "An Act to provide for the erection and maintaining of watering troughs for the use of horses and cattle on the public roads of this Commonwealth and providing penalties for the injury and destruction of the same" approved the twenty-eighth day of April one thousand eight hundred and seventy-six (Pamphlet Laws fifty-one) insofar as it relates to supervisors

An Act entitled "A Supplement to an act approved April fourteen Anno Domini eighteen hundred and fifty-one relating to an appeal from the decision of township auditors" approved the first day of May one thousand eight hundred and seventy-six (Pamphlet Laws eighty-eight) insofar as it relates to townships

An Act entitled "A Supplement to an act approved the thirteenth day of May Anno Domini one thousand eight hundred and seventy-four fixing the pay of road commissioners road and bridge viewers and reviewers and commissioners to run township lines and to divide boroughs into wards and township lines and surveyors in this Commonwealth" approved the eighth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred thirty-six number one hundred and three) insofar as it relates to township lines

Section five of an act entitled "An Act to prescribe the manner by which the courts of quarter sessions may change the boundaries of election districts and townships" approved the eighteenth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred seventy-eight) insofar as it relates to the annexation of townships

An Act entitled "An Act to empower any taxpayer of any townships borough school poor or other municipal district upon petition and affidavit to become a party to any suit or process pending against said district" approved the twenty-third day of March one thousand eight hundred and seventy-seven (Pamphlet Laws twenty number sixteen) insofar as it relates to townships

An Act enttiled "An Act to provide for the erection of new townships out of old ones when part or all of the townships to compose such new townships shall have been divided by the erection of a new county under the provisions of the act of seventeenth day of April Anno Domini one thousand eight hnndred and seventy-eight entitled 'An Act to provide for the division of counties of this Commonwealth and the erection of new counties therefrom'" approved the thirteenth day of May one thousand eight hundred and seventy-nine (Pamphlet Laws fifty-two number fifty) absolutely

An Act entitled "An Act fixing the date of the commencement of terms of township officers and the auditors' settlements" approved the fourth day of June one thousand eight hundred and seventy-nine (Pamphlet Laws ninety-four number one hundred and ten) absolutely

An Act entitled "An Act relating to turnpike and plank roads" approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred twenty-six number one hundred thirty) absolutely

An Act entitled "An Act to prohibit cities boroughs and municipalities from levying any license or mercantile tax upon persons taking orders for goods or merchandise by sample for individuals or companies who pay a license of mercantile tax at their chief place of business and also to prohibit the collection of such licenses or mercantile tax" approved the seventeenth day of May one thousand eight hundred and eighty-three (Pamphlet Laws thirty-one number twenty) insofar as it relates to townships

Sections one two three seven nine and eleven of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred eighty-seven) insofar as it relates to township taxes

An Act entitled "An Act to enable road commissioners and other officers having in charge the opening constructing and repairing of public roads highways and bridges to purchase necessary and improved implements materials et cetera and to provide means therefor" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws two hundred two number one hundred forty) absolutely

An Act entitled "An act declaring and defining the limits of townships boroughs and cities bounded by any of the navigable streams of the Commonwealth" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws two hundred three number one hundred forty-two) insofar as it relates to townships

An Act entitled "A Further Supplement to an act approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine entitled 'A Supplement to an act for the regulation of boroughs' approved the third day of April one thousand eight hundred and seventy-one providing for the adjustment of indebtedness and government of the boroughs townships and school districts affected by changes of limits of any borough in the Commonwealth" approved the first day of June one thousand eight hundred and eighty-seven (Pamphlet Laws two hundred eighty-five) insofar as it relates to townships

Section eleven of an act entitled "An Act authorizing the condemnation of turnpikes roads or highways heretofore or hereafter constructed wholly or in part in any county of this Commonwealth for public use free from tolls and tollgates and the assessment upon the proper county of the damages to which the owner or owners thereof may be entitled by a jury of viewers duly appointed by the court of quarter sessions of the proper county and providing for the maintenance of any such condemned turnpike road or highway by the proper city township or district" approved the second day of June one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred six number one hundred ninety-seven) insofar as it relates to townships

Section one of an act entitled "An Act to authorize the election of assessors for three years in the several boroughs and townships of this Commonwealth" approved the fourteenth day of February one thousand eight hundred and eighty-nine (Pamphlet Laws seven number eight) insofar as it relates to township assessors

An Act entitled "An Act to provide for the licensing of transient retail merchant in cities boroughs and townships" approved the fourth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws eighty-six number eighty-two) insofar as it relates to townships

An Act entitled "An Act fixing the compensation of borough and township auditors in this Commonwealth" approved the fourth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws eighty-six number eighty-three) insofar as it relates to townships

An Act entitled "An Act fixing the compensation of supervisors in the several townships in this Commonwealth" approved the fourth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws eighty-seven number eighty-five) absolutely

An Act entitled "An Act authorizing the appointment of deputy constables vested with the power of policemen on petition of the citizens of any township by the court of quarter sessions of the counties of this Commonwealth" approved the ninth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred fifty-six number one hundred seventy-five) absolutely

An Act entitled "An Act to provide for the laying out and opening of roads to enclosed lands kept for driving parks

county fairs holding annual Grand Army or soldiers' and sailors' encampments or reunions or places appointed by the court for holding township and general elections" approved the ninth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred seventy-eight number two hundred two) absolutely

An Act entitled "An Act to amend an act entitled 'An Act to provide for the licensing of transit retail merchants in cities boroughs and townships" empowering councils to increase the maximum license" approved the tenth day of May one thousand eight hundred and ninety-three (Pamphlet Laws thirty-five) insofar as it relates to townships

An Act entitled "An Act to amend the first section of an act entitled 'An Act fixing the pay of road commissioners road and bridge viewers and reviewers and appointed commissioners to run township lines and to divide boroughs into wards and township division lines and surveyors of this Commonwealth' approved the thirteenth day of May Anno Domini one thousand eight hundred and seventy-four providing that such commissioners viewers and surveyors shall be paid by the proper county or by the petitioners as the court shall by order direct" approved the twenty-sixth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred forty-four) insofar as it relates to townships

An Act entitled "An Act to provide for the establishing and ascertaining the lines and boundaries between two or more cities boroughs or townships cities and boroughs townships and boroughs or cities and townships within this Commonwealth and regulating the proceedings thereof" approved the third day of June one thousand eight hundred and ninety-three (Pamphlet Laws two hundred eighty-four) insofar as it relates to townships

An Act entitled "An Act to authorize the election of tax collectors for the term of three years in the several boroughs and townships of this Commonwealth" approved the sixth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred thirty-three number two hundred seventy-three) insofar as it relates to township tax collectors

An Act entitled "An Act enabling the taxpayers of townships and road districts to contract for making at their own expense the roads and paying salaries of township or road district officers and thereby preventing the levy and collection of road tax therein" approved the twelfth dayof June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred fifty-one) absolutely

An Act entitled "An act to amend the amendment of the first section of an act entitled 'An Act fixing the pay of road commissioners and bridge viewers and reviewers and appointed commissioners to run township lines and to divide boroughs into wards and township division lines and surveyors of this Commonwealth approved the thirteenth day of May Anno Domini one thousand eight hundred and seventy-four providing that such commissioners viewers and surveyors shall be paid by the proper county or by the petitioners as the court shall by order direct' providing for the filing of the report of viewers and a statement of services rendered" approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred eighty-four number one hundred ninety-seven) insofar as it relates to townships

An Act entitled "An Act to authorize cities boroughs and townships of this Commonwealth to appropriate moneys for Memorial Day services" approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred eighty-four number one hundred ninety-seven) insofar as it relates to townships

An Act entitled "An Act to authorize cities boroughs and townships of this Commonwealth to appropriate moneys for Memorial Day services" approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred ninety-eight number two hundred sixteen) insofar as relates to townships

An Act entitled "An Act to authorize the supervisors road commissioners or other officers having in charge the constructing and keeping in repair the public roads in any township in this Commonwealth to cause to be erected a suitable building in which to hold elections store road machinery and transact township business and authorizing the construction of the sidewalks" approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred twenty-four number two hundred forty-two) absolutely

An Act entitled "An Act conferring upon municipalities the right of eminent domain for the purpose of appropriating public property for the use of the National Guard of Pennsylvania" approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred thirty-two number two hundred forty-seven) insofar as it relates to townships

An Act entitled "An Act regulating the letting of contracts for the erection and construction of public buildings" approved the second day of July one thousand eight hundred and ninety-five (Pamphlet Laws four hundred twenty-six number three hundred four) insofar as it relates to townships

An Act entitled "An Act providing for the filling of any vacancy in the office of tax collector in the several boroughs and townships of this Commonwealth" approved the second day of July one thousand eight hundred and ninety-five (Pamphlet Laws four hundred thirty-four number three hundred eleven) insofar as it relates to township tax collectors

An Act entitled "An Act to provide for keeping the public highways from becoming blockaded with snow" approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-eight) absolutely

An Act entitled "An Act providing for the election and appointment of road supervisors in the several townships of this Commonwealth defining their duties authorizing them to make repair and maintain roads and bridges let contracts for the same levy and collect taxes employ labor divide townships into districts appoint roadmasters and treasurers purchase road making implements and machines prescribing penalties for violation of this act and requiring the road supervisors to report to township auditors and to the Secretary of Agriculture from time to time and for the repeal of all laws general local or special inconsistent herewith or supplied hereby" approved the twenty-third day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred ninety-four) absolutely

Section eleven of an act entitled "An Act supplementary to an act approved the second day of June Anno Domini one thousand eight hundred and eighty-seven entitled 'An Act authorizing the condemnation of turnpikes roads or highways heretofore or hereafter constructed wholly or in part in any county of this Commonwealth for public use free from tolls and toll gates and the assessment upon the proper county of the damages to which the owner or owners thereof may be entitled by a jury of viewers duly appointed by the court of quarter sessions of the proper county and providing for the maintenance of any such condemned turnpike road or highway by the proper city township or district' extending its provisions so as to authorize the condemnation of any turnpike road or highway in whole or in part located upon the line dividing two counties and to assess the damages payable to the owner or owners thereof equitably between such two counties" approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws seventy-nine) insofar as relates to townships

An Act entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and four) absolutely

An Act entitled "An Act to provide for the licensing of transient retail merchants in cities boroughs and townships and providing a penalty for failure to obtain the same" approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and fifty-nine) insofar as it relates to townships

An Act entitled "An Act to provide for the improvement of the main traveled public roads" approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and sixty-four number one hundred and twelve) absolutely

An Act entitled "An Act authorizing the laying out and opening of public roads which are extensions of streets in cities or boroughs of equal width with such city or borough street" approved the eighteenth day of March one thousand nine hundred and one (Pamphlet Laws fifty one) absolutely

An Act entitled "An Act to amend an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine by providing that for the purpose of classification the population of townships may be ascertained by proceedings in the courts of quarter sessions and regulating such proceedings" approved the eleventh day of May one thousand nine hundred and one (Pamphlet Laws one hundred and sixty) absolutely

An act entitled "An Act to provide for the levying a tax to erect and maintain a suitable building for the purpose of locking up and keeping criminals and disorderly persons until they can be properly dealt with according to law" approved the eleventh day of May one thousand nine hundred and one (Pamphlet Laws one hundred and sixty-nine number one hundred and thirty-five) absolutely

An act entitled "An Act authorizing appeals from the court of common pleas to the Supreme and Superior Courts in cases which are appeals from settlements or reports of county borough or township auditors" approved the eleventh day of May one thousand nine hundred and one (Pamphlet Laws one hundred and eighty-five) insofar as it relates to the reports of township auditors

An act entitled "An Act to amend an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved April twenty-eighth one thousand eight hundred and ninety-nine" approved the twenty-fourth day of May one thousand nine hundred and one (Pamphlet Laws two hundred and ninety-four) absolutely

An Act entitled "An Act entitled 'A Supplement to an act "To provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' " amending the seventh section thereof and authorizing the township commissioners of townships of the first class to enter into a contract with any one or more taxpayers of the township for making amending and repairing the public highways and bridges in said townships" approved the twenty-fourth day of May one thousand nine hundred and one (Pamphlet Laws two hundred and ninety-seven number one hundred and ninety-eight) absolutely

Section two of an act entitled "An Act authorizing the abandonment by turnpike road or highway companies of such portion or portions of their turnpike roads or highways as are separated as to ownership from the longest continuous portion thereof remaining in the possession or ownership of such companies after the appropriation or condemnation to public use of an intermediate portion or portions thereof also prescribing the method of making such abandonment and the giving of notice thereof to township authorities and providing for the future disposition of such abandoned portion or portions of said turnpike roads or highways" approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws three hundred and fifty-nine) insofar as it confers any powers or imposes any duties on townships

An act entitled "An Act supplementary to an act entitled 'An Act to provide for the classification of townships of the Commonwealth with respect to their population et cetera' approved the twenty-eighth day of April one thousand eight hundred and ninety-nine imposing a penalty for non-payment of township taxes in certain cases" approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws three hundred and sixty-one number two hundred and twenty-three) absolutely

An act entitled "An Act to authorize the township commissioners in townships of the first class to lay out widen open and vacate streets and the highways within their respective townships at the expense of the township or the properties benefited" approved the seventh day of June one thousand nine hundred and one (Pamphlet Laws five hundred and ten) absolutely

An act entitled "An Act relating to railroad crossings of highways and for the regulation alteration and abolition of grade crossings except in cities of the first and second classes" approved the seventh day of June one thousand nine hundred and one (Pamphlet Laws five hundred and thirty-one) insofar as it relates to townships

An act entitled "An Act relating to townships of the first class providing a method for procedure for violations of law and township ordinances and for collection of fines and penalties imposed for said violations" approved the tenth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-one number two hundred and sixty) absolutely

An act entitled "An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor" approved the tenth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-five number two hundred and sixty-four) insofar as it relates to townships

An act entitled "An Act to amend an act entitled 'An Act to provide for the improvement of the main traveled public roads' approved May second one thousand eight hundred and ninety-nine changing the time said act should be in operation and imposing a penalty in case of neglect or refusal or supervisors or road commissioners to carry out the provisions of said act" approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred and eleven) absolutely

An act entitled "An Act to amend clause fifth of section seventh of 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved April twenty-eighth Anno Domini one thousand eight hundred and ninety-nine authorizing such townships to enter into contracts with any person or corporation to supply water for fire protection" approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred and twenty-seven) absolutely

An act entitled "An Act authorizing the grading paving and curbing or macadamizing of streets and alleys which may be in whole or in part the boundaries of boroughs and first class townships by joint contract and providing for the payment of costs damages and expenses thereof" approved the tenth day of July one thousand nine hundred and one (Pamphlet Laws six hundred and thirty-seven number three hundred and twenty-two) insofar as it confers any powers or imposes any duties on townships

An Act entitled "An Act authorizing any municipality to connect with the sewer of any other municaplity and township of the first class for sewage purposes and providing a method for ascertaining the damages caused thereby and for the assessment and payment of the same" approved the seventeenth day of July one thousand nine hundred and one (Pamphlet Laws six hundred and sixty-eight number three hundred thirty-eight) insofar as it confers any powers or imposes any duties on townships

An act entitled "An Act authorizing the boards of township commissioners of townships of the first class to levy and collect a license-tax on stages hacks carriages and other vehicles carrying persons or property for pay and to limit the rate of fares to be charged therefor" approved the eleventh day of April one thousand nine hundred and three (Pamphlet Laws one hundred sixty-four number one hundred twenty-two) absolutely

An Act entitled "A Supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine providing for the filling of vacancies caused by death resigation or otherwise in the office of commisioner and treasurer in the townships of the first class" approved the fifteenth day of April one thousand nine hundred and three (Pamphlet Laws one hundred ninety-nine) absolutely

An Act entitled "An Act authorizing the township commissioners of townships of the first class to cause sidewalks footways and curbing to be constructed along the public highways and also over properties abutting on turnpike roads in towns and villages" approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred sixty-five number one hundred ninety-seven) absolutely

An Act entitled "An Act to provide for filling vacancies occurring in the office of township treasurer and in boards of township commissioners of townships of the first class" approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred sixty-seven number two hundred and one) absolutley

An Act entitled "An Act to provide for charging the cost of construction of sewers and drains heretofore or hereafter constructed in townships of the first class against properties accommodated or benefited thereby authorizing the township commisisoners to create sewer districts to apportion the cost of sewer construction among the same and to prescribe the manner in which the charges shall be assessed on properties and municipal liens filed for the same or to assess an annual tax for payment of such cost" approved the twenty-third day of February one thousand nine hundred and five (Pamphlet Laws twenty-two) absolutely

An Act entitled "An Act to enable townships of the Commonwealth which have heretofore been declared townships of the first class and which no longer have a population such as is required by law to again become townships of the second class" approved the fourteenth day of March one thousand nine hundred and five (Pamphlet Laws thirty-six) absolutely

An Act entitled "An Act authorizing the municipalities of the Commonwealth to vacate in whole or in part all streets lanes and alleys within their corporate limits laid out by this Commonwealth whenever the same or the portion to be vacated shall have remained unopened for a continuous period of thirty years next preceding such vacation" approved the twenty-first day of March one thousand nine hundred and five (Pamphlet Laws forty-six) insofar as it relates to townships

An Act entitled "An Act providing for the payment of the expense of maintaining prisoners committed to county prisons for non-payment of fines or penalties imposed for the violation of city or borough ordinances or ordinances of townships of the first class by the city borough or township of the first class to which such fines are payable" approved the twenty-eighth day of March one thousand nine hundred and five (Pamphlet Laws sixty-one number forty-two) insofar as it relates to townships

An Act entitled "An Act to amend an act entitled 'An Act to amend an act entitled "An Act to provide for the classification of townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine by providing that for the purpose of classification the population of townships may be ascertained by proceedings in the court of quarter sessions and regulating such proceedings' approved the eleventh day of May Anno Domini one thousand nine hundred ane one by providing that those townships having a population of at least two hundred and fifty to the square mile shall be townships of the first class" approved the first day of April one thousand nine hundred and five (Pamphlet Laws ninety-seven) absolutely

An Act entitled "An Act providing for the election and appointment of road supervisors in the several townships of the second class of this Commonwealth defining their duties authorizing them to make repair and maintain roads and bridges let contracts for the same levy and collect taxes employ labor divide townships into districts appoint road-masters and treasurer purchase road-making implements and machines prescribing penalties for violation of this act and requiring the road supervisors to report to township auditors and to the State Highway Commissioner from time to time and for the payment of a percentage of road tax to townships that abolish the work tax and for the repeal of all laws general local or special inconsistent herewith or supplied hereby" approved the twelfth day of April one thousand nine hundred and five (Pamphlet Laws one hundred forty-two) absolutely

An Act entitled "An Act to provide for the vacation and closing of alleys lanes or passageways that are or may hereafter become public nuisances and to compensate abutting property owners or others who may be damaged thereby and assess benefits if any there be" approved the seventeenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred ninety-three) insofar as it relates to townships

An Act entitled "An Act to amend the ninth clause of the seventh section of an act approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine entitled 'An Act to provide for the classification of townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' by providing for the prescribing of fines and penalties not exceeding fifty dollars" approved the nineteenth day of April one thousand nine hundred and five (Pamphlet Laws two hundred twenty-one number one hundred sixty) absolutely

An Act entitled "An Act to provide for the construction of sidewalks along turnpike roads in townships of the first class where said roads pass through towns or villages" approved the twenty-second day of April one thousand nine

hundred and five (Pamphlet Laws two hundred eighty-three number one hundred ninety-five) absolutely

An Act entitled "An Act providing for the division of townships upon the aplication of the owners of twenty-five per centum of the assessed valuation of the real estate thereof and prescribing the manner of holding an election upon the question of division and declaring any proceeding for a division under former laws to be no bar to proceeding under this act" approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred eighty-eight) absolutely

An Act entitled "An Act authorizing vacation of public highways at grade crossings over railroads and the opening of undergrade or overgrade crossings in lieu thereof by the court of quarter sessions" approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred ninety-five) insofar as it relates to townships

An Act entitled "An Act authorizing contracts between cities boroughs and townships of the one part and street passenger railway companies and motor power companies of the other part providing for the keeping of certain streets free from street railway tracks by permitting the temporary relocation of abandonment of tracks already laid or the postponement of the laying of tracks duly authorized while preserving the rights of such company to resum the exercise of its said franchises upon the determination or breach of such contract" approved the third day of May one thousand nine hundred and five (Pamphlet Laws three hundred seventy-nine) insofar as it confers any powers or imposes and duties on townships

An Act enttiled "An Act providing a method for the removal of township officers for failure to properly perform their duties of office and providing a remedy in case of complaint" approved the twenty-second day of March one thousand nine hundred and seven (Pamphlet Laws twenty-seven number twenty-three) absolutely

An Act entitled "An Act providing for the recovery and collection of municipal claims by lien or by action of assumpsit" approved the fourth day of April one thousand nine hundred and seven (Pamphlet Laws forty number thirty-six) insofar as it relates to townships

An Act entitled "An Act fixing the pay of commissioners of road viewers reviewers and re-reviewers of roads and bridges and commissioners appointed to run estbalish or re-establish township lines or to divide townships or to divide townships into election districts or boroughs into wards in this Commonwealth" approved the fourth day of April one thousand nine hundred and seven (Pamphlet Laws forty-four number forty-one) insofar as it relates townships

An Act entitled "An Act authorizing contracts between cities boroughs or townships of the one part and street passenger railway companies surface elevated or underground or motor power companies leasing and operating the franchises and property of such companies of the other part affecting fixing and regulating the franchises powers duties and liabilities of such companies the management of the same the relations and respective rights of the contracting parties and the ultimate acquisition by such cities boroughs and townships of the property leaseholds and franchises of said contracting companies" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws eighty) insofar as it confers any powers or imposes any duties on townships

An Act entitled "An Act providing for the payment of the premiums on bonds of county city borough school districts and township employes' approved the twenty-third day of May one thousand nine hundred and seven (Pamphlet Laws two hundred twenty-five number one hundred seventy-three) insofar as it relates to townships

An Act entitled "An Act authorizing and empowering road supervisors in townships of the second class to enter into contract with water companies for the placing of fire hydrants in any village in said township to purchase hose et cetera and to provide for the collection of funds for that purpose by levying a tax upon all owners of property in the district benefited" approved the twenty-fifth day of May one thousand nine hundred and seven (Pamphlet Laws two hundred thirty-one number one hundred eighty-two) absolutely

An Act entitled "An Act to provide for the alteration of the boundaries of contiguous boroughs and townships within this Commonwealth by detaching part or parts of the land embraced within the lines of any borough and annexing such territory to any adjacent or contiguous township or townships and for adjustment of the indebtedness of the boroughs and townships affected by such change of boundaries or limits" approved the twenty-eighth day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and sixty-four) insofar as it relates to townships

An Act entitled "An Act abolishing the office of township tax colector in townships of the first class and providing that in such townships all taxes shall be collected by the township treasurer including State and county taxes" approved the twenty-eighth day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and seventy-three number two hundred and ten) absolutely

An Act entitled "An Act to authorize municipalities or townships to make assessment for municipal improvements outside of their corporate limits under certain conditions" approved the twenty-eighth day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and eighty-seven number two hundred and nineteen) insofar as relates to townships

An Act entitled "An Act to amend section one of an act entitled 'An Act to amend an act entitled 'An Act to amend an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine by providing that for the purpose of classification the population of townships may be ascertained by proceedings in the court of quarter sessions and regulating such proceedings' approved the first day of April Anno Domini one thousand nine hundred and five by providing that those townships having a population of at least three hundred to the square mile shall be townships of the first class" approved the twenty-ninth day of May one thousand nine hundred and seven (Pamphlet Laws three hundred and five number two hundred and thirty) absolutely

An act entitled "An Act to provide for the planting and care of shade-trees on highways of townships of the first class boroughs and cities of the Commonwealth of Pennsylvania and providing for the cost thereof" approved the thirty-first day of May one thousand nine hundred and seven (Pamphlet Laws three hundred and forty-nine) insofar as it relates to townships

An act entitled "An Act to amend the fifth section of an act entitled 'An Act relating to roads highways and bridges' approved the thirteenth day of June Anno Domini one thousand eight hundred thirty-six" approved the seventh day of June one thousand nine hundred and seven (Pamphlet Laws four hundred and fifty-two number three hundred and three) insofar as it relates to public roads within townships of the first class

An act entitled "An Act providing a method to secure possession of lands buildings or other property caquired under the power of eminent domain" approved the seventh day of June one thousand nine hundred and seven (Pamphlet Laws four hundred and sixty one number three hundred and ten) insofar as it relates to townships

An act entitled "An Act to provide for the vacation and closing of alleys lanes or passageways that are or may hereafter become public nuisances and to compensate abutting property owners or others who may be damaged thereby and assess benefits if any there be" approved the eighth day of June one thousand nine hundred and seven (Pamphlet Laws five hundred and three) insofar as it relates to townships

An act entitled "An Act relating to armories for the National Guard of Pennsylvania authorizing counties cities towns boroughs and other municipal divisions of the Commonwealth to provide and appropriate moneys or purchase and convey land owned by any county city town borough or other municipal division of the Commonwealth to assist the Armory Board in the erection of armories and to furnish free of cost to the Commonwealth water light fuel either or all for use in any armory" approved the fifteenth day of March one thousand nine hundred and nine (Pamphlet Laws thirty-three number fifteen) insofar as it relates to townships

An act entitled "An Act to provide for the levying a tax to erect and maintain a suitable building for the purpost of housing engines hose-carts and other apparatus for the extinguishment of fire in townships of the first class" approved the eighteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty number twenty-two) absolutely

An act entitled "An Act to further amend an amendment to section two of 'An Act to amend an act entitled "An Act to amend an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine by providing that for the purpose of classification the population of townships may be ascertained by proceedings the court of quarter sessions and regulating such proceedings" approved the eleventh day of May Anno Domini one thousand nine hundred and one by providing that those townships having a populations of at least two hundred and fifty to the square mile shall be townships of the first class' approved the first day of April Anno Domini one thousand nine hundred and five by providing the time within which the population of townships may be ascertained by proceedings in the court of quarter sessions for the purpose of classification" approved the twenty-fourth day of March one thousand nine hundred and nine (Pamphlet Laws fifty-six) absolutely

An act entitled "An Act to amend an act approved the fourth day of April Anno Domini one thousand nine hundred and seven entitled 'An Act providing for the recovery and collection of municipal claims by lien or by action of assumpsit' by conferring jurisdiction upon justices of the peace in such cases" approved the twenty-fifth day of March one thousand nine hundred and nine (Pamphlet Laws seventy-eight) insofar as it relates to townships

An act entitled "An Act making appropriation to pay to townships legally entitled to receive it the fifteen per centum bonus authorized by the second section of an act approved April twelve one thousand nine hundred and five to be paid to townships of the second class which abolish the work tax" approved the first day of April one thousand nine hundred and nine (Pamphlet Laws ninety-seven number fifty-seven) except insofar as it relates to State highways and the officers of the State Highway Department

An act entitled "An Act authorizing the commissioners of any first class township of this Commonwealth to require the paving curbing and macadamizing of streets or thoroughfares or parts thereof and assess a portion of the

cost of the same on the owners of property abutting thereon and providing for the collection of the same" approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred and seveteen absolutely

An Act entitled "An Act to permit the acquisition of forest or other suitable lands by municipalities for the purpose of establishing municipal forests and providing for the administration maintenance protection and development of such forests" approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred and twenty-four) insofar as it relates to townships

An Act entitled "An Act to authorize and empower the supervisors of the several townships of the second class throughout this Commonwealth upon a petition of a majority of the real estate owners of any or either of the said townships to levy and collect an electric light or other light tax to be used and expended for lighting the streets and highways lanes alleys and public places thereof and to make and enter into contracts for such lighting" approved the twenty-third day of April one thousand nine hundred and nine (Pamphlet Laws one hundred and sixty-eight) absolutely

An Act entitled "An Act regulating the apportionment of township commissioners of the first class among the election districts of the respective townships and providing for the election of commissioners at large in case the number of township commissioners of any such township shall exceed the number of election districts in the said townships" approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws one hundred and eighty-seven) absolutely

An Act entitled "A Further Supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for appropriation by ordinance of the revenue of such townships the fixing of the tax levy providing for the way in which orders shall be drawn specifying certain duties and liabilities of township treasurers providing for change in appropriations and prescribing the conditions of the treasurer's bond" approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws one hundred and ninety-eight) absolutely

Section one and two of an act entitled "An Act to provide for the appointment of a tax-collector to prescribe his duties and compensation in townships and boroughs of this Commonwealth which have heretofore failed or which shall hereafter fail to elect a tax-collector and when no citizen of such townships and boroughs is willing to qualify and serve as such tax collector" approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and forty-five) insofar as they relate to township tax collectors

An Act entitled "An Act to empower township and borough auditors to employ an attorney and providing for their compensation" approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and sixty-one) insofar as it relates to townships

Section one of an act entitled "An Act to provide for the registration of conveyances of real estate in townships of the first class in order to facilitate the assessment of taxes therein in the name of the owner of said real estate at the time of the assessment" approved the twenty-ninth day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and seventy-five) absolutely

An Act entitled "An Act to amend section two of the act entitled "An Act abolishing the office of township tax collector in townships of the first class and providing that in such townships all taxes shall be collected by the township treasurer including State and county taxes' approved May twenty-eighth one thousand nine hundred and seven providing that nothing in the said act shall take away from or interfere with the powers and duties conferred or imposed upon the treasurer of any county in relation to the collection of State and county taxes by existing laws" approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and one) absolutely

An Act entitled "An Act to amend section seven of an act entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' approved June twenty-fifth one thousand eight hundred and eighty-five allowing a reduction of five per centum on all taxes paid within ninety days from date of notice by collector that duplicate has been issued or delivered to him" approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and five) insofar as it relates to township taxes

An Act entitled "An Act to authorize municipalities to unite in the construction of a sewage system and to permit municipalities to form corporations for the purpose of constructing a sewage system" approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and six number one hundred and ninety-eight) insofar as it confers any powers or imposes any duties upon townships

An Act entitled "An Act relating to the settlements and audits of the accounts of all officers of boroughs townships poor districts and school districts and appeals therefrom to the common pleas and thence to the Supreme and Superior Courts and providing a penalty for violations thereof" approved the third day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and ninety-two) insofar as it relates to townships

An Act entitled "An Act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropirating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring the consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authoriing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaiinng determining awarding and paying compensation and damages where property is taken used and appropriated for the said purposes" approved the third day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and one) insofar as it relates to townships

An Act entitled "An Act to amend an act approved the twenty-fifth day of June Anno Domini eighteen hundred and eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' so as to fix the amount of bond at not more than the amount of taxes charged and assessed in the duplicates delivered to the collectors of taxes" approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and seventy-four) insofar as it relates to township taxes

An Act entitled "An Act to amend an act entitled 'An Act providing for the election and appointment of road supervisors in the several townships of the second class of this Commonwealth defining their duties authorizing them to make repair and maintain roads and bridges let contracts for the same levy and collect taxes employ labor divide townships into districts appoint roadmasters and treasurer purchase road-making implements and machines prescribing penalties for violation of this act and requiring the supervisors to report to township auditors and to the State Highway Commissioner from time to time for the payment of a percentage of road tax to townships that abolish the work tax and for the repeal of all laws general local or special inconsistent herewith or supplied hereby' approved the twelfth day of April Anno Domini one thousand nine hundred and five providing for the appointment of a secretary and a treasurer and fixing their compensation providing for the payment of road tax in cash and for the payment to the townships by the State of fifty per centum of the amount of road tax collected in said townships providing for the withholding of the warrant due to any township if the money is not properly expended specifying the duties of roadmasters and supervisors prescribing the method of collecting the road tax providing that supervisors shall receive payment for their services requiring clerks of courts to make annual report of the names of township supervisors and commissioners to abolish the office of township clerk and making an appropriation to carry out the provisions of this act" approved the thirteenth day of May one thousand nine hundred and nine (Pamphlet Laws seven hundred and fifty-two) absolutely

An Act entitled "A Supplement to an act entitled 'An Act relating to roads highways and bridges' approved the thirteenth day of June Anno Domini eighteen hundred and thirty-six" approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and twenty-three) insofar as it relates to townships

An Act entitled "An Act to authorize road supervisors to subscribe for not more than three publications whose main subject-matter pertains to good roads and road building to be paid for out of township funds" approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and sixty-five) absolutely

An Act entitled "An Act to amend section one of 'An Act authorizing and empowering boroughs and incorporated towns to take use and appropirate private property for necesary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor' approved the tenth day of June one thousand nine hundred and one so as to extend the same to townships of the first class" approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and sixty-eight) insofar as it relates to townships

An Act entitled "An Act providing for notification of taxables by tax collectors in boroughs and townships prescribing the contents of such notices and providing for the payment of the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and seventy number one hundred and twenty-three) insofar as it relates to townships

An Act entitled "An Act to empower any taxpayer of any township borough poor district or school district upon providing for costs to appeal in behalf of such municipality to the court of common pleas of the proper county from the judgment of any justice of the peace or alderman against such municipality and to become a party to such suit" approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and eight number one hundred and fifty-two) insofar as it relates to townships

An act entitled "An Act empowering the commissioners of any first class township of this Commonwealth without petition of property owners to grade pave curb macadamize and otherwise improve public streets or thoroughfares or parts thereof when said streets or thoroughfares or parts thereof do not exceed one thousand feet in length and connect two streets or thoroughfares theretofore paved

and improved and providing for the assessment of a portion of the costs of the same on the owners of property abutting thereon and the collection thereof" approved the twelfth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and seven) absolutely

An act entitled "An Act authorizing boroughs to unite with boroughs or townships in constructing or acquiring and maintaining works for supplying water to such boroughs or townships" approved the first day of June one thousand nine hundred and eleven (Pamphlet Laws five hundred and forty-one number two hundred and one) insofar as it confers any powers or imposes any duties on townships

An Act entitled "A Further Supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts" approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and twenty-six) absolutely

An act entitled "An Act providing for the election of commissioners of townships of the first class of this Commonwealth and the filling of vacancies in the office of township treasurer and township commissioner in said townships" approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and twenty-eight absolutely

An act entitled "An Act authorizing road supervisors in townships of the second class to aid in the construction of sidewalks along public highways through town and villages in said townships" approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-eight) absolutely

An act entitled "An Act providing for the payment of the costs of proceedings and the expenses of maintaining prisoners committed to county prisons either for non-payment of fines or penalties imposed for or while awaiting a hearing upon any charge for the violation of any city or borough ordinance or any ordinance of townships of the first class whose ordinances are alleged to have been violated or to which any such fines or penalties are payable" approved the seventh day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and seventy-seven number two hundred and sixty-eight) insofar as it relates to townships

An act entitled "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and superior and supreme courts" approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws eight hundred and sixty-five) insofar as it relates to townships

An act entitled "An Act relating to township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and forty-two) absolutely

An act entitled "An Act to amend the first and second sections of an act approved the first day of May Anno Domini one thousand nine hundred and nine entitled 'An Act to authorize municipalities to unite in the construction of a sewage system and to permit municipalities to form corporations for the purpose of constructing a sewage system' by including townships" approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and sixty-six) insofar as it confers any powers or imposes any duties upon townships

An act entitled "An Act regulating the construction and repair of highways over drains or culverts" approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and eighty-two) insofar as it relates to township roads

An act entitled "An Act relating to the location construction and maintenance of viaducts and bridges in townships of the first class and adjacent territory empowering the board of commissioners of the several townships of the first class of this Commonwealth to construct or have constructed bridges or viaducts over rivers creeks streams railroads and private land or over and across railroads and any of them or over and across railroads for public highways and to procure locations therefor by purchase or condemnation proceedings whether the same be wholly within or partly within and partly without the township limits authorizing said townships to unite and enter into a contract or contracts with the county commissioners of the property county and with railroad street railway and other companies and parties interested or with any of them for the erection construction and maintenance of said viaducts and bridges and for the payment of the damage caused by their location and erection and forbidding any railroad company to pass under or upon any such viaduct or bridge without contributing to the cost of maintenance thereof" approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and eighty-seven) insofar as it confers any powers or imposes any duties on townships

An act entitled "An Act to amend the first section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'An Act to provide for the vacation and closing of alleys lanes passageways that are or may hereafter become public nuisances and to compensate abutting property owners or other who may be damaged thereby and assess benefits if any there by' by fixing the number of the jury at three" approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and thirty-six) insofar as it relates to townships

An act entitled "An Act to require the owners of property abutting on sidewalks established by townships of the first class to keep said sidewalks in repair and clear of obstruction" approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand sixty-six) absolutely

An Act entitled "An Act to amend the first section of an act approved the seventeenth day of April Anno Domini one thousand nine hundred and five entitled 'An act to provide for the vacation and closing of alleys lanes or passageways that are or may hereafter become public nuisances and to compensate abutting property owners or other who may be damaged thereby and assess benefits if any there be' by fixing the number of the jury at three" approved the twentieth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand eighty-seven) insofar as it relates to townships

An Act entitled "An Act to amend the first section of an act approved the tenth day of June one thousand nine hundred one entitled 'An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and work within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor as amended by the first section of an act approved the fifth day of May one thousand nine hundred seven entitled 'An Act to amend section one of "An Act authorizing and empowering boroughs and incorporated towns to taks use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor" approved the tenth day of June one thousand nine hundred and one so as to extend the same to townships of the first class' by extending the act to include townships of the second class" approved the fifteenth day of April one thousand nine hundred and thirteen (Pamphlet Laws sixty-six) insofar as it relates to townships

An Act entitled "An Act to authorize townships of the first class to provide for fire protection" approved the first day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred forty-four number ninety-four) absolutely

An Act entitled "An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings" approved the first day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred and fifty-five number one hundred and four) insofar as it relates to townships

An Act entitled 'An Act providing for an association of township supervisors and commissioners in the several counties of the State and providing for the expenses of such associations" approved the eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred fifty-nine) absolutely

An Act entitled "An Act requiring a license for conducting any business the whole or greater part of which shall consist of the sale of goods which shall be held forth represented or advertised to be goods of or obtained from the estate of any bankrupt or goods for obtained from an assignee or a person firm or corporation about to go out of busines or goods to have been damaged in any way and regulating such licensing and fixing a penalty for violation of this act" approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and twenty-seven) insofar as it relates to townships

An Act entitled "An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith" approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and forty-eight) absolutely

An Act entitled "An Act to amend the title the first section the second section and the third section of an act of Assembly entitled 'An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and Superior and Supreme Courts' approved the ninth day of June Anno Domini one thousand nine hundred and eleven by repealing so much thereof as applies to school districts" approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred fifty-four) insofar as it relates to the audit of township accounts

An Act entitled "An Act to amend section one of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled 'An Act authorizing town-

ships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken used or appropriated for the said purposes' by changing the limitations of the amount of money which such township or borough in the exercise of the authority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified electors" approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred fifty-seven) insofar as it relates to townships

An Act entitled "An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned" approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred sixty-seven) insofar as it confers any powers or imposes any duties on townships

An act entitled "An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class'" approved the twenty-first day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred eighty-three) absolutely

An act entitled "An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' as amended by an act approved the second day of June one thousand eight hundred ninety-one entitled "An Act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements" approved the twenty-first day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred eighty-four) insofar as it relates to township taxes

An act entitled "An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled 'A Further Supplement to an act entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eight day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts'" approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred six) absolutely

An act entitled "An Act authorizing the Commissioners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessment and collection of the costs damages and expenses thereof upon and from the property benefited and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said township before recording the same'" approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred forty-eight number two hundred thirty-six) absolutely

An Act entitled "An Act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment levy and collection of the costs and expenses thereof" approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred fifty-three) absolutely

An Act entitled "An Act giving to all owners or tenants of lands property or material abutting on or through which pass roads streets lanes or alleys injured by the laying out opening widening vacating extending or grading of said roads streets lanes or alleys or the changing of grades and lines thereof by cities counties boroughs or townships within this Commonwealth the construction and the vacating by said cities counties boroughs or townships of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto which abut on or pass through or along said lands property or material and the construction by said cities counties boroughs or townships of sewers in over upon along or through said lands property or material the right to damages for said injuries directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injuring lands property or material to assess said damages if any against said cities counties boroughs or townships as the case may be and the benefit if any in connection therewith granting the right of appeal to the proper court of common pleas from the report of said juries and the trial by jury in said court of common pleas and the right to file exceptions to said report and the right of appeal to the Superior or Supreme Court after disposal of exceptions or verdict and final judgment and providing that this act shall apply to all existing and future proceedings" approved the twenty-eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred sixty-eight) insofar as it relates to townships

An Act entitled "An Act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited" approved the twenty-eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred seventy-one) absolutely

An Act entitled "An Act relating to the reports of auditors or boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports" approved the thirty-first day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred ninty-four) insofar as relates to townships

An Act entitled "An Act amending the sixth section of an act approved the twenty-eighth day of April eighteen hundred and ninety-nine entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class'" approved the fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred twenty-four) absolutely

Section ten of an act entitled "An Act establishing a Commission of Water-works in boroughs and incorporated towns of this Commonwealth providing for the appointment of Commissioners of Water-works and prescribing their powers and duties" approved the fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred forty-five) insofar as it relates to townships

An Act entitled "An Act authorizing the board of township commissioners in townships of the first class to join with the county commissioners in the improving of roads or streets in first class townships and providing for the assessment of a part of the cost upon the abutting property" approved the nineteenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred forty-one) absolutely

An Act entitled "An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein" approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-one number three hundred fifty-nine) absolutely

An Act entitled "An Act authorizing the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities boroughs villages or places of public resort providing for and regulating the construction of the same and authorizing the township commissioners to charge a part of the expense of constructing the same including the grading and curbing thereof upon the abutting property owners and to defray the remaining part of such expense from the public funds of the township" approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-one number three hndred sixty) absolutely

An Act entitled "An Act to amend section two of the act approved the fourteenth day of June one thousand nine hundred and eleven entitled 'An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions' so as to provide for a further adjustment of valuation of property made between the date of the levy of the tax and payment of same" approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws six hundred sixty-seven) absolutely

An Act entitled "An Act to authorize the board of commissioners of every township of the first class to establish lights upon State highways and turnpike roads in such townships" approved the seventh day of July one thousand nine hundred and thirteen (Pamphlet Laws six hundred and seventy-one) absolutely

Sections four six seven eight nine ten eleven twelve fourteen fifteen sixteen and twenty of an act entitled "An Act relating to roads providing for the supervision construction maintenance and repair of township roads relating to road tax and providing penalties for the violation thereof" approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and fifteen) absolutely

Sections five seventeen eighteen nineteen and twenty-one of an act entitled "An Act relating to roads providing for the supervision construction maintenance and repair of township roads relating to road tax and providing penalties for the violation thereof" approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and fifteen) except insofar as they confer any powers impose any duties or penalties on the

State Highway Department or any of its officers or agents or on the clerks of the Courts of Quarter Sessions

An Act entitled "An Act enabling townships of the first class to provide regulate and protect a system of water supply and to contract with certain adjoining municipalities for such water and granting and regulating the right of eminent domain and the right to occupy highways" approved the ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws seventy) absolutely

An Act entitled "An Act providing for the payment of judgments and mortgages and other claims which are liens on property affected by public improvements or appropriated by the exercise of the right of eminent domain approved the fourteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and twenty-two Number fifty-seven) insofar as it relates to townships

An Act entitled "An Act relating to the competency of witnesses and to the rules of evidence in proceedings arising from the exercise of the right of eminent domain" approved the twenty-first day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and fifty-nine Number eighty-three) insofar as it relates to townships

An Act entitled "An Act relating to appeals from the reports of auditors of boroughs townships and poor districts" approved the twenty-first day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty-two Number eighty-five) insofar as it relates to townships

An Act entitled "An Act prohibiting any city county or municipality from imposing or collecting any license fee upon insurance ocmpanies or their agents or insurance brokers licensed to transact business by the Insurance Commissioner" approved the third day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and seventeen) insofar as it relates to townships

An Act entitled "An Act to amend an act approved the twenty-first day of May Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws two hundred and eighty-three) entitled 'An Act to amend section eighteen of an act approved the twenty-eighth day of April one one thousand eight hundred ninety-nine entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class'" approved the thirteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and three) absolutely

Section one of an act entitled "An Act to amend section one and two of an act approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine entitled 'An Act to provide for the registration of conveyances of real estate in townships of the first class in order to facilitate the assessment of taxes therein in the name of the owner of said real estate at the time of the assessment' so as to exclude from the provisions of the act townships of the first class in counties having a board for the assessment and revision of taxes for State and county purposes" approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws four hundred and eighty-nine) absolutely

An Act entitled "An Act providing for taxing the owners and harborers of dogs in townships of the first class of the Commonwealth and for the destroying of dogs" approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and twenty) absolutely

An Act entitled "An Act amending the first paragraph of the fourth section of the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class'" approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and eighty-four) absolutely

An Act entitled "A Supplement to an act approved the twenty-second day of July one thousand nine hundred and thirteen entitled 'An Act relating to roads providing for the supervision construction maintenance and repair of township roads relating to road tax and providing penalties for the violation thereof'" approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and six) absolutely

An Act entitled "An Act to amend an act approved the fourteenth day of April one thousand nine hundred and fifteen entitled 'An Act providing for the payment of judgments and mortgages and other claims which are liens on property affected by public improvements or appropriated by the exercise of the right of eminent domain'" approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and forty-two) insofar as it relates to townships

Section one of an act entitled "An Act to amend sections five nine and fifteen of an act approved the twenty-second day of July one thousand nine hundred and thirteen entitled 'An Act relating to roads providing for the supervision construction maintenance and repair of township roads relating to road tax and providing penalties for the violation thereof" approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and forty-seven Number four hundred and eighteen) except insofar as it confers any powers or imposes any duties on the State Highway Department

Sections two and three of an act entitled "An Act to amend sections five nine and fifteen of an act approved the twenty-second day of July one thousand nine hundred and thirteen entitled 'An Act relating to roads providing for the supervision construction maintenance and repair of township roads relating to road tax and providing penalties for the violation thereof'" approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and forty-seven Number four hundred and eighteen) absolutely

An Act entitled "An Act to provide that assessments of damages for the opening or widening of any street or highway in any city or borough or other municipality in this Commonwealth shall include all damages for the opening or widening of the street or highway at the existing confirmed grade of such street or highway" approved the fifteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and eighty-five Number four hundred and twenty-six) insofar as it relates to townships of the first class

Section 1501 All other acts and parts of acts inconsistent with this act are repealed This act shall not repeal or modify any of the provisions of the Public Service Company Law nor the act entitled "An Act to preserve the prity of the waters of the State for the protection of the public health" approved the twenty-second day of April one thousand nine hundred and five

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1243 (Senate Bill No. 650), entitled

An Act making an appropriation to A. K. Cassel for services rendered as deputy commissioner in the Dairy and Food Division of the Department of Agriculture.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL NO. 774 MADE A SPECIAL ORDER.

Mr. BEYER offered the following motion which was twice read, considered and agreed to:

Moved by Mr. Beyer, seconded by Mr. Dunn that House Bill No. 774, File Folio 2533, page 27, of to-day's calendar, entitled

A Joint resolution providing for the appointment of a committee of the Senate and the House of Representatives to investigate the operation of certain laws in cities of the first class.

be made a special order of business for Tuesday morning, May 1, at 11:30 o'clock.

HOUSE BILL NO. 187 MADE A SPECIAL ORDER.

Mr. POWELL offered the following motion which was twice read, considered and agreed to:

Moved by Mr. Powell, seconded by Mr. McCurdy that House Bill No. 187, File Folio 2337, page 32 of to-day calendar, entitled

An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds, and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions.

be made a special order of business for Monday evening, April 23, at 10 o'clock.

BILL ON THIRD READING.

Mr. MITCHELL asked and obtained unanimous consent to call up House Bill No. 1288, File Folio 2319, page 33, of to-day's calendar of Bills on Third Reading, for the purpose of amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1288, entitled

An Act to reimburse certain counties for rewards and bounties heretofore paid by such counties in good faith for the destruction of noxious animals and birds and directing the Auditor General to draw his warrant for the payment of the same.

On the question,

Will the House agree to the bill on third reading?

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The Speaker. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 28, by striking out "to" and inserting in lieu thereof "or."

Amend section 1, page 3, line 7, by inserting "penalties" after "providing."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

ADJOURNMENT.

Mr. SWARTZ offered the following motion which was twice read, considered and agreed to:

Moved by the gentleman from Dauphin, Mr. Swartz, seconded by the gentlemen from Dauphin, Messrs. Bechtold, Ulsh and Black, that out of respect to the memory of Hon. Ezra S. Meals, deceased, Mayor of the City of Harrisburg, and a former member of the Pennsylvania Legislature, that this House do now adjourn.

Whereupon (at 11:15 o'clock A. M.) the House adjourned until Monday, April 23, 1917, at 9 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

VOL. 4. HARRISBURG, PA., MONDAY, APRIL 23, 1917. No. 42.

SENATE.

MONDAY, April 23, 1917,

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Frank B. McClain) in the Chair.

PRAYER.

The Chaplain, Rev. Thomas W. Davis, offered the following prayer:

Almighty God, we thank Thee that in the evolutions and developments surrounding the awful world conflict we are beginning to see with greater clearness than ever the real issue that is before the world. The powers of despotism arrayed against the forces of democracy are bringing about a conflict such as the world has never seen and will probably never see again We are lifting our hearts to Thee in the interest of those who have linked their power together for a larger and better liberty and freedom, protection and happiness for mankind. We pray Thy blessing upon these Senators and upon all of their families. We ask this blessing in our Saviour's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. ENDSLEY, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING THE PASSAGE OF HOUSE BILL NO. 383.

The Chair presented petition of the Philadelphia Board of Trade favoring the passage of House Bill No. 383.

Which was referred to the Committee on Banks and Building and Loan Associations.

FAVORING THE PASSAGE OF SENATE BILL NO. 731.

He also presented petition of the Philadelphia Board of Trade favoring the passage of Senate Bill No. 731.

Which was referred to the Committee on Banks and Building and Loan Associations.

FAVORING THE PASSAGE OF SENATE BILL NO. 732.

He also presented petition of the Philadelphia Board of Trade favoring the passage of Senate Bill No. 732.

Which was referred to the Committee on Banks and Building and Loan Associations.

LEAVES OF ABSENCE.

The Chair asked and obtained leave of absence for the Senator from Susquehanna, Mr. Jones, for the balance of the week, on account of illness.

Mr. STEWART asked and obtained leave of absence for the Senator from Cambria, Mr. Tompkins, for the balance of this week, on account of illness.

Mr. WASBERS asked and obtained leave of absence for the Senator from Clarion, Mr. Hindman, for this week.

HOUSE MESSAGE

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

REPORTS FROM COMMITTEES.

Mr. BUCKMAN, from the Committee on Appropriations, reported as amended Senate Bill No. 777, entitled

An Act making an appropriation for the purpose of placing, caring for and removal of the exhibits of the institutions of Pennsylvania at the forty-fourth annual meeting of the National Conference of Charities and Correction, to be held in the City of Pittsburgh, Pennsylvania, from the sixth to the thirteenth days of June, one thousand nine hundred and seventeen.

Mr. SEMMENS, from the Committee on Game and Fisheries, reported as committed Senate Bill No. 838, entitled

An Act to amend an act approved the 1st day of May, 1909, entitled "An Act to classify the fish in the waters within this Commonwealth; declaring which are game fish, which are food fish and which are bait fish; and to regulate the catching and sale and encourage the propogation of the same; to protect the waters within this Commonwealth from unfair, improper, wasteful and destructive fishing; and to protect fish from being destroyed or injured by destructive means; to provide for the appointment of fish-wardens and to declare their official powers and duties; to encourage and regulate the propogation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same; to define powers and duties of the Department of Fisheries; to regulate the sale and shipment of fish artificially propogated for profit; to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid."

HOUSE MESSAGE

HOUSE BILL NO. 295 RECALLED FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 18, 1917

Resolved (if the Senate concur), That House Bill No. 295, entitled "An Act to further amend clause three of section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four) entitled "A further supplement to the act entitled 'An Act concerning divorces'." as amended by omitting the proviso providing for the allowance of support or alimony in certain cases be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 364.

He also laid before the Senate communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 364, entitled

An Act relative to the sale in bulk of the whole or a large part of a stock of merchandise and fixtures, or merchandise or fixtures not in the ordinary course of business providing certain requirements therefor and imposing certain duties upon the seller and buyer and making their violation a misdemeanor.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 847.

He also laid before the Senate communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 847, entitled

An Act to amend section two thousand six hundred twenty of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO 1087.

He also laid before the Senate communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1087, entitled

An Act to give exclusive jurisdiction to the Municipal Court of Philadelphia over all houses of detention established within the limits of the City of Philadelphia providing that the board of managers of the said houses of detention shall be appointed and removed by the judges of the Municipal Court of Philadelphia and repealing all acts or parts of acts inconsistent herewith.

HOUSE CONCURS IN SENATE BILL NO. 186.

He also laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 186, entitled

An Act relating to the appointment of persons to the fire departments in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation of a secretary.

with the information that the House has passed the same without amendments

HOUSE BILLS FOR CONCURRENCE

He also laid before the Senate for concurrence bills of the House of Representatives as follows:

House Bill No. 224 (Senate Bill No. 883), entitled

An Act to amend clause eighteen of section nineteen of an act approved the twenty-eighth day of April one thousand nine hundred fifteen (Pamphlet Laws one hundred seventy-eight) entitled "An Act creating a division of distribution of documents defining its powers and duties regulating the printing binding and distribution of public documents of this Commonwealth and providing penalties for the violation of this act"

Which was committed to the Committee on Public Printing.

House Bill No. 621 (Senate Bill No. 884), entitled

An Act to amend section four of an act approved the seventeenth day of April, one thousand nine hundred thirteen, entitled "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania; requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees, fines and penalties received."

Which was committed to the Committee on Game and Fisheries.

House Bill No. 662 (Senate Bill No. 885), entitled

An Act to amend an act approved the ninth day of April one thousand nine hundred fifteen entitled "An Act to amend an act entitled 'An Act to amend an act entitled "An Act to amend an act, entitled 'An Act to amend an act entitled "An Act to amend an act, entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to make have and hold real estate necessary and proper for manufacturing purposes" approved the ninth day of June, Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks, or for dressing, polishing, working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June, Anno Domini one thousand eight hundred and ninety-three," approved the nineteenth day of April, Anno Domini one thousand nine hundred and one, extending the same to companies formed for the purposes of manufacturing and selling chemicals, foodstuffs, cement and cement products and the quarrying of cement rock,' approved May twenty-eighth, one thousand nine hundred and seven, extending the same to companies incorporated for the manufacture, buying, selling, leasing, using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production, use, regulation, control, distribution or application of electricity or electrical energy or products for any use or purpose constructing, acquiring, using, selling, buying or leasing any works, construction or plant or part thereof connected with or involving such use, distribution, regulation, control or application of electricity or the control or use of electrical apparatus for any purpose and of producing, furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business,' approved the twenty-third day of June, one thousand nine hundred and eleven, by extending the same to companies incorporated for the purpose of refining, manufacturing or sale of petroleum and petroleum products," by extending the same to corporations incorporated for the manufacture of leather or articles containing leather.

Which was committed to the Committee on Judiciary General.

House Bill No. 711 (Senate Bill No. 886), entitled

An Act to amend part of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth, providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highways, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 832 (Senate Bill No. 887), entitled

An Act to require that every future act of the General Assembly be given a short title for convenience of citation and to require the Legislative Reference Bureau to report to the next session of the General Assembly a list of short titles for certain acts now in force

Which was committed to the Committee on Judiciary Special.

House Bill No. 845 (Senate Bill No. 888), entitled

An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 912 (Senate Bill No. 889), entitled

An Act validating certain foreclosure proceedings instituted by foreign executors, administrators and guardians, sheriff's sales had thereon and the title acquired thereby.

Which was committed to the Committee on Judiciary General.

House Bill No. 919 (Senate Bill No. 890), entitled

An Act relating to and regulating the operation of motor vehicles and vehicles propelled by or trailing after motor vehicles on the public highways and the storing of the same requiring the registration of the same and the licensing of all operators other than registered owners thereof providing fees methods and qualifications for all registrations or licenses and the disposition of such fees prohibiting the tampering with motor vehicles by unauthorized persons prohibiting the enactment of any law or ordinance by any city borough incorporated town township or county requiring any taxes registration or license other than herein provided or the regulation of motor vehicles providing procedure and penalties for any violations thereof and the disposition of the fines collected for said violations and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 895 (Senate Bill No. 892), entitled

An Act providing for vacating part or parts of any abandoned or condemned turnpike forming part of a State highway route where the course of said route has been diverted leaving such part or parts of said turnpike outside the limits thereof and providing upon such vacation the same shall become township road.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 985 (Senate Bill No. 892), entitled

An Act providing for the establishment of auxiliary State game preserves.

Which was committeed to the Committee on Game and Fisheries.

House Bill No. 999 (Senate Bill No. 893), entitled

An Act authorizing the Governor to fill vacancies in the office of county commissioners in certain counties.

Which was committed to the Committee on Judiciary Special.

House Bill No. 1017 (Senate Bill No. 894), entitled

An Act prohibiting the handling or driving of horses or other animals or teams or vehicles on the public highways of the Commonwealth by an intoxicated person and providing penalties therefor.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1028 (Senate Bill No. 895), entitled

An Act authorizing James L. Baker and Mary A. Baker, his wife, of Harrisburg, Dauphin County, Pennsylvania, to bring suit against the Commonwealth of Pennsylvania in the Court of Common Pleas of Dauphin County.

Which was committed to the Committee on Judiciary General.

House Bill No. 1071 (Senate Bill No. 896), entitled

An Act granting to the Borough of Norristown a right of way over the lands of the State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown and providing for the payment of damages.

Which was committed to the Committee on Judiciary General.

House Bill No. 1090 (Senate Bill No. 897), entitled

An Act supplementing and amending section ten (10) of an act, entitled "An Act establishing a court for the County of Philadelphia, prescribing its jurisdiction and powers, providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," approved the twelfth day of July, one thousand nine hundred and thirteen, by adding the words "and injuries to property" following the words "personal injuries," so that the exception in the said section shall read: "Except that in actions for damages for personal injuries and injuries to property it shall have jurisdiction where the sum demanded by the plaintiff does not exceed one thousand five hundred dollars ($1,500.00)."

Which was committed to the Committee on Judiciary General.

House Bill No. 1117 (Senate Bill No. 898), entitled

An Act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania or by any county or municipality thereof in its civil service who have a wife children or parents dependents upon them for support shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment in the army or navy of the United States in time of war or contemplated war prohibiting the removal from their offices of employments of such officers and employed during the period of their service in the army or navy directing that one-half of the salaries or wages of such officers or employes not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents thereof authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes.

Which was committed to the Committee on Judiciary General.

House Bill No. 1247 (Senate Bill No. 899), entitled

An Act to amend the fifth clause of section three of an act approved the thirteenth day of May, one thousand nine hundred and nine, entitled "An Act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof."

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1253 (Senate Bill No. 900), entitled

A Joint Resolution petitioning the government of the United States and the Secretary of War to rescind or modify the order of the Department of War requiring the raising of certain bridges over the Allegheny River.

Which was committed to the Committee on Judiciary General.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILL NO. 87.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 20, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 87, entitled "An Act authorizing Theodore Davis and Nellie May Davis his wife residents of Washington Township County of Erie to bring suits in the Court of Common Pleas of Erie County against the Commonwealth of Pennsylvania."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 112.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, April 20, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 112, entitled, "An Act authorizing Charles S. Grubb a resident of Dauphin County Pennsylvania to bring suit or suits against

and to recover from the Commonwealth of Pennsylvania either in law or equity in the court of common pleas of Dauphin County any sum or sums of money legally or justly due him for personal injuries received while employed by the State Highway Department through alleged negligence on the part of the Commonwealth."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 148.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 20, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 148, entitled "An Act constituting a Board of Commissioners on uniform State laws authorizing the appointment of the commissioners defining their duties and providing for their expenses."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 156.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 20, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 156, entitled "An Act validating to the extent only that work has been actually done contracts entered into by any county under the Act of Assembly declared unconstitutional approved May eleventh one thousand nine hundred and nine entitled 'An Act providing for the construction operation and maintenance of public highways bridges and tunnels in the several counties of this Commonwealth authorizing the taking of property for such improvement and providing for the compensation therefor and the damages resulting from such taking providing for the payment of the costs and expenses incurred in such construction operation and maintenance and authorizing the levy of a tax and the issuance of bonds to provide a fund for said purpose' and providing for the payment by the county of such work as was done prior to the date on which said act was declared unconstitutional by the Supreme Court."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 196.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 20, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 355, entitled "An Act to repeal an act approved the thirteenth day of June Anno Domini one thousand nine hundred eleven Pamphlet Laws nine hundred and three entitled 'An Act in relation to the appointment and salaries of the deputy sheriffs on duty in the court-rooms of the courts of oyer and terminer and quarter sessions of the peace in counties containing a population of not less than seven hundred and fifty thousand nor more than one million two hundred thousand.' "

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 355.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 21, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 355, entitled "An Act to amend section fifteen and part of section twenty-one of an act approved the second day of June one thousand nine hundred and fifteen entitled 'An Act to provide for the administration of the Workmen's Compensation Act of one thousand nine hundred and fifteen by creating the Bureau of Workmen's Compensation of the Department of Labor and Industry providing for the establishment of a Workmen's Compensation Board to have charge of such Bureau authorizing the division of the Commonwealth into Workmen's Compensation districts and the appointment of Workmen's Compensation Referees defining the powers and duties of the Commission of Labor and Industry the Bureau of Workmen's Compensation the this day approved and signed Senate Bill No. 355, entitled Workmen's Compensation Board the Workmen's Compensation Referees and the factory inspectors of the Department of Labor and Industry in enforcing the said act and fixing the salaries of the members of the Workmen's Compensation Board the Workmen's Compensation Referees and certain of their employes and assistants."

MARTIN G. BRUMBAUGH.

APPROVAL OF CONCURRENT RESOLUTION PROVIDING FOR PRINTING OF PROCEEDINGS OF MEMORIAL SERVICES HELD IN HONOR OF THE LATE HONORABLE CHARLES J. MAGEE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 19, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and the House of Representatives, providing for the printing of one thousand copies of the proceedings of the memorial service held in honor of the late Honorable Charles J. Magee.

MARTIN G. BRUMBAUGH.

VETO OF SENATE BILL NO. 487.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 20, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith without my approval Senate Bill No. 487, entitled "An Act making an appropriation to reimburse the Township of New Garden in the County of Chester for the cost of repairing a certain section of State-aid highway and regulating the payments herein provided for."

This bill is designed to make an appropriation of $7,668.93 to the Township of New Garden, County of Chester, as reimbursement for expenditures made by said township upon a State-aid highway. The sponsors of this bill have entirely misunderstood the provisions of Sec. 23 of the Act of May 1, 1905 (P. L. 318) as amended by the Act of June 8, 1907 (P. L. 505). These acts do not obligate the State to pay three-fourths of the cost of maintenance and repair of State-aid roads, but that there shall be apportioned to the township in interest "its proportion of the total amount available for the maintenance of improved highways," not in any case exceeding three-fourths of the amount "which, in the judgment and experience of the State Highway Commissioner, the annual cost of maintaining improved highways, * * * should be, nor more than three-fourths of the sworn average annual cost, as set forth in the petition of the supervisors * * * of said township."

In 1911 the supervisors of this township expended $10,225.00 in rebuilding a road. This sum is not the average annual cost of repairs, as they did not for some years prior thereto expend any sum whatever upon this road.

The amount apportioned by the State Highway Department to the New Garden Township for that year amounted to $133.49. If the Sproul Act had not been passed this Township would have received $133.49 and not $7,668.93 as asked for in this bill. Had the township authorities in compliance with law filed the necessary request the township would have received $133.49. It now asks for a gratuity of $7,500 or more because it did not do what others did do.

Furthermore the act of June 14, 1911 (P. L. 915) set aside the sum of $17,000 to meet the conditions created by the passage of the Sproul Act and that fund is still available to pay New Garden Township just exactly what it was by law entitled to receive if the Sproul Act had not been passed. The only action necessary is to have the authorities of the township do now what they might have done at any time since June 14, 1911, namely apply to the State Highway Department for its equitable share of the fund created by law to meet just such cases.

For these reasons this Bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. EYRE. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

VETO OF SENATE BILL NO. 212.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 20, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval Senate Bill No. 212, entitled "An Act making a fixed charge for county purposes on lands purchased by the State for State forests and providing for the distribution of the same to the counties wherein State forests are located."

This bill imposes a tax for county purposes of one cent per acre on all forest lands owned by the Commonwealth. The amount of the tax is rather small, too small to be of any substantial service to the several counties in interest. The total tax upon the resources of the Commonwealth would be approximately $12,000.00. The principle involved is open to grave question. The Commonwealth should not pay taxes on its own property to its various municipal subdivisions for purposes such as by law a county must support.

State lands are a State asset. They benefit all the people. They are an investment made now for the enrichment of our citizency hereafter. The Commonwealth should be encouraged and aided in this laudable service, not hampered by taxation to the point of discouragement or discontinuance. This principle once established the amount may be increased to the point of menacing an altruistic service.

For these reasons this bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. BALDWIN. Mr. President, I move that the ques also section 1, lines 10 and 11, page 1, by striking out the be postponed for the present.

Mr. JENKINS. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

VETO OF SENATE BILL NO. 33.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 20, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval Senate Bill No. 33, entitled "An Act to amend article six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by adding thereto sections six hundred and thirty-five to six hundred and forty both inclusive.'"

The purpose of this bill is to authorize and in a prescribed way compel school boards in second and third class school districts to lay a special tax for the purpose of maintaining evening schools, vocation schools, reading rooms, library stations, debating clubs, gymnasiums, public play grounds, public baths, and similar accommodations for children and adults.

Section 501 of the School Code (P. L. 1911 p. 329) now gives authority to all school boards in all school districts in every class to maintain all the educational functions and departments enumerated in this bill. The code includes many more and gives the general warrant to all school districts to establish all these activities "together with such other schools or educational departments as they, in their wisdom, may see proper to establish." There is, therefore, no extension of function provided in this bill. It however does make provision to compel school boards in second and third class districts to do what by law they now may do.

The method of compulsion is expensive and impractical. It provides that ten per centum of the qualified electors may order an election to compel the school board to provide all these activities. The election so ordered cannot be held for the establishment of any one or more of these functions, but of all or none. If a majority of the electors approve then the school board "shall undertake and organize this work." Thus ten per centum of the electors may compel a school district to establish these expensive agencies, paying large sums of money for equipment and maintenance and at the next election upon the initiative of another ten per centum the whole matter may be stopped. The expense to the district of such elections is necessarily important. The continued agitation for or against these agencies would work harm and not good to the schools.

Under the school code it was wisely provided that the school directors should have the power and the responsibility of opening and conducting such activities and agencies. An elective school board reflects public opinion and the schools are what the people make them. A school board opposed to such agencies in whole or in part would not sympathetically and cordially conduct them when mandamused so to do.

The wider use of the school plant is most commendable. The purpose of this bill is already met by sufficient enactments and it only remains for public sentiment to express itself in the selection of school directors to ensure the steady, healthful and rational expansion of school activities.

For these reasons this bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. McCONNELL. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. W. W. SMITH. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

APPROVAL OF CONCURRENT RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 219.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 18, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing for the recall of Senate Bill No. 219.

MARTIN G. BRUMBAUGH.

BILL ON THIRD READING.

Mr. LEIBY. Mr. Presidenţ I move to reconsider the vote by which Senate Bill No. 219, entitled

An Act to authorize counties, cities, boroughs, towns, townships, school districts and poor districts to require a bond to protect labor and material men and providing for suits thereon by laborers and material men furnishing labor and material in and about the erection, alteration, addition and repair of public buildings.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. LEIBY. Mr. President, I voted "aye".

Mr. WARNER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WARNER. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. LEIBY. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. LEIBY. Mr. President, I voted "aye".

Mr. WARNER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WARNER. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. LEIBY. Mr. President, I ask unanimous consent to amend section 1, line 9, page 1, by striking out the word "a" and inserting in lieu thereof "an additional"; also section 1, lines 10 and 11, page 1, by striking out the words "in addition to the covenants thereof a covenant therein on separate bond."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

NOMINATIONS BY THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows and referred to the Committee on Executive Nominations:

ALDERMAN.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor to hereby nominate for the advice and consent of the Senate, Levi T. Carpenter, to be an Alderman in and for the Second

Ward of the City of Lock Haven, County of Clinton, vice Edward K. Parsons, deceased, to serve until the first Monday in January, 1918.

MARTIN G. BRUMBAUGH.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 18, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Herbert L. Bloom, to be a Justice of the Peace in and for the Borough of Wellsboro, County of Tioga, vice Lemuel F. Smart, deceased, to serve until the first Monday in January, 1918.

MARTIN G. BRUMBAUGH.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 23, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Ernest H. Loveday, Penn Township.
Thos. J. Lewis, McKeesport.
James E. Porter, Wilkinsburg.

CAMBRIA COUNTY.

Frank C. McClure, Patton.

CENTRE COUNTY.

Miss Hannah B. Schroyer, Bellefonte.

ERIE COUNTY.

Roy B. Way, Erie.

GREENE COUNTY.

George R. Kramer, Greensboro.

LACKAWANNA COUNTY.

Dalbys L. Fickes, Scranton.
Miss M. R. Spellman, Scranton.

M'KEAN COUNTY.

F. M. Nash, Bradford.

PHILADELPHIA COUNTY.

Frank R. Buchanan, Philadelphia.
Morris Dos Passos, Philadelphia.
Joseph A. Gallagher, Philadelphia.
Francis A. Grennen, Philadelphia.
Wm. J. Moors, Philadelphia.
Oscar B. Quinto, Philadelphia.
Wm. C. J. Werner, Philadelphia.

SCHUYLKILL COUNTY.

Wm. H. Woodwell, Tamaqua.

YORK COUNTY.

J. F. Buser, Mt. Wolf.

MARTIN G. BRUMBAUGH.

SENATE BILL NO. 201 RETURNED WITH AMENDMENTS.

The Chair cleared his table and laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 201, entitled

An Act authorizing cities, boroughs and towns to lease electric light heat and power plants and water works plants and systems providing for the operation thereof and the establishment of rates

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. C. A. SNYDER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. McCONNELL. Mr. President, I second the motion.

The motion was agreed to.

Whereupon,

The amendments were twice read as follows:

Amend lines 1 and 2 of the title by striking out the words "electric light heat and power plants and;" also line 2, by inserting after the word "water" the word "supply;" also line 3, by striking out the word "plants;" also section 1, line 8 and 9, page 1, by striking out the words "any electric light heat and power plant and equipment or;" also line 9, by inserting after the word "water" the word "supply;" also line 9, page 1, by striking out the word "plants;" also section 4, lines 13 and 14, page 2, by striking out the words "the light heat or power or;" also line 14, by inserting befor the word "water" the word "the;" also in line 14, by striking out the words "or any or all as the case may be."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Graff, J. F.,	McKee,	Snyder, C. A.,
Beidleman,	Graff, W. P.,	McNichol,	Snyder, P. W.,
Buckman,	Hackett,	Miller,	Sones,
Burke,	Haldeman,	Nason,	Sproul,
Catlin,	Homsher,	Patton,	Stewart,
Craig,	Jenkins,	Phipps,	Vare,
Croft,	Kline,	Salus,	Warner,
Crow,	Leiby,	Sassaman,	Wasbers,
DeWitt,	Lynch,	Schantz,	Weaver,
Endsley,	Martin,	Semmens,	Whitten,
Eyre,	McConnell,	Smith, W. W.,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor Frank B. McClain) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 364, entitled

An Act relative to the sale in bulk of the whole or a large part of a stock of merchandise and fixtures, or merchandise or fixtures not in the ordinary course of business providing certain requirements therefor and imposing certain duties upon the seller and buyer and making their violation a misdemeanor.

House Bill No. 392, entitled

An Act to amend an act entitled "A Supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five authorizing and establishing a board of recreation for the creation organization care management conduct and supervision of recreation facilities of cities of the first class except as herein provided" approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred thirty-nine) by changing the number of the members of the Board of Recreation their length of term and the officers to be elected.

House Bill No. 847, entitled

An Act to amend section two thousand six hundred twenty of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

House Bill No. 1087, entitled

An Act to give exclusive jurisdiction to the Municipal Court of Philadelphia over all houses of detention established within the limits of the City of Philadelphia providing that the board of managers of the said houses of detention shall be appointed and removed by the judges of the Municipal Court of Philadelphia and repealing all acts or parts of acts inconsistent herewith.

House Bill No. 266, entitled

An Act to amend the first section of an act entitled "An Act to amend the first section of an act approved the fourth day of April Anno Domini one thousand nine hundred and eleven entitled 'An Act to fix the salaries of the deputy register clerks and employes in the office of the register of wills of any county of this Commonwealth having a population of one million or over,' so as to make it apply to counties containing a population of one million four hundred thousand or over" approved the fifth day of May Anno Domini one thousand nine hundred and eleven so as to change the salaries of the said deputy register clerks and employes of the office of register of wills of said counties.

House Bill No. 308, entitled

An Act to amend section one of an act approved the twenty-second day of April, one thousand nine hundred thirteen, entitled "An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia, or rabies, after having been bitten by any animal believed to be suffering therefrom; repealing all prior acts relating hereunto; and providing for the payment of expenses for such treatment heretofore incurred in good faith," by providing for payment of expenses for treatment of all persons bitten by dogs by the county from the fund collected from the taxation of dogs.

House Bill No. 37, entitled

An Act to further amend sections sixteen and twenty-five of an act approved the seventh day of February one thousand nine hundred and five entitled "An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor" as amended.

House Bill No. 8, entitled

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections.

House Bill No. 856, entitled

An Act to further amend section fifteen of an act approved the twenty-second day of June one thousand eight hundred and ninety-one entitled "An Act to provide for the selection of a site and the erection of a State Asylum for the chronic insane to be called the State Asylum for the Chronic Insane of Pennsylvania and making an appropriation therefor" as amended fixing the maximum for maintenance weekly per capita.

House Bill No. 186, entitled

An Act relating to the appointment of persons to the fire departments in cities of the third class constitutiing a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation of a secretary.

Senate Bill No. 201, entitled

An Act authorizing cities, boroughs and towns to lease electric light heat and power plants and water works plants and systems providing for the operation thereof and the establishment of rates.

Whereupon,

The PRESIDENT (Lieutenant-Governor Frank B. McClain) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES.

Mr. C. A. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. C. A. SNYDER, from the Committee on Judiciary Special, reported as committed Senate Bill No. 652, entitled

An Act to amend the first and second sections of "An Act to further amend an act approved April ninth, 1870, 'requiring railroad, canal, navigation and telegraph companies to make uniform reports to the Auditor General,' which act as amended by the act of April thirteenth, 1889, extended its provisions to telephone companies and conforming to the requirements of the Constitution provided for the filing of such reports with the Secretary of Internal Affairs, and regulated the time for the filing of the same, which said act is now further amended as to the time of forwarding blanks for such reports; and the provisions of said acts are extended to include all corporations owning or operating lines of railways, canals, transportations, telegraphs or telephones located in whole or in part in Pennsylvania," approved the 19th day of April, A. D. 1897, by changing the time of the forwarding of blanks and the filing and transmitting of annual reports.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Corporations, reported as committed Senate Bill No. 589, entitled

An Act to amend an act, entitled "An Act to amend an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, A. D. 1874, providing for the incorporation and regulation of electric light, heat and power companies," approved the 8th day of May, A. D. 1889, by giving to electric light, heat and power companies the right of eminent domain.

Also from the Committee on Corporations, reported as committed Senate Bill No. 816, entitled

An Act providing for the formation and regulation of stock corporations having either or both preferred or common shares without nominal or par value and authorizing such corporations to issue shares without par value upon formation, reorganization, merger or consolidation.

BILLS INTRODUCED.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 901, entitled

An Act authorizing the several court of Common Pleas to appoint volunteer police officers during the present war with Germany or in any war in which this nation may become involved; providing for the organization and discipline of such police officers; and enumerating their powers.

Which was committed to the Committee on Judiciary Special.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 902, entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. NASON read in his place and presented to the Chair Senate Bill No. 903, entitled

An Act to establish as a State Highway a certain section of public road in the County of Erie.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 904, entitled

An Act to establish as a State Highway a certain section of public road in the County of Erie.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 905, entitled

An Act validating certain elections of counties, cities, boroughs, townships, school districts, and other incorporated districts, held pursuant to the provisions of an act, approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof" and the amendments thereto, and validating bonds issued, or authorized to be issued, in pursuance of such elections.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 906, entitled

An Act to empower certain county poor districts to purchase poor farms; providing the manner in which such purchases shall be made, and providing for the mortgaging of such poor farms to secure any part of the purchase price thereof.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 907, entitled

An Act to validate certain deeds and conveyances made by trustees without setting forth their authority to convey.

Which was committed to the Committee on Judiciary General.

Mr. W. W. SMITH read in his place and presented to the Chair Senate Bill No. 908, entitled

An Act fixing the liability of owners of automobiles and other motor or steam driven vehicles for the acts of employes operating the same.

Which was committed to the Committee on Judiciary General.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 909, entitled

An Act making a deficiency appropriation to the Department of State Police for the payment of the salaries of the Superintendent and Deputy Superintendent of the Department and the salaries of the officers and the enlisted men of the State Police force.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 910, entitled

An Act to repeal section five of an act, entitled "Supplement to the act incorporating the borough of Doylestown, entitled 'An Act authorizing the Governor to incorporate the Bristol Steam Tow Boat and Transportation Company, and for other purposes,' approved the thirteenth day of March, one thousaid eight hundred sixty-seven (Pamphlet Laws, four hundred and fourteen.)

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 911, entitled

An Act providing for the ascertainment and assessment of damages and benefits in proceedings to lay out, open, widen, vacate, extend, grade, or changing the grade or lines of streets, lanes and alleys in boroughs; providing that this act shall apply to all proceedings when the damages shall not have been actually and finally ascertained; and repealing all acts, general, local or special, conflicting therewith.

Which was committed to the Committee on Judiciary Special.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 912, entitled

An Act making an appropriation to the State Industrial Home for Women.

Which was committed to the Committee on Appropriations.

Mr. WARNER read in his place and presented to the Chair Senate Bill No. 913, entitled

An Act making an appropriation to Morgan O. Morgan of Carbon County, for salary for service as mine inspector for Carbon County during the year one thousand nine hundred and six.

Which was committed to the Committee on Appropriations.

Mr. J. FRANK GRAFF read in his place and presented to the Chair Senate Bill No. 914, entitled

An Act relating to and regulating traffic in fire arms; imposing duties on chiefs of police and sheriffs; and fixing penalties.

Which was committed to the Committee on Judiciary General.

Mr. BALDWIN read in his place and presented to the Chair Senate Bill No. 915, entitled

An Act to amend section one thousand four hundred and four of the act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general special or local, or any parts thereof, that are or may be inconsistent therewith," by giving justices of the peace, aldermen and magistrates jurisdiction in certain actions between school districts.

Which was committed to the Committee on Education.

Mr. McKEE read in his place and presented to the Chair Senate Bill No. 916, entitled

An Act providing for the organization, government, discipline, maintenance and regulation of an additional armed land force for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged.

Which was committed to the Committee on Military Affairs.

Also read in his place and presented to the Chair Senate Bill No. 917, entitled

An Act making available for expenditure during the two fiscal years beginning June first, 1917, the sum of three hundred and fifty thousand dollars remaining unexpended from appropriation made by section two of an Act of Assembly, approved the 18th day of June, 1915.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 918, entitled

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the Highway Commissioner decide the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining Highways and State-aid Highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," providing that the State Highway Commissioner may take over, as a part of the system of State Highways, any public road leading from a State Highway to a State reservation or other State property.

Which was committed to the Committee on Public Roads and Highways.

Mr. MARTIN read in his place and presented to the Chair Senate Bill No. 919, entitled

An Act making an appropriation to the Saint Christopher's Hospital for Children, of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Appropriations, reported as committed Senate Bill No. 902, entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

BILL ON FIRST READING.

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Senate Bill No. 902, entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

be read the first time.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 902, entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Judiciary Special, reported as committed Senate Bill No. 910, entitled

An Act to repeal section five of an act, entitled "Supplement to the act incorporating the Borough of Doylestown, entitled 'An Act authorizing the Governor to incorporate the Bristol Steam Tow Boat and Transportation Company; and for other purposes,' " approved the thirteenth day of March, one thousand eight hundred and sixty-seven (Pamphlet Laws, four hundred and fourteen).

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 911, entitled

An Act providing for the ascertainment and assessment of damages and benefits in procedings to lay out, open, widen, vacate, extend, grade, or changing the grade or lines of streets, lanes and alleys in boroughs; providing that this act shall apply to all proceedings when the damages shall not have been actually and finally ascertained; and repealing all acts, general, local or special, conflicting therewith.

Mr. McKEE. Mr. President. I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McKEE, from the Committee on Military Affairs, reported as committed Senate Bill No. 916, entitled

An Act providing for the organization, government, discipline, maintenance and regulation of an additional armed land force for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged.

BILL ON FIRST READING.

Mr. McKEE. Mr. President, I ask unanimous consent that Senate Bill No. 916, entitled

An Act providing for the organization, government, discipline, maintenance, and regulation, of an additional armed land force for the defence of the Commonwealth of Pennsylvania during any war in which the United States may become engaged.

be read the first time.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 916, entitled

An Act providing for the organization, government, discipline, maintenance, and regulation, of an additional armed land force for the defence of the Commonwealth of Pennsylvania during any war in which the United States may become engaged.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RESOLUTION PETITIONING THE PRESIDENT OF THE UNITED STATES TO RECOMMEND TO CONGRESS THE ENACTMENT OF LEGISLATION PROHIBITING THE MANUFACTURE SALE OR GIVING AWAY OF INTOXICATING LIQUORS DURING THE PERIOD OF THE WAR.

Mr. P. W. SNYDER offered the following resolution, which was twice read and referred to the Committee on Law and Order:

In the Senate, April 23, 1917.

Whereas, The highest standard of efficiency for the army and navy is absolutely essential to the successful conclusion of the present war, and nothing should be permitted by the government which might tend to lower such standard of efficiency, and

Whereas, The conservation of grains, fruits and vegetables is among our first needs in the present crisis, therefore be it

Resolved (if the House of Representatives concur), That the General Assembly respectfully petition the President of the United States to recommend to Congress the enactment of such legislation, as a war measure, as will conserve the highest standard of efficiency in our army and navy and on the part of the citizens who may be called upon to enter for service in the army and navy during this war; and to that end to prohibit, during the period of the war, the manufacture, sale or giving away of intoxicating liquors, and to prohibit the diverting of grains, fruits and vegetables from the ordinary food channels for the brewing, distilling and manufacture of intoxicating liquors.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 617, as follows:

An Act providing for and regulating the maintenance and government of a county home in each county of the State having a population of less than one million for indigent orphans and for delinquent incorrigible indigent dependent and neglected children under sixteen years of age and providing for their commitment thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of any county having a population of less than one million by and with the approval of the grand jury and of the court of Quarter Sessions of the Peace of the county shall have the authority and are hereby authorized to purchase a farm or plot of ground within the county and erect buildings thereon or add to and improve buildings already erected and make such improvements thereon and thereto as may be convenient and necessary for the use and purpose of providing a home within the county for the keeping care education and training of all indigent orphans delinquent incorrigible indigent dependent and neglected children of either sex under sixteen years of age who shall be committed to said home by the court of Quarter Sessions of the Peace juvenile court of the county county commissioners poor directors of said county or the poor directors of any poor district within the county and pay for the same out of the public funds belonging to the said county

Section 2 The courts county commissioners poor directors or any other authority in making all orders for the commitment of children to said "County Home" shall place them first as far as possible in care and custody of persons having the same religious belief as the parents of the child or with some association which is controlled by persons of such religious belief And shall as far as possible provide in making orders of commitment that the care custody and discipline of the child shall be as nearly as possible that which should be given by its parents In all cases where it can be properly done the child shall be placed in an approved family home and become a member of the family by legal adoption or otherwise

Section 3 That said land when purchased shall be deeded to the county and shall be known as "County Home" and shall be thereafter supported and maintained by the county out of the public funds of the said county

Section 4 The said county commissioners are hereby authorized to receive from time to time donations gifts legacies endowments devises and conveyance or conveyances of property either real or personal that may be made given or granted towards the support and maintenance of said "County Home" and use the same for said purpose

Section 5 Said county commissioners shall have full control of said "County Home" and of the inmates therein and may in their discretion place the said inmates or any one or more of them in private homes to be kept and maintained in said private homes for such time and under such circumstances as shall be agreed upon by the said parties and the county commissioners without any expense to the county and may discharge from said home any inmate when in their discretion they consider him or her capable and able to care for themselves or for any other sufficient reason

Section 6 Said county commissioners shall have authority and they are hereby authorized in the support conduct and management of said "County Home" to employ a superintendent and sufficient help and assistance to keep said children or inmates properly clothed fed and care for in sickness and in health and to make proper provisions for giving said inmates instructions in reading writing arithmetic drawing duties of citizenship and such branches as may be deemed requisite for a good English education

Section 7 It shall be lawful for said county commissioners to employ and require the inmates committed in said "County Home" to do and perform any work in said home or on said farm not beyond their strength and not interfering with their attendance at school during school hours established by said institution

Section 8 Said county commissioners shall have authority to adopt all necessary by-laws rules and regulations not inconsistent with the Constitution and laws of this Commonwealth for the control conduct and management of said "County Home"

Section 9 Said county commissioners shall have authority and are hereby authorized at any time after the purchase of said farm or property to buy and purchase any additional land and erect additional buildings from time to time as the circumstances and requirements of the said "County Home" shall require and pay for the same out of the funds of the said county by and with the approval of the grand jury and the Court of Quarter Sessions of the Peace of the said county

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

BILL POSTPONED.

Mr. BEIDLEMAN. Mr. President, I desire to offer amendments to this bill, but on account of the absence of the Senator from Susquehanna. Mr. Jones, who is the author of the bill, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to

BILL ON FINAL PASSAGE.

Mr. KLINE. Mr. President, I move that the Senate do now resume consideration of Senate Bill No. 395 (House Bill No. 363), bill on final passage, postponed for the present, entitled

An Act fixing the fee for service of jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than fourteen hundred thousand and under writs of inquisition condemnation, inquiry of damages, et cetera.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. KLINE. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. KLINE. Mr. President, I voted "aye."

Mr. PATTON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. KLINE. Mr. President, I ask unanimous consent to amend the title, line 2, by striking out the words "for service of;" also the title, lines 5 and 6, by striking out the words "under writs of inquisition condemnation inquiry of damages et cetera" and inserting in lieu thereof the following: "for service in the Court of Common Pleas, Court of Quarter Sessions and Courts of Oyer and Terminer;" also Section 1, page 1, line 8, beginning with the words "under writs of inquisition" etc., and striking out the remainder of said section on pages 1 and 2, and inserting in lieu theerof the following: "for service in the Courts of Common Pleas, Courts of Quarter Sessions and Courts of Oyer and Terminer shall be three dollars and fifty cents for each day's attendance in such court."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. WARNER. Mr. President, I ask that Senate Bill No. 672, on third reading, entitled

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen, entitled "An Act providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Mr. MILLER. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 325, bill on third reading postponed for the present, entitled

An Act providing for the sale distribution and use for the promotion of biological science and for the discovery of new methods of treatment in medicine and surgery of unclaimed animals in the public pounds and providing penalties for neglect or refusal to comply with the provisions of this act.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. MILLER. Mr. President, I believe every member of this Senate is deeply sensible to the advantages that would accrue to medical science and humanity by the passage of this bill. I desire to say at this time that I believe the members of the various humane societies are actuated in their fight against this bill by high motives, that of the prevention of cruelty and suffering to animals. I believe also that the advocates of this bill are actuated in their desire for the passage of this bill by even higher motives, that of the conservation of human life and prevention of disease. Every important advance that has been made in the realm of medicine and surgery within the past one hundred years has been made through the use of vivisection. We have the discovery of sulphuric ether, diphtheretic antitoxin, the antitoxins of typhoid fever, cerebral spinal meningitis, and many others. As you all know, prior to the discovery of sulphuric ether when it became necessary to perform a major operation on a patient he was strapped to the chair and the surgeon was compelled to listen to his groans and agony until the operation was completed by which time the patient was so exhausted by pain and shock that many of them never rallied, but as soon as this potent agency was discovered the mortality rate fell fifty per cent. and the pain and shock subsided. Diphtheretic antitoxin, which was brought about absolutely and wholly by the use of animal experimentation, has saved millions of lives. In proof of my assertion I will read an article from the late William M. Pepper's work. He says: "By recent experiments with inoculation of attenuated cultures of diphtheretic virus Behring, Kitasato and Fraenkel have succeeded in rendering certain aminals immune to diphtheria. With guinea-pigs and rabbits Behring has been able to regulate the dosage with almost mathematical accuracy, so as to produce the disease with varying grades of intensity—with paralysis or without, with constitutional symptoms or with only slight

local infiltration. What is still more important, he has been able to cure already infected guinea-pigs by inoculation with the blood of animals rendered immune by previous inoculation. This occurs even with the inoculation made at some distance from the local lesion."

We have to-day going up and down the country thousands of hopeless and helpless and unsightly cripples. The various scientific societies throughout the world are experimenting upon rats and mice, guinea-pigs and dogs in an effort to overcome that most fearful of all diseases poliomyelitis or infantile paralysis and that will be brought about just as surely as the cure of diphtheria was brought about. The medical profession has ever stood for the most humane methods in animal experimentation, and they have not practiced on animals wantonly, but from the most altruistic motives, ever offering their own lives upon the altar of science that others might benefit. I have but to remind you of the noble work of the Yellow Fever Commission in Cuba, under the direction of Major Walter Reed, Surgeon U. S. Army (1851-1902), who, after years of preparation in experimental work under the truly famous Welch at Hopkins, headed that noble band consisting of, besides himself, James Carroll, Artistide Agramonte and Jesse W. Lazaer. The cause of Yellow Fever was unknown and therefore the manner in which it spread was a mystery, and practically nothing could be done to stay its progress when once its dread presence was established in a community. Charles Finlay of Havana had indeed insisted it was due to a living micro-organism, but had not been able to prove his contention. Sanarelli of Brazil had discovered the bacillus icteroides in the bodies of those having died of the fever, but it could not in other ways be connected with the causation of Yellow Fever Reed, however, started in with those methods that he had learned as the result of being trained in the laboratory of animal experimentation.—vivisection, if you will, but this time human being, in the persons of his colleagues, gladly offering themselves that others might live. So, James Carroll, enthusiastically offered himself to the bite of mosquito which had been allowed to bite a virulent case of yellow fever, as dangerous as the dagger of an assassin—but recovered, but his friend Lazear while engaged in the experiments was accidently bitten and died, a martyr to duty and science. I might state that in passing that during the work of the commission twenty-two cases of yellow fever were produced experimentally, fourteen by infected mosquito bites, six by injection of infected blood and two by the injection of filtered blood, this proving the existence of filterable virus. Seven enlisted men voluntarily exposed themselves by sleeping on the bedding upon which yellow fever patients had died, but were screened from mosquitoes and not any of the seven men contracted the disease, thus proving in the strictest logical way that the mosquito was the carrier of the contagion and which fact when positively known armed the Sanitarians with that great weapon Truth in their fight against the disease, and enabled Major Gorgas, by screening against the mosquito and destroying their breeding places, to rid Havana, which for years had been a hot bed of yellow fever, in three months, and later to make the "white man's grave", Panama, the healthiest place in existence.

What I have cited above is just one instance to illustrate. I would like just to recall by name these other martyrs to Medical Science.

Daniel A. Carrien (Verrugus, Peruvian warts).

A. Yersin and Hermann Franz Muller (Bubonic plague).

Tite Carbone (Malta fever).

Allan Mac Fadyen (Typhoid and Malta fever).

A. Everett Dutton (African relapsing fever).

Howard Taylor Ricketts (Tabardille).

Thomas B. McClintock (Rocky Mountain fever).

All of whom lost their lives investigating the diseases with which their names were associated.

Operations, such as the various operations for obstruction of the bowel, gunshot wounds of the intestines, removal of various organs, such as the gall bladder, kidney, the restoring of function by suturing nerves, blood vessels, the transplantation of bone and other tissues, the possibility of the latter having been proven upon the animal, has since restored a great number of cripples to the ranks of the alert and active.

It can be said that without animal experimentation our knowlegde of the action of drugs upon the circulatory organs and the brain and the various organs and the functions of the body would be very meagre and empirical. In surgery the knowledge of the function of the various organs is of the greatest importance. We can gain a knowledge of the structure or the anatomy of dissecting dead bodies, but of the function we have to observe the result of experimentation on the living, and as God has given to us the animal to feed upon, he also intended us to use them for a much nobler purpose than to satisfy our appetites for flesh. I mean that instead of devouring their flesh, as we do in common with the tiger and the vulture, we devote them to the Altar of Science where we by recording our observations and applying our brains to reasoning and deduction on what we observe, we gradually blaze the way through the jungle of ignorance out of the valley of darkness to the beautiful light of scientific truth.

Now gentlemen of the Senate, if you believe that the members of the profession are advocating this bill with an unholy desire to see suffering in the human animal; if you believe that the medical profession has gained nothing by this experimentation, it is your duty to vote against the bill, but if you believe that the profession has been actuated by high and noble motives, if you will take the word of that grand old patriarch, that magnificent figure in the American Medical Science, Dr. W. W. Keen, and Dr. James B. Deaver equally as high, if you will take their words, I believe it is your duty to vote for the bill.

Mr. JENKINS. Mr. President, as the Senator from Clearfield has said, the whole hope in the modern battle against disease, the whole expectation of victory is based upon experimentation upon living animals. This contest in the State of Pennsylvania and the country throughout North America is carrying on against tuberculosis which has resulted in lowering the death rate by forty to fifty per cent. was based upon a discovery due to vivisection. A former Director of Public Health of Philadelphia said the other day, with no thought whatever of this bill in his mind, that in the War of 1898 where there was one death due to gunshot wounds there were twelve due to disease, and now with a greater war going on where there is one to disease there are twelve to gunshot wounds. The ratio has been directly reversed and that change has been due to vivisection—part of course on account of improved sanitary methods, but mainly to the experiments that have been made in the laboratory that have enabled the surgeon to conquer infection and lockjaw and typhoid fever. Now the objection to this bill is that it is based on cruelty to animals, but there is an answer to that objection in saying that in all departments of human activity man is just as cruel to the animal kingdom as he is in this department of vivisection. Man is the lord of animal nature and he holds sway in a ruthless reign. He takes from the hen her eggs, from the bee his honey, from the sheep its wool, he converts other beasts into beasts of burden and so customary is it to us, so blinded are we by habit that we do not recognize that the service rendered us by the horse and the camel is artificial service and one not natural at all. We castrate the chicken for flavor and the horse for docility, the ox for weight, we exercise all sorts of cruelty upon the animals below us. I should like to speak to the sportsmen in this body in behalf of this bill. Surely they logically should come to the support of this bill. Many of the reasons urged in behalf of the sportman's right to shoot the lower animal are urged in behalf of vivisection. Sportmanship produces health and increases the food supply. Who of us has not shot at that song bird of Greene County, whose cheery "Bob White" was so eloquently upheld the other day by the Senator from that county. Alas, we all have gone astray in the matter of this cruelty. I too plead guilty. I too in a modest way am a fisherman, but the mere fact that we obey the injunction of Isaac Walton and when we put the worm on the hook and handle it as though we loved it is no atonement to the worm. The Senator from York should recognize in these present perilous times there is at least necessity for cultivating good markmanship and the sportsman should have the proper target. We can say when it comes to the food question with greater truth that there is justification for man's cruelty to the animal kingdom. We disregard the voice of the vegetarian and we slaughter fowl and swine and sheep and cattle.

search land and sea and heaven for the choice creation of the animal kingdom to bring them into the shambles that prelude our market houses and dinner tables. All these operations require cruelty in a greater or lesser degree, some of them considerable cruelty. The ladies in the main are antagonists of this bill and perhaps it is not fair to charge them with these cruelties, they may be ignorant of them, but it is well to remember that on account of the fair sex the most refined cruelty is perpetrated on the animal kingdom. Take to fur bearing animal, the otter, the mink and the bear. They undergo long nights of torture, with their limbs caught in the cruel teeth of the steel trap, in conscious agony and thirst they wait for the hunter to come and dispatch them, all simply that man's mate may have a fur boa around her neck, not necessarily in December, when it is needed, but in July and August in obedience to the midsummer mandate of fashion. It is not enough, however, to say, it is not enough for the vivisectionists to say to the hunter or to the butcher, "You are another." That is not the full answer. The full answer is this, that to vivisect while it is under the influence of chloroform and kill it at the end of the operation before it regains consciousness is not cruelty. And that is the type of the experiments in vivisection. Wherever there is any cutting the animal is anaesthematized. The Encyclopedia Britannica says in the official report of 1909 of operations of vivisection performed throughout the United Kingdom but 2.6 per cent. of the animals that were cut were allowed to recover consciousness. That is the true type of the vivisectionist. No humane man, no man worthy of the name would want to advocate the barbarous use of the power of vivisection. They grant that the power it liable to abuse as well as any other, but nobody judges a practice or a profession or a system by the exceptional behavior of one or two men in it who abuse their place and position. The kindest men in the world are doctors and surgeons. The heroes that the Senator from Clearfield spoke about who gave up their lives for humanity, investigators in this matter, experimented by the aid of vivisection and they are the type of men who desire this bill to be made a law. The vivisectionists make one mistake, they do not sufficiently and thoroughly inform the public of their aims and purposes and the rules that govern the conduct of their operations. Their printed declarations, their spoken language, both say that they take care never to inflict pain beyond what is necessary for the experiment. They never make experiments unnecessarily on animals. Their experiments are conducted in a college or a laboratory and it is true they are not performed by any immature or undisciplined student without the direction of a competent instructor.

Every care is taken of the animal that is sacrificed in behalf of his own kind and in behalf of mankind. Now if those rules were known much of the sympathy that the anti-vivisectionists receive, much of the present prejudice against vivisection would banish. The Society for the Prevention of Cruelty to Animals is a magnificent society. It does a splendid work, but in this particular involved in this bill its work is not constructive; it is merely repressive. Under the ordinance of City Council in Philadelphia, I don't know how it may be in York or Allegheny, but in Philadelphia the Mayor by ordinance is authorized to make a contract with this society to kill so many dogs. That society every year sends three thousand dogs to the death pen. That can go on for ten years, sending annually three thousand dogs to the death chamber and not prolong for one minute the life of a valuable dog and not lessen by one throb the pain of a valuable dog. They have no remedy whatever for the ailments of a dog except death. Why not let the University of Pennsylvania and the vivisectionists have say five hundred of these dogs and use them for the benefit of dog kind and animal kind as well as mankind. On the desks of the Senators to-day was a postal card showing how some blind beggar had his pet dog stolen. If we want to stop such conditions we should pass this bill, then the vivisectionists have a recognied source in which to get their dogs thirty days after they are held in the pound. If this bill is not passed then this blind beggar is liable to have his dog stolen, because dogs are now bought, vivisection practiced and dogs are obtained from promiscuous persons and irresponsible persons. We received a postal card on which was a glowing tribute to the fidelity of the dog. No one recognizes that more than I. There is no antagonism created between man and dog by this bill. A man's cause is the dog's cause. The diseases of the lower animals are in many respects like our diseases. They are healed by our remedies. Anthrax, cattle fever, hog cholera, and numerous other diseases of the lower animals have been better understood and better controlled by virtue of vivisection; and then there is the benefit to mankind, even if the trained knife of the surgeon is not used, because by virtue of the knowledge gained of the diseases of the animal the surgeon is able to conserve the food supply and commercial supplies of mankind. Pasteur's operation on the entrails of the silk worm saved the silk culture and silk industry to France. This Senate last week passed a bill on third reading extending to the poor of townships the benefit of the Pasteur treatment for hydrophobia, a treatment discovered by virtue of vivisection. How can we logically do otherwise than now pass this bill which aids the vivisectionist, we having recognied the value of his work. The discovery of the cure for cattle fever by lessening the death rate decreased the price of leather and of every article into the manufacture of which leather enters. Those of us who happened to be so fortunate as to be present at the hearing of the Committee on Health and Sanitation heard Dr. Keene tell how they discovered a cure by vivisection for hog cholera, saving the people of this country seventy million dollars annually, a gain to the breakfast table that lessened the high cost of living. Those of you who are good enough to vote for this bill will vote for men and methods that will decrease the suffering of our four-footed friends, men and methods that will increase our material comfort, our food supply, men and methods that have driven the terrors that formerly invested diphtheria, hydrophobia and typhoid fever into dumb forgetfulness, men and methods that are carrying on an organied movement for the health of all men and for the whole animal kingdom.

Mr. WASBERS. Mr. President, relative to this bill, the vivisection bill, I attended one of these meetings, where I absorbed both sides of the question. At the present time there are quite a number of people, especially ladies, interested in these humane societies. Their real objection is the fact that their life's work will be destroyed were this bill to become a law. Therefore, I hope the members of the Senate will use their discretion in voting for the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—23.

Baldwin,	Endsley,	McKee,	Schantz,
Beidleman,	Eyre,	McNichol,	Semmens,
Buckman,	Graff, W. P.,	Miller,	Snyder, P. W.,
Craig,	Jenkins,	Nason,	Stewart,
Crow,	Kline,	Phipps,	Vare,
DeWitt,	Lynch,		Weaver,

NAYS—21.

Beales,	Homsher,	Salus,	Sones,
Croft,	Leiby,	Sassaman,	Sproul,
Daix,	Martin,	Smith, R. E.,	Warner,
Graff, J. F.,	McConnell,	Smith, W. W.,	Wasbers,
Hackett,	Patton,	Snyder, C. A.,	Whitten,
Haldeman,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL INTRODUCED.

Mr. DeWITT. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DeWITT read in his place and presented to the Chair Senate Bill No. 920, entitled

An Act providing additional employes in the Insurance Department and fixing their salaries.

Which was committed to the Committee on Judiciary Special.

REPORT FROM COMMITTEE.

Mr. C. A. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. C. A. SNYDER, from the Committee on Judiciary Special, reported as committed Senate Bill No. 920, entitled

An Act providing additional employes in the Insurance Department, and fixing their salaries.

BILL ON FIRST READING.

Mr. C. A. SNYDER. Mr. President, I move that Senate Bill No. 920, entitled

An Act providing additional employes in the Insurance Department and fixing their salaries.

be read the first time.

Mr. DeWITT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 920, entitled

An Act providing additional employes in the Insurance Department and fixing their salaries.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 690 (House Bill No. 738), entitled

An Act vesting in the persons appointed by the county commissioners of the several counties of this Commonwealth to inspect and repair county roads improved and maintained by such counties the power and authority now vested by law in the constables of the several cities, boroughs and townships of this Commonwealth for the preservation of the peace in and along such roads and for the enforcement of acts of Assembly regulating the speed of automobiles and other vehicles thereon and for the enforcement of rules and regulations governing the use of such roads, designating such persons county road caretakers and providing for badges evidencing their authority.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Baldwin,	Homsher,	Salus,	Stewart,
Beales,	Jenkins,	Sassaman,	Vare,
Beidleman,	Leiby,	Semmens,	Warner,
Buckman,	Martin,	Smith, W. W.,	Wasbers,
Burke,	McKee,	Snyder, P. W.,	Weaver,
DeWitt,	Miller,	Sones,	Whitten,
Haldeman,	Nason,	Sproul,	

NAYS—1.

Craig,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 701 (House Bill No. 354), entitled

An Act authorizing the Legislative Reference Bureau to continue the work commenced under the provisions of an act approved the twentieth day of May, one thousand nine hundred and thirteen, entitled "An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly; fixing the powers and duties of the bureau therein fixing the compensation of the assistant director and making an appropriation therefor," fixing the powers and duties of the bureau therein and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Endsley,	McKee,	Smith, W. W.,
Beales,	Eyre,	McNichol,	Snyder, C. A.,
Beidleman,	Graff, J. F.,	Miller,	Snyder, P. W.,
Buckman,	Graff, W. P.,	Nason,	Sones,
Burke,	Hackett,	Patton,	Sproul,
Catlin,	Haldeman,	Phipps,	Stewart,
Craig,	Homsher,	Salus,	Vare,
Croft,	Jenkins,	Sassaman,	Warner,
Crow,	Kline,	Schantz,	Wasbers,
Daix,	Martin,	Semmens,	Weaver,
DeWitt,	McConnell,	Smith, R. E.,	Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 702 (House Bill No. 612), entitled

An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Eyre,	McConnell,	Smith, W. W.,
Beales,	Graff, J. F.,	McKee,	Snyder, C. A.,
Beidleman,	Graff, W. P.,	McNichol,	Snyder, P. W.,
Buckman,	Hackett,	Miller,	Sones,
Burke,	Haldeman,	Nason,	Sproul,
Catlin,	Homsher,	Patton,	Stewart,
Craig,	Jenkins,	Phipps,	Vare,
Croft,	Kline,	Salus,	Warner,
Crow,	Leiby,	Sassaman,	Wasbers,
Daix,	Lynch,	Schantz,	Weaver,
DeWitt,	Martin,	Semmens,	Whitten,
Endsley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 716, on third reading, entitled

An Act prohibiting holders of brewer's licenses from having offices or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING.

Mr. VARE. Mr. President, I move that the Senate resume the consideration of Senate Bill No. 864, on second reading, postponed for the present, entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth

the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the second reading and consideration of Senate Bill No. 864, entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation.

And the question recurring,

Will the Senate agree to the first section?

Mr. VARE. Mr. President, I move to amend section 1, line 8, by striking out all the words after the word "Board" down to and including the word "Pittsburgh", page 2, line 1; also in line 7, by inserting after the word "Governor" the word "and".

Mr. SPROUL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. VARE. Mr. President, for the information of the Senate, I would like to explain that this is the appropriation bill covering the two million dollars for the emergency fund for the assistance of the war funds for public defense. This bill was introduced in the Senate about a month ago, referred to the Committee on Appropriations, which committee was to meet on the following morning, and when the bill was read in committee, with about forty of the Senators present, it was my privilege and pleasure to recommend, in addition to the Governor, the State Treasurer and the Auditor General to be a board of three to carry on the business of the commission and expend this money as best they saw fit. It was argued that a part of the Commission ought to be made up of members of the Senate and House and some of us thought that the members of the Senate and the members of the House were not elected to administer, but to legislate, and then we got from that and took the matter up with the Governor, and he at first had some objection to the Auditor General being on the board for the reason, and only reason, that he would have to audit his own expenditures. Since that time it was thought that we would have a commission composed of the three names just mentioned, and three citizens of the State, making in all six, including the Lieutenant-Governor, making seven; and then to-day it was thought that we would just have the Governor, the Lieutenant Governor and the Military Board, and with those amendments, that is exactly how the bill stands, the Governor, the Lieutenant-Governor and the Military Board. It was thought, above all things, that we did not want to see the State of Pennsylvania to be the last state to offer its services to the United States Government, and for that reason we have come to feel here in the Senate that we need quick and immediate action. Our side wanted to see the matter closed up whereby we could send word to the head of the nation that Pennsylvania, this great big state, is not the last state to offer its services and follow behind the small states in this Union that are getting behind the President rapidly, one State after another. There is no question in my mind, and I guess not in the minds of any other person in this Senate, but what either side could have held this thing up indefinitely. The Governor told a dozen of us Senators, when we called on him in reference to another matter, that if the bill did not come to him properly he would immediately veto the bill and send it back. A lot of Senators thought that would not be advancing the proposition and in the final analysis of the whole proposition we thought this was the best way out of it and everybody was satisfied. Now you have a board of five and every one of them elective officers, every one of them here on the hill easy to call together in an emergency, and it seems to me after all that was the best thing that could have been done. So far as our friends in the Senate are concerned, I have talked to each and every one of them and they are all perfectly satisfied that it is the right action and the quick action, and that the thing ought not to be dallied with any longer, so that there can be, as I have said before, word sent to the President of the United States that Pennsylvania stands ready to expend two million of dollars in any emergency that might arise, and I hope this is satisfactory to the rest of the members.

Mr. CROW. Mr. President, just a word. I heartily agree with everything that has been said by the Senator from Philadelphia, and by way of explanation: a week ago a new bill on this subject was introduced in the Senate carrying with it the names of W. W. Atterbury, E. T. Stotesbury of Philadelphia, and Andrew Mellon of Pittsburgh. In the dropping of those names no international slight is given. At the time those names were included, it was the thought of those under whose advice the proposition was made that they would give strength and wisdom and business experience to the Commission. Since that time, however, the suggestion has been made that the constitutionality of the act would be questioned if it were to be passed, that it is a question whether or not the legislature has the right to delegate its authority. Not desiring to further delay this project, or in any way involve the constitutionality of the act, their names have been dropped. We heartily concur in what has been said by the Senator from Philadelphia. The Commission, as it will stand after this bill is passed, will be the Governor, the Lieutenant Governor, the Adjutant General, the State Treasurer, and the Auditor General.

Mr. SPROUL. Mr. President I am very happy indeed to acquiesce in the suggestion that has been made, which I think is an entirely proper one, and it will be a very encouraging thing indeed to see united action in the Senate upon a proposition which has now resolved itself into such a sensible and practical state. I am very happy indeed to go along with the proposition in that shape.

Mr. EYRE. Mr. President, it is with great pleasure that I agree with the views of the distinguished Senator from the first district of Philadelphia. It had occurred to me from the very start that we should have a commission in which the entire legislative body, as well as the entire State of Pennsylvania could have confidence, and in this solution it seems to me that we are acting sanely and sensible for the best interests of the entire people of this Commonwealth, and showing that we are inspired by patriotic motives, one side equally with the other, in trying to bring about the results that may redown to the credit and glory of this Commonwealth.

Mr. C. A. SNYDER. Mr. President, It has been suggested that I should say a word. I desire to quote one line of a very familiar hymn: "Blest be the tie that binds."

Mr. WASBERS. Mr. President, it also gives me great pleasure to see this solution brought about in such an amicable way. I was very solicitous to see this matter disposed of because it was an emergency proposition, and I again say I am pleased to hear the result.

Mr. VARE. Mr. President, I do not want to detain the Senate, which has been here long enough doing little or nothing, but I neglected to say when I was on my feet before that it was my purpose, if there had not been a satisfactory arrangement concerning this bill, to raise a point of order and ask you to decide the same as you decided almost two months ago, that outsiders could not spend the State's money legally. It is also my purpose to call your attention to the fact that we have been here four months and have done nothing, and it is about time we were getting down to doing a little business for some of us are busy, at least the rest of the men are busy, so that they can go home and attend to their work.

Mr. McNICHOL. Mr. President, on the question of us being here four months and doing nothing, I do not know wheer the Senator gets his information from—

Mr. VARE. Mr. President, I get it from the calendar.

Mr. McNICHOL. Mr. President, if he attends the meetings of the committees and sees the absolute unlimited, unbridled, and unrestrained system of spending the State's money, and will view the final deliveration and considerations of the subcommittee on appropriations, he will discover that in those four months, there will have been more money saved to the Commonwealth than there has been in the last ten years, or twenty years, of the sessions of the Legislature, or any other session.

Mr. VARE. Mr. President, just one word, in answer to the Senator from Philadelphia. We will find out how much was saved when the subcommittee on appropriations, which

has really been only working one week are through with their labor.

Mr. McNICHOL. Mr. President, that is what I have said.

The PRESIDENT. This discussion is not germane to the proposition under consideration. With the many expressions of satisfaction made here to-night about this proposed legislation, the Chair suggests it as being a real love feast, particularly when the gentlemen on the extreme right join with the gentlemen on the left.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The second and third sections of the bill were read as follows and agreed to:

Section 2 The Commission shall take all necessary means to prepare for the defense of the Commonwealth and to provide for the safety of its people and the protection of their property and shall aid the Government of the United States in protecting and defending said Government and the people thereof and their property

The Commission is authorized to employ such stenographical and clerical help as may be deemed necessary and to fix the compensation of such help

Section 3 For the purpose of carrying out the provisions of this act the sum of two million dollars ($2,000,000) is hereby specifically appropriated for the use of the Commission The amount herein appropriated shall be paid from time to time on warrant of the Auditor General on the State Treasurer in the usual manner upon the filing of itemized vouchers by the Commission signed by the secretary thereof

The title of the bill was read as follows and agreed to:

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING AND FINAL PASSAGE.

Mr. C. A. SNYDER. Mr. President, I move that the Senate do now resume the third reading and consideration of Senate Bill No. 751, on third reading postponed for the present, entitled

An Act relating to motion-picture films reels or stereopticon views or slides providing a system of examination approval and regulation thereof and of the banners posters and other like advertising matter used in connection therewith creating in the Auditor General's Department a Commissioner of Amusements and providing penalties for the violations of this act.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 751, entitled

An Act relating to motion-picture films reels or stereopticon views or slides providing a system of examination approval and regulation thereof and of the banners posters and other like advertising matter used in connection therewith creating in the Auditor General's Department a Commissioner of Amusements and providing penalties for the violations of this act.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. C. A. SNYDER. Mr. President, in answer to the interrogatory of the Senator from Philadelphia, Mr. Vare, I desire to read the following explanation of this bill:

Relative to Bill No. 751 regulating the exhibition of motion pictures, I beg to advise you that this is a substitution of the bill for consorship which produces the same results and safeguards the morals, but prohibits the exhibition of salacious films and at the same time eliminates the many annoying, inconvenient and in some instances drastic portions of censorship.

The argument of the motion picture manufacturers is that in view of the present progress of the industry in which at least ninety per cent. of the pictures are undoubtedly clean and wholesome and equal to if not superior to stage productions, they ought to be placed in the same class as the stage productions and not classed as criminals to the extent that all their pictures must be submitted for review before exhibition; but rather that they should be allowed under a system of regulation to exhibit their pictures until it was ascertained that they were immoral and unfit to be seen by the people of this State; and that when such a picture is found to be immoral and unfit that the commissioner would prevent its exhibition. In other words, they claim that the average American citizen should not be restricted in his choice of amusement and that no person should have the right to say that he shall not look at a certain picture any more than they would have the right to say that he shall not read a certain newspaper, magazine, book, or see a play on the stage; but that he should have the same privilege as a business man would have to the extent that he would presume to be innocent until found guilty; whereas the present censorship law classes him as a criminal and charges him guilty before any exhibition takes place.

There is a great deal to be said on both sides of this question, but my experience shows that considerable harm is done to the industry which is the fifth largest in the country by numerous eliminations and cutouts which ought not to be made due to a mistaken point of view or the fact that those in charge are looking for a particular objectionable part which may not be discerned by the average person, while the film manufacturers of course would much prefer to have a repeal bill as they claim the law itself is objectionable. They admit that it is probably too much to expect at this time, but that a substitute bill along these lines would dispel the many just objections to censorship.

If this bill becomes a law, it will enable film companies who now produce moral and fit films to exhibit the same upon certificate of approval after prior application, upon which the commissioner passes upon the film in script or scenario form, subject to the certificate being revoked in the event that the film is inconsistent with the description or scenario as submitted.

The number of employees, etc., are reduced and there will be considerable saving to the State in this respect.

You will find that the amount appropriated by the Legislature in 1915 to carry on the present Board of Censors for salaries was $84,920, which was approved to the extent of $80,920, and later a deficiency bill of $1,500.

There is now recommended for their use from June 1, 1917 to 1919, $94,920, an increase of $12,920.

The amount necessary to carry on the new Bureau will be $76,920 for the two years, a saving of $18,000, in addition to a saving of the cost of approval seals of $15,000.

This bill eleminates the display of the approval seal which is now attached to each film which costs the State four cents a foot of which four feet it supplied for each film. This in itself is a saving of about $8,000 a year to the State, and for two years averaging $15,000, a total saving of at least $33,000, in addition to which the large amount of cost for expressage will be saved to the film companies as the films are shipped to the rooms of the Board for inspection.

As a matter of fact this Bureau is properly attached to the Auditor General's Department, as that department now licenses theatrical buildings and amusements of all kinds (see Act of May 20, 1913, Pamphlet Laws No. 229), which fees are collected by the city or county treasurer for the use of the Commonwealth under the supervision of the Auditor General through the mercantile appraisers, etc.

Mr. VARE. Mr. President, I had no interest either for or against this bill when I asked the Senator from Schuylkill to explain it except I would like to know whether if we vote for this bill he will stand for his picture on these screens when they are having a recess.

Mr. C. A. SNYDER. Mr. President, it depends upon what office I am a candidate for.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—11.

Baldwin,	McConnell,	Sassaman,	Warner,
Daix,	McNichol,	Schantz,	Wasbers,
Eyre,	Nason,	Sproul,	

NAYS—24.

Beales,	Homsher,	Patton,	Snyder, C. A.,
Buckman,	Jenkins,	Phipps,	Snyder, P. W.,
Burke,	Leiby,	Salus,	Stewart,
Craig,	Lynch,	Semmens,	Vare,
Graff, J. F.,	McKee,	Smith, R. E.,	Weaver,
Haldeman,	Miller,	Smith, W. W.,	Whitten,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 725, as follows:

An Act requiring cities of the second class to give an increase of at least one hundred and fifty dollars per year to all employes now drawing a salary of fifteen hundred dollars per annum or less and providing a method to enforce the provisions of this act.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the second class are required to grant to all employes of such cities engaged in any service or occupation whatsoever and receiving a salary of fifteen hundred dollars or less an increase of at least one hundred and fifty dollars per annum

Jurisdiction is hereby conferred upon the courts of common pleas of the several counties to enforce by mandamus the provisions of this act

Section 2 This act shall take effect on the first day of January one thousand nine hundred and eighteen

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Beales,	Eyre,	McNichol,	Smith, W. W.,
Buckman,	Graff, J. F.,	Miller,	Snyder, C. A.,
Burke,	Hackett,	Nason,	Snyder, P. W.,
Catlin,	Haldeman,	Patton,	Sproul,
Craig,	Jenkins,	Phipps,	Stewart,
Croft,	Kline,	Salus,	Vare,
Crow,	Leiby,	Sassaman,	Wasbers,
Daix,	Lynch,	Semmens,	Weaver,
DeWitt,	McConnell,	Smith, R. E.,	Whitten,
Endsley,	McKee,		

NAYS—2.

Baldwin, Homsher,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. C. A. SNYDER. Mr. President, I move that the Senate do now resume the third reading and consideration of Senate Bill No. 688, on third reading postponed for the present, entitled

An Act fixing the compensation of county treasurers in counties containing a population of one million five hundred thousand and upwards for services rendered the Commonwealth.

Mr. McCONNELL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 688, entitled

An Act fixing the compensation of county treasurers in counties containing a population of one million five hundred thousand and upwards for services rendered the Commonwealth.

And the question recurring,

Will the Senate agree to the bill on third reading.

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. C. A. SNYDER. Mr. President, lest the Senate should misapprehend the purpose of this bill and unconsciously work an injustice upon the officer, the bill purposes to favor I wish to explain to the Senate that it is a companion bill to a bill passed by the Senate last week increasing the salary of the Register of Wills of Philadelphia from ten thousand to fifteen thousand dollars, five thousand dollars being for the handling of the State funds or taxes exclusively, and so stated in the bill, that this bill is purposed for the same thing, to increase the salary of the Treasurer of Philadelphia by five thousand dollars for handling the State funds and turning them over to the State, which I think will avoid all question as to its constitutionality and give the officers pay for handling State funds, which I believe they are entitled to, and I ask every Senator to vote for the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz;

YEAS—40.

Baldwin,	Endsley,	McConnell,	Snyder, C. A.,
Beales,	Eyre,	McKee,	Snyder, P. W.,
Beidleman,	Graff, J. F.,	McNichol,	Sones,
Buckman,	Graff, W. P.,	Miller,	Sproul,
Burke,	Hackett,	Nason,	Stewart,
Craig,	Haldeman,	Patton,	Vare,
Croft,	Homsher,	Phipps,	Warner,
Crow,	Jenkins,	Salus,	Wasbers,
Daix,	Leiby,	Sassaman,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 757 (House Bill No. 451), entitled

An Act exempting free from the claims of all creditors the proceeds of certain life insurance and annuity contracts bona fide taken out by any person not exceeding one hundred dollars per month

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Eyre,	Martin,	Semmens,
Beales,	Graff, J. F.,	McConnell,	Smith, R. E.,
Buckman,	Graff, W. P.,	McKee,	Smith, W. W.,
Burke,	Hackett,	McNichol,	Snyder, C. A.,
Craig,	Haldeman,	Nason,	Snyder, P. W.,
Croft,	Homsher,	Patton,	Sones,
Crow,	Jenkins,	Phipps,	Stewart,
Daix,	Kline,	Salus,	Vare,
DeWitt,	Lynch,	Sassaman,	Wasbers,
Endsley,			

NAYS—3.

Leiby,	Miller,	Schantz,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 774, entitled

An Act making an appropriation to refund certain monies to the estate of the late Joseph P. Kennedy.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, J. F.,	McKee,	Smith, W. W.,
Beales,	Graff, W. P.,	McNichol,	Snyder, C. A.,
Beidleman,	Hackett,	Miller,	Snyder, P. W.,
Buckman,	Haldeman,	Nason,	Sones,
Burke,	Homsher,	Patton,	Sproul,
Craig,	Jenkins,	Phipps,	Stewart,
Croft,	Kline,	Salus,	Vare,
Crow,	Leiby,	Sassaman,	Warner,
Daix,	Lynch,	Schantz,	Wasbers,
DeWitt,	Martin,	Semmens,	Weaver,
Endsley,	McConnell,	Smith, R. E.,	Whitten,
Eyre,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 785, entitled

An Act relating to bridges in townships of the second class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Baldwin,	Graff, J. F.,	McNichol,	Snyder, C. A.,
Beales,	Graff, W. P.,	Miller,	Snyder, P. W.,
Beidleman,	Hackett,	Nason,	Sones,
Buckman,	Haldeman,	Patton,	Sproul,
Burke,	Homsher,	Phipps,	Stewart,
Craig,	Jenkins,	Salus,	Vare,
Crow,	Kline,	Sassaman,	Warner,
Daix,	Leiby,	Schantz,	Wasbers,
DeWitt,	Lynch,	Semmens,	Weaver,
Endsley,	McConnell,	Smith, R. E.,	Whitten,
Eyre,	McKee,	Smith, W. W.,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. McNICHOL. Mr. President, I move that the Senate do now resume the third reading and consideration of Senate Bill No. 137, on third reading postponed for the present, entitled:

An Act regulating the purchase of and contract for supplies in cities of the first class of this Commonwealth.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 137, entitled

An Act regulating the purchase of and contract for supplies in cities of the first class of this Commonwealth.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Eyre,	McKee,	Smith, W. W.,
Beales,	Graff, J. F.,	McNichol,	Snyder, C. A.,
Beidleman,	Graff, W. P.,	Miller,	Snyder, P. W.,
Buckman,	Hackett,	Nason,	Sones,
Burke,	Haldeman,	Patton,	Sproul,
Craig,	Homsher,	Phipps,	Stewart,
Croft,	Jenkins,	Salus,	Vare,
Crow,	Kline,	Sassaman,	Warner,
Daix,	Leiby,	Schantz,	Wasbers,
DeWitt,	Lynch,	Semmens,	Weaver,
Endsley,	McConnell,	Smith, R. E.,	Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 850, entitled

An Act to further amend an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement or township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, boroughs or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Eyre,	McKee,	Smith, W. W.,
Beales,	Graff, J. F.,	McNichol,	Snyder, C. A.,
Beidleman,	Graff, W. P.,	Miller,	Snyder, P. W.,
Buckman,	Hackett,	Nason,	Sones,
Burke,	Haldeman,	Patton,	Sproul,
Craig,	Homsher,	Phipps,	Stewart,
Croft,	Jenkins,	Salus,	Vare,
Crow,	Kline,	Sassaman,	Warner,
Daix,	Leiby,	Schantz,	Wasbers,
DeWitt,	Lynch,	Semmens,	Weaver,
Endsley,	McConnell,	Smith, R. E.,	Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. WHITTEN. Mr. President, I move that Senate Bill No. 199, on second reading, entitled

An Act prohibiting certain institutions receiving State aid from restricting pay patients in the selection of physicians and surgeons not connected with the institution.

be recommitted to the Committee on Appropriations.

Mr. SASSAMAN. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 646 (House Bill No. 854), entitled

An Act providing for the appointment of probation officers in certain counties fixing their powers duties and salaries.

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 730, as follows:

An Act empowering banks and trust companies to accept drafts and issue letters of credit

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any bank or trust company incorporated under the laws of this Commonwealth shall from and after the passage of this act have the power to accept for payment at a future date drafts drawn upon such bank or trust company by its customers and to issue letters of credit authorizing the holders thereof to draw drafts upon it or its correspondents at sight or on time not exceeding one year

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 786, entitled

A Supplement to the act entitled "An Act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such commission and its officers including the exclusive power to regulate the constructions alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin county exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled "An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains" by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled "An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals" and an act entitled "To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars" approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistant with or supplied by this act requiring street railway corporations whose facilities cross or are adjacent to the facilities of street railway lines owned leased or operated by municipal corporations under certain circumstances to establish transfer points and switch or other connections at points of crossing or adjacency and through routes and service and joint rates for the conveyance of passengers over two or more lines connected at transfer points giving the Public Service Commission jurisdiction in the premises and prescribing the conditions upon which the Commission shall have jurisdiction to regulate the joint facilities services or rates of a street railway corporation and a street railway line owned leased or operated by a municipal corporation

The first, second and third sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when the facilities of a street railway corporation and the facilities of a street railway line owned leased or operated by a municipal corporation cross at the same or different levels or are adjacent to each other it shall be the duty of every such street railway corporation

(a) To establish transfer points at such places of crossing or adjacency when the same shall be reasonable for the accommodation and convenience of patrons desiring to transfer from the cars of one line to the cars of the other line and to obey all reasonable regulations and orders in respect to the establishment of such transfer points as may be made by the Public Service Commission of the Commonwealth of Pennsylvania

(b) To furnish and maintain at such transfer points such service and such stations platforms and other facilities as shall in all respects be just reasonable adequate and practically sufficient for the accommodation convenience and safety of patrons desiring to transfer from the cars of one line to the cars of the other line and to obey the reasonable regulation and orders of the Commission relating to the furnishing and maintenance thereof

(c) To make publish and file when and as required by the commission just and reasonable joint rates for the conveyance of passengers over two or more lines connected at transfer points

(d) To construct and maintain at such places of crossing or adjacency when and as required by the commission such switch or other connections as shall be reasonably practical where the lines can be readily connected to form a continuous line of transportation establish through routes and service for the conveyance of passengers over the same without transferring from one car to another and make publish and file such joint rates applicable thereto as shall be just and reasonable and in conformity with such reasonable regulations and orders as may be made by the commission Provided That nothing herein shall require any street railway corporation to give the use of its tracks or terminal facilities to any other common carrier or require a street railway corporation engaged in the business of carrying passengers but but not engaged in the general business of transporting freight and which does not solicit the transportation of freight as a main branch of its business to operate freight cars or transport freight

Section 2 When the facilities of a street railway corporation and the facilities of a street railway line owned leased or operated by a municipal corporation cross or are adjacent to each other the commission shall have power to inquire into the reasonable necessity for direct the establishment of and regulate on its own motion or on complaint

(a) Transfer points at any such place of crossing or adjacency

(b) Service and stations platforms and other facilities at such transfer points as shall in all respects be just adequate and practically sufficient for the accommodation convenience and safety of patrons desiring to transfer at such points

(c) Just and reasonable joint rates for the conveyance of passengers over two or more lines connected at transfer points

(d) Switch or other connections at any such place of crossing or adjacency as shall be reasonably practical where the lines can be readily connected to form a continuous line of transportation through routes and service and just and reasonable joint rates Provided That nothing herein shall empower the Commission to require any street railway corporation to give the use of its tracks or terminal facilities to any other common carrier or require a street railway corporation engaged in the business of carry-

ing passengers but not engaged in the general business of transporting freight and which does not solicit the transportation of freight as a main branch of its business to operate freight cars or transport freight

Section 3 (1) Nothing in this act shall give the commission power to regulate the joint facilities services or rates of a street railway corporation and a street railway line operated by a municipal corporation unless the official board or commission in charge of the operation of the line of the municipal corporation being duly authorized thereto by the governing body of such municipal corporation shall have filed with the commission a written statement to the effect that the municipality will abide by any order of the commission respecting such joint facilities services and rates until further notice

(2) When the commission shall have made an order respecting such joint facilities services and rates such order shall unless sooner modified by the Commission be binding on such municipal corporation for one year from the date thereof or in case of an appeal for one year from the date of the final confirmation of such order

(3) Any statement filed with the commission on behalf of any municipal corporation under the provisions of paragraph (1) of this section may at any time be withdrawn by the duly authorized official board or commission of such municipal corporation but the withdrawal of any such statement shall not affect the power of the Commission to continue an inquiry begun on complaint prior to such withdrawal and to make an order respecting the matter in question which shall be binding for the period provided in paragraph (2) of this section

The title of the bill was read as follows:

A Supplement to the act entitled "An Act defining public service compaines and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such commission and its officers including the exclusive power to regulate the constructions alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expenses and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to use the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employer prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled "An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains" by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled "An Act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals" and an act entitled "To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars" approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" requiirng street railway corporations whose facilities cross or are adjacent to the facalities of street railway lines owned leased or operated by municipal corporations under certain circumstances to establish transfer points and switch or other connections at points of crossing or adjacency and through routes and service and joint rates for the conveyance of passengers over two or more lines connected at transfer points giving the Public Service Commission jurisdiction in the premises and prescribing the conditions upon which the Commission shall have jurisdiction to regulate the joint facilities services or rates of a street railway corporation and a street railway line owned leased or operated by a municipal corporation.

On the question,

Will the Senate agree to the title?

Mr. SALUS. Mr. President, I move to amend the title, page 1, line 1, by inserting before "entitled" the words "approved the twenty-sixth day of July, Anno Domini one thousand nine hundred and thirteen"; also in line 12 by striking out "constructions" and inserting in lieu thereof the word "construction"

Mr. HOMSHER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, at the request of a number of the Senators and also other people in interest I move that the bill just read be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 814, as follows:

An Act authorizing any company incorporated under the laws of any other state for the manufacturing purchasing and selling of rubber boots shoes tires and goods of which rubber caucho gutta percha balata or any of their substitutes are a component part and the various materials entering into the manufacturing of any and all such goods to erect and maintain buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall and may be lawful for any company incorporated under the laws of any state for the manufacturing purchasing and selling of rubber boots shoes tires and goods of which rubber caucho gutta percha balata or any of their substitutes are a component part and the various materials entering into the manufacturing of any and all such goods to erect and maintain buildings and manufacturing establishments and to have and to hold real estate within this Commonwealth to an amount necessary and proper therefor Provided That nothing herein contained shall be deemed to prevent or relieve real estate taken and held by such company under the provisions of this statute from being taxed in like manner with other real estate within this Commonwealth And further provided That no foreign corporation shall be entitled to employ any greater amount of capital in any such business in this State than the same kind of corporations organized under the laws of this State are entitled to employ And provided further That every such foreign corporation doing business as aforesaid in this Commonwealth shall be liable to taxation to an amount not exceeding that imposed on corporations organized for similar purposes under the laws of this State and every such foreign corporation taking the benefit of this act shall make the same returns to the Auditor General that are now required by law of the corporations of this State

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 820, as follows:

An Act authorizing manufacturing corporations now or hereafter organized under the laws of this State to engage in the production of necessary raw materials for such manufacturing purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any manufacturing corpora-

tion now or hereafter organized under the laws of the Commonwealth of Pennsylvania shall have power as incidental to its manufacturing business when in the judgment of its board of directors it may be necessary for the successful transaction of such manufacturing business to engage in the production of raw materials needed in such manufacture

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 821, as follows:

An Act authorizing corporations now or hereafter organized under the laws of this Commonwealth for the purpose of manufacturing to own and operate certain conveyances for the transportation of raw materials and the products manufactured therefrom

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any corporation now are hereafter organized under the laws of the Commonwealth of Pennsylvania for the purpose of manufacturing shall have power as incidental to its manufacturing business when in the judgment of its Board of directors it may be necessary for the successful transaction of such manufacturing business to own and operate barges tugs steam boats or other vessels carts wagons drays trucks and other similar transportation facilities for the transportation of raw materials and products manufactured therefrom

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 827 (House Bill No. 866), entitled

An Act to regulate the practice of Pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "Drug" and "Poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (a) The term "pharmacy" when not otherwise limited shall for all the purpose of this act be taken to mean a retail drug store or any place where drugs medicine or poisons are compounded dispensed prepared or sold at retail (b) The term "drug" as used in this act shall include all medicine and preparations recognized in the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia for internal or external use and any other substance or mixture of substances intended to be used for the cure mitigation or prevention of disease of either man or other animals (c) The term "pharmacist" shall for all purposes of this act be deemed to mean a person who is properly registered in accordance with this act of Assembly as a pharmacist

(d) The term "assistant pharmacist" shall for all the purposes of this act be deemed to mean a person who is properly registered in accordance with this act of Assembly as an assistant pharmacist Provided however That all persons registered as pharmacists or assistant pharmacists by the State Pharmaceutical Examining Board of Pennsylvania under the act of May twenty-fourth one thousand eight hundred and eighty-seven and various supplements and amendments entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania shall be deemed to be pharmacists or assistant pharmacists respectively registered under this act

On the question,

Will the Senate agree to the section?

BILL POSTPONED.

Mr. SCHANTZ. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. SEMMENS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. P. W. SNYDER. Mr. President, I object to having this bill postponed.

Mr. SCHANTZ. Mr. President, the reason I made this motion is that I desire to offer amendments which I am not prepared to offer at this time, and I would like to get this amendment in shape to offer it on second reading as soon as I can prepare it. I have a letter in compliance with which I would like to prepare an amendment and to have it postponed.

Mr. P. W. SNYDER. Mr. President, I have no objection in having it go over until to-morrow. I think the amendment can then be prepared. I have some amendments my self. I know there is a great deal of misunderstanding about this bill. The parties who are opposed to this bill have become dissatisfied with it on account of recent amendments that have been made. I don't see why it should be postponed.

The PRESIDENT. The Senator's opportunity to offer amendments will not be prejudiced any more by the bill being on the postponed calendar than if it went over in its regular order. His opportunity will come when bills are on second reading to move to reconsider the bill at that time if he desires to offer an amendment.

And the question recurring.

Will the Senate agree to the motion?

It was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 323, entitled

An Act making an appropriation to The Pennsylvania State College for educational extension work and for maintaining a summer session for teachers.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 391 (House Bill No. 260), entitled

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 577, entitled

An Act regulating the display or exhibit for sale of food, imposing duties upon the Dairy and Food Commissioner and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 599 (House Bill No. 445), entitled

An Act to amend section four of an act entitled "A supplement to an act entitled, 'An act to establish a health office and to secure the City and Port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes' approved the twenty-ninth day of January, one thousand eight hundred and eighteen (1818), empowering the Governor to suspend the State Quarantine creating a Quarantine Board, authorizing the Governor to appoint a Quarantine Physician, and to purchase or lease or acquire land for a State Quarantine Station, and thereupon to abandon the present Lazaretto," approved the fifth day of June, one thousand eight hundred and ninety-three.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 606, entitled

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania so as to consolidate the courts of common pleas of Philadelphia County.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 634 (House Bill No. 225), entitled

An Act requiring that the proper officers of every county city borough or township of the Commonwealth of Pennsylvania be notified of any injury sustained by any person or persons either in property or person upon any property owner by the said county city borough or township or upon any road street or highway within the said county city borough or township and providing that no recovery may be had on any action for damages arising therefrom in the event of failure to give such notification.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 636 (House Bill No. 414), entitled

A Supplement to an act approved the twenty-sixth day of July, Anno Domini one thousand nine hundred and thirteen, entitled "An Act defining public service companies and providing for their regulation and prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a public service commission for the regulation aforesaid; prescribing and defining the powers and duties of such commission and its officers, including the exclusive power to regulate the construction, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages severally or proportionately by the public service companies interested, the State or municipal corporation concerned, and giving persons whose property is thereby taken, injured or destroyed authority to sue the Commonwealth for damages in such cases; providing the terms, salaries and compensation of the members of the commssion, its officers, counsel and employes; prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas, and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions, mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission, and sections one and two of the act approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act entitled "To provide the maximum car service charges, including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading, and not unloaded within the free time for unloading cars; and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the proviso of clause seven of section thirty-four of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four; and all other legislation inconsistent with or supplied by this act;" providing for switch and other connection between the lines of street railway companies and railway lines owned, leased or operated by municipal corporations, when required by the Public Service Commission; providing for the establishment of through routes and joint rates over such connecting lines; and prescribing and defining the duties of the Public Service Commission relating to such connections, through routes and joint rates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 636 (House Bill No. 414), the bill just read, be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. HALDEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 637 (House Bill No. 488), entitled

An Act providing for leave to pay fines and costs in criminal proceedings by installments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 641 (House Bill No. 770), entitled

An Act providing fees and mileage for witnesses attending coroners inquests and providing for the payment thereof by the several counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 642 (House Bill No. 843), entitled

An Act authorizing Edward Fay and Son a corporation of the State of Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate No. 644 (House Bill No. 482), entitled

An Act to repeal an act entitled "An Act creating a sinking fund commission in any county now or hereafter containing not less than two hundred and fifty thousand nor more than one million two hundred thousand inhabitants prescribing its powers and duties and repealing acts inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 645 (House Bill No. 649, entitled

A Joint Resolution directing the Chief of the Department of Mines to have prepared and printed the report of the Commission relative to surface support in the Anthracite Coal Region and which report was made to the Governor and the General Assembly March first one thousand nine hundred thirteen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BALDWIN. Mr. President, I move that Senate Bill No. 645 (House Bill No. 649), the bill just read, be recommitted to the Committee on Appropriations.

Mr. CRAIG. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 649 (House Bill. 951), entitled

An Act amending section two of an act, entitled "An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk to the county commissioners of each county to organize themselves into a state association for the purpose of holding annual meetings and providing for the payment of the expenses thereof" approved the 10th day of May, A. D. 1913, by providing that the necessary expenses of the convention shall not be more than twenty-five dollars to any county per annum.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 666, entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 720 (House Bill No. 135), entitled

An Act to fix the salaries of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 723 (House Bill No. 815), entitled

An Act authorizing Wilbur Kay Fanny Kay his wife Ellingwood Kay Dorothy Kay and Hubert Kay their children residents of the Borough of East Washington and Mabel Mason resident of the Borough of Washington all of Washington County Pennsylvania to bring suit in the court of common pleas of Washington County against the Commonwealth of Pennsylvania jointly or severally.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 732, entitled

An Act to amend sections two and three of the act entitled "An Act to provide for the creation and maintenance of a reserve fund in all banks, banking companies, savings banks, savings institutions, companies authorized to execute trusts of any description and to receive deposits of money, which are now or which may hereafter be incorporated under the laws of this Commonwealth, and in all trust companies or other companies receiving deposits of money, which may have been heretofore or which may hereafter be incorporated under section twenty-nine of the act approved April twenty-ninth, one thousand eight hundred and seventy-four, entitled 'An Act for the creation and regulation of corporations,' and the supplements hereto," approved the eighth day of May, Anno Domini one thousand nine hundred and seven, by providing that a portion of such reserve fund may be deposited in any bank or trust company located in any state other than Pennsylvania which shall have been approved by the Commissioner of Banking of this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 793, entitled

An Act extending to the County of York the provisions of an act entitled "An Act granting the courts of this Commonwealth the power to appoint viewers to view certain streets and alleys in this Commonwealth" approved the fifteenth day of April one thousand eight hundred and forty-five and repealing so much of the provisions to the third section of said act as excludes from the operation of said act the County of York.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 795, entitled

An Act making it a misdemeanor for any person to deface mutilate or destroy any sign board or sign post or any markings directions or lettering thereon placed by the public authorities upon any state county or township road or upon any other street or public highway and prescribing the punishment for violations thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 806, entitled

An Act to amend an act approved May three one thousand nine hundred and nine entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire escapes fire extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Labor and Industry and by providing proper penalties for any violation of the same"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 825 (House Bill No. 386), entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 828 (House Bill No. 889), entitled

An Act providing for the payment by State Hospitals for the Insane of the traveling expenses from said hospitals to their homes respectvely of indigent inmates of said hospitals discharged by order of the Committee on Lunacy of the Board of Public Charities and for the reimbursements to such hospitals of the amounts so paid.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 834, entitled

An Act making it a misdemeanor for a parent wilfully to neglect to support a child born out of lawful wedlock whether such child shall have been begotten or shall have been born within or without this Commonwealth (or whether such child shall have been begotten before or after the taking effect of this act) providing punishment therefor and empowering the court to make an order for support and to enforce the same, and making it a misdemeanor to make false declarations as to who is the parent of the child and providing punishment therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 843, entitled

An Act making an appropriation for the payment of the judgments and costs recovered in the court of common pleas of Dauphin County in the suits of the Western Saving Fund Society of Philadelphia vs. Robert K. Young Treasurer of the State of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading ond consideration of Senate Bill No. 849, entitled

A Joint Resolution proposing an amendment to section eleven of article sixteen of the Constitution of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 852, entitled

An Act to amend section sixteen hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 870, entitled

An Act to prohibit the appointment of non-residents to any office position or place or as an employe under the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE.

Mr. KLINE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT: Is there objection? The Chair hears none.

Mr. KLINE. From the Committee on Judiciary Special reported as committed, Senate Bill No. 878, entitled

An Act fixing the fee for services of jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than one million four hundred thousand inhabitants under writs of inquisition, condemnation, inquiry of damages, lunacy and habitual drunkard proceedings, or under writs of process issued directing inquests.

NOMINATION BY THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 23, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, T. A. Low, to be a Justice of the Peace in and for the Borough of Fairfield, County of Adams, to serve until the first Monday in January, 1918, vice W. S. McCreary, deceased.

MARTIN G. BRUMBAUGH.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 694 (Senate Bill No. 921), entitled

A Supplement to an act approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four), entitled "An Act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation, opening, straigtening, widening, extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road," authorizing boroughs, towns and townships to enter into contracts to aid in the construction and maintenance of such roads or highways.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 696 (Senate Bill No. 922), entitled

An Act amending an act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, entitled "An Act to amend section two of an act entitled 'An Act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their respective counties painted, and the bolts of the same tightened as often as may be necessary,' approved the twenty-first day of April, Anno Domini one thousand nine hundred and three," so that said bridges may be painted and the bolts thereof tightened without advertising for bids, if done under the supervision of the county commissioners.

Which was committed to the Committee on Public Roads and Highways.

RECESS.

Mr. SPROUL. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEES.

Mr. SPROUL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT: Is there objection? The Chair hears none.

Mr. SPROUL from the Committee on Executive Nominations, reported with favorable recommendation all the nominations made by the Governor at to-day's session.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. SPROUL,

That Rule 38, which requires nomination made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. SPROUL,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Baldwin,	Eyre,	McKee,	Smith, W. W.,
Beales,	Graff, J. F.,	McNichol,	Snyder, C. A.,
Beidleman,	Graff, W. P.,	Miller,	Snyder, P. W.,
Buckman,	Hackett,	Nason,	Sones,
Burke,	Haldeman,	Patton,	Sproul,
Catlin,	Homsher,	Phipps,	Stewart,
Craig,	Jenkins,	Salus,	Vare,
Croft,	Kline,	Sassaman,	Warner,
Crow,	Leiby,	Schantz,	Wasbers,
Daix,	Lynch,	Semmens,	Weaver,
DeWitt,	Martin,	Smith, R. E.,	Whitten,
Endsley,	McConnell,		

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORTS FROM COMMITTEES.

Mr. CROFT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROFT from the Committee on Banks and Building and Loan Associations reported as committed, Senate Bill No. 877, entitled

An Act providing that the capital of certain National Banks authorized to act in trust companies, shall be taken and considered as security for the faithful performance of the duties of such trusts; and making such capital liable for any default.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN from the Committee on Appropriations reported as committed, Senate bill No. 909, entitled

An Act making a deficiency appropriation to the Department of State Police for the payment of the salaries of the Superintendent and Deputy Superintendent of the Department and the salaries of the officers and the enlisted men of the State Police force.

BILL ON FIRST READING.

Mr. CROFT. Mr. President, I move that Senate Bill No. 877, entitled

An Act providing that the capital of certain National Banks authorized to act in trust capacities, shall be taken and considered as security for the faithful performance of the duties of such trusts; and making such capital liable for any default.

be read the first time:

Mr. DeWITT. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 877, entitled

An Act providing that the capital of certain National Banks authorized to act in trust capacities, shall be taken and considered as secuhity for the faithful performance of the duties of such trusts; and making such capital liable for any default.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. SPROUL. Mr. President, I move that the Senate do now adjourn until 11 o'clock to-morrow morning.
Mr. SASSAMAN. Mr. President, I second the motion.
The motion was agreed to.
The Senate adjourned at 11:38 o'clock P. M., until Tuesday morning, April 24, 1917, at 11 o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY, April 23, 1917.

The House met at 9 o'clock P. M.
The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Reverend J. H. Mussellman of Millersburg, Pa., offered the following prayer:

Almighty God, with reverence we bow before Thee. We are keenly conscious of the responsibilities of these passing days. We thank Thee, O. God, that we do know when great disorder prevails in the midst of the nations of the earth, that still the Lord God giveth and reigneth. We would not walk in the light of our own wisdom; we would lean upon the arm of the Almighty. Therefore, be our Counsellor, our Guide, our Keeper and be Thou a special wisdom unto our President and all them that be in authority that we may prove a valued friend unto all humanity. In this day may every citizen of this great land be a patriot, willing to render every service and to make every needed sacrifice that our flag may be respected and the principles of Democracy may be conserved and propagated. May Thy blessing rest upon this honorable body here assembled; may the Speaker and every individual member in it possess a high sence of duty to the State; by their deliberations may they minister to the welfare of this great Commonwealth and the entire nation. These things we ask for Thy name's sake and in the name of Thy Son, Jesus Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, April 19, 1917.

The Clerk proceeded to read the Journal of the Proceedings of Thursday, April 19, 1917, when, on motion of Mr. Bovee, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. WHITAKER. House Bill No. 1570.

An Act providing for the submission of the question of holding a constitutional convention to the electors; regulating the time and manner of nominating, electing and appointing delegates thereto and fixing their number and compensation; providing for the filling of vacancies in said convention; providing for the organization and constitution of the conventin; defining its powers; providing for the publication of the Constitution proposed by the convention, and for its submission to the electors; and making an appropriation.

Referred to the Committee of Judiciary General.

By Mr. WOODWARD. House Bill No. 1571.

A Joint Resolution proposing an amendment to section one of article nine of the Constitution of Pennsylvania, relating to taxation.

Referred to the Committee on Constitutional Reform.

By Mr. RHOADS. House Bill No. 1572.

An Act to amend part of section fourteen of an act approved the twenty-second day of July, one thousand nine hundred and thirteen, entitled "An Act relating to roads; providing for the supervision, construction, maintenance, and repair of township roads; relating to road tax; and providing penalties for the violation thereof."

Referred to the Committee on Public Roads.

By Mr. STERN. House Bill No. 1573.

An Act to carry into effect the amendment to section 8 of Article 9 of the Constitution of Pennsylvania adopted by the people at the election held on the second day of November, one thousand nine hundred and fifteen; to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the exent of three per centum in excess of seven per centum upon the assessed valuation of taxable property in said city, for the specific purposes authorized by said amendment; regulating the manner of making such increase of indebtedness, and providing for the redemption of the same; validating elections held in said city since the adoption of said amendment in the manner provided by this act, or by the Act of the General Assembly approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the supplements and amendments thereto; and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued, pursuant to authority conferred by the electors at any such election."

Referred to the Committee on Judiciary Special.

By Mr. WHITAKER. House Bill No. 1580.

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

Referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. STERN, from the Committee on Judiciary Special, reported as committed House Bill No. 1573, entitled

An Act to carry into effect the amendment to section eight of article nine of the Constitution adopted by the people at an election held on the second day of November, one thousand nine hundred and fifteen; to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum in excess of seven per centum upon the assessed valuation of taxable property in said city, for the specific purposes authorized by said amendment; regulating the manner of making such increase of indebtedness, and providing for the redemption of the same; validating elections held in said city since the adoption of said amendment in the manner provided by this act, or by the act of the General Assembly approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the supplements and amendments thereto; and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued, pursuant to authority conferred by the electors at any such election.

Mr. WOODWARD, from the Committee on Appropriations, reported as committed House Bill No. 1580, entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

Mr. RAMSEY, from the Committee on Mines and Mining, reported as amended House Bill No. 599, entitled

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of the Commonwealth of Pennsylvania, for the protection and preservation of property connected therewith, for investigations and inquests after accidents, defining the duties of employes and employers, and prescribing penalties for violations of this act.

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, re-reported as committed House Bill No. 1104 (Senate Bill No. 370), entitled

An Act to amend section one of an act, entitled "An Act relating to unused streets, lanes and alleys," approved the ninth day of May, one thousand eight hundred and eighty-nine.

Mr. SWARTZ, from the Committee on Judiciary General, reported as committed House Bill No. 1359, entitled

An Act to amend an act approved May twenty-eighth, one thousand nine hundred and fifteen, entitled "An Act permitting the Commonwealth to intervene in any proceeding at law or in equity, in which the Commonwealth may have an interest, without giving security," for the purpose of correcting a clerical error.

BILL ON FIRST READING.

Mr. STERN asked and obtained unanimous consent to have House Bill No. 1573 read the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1573, entitled

An Act to carry into effect the amendment to section eight of article nine of the Constitution adopted by the people at an election held on the second day of November, one thousand nine hundred and fifteen; to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum in excess of seven per centum upon the assessed valuation of taxable property in said city, for the specific purposes authorized by said amendment; regulating the manner of making such increase of indebtedness, and providing for the redemption of the same; validating elections held in said city since the adoption of said amendment in the manner provided by this act, or by the act of the General Assembly approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the supplement and amendments thereto; and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued, pursuant to authority conferred by the electors at any such election.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON FIRST READING.

Mr. WOODWARD asked and obtained unanimous consent to have House Bill No. 1580 read the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1580, entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON FIRST READING.

Mr. RAMSEY asked and obtained unanimous consent to have House Bill No. 599 read the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 599, entitled

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of the Commonwealth of Pennsylvania, for the protection and preservation of property connected therewith, for investigations and inquests after accidents, defining the duties of employes and employers, and prescribing penalties for violations of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. RAMSEY. Mr. Speaker, I move that House Bill No. 599 be recommitted to the Committee on Mines and Mining for the purpose of a further hearing.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

LEAVES OF ABSENCE.

Mr. JACK asked and obtained leave of absence for his colleague, Mr. Milliron, on account of sickness, for the balance of the week.

Mr. STADTLANDER asked and obtained leave of absence for his colleague, Mr. Hough.

Mr. BRADY asked and obtained leave of absence for his colleague, Mr. Richards, on account of sickness.

Mr. ERDMAN asked and obtained leave of absence for his colleague, Mr. Rinn, on account of sickness.

RESOLUTION RELATIVE TO PROHIBITION.

Mr. VICKERMAN offered a resolution, which was twice read and laid over under the rules.

Whereas, Food experts, economists, government and State officials view with alarm the approaching shortage of foodstuffs in the Nation, and

Whereas, The granaries of the world are empty and America is now called upon to supply food to our allies in the present great war, and

Whereas, The shortage of wheat has caused it to advance in price to $2.40 per bushel, and

Whereas, In this nation each year 600 million bushels of grain are diverted from legitimate channels, that of making foodstuffs to feed the people, to that of distilling liquors, and

Whereas, France, England, Russia, Germany and other nations, in the progress of the war during the past two years, have found it necessary to divert this great waste of their grains in order to feed their people, now

Therefore, Be it resolved that, in the interest of efficiency in the army and navy and for the sake of conserving the food supply by stopping the unnecessary waste of grain which goes to distilling liquors, which grain would feed one-twelfth of the people in the United States for a year, we respectfully petition the President of the United States and Congress to prohibit, during the war, the use of all grains for the manufacturing of intoxicating liquors.

BILLS ON FIRST READING.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 705, entitled

An Act amending sections one, three and twelve of an act entitled "An Act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed roads and highways county roads, authorizing the relocation, opening, straightening, widening, extension, and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties, and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and for the payment of damages resulting from such taking, and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road," approved the eleventh day of May, one thousand nine hundred and eleven.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1494, entitled

An Act to amend section six of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State

Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpike or toll roads forming all or part of any State Highway and procedure therein; providing for work or improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in improvement of township or county roads; defining highways and State-aid highways; providing method of application for state aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth covering same; providing for the minimum width of State highways and State aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the Act; and providing for the repeal of certain acts relating to highway department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1415, entitled

An Act to amend section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts and parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1486, entitled

An Act amendatory of an act, entitled "An Act providing for the escheat of deposits of money or property of another received for storage or safe-keeping; the dividends, profits, debts, and interest on debts of corporations, companies, banks, trust companies, insurance companies, limited partnerships, and partnership associations, organized under the laws of this Commonwealth, except mutual saving fund society not having a capital stock represented by shares, and except also building and loan associations, and property held for the benefit of another by the same, and the profits, accretions, and interest on such property, as well as interest thereon accrued, or which should have accrued, between the fixing of the amount of such property by the award of any court and the actual distribution thereof," approved the seventh day of June, one thousand nine hundred fifteen, Pamphlet Laws page eight hundred seventy-eight, amending the title thereof; repealing section six of said act, relating to the advertisement of notice of the report of money and property under the provisions of the act, and amending sections two, seven and eleven thereof, so as to provide more effectually for the escheat of certain trusts and other funds, the beneficial owners of which have been unknown for seven or more successive years.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 394, entitled

An Act relating to sales on the installment plan; providing for a rebate on the purchase price in certain cases by the vendor or lessor to the purchaser or lessee and providing a procedure for the determination and collection of the same.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 817, entitled

An Act relating to the consideration upon appeal by the Supreme and Superior Court of testimony taken in proceedings in courts of record and providing for the making of such testimony a part of the record.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1435 (Senate Bill No. 55), entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 932 (Senate Bill No. 115), entitled

An Act to promote uniformity in all courts of record in issuing writs and process for the beginning of civil actions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 784 (Senate Bill No. 177), entitled

An Act authorizing overseers and directors of the poor to enter into contracts with certain incorporated associations for the care and maintenance of indigent deaf and dumb persons and conferring certain powers on the Board of Public Charities its officers and agents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SWARTZ asked and received the unanimous consent to offer the following motion, which was twice read, considered and agreed to:

Moved by Mr. Swartz, seconded by Mr. Rininger, that House Bill No. 1486, File Folio 3577, page five of to-day's calendar, bills on first reading, entitled

An Act amendatory to an act, entitled "An Act providing for the escheat of deposits of money or property of another received for storage or safe-keeping, the dividends, profits, debts and interest on debts of corporations, companies, banks, trust companies, insurance companies, limited partnerships and partnership associations organized under the laws of this Commonwealth, except mutual saving-fund society not having a capital stock represented by shares and except also building and loan associations and property held for the benefit of another by the same and the profits, accretions and interest on such property as well as interest thereon accrued or which should have accrued between the fixing of the amount of such property by the award of any court and the actual distribution thereof," approved the seventh day of June, one thousand nine hundred fifteen Pamphlet Laws page eight hundred seventy-eight, amending the title thereof, repealing section six of said act, relating to the advertisement of notice of the report of money and property under the provisions of the act, and amending sections two, seven and eleven thereof so as to provide more effectually for the escheat of certain trusts and other funds the beneficial owners of which have been unknown for seven or more successive years.

be recommitted to the Committee on Judiciary General for the purpose of a hearing.

BILL ON THIRD READING

Mr. McPEAKE. Mr. Speaker, I desire to call up House Bill No. 696, File Folio 1147, bills on third reading postponed, on page 33 of to-day's calendar.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 696, entitled

An Act amending an act approved the twenty-fourth day of July, one thousand nine hunderd and thirteen, entitled "An Act to amend section two of an act, entitled 'An Act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their respective counties painted and the bolts of the same tightened as often as may be necessary,' approved the twenty-first day of April, Anno Domini one thousand nine hundred and three," so that said bridges may be painted and the bolts thereof tightened without advertising for bids if done under the supervision of the county commissioners.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Albee,	Fitzgibbon,	McCurdy,	Siggins,
Aron,	Flynn,	McKay,	Simpson,
Arthur,	Fowler,	McKinney,	Sinclair,
Baker,	Franklin,	McNichol,	Smith, E. R.,
Baldi,	Fretz,	McPeake,	Smith, F. I.,
Baldridge,	Gans,	McVicar,	Smith, J. W.,
Bechtold,	Golder,	Mearkle,	Smith, O. W.,
Bell,	Goodnough,	Mehring,	Snowden,
Benchoff,	Goodwin,	Mervine,	Somerman,
Bennett,	Gormley,	Michel,	Sones,
Benninger,	Graeff,	Miller, C. G.,	Spangler,
Beyer,	Graham,	Miller, G. J. A.,	Sprowls,
Bidelspacher,	Gransback,	Milner,	Stadtlander,
Black,	Haight,	Morgan, T.,	Sterling,
Bouton, V. B.,	Haldeman,	Morgan, T. J.,	Stern,
Bovee,	Hecht,	Murphy,	Stites,
Boyd,	Heffernan,	Musser,	Strauss,
Brady,	Helt,	Neary,	Sullivan,
Brumbaugh,	Hess,	Patterson,	Swartz,
Burnett,	Heyburn,	Perry,	Sweitzer,
Campbell, J. O.,	Hoffman,	Phillips,	Taylor,
Campbell, T.,	Hollern,	Pickering,	Thomas,
Canon,	Hollingsworth,	Powell,	Ulsh,
Chestnut,	Horton,	Ramsey,	Urich,
Christman,	Howarth,	Reichenbacker,	Vickerman,
Clements,	Isherwood,	Reitzel,	Vogdes,
Coldsmith,	Jack,	Reynolds,	Wagner,
Conner,	Jennings,	Rhoads, H. L.,	Walker,
Corbin,	Jones,	Rich,	Wallace,
Crosby,	Kennedy,	Ringler,	Weimer,
Cummins,	Lafferty,	Rininger,	Wells,
Curry,	Lanius,	Robertson,	West,
Davis, W.,	Laucks,	Rogers,	Whitaker,
Dawson,	Lauler,	Ross,	Wickman,
Dean,	Leary,	Rothenberger,	Williams, G. W.
Dell,	Lewis,	Ruddy,	Williams, J. P.,
Dewey,	Lohr,	Rudisill,	Wobensmith,
Donneley,	Luppert,	Sampsel,	Woodward,
Drake,	Mangan,	Sarig,	Wylie,
Drinkhouse,	Marvin,	Schaeffer, A. C.,	Wynne,
Eby,	Maurer,	Scott,	Zanders,
Ehrhardt,	McArdle,	Shaffer, C. A.,	Baldwin,
Erdman,	McCaig,	Shattuck,	Speaker.
Fackler,	McCullough,		

NAYS—1.

Ogden,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Mr. McPEAKE. Mr. Speaker, I desire to call up at this time House Bill No. 694, File Folio 1409, bills on third reading postponed, on page 33 of to-day's calendar.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 694, entitled

A Supplement to an act approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four), entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road," authorizing boroughs, towns and townships to enter into contracts to aid in the construction and maintenance of such roads or highways.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187.

Albee,	Erdman,	McCurdy,	Shunk,
Aron,	Fitzgibbon,	McKay,	Siggins,
Arthur,	Flynn,	McKinney,	Simpson,
Aston,	Fowler,	McNichol,	Sinclair,
Baker,	Franklin,	McPeake,	Smith, E. R.,
Baldi,	Fretz,	McVicar,	Smith, F. I.,
Baldridge,	Gans,	Mearkle,	Smith, J. W.,
Bechtold,	Geary,	Mehring,	Smith, O. W.,
Bell,	Glass,	Mervine,	Snowden,
Benchoff,	Golder,	Michel,	Snyder,
Bennett,	Goodnough,	Miller, Allan,	Somerman,
Benninger,	Goodwin,	Miller, C. G.,	Sones,
Beyer,	Gormley,	Miller, G. J. A.,	Spangler,
Bidelspacher,	Graeff,	Milner,	Speicher,
Black,	Graham,	Mitchell,	Sprowls,
Bovee,	Gransback,	Morgan, T.,	Stadtlander,
Boyd,	Haight,	Morgan, T. J.,	Steedle,
Brady,	Haldeman,	Murdoch,	Sterling,
Brumbaugh,	Hecht,	Murphy,	Stern,
Burnett,	Heffernan,	Musser,	Stites,
Campbell, J. O.,	Helt,	Neary,	Stofflet,
Campbell, T.,	Hess,	Ogden,	Strauss,
Canon,	Heyburn,	Palmer,	Sullivan,
Chestnut,	Hibshman,	Patterson,	Swartz,
Christman,	Hoffman,	Perry,	Sweitzer,
Clements,	Hollern,	Phillips,	Taylor,
Coldsmith,	Hollingsworth,	Pickering,	Thomas,
Conner,	Horton,	Powell,	Ulsh,
Cook,	Howarth,	Ramsey,	Urich,
Corbin,	Isherwood,	Reitzel,	Vickerman,
Cox,	Jack,	Reynolds,	Vogdes,
Crosby,	Jennings,	Rhoads, H. L.,	Wagner,
Cummins,	Jones,	Rich,	Walker,
Curry,	Kennedy,	Rininger,	Weimer,

Davis, D. F.,	Lafferty,	Robertson,	Wells,
Davis, W.,	Lanius,	Rogers,	West,
Dawson,	Laucks,	Ross,	Whitaker,
Dean,	Lauler,	Rothenberger,	Wickman,
Dell,	Leary,	Ruddy,	Williams, G. W.
Dewey,	Lewis,	Rudisill,	Williams, J. P.,
Dithrich,	Luppert,	Sampsel,	Wobensmith,
Donneley,	Mangan,	Sarig,	Wood,
Drake,	Marvin,	Schaeffer, A. C.,	Woodward,
Drinkhouse,	Maurer,	Scott,	Wylie,
Dunn,	McArdle,	Shaffer, C. A.,	Wynne,
Eby,	McCaig,	Shattuck,	Zanders,
Ehrhardt,	McCullough,	Showalter,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

AMENDED SENATE BILL CONCURRED IN.

The Clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

Senate Bill No. 201

An Act authorizing cities boroughs and towns to lease water supply works and systems providing for the operation thereof and the establishment of rates.

BILL ON THIRD READING (SPECIAL ORDER).

The SPEAKER. The hour of 9.30 P. M. having arrived, the House will proceed to the consideration of House Bill No. 485, File Folio 1885, the special order set for this hour.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 485, entitled

A Joint Resolution proposing an amendment to section four Article six of the Constitution of Pennsylvania relating to the removal of appointed officers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BEYER. Mr. Speaker and gentlemen of the House, I have been asked to make some explanation with reference to the bill now before the House. This is a joint resolution proposing an amendment to Article VI. of the State Constitution, relative to the appoinment and removal of state officers. The resolution amends Artivle VI. by inserting an enabling clause, delegating to the State Legislature the right to make whatever laws in their judgment may be fitting, to cover the cases of removal from office. you will find by reading the bill that the only changes from the constitutional section which is to be amended lies in these words "for just cause" and "subject to such restrictions as to the method of removal as the Legislature may prescribe." Now I want to say in the first place that no argument can be made against this resolution, upon the proposition heretofore made that this has anything whatever to do with factional politics in Philadelphia or in the State of Pennsylvania. It arises, however, out of a very sad condition of affairs existing not very long ago, when the Governor removed from office a number of men in every respect qualified to fill the positions which they then occupied, without assigning any reason for so doing, but simply in aid of a campaign which was pending at the time. You will recall the discharge of Banking Commissioner Mr. Smith, you will recall the discharge of Nevin Pomeroy of the Department of Printing, you will recall the enforced resignation of Mr. Breitinger, then moving picture censor. You will also recall the discharge of Mr. Rambo, connected with the Department of Public Grounds and Buildings. If you pass this resolution to-night it will have to come up again before the next session of the Legislature and be passed by that session, and then be submitted to a vote of the people. That carries it some four or five years hence, so that it is absolutely impossible for this resolution to in any way affect the state administration. It is in line, however, with a good thought, and that is that before any public servant can be discharged, by virtue of some good legislation to be enacted by the authority of the amendment you incorporate into the State Constitution, your State Legislature will operate as a check upon the executive of your State government. In other words, this is an enabling resolution. It does not suggest what character of legislation shall be passed four or five years hence, but enables the Legislature to pass such legislation as in its judgment may be proper to cover questions of this character, if you put in these words, "subject to such restriction as to method of removal as the Legislature may prescribe." I hope from these few words of explanation that you will see the wisdom in adopting this resolution and taking one step forward in protecting State officials from the influence of any Governor, who may have any improper motives in removing them when their services are acceptable in every way. I believe that the amendment will be a popular measure: If not, the people will have a chance to vote it down when the amendment comes before them, according to the method prescribed by the Constitution in passing upon amendments of this character.

Mr. McNICHOL. Mr. Speaker, I have listened with considerable interest to my friend and his explanation of this bill and I recognize it to be the old, old story, or part of it, merely to rehash the oft-told story and to cast a reflection upon the Chief Executive of this Commonwealth.

However, as he has said that it cannot affect the official action of the present government and inasmuch as two years hence we will be called upon to meet a new condition and a new Governor and that we will treat of that condition when we are brought face to face with it, I want to conclude by making this prophecy, that if my esteemed friend is a memberof the House two years hence, he will be found opposing this resolution.

Mr. BEYER. Mr. Speaker, in justice to the Civil Service Reform Association of Philadelphia, I desire to call your attention to a circular that I received this evening and which probably lies upon the desk of every member, referring to this very resolution: "This House Bill No. 485 has been fixed for special order for third reading on Monday, April 23rd, at 9.30 o'clock P. M. The Pennsylvania Constitution is unique among State Constitutions in expressly permitting the removal of public officers at pleasure.' We believe that the good of the service requires that the Legislature be permitted to regulate the making of removals from public office so that men, in accepting office, may feel secure and may know that they will not be removed for political reasons or without just cause." Now, in order that my good friends who called into question my motive in standing behind this resolution may know who these men are I propose for a moment to read their names as they appear on this circular: "Albert Smith Faught, Samuel S. Fels, Cyrus D. Foss, Jr., James G. Francis, Vivian Frank Gable, T. Walter Gilkyson, Clarence L. Harper, Arthur E. Hutchinson, W. W. Montgomery, Jr., Henry C. Niles, Charles Richardson, Frank M. Ritter, J. Henry Scattergood, Haseltine Smith, Ira W. Stratton, William J. Trembath, Lewis H. Van Dusen, Fullerton L. Waldo, T. Henry Walnut, A. Leo Weil and R. Francis Wood." Not one of them is connected with what may be called a faction of a dominant party in Philadelphia, but devoted entirely in their efforts to what they believe to be good, sound legislation in the interests of the masses as against the few.

Mr. PHILLIPS. Mr. Speaker, I desire to interorgate the gentleman from Philadelphia, Mr. Beyer.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Beyer, permit himself to be interrogated?

Mr. BEYER. Mr. Speaker, I will.

Mr. PHILLIPS. Mr. Speaker, I desire to ask the gentleman if the State of Pennsylvania should succeed in electing a Democratic Governor the next time, could we as a Legislature prevent them from changing the heads of the departments if this resolution went through?

Mr. BEYER. Mr. Speaker, if the State of Pennsylvania should be unfortunate enough to elect a Democratic Governor, I want to suggest to my good friend this thought, that any legislation enacted by a Republican Legislature must meet the approval of a Democratic executive and if

the Democratic executive does not feel that the legislation is in the interests of good government he is privileged, under the Constitution, to veto that legislation.

Mr. McVICAR. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Beyer.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Beyer, permit himself to be interrogated?

Mr. BEYER. Mr. Speaker, I will.

Mr. McVICAR. Mr. Speaker, I desire to know whether this amendment is limited to State officers or not?

Mr. BEYER. Mr. Speaker, absolutely, as I read it.

Mr. McVICAR. Mr. Speaker, I call the attention of the gentleman to the wording of this amendment: "Appointed officers other than judges of the courts of record and the Superintendent of Public Instruction, etc." Are not the words "Appointed officers" broad enough to include officers appointed by the cities, boroughs, counties and townships?

Mr. BEYER. Not at all. The words just quoted, gentlemen, are the words now in the State Constitution. They are not the words in the amendment which you are asked to vote upon at this time. They are as they have been since 1874, and they are not being changed. So far as appointive officers are concerned there can be no other appointment except that which emanates from State authority and any appointment by State authority must, of necessity, be under the jurisdiction of the State.

Mr. REYNOLDS. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Beyer.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Beyer, permit himself to be interrogated?

Mr. BEYER. Mr. Speaker, I will.

Mr. REYNOLDS. Under this resolution could not the House of Representatives and the Senate pass an act that would include every member in the State of Pennsylvania holding any appointive office if they so desired to pass such an act?

Mr. BEYER. Yes, I should think so—

Mr. REYNOLDS. Yes, exactly—

Mr. BEYER. Except those particularly exempted.

Mr. REYNOLDS. And the resolution at the present time and the way in which it is worded means nothing unless the Legislature should pass such an act, does it?

Mr. BEYER. I have already stated and I repeat that this is an enabling amendment. It enables a legislative body to do what heretofore has not been written into the State Constitution but has been reserved in the hands of the executive power. It limits the executive powers and vests some discretion in legislative power to this extent, that it authorizes them in their judgment to enact proper legislation, which they cannot enact now, governing the removal of State officers.

Mr. REYNOLDS. Certainly; and suppose the Legislature does not pass any such law, then what becomes of your resolution?

Mr. BEYER. Then if the Legislature does not pass such a law it is the same as if this resolution has never been presented because they do not avail themselves of the right given them by the Constitution.

Mr. REYNOLDS. Certainly; and if the resolution meant anything or was for any real desire and purpose it would recite how, why and when the Governor should remove from office and for what cause, should it not?

Mr. BEYER. Not at all.

Mr. REYNOLDS. Why not?

Mr. BEYER. It would be absolutely impossible, in the scope of an amendment to the State Constitution, to enact what may be regarded as legislation rather than the enabling rights. Our State government is founded upon the proposition of three departments, the executive, the legislative and judicial. The legislative department has all the sovereign powers which any State may have except such which are expressly forbidden by what may be called the Bill of Rights, the reservation of rights in the hands of the people

Mr. REYNOLDS. And that is part of the Constitution—

Mr. BEYER. The executive power has such rights only as are directly delegated in the instrument which gives those powers. Now, according to the contention here, the instrument has given entirely too much power into the hands of one man, the executive of the Commonwealth, and in order to change it you have got to go a step farther and say we now authorize you, if you see fit, to enact legislation which will provide how and when removals may take place.

Mr. REYNOLDS. Well then if this is so, Mr. Speaker, I want the gentleman to know that if this resolution means anything else, that will be in conformity to this resolution as it stands before you to-night, it means nothing, and can mean nothing. But it does mean this: Let this resolution pass and be voted upon by the people of the Commonwealth and become part of the Constitution of the State of Pennsylvania; the Legislature of this State sitting here could remove from office any of your county officers and your Governor could not prevent them if he signed the bill, or, if they had power enough, they could pass it over his veto, as we know. You are endeavoring to do a thing that may become very injurious with this nonsense. We have been coming here off and on since the first of January and we have been sitting here listening to this kind of talk and what does it mean? I ask you what do we come here for? We have been dawdling the time away and doing nothing and we are here on this thing and several other things which means absolutely nothing.

Mr. BEYER. Mr. Speaker, I desire to make just one answer: Your State Constitution is not a book of pamphlet laws. It simply prescribes the limits and powers which the people see fit to delegate to themselves and this is not the time to write legislation into the Constitution, and all we can do, and this is the answer I make, is to give the enabling power to this body to do what at present it has no constitutional right to do. You may trust the wisdom of the Legislature for what it may do four or five years hence, if this is enacted, to pass a wholesome law under this enabling provision. There is talk about coming here to see a show and whether you are paying a sufficient price for it. You are here to do your duty the same as I am and you are doing that duty as you see fit, and I hope that you will see that this kind of talk is unnecessary and this is no time to engage in this bully-ragging to which we have listened time and again from the other side of the House. This bill has absolutely nothing to do with the local situation in Philadelphia. It is a state-wide proposition and to my mind is along the right road and the way that we should go.

Mr. HECHT. Mr. Speaker, I want to say one word in regard to what was said or brought up by my friend, Mr. Beyer: That is, that we are attempting to do something here now which the Supreme Court of Pennsylvania is very reluctant to do at any time. In the case brought before the Supreme Court of the Commonwealth against Governor Hartranft, he was summoned into court for refusal to obey a mandate of a Grand Jury on the occasion of the Pittsburgh riots of 1877, when he refused to obey that mandate and when he was cited for contempt and the Chief Justice of the Supreme Court of Pennsylvania in one of the most elaborate opinions ever written in the State of Pennsylvania, for the Supreme Court, which has been the law ever since and which is a standard textbook almost in its entirety. The Supreme Court said that the Executive of this Commonwealth, the Governor, would be answerable to no one in the performance of his duty and that no case could more forcibly show the extreme reluctance of the courts to interfere in his prerogative. I will read what is the exact wording of the Court in that opinion and it shows what the Constitution is.

"In the case of Commonwealth vs. Hartranft, Governor on Petition for Attachment for refusal to obey an order of the Grand Jury during the Pittsburgh Riots of 1877, Justice Gordon, of the Supreme Court of Pennsylvania, among other things, said:

"We had better at the outstart reorganize the fact that the executive department is a cor-ordinate branch of the government with power to judge what should or should not be done within its own department."

"The general principle is that whenever the law vests any person with a power to do an act at the same time constituting him a judge of the evidence on which the act may be done * * * * such person is clothed with discretionary powers and is to that extent a judge."

* * * * * * * * * * *

"It is scarcely conceivable that a man could be more completely invested with the supreme power of a free people observing the supreme executive power is vested in the Governor and he is charged with the faithful execution of the laws. * * * * * * * * *

Who then shall assume the power of the people and call this Magistrate to account for what he has done in the discharge of his constitutional duties? If he is not the judge of when and how these duties are to be performed, who is? Where does any Court get any power to call this man before it and compel him to answer for the manner he has discharged his functions as Governor?

If the Governor's discretion may not be interfered with in a matter purely ministerial, much more may that discretion not be interfered with in a case which pertains to his office and in the discharge of which the Constitution makes that discretion his peculiar and absolute prerogative, and "Page 455, the Constitution is a written will of the people in its entirety."

"No case could more forcibly exhibit the extreme reluctance of the courts to interfere with the functions of the Supreme Executive for its refusal of the Governor to perform a duty cast upon him by law of the character strictly ministerial."

When the Constitution of 1874 was before the people it was discussed by some of the most eminent men in this Commonwealth and you will find in the records of the discussion preceding the constitutional amendments of 1874, the reasons why they made the Executive absolutely supreme in either the dismissal or employment of certain men and other reasons for it were these: They said that the Executive was in supreme authority in the State in the Commonwealth of Pennsylvania at all times and should have authority over men who were employed under him, who were responsible to him for the proper discharge of their duty and that he was answerable for them, at all times, and that he should have supreme authority on this account over the men under him. That is the reason that was given in the constitutional discussion in 1874 and why this Constitution was written as it is now and which is now attempted to be amended. I say to you, gentlemen, that it is not a question of politics. It is a question of breaking down at this moment what the Supreme Court of Pennsylvania said and I say should not be broken down. The Governor of this Commonwealth should be supreme, the same as he would be as a business man, or the same as a man who is an executive of any organization or of any great corporation who must be supreme so that he at all times can enforce the law and can say that the men under him shall obey his authority when he enforces the law and if he sees fit to discharge any man that he may have the power to do so and that he also may exercise the same power in appointing him to office. In another section of the Constitution that is pointed out that he has a right to discharge at pleasure and the words "at pleasure" were carefully construed by these eminent gentlemen who formulated the Constitution of 1874. There has been no objection made to this Constitution since 1874 until this moment. It has stood the test and should not be changed because there has been one or two removals for whatever cause I do not know or care. We are asked to break down a fundamental principle of the Constitution of Pennsylvania based upon the removals by the present Governor and if this is put through it cannot effect him but it may prove disastrous to the people of this Commonwealth.

Mr. SARIG. Mr. Speaker, I have no desire to get into the discussion of this bill, but I fail to understand why the members of the majority side of the House accuse this body as not having done anything or why the Democrats should be scolded for it. In answer to the gentleman from Philadelphia I wish to say that we on this side of the House have no apology to offer whatsoever for any remarks we have made in regard to this do-nothing Legislature. If you will look through the columns of the State press of Pennsylvania, eighty-five to ninety per cent. of which is Republican, you can there see enough to read for a week about what the Legislature of Pennsylvania has not done during the present session. We have not passed a half dozen important bills during this session of the Legislature.

POINT OF ORDER.

Mr. MEARKLE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. MEARKLE. Mr. Speaker, the gentleman is not speaking on the bill before the House.

The SPEAKER. The gentleman will try to confine himself to the bill.

Mr. SARIG. Mr. Speaker, what I do wish to say is that this is a factional bill to my mind. It has been stated here that it is not a factional bill. Now to my mind I can see nothing else to it. I cannot understand, and I never heard it explained, why these attempts of reformation have never been made before, why they all come at this time. I want to say that I have supported a number of them, and I supported them not because of the motives that were back of them, but I supported them because I believed that the bills in themselves were all right, while at the same time I doubt very much the motives that brought them into this House. I cannot understand at this time, I never could understand, why people who have for years been in power and had every chance to enact reform legislation, why they should never have attempted it? Why they should never have attempted it until at this very time, until the shoe is pinching on the wrong foot. I will oppose this bill because I think that we are all getting sick and tired of this foolish monkey business that has been going on here, and we ought to get down to some real legislation. As I said I supported a number of these reform bills because I believed that the bills in themselves were good. I have been accused in the press of being this, of being that, and so forth, and I have no apology to offer for my vote on any of them, but I shall vote against this particular bill because I believe that the motives that are back of it are factional, and that we ought to stop this monkey business and get down to real legislation.

Mr. BEYER. Mr. Speaker, I desire to interrogate the gentleman from Berks, Mr. Sarig.

The SPEAKER. Will the gentleman from Berks, Mr. Sarig, permit himself to be interrogated?

Mr. SARIG. Mr. Speaker, I will.

Mr. BEYER. Mr. Speaker, apart from the motives that the gentleman has spoken of, does he consider this a good bill?

Mr. SARIG. Mr. Speaker, I would not say that. If the legislature was all right, it might be a good bill, and it might not. It would depend upon the legislature.

Mr. BEYER. Mr. Speaker, will the gentleman say it is a bad bill?

Mr. SARIG. Mr. Speaker, I would not say it is exactly a bad bill, but I think it is brought here only to monkey with.

Mr. BEYER. Mr. Speaker, I desire to further interrogate the gentleman from Berks.

The SPEAKER. The gentleman will proceed.

Mr. BEYER. Mr. Speaker, I desire to ask the gentleman whether he will give me an open answer, not evasive in any manner when replying, about any factional motives in the State or elsewhere, as to whether or not this bill as it stands is or is not the character of a bill which should have been enacted long ago?

Mr. SARIG. Mr. Speaker, I do not think so.

Mr. BEYER. You do not think so.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—100.

Albee,	Graham,	Michel,	Spangler,
Baker,	Gransback,	Miller, C. G.,	Sprowls,
Baldridge,	Haldeman,	Morgan, T.,	Stadtlander,
Bechtold,	Heffernan,	Murdoch,	Stern,
Benninger,	Heyburn,	Neary,	Stites,
Beyer,	Hollern,	Perry,	Strauss,
Bovee,	Hollingsworth,	Pickering,	Sullivan,
Boyd,	Horton,	Powell,	Swartz,
Brady,	Jennings,	Ramsey,	Taylor,
Campbell, T.,	Jones,	Rininger,	Thomas,
Clements,	Lafferty,	Robertson,	Ulsh,
Crosby,	Lauler,	Rogers,	Urich,
Davis, W.,	Leary,	Ruddy,	Vogdes,
Dawson,	Lewis,	Sampsel,	Wagner,
Dewey,	Lohr,	Scott,	Walter,
Dithrich,	Luppert,	Shattuck,	Weimer,
Donneley,	Mangan,	Siggins,	West,
Fitzgibbon,	Marvin,	Simpson,	Whitaker,
Flynn,	McArdle,	Sinclair,	Wickman,
Franklin,	McCaig,	Smith, E. R.,	Williams, G. W.
Fretz,	McCullough,	Smith, J. W.,	Williams, J. P.,
Gans,	McKinney,	Smith, O. W.,	Woodward,
Goodnough,	McPeake,	Snowden,	Wynne,
Gormley,	Mearkle,	Somerman,	Zanders,
Graeff,	Mervine,	Sones,	Baldwin, Speaker.

NAYS—85.

Aron,	Dean,	Malie,	Rich,
Arthur,	Drake,	Maurer,	Ringler,
Baldi,	Drinkhouse,	McCurdy,	Ross,
Barner,	Dunn,	McKay,	Rothenberger,
Bell,	Eby,	McNichol,	Rudisill,
Benchoff,	Ehrhardt,	McVicar,	Sarig,
Bennett,	Erdman,	Mehring,	Schaeffer, A. C.,
Bidelspacher,	Fackler,	Miller, A. D.,	Shaffer, C. A.,
Black,	Fowler,	Miller, G. J. A.,	Shunk,
Brumbaugh,	Geary,	Milner,	Smith, F. I.,
Burnett,	Glass,	Mitchell,	Snyder,
Campbell, J. O.,	Golder,	Morgan, T. J.,	Sterling,
Canon,	Goodwin,	Murphy,	Stofflet,
Chestnut,	Hecht,	Musser,	Sweitzer,
Christman,	Helt,	Ogden,	Vickerman,
Coldsmith,	Hess,	Patterson,	Walker,
Conner,	Hoffman,	Phillips,	Wallace,
Corbin,	Howarth,	Reichenbacker,	Wells,
Cox,	Jack,	Reitzel,	Wobensmith,
Cummins,	Kennedy,	Reynolds,	Wylie,
Curry,	Lanius,	Rhoads, H. L.,	
Davis, D. F.,	Laucks,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON THIRD READING (SPECIAL ORDER.)

The SPEAKER. The next bill on the calendar is Special Order on House Bill No. 187, File Folio 2337.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 187, entitled

An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions.

On the question,

Will the House agree to the bill on third reading?

Mr. RININGER. Mr. Speaker, I offer the following amendments and ask unanimous consent to insert the same.

The SPEAKER. The amendments will be read by the clerk for information.

The Clerk then read the amendments as follows:

Amend section 12, page 18, line 24, by inserting after the word "raven" the word "and" and by striikng out the words "and the herons."

The SPEAKER. Will the House give unanimous consent to insertions of the amendments at this time? Is there any objection? The Chair hears objection.

Mr. RININGER. Mr. Speaker, I move that the House do now resolve itself into the Committee of the Whole for the purpose of special amendment.

Mr. RAMSEY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER declared the ayes seem to have it.

Whereupon,

A division was called for, and seventy-nine gentlemen having voted in the affirmative and eighty-one in the negative, the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RININGER. Mr. Speaker and gentlemen of the House, the bill which I just now attempted to amend and the amendments which I asked to have inserted in the bill, have been agreed upon by the sponsor of the bill, by the Chairman of the Game Committee, by the Secretary of the Game Commission, if you please, and by every one with whom I have talked in regard to these amendments. The Game Code, which you are asked to vote upon, was drafted by a committee of sportsmen who gathered in Harrisburg and who were sent here as delegates from the various sportsman organizations throughout Pennsylvania to draft this bill. They prepared an act and had it introduced for your consideration. It has been amended pro and con from the beginning to the end, and if they were to read the act that they submitted to the legislature they would not know whether it was the act they drafted or not. In this bill is incorporated the innocent little words "and the heron", which I asked you a minute ago to strike out. These three words, if you please, nullify the entire plummage act of Pennsylvania and throw this State open again, and the heron is laid open again to be killed and the plummage carted to every millinery establishment in this State. If the men of this Legislature want to pass legislation of that kind, simply to meet the whims and demands of the milliners of Pennsylvania, then it is composed of different men from what I thought. I asked on last Monday night to have this bill called up for the purpose of amendment. The excuse given me was that it would delay the passage of the bill. That was one week ago. The old excuse is offered, "Let it go over to the Senate." I do not believe in letting the work of this House go over to the Senate. If there are amendments to be made let us make them here. Then if it goes over there the Senate will not be asked to do our work. I have asked to amend the bill, and the House refused to allow me to insert the amendments so I will ask the members of this House to vote down this amendment, and if at that time the amendments are acceded to, then we can reconsider the vote by which the bill was defeated and have it amended. In its present form I would ask you to vote against it.

Mr. POWELL. Mr. Speaker and gentlemen of the House, I hope that you will appreciate the position that I am placed in in taking charge of House Bill No. 187. My good friend from Blair has made the statement that even the Chairman of the Committee on Game had promised him these amendments. If I did promise the gentleman from Blair what he has alleged that I have promised, I must have done so in my sleep. What I did promise the gentleman from Blair was this: That I assured him upon my honor that the amendments that he wished would be offered in the Senate,—that is what I promised the gentleman from Blair.

Mr. RININGER. Mr. Speaker, I would like to interrogate the gentleman from Luzerne.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. POWELL. When I am through. Mr. Speaker and gentlemen, I am firmly of the belief that the bill now before you for your consideration is without a doubt one of the best game laws that has ever been presented to this body. It was necessary for me to have some notes made because I had not intended to go into the bill in detail, leaving that to the original sponsor; but the original sponsor of this bill left here last week and left word that I should take charge of the bill and I am carrying out that wish.

Relative to this bill in general would say that this bill is the law as it stands to-day relative to the taking of game, and was prepared at the instance of many sportsmen, who asked that an effort be made to condense the many acts relative to this subject into one act. Our present legislation on game and wild birds has been the result of an effort of more than thirty years, and those supporting the work were compelled to secure by "piece meal" the legislation now on our statute books relative to this subject. At the present time, the various acts and their amendments are not easily understood by the layman, and this bill covers about thirteen (13) different acts, as you will note. In the codification of our present law into this bill it took many weeks of careful painstaking work, and, in general, I believe that the bill is the best of its kind ever introduced in the State of Pennsylvania. The Legislative Reference Bureau assisted and counselled us in its compilation, and it is now in such shape that when the sportsmen read the provisions of this act, they will have all the provisions of law relative to the taking of game, and also the protection of wild birds.

The material new features in this bill are as follows:

Section 10, paragraph 2, page 16: This paragraph is considered necessary to safeguard our game birds and animals against unscrupulous dealers whose sole consideration is the profit derived from the handling of same. The Livestock Sanitary Board under their present law has authority to make such inspections, and this is, therefore, not a new feature, but merely an attempt to set same forth clearly in this act.

Section 12, paragraph 2, page 18: The latter portion of this paragraph gives a list of birds which may be killed at any time. The sportsmen at their conference on January 4th added to this list a number of hawks and owls, as well as the herons. At this time there is considerable question about the benefit or harm done by many of these

birds, and while taking protection away from these additional hawks and owls will but little increase the number killed annually, still when one of them is killed the person so doing will not be subject to a penalty, as is now the case. Frequently farmers kill some of these hawks which are now protected, because they believe they are doing them harm through the destruction of poultry, and in some instances they are killed while in the act of carrying off a fowl, which they should have a right to do.

Section 14, page 19: The seasons as fixed in this bill were decided upon in joint committee, as you know.

Section 15, page 21: The limits as fixed in this section are as agreed upon by the joint committee.

Paragraph 2, found on page 23, is merely setting forth specifically the interpretation now given to our law relative to this same matter.

Section 16, page 24: Shooting game from an automobile and the use of a silencer have been included in the methods through which game shall not be taken.

Page 25: The taking of rabbits through box traps by children under fourteen years of age was agreed upon by the Game Committee, as you will remember.

Section 20, page 28: The first part of this section is the law to-day, but the latter part gives an officer the right to administer oaths in cases where he has reason to believe the law is being violated. This power should be granted without a question, as it would assist in running down and punishing violators of the law, and be to the benefit of all legitimate sportsmen, this feature having been approved by the Sportsmen's Conference.

Section 21, page 31: This section has been approved by the Sportsmen's Conference in an effort to limit the excessive kills now annually made by camps, who monopolize a certain territory and kill off the bucks, while the surrounding camps are left. There are no camps of true, blue-blooded sportsmen in Pennsylvania who now kill more than three to five deer.

Section 22, page 32: This section has been strongly endorsed by sportsmen in an endeavor to restrict large bodies of men, either camping together or camping in close proximity, from forming a long line of watchers and a line of drivers, and killing every thing within a large radius. You will notice that this section does not in any way limit the number of men that may camp together, but requires large camps to each day divide up into bodies of not more than twelve for that particular hunt, and the next hunt may be re-arranged in any manner deemed advisable so long as not more than twelve hunt together for deer and six for turkeys. This section will not affect hunters who want to be fair and reasonable.

Mr. WALTER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WALTER. Mr. Speaker, the order of the House is of such a character that it is impossible to hear the remarks of the gentleman who is speaking and I for one should like to hear them.

The SPEAKER. The Chair has rapped a number of times during the gentleman's address, and hopes the House will be in order while the gentleman is making his address.

Mr. POWELL. Section 26, page 35, paragragh 2: This paragraph insofar as it imposes a penalty for failure to restrain dogs is new, but is urgently needed to correct this condition. The loss of a worthless dog means nothing, and at this time the only thing an officer can do is catch the dog chasing game and kill it, but with this small penalty attached the owner or person in control will see to it that his dog is restrained as it should be.

Section 27, paragraph 5, on page 38: The latter portion of this paragraph relative to Belgian and German hares, or any other animal raised in captivity, but not found in a wild state in this Commonwealth, is fair and reasonable, and should be supported in its entirety. At this time the law requires a license to sell Belgian and German hares, but since these animals are not found in a wild state, there is no reason why breeders of these animals should not be permitted to raise and sell the same just as poultry would be sold, without any restriction.

Section 30, page 40: This section permits the trapping of ring-neck pheasants the same as quail for keeping them over the winter, and also permits this trapping from December 1st instead of January 1st as at present.

Section 32, page 41: This section has been amended so that large game may be shipped by express or freight when properly marked. At this time, large game as well as small game can be shipped only when accompanied by the owner.

Section 32, page 42, paragraph 3: The latter part of this paragraph relative to shipping specimens to taxidermists is the interpretation now placed on the balance of this section by this office, and is only placed here to make this point entirely clear to sportsmen.

Now, Mr. Speaker and gentlemen of the House, in behalf of the Committee on Game, I wish to impress upon you the patience required by your committee in drafting this bill. We had no less than two public hearings. We had no less than two joint hearings and at these hearings and meetings the doors were open and anybody was privileged to attend. I am surprised to find upon my desk to-night a bulletin presumed to be printed by the Wild Life League and I desire to make this statement, Mr. Speaker and gentlemen, that the very publisher of that article was present before the committee and the committee considered that the law drafted met with the approval of the sportsmen and the Wild Life League.

I understand that there has been an effort also put forth, on account of the absence of the sponsor of the bill, that the bill should not be taken up; but I offer at this time the reasons why the bill should be taken up. The open season for small game, as provided in the new code, commences on the fifteenth of October for woodcock. The balance of the small game commences on the first of November, ending on the fifteenth day of December. A new feature in this law is that the small game, rabbits and pheasants, are brought into the deer season, giving the right to the man who likes to hunt for big game the privilege, if he so desires, to shoot at small game.

In relation to the amendments as proposed by the gentleman from Blair, I have been informed that if these amendments were allowed to be presented in the House that it would delay the bill no less than four days, and I have assured the gentleman, and I still assure the gentlemen of the House, that the amendments pertaining to the plumage question will positively be taken care of in the Senate and I give that pledge on my word of honor.

I trust gentlemen, that you can see your way clear whereby you can support this bill which I belive to be the best bill you have ever had before you on the game question.

Mr. RININGER. Mr. Speaker, if I conveyed the impression to the House that the Chairman of the Game Committee had made me any promises I want to correct that statement, but I do say that the Chairman of the Game Committee agreed with me that these amendments that I offered should be incorporated in this bill and that the sponsor of the bill agreed that the amendments that we offered should be incorporated in the bill, and that the Secretary of the Game Commission agreed that they should be incorporated in the bill but the reason for my offering these amendments on third reading was that no one seemed to assume responsibility or cared to assume responsibility for this section of the act which I attempted to strike out. It has been blamed on various people but I cannot find them; it has been shifted to the head of other bureaus of the Commonwealth, but these men when interviewed knew nothing of it and refused to assume rsponsibility for this paragraph.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I am for this bill as it is at present for this reason. We are a county that pays about four thousand dollars in licenses. There are two things in this bill that have been changed but they suit my county as well as other counties. I accept from November first to December fifteenth, but would prefer to the thirty-first of December if it could be had. I recall that the gentleman from Chester the other day, Senator Eyre, said that Chester county pays a license of six thousand dollars a year. Woodcock was likewise changed to the fifteenth of October, but these two things in the rural districts are essential and I am for the bill, and I cannot say that it should not be changed, but if it is not this bill should be passed, I think, as it is now before the House.

Mr. PHILLIPS. Mr. Speaker, this bill provides on page 19 of the act that the small game season shall be changed from the first day of November to the fifteenth day of December. Two years ago when we started to make up the Game Code we had in mind two things. The first was the protection of human life and the second was the conservation of game. You must take this into consideration—there are three kinds of sportsmen: One is the game hog, commonly so-called, the man who wants to kill everything he sees; the other is the man who kills game and leaves it lie; and the third is the sportsman to which I believe two-thirds of this House belong, namely, the nature-loving sportsman. He is not the man who goes out in the woods with his gun and kills everything he sees. He likes to go out and hunt and take pictures of animals to hand down to his posterity, and you, Mr. Speaker, will be glad when you get to be eighty years old when you can take your grandson out in the woods and say "There goes a deer or a rabbit or a pheasant" and when you want to take him into your parlor and show him a picture of birds and animals you have taken. We are not here as men who want to kill everything they see but we are here to conserve the game of Pennsylvania. We must have co-operation and we must have legislation and we are here to-day, in the latter part, to try to legislate. Now, in 1915 that Act of Assembly provided that dogs shall be kept out of the woods when they went hunting for deer, and all small game came in on the first of November and they could kill it until the first of December. It was followed up by the large hunter and this was the cause of the killing of a great deal of game and these are the influences that we want to get away from. We want to pass some kind of a law and do something to conserve game. The gentleman who has just preceded me and some others are interested in the same thing; they are interested in the game laws that will be for the benefit of real sportsmen. Just think of three hundred thousand sportsmen taking out licenses last year and almost two hundred thousand farmers who did not have to take out license going out in the woods hunting game. Think of the conservation it would take to supply this State of Pennsylvania with an army such at this and with the dogs; and now you want to make it six weeks. Is not one month enough to kill rabbits and other game for the real sportsmen in Pennsylvania. I ask not as a man who goes right out to hunt and kill everything but as a man who goes out for the sport, is not four weeks enough for everyone and is four weeks not much better than six weeks? We have tried this proposition in the larger sections and one man goes out after deer and he takes his shot and finishes up the balance of the hunting on rabbits and birds and he places them on the walls of that camp and who is going to tell whether he violated any law or not. He goes on a drive—we start out six or eight men abreast and we make a noise and howl and shoot off guns and all that sort of thing to drive deer out and this man will shoot everything he sees, and if this law goes into effect it will be a useless slaughter of game and four weeks is enough for small game in the State of Pennsylvania. I do appeal to you as a conservation proposition to-night that four weeks is entirely enough for small game in the State of Pennsylvania which will allow us to hunt our small game and our deer and conserve the game in the forests of Pennsylvania and not slaughter it and throw it away.

Mr. DELL. Mr. Speaker, I desire to interrogate the gentleman from Clearfield.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. PHILLIPS. Mr. Speaker, with pleasure.

Mr. DELL. You were one of the active members of the Game Committee of 1915?

Mr. PHILLIPS. Yes sir.

Mr. DELL. Is it not a fact that you helped to draft the Game Bill in 1915?

Mr. PHILLIPS. Yes sir.

Mr. DELL. Is it not a fact that in 1915 the bill that you drafted provided for six weeks actual hunting?

Mr. PHILLIPS. No sir.

Mr. DELL. Did not the law of 1915 provide for hunting of rabbits from 15th of October until the last day of November?

Mr. PHILLIPS. Yes sir.

Mr. DELL. Is it not a fact that we are only asking for the same season you provided for in the bill of 1915?

Mr. PHILLIPS. Yes sir. But you have it at the wrong and.

Mr. DELL. I desire to know why the gentleman tried to make a false impression by making a statement not in harmony with the bill he wrote in 1915? I ask the gentleman to answer me that question.

Mr. PHILLIPS. No sir. In answer to that I wish to say to my friend from Huntingdon, Mr. Dell, that a majority of the people in 1915 said that it was too warm to go hunting on the 15th of October and we extended it to the last day of November and threw the first two weeks in for good measure because nobody seems to want to go then and for the full six weeks. Four weeks is enough at any time.

Mr. DELL. I asked the gentleman a question; why in the Act of 1915 was it made six weeks instead of four weeks, as he has said.

Mr. PHILLIPS. If I gave that impression I did not mean to make it and I will apologize to the House for doing so.

Mr. DELL. Now, on the fourth day of January of this year the sportsmen of Pennsylvania met in this building for the purpose of considering a Game law. If I mistake not the gentleman from Clearfield was at that meeting. I know I was. It was generally conceded that four weeks was a sufficient time during which to take the wild game of the State but when we met in this present Legislature and the Game Committee went into session there was a demand from the southern section of the State for a later season. The people from the northern section of the State demanded an earlier season. The committee at first drafted a bill so that the taking of small game the other time should be allowed. The people of the southern section of the State said we are robbing them of the right to hunt and in order that we might be fair to them we agreed finally with a number of those who represented the northern part of the State to permit the taking of woodcock from the fifteenth day of October. They said to us at that time that if we would permit the taking of woodcock from the fifteenth day of October, they would be satisfied. We were about to write the game bill then permitting the taking of all other game just during the month of November, but at our last joint meeting the Senators and the Game Committee, met in joint session and the Senators from the southeastern part of the State came forward and said if you do not allow us to take rabbits during the month of December then the game code amounts to nothing to us. One of the gentlemen said that eighty per cent. of all the hunters' licenses is paid by the people within eighty miles of Philadelphia. So the committee thought it would be wise to compromise with all, and upon that thought the bill was written as it now is, believing that it would meet the requirements of all sections of the State by so doing.

Again Mr. Speaker, and members of this House, we have been importuned by the agricultural interests of this State, men who have said repeatedly, if you permit us to hunt but one month, it debars us from hunting at all, for as every one knows the month of November is the month during which the farmer is busy finishing up his seeding, getting away corn, and taking out the last part of his potatoes, about which we hear so much now. In order that he may have a reasonable time to hunt, he has demanded that we permit him to take rabbits during the month of December. As a matter of fact a delegation of the Grangers of the State came forward and asked us to allow the rabbit season to extend until the 31st day of December. Then we consulted with the Game Commission, and the Secretary of Game said he belived it would be wise to permit the taking of rabbits up until the 15th day of December, and that is why the law was, or the bill was written as it now stands. And then Mr. Speaker, there is another reason why the gentleman who are fighting the bill to-night are opposed to the taking of small game. The gentleman from Clearfield made the statement that he was afraid that if we permitted the taking of small game during the month of December, when the deer hunters were in the woods, somebody would get killed. But, he turned around in the next sentence and said he wants to take deer with the camera. I would like to know how he is going to shoot somebody if he is going to take deer with the camera. Now as a matter of fact, we believe, and I believe the members from the rural sections of the State who are in this House to-night will agree with me,

that if the small season, the season for taking small game, is permitted to go over until the month of December, there will not be more than half as many men in the woods hunting for deer as at the present time. At the present time every boy who is able to carry a gun, is in the woods hunting for deer, and the boy shoots promiscuously, but if you permit the hunting of rabbits by the boy, who hunts with a dog, he will take his dog and he will enter the field and there will be no dogs in the woods where the deer is, nor will there be hunting in the woods where the deer are by the boys. I tell you Mr. Speaker that the bill as it is written now will conserve life rather than destroy it, because it will keep a great many men out of the woods who would be in the woods if the boys were not permitted to hunt rabbits at that time. As one representing the rural district of the State, I insist as far as my vote is concerned, that rural members shall have a right to hunt as well as the sportsmen. The rural members cannot take a week off, these farmers cannot take a week to shoot as those that can go when they will do, but they must hunt at a time when it is not fit to do anything else, and if you extend the season on until the 15th day of December, you have not made it one whit longer than it was under the Act of 1915, and you have extended it far enough into the season so that the farmer will have his work done, so that he can go out and enjoy some of the pleasures of hunting some of the game that has fed off his growing crop. I hope the gentlemen of this House will go with us.

Mr. SIGGINS. Mr. Speaker and gentlemen of the House, I too, am from one of the rural counties of this Commonwealth. I am informed by the sportsmen of my county that this Game Code closes the squirrel season. I am informed that there are no squirrels in my county after the first of November. I am so informed by the sportsmen, by the Local Camp, and by the Game Warden, and for that reason I am against the bill. We should have our right to hunt. If you want the people of one section of the State to have the right to hunt, that is immaterial to me, but give our people the same right to go squirrel hunting, give the people of my county and of northwestern Pennsylvania the right to go squirrel hunting. Another feature, is the feature that was mentioned by the gentleman from Clearfield, the hunting of deer. If you are in a county where deer are found, you will realize the fact that people hunt deer with heavy guns. If the bird season, and the small game season, is also in the deer season, a person is very apt to take a hunting coat for a deer, and there will be loss of life. That very thing has happened in my own county. There was a public hearing on this bill. When the bill read from the first of November to the first of December, the representatives of the city from all over the State were called in and objected to the season as fixed by the bill. A very great many of them said at that time there ought to be a compromise of the season, and while we do not want to hunt squirrel all the month of October, they were at least going to give us ten days, commencing on October 20. Subsequently at a meeting which was not called, as I understand it, as a public hearing, this was changed. Therefore, gentlemen, I hope in all fairness that you will vote against and defeat this bill as it stands at the present time.

Mr. SONES. Mr. Speaker and gentlemen of the House. I hope you will indulge me for a few minutes, I realize that there have been lengthy discussions of this bill, by many gentlemen of the House, but I represent large game associations. There is a lot of interest being taken up in my county The woods have been stocked with game and a greater interest has been taken than for years gone by. Upwards of ten to fifteen chartered game associations exist in my county. I want to say as to this bill that I am not familiar with all the provisions of the bill, but one feature of this bill that meets with approval of my section of the State is the open season. Our people are decidedly in favor of having the season open for small game from the first of November till the 15th of December as provided for in this bill. Our associations want that all through Schuylkill County and as far as I know they want it in Northumberland County, and the other neighboring counties. I remember one gentleman from Shamokin who appeared before the hearing here and spoke decidedly in favor of this season between these dates.

Now, gentlemen of the House, we have quite a few working people in my county who cannot go out on a vacation for a week or so to hunt, but they go out probably in the evenings and on Saturday afternoons, and the season is certainty not too long for these people. They only get a few days in a season, and I wish to bring this message to you from my county, that we are thoroughly in accord with this provision of the code, and I ask you gentlemen of the House to sustain the code on this provision.

Mr. HELT. Mr. Speaker and gentlemen of the House, I want to ask your indulgence for just one moment with reference to the remarks of our friend from Clearfield. He did not go far enough when he stated that the big game hunters would plaster their camp with small game if this bill were passed extending the season until the fifteenth of December. Isn't it a fact that the big game hunter is the one who is trying to hold up the bill at the present time? If you have investigated this to any extent, have you found or have you ever heard of the big game hunters keeping their tables with the small game shot when the small game hunters are out of the woods altogether?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—116.

Albee,	Dewey,	Lohr,	Sarig,
Aron,	Drake,	Maurer,	Schaeffer, A. C.,
Arthur,	Drinkhouse,	McArdle,	Scott,
Baker,	Dunn,	McCurdy,	Shaffer, C. A.,
Baldi,	Eby,	McKay,	Sinclair,
Barner,	Ehrhardt,	McNichol,	Smith, E. R.,
Bechtold,	Fitzgibbon,	McPeake,	Smith, O. W.,
Bell,	Fowler,	Mearkle,	Snowden,
Benchoff,	Fretz,	Mehring,	Sones,
Bennett,	Glass,	Mervine,	Spangler,
Benninger,	Golder,	Miller, C. G.,	Sprowls,
Bidelspacher,	Goodnough,	Murphy,	Stadtlander,
Black,	Graeff,	Musser,	Sterling,
Bovee,	Graham,	Neary,	Stern,
Boyd,	Haldeman,	Ogden,	Strauss,
Brady,	Hecht,	Palmer,	Sullivan,
Brumbaugh,	Helt,	Patterson,	Swartz,
Campbell, T.,	Hess,	Perry,	Taylor,
Canon,	Heyburn,	Pickering,	Thomas,
Chestnut,	Hollern,	Powell,	Ulsh,
Christman,	Hollingsworth,	Ramsey,	Urich,
Clements,	Horton,	Reichenbacker,	Vogdes,
Conner,	Jack,	Reitzel,	Wagner,
Crosby,	Jennings,	Ringler,	Whitaker,
Cummins,	Jones,	Robertson,	Wynne,
Curry,	Lafferty,	Rogers,	Zanders,
Davis, D. F.,	Lanius,	Ruddy,	Baldwin,
Davis, W.,	Laucks,	Rudisill,	Speaker.
Dawson,	Lauler,	Sampsel,	
Dell,	Lewis,		

NAYS—53.

Baldridge,	Leary,	Morgan, T. J.,	Somerman,
Campbell, J. O.,	Luppert,	Murdoch,	Stites,
Coldsmith,	Malie,	Phillips,	Stofflet,
Corbin,	Marvin,	Reynolds,	Vickerman,
Dean,	McCaig,	Rhoads, H. L.,	Walker,
Dithrich,	McCullough,	Rininger,	Wallace,
Donneley,	McKinney,	Ross,	West,
Flynn,	McVicar,	Rothenberger,	Wickman,
Goodwin,	Michel,	Shattuck,	Williams, G. W.
Gormley,	Miller, A. D.,	Shunk,	Williams, J. P.,
Gransback,	Miller, G. J. A.,	Siggins,	Wobensmith,
Hoffman,	Mitchell,	Simpson,	Woodward,
Howarth,	Morgan, T.,	Snyder,	Wylie,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Mr. McNICHOL asked and received unanimous consent to call up House Bill No. 929, File Folio 2127, from page 14 of to-day's calendar, bills on third reading.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 929, entitled

An Act to further regulate the construction maintenance and inspection of buildings in cities of the first class

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. McNICHOL. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Mr. REYNOLDS asked and received unanimous consent to call up House Bill No. 884, File Folio 2441, on page 37 of to-day's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 884, entitled

An Act providing that it shall be a misdemeanor for any person to contribute to the delinquency of any minor within the jurisdiction of any Juvenile Court or to assist or encourage said minor in violating his or her parole or to interfere with the probation officer assigned to such child and providing penalties therefor

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons who contribute to the delinquency of any minor within the jurisdiction of any Juvenile Court within this Commonwealth or who shall knowingly assist or encourage such minor in violating his or her parole or any order of the court or who shall interfere with or impede the probation officer assigned to such minor by the said court shall be guilty of a misdemeanor and shall upon conviction before a judge sitting in Juvenile Court be sentenced to pay a fine not exceeding fifty dollars or be committed to the county jail for a term not exceeding ninety days or both or in the discretion of the said judge of the Juvenile Court be required to enter security for his or her good behavior for a period not exceeding one year.

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. REYNOLDS. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

Mr. PERRY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Mr. STERN asked and received unanimous consent to call up House Bill No. 918, File Folio 3411, bills on second reading, on page 42 of to-day's calendar.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 918, entitled

An Act prohibiting the attendance of any minor child under the age of sixteen years to any exhibition open to the public in any building tents or enclosure or any part of the premises connected therewith of any dramatic or operatic or vaudeville performance or tragedies or comedies or farces or exhibition of fixed or moving pictures or stereopticon views or songs or acrobatic performances or exhibition of trained animals or any equestrian circus or menagerie or museum or wild west show unless accompanied by an adult providing for a certain exception and fixing penalties for the violation of this act.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person firm or corporation to permit any minor child under the age of sixteen years to attend any exhibition open to the public in any building tent or enclosure or any part of the premises connected therewith of any dramatic or operatic or vaudeville performance or tragedies or comedies or farces or exhibition of fixed or moving pictures or stereopticon views or songs or acrobatic performances or exhibition of trained animals or any equestrian circus or menagerie or museum or wild west show unless accompanied by an adult

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. STERN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. EHRHARDT. Mr. Speaker. second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Mr. STERN asked and received the unanimous consent to call up House Bill No. 1176, on page twelve of to-day's calendar, bills on third reading, for the purpose of amendment.

Agreeably to order,

The House proceeded to the third reading and consideration House Bill No. 1176, as follows

An Act providing for the establishment in cities of the first class of a house or houses of detention for witnesses and untried prisoners for the commitment of such prisoners and witnesses thereto and for the payment of the cost of establishing and maintaining the same by the county wherein said cities are situated

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that in every city of the first class there shall be established in the manner hereinafter prescribed a house or houses of detention for the reception and detention of all persons charged with crime or held as witnesses in any judicial proceeding

Section 2 Houses of detention established under the provisions of this act shall be under the care management and supervision of a board of managers consisting of five members to be appointed by the board of judges of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of the county wherein said house or houses are established

Section 3 The board of managers provided in this act shall serve without compensation and shall hold office for two years or until their successors are appointed subject to removal by the board of judges appointing them

Section 4 It shall be the duty of said board of managers to select and secure a suitable location in said cities of the first class for said house or houses of detention by leasing or purchasing the same and to erect thereon a suitable house or houses for such purpose Said houses shall be so arranged and constructed that persons therein may have as far as possible a comfortable and separate room for their accommodation and be subject to as little restraint as may be consistent with their safe detention and to this purpose the board of managers are hereby authorized and empowered to make suitable rules and regulations for the government and control of said house or houses of detention and of persons commited thereto said rules and regulations shall be approved by the board of judges appointing said board of managers and no change in said rules and regulations or amendment thereof shall have force and effect until approved in like manner by said board of judges

Section 5 It is hereby declared to be the true purpose an intent of this act that in the county wherein said house or houses are situate all persons held to await trial on any criminal charge or as witnesses shall be committed to such house or houses of detention instead of the county prison as now provided by law and it shall be the duty of all judges magistrates or other officers having power of commitment and they are hereby authorized and directed in making commitments for trial on criminal charges and in holding witnesses in judicial proceedings to commit to said house or houses of detention instead of to the county prison as now provided by law The practice and procedure now established by law for the commitment and detention of prisoners for trial and witnesses shall remain as heretofore except that the place of commitment and detention shall be to the house or houses of detention herein established

Section 6 The cost of procuring a site for and erecting and constructing said house or houses of detention shall be provided for by appropriation by the councils of the city wherein the same shall be located in like manner as the cost of public improvements is now provided for by law Said appropriation shall be made to the county commissioners of the county wherein said city is located and the expenses incurred thereunder shall be itemized and presented with proper vouchers to the said county commissioners who shall be required to pay the same

Section 7 It shall be the duty of said board of managers to appoint a superintendent who shall reside in said house of detention and a sufficient number of persons to maintain order and conduct the affairs thereof The number of appointees shall be approved by the board of judges who shall have power to authorize an increase or reduction thereof from time to time The salary or compensation to be paid said superintendent and appointees shall be fixed by said board of managers and be certified to the county commissioners as the expense of maintaining said house or houses of detention

Section 8 The costs and expenses of maintaining the said house or houses of detention established by this act shall be provided by the respective counties containing the same in the same manner as the costs and expenses of maintaining county prisons are now provided by law

Section 9 Nothing in this act shall be construed to amend or repeal any of the provisions of the act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred and one) entitled "An Act to establish in cities of the first and second class a house or houses of detention for delinquent dependent and neglected children and providing for the management and maintenance thereof" or the act approved the third day of April one thousand nine hundred and three (Pamphlet Laws one hundred and thirty-seven) entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" as amended or the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs powers or warrants by the proper officer of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" the supplements or amendments thereto

On the question,

Will the House agree to the bill on third reading?

Mr. STERN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend page 2, line 2, by striking out the words "board of."
Amend page 2, line 9, by striking out the words "board of."
Amend page 2, line 24 by striking out the words "board of."
Amend page 2, line 27 by striking out the words "board of."
Amend page 4, lines 3 and 4, by striking out the words "board of."
Amend by adding "Section 10. All acts or parts of acts inconsistent herewith are hereby repealed."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. THOMAS asked and obtained unanimous consent to call up House Bill No. 13, File Folio 2455, page 34 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed consideration on third reading of House Bill No. 13, entitled

An Act relative to the carrying use and sale of dangerous weapons

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. THOMAS. Mr. Speaker and fellow representatives: Before casting your vote upon this most important measure, I desire to call your attention, to the fact, that no bill, I repeat no bill, gentlemen, was ever passed by this honorable body that means more to the welfare of this Commonwealth, than the one upon which you are now to pass judgment.

Gentlemen, I would respectfully ask you to bear in mind, that it is almost impossible for me to find words, to properly express the great benefit that this measure will be to the millions of men, women and children of this Commonwealth.

To-night my dear colleagues throughout this great Keystone State, there are thousands of fathers, mothers, brothers and sisters, possibly your own, who are hoping that this intelligent body of red-blooded men will vote for this bill, and give them the protection they have been seeking for years.

To-night, gentlemen, there are thousands of officials entrusted with the administration of your State affairs, who are also hoping that this Legislature will place upon the statute books of this Commonwealth, this bill which they have stamped as one of the sanest measures ever recommended to this honorable body for adoption.

There are in various parts of this State, a few individuals who are against this measure, because they cannot set aside selfish interests, selfish interests, gentlemen, to make a few paltry dollars, knowing that their measly profit means the slaughter of their own friends, their own neighbors, and their fellow Americans. Their greed for gold is greater than their patriotism. Their patriotism is of a kind that cries out for the spilling of the blood of their mothers, fathers, brothers and sisters, and even of babies, by exposing the lives of their ones, to rampages of reckless individuals, to whom they can sell a dangerous weapon, in order to make a little money even at such a great cost.

Now gentlemen, I will take only a few moments of your valuable time to explain the real purpose of this bill so that you can cast your vote under no misapprehension and I feel sure that when you thoroughly comprehend its contents you will not hesitate to show your patriotism for good laws by loudly registering your vote in its favor.

Briefly speaking this bill does not prohibit the sale of many deadly weapons, as some people may have you believe. It does not deprive merchants of this State from earning a legitimate profit on the sale of such weapons. It does not remove a protection which we all must admit is essential in many instances when the protection of human life is at stake.

Gentlemen I ask you to understand that this bill has for its principal object the keeping of dangerous weapons out of the hands of individuals in whose hands they should not be. This bill is purely a measure to regulate the sale of such weapons by setting forth in what manner they may be sold and to whom they shall be sold. I hope gentlemen that you will bear in mind that this bill simply keeps deadly weapons out of the hands of irresponsible, reckless, maliciously-minded people whose easy access to such weapons under present conditions exposes to danger every member of this Legislature each day of your life as well as the lives of your own families and whose easy access to such weapons under no restrictions is rapidly filling the prisons of this great Commonwealth, thereby requiring the expenditures of their maintenance of millions of dollars that should be available for education, good roads, good health and many other more desirable things to the people of this grand Commonwealth.

Possibly in this House to-night there is some father or brother whose son or brother was deprived of the life he was born to live and happiness to enjoy, by being shot down in cowardly fashion and in cold blood by a deadly weapon in the hands of a reckless, irresponsible person.

Gentlemen there is possibly in this House to-night some father, whose son left home one day happy, to enjoy a few hours play with his little companions and a few hours later was carried into that father's house dead with an ugly looking wound in his head or heart, causing sorrow that will never be forgotten and oh, my friends a sorrow that almost makes that father and mother believe that life after years of care in the raising of that son, is not worth living.

Gentlemen I have no son, but to-night I wish I had one so that I could properly realize the great pang and aching heart that would be within my body if that son, whose very presence in my home would radiate happiness, were carried home cold in death as a result of the careless use of a deadly weapon. Oh gentlemen I am sure that if I had such a realization at this moment it would not be a difficult matter for me then to find words to convincingly convey to you one of the purposes of this bill, under which comprehension you surely would join with me in placing this bill upon the statute books of this great Commonwealth, where it should have been years ago.

A few weeks ago I was called into the office of the editor of the Wilkes-Barre Record, one of the leading newspapers of this State, and there that gentleman displayed to me a book containing the list of murders committed in Luzerne county during the past ten or fifteen years. I was amazed. I knew that the toll of life had been terrible, but gentlemen I was amazed when I saw that list. And gentlemen I was startled when that editor told me that each line of the many pages that the list covered, represented the reckless use of a deadly weapon in the hands of an irresponsible person. Each line, each line, he told me with a feeling of pity in his voice, represents the taking of a life for

which the Commonwealth of Pennsylvania is responsible because it permitted the sale of that weapon to an irresponsible person. And when that editor said that conditions in Luzerne depicted only those in other sections of this State, because Luzerne is not criminally inclined, I felt like crying out that the Commonwealth of Pennsylvania would hang its head in "shame, shame, shame" if it could see the long list of murders committed by deadly weapons in the hands of irresponsible persons, to whom it permitted the sale of such weapons.

Gentlemen this bill has been endorsed by all the leading newspapers of this State. It has been endorsed by District Attorney Slattery and the judges of Luzerne county as well as the district attorneys and judges of many other counties. It has also been endorsed by all of the police officials of this State. I have in my possession editorials from all the leading journals of this State, giving their stamp of approval to this measure and urging you gentlemen to support it.

Bear in mind again gentlemen that this bill merely regulates the sale of deadly weapons. Briefly speaking it specifies that any firm, corporation or individual having use for such a weapon shall obtain a permit to use the same from the sheriff of the county. It specifies that such a permit shall be issued if the sheriff is satisfied that the firm, corporation, officer or individual is of good character and good standing in the community. If the privileges contained in that permit are abused the license can be revoked. Can't you see gentlemen that under such regulations, irresponsible persons will not find it so easy to secure such weapons and even if they do, how easy it will be to fix the responsibility, which is impossible under present regulations. Can't you see gentlemen that the only persons to whom merchants will not be permitted to sell these weapons are those who have no business with them. This bill protects the merchant in the sale of such weapons.

Several years ago the Legislature of this Commonwealth in its wisdom saw fit to pass a bill preventing the discriminate sale of deadly poisons, by regulating the sale of such drugs. Who in this House to-night will honestly say that that bill was not a good one.

Why, gentlemen, if this Legislature saw fit to regulate the sale of deadly poisons should it not regulate the sale of deadly weapons?

Mr. MEARKLE. Mr. Speaker and gentlemen of the House, if I was selected as a committee of one to prepare a piece of legislation for the interests of the criminal and the thug in the State of Pennsylvania I can conceive of no piece of legislation that would suit my purpose better than the bill that is before us for consideration at this time. I do not take exceptions to what the intent or the purpose of the sponsor of this bill is. There is no question but what the purpose, his object and his intention was good, but I do take exceptions to the effect of the act and for the consideration of the House I will just mention—not to take up your time—some of the objections to the bill.

The first is, that only the person, only one person, the person that gets the permit, to whom the permit is issued, is entitled to use that weapon. If, perchance, a highwayman should attempt to enter your house, only the person to whom the permit has been issued is permitted to use that weapon; otherwise he makes himself liable to be fined and imprisoned.

It requires that the person who wants a permit must go before the judge or the high sheriff for the purpose of getting a permit, stating his reasons and giving his pedigree, and if he has sufficient influence with the sheriff the permit is issued; if he has not, the permit is not issued.

He referred to the law of the State of New York. I am reliably informed by the newspapers, copies of which I have in my possession, some of which are editorials, that there is a special effort being made at this time to repeal the Sullivan Law of New York. A part of an editorial from one of our prominent newspapers in the State of Pennsylvania I will just read for your information. It says:

SOME MORE HINDSIGHT

"After an experience with the Sullivan law passed to end the carrying of concealed weapons in New York, the police department there is hard at work to secure its repeal, and, as might have been expected, on the identical grounds urged by the bill's opponents when its was before the Legislature. Instead of prohibiting "gun toting" the law actually gave gunmen and low-grade criminals a legal privilege to go about armed to the terror of law-abiding citizens who as a rule found it difficult or impossible to get consent of the authorities to take means to defend themselves. A gunman, according to a police commissioner, had little trouble to get a permit to carry a gun, while the decent taxpayer either didn't want a revolver or gave up the idea of owning one because of the difficulties and penalties thrown in his way by judicial hands. Possibly if the police had been more sincere in support of the Sullivan law it might not to-day be in disrepute."

In New York State, according to the statistics of the District Attorney's office since the enactment of the Sullivan law, burglary has increased twenty-two and a half per cent.; and I know, as an absolute fact, that in the State of New York since the enactment of this law that burglary insurance, the premium on burglary insurance, has increased forty per cent. The objection to this bill is the one fact that it does not prohibit any man, any boy, or any child from sending to an out of town mail order house, Sears, Roebuck and Company, for instance, and getting any revolver he might want to have shipped into the State of Pennsylvania. The law which makes it inconvenient or difficult for the law-abiding citizen to have protection and licensing criminals and not increasing the number of crimes, that is exactly what this law does: it makes it very difficult for a man to get a permit to carry a revolver or carry a revolver even for his own protection. The gentleman refers to various district attorneys who have examined this act and approved it. I have taken the matter up with the District Attorney of Allegheny County and have gone over it very carefully with him and I am pleased to read his letter to the House and I therefore ask you to vote against this bill.

"Pittsburgh, Pa., April 9th, 1917.

"Hon. W. W. Mearkle,

"House of Representatives, Harrisburg, Pa.

"My dear Mr. Mearkle: Circumstances prevented my meeting you on Saturday, and that I may get to you my views on House Bill No. 13, I write this, mailing it to Harrisburg.

"I have read your comments on the Bill, and in the main I agree with you. The prohibitions of this bill strike the ordinary man as unreasonable, what we need is to restrain the owning and carrying of deadly weapons by aliens. We have an act that prevents aliens from owning guns, that is shot guns and rifles, passed for the protection of game, what we now need is a similar act for the protection of human beings by prohibiting foreigners, that is aliens from owning revolvers, black jacks and knives. The trouble does not lie in the ownership of weapons of defense by citizens, either native born or naturalized, the "Black Hander" and "Thug" is in nearly all cases found to be an alien, and where we do find the citizen carrying a weapon, if he be a naturalized foreigner, the reason he assigns is the fear of attack by the vicious alien, and my experience leads me to believe that he is justified in most cases.

"I think I agree with all that you have said in your notes against this bill, and my opinion, after examination of it is that it would operate against the law abiding citizens and to the advantage of the "Black Hander" and "Thug.". It must be borne in mind that in a county such as Allegheny, the class of men to whom the restriction here provided, ought to apply, are to a great extent "Floaters," and the difficulties that readily suggest themselves to the enforcement of this act, would, I think, make it inoperative.

"I am enclosing your notes.

"Yours with best wishes,

(Signed) R. H. JACKSON,
District Attorney."

Mr. WALTER. Mr. Speaker, this bill comes from an origin where special conditions exist and is a laudable effort to correct these conditions. I don't believe that it will correct the man who wants to commit crime under present conditions who will usually get hold of a weapon. The ordinary good law-abiding citizen may have a gun and have a weapon in his house or carry one with him when traveling or otherwise and will not want to take the trouble to secure a license from the Sheriff of his county if he purposes to carry a concealed weapon. It will place him at a distinct disadvantage. Anyone of us who wants to have a revolver in his home, for any purpose whatsoever will have to go before the sheriff to get a certificate of good moral character and go through all the red tape described by this act before he can do so. The trouble with the conditions in Luzerne County, and other counties, whose members advocate the passage of this bill is that the present law in the statute books is not properly enforced. Any person who now carries a deadly weapon must, if arrested and charged with that crime, show to the satisfaction of the jury that he did not carry it with the intent of doing harm to any

person. In nine cases out of ten that a man is inclined to break the law and is caught with the weapon upon his person he will be convicted and in putting this law upon the statute books you only add another law which will not be enforced, and we have too many of that sort at the present time. I trust that the House will not abridge the rights of law-abiding citizens for the benefit of those who desire to commit crime and take away the powers of resistance on the part of law-abiding citizens and permit those who want to engage in crime to carry weapons.

Mr. WILLIAM DAVIS. Mr. Speaker, I have received a letter which I will read regarding this bill No. 13:

REGARDING MR. THOMAS' FIREARMS BILL NO. 13.

Article 1, Section 20 of Constitution states: "The rights of a citizen to bear arms in defense of himself and the State, shall not be questioned."

Bill 13 is retroactive. It would convict of crime for an ownership previous to passage of act. A permit would be necessary to possess a revolver, even if an old relic.

Bill 13 will safeguard the criminal class. Any law which would lessen the risks to the criminal, would encourage crime. The Lawless element know that the citizen class hesitate to break a law and with the knowledge that the average house was unarmed, the criminal pursues his vocation unafraid.

An out of state party motoring through Pennsylvania with a small arm for protective purposes, will be subject to fine of $500.00 and two years imprisonment solitary confinement unless they possess permit to possess a revolver. It would be necessary to procure this permit from a Judge of Court of Record. It would therefore make it impossible in this instance to comply with this provision. During summer months the roads and mountains invite strolling men of criminal records, and for the tourist to go unarmed, is to invite hold-ups. On occasions where necessary to use precautions against the lawless, whether in the citizens' home, his place of business, or motoring, every militant act of the citizen against the lawless criminal class, discourages the criminal to prey on innocent victims, just as the criminal class are encouraged to further acts of violence, when they meet with no armed resistance from the citizen class of law abiding people. On page 4, lines 28 and 29, bill 13, make it practicably impossible for a party from a sister state coming into Pennsylvania, to possess a protective arm.

As an extreme illustration, on page 2, line 10, a citizen would be liable for having on his person a knife or razor (Maybe having it honed), as the possession is presumptive evidence of contemplated crime.

A person may secure a permit to possess providing the High Sheriff is satisfied of the moral character of applicant. If permit is secured for home, it must not be removed therefrom, and if the householder in an endeavor to capture a thief should proceed outside his house in the pursuit, he would technically become a criminal. If bank or express messenger was replaced by another, then it becomes necessary to procure another permit. See page 4, lines 5 to 19.

The High Sheriff in certain cases where, in addition to the moral character of the applicant being established, he has proof before him that proper cause exists, can issue a permit to carry a revolver off the premises. Can any one imagine a criminal applying for a permit to buy or possess a weapon, when there are so many clandestine sources of procuring a revolver? See page 4, lines 20 to 26.

Should visitors at your home, late in departing, consider it wise to have a revolver to safeguard them—possibly over a lonely road or mountain—you could not loan them a weapon without becoming a criminal yourself as well as making them also liable for fine and imprisonment. See page 7, Sec. 5, lines 6 to 10. This bill 13 stipulates that a revolver must not be sold—or otherwise disposed of.

If permit is secured to possess revolver in ones home, only the person to whom permit is issued, could lawfully use the revolver. See page 4, lines 5 to 19.

Bill 13 would make it easy to "plant" a weapon on some innocent person and have him sent to prison, lawfully. This has been, and is now, a practice in New York State under the Sullivan Act. The Sullivan law is similar to bill 13, and the results of this Law bear irrefutable testimony to not only failing to prevent undesirable persons getting revolvers but the law has actually increased the number of criminals in the state, with corresponding spreading of crime. Would it not therefore, be an outrage on the state, with all this evidence at hand, to make bill 13 a law?

Here are some authentic figures: Since the Sullivan law was enacted, crime in New York has increased 22½ per cent. Following shows the increase in killing. Murders: 1913—27. 1914—31. 1915—65. Manslaughters: 1912—34. 1913—38. 1914—49. 1915—65. (These figures are taken from District Attorney's Office Records. Figures for 1916 are not yet available). Since the passage of the Sullivan Law rates on Burglary Insurance have increased 40 per cent. to keep pace with the spread of crime. In N. Y. State holdups and House breaking have become so frequent, that Supreme Justice Goff stated for publication: "That terrible piece of legislation called the Sullivan Law a law which works injury to the honest citizen against the crook, etc." (N. Y. Papers Dec. 9th and 10th, 1913) N. Y. World: "If courts do not wholly invalidate it, next session should repeal it." N. Y. Sun: "Sullivan Law has not only made the state sponsor, but ridiculous." Many of the courts in N. Y. State have either wholly or in part, invalidated this act by refusing to convict.

It is an undeniable fact that any child, or an alien writing in his own tongue, can send out of state to mail order house and have one or 100 revolvers delivered to any address in a few days. This shows the fallacy of the permit to purchase, in any way accomplishing any reform.

Every citizen under stress, will defy laws interfering with his rights, and rather than undergo the uncertainty and the formalities of procuring this permit, with the time and delay, will either defer the purchase of weapon for Home Defense, or else send to out of town mail order house for same. Thus the trade of more than 16,000 legitimate dealers of the state who pay taxes, is interfered with.

Present statute No. 33 Act of March 18th, 1875, if enforced, will punish and tend to prevent crime. Bill 13 will punish the law abiding citizen, and build up the criminal class. Police Department Heads of all cities are empowered at any time, by police order, to stop sale of firearms, in case of riots, etc. Is it wise, with our country at war, to pass any bill taking away citizens' rights to protect themselves against the lawless class?

Mr. NEARY. Mr. Speaker, I would like to interrogate the gentleman from Cambria, Mr. Davis.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. WILLIAM DAVIS. Mr. Speaker, I will.

Mr. NEARY. Mr. Speaker, I should like to ask the gentleman who wrote the letter he just read.

Mr. WILLIAM DAVIS. Mr. Speaker, the letter came from the Schwank Hardware Company of the city of Johnstown.

Mr. NEARY. Mr. Speaker, I thank the gentleman very much.

Mr. WILLIAM DAVIS. Mr. Speaker, just a moment. It is from the largest wholesale department of its kind in the State of Pennsylvania outside of Philadelphia and Pittsburgh—responsible and reliable.

Mr. WALKER. Mr. Speaker and gentlemen of the House, when this bill was first sent to us, as all of us must have received it from Mr. Slattery, a few months ago, I went into it with considerable care. It so happens that I have a large collection of arms, and it also happens that I enjoy at times carrying them with me. There are times when it is probably necessary, and when I read the act it occurred to me that it would interfere with what I might deem my liberty. I found under the terms of this act as I first considered it, I could not go gunning and take my little fellow with me and have him carry the gun, and I thought that therefore the act was a bad one and should not be passed. But after a more mature consideration of this act I came to the conclusion that my first thought was wrong, and after hearing to-night the approval which the act had received from the Chief Dectective of our city, and from District Attorney of our county, as well as one of the law officers of Pittsburgh, it occurred to me that the bill deserved the greatest kind of consideration, favorable comment as well as passage. Now the gentlemen from Cambria, sir, has read in the opening words of his letter the remarks that the Constitution would be infringed by the passage of this act, because he read that section of the Constitution which provides that the citizens of the Commonwealth may carry arms in defense of the State. Mr. Speaker I have not lived long enough to see many wars, but I have never yet seen a soldier carrying a concealed weapon. I noticed to-day as I came to the train that the soldiers in the streets of Philadelphia had on their right thighs automatic pistols in holsters, but they were not concealed, everybody knew what they were. Now this act provides that children under the age of 16 shall not be permitted to have arms, and in that regard it only makes more definite that which the law to-day says is proper. It further provides what I have never seen in the law, it may be stated, but I have not noticed it, and that is, it is unlawful for a person to have bombs. Every one of us who have been reading the newspapers know that the great trench warfare in Europe to-day is carried on with bombs, and those things are far more dangerous, by many, many per cent., than the pistol. That is exactly what the act prohibits, the carrying around of concealed weapons, and it differs from the old law as I recall it by providing that the use of them without the necessary license is no longer a misdemeanor but is a felony. I have been informed by one of the district attorneys of Philadelphia that from September to February, there were 700 cases of aggravated assault and battery, and of those cases 450 approximately, were cases where deadly weapons, guns and pistols, were used. Now, sir, it is a known fact to those who practice at the criminal

bar of Philadelphia that you can even become intoxicated and go into an open shop or hardware store in certain sections and buy weapons and have them loaded there. This act would make it such a drastic crime, so strong a crime, that knowing it as a felony, a man would have a strong hesitation to meet a court and jury for selling weapons when he knows that his conviction would mean a conviction for felony. I said sir that it might seem to some extent to interfere with some liberties, but it will not interfere with the liberty of the man who wants to abide by the law, and for that reason though it may interfere with our liberty, we ought to forget that for the general good of the people of our State.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—83.

Albee,	Drinkhouse,	Lafferty,	Ramsey,
Aron,	Dunn,	Lewis,	Reichenbacker,
Arthur,	Ehrhardt,	Malie,	Rogers,
Baldi,	Fackler,	McArdle,	Ruddy,
Bechtold,	Flynn,	McKay,	Sampsel,
Bell,	Fowler,	McNichol,	Smith, J. W.,
Bennett,	Franklin,	McPeake,	Snowden,
Beyer,	Fretz,	Mehring,	Sprowls,
Brady,	Geary,	Miller, A. D.,	Sterling,
Campbell, T.,	Glass,	Miller, C. G.,	Stern,
Coldsmith,	Golder,	Milner,	Sweitzer,
Conner,	Goodnough,	Mitchell,	Thomas,
Corbin,	Goodwin,	Morgan, T.,	Vogdes,
Cox,	Graham,	Morgan, T. J.,	Walker,
Crosby,	Gransback,	Murphy,	Wells,
Cummins,	Haldeman,	Neary,	Whitaker,
Curry,	Hecht,	Ogden,	Wobensmith,
Davis, D. F.,	Heffernan,	Patterson,	Wynne,
Dawson,	Hollingsworth,	Perry,	Zanders,
Dell,	Jennings,	Pickering,	Baldwin,
Dewey,	Jones,	Powell,	Speaker.

NAYS—75.

Baker,	Hess,	Mearkle,	Shunk,
Baldridge,	Heyburn,	Mervine,	Siggins,
Barner,	Hollern,	Michel,	Sones,
Benchoff,	Howarth,	Miller, G. J. A.,	Stadtlander,
Benninger,	Jack,	Murdoch,	Stites,
Bidelspacher,	Kennedy,	Musser,	Stofflet,
Black,	Lanius,	Palmer,	Strauss,
Campbell, J. O.,	Laucks,	Phillips,	Sullivan,
Chestnut,	Lauler,	Reitzel,	Taylor,
Christman,	Leary,	Rhoads, H. L.,	Urich,
Clements,	Lohr,	Ringler,	Vickerman,
Davis, W.,	Luppert,	Rininger,	Wallace,
Dean,	Mangan,	Robertson,	Walter,
Dithrich,	Marvin,	Rothenberger,	Weimer,
Drake,	Maurer,	Rudisill,	West,
Fitzgibbon,	McCaig,	Sarig,	Wickman,
Gans,	McCullough,	Schaeffer, A. C.,	Williams, J. P.,
Graeff,	McKinney,	Shaffer, C. A.,	Wylie,
Helt,	McVicar,	Shattuck,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. DITHRICH. Mr. Speaker, I desire to call up at this time House Bill No. 424 (Senate Bill No. 9), File Folio 281, on page 33 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 424 (Senate Bill No. 9), entitled

An Act to provide for the change of object of the corporate existence and authorizing and providing a mode for the dissolution and surrender of charters of fire companies

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. DITHRICH. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. STADTLANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

RESOLUTION GRANTING USE OF THE HALL OF HOUSE TO THE COMMITTEE ON ELECTIONS.

Mr. DAWSON asked and received unanimous consent to offer a resclution, which was twice read and agreed to as follows:

Resolved, That the use of the Hall of the House of Representatives be granted to the Elections Committee on the afternoon of Tuesday April 24th, beginning at 3 o'clock, for the purpose of a public hearing on the bill proposing the repeal of the non-partisan act for second class cities.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

House Bill No. 354.

An Act authorizing the Legislative Reference Bureau to continue the work commenced under the provisions of an act, approved the twentieth day of May, one thousand nine hundred and thirteen, entitled "An Act directing the Legislative Reference Bureau to prepare compilations or codes, by topics, of the existing general laws of this Commonwealth, for adoption or rejection by the General Assembly; fixing the powers and duties of the bureau therein, fixing the compensation of the assistant director; and making an appropriation therefor," fixing the powers and duties of the bureau therein, and making an appropriation.

House Bill No. 738.

An Act vesting in the persons appointed by the county commissioners of the several counties of this Commonwealth to inspect and repair county roads, improved and maintained by such counties, the power and authority now vested by law in the constables of the several cities, boroughs and townships of this Commonwealth, for the preservation of the peace in and along such roads, and for the enforcement of acts of Assembly regulating the speed of automobiles and other vehicles thereon, and for the enforcement of rules and regulations governing the use of such roads, designating such persons county road caretakers, and providing for badges evidencing their authority.

House Bill No. 612.

An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth

House Bill No. 451.

An Act exempting free from the claims of all creditors the proceeds of certain life insurance and annuity contracts bona fide taken out by any person not exceeding one hundred dollars per month

with information that the Senate has passed the same without amendment.

ADJOURNMENT.

Mr. RAMSEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 11:55 P. M.) the House adjourned until to-morrow morning at 11 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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SENATE.

TUESDAY, April 24, 1917.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the Chair.

PRAYER.

The Chaplain, Rev. Thomas W. Davis, offered the following prayer:

Our kind Heavenly Father, we realize that governments rise and fall, and institutions prosper and go into decay according to the kind of men that are connected with them. Our progress is dependent almost absolutely upon personality. We pray Thee then that it may become the objective point in our lives and that we may direct ourselves towards the one purpose of living up toward God and out toward our fellow-men. We ask these blessings in our Saviour's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SPROUL, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. CRAIG, from the Committee on Judiciary General, reported as committed Senate Bill No. 574, entitled

An Act requiring borough councils, township commissioners, township supervisors, and school directors to file auditors' reports in the office of the clerk of quarter sessions; requiring the county commissioners to furnish books for that purpose; imposing certain duties on auditors; fixing the fee of the clerk of the court, and providing for removal from office in case of failure to comply herewith.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 898 (House Bill No. 1117), entitled

An Act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania or by any county or municipality thereof in its civil service, who have a wife children or parents dependents upon them for support, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment in the army or navy of the United States in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the army or navy; directing that one half of the salaries or wages of such officers or employes not exceeding two thousand dollars per annum, be paid during the term of their service in the army or navy to such dependents thereof; authorizing the employment, during said term, of substitutes to perform the duties theretofore performed by such officers or employes respectively, and providing for the compensation of such substitutes.

Mr. P. W. SNYDER, from the Committee on Education, reported as committed Senate Bill No. 610 (House Bill No. 648), entitled

An Act to amend section one thousand four hundred thirty-nine of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith," as amended and adding thereto section one thousand four hundred forty.

Mr. JENKINS, from the Committee on Judiciary General, reported as committed Senate Bill No. 867, entitled

An Act authorizing George F. Pawling Company, a corporation incorporated under the laws of the State of Pennsylvania, with its principal place of business in the City of Philadelphia, Pennsylvania, successor to Bergdoll and Pawling, to bring suit in the Court of Common Pleas of Dauphin County against the Commonwealth of Pennsylvania.

Mr. WEAVER, from the Committee on Judiciary General, reported as committed Senate Bill No. 895 (House Bill No. 1028), entitled

An Act authorizing James L. Baker and Mary A. Baker, his wife, of Harrisburg, Dauphin County, Pennsylvania, to bring suit in the court of common pleas of Dauphin County.

Mr. HINDMAN, from the Committee on Judiciary General, reported as committed Senate Bill No. 858 (House Bill No. 842), entitled

An Act authorizing Robert J. McAllister and Ruth McAllister, his wife, residents of the Dunstable Township, Clinton County, Pennsylvania, to bring suit in the court of common pleas of Clinton County against the Commonwealth of Pennsylvania jointly or severally.

Mr. DAIX, from the Committee on Judiciary General, reported as committed Senate Bill No. 861, entitled

An Act authorizing John F. Stone of Coudersport, Pennsylvania, to sue the Commonwealth in the Court of Common Pleas of Dauphin Conuty for loss and damage incident to a shipment of cattle to Lancaster, delivery of which was not permitted by the State Livestock Sanitary Board.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 863, entitled

An Act to amend an act approved the fourteenth day of June, one thousand eight hundred and eighty-seven, entitled "An Act to provide for the incorporation and regulation of companies, not for profit, organized for the encouragement of the arts and sciences and of agriculture and horticulture, and to confer upon such companies the right of eminent domain," as amended; enabling said corporations to increase their bonded indebtedness from five hundred thousand dollars to one million dollars.

Mr. PATTON, from the Committee on Judiciary General, reported as committed Senate Bill No. 750, entitled

An Act to repeal an act approved the twenty-third day of April, Anno Domini one thousand nine hundred and three, entitled "An Act to designate a uniform date when the Commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments, and the reassessment between the periods of the triennial assessment, of property and fixing the time for the return thereof."

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 905, entitled

An Act validating certain elections of counties, cities, boroughs, townships, school districts, and other incorporated districts, held pursuant to the provisions of an act approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto, and validating bonds issued, or authorized to be issued, in pursuance of such elections.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 906, entitled

An Act to empower certain county poor districts to purchase poor farms; providing that manner in which such purchases shall be made, and providing for the mortgaging of such poor farms to secure any part of the purchase price thereof.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 907, entitled

An Act to validate certain deeds and conveyances made by trustees without setting forth their authority to convey.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed Senate Bill No. 711, entitled

An Act authorizing Rosario Fantino, of Philadelphia, to bring suit in the Court of Common Pleas of Philadelphia County against the Commonwealth.

Mr. BALDWIN, from the Committee on Judiciary General, reported as committed Senate Bill No. 900 (House Bill No. 1253), entitled

A Joint Resolution petitioning the government of the United States and the Secretary of War to rescind or modify the order of the Department of War requiring the raising of certain bridges over the Allegheny River.

BILLS INTRODUCED.

Mr. McCONNELL read in his place and presented to the Chair Senate Bill No. 923, entitled

An Act making an appropriation for the payment of one hundred thirty-six dollars and eighty cents to John J. Devitt, for services rendered as a member of the Mine Inspector's Examining Board for the counties of Schuylkill, Northumberland, Columbia and Dauphin.

Which was committed to the Committee on Appropriations.

Mr. BEALES read in his plaec and presented to the Chair Senate Bill No. 924, entitled

An Act fixing the compensation of election assessors and constables in boroughs and townships for attendance at primary elections.

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 925, entitled

An Act to establish as a State Highway a certain section of public road in the County of Adams.

Which was committed to the Committee on Public Roads and Highways.

Mr. W. W. SMITH read in his place and presented to the Chair Senate Bill No. 926, entitled

An Act to amend the third section of an act approved the twenty-ninth day of April, Anno Domini, one thousand eight hundred and seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" in relation to notice of applications for charters and further in relation to contents of certificates of application for charters for corporations of the second class, relieving the Governor from duties in relation thereto by delegating the same to the Secretary of the Commonwealth and increasing fees and charges.

Which was committed to the Committee on Corporations.

Mr. BALDWIN read in his place and presented to the Chair Senate Bill No. 927, entitled

An Act empowering express companies to employ policemen commissioned by the Governor with authority to act in all counties in the State wherein such companies carry on their business.

Which was committed to the Committee on Judiciary Special.

RESOLUTION RECALLING SENATE BILL NO. 771 FROM THE HOUSE OF REPRESENTATIVES.

Mr. EYRE offered the following resolution, which was twice read:

Resolved (If the House of Representatives concur), That Senate Bill No. 771, entitled An Act to amend section one thousand four hundred five of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which passed the Senate finally on April 11, 1917, be recalled from the House of Representatives for the purpose of further consideration.

On the question,

Will the Senate agree to the resolution?

Mr. BUCKMAN. Mr. President, I should like to be informed what bill this is that is being recalled from the House of Representatives.

The PRESIDENT. Will the Senator from Chester, Mr. Eyre, permit himself to be interrogated?

Mr. EYRE. Mr. President, I will. This bill was introduced by Senator Hackett and is a bill segregating white children from colored children and Senator Hackett has agreed to the recall of the bill.

Mr. BUCKMAN. Mr. President, I am not sure as to the right of this body to recall a bill from the House after being passed by this body.

The PRESIDENT. For the information of the Senator from Bucks, the Chair would say that the bill can only be recalled by concurrence of the House of Representatives.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

TIME OF NEXT MEETING.

Mr. VARE offered the following resolution, which was twice read, considered and agreed to.

In the Senate, April 24, 1917.

Resolved (If the House of Representatives concur), That when the Senate adjourns this week it be to reconvene on Tuesday morning, May first, at eleven forty-five o'clock; and when the House of Representatives adjourns this week it be to reconvene on Monday evening, April thirtieth at nine o'clock.

Ordered, That the Clerk present the same to the House of Repreesntatives for concurrence.

RESOLUTION REQUESTING THE SECRETARY OF THE COMMONWEALTH TO ADMINISTER THE OATH OF OFFICE TO AUDITOR GENERAL-ELECT SNYDER IN THE SENATE CHAMBER AT HIGH NOON ON TUESDAY, MAY 1, 1917..

Mr. SPROUL offered the following resolution, which was twice read, considered and agreed to:

Whereas The Senator from Schuylkill County the Hon. Charles A. Snyder will assume the duties of Auditor General of this Commonwealth on next Tuesday, May 1, 1917, and

Whereas Many personal and political friends of the Auditor General-elect are desirous of witnessing his induction into office,

Now therefore be it Resolved That the Secretary of the Commonwealth, whom precedent has decreed as the proper officer to administer the oath of office to incoming Auditors General, be and is hereby invited by the Senate of the Commonwealth of Pennsylvania to administer the oath of office as Auditor General to the Hon. Charles A. Snyder in the Senate Chamber at high noon on Tuesday, May 1, 1917.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 219, as follows:

An Act to authorize counties cities boroughs towns townships school districts and poor districts to require a bond to protect labor and material men and providing for suits thereon by laborers and material men furnishing labor and material in and about the erection alteration addition and repair of public buildings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all counties cities boroughs towns townships school districts and poor districts shall in the improvement of lands or in the erection alteration addition or repair of edifices and public buildings of any kind in said districts have the power to require of the contractor or contractors employed in and about said improvements an additional bond with sufficient surety or sure-

ties providing for the payment of all labor and material entering into said improvements

Section 2 The labor and material-men furnishing labor and material in and for said improvements upon the contract of said contractor shall have the right according to law to sue in an action of assumpsit in the name of the obligee for his or their use upon said bond upon proof of said contractor's failure to pay for said labor or material

Section 3 All acts or parts of acts inconsistent with this act are repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,	Graff, J. F.,	McKee,	Snyder, C. A.,
Beales,	Graff, W. P.,	McNichol,	Snyder, P. W.,
Buckman,	Hackett,	Miller,	Sones,
Burke,	Haldeman,	Nason,	Sproul,
Catlin,	Hindman,	Patton,	Stewart,
Craig,	Homsher,	Phipps,	Vare,
Croft,	Jenkins,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,	Smith, R. E.,	Beidleman,
Eyre,	McConnell,	Smith, W. W.,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the consideration of Senate Bill No. 395 (House Bill No. 363), as follows:

An Act fixing the fee jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than fourteen hundred thousand for service in the courts of common pleas courts of quarter sessions and courts of oyer and terminer.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first Monday of January nineteen hundred and eighteen the fee for jurors summoned by the sheriff of any county in this Commonwealth having a population of over five hundred thousand and not more than fourteen hundred thousand for service in the courts of common pleas courts of quarter sessions and court of oyer and terminer shall be three dollars and fifty cents for each days attendance in such court

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,	Graff, J. F.,	McKee,	Snyder, C. A.,
Beales,	Graff, W. P.,	McNichol,	Snyder, P. W.,
Buckman,	Hackett,	Miller,	Sones,
Burke,	Haldeman,	Nason,	Sproul,
Catlin,	Hindman,	Patton,	Stewart,
Craig,	Homsher,	Phipps,	Vare,
Croft,	Jenkins,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,	Smith, R. E.,	Beidleman,
Eyre,	McConnell,	Smith, W. W.,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 646 (House Bill No. 854), on third reading, entitled

An Act providing for the appointment of probation officers in certain counties fixing their powers duties and salaries

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 672, as follows:

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Article one of Chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding the following sections thereto

Section 18 The council and burgess shall each year within sixty days after the organization of the council by ordinance estimate the several amounts of money which will be required for the several specific purposes of borough government and expenses during the current fiscal year and appropriate out of the revenues available for the said year the specific sum so estimated to be required The tax levied by the borough authorities shall be fixed at such figure within the limit fixed by law as will with all other sources of revenue meet and cover said estimate and appropriation except such thereof as may be provided for out of moneys to be borrowed for purposes of permanent improvement The total appropriation shall not exceed the revenues available for the fiscal year

Section 19 No construction or improvement of highways sewers or other public works shall be undertaken by the borough authorities during any fiscal year unless it shall have been determiend upon and appropriation for the borough's share of the expenses thereof shall have been made by ordinance at the time provided by law for the annual estimate and appropriation for borough government and expenses as provided in the preceding section nor unless provisions shall then have been made by ordinance for obtaining the borough's share of the fund necessary for such improvements by borrowing money through the issue of securities described specifically and in detail if the same is not to be provided out of ordinary current revenues appropriated for that purpose

Section 20 No money shall be transferred from one appropriated fund to another during any fiscal year except by ordinance nor unless at the time of such transfer the amount of moneys theretofore appropriated to and paid into the fund from which such transfer shall be made shall be in excess of the requirements of the purpose for which such fund was appropriated and such transfer shall be made only of such excess

Section 21 The council shall not create any charge or obligation upon any fund where the amount of such order warrant charge or obligation together with the charges already standing against such fund shall be in excess of such fund or at a time when there shall be sufficient money in the treasury belonging to such fund to pay such warrant or order

Section 22 No securities issued or contracts hirings or purchases made or orders or warrants issued on behalf of any borough in violation of the provisions of this act shall be valid or have any binding effect upon the borough

Section 23 All contracts or purchases made by any borough involving expenditure of over three hundred dollars shall be in writing and shall not be made except with the lowest financially responsible bidder after due notice by the secretary published once a week for three weeks in one newspaper of the county in which such borough shall be situated and such bids shall be received and opened in open meeting of council at a time fixed by such notice

Section 2 That Section one of Article four of Chapter seven of said act which reads as follows

"Section 1 The auditors of the borough shall meet on the third Tuesday of January one thousand nine hundred and sixteen and annually thereafter and shall audit adjust and settle the accounts of the tax collectors and all officers of the borough Any officer whose act or neglect contributes to the financial loss of any borough shall be surcharged with the amount of such loss" is hereby amended to read as follows

Section 1 The auditors of the borough shall meet on the third Tuesday of January one thousand nine hundred and sixteen and annually thereafter and shall audit settle and adjust the accounts of the tax collectors and all officers of the borough The auditors shall surcharge the

amount of any loss or shortage or the amount of any expenditure of a kind or made in a manner not authorized by law against any officer who by vote act or neglect or otherwise has been responsible for or has approved or permitted the same

Section 3 That Article four of Chapter seven of said act is hereby amended by adding the following sections thereto

Section 17 In the making of any audit settlement and adjustment and in the authentication of any act or claim or demand against the borough the auditors of such borough shall have the same power and authority to obtain the attendance before them of parties and witnesses and the production of books and papers and to administer oaths and affirmations as are given by law to county and township auditors All persons guilty of swearing or affirming falsely before the auditors shall be liable to the penalty of perjury

Section 18 The accounts of the secretary shall be annually audited and report thereof filed by the borough auditors in the same manner as the accounts of other officers are audited and filed and subject to all rights of appeal conferred by law in the case of reports of auditors upon the accounts of such officers The secretary and his sureties shall be liable in the amount of any loss to or a legal payment by the borough consequent upon any neglect or violation of his duties

Section 4 That Article five of Chapter seven of said act is hereby amended by adding the following sections thereto

Section 13 The accounts of the secretary shall be annually audited and a report thereof filed by the controller in the same manner as the accounts of other officers are audited and filed and subject to all rights of appeal conferred by law in the case of reports of controllers upon the accounts of such officers The secretary and his sureties shall be liable in the amount of any loss to or a legal payment by the borough consequent upon any neglect or violation of his duties

Section 14 The controller shall keep books of account of all appropriations and charges whether by ordinance resolution contracts warrants or orders against the same and shall not sign attest or countersign any warrant or order nor direct the issue of any warrant or order upon any fund where the amount of such order warrant charge or obligation together with the charges already standing against such fund shall be in excess of such fund or at a time when there shall not be sufficient money in the treasury belonging to such fund to pay such warrant or order

Section 5 That section four of Article six of Chapter seven of said act which reads as follows

"Section 4 The borough treasurer shall before entering upon the duties of his office give bond with surety as required by the borough he shall perform the duties of the township treasurer within the borough shall keep a just account of all receipts and disbursements and shall annually submit his account to the borough auditors and publish the same in a manner directed by the borough he shall pay over all moneys remaining in his hands and deliver all books papers accounts and other things belonging to the borough to his successor All moneys received by any officer for the use of the borough shall be forthwith paid to the borough treasurer" is hereby amended to read as follows

Section 4 The borough treasurer shall before entering upon the duties of his office give bond with surety as required by the borough he shall perform the duties of the township treasurer within the borough shall keep a just account of all receipts and disbursements and shall annually submit his account to the borough auditors and publish the same in a manner directed by the borough he shall pay over all moneys remaining in his hands and deliver all books papers accounts and other things belonging to the borough to his successor All moneys received by any officer for the use of the borough shall be forthwith paid to the borough treasurer

The treasurer shall pay out the moneys coming into his hands for the fiscal year only upon warrants or orders numbered in the order of their issue signed by the president and attested by the secretary of the borough and countersigned by the controller where such office exists and designating the appropriated fund out of which said orders shall be paid No treasurer shall pay any order from any fund other than the one designated for such purposes nor may he pay out moneys in his hands in excess of any appropriation nor contrary to any provision prescribed by law for the regulation of such funds

Any borough treasurer who shall pay out any moneys otherwise than as provided by law shall be allowed no credit therefor in the settlement of his accounts nor shall he have any claim or right of action against the borough therefor

Section 6 That Section six of Article six of Chapter seven of said act which reads as follows

"Section 6 The secretary shall attend all meetings of the borough council and shall keep full minutes of their proceedings he shall transcribe the by-laws rules regulations and ordinances adopted into a book kept for that purpose and when signed by the presiding officer shall attest the same he shall preserve the records and documents of the borough and shall have custody of the corporate seal He shall certify copies of any book paper record by-law rule regulation ordinance or proceeding of the borough under the seal thereof which copies so certified shall be admitted in evidence in any court of the Commonwealth He shall attest the execution of all instruments record the publication of all enactments and attest the same by his signature He shall file or record the proof of service of all notices required by law and the certificate thereof shall be good evidence of such notice He shall deliver to his successor the seal and all books papers and other things belonging to the borough" is hereby amended to read as follows

Section 6 The secretary shall attend all meetings of the borough council and shall keep full minutes of their proceedings he shall transcribe the by-laws rules regulations and ordinances adopted into a book kept for that purpose and when signed by the presiding officer shall attest the same he shall preserve the records and documents of the borough and shall have custody of the corporate seal He shall certify copies of any book paper record by-law rule regulation ordinance or proceeding of the borough under the seal thereof which copies so certified shall be admitted in evidence in any court of the Commonwealth He shall attest the execution of all instruments record the publication of all enactments and attest the same by his signature He shall file or record the proof of service of all notices required by law and the certificate thereof shall be good evidence of such notice He shall deliver to his successor the seal and all books papers and other things belonging to the borough

The secretary of the council shall in every borough not having a controller keep books of account of all appropriations and charges whether by ordinance resolution contracts warrants or orders against the same and shall not sign attest or countersign any warrant or order nor direct the issue of any warrant or order upon any fund where the amount of such order warrant charge or obligation together with the charges already standing against such fund shall be in excess of such fund or at a time when there shall not be sufficient money in the treasury belonging to such fund to pay such warrant or order

No secretary of any borough council shall proceed with the duties of his office until he shall have given bond to the borough to be held by the burgess with sufficient surety or sureties in double the amount of his annual salary or compensation conditioned for the turning over to his successor at the end of his term of any books papers and property belonging to or relating to borough affairs and for the faithful performance of the duties of his office The secretary may be compelled to justify his bond both as to the amount and responsibility of the sureties thereof before the court of common pleas by any taxpayer upon rule upon him to that effect

The minute book and all other records papers and documents of every borough and officer thereof shall be open to the inspection of any taxpayer thereof his her or its agent upon demand therefor

Section 7 That Section seventeen of Article one of Chapter seven of said act which reads as follows

"Section 17 Where in the conduct of its business a borough has received the benefits of services performed in good faith and the charges therefor are considered reasonable by the council or where there is a moral obligation on the part of the borough to pay for services rendered the council of the borough may pay to the person officer or employe the amount in question or any proportion thereof" is hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Eyre,	McKee,	Smith, R. E.,
Beales,	Graff, J. F.,	Miller,	Sones,
Buckman,	Graff, W. P.,	Patton,	Sproul,
Burke,	Hackett,	Phipps,	Stewart,
Craig,	Hindman,	Salus,	Vare,
Crow,	Jenkins,	Sassaman,	Wasbers,
DeWitt,	Lynch,	Schantz,	Weaver,
Endsley,	McConnell,	Semmens,	

NAYS—2.

Homsher, Snyder, P. W.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. McCONNELL. Mr. President, I ask that Senate Bill No. 716, on third reading, entitled

An Act prohibiting holders of brewer's licenses from having offices or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 730, entitled

An Act empowering banks and trust companies to accept drafts and issue letters of credit.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,	Graff, J. F.,	McKee,	Snyder, C. A.,
Beales,	Graff, W. P.,	McNichol,	Snyder, P. W.,
Buckman,	Hackett,	Miller,	Sones,
Burke,	Haldeman,	Nason,	Sproul,
Catlin,	Hindman,	Patton,	Stewart,
Craig,	Homsher,	Phipps,	Vare,
Croft,	Jenkins,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,	Smith, R. E.,	Beidleman,
Eyre,	McConnell,	Smith, W. W.,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

The PRESIDENT. The Chair desires to inform the Senate that the printer has the title to the wrong bill on the calendar; the Senate bill number is right and the file folio number is right, but the bill instead of being entitled An Act relating to motion picture films, reels or stereopticon views, etc., is a bill entitled "An Act authorizing any company incorporated under the laws of any other state for the manufacturing purchasing and selling of rubber boots shoes tires and goods of which rubber caucho gutta percha balata or any of their substitutes are a component part and the various materials entering into the manufacturing of any and all of such goods to erect and maintain buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor." That is the bill under consideration.

Mr. PATTON. Mr. President, I ask that this bill go over in its order so that it will get on the calendar properly.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 820, entitled

An Act authorizing manufacturing corporations now or hereafter organized under the laws of this State to engage in the production of necessary raw material for such manufacturing purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,	Graff, J. F.,	McKee,	Snyder, C. A.,
Beales,	Graff, W. P.,	McNichol,	Snyder, P. W.,
Buckman,	Hackett,	Miller,	Sones,
Burke,	Haldeman,	Nason,	Sproul,
Catlin,	Hindman,	Patton,	Stewart,
Craig,	Homsher,	Phipps,	Vare,
Croft,	Jenkins,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,	Smith, R. E.,	Beidleman,
Eyre,	McConnell,	Smith, W. W.,	Pres. pro tem

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECONSIDERATION OF SENATE BILL NO. 325.

Mr. W. W. SMITH. Mr. President, I move to reconsider the vote by which Senate Bill No. 325, entitled

An Act providing for the sale distribution and use of the promotion of biological science and for the discovery of new methods of treatment in medicine and surgery of unclaimed animals in the public pounds and providing penalties for the neglect or refusal to comply with the provisions of this act.

was defeated on final passage.

The PRESIDENT. How did the Senator vote?

Mr. W. W. SMITH. Mr. President, I voted "no".

Mr. SALUS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SALUS. Mr. President, I voted "no".

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Sones and Mr. Wasbers, and were as follows, viz:

YEAS—27.

Baldwin,	Jenkins,	Miller,	Snyder, P. W.,
Beales,	Kline,	Nason,	Stewart,
Buckman,	Lynch,	Phipps,	Vare,
Craig,	Martin,	Salus,	Warner,
Endsley,	McConnell,	Schantz,	Weaver,
Eyre,	McKee,	Semmens,	Beidleman,
Graff, W. P.,	McNichol,	Smith, W. W.,	Pres. pro tem.

NAYS—16.

Burke,	Graff, J. F.,	Patton,	Sones,
Catlin,	Hackett,	Sassaman,	Sproul,
Daix,	Haldeman,	Smith, R. E.,	Wasbers,
DeWitt,	Leiby,	Snyder, C. A.,	Whitten,

So the question was determined in the affirmative.

An the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. W. W. SMITH. Mr. President, I move that the question, together with the further consideration of this bill, be postponed for the present.

Mr. P. W. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. C. A. SNYDER. Mr. President, Senate Bill No. 716, entitled

An Act prohibiting holders of brewer's licenses from having offices or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses.

went over in its order, and I now move that it be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. McCONNELL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 821, entitled

An Act authorizing corporations now or hereafter organized under the laws of this Commonwealth for the purpose of manufacturing to own and operate certain conveyances for the transportation of raw materials and the products manufactured therefrom.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,	Graff, J. F.,	McKee,	Snyder, C. A.,
Beales,	Graff, W. P.,	McNichol,	Snyder, P. W.,
Buckman,	Hackett,	Miller,	Sones,
Burke,	Haldeman,	Nason,	Sproul,
Catlin,	Hindman,	Patton,	Stewart,
Craig,	Homsher,	Phipps,	Vare,
Croft,	Jenkins,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,	Smith, R. E.,	Beidleman,
Eyre,	McConnell,	Smith, W. W.,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 864, as follows:

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a commission to be known as the Commission of Public Safety and Defense of the Commonwealth of Pennsylvania is hereby created which shall be composed as follows viz The Governor the Lieutenant Governor and the members of the Military Board The Governor shall be chairman of the commission The Commission shall organize immediately after the passage of this act and shall appoint a secretary who shall be a member of said commission

Section 2 The commission shall take all necessary means to prepare for the defense of the Commonwealth and to provide for the safety of its people and the protection of their property and shall aid the government of the United States in protecting and defending said Government and the people thereof and their property

The commission is authorized to employ such stenographical and clerical help as may be deemed necessary and to fix the compensation of such help

Section 3 For the purpose of carrying out the provisions of this act the sum of two million dollars ($2,000.000) is hereby specifically appropriated for the use of the commission The amount herein appropriated shall be paid from time to time on warrant of the Auditor General on the State Treasurer in the usual manner upon the filing of itemized vouchers by the commission signed by the secretary thereof

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,	Graff, J. F.,	McKee,	Snyder, C. A.,
Beales,	Graff, W. P.,	McNichol,	Snyder, P. W.,
Buckman,	Hackett,	Miller,	Sones,
Burke,	Haldeman,	Nason,	Sproul,
Catlin,	Hindman,	Patton,	Stewart,
Craig,	Homsher,	Phipps,	Vare,
Croft,	Jenkins,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,	Smith, R. E.,	Beidleman,
Eyre,	McConnell,	Smith, W. W.,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 323, as follows

An Act making an appropriation to The Pennsylvania State College for educational extension work and for maintaining a summer session for teachers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to extend the work of The Pennsylvania State college to the people of the State along useful and practical lines the following sums are hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred and seventeen to the trustees of The Pennsylvania State College as they may deem necessary for the following purposes namely

(1) For meeting the provisions of the act of Congress approved May eighth nineteen hundred and fourteen providing for agricultural and home economics extension and for other forms of extension work in agriculture and home economics the sum of one hundred and ninety-two thousand dollars ($192,000)

(2) For organizing and maintaining apprentice trade and night schools and classes in co-operation with public school boards boards of trade chambers of commerce industries mining institutions and other institutions and organizations and also for public school debating lecture courses reading clubs and other forms of organized educational effort the sum of twenty-five thousand dollars ($25,000)

(3) For maintaining at the college a summer session for teachers including instruction printing equipment supplies janitor service et cetera the sum of twenty-five thousand dollars ($25,000)

(4) And further That in order to assist in meeting the extraordinary needs of Agriculture in the present great emergency in increasing and conserving the food supply through immediate organization of additional county work and other extension service in agriculture and home economics the additional sum of twenty-five thousand ($25,000) dollars or so much thereof as may be necessary is hereby appropriated to the Pennsylvania State College the same to be immediately available upon the approval of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT.

Mr. W. W. SMITH. Mr. President, I move that Senate Bill No. 391 (House Bill No. 260), on second reading, entitled

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth.

be recommitted to the Committee on Public Printing.

Mr. P. W. SNYDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SALUS. Mr. President, before this bill is recommitted, I would ask that the Senator allow me to make some amendment.

Mr. W. W. SMITH. Mr. President, we passed this bill last night, it is a Senate Bill.

Mr. SPROUL. Mr. President, we passed a similar bill.

The PRESIDENT. Senate Bill No. 173 was passed last night.

Mr. SALUS. Mr. President, I would like to make these amendments, they are not in the other bill.

The PRESIDENT. Does the Senator from Philadelphia, Mr. Smith, withdraw his motion?

Mr. W. W. SMITH. Mr. President, I do.

The PRESIDENT. Does the Senator from Blair, Mr. Snyder, withdraw his second?

Mr. P. W. SNYDER. Mr. President, I do.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 391 (House Bill No. 260), entitled

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth.

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the

authority of the same That councils in cities of the first class are hereby empowered to authorize the director of supplies in such cities to purchase or procure without public advertisement for bids and without entering into written contracts materials or commodities to the value of one thousand dollars ($1,000) provided that written bids therefor be first invited from at least three persons firms or corporations regularly engaged in the business of manufacturing dealing in furnishing or supplying the same and provided further That when a patented or proprietary article is to be purchased or procured the director of supplies in said cities of the first class may be permitted to accept one bid from the patentee or the person firm or corporation controlling the patented or proprietary article required which bid shall be accompanied with an affidavit stating that the prices quoted are the lowest at which said articles are sold to anyone in the open market

The second section of the bill was read as follows and agreed to:

Section 2 Whenever advertised bids are received for furnishing materials or commodities for a stated period and the amount or amounts appropriated and available are not sufficient to cover the requirements for the period stated in the advertisement said councils in cities of the first class may authorize the director of supplies to continue said contract or contracts when further appropriations are made and become available for that purpose or when further requirements become necessary for the period stated and this authorization shall be set forth in the said contract or contracts and shall be binding upon the parties affixing their signatures thereto

Mr. SALUS. Mr. President, I move to amend by adding a new section to be known as Section 3, as follows:

"Section 3. Whenever a state of war exists between the United States and any other nation or nations, and prospective or actual hostilities bring about commercial conditions which make it practically impossible, because of continually changing prices, to obtain contracts for the furnishing of materials and commodities necessary for the conduct of the government of the cities of the first class, in this Commonwealth, the councils in each city of the first class are hereby empowered to authorize the Director of Supplies thereof to purchase in the open market at the lowest and most advantageous prices that can be obtained, such materials and commodities for the use of the said city without advertising or entering into contracts for the same until such time as hostilities shall cease and normal market conditions are restored."

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. McNICHOL. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Salus.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Salus, permit himself to be interrogated?

Mr. SALUS. Mr. President, I will.

Mr. McNICHOL. Mr. President, I would like to have an explanation of the amendment.

Mr. SALUS. Mr. President, as I understand this amendment at this time the Director of Supplies is having considerable trouble in getting the various merchants throughout the city to bid on his contract and it puts him in a position where he cannot get the necessary supplies to run his institution. I have in mind this particular instance: A brother of mine supplies the meat in some of these institutions and the last time bids were given out there was not a provision man in the City of Philadelphia who would bid under any condition and the only way they could get a bid from my brother's firm was under an agreement that the Director, in case it would be impossible for him to furnish the things bid on, would see that he would be taken care of. In other words, the director really had to promise to do something that under the law he was not allowed to do and they did bid on furnishing some certain supplies, and when the time came to furnish these meats it was impossible to furnish them, they could not get them and the director had to agree, under the promise that he had made, to take something else. Now, in the present condition of the market, particularly in reference to food supplies, the time comes when a man in the business cannot buy certain things for money, no matter what he agrees to pay for it, the things are not on the market and they cannot be had and it becomes impossible to fill a contract, and in this particular instance that I can recall, my brother's concern was the only one that did bid, no other provision merchant in the City of Philadelphia would bid, and after the bid was accepted he was not in a position to furnish that which he agreed to furnish. Now this would give the Director the opportunity of substituting in place of that which is called for on the schedule some other article and buy it out on the open market for the best price that he could under those conditions; and not only the provision department, but drugs and other articles that the city needs, it is absolutely impossible to get the merchants to bid on those drugs, and this will give the Director authority where he cannot get a bid to go out and buy the necessary supplies to run the institution.

Mr. McNICHOL. Mr. President, I desire to further interrogate the Senator from Philadelphia.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Salus permit himself to be further interrogated?

Mr. SALUS. Mr. President, I will.

Mr. McNICHOL. Mr. President, does it not also give unlimited authority?

Mr. SALUS. Mr. President, I do not think it gives him that authority. This asks for concessions only under conditions as they now exist. In these times of war where supplies cannot be gotten and many of these articles cannot be bought for money, no matter how much money you have, you cannot buy them because you cannot get the goods. It is physically impossible to fill these contracts and a physical impossibility for the Director to go and get the necessary things for the running of the institutions, and I tell you this one particular institution simply had to go ouside of his power and do somehing which he had no right to do in order that the inmates of the institution could be fed and it would work great hardship on the inmates of the institution. These are unusual conditions and this is an unusual request, but it is a request made for unusual times and I do not see how the Director will be able to run his department unless he is given this privilege.

Mr. McNICHOL. Mr. President, I do not want to put myself in the light of an objector as to unusual conditions, but this certainly is a most extraordinary amendment and confers extraordinary powers upon a public offiical who will under this amendment have the right to go out into the open market and contract not only for one hundred, or five hundred, or a thousand dollars' worth of material or breadstuff, but he will be entitled and empowered to absolutely contract for an unlimited amount of money and without advertisement or otherwise. Of course these are unusual conditions. Men in business are having unusual troubles at times to obtain and to purchase material, just as the government has, but if those things are not possible to be provided for the inmates there is certain information that the department needs and the department should make its schedule accordingly, but to open the door to any public official to be permitted to indiscriminately contract for any amount up to one hundred, two hundred or five hundred thousand dollars' worth of material, which this amendment will give, I think is opening the door to a condition which we will require many months to pass over our heads before we recover from it. I hope the Senator from Philadelphia will consider this in the sense of objecting not for any personal reasons, but for the care and protection that we all should have in surrounding city officials and the people of Philadelphia with proper protection. If the condition is such that it is impossible to receive the different articles provided for in that schedule, let the department do just as each individual in his home is doing and just as we have been taught in the papers the last week, and will be for the next six months, cut our cloth according to conditions and subscribe ourselves to certain conditions existing throughout the whole country.

Mr. SALUS. Mr. President, the proposition would be very good if it could be done, but no man can know what is going to happen to-morrow, no man can tell which particular article of food we will be able to get or not get to-morrow. This is a different proposition from that which we have in our homes. In these propositions a schedule calls for a certain article to be supplied for three months in advance. If in your own home you cannot get beef to-day, the housewife orders mutton, or she will order veal, or ham, she will get something to eat; but these schedules call for a certain article for a period of three months. If a man bids to supply mutton on a certain day it means mutton on that day, or beef for a certain day it means beef on that day, and the contractor has no authority under present conditions to change. Now then, if he cannot get those things on that day he either has to let the inmates of that institution go without their victuals or buy something else

which the law says he has no right to do. This is regulated by Councils and if the Director of Supplies should happen to do something that was wrong or go beyond his authority the Councils could immediately call him to time and make him go according to what is right. The Mayor of Philadelphia is for this amendment and I know from my own experience and from my knowledge of the institutions as to how they are being run, that it is absolutely necessary to give this authority to the Director at this time or else the inmates in those institutions are going to suffer for the necessities of life, that they will not have the food that is due them when the time comes for them to get it. Of course, I realize that it is stretching the authority of the Director far beyond that which the Director or anybody else would want it to be, but I do not see that there is any other recourse but to take that chance and with the present Director of Supplies, whom we all know in the City of Philadelphia, so far as he is concerned, there cannot be any question as to the fact that the institutions, or the department, will be run with the strictest economy and for the benefit of all the people.

Mr. McNICHOL. Mr. President, the glowing account of the conditions as described by the Department of Supplies in the City of Philadelphia is to my mind on the part of the Senator from Philadelphia exaggerated slightly. We have as a part of the public institutions been accumulating for the last five or six years large acreages of ground for the purpose of providing vegetables, poultry, and stuff of that kind, to a large degree, by which the City of Philadelphia would be better prepared to meet an emergency of this kind than any individual or private concern is. The only difference that might exist to-day as the conditions that exist otherwise is as to our meat stuff. Now, we gave the Director an order and I was in consultation with the Director of Supplies last week, he only asked for the privilege of a one thousand dollar fund to go out on the market and purchase as he may see fit. It does not limit him to one thousand dollars, but if necessary he can take the one thousand dollars and use it for emergency purposes as he sees fit up to one hundred thousand, if necessary, provided he has the consent of Councils. We opened the door in a partial way by the original bill and we now ask by this amendment that we open the door the whole way so that if it is one hundred and fifty thousand dollars on one transaction the Director is justified, under this amendment, to go out under the law and provide whatever in his judgment he sees fit. It is only the custom and practice I object to, because he is not in any different position from the material man. We are contracting to do work that is going to take three, four and five years to do. We are anticipating and are giving bond to the City of Philadelphia to provide a safeguard to the people of Philadelphia. So, if prices do go up we are the responsible people and not the people of Philadelphia.

Therefore I think the City of Philadelphia has no more to fear than an individual contractor. I think the insertion of this amendment is a dangerous precedent for this Senate to establish.

And the question recurring,

Will the Senate agree to the amendment?

Mr. SALUS. Mr. President, I withdraw the amendment.

The PRESIDENT. Does the Senator from Philadelphia Mr. Vare, withdraw his second?

Mr. VARE. Mr. President, I do.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 391 (House Bill No. 260), the bill just read, be recommitted to the Committee on Municipal Affairs for the purpose of a hearing.

Mr. W. W. SMITH. Mr. President. I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE.

Mr. SEMMENS. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SEMMENS, from the Committee on Insurance, reported as amended Senate Bill No. 507, entitled

An Act to provide reserves for outstanding liability losses of insurance companies transacting the business of insuring any one against loss or damage resulting from accident to or injury suffered by an employe or other person for which the person insured is liable and also for outstanding losses incurred under the Workmen's Compensation Act of one thousand nine hundred fifteen and repealing existing laws.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 577, as follows:

An Act regulating the display or exhibit for sale of food imposing duties upon the Dairy and Food Commissioner and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful to display or exhibit for sale or have in possession with intent to sell any food unless it be covered or protected from contact with or contamination by any animal fowl insect dust or vermin

Section 2 That the Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act

Section 3 Any person who violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or to undergo an imprisonment not exceeding three months or both

Section 4 All fines imposed and received for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 599 (House Bill No. 445), entitled

An Act to amend section four of an act, entitled "A Supplement to an act, entitled 'An Act to establish a health office and to secure the City and Port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes,' approved the twenty-ninth day of January, one thousand eight hundred and eighteen (1818), empowering the Governor to suspend the State Quarantine creating a Quarantine Board, authorizing the Governor to appoint a Quarantine Physician, and to purchase or lease or acquire land for a State Quarantine Station, and thereupon to abandon the present Lazaretto," approved the fifth day of June one thousand eight hundred and ninety-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 606, as follows:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylavnia so as to consolidate the courts of common pleas of Philadelphia County

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section six of article five be amended so as to read as follows

Section 6 In the County of Philadelphia all the jurisdiction and powers now vested in the several numbered courts of common pleas of that county shall be vested in one court of common pleas composed of all the judges in commission in said courts Such jurisdiction and powers shall extend to all proceedings at law and in equity which shall

have been instituted in the several numbered courts and shall be subject to such change as may be made by law and subject to change of venue as provided by law The president judge of the said court shall be selected as provided by law The number of judges in said court may be by law increased from time to time This amendment shall take effect on the first day of January succeeding its adoption

In the County of Allegheny all the jurisdiction and powers now vested in the several numbered courts of common pleas shall be vested in one court of common pleas composed of all judges in commission in said courts Such jurisdiction and powers shall extend to all proceedings at law and in equity which shall have been instituted in the several numbered courts and shall be subject to such change as may be made by law and subject to change of venue as provided by law The president judge of the said court shall be selected as provided by law The number of judges in said court may be by law increased from time to time This amendment shall take effect on the first day of January succeeding its adoption

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 634 (House Bill No. 225), on second reading, entitled

An Act requiring that the proper officers of every county, city, borough or township of the Commonwealth of Pennsylvania be notified of any injury sustained by any person or persons either in property or person upon any property owner by the said county, city, borough or township or road, street or highway within the said county, city, borough or township and providing that no recovery may be had on any action for damages arising therefrom in the event of failure to give such notification.

be recommitted to the Committee on Judiciary Special.

Mr. NASON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 637 (House Bill No. 488), entitled

An Act providing for leave to pay fines and costs in criminal proceedings by installments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 641 (House Bill No. 770), entitled

An Act providing fees and mileage for witnesses attending coroners inquests and providing for the payment thereof by the several counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 642 (House Bill No. 843), entitled

An Act authorizing Edward Fay and Son a corporation of the State of Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Edward Fay and Son a corporation duly incorporated under the laws of the Commonwealth of Pennsylvania is hereby authorized to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania for any sum or sums of money that may be legally or justly due the said Edward Fay and Son incorporated arising out of a contract entered into between the said Edward Fay and Son incorporated and the Commonwealth of Pennsylvania as represented by the Board of Managers of the Pennsylvania State Village for Feeble Minded Women at Laurelton near Glen Iron Union County for the erection of a building at Laurelton Union County Pennsylvania

This suit shall be subject to the same rules of pleadings and evidence as in cases between individuals The right to bring suit hereby given shall not preclude the Commonwealth from raising any defense available to it in the suit hereby authorized

On the question,

Will the Senate agree to the section?

Mr. DAIX. Mr. President, I move to amend section 1, page 1, line 7, by striking out the word "Dauphin" and inserting in lieu thereof the word "Philadelphia".

Mr. EYRE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act authorizing Edward Fay and Son a corporation of the State of Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth.

On the question,

Will the Senate agree to the title?

Mr. DAIX. Mr. President, I move to amend the title, page 1, line 3, by striking out the word "Dauphin" and inserting in lieu thereof the word "Philadelphia".

Mr. EYRE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 644 (House Bill No. 482), entitled

An Act to repeal an act entitled "An Act creating a sinking fund commission in any county now or hereafter containing not less than two hundred and fifty thousand nor more than one million two hundred thousand inhabitants prescribing its powers and duties and repealing acts inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 649 (House Bill No. 951), entitled

An Act amending section 2 of an act entitled "An Act authorizing and empowering the county commissioners, the county solicitor, and the chief clerk to the county commissioners, of each county, to organize themselves into a State Association, for the purpose of holding annual meetings, and providing for the payment of the expenses thereof," approved the 10th day of May, Anno Domini 1913, by providing that the necessary expenses of the convention shall not be more than twenty-five dollars to any county per annum.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled

"An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk to the said commissioners of each county to organize themselves into a State association for the purpose of holding annual meetings and providing for the payment of the expenses thereof" approved the tenth day of May Anno Domini one thousand nine hundred thirteen which reads as follows

"Section 2 The actual expenses of the county commissioners county solicitor and chief clerk attending such meetings of said State Association including traveling expenses and hotel bills actually paid by them expenses of committees together with the necessary expenses of the convention including printing and the employment of stenographers shall be paid by the various counties by orders drawn on the county treasurer The time spent in attending said meeting shall not be more than four days exclusive of the time employed in traveling thereto and therefrom The expenses herein mentioned as the necessary expenses of the convention shall not be more than ten dollars to any county per annum" be and the same is hereby amended so as to read as follows to wit

Section 2 The actual expenses of the county commissioners county solicitor and chief clerk attending such meetings of said State Association including traveling expenses and hotel bills actually paid by them expenses of committees together with the necessary expenses of the convention including printing and the employment of stenographers shall be paid by the various counties by orders drawn on the county treasurer The time spent in attending said meetings shall not be more than four days exclusive of the time employed in traveling thereto and therefrom The expenses herein mentioned as the necessary expenses of the convention shall not be more than twenty-five dollars to any county per annum

On the question,

Will the Senate agree to the section?

Mr. NASON. Mr. President, I move to amend section 1, page 1, line 5, by striking out "couney" and inserting in lieu thereof the word "county;" also page 2, line 1, by striking out the words "to the" and inserting in lieu thereof the word "of."

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act amending section two of an act entitled "An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk to the county commissioners of each county to organize themselves into a state association for the purpose of holding annual meetings and prviding for the payment of the expenses thereof" approved the tenth day of May Anno Domini one thousand nine hundred thirteen by providing that the necessary expenses of the convention shall not be more than twenty-five dollars to any county per annum.

On the question,

Will the Senate agree to the title?

Mr. NASON. Mr. President, I move to amend the title, page 1, line 3, by striking out the words "to the county" and inserting in lieu thereof the words "of said."

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 666, entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven article four of chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which reads as follows

"Section 7 Any person interested may order the appeal upon the argument list and evidence may be taken before any person authorized to administer oaths upon rule for that purpose served upon the opposite party" is hereby amended to read as follows

Section 7 Any person interested may order the appeal upon the argument list and evidence may be taken before any person authorized to administer oaths upon rule for that purpose served upon the opposite party

In any proceeding upon an appeal from a report of auditors of any borough the accounts of the officer or officers in question may be investigated do novo In any appeal from such settlement audit or report the burden shall be upon each officers whose acts are involved in the appeal of establishing by evidence from original sources his rights to credits claimed by him but the opposing party in such appeal may offer any facts figures or findings of the report of audit in evidence and in such case the same shall be taken as prima facie correct

When more than one appeal from a report of such auditors shall have been taken whether by the borough or an officer thereof or by a taxpayer or any or all of them the court shall upon petition of any party interested direct the several appeals to be disposed of in a single proceeding

On the question,

Will the Senate agree to the section?

Mr. C. A. SNYDER. Mr. President, I move to amend section 1, page 2, line 9, by striking out the word "do" and inserting in lieu thereof the word "de;" also line 11, by striking out the word "officers" and inserting in lieu thereof the word "officer."

Mr. McCONNELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 That section three article five of chapter seven of said act which reads as follows

"Section 3 The borough controller shall superintend the fiscal concerns of the borough He shall examine audit and settle all accounts whatsoever in which the borough is concerned either as debtor or creditor where provision for the settlement thereof is made by law and where no such provision or an insufficient provision has been made he shall examine such accounts and report to the borough council the facts relating thereto with his opinion thereon" is hereby amended to read as follows

Section 3 The borough controller shall superintend the fiscal concerns of the borough He shall examine audit and settle all accounts whatsoever in which the borough is concerned either as debtor or creditor where proviison for the settlement thereof is made by law and where no such provision or an insucient provision has been made he shall examine such accounts and report to the borough council the facts relating thereto with his opinion thereon

The controller in addition to the above audits shall annually audit settle and adjust the accounts for the immediately preceding fiscal year in which the borough is concerned and for any preceding fiscal year of any officer which have not previously been audited settled and adjusted He shall finish said audit settlement and adjustment and file in the office of the prothonotary of the county in which such borough may be situated a report thereof within sixty days after the beginning of the current fiscal year setting forth an itemied statement of the charges against and credits of said officers and any balance or surcharge against them The amount of any expenditure of a kind or made in a manner not authorized by law or which causes a financial loss to the borough shall be surcharged in the report of such settlement and audit against any officers who by vote act or neglect has approved or permitted such expenditure Any balance or surcharge against any such officer shall be entered by the prothonotary as a judgment against him unless he shall appeal from said report as hereinafter provided

On the question,

Will the Senate agree to the section?

Mr. C. A. SNYDER. Mr. President, I move to amend section 2, page 2, line 28, by striking out "conecerned" and inserting in lieu thereof the word "concerned;" also page 3, line 8, by striking out conecerned" and inserting in lieu thereof the word "concerned."

Mr. McCONNELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Section 3 Article five of chapter seven of said act is hereby amended by adding thereto the following sections

Section 13 That it shall be lawful for the borough or any taxpayer thereof on its behalf or any officer against whom any sum shall be charged in the report of audit as filed in the office of the prothonotary to appeal therefrom to the court of common pleas within thirty days after the same shall be filed in the prothonotary's office The appeal shall be filed to the same number and term in which the report has been filed If the appellant is a taxpayer or any officer charged as aforesaid he shall file a bond with one or more sufficient sureties conditioned to pay all costs thereafter accruing in case a decision more favorable to the party on whose behalf the appeal shall be taken than that contained in the report of audit shall not be obtained

Section 14 In case any appeal shall be taken as aforesaid the same may be placed upon the argument list of said court by either party Testimony and evidence as to the accounts of any such officer may be taken before the said court or by depositions as the court may direct in the course of which the said accounts may be investigated do novo but in any appeal from such settlement audit or report the burden shall be upon each officer whose acts are involved in the appeal of establishing by evidence from original sources his rights to credits claimed by him but the opposing party in such appeal may offer any facts figures or findings of the report of audit in evidence and in such case the same shall be taken as prima facie correct

Section 15 After argrument of said appeal the court shall file its conclusions of fact and law and answers to any requests and enter judgment in accordance therewith in favor of and against the proper parties After argument the court may direct an issue to be tried by a jury as to any specific disputed questions of fact Appeals may be taken by any person interested to the Superior or Supreme Court from any such judgment of the court of common pleas in the same way that appeals are now authorized by law to be taken

Section 16 When any appeal to the court of common pleas shall be taken as aforesaid by the broough or any officer charged in said report with any sum of money any taxpayer may come into court and intervene in said appeal and on behalf of the borough may cause the same to be prosecuted to final judgment in the same manner and with the same effect as the borough authorities could do Such taxpayer shall at the time of intervening file in said court a bond with one or more sufficient sureties conditioned to indemnify the borough from all costs that may accrue by reason of such intervention subsequently thereto

Collection of any judgment against any borough officer entered by virtue of a controller's report of audit or in the course of an appeal therefrom may be enforced against such officer and his sureties by the borough or any taxpayer thereof on its behalf by any appropriate proceeding executionary or otherwise

Section 17 When more than one appeal from a controller's report of audit shall have been taken whether by the borough a borough officer or officers or a taxpayer or any or all of them the court of common pleas shall upon petition of any party interested direct the several appeals to be disposed of in a single proceeding

Section 18 Every borough controller shall retain in his possession during the thirty day's period elapsing between the date of filing his report and the expiration of the time for filing the appeal therefrom all books documents vouchers checks and other papers which have been produced before him in the course of his audit of the accounts of borough officers and if any appeal shall be taken shall continue to hold the same for production in the proceeding to determine the appeal

On the question,

Will the Senate agree to the section?

Mr. C. A. SNYDER. Mr. President, I move to amend section 3, page 5, line 2, by striking out the word "do" and inserting in lieu thereof the word "de;" also line 7, by striking out "fineings" and inserting in lieu thereof the word "findings;" also line 14, by striking out "luses" and inserting in lieu thereof the word "issue;" also page 6, line 5, by striking out "virture" and inserting in lieu thereof the word "virtue."

Mr. McCONNELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 720 (House Bill No. 135), entitled

An Act to fix the salaries of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 723 (House Bill No. 815), entitled

An Act authorizing Wilbur Jones Kay, Fanny Kay his wife, Ellingwood Kay, Dorothy Kay and Hubert Kay, their children, residents of the Boroughs of East Washington and Mabel Mason, resident of the Borough of Washington, all of Washington County, Pennsylvania, to bring suit in the Court of Common Pleas of Washington County against the Commonwealth of Pennsylvania jointly or severally.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 732, entitled

An Act to amend sections two and three of the act entitled "An Act to provide for the creation and maintenance of a reserve fund in all banks banking companies savings banks savings institutions companies authorized to execute trusts of any description and to receive deposits of money which are now or which may hereafter be incorporated under the laws of this Commonwealth and in all trust companies or other companies receiving deposits of money which may have been heretofore or which may hereafter be incorporated under section twenty-nine of the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act for the creation and regulation of corporations' and the supplements thereto" approved the eighth day of May Anno Domini one thousand nine hundred and seven by providing that a portion of such reserve fund may be deposited in any bank or trust company located in any state other than Pennsylvania which shall have been approved by the commissioner of banking of this Commonwealth.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act entitled "An Act to provide for the creation and maintenance of a reserve fund in all banks banking companies savings banks savings institutions companies authorized to execute trusts of any description and to receive deposits of money which are now or which may hereafter be incorporated under the laws of this Commonwealth and in all trust companies or other companies receiving deposits of money which may have been heretofore or which may hereafter be incorporated under section twenty-nine of the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act for the creation and regulation of corporations' and the supplements thereto" approved the eighth day of May Anno Domini one thousand nine hundred and seven which reads as follows

"Section 2 Every such corporation receiving deposits of money subject to check or payable on demand shall at all times have on hand a reserve fund of a least fifteen per centum of the aggregate of all its immediate demand liabilities The whole of such reserve fund may and at least one-third thereof must consist of either lawful money of the United States gold certificates silver certificates notes or bills issued by any lawfully organized National Banking Association or clearing-house certificates representing specie or lawful money specially deposited for the purpose of any clearing-house association held and owned by any such corporation as a member of a clearing-house association One-third or any part thereof may consist of bonds of the United States bonds of the Commonwealth of Pennsylvania and bonds issued in compliance with law by any city county or borough of the Commonwealth of Pennsylvania and bonds which now or hereafter may be authorized

by law as legal investments for savings banks or savings institutions in Pennsylvania computed at their par value and which bonds are the absolute property of such corporation The balance of said reserve fund over and above the part consisting of lawful money of the United States gold certificates silver certificates notes and bills issued by any lawfully organized National Banking Association or clearing-house certificates representing specie or lawful money specially deposited for the purpose of any clearing-house association held and owned by any such corporation as a member of a clearing-house association and the part thereof consisting of bonds not exceeding the limit above provided may consist of moneys on deposit subject to call in any bank or trust company in the State of Pennsylvania which shall have been approved by the Commissioner of Banking or in any bank or trust company in any other State located in any city designated as a reserve city by or by virtue of the authority of the revised statutes of the United States and the amendments thereto which shall have been approved by the Commissioner of Banking" be and the same is hereby amended to read as follows

Section 2 Every such corporation receiving deposits of money subject to check or payable on demand shall at all times have on hand a reserve fund of at least fifteen per centum of the aggregate of all its immediate demand liabilities The whole of such reserve fund may and at least one-third thereof must consist of either lawful money of the United States gold certificates silver certificates notes or bills issued by any lawfully organized National Banking Association or clearing-house certificates representing specie or lawful money specially deposited for the purpose of any clearing-house association held and owned by any such corporation as a member of a clearing-house association One-third or any part thereof may consist of bonds of the United States bonds of the Commonwealth of Pennsylvania and bonds issued in compliance with law by any city county or borough of the Commonwealth of Pennsylvania and bonds which now are or hereafter may be authorized by law as legal investments for savings banks or savings institutions in Pennsylvania computed at their par value and which bonds are the absolute property of such corporation The balance of said reserve fund over and above the part consisting of lawful money of the United States gold certificates silver certificates notes and bills issued by any lawfully organized National Banking Association or clearing-house certificates representing specie or lawful money specially deposited for the purpose of any clearing-house association held and owned by any such corporation as a member of a clearing-house association and the part thereof consisting of bonds not exceeding the limit above provided may consist of moneys on deposit subject to call in any bank or trust company in the State of Pennsylvania or in any other State which shall have been approved by the Commissioner of Banking

On the question,

Will the Senate agree to the section?

Mr. SPROUL. Mr. President, I move to amend section 1, page 2, line 21, by striking out the article "a" where it appears the second time, and inserting in lieu thereof the word "at"; also page 3, line 9, by inserting after the word "now" the word "are"; also page 4, line 11, by inserting after the word "Association" the words "or Federal Reserve Bank".

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Section three of the said act which reads as follows

"Section 3 Every such corporation receiving deposits of money payable at some future time shall at all times have on hand a reserve fund equal to at least seven and one-half per centum of all its time deposits Such reserve fund may consist in part of lawful money of the United States gold certificates silver certificates notes or bills issued by any lawfully organized National Banking Association or of clearing-house certificates representing specie or lawful money specially deposited for the purpose of any clearing-house association held and owned by any such corporation as a member of a clearing-house association and in part of bonds of the United States bonds of the Commonwealth of Pennsylvania bonds issued in compliance with law by any city county or borough of the Commonwealth of Pennsylvania or of bonds which are now or hereafter may be authorized by law as legal investments for savings banks or savings institutions of Pennsylvania computed at their par value and which bonds are the absolute property of such corporation or it may consist of moneys on deposit subject to call in any bank or trust company in the State of Pennsylvania which shall have been approved by the Commissioner of Banking or in any bank or trust company in any other State located in any city designated as a reserve city by or by virtue of the authority of the revised statutes of the United States and the amendments thereto which shall have been approved by the Commissioner of Banking Provided however That not more than one-third of said reserve fund shall consist of bonds as aforesaid" be and the same is hereby amended to read as follows

Section 3 Every such corporation receiving deposits of money payable at some future time shall at all times have on hand a reserve fund equal to at least seven and one-half per centum of all its time deposits Such reserve fund may consist in part of lawful money of the United States gold certificates silver certificates notes or bills issued by any lawfully organized National Banking Association or of clearing-house certificates representing specie or lawful money specially deposited for the purpose of any clearing-house association held and owned by any such corporation as a member of a clearing-house association and in part of bonds of the United States bonds of the Commonwealth of Pennsylvania bonds issued in compliance with law by any city county or borough of the Commonwealth of Pennsylvania or of bonds which are now or hereafter may be authorized by law as legal investments for savings banks or savings institutions of Pennsylvania computed at their par value and which bonds are the absolute property of such corporation or it may consist of moneys on deposit subject to call in any bank or trust company in the State of Pennsylvania or in any other State which shall have been approved by the Commissioner of Banking Provided however That not more than one-third of said reserve fund shall consist of bonds as aforesaid

On the question,

Will the Senate agree to the section?

Mr. SPROUL. Mr. President, I move to amend section 2, page 6, line 18, by inserting after the word "Association" the words "or Federal Reserve Bank".

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows and agreed to:

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

The title of the bill was read as follows:

An Act to amend sections two and three of the act entitled "An Act to provide for the creation and maintenance of a reserve fund in all banks banking companies savings banks savings institutions companies authorized to execute trusts of any description and to receive deposits of money which are now or which may hereafter be incorporated under the laws of this Commonwealth and in all trust companies or other companies receiving deposits of money which may have been heretofore or which may hereafter be incorporated under section twenty-nine of the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act for the creation and regulation of corporations' and the supplements thereto" approved the eighth day of May Anno Domini one thousand nine hundred and seven by providing that a portion of such reserve fund may be deposited in any bank or trust company located in any state other than Pennsylvania which shall have been approved by the commissioner of banking of this Commonwealth.

On the question,

Will the Senate agree to the title?

Mr. SPROUL. Mr. President, I move to amend the title, page 1, line 17, by striking out the words "a portion of such reserve fund may be deposited" and inserting in lieu thereof the words "such reserve fund may consist in part of gold or silver certicates notes or bills issued by a Federal Reserve Bank and authorizing a portion of such reserve fund to be deposited".

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 793, as follows:

An Act extending to the county of York the provisions of an act entitled "An Act granting the courts of this Commonwealth the power to appoint viewers to view certain streets and alleys in this Commonwealth" approved the fifteenth day of April one thousand eight hundred and forty-five and repealing so much of the proviso to the third section of said act as excludes from the operation of said act the county of York

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the enacting clauses of an act entitled "An Act granting the courts of this Commonwealth the power to appoint viewers to view certain streets and alleys in this Commonwealth" approved the fifteenth day of April one thousand eight hundred and forty-five (Pamphlet Laws four hundred and forty-nine) which are as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the courts of quarter sessions shall have power to change or vacate any street or alley in any unincorporated village and for this purpose shall proceed on the petition of citizens desiring such change or vacation by granting views or reviews in the manner directed by law for laying out and vacating public roads

"Section 2 That all damages which may be sustained by any owner of property by reason of such change or vacation of any street or alley shall be assessed by the same viewers or reviewers appointed as aforesaid and shall be paid by the said petitioners before any order for any such change or vacation shall have effect and within three months after the confirmation of the report of the said viewers or reviewers otherwise said proceedings shall be set aside

"Section 3 The costs of all such views and reviews shall be paid by the said petitioners and may be enforced by said courts by rule and attachment against said petitioners" be and the same are hereby extended to the county of York

Section 2 That so much of the proviso to the third section of said act as excludes from the operation thereof the county of York be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 795, as follows:

An Act making it a misdemeanor for any person to deface mutilate or destroy any sign board or sign post or any markings directions or lettering thereon placed by the public authorities upon any state county or township road or upon any other street or public highway and prescribing the punishment for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to deface mutilate or destroy any sign board or sign post or any markings directions or lettering thereon placed by the public authorities upon any State county or township road or upon any other street or public highway for the purpose of furnishing information or warnings to the traveling public

Section 2 Any person offending against any of the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or to undergo an imprisonment not exceeding thirty days or both or either in the discretion of the court

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 806, entitled

An Act to amend an act approved May 3, 1909, entitled "An Act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire escapes, fire extinguishers, and other preventives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Labor and Industry; and by providing proper penalties for any violation of the same."

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every building in this Commonwealth other than buildings situated in cities of the first and second classes having more than two stories and buildings having one or more gallaries above the first or ground floor now used or hereafter to be used in whole or in part as a public building office building and not of fireproof construction public or private institution sanatorium surgical institute asylum hospital schoolhouse academy dormitory college theatre public hall lodge hall or place of public resort and every building in which persons are usually employed above the second story in a factory workshop or mercantile establishment every hotel restaurant apartment-house boarding-house or lodging-house in which persons reside or lodge above the second story and every tenement-house apartment-house or flat occupied by two or more families above the first story shall be provided with proper ways of egress or means of escape from fire sufficient for the use of all persons accommodated assembled employed lodged or residing therein and such ways of egress and means of escape shall be kept free from obstruction in good repair and ready for use at all times and all rooms above the second story in said buildings shall be provided with more than one way of egress or escape from fire which shall be placed as near as practical at opposite ends or sides of the room and leading to fire escapes on the outside of such buildings or to stairways on the inside Where any of said buildings is designated for the use or occupancy of fifty or more persons the external doors of the same shall open outward and be so constructed or arranged as to afford when open an unobstructed external passageway of not less than five feet in the clear and shall have landings inside the external doorways of dimensions not less than four feet between the external doors and the adjoining stairways said landings to be of a width not less than the stairway approaches thereto" be amended to read as follows

Section 1 That every building in this Commonwealth other than buildings situated in cities of the first and second classes having two or more stories and buildings havings one or more galleries above the first or ground floor now used or hereafter to be used in whole or in part as a public building office building public or private institution sanatorium surgical institute asylum hospital schoolhouse academy dormitory college hotel restaurant and every building used or hereafter to be used in whole or in part as a theatre motion picture theatre public hall lodge hall or place of public resort and every building in which persons are employed on or above the second story in a factory workshop or mercantile establishment and every boarding-house or lodging-house used exclusively for such purpose in which persons reside or lodge above the second story and every tenement-house apartment-house or flat occupied by two or more families above the first story shall be provided with proper ways of egress or means of escape from fire sufficient for the use of all persons accommodated assembled employed lodged or residing therein and such ways of egress and means of escape shall be kept free from obstruction in good repair properly lighted and ready for use at all times and all rooms on or above the second story in said buildings shall be provided with more than one way of egress or escape from fire which shall be placed as near as practical as opposite ends or sides of the building and leading to stairways on the inside or where not possible to provide such stairways to stair towers or fire escapes on the outside of such buildings Provided That in all such buildings hereafter erected such ways of egress or means of escape from fire shall be located within the walls of the building and at least one of such ways of egress or means of escape from fire shall be an enclosed stair tower of fire-resistive construction Except that properly constructed bridges between two separate buildings or parts of buildings separated by approved fire walls may be accepted in lieu of such inside stairway by the Commissioner of Labor and Industry And provided further That the Commissioner of Labor and Industry may order fire walls to be built in buildings already erected or which may hereafter be erected where in his judgment the erection of such fire walls is necessary to the reasonably safe protection of the inmates Such ways of egress or means of escape from fire or fire walls shall be in accordance with standards drawn up by the Industrial Board of the Department of Labor and Industry Where any of said buildings is designated for the use or occupancy of fifty or more persons the external doors of the same shall open outward shall be kept unlocked and ready for instant use at all times and be so constructed or arranged as to afford when open an unobstructed passageway of not less than five feet in the clear Where such doors lead from stairways there shall be landings inside the external doorways of dimensions not less than four feet between the external doors and the adjoining stairways said landings to be of a width not less than the stairway approaches thereto

On the question,

Will the Senate agree to the section?

Mr. C. A. SNYDER. Mr. President, I move to amend section 1, page 1, line 1, by inserting before the word "Section" the following:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act, approved May third, one thousand nine hundred and nine, entitled "An Act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second class, by providing proper exits, fire-escapes, fire extinguishers,

and other preventitives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection; and by providing proper penalties for any violation of the same," which reads as follows:

also page 3, line 2, by striking out the word "be" and inserting in lieu thereof the words "is hereby".

Mr. McCONNELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 That section two of this act which reads as follows

"Section 2 In all theatres opera houses or other buildings where stage scenery moving pictures or other apparatus is used there shall be provided one or more direct exterior doorways from the stage and for dressing rooms under the stage a direct exterior doorway shall be provided and all said doorways shall be not less than three feet in width and the passageways to and from the same shall be unobstructed and properly lighted Neither on or about the stage auditorium or galleries shall any inflammable or explosive oil be used for lighting purposes and all lights on or about the stage and electric wires and appliances for electric switches shall be safely guarded All drop-curtains and sky-boarders shall be of an approved non-combustible substance and on each side of the stage standpipes of at least two inches in diameter shall be provided with hose and attachments of not less than one and one-half inches in diameter and of proper and sufficient quantity There shall also be provided for each side of the stage not less than two fire extinguishers and one cask of not less than forty-two gallons capacity which shall be kept full of water and two buckets for each cask buckets and casks to be painted red and kept in readiness for immediate use All auditoriums and galleries of said buildings as described in this section shall be provided with a center aisle and two side aisles each of a width of not less than four feet in the clear and providing a continuous unobstructed passage way to the main exits and to exits leading to the fire escapes and the words 'Exit to fire escape' in large legible illumniated letters shall be posted and kept posted before each fire escape exits and all exits shall open outward and shall be kept unlocked and ready for instant use from the opening of said buildings to the close of each and every entertainment therein" be amended to read as follows

Section 2 In every theatre motion picture theatre opera house or other building where stage scenery motion picture or other apparatus is used or entertainments are given there shall be provided one or more direct exterior doorways from the stage and for dressing rooms direct exterior doorways shall be provided all of the said doorways to be not less than five feet in width in the clear and to be equipped with approved panic bolts The passageways leading to such exits shall not be obstructed and shall be properly lighted At each exit there shall be a colored illuminated sign with the word "Exit" thereon and in the said passageways there shall be signs indicating the direction of the said exits Neither on or about the stage auditorium or galleries nor in any other part of the building in which the said theatre motion picture theatre opera house or public hall is located shall any inflammable or explosive oil be used or stored All lights on or about the stage and throughout the auditorium shall be properly guarded All electrical wiring and appliances in such buildings shall be installed according to specifications set forth in the Pennsylvania Electrical Code of rules adopted by the Industrial Board of the Department of Labor and Industry and so maintained

There shall be a proscenium curtain constructed of wire woven asbestos of not less than two pounds per square yard or of sheet metal and all other drop-curtains and sky-borders on the stage shall be of an approved non-combustible substances and on each side of the stage there shall be standpipes of at least two inches in diameter with hose and nozzle and rack for same such hose and attachments to be not less than one and one half-inches in diameter of sufficient quantity and properly maintained There shall also be provided for each side of the stage not less than two chemical fire extinguishers of an approved type and one cask of not less than forty-two gallons capacity which shall be kept full of water and two buckets for each cask the said buckets and casks to be painted red The said fire extinguishers and casks to be kept free from any obstruction and in readiness for immediate use at all times

In all auditoriums and galleries of the said buildings as described in this section there shall be at least one aisle of not less than four feet in the clear throughout its entire length leading to the exits and no person shall be permitted to stand in nor any obstruction be permitted in any aisle or in the line of passage between an aisle and an exit There shall be not more than six seats between any one seat and an aisle nor more than fourteen seats between any two aisles and all seats shall be securely fastened to the floor during all performances or entertainments The word "Exit" in large legible illuminated letters shall be posted and kept posted at each and every exit and all exits shall be equipped with approved panic bolts shall open outward and shall be kept unobstructed and ready for instant use from the opening of the said buildings to the close of each and every performance or entertainment therein

In all buildings hereafter erected or adapted for any of the purposes designated in this section the auditorium shall not be located above or below the ground level And any such auditorium or place of assembly used for any of the purposes set forth in this section shall conform to this provision on or before June first one thousand nine hundred and twenty

On the question,

Will the Senate agree to the section?

Mr. C. A. SNYDER, Mr. President, I move to amend section 2, page 5, line 3, by striking out the word "this" and inserting in lieu thereof the word "said"; also page 6, line 4, by inserting before the word "exits" the word "the"; also line 10, by striking out the word "be" and inserting in lieu thereof the words "is hereby"; also page 8, line 3, by striking out "aisel" and inserting in lieu thereof the word "aisle".

Mr. McCONNELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Section 3 That section three of this act which reads "In addition to the foregoing means of escape from fire all such buildings as are enumerated in section one of this act that are more than two stories in height and buildings having one or more galleries above the first floor shall have one of more fire escapes on the outside of said buildings as may be directed by the Chief Factory Inspector or a deputy factory inspector except in such cases as he may deem such fire escape to be unnecessary in consequence of adequate provision having been already made for safety in event of fire or panic and in such cases of exemption the said Chief Factory Inspector or a deputy factory inspector shall give the owner lessee or occupant of said building a certificate to that effect and his reason therefor And such fire escapes as are provided for in this section shall be of wrought iron constructed according to specifications to be issued or approved by the Department of Factory Inspection and shall be connected with each floor above the first firmly fastened and of sufficient strength to sustain a weight of not less than four hundred pounds per step on a safety factor of four each of which fire escapes shall have landings or balconies at each story capable of sustaining a weight of not less than eighty pounds per square foot guarded by railings not less than three feet in height and embracing one or more windows or doors at each story and connecting with the interior by easily accessible and unobstructed openings and all the balconies or landings shall be connected by external iron stairways placed at a slant of not more than forty-five degrees protected by well secured handrails the stairway steps to be not less than six inches in width and twenty-four inches in length Fire escapes now in use and hereafter erected must be painted once a year and be kept in safe condition and up to the standard requirements of this section" be amended to read as follows

Section 3 In addition to the foregoing means of escape from fire all such buildings as are enumerated in section one of this act that are two or more stories in height and buildings having one or more galleries above the first or ground floor shall have one or more fire escapes as may be directed by the Commissioner of Labor and Industry or under his instructions by the Chief Inspector or an inspector of the Department of Labor and Industry And such fire escapes as are provided for in this section shall be constructed according to specifications to be issued or approved by the Department of Labor and Industry Fire escapes now in use and hereafter erected must be painted at least once a year and be kept in safe condition and up to the standard requirements of this section

On the question,

Will the Senate agree to the section?

Mr. C. A. SNYDER, Mr. President, I move to amend section 3, page 8, line 20, by striking out the word "this" and inserting in lieu thereof the word "said"; also by inserting after the word "reads" the words "as follows"; also page 8, line 21, by inserting before the word "in" the following "Section 3"; also page 9, line 25, by striking out the word "be" and inserting in lieu thereof the words "is hereby".

Mr. McCONNELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 That section four of this act which reads "That where any of the aforementioned buildings are so constructed that a fire escape cannot be erected upon the same without trespassing upon the property of the owner or owners of adjoining lands or buildings and where permission to erect fire escapes has been refused by said owners of adjoining lands or buildings it shall be the duty of the owner or owners of any of the aforementioned buildings constructed as aforesaid to erect an internal fireproof means of escape the same to be located and erected under the direction of the Chief Factory Inspector Should the construction of any of the aforesaid buildings be such as will neither permit of an external iron fire escape nor of an internal fireproof escape it is hereby enjoined upon the Chief Factory Inspector to notify in writing the owner or owners of any building so constructed to discontinue the occupancy of the whole or of a part of said building for any of the purposes which make said building amenable to the fire escape provisions of this act" be amended to read as follows

Section 4 Where any of the aforementioned buildings are so constructed that a fire escape cannot be erected upon the same without trespassing upon the property of the owner or owners of adjoining lands or buildings or upon a public thoroughfare and where permission to erect fire escapes has been refused by the said owner or owners of adjoining lands or buildings or by the municipal authorities of the municipality in which the said building is located it shall be the duty of the owner or owners of any of the aforementioned buildings constructed as aforesaid to erect an internal fireproof means of escape the same to be located and erected under the direction of the Commissioner of Labor and Industry or under his directions by the Chief Inspector of the Department of Labor and Industry Should the construction of any of the aforesaid buildings be such as will neither permit of an external iron fire escape nor of an internal fireproof escape it is hereby enjoined upon the Commissioner of Labor and Industry to notify in writing the owner or owners of any building so constructed to discontinue the occupancy of the whole or any part of the said building for any of the purposes which make the said building amenable to the fire escape provisions of this act

On the question,

Will the Senate agree to the section?

Mr. C. A. SNYDER, Mr. President, I move to amend section 4, page 10, line 14, by striking out the word "this" and inserting in lieu thereof the word "said"; also by inserting after the word "reads" the words "as follows"; also line 15, by inserting before the word "that" the following "Section 4"; also page 11, line 4, by striking out the word "be" and inserting in lieu thereof the words "is hereby".

Mr. McCONNELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth section of the bill was read as follows:

Section 5 That section five of the said act which reads "To better secure compliance with the provisions of the foregoing sections of this act the owner or owners of any building now used for other purposes than aforesaid which is to be adapted to any of the aforesaid uses or of any building to be erected for any of the aforesaid purposes shall before adapting or erecting any such building submit to the Chief Factory Inspector architectural designs and specifications of such building showing that compliance with the requirements of the foregoing sections is provided for therein and such building shall not be so adapted or erected without the approval of the Chief Factory Inspector" be amended to read as follows

Section 5 The owner or owners or his or their architect or contractor of any building now used for other purposes than aforesaid and which is to be adapted to any of the aforesaid uses or of any building to be erected for any of the aforesaid purposes shall before adapting or erecting any such building submit to the Department of Labor and Industry detailed architectural designs and specifications of such building in duplicate showing that compliance with the foregoing sections is provided for therein and work on the adaptation or erection of such building shall not be begun without the approval of the Commissioner of Labor and Industry or under his directions by the Chief Inspector of the Department of Labor and Industry or such other person or persons as he may appoint to perform such service Provided That the Industrial Board of the Department of Labor and Industry shall have the authority to make amend or repeal rules for the approval of such designs and specifications and for carrying out the other provisions of this act and provided that the said Industrial Board shall have authority to receive and hear appeals of those affected by this act and after public hearing may in specific cases or classes of cases make amend or repeal rules for the adoption of other methods than those herein specified where in its judgment such order will to better advantage enforce the intent and purpose of this act

On the question,

Will the Senate agree to the section?

Mr. C. A. SNYDER, Mr. President, I move to amend section 5, page 12, line 1, by striking out the word "the"; also line 2, by inserting after the word "reads" the following "as follows Section 5"; also line 13, by striking out the word "be" and inserting in lieu thereof the words "is hereby".

Mr. McCONNELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth section of the bill was read as follows:

Section 6 That section six of the said act which reads "The owner or owners of any of the buildings mentioned in the foregoing provisions of this act who shall wilfully fail or refuse to comply with the provisions of this act or who shall wilfully fail or refuse to observe the orders for the enforcement of this act issued to said owner or owners by the Chief Factory Inspector or a deputy factory inspector shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of five hundred dollars or six months imprisonment or either or both in the discretion of the court And in case of fire occurring in any of said buildings in the absence of such doorways landings exits fire escapes or fire preventives as provided for in this act the owner or owners aforesaid shall be liable for damages in case of death or personal injury the result of fire or panic in any of said buildings and such action for damages may be maintained by any person now authorized by law to sue as in other case of loss by death or injuries" be amended to read as follows

Section 6 Any person who shall fail or refuse to comply with the provisions of this act or who shall fail or refuse to observe orders for the enforcement of this act issued by the Commissioner of Labor and Industry or under his directions by the Chief Inspector or an inspector of the Department of Labor and Industry or who shall hinder or delay any officer of the said Department in the performance of duty in the enforcement of this act shall upon conviction thereof be punished by a fine of not more than five hundred dollars ($500.00) or not more than six months imprisonment or either or both in the discretion of the court

Prosecutions for violations of this act may be instituted by the Commissioner of Labor and Industry or under his directions by any inspector of the Department of Labor and Industry and shall be in the form of summary criminal proceedings instituted before a magistrate alderman or justice of the peace Upon conviction after a hearing the sentences provided in this act shall be imposed and shall be final unless an appeal be taken in the manner prescribed by law

All fines collected under this act shall be forwarded to the Commissioner of Labor and Industry and by him paid into the State Treasury for the use of the Commonwealth

And in case of fire or panic occurring in any of the said buildings in the absence of such doorways landings exits fire escapes fire preventives or other safeguards which it is the intent and purpose of this act to have provided the owner or owners aforesaid shall be liable for damages in case of death or personal injury the result of fire or panic in any of said buildings and such action for damages may be maintained by any person now authorized by law to sue as in other case of loss by death or injuries

On the question,

Will the Senate agree to the section?

Mr. C. A. SNYDER, Mr. President, I move to amend section 6, page 13, line 11, by striking out the word "the"; also line 12, by inserting after the word "reads" the following "as follows Section 6"; also line 14, by striking out the word "wilfully"; also line 15, by striking out the word "wilfully"; also page 14, line 2, by striking out the word "be" and inserting in lieu thereof the words "is hereby"; also page 15, line 1, by striking out "occuring" and inserting in lieu thereof the word "occurring".

Mr. McCONNELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventh section of the bill was read as follows and agreed to:

Section 7 All acts or parts of acts inconsistent with this act are hereby repealed

The title of the bill was read as follows:

An Act to amend an act approved May third one thousand nine hundred and nine entitled "An Act for the safety

of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire escapes fire extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Labor and Industry and by providing proper penalties for any violation of the same."

On the question,
Will the Senate agree to the title?

Mr. C. A. SNYDER, Mr. President, I move to amend the title, page 1, line 2, by striking out the article "A" and inserting in lieu thereof the word "an"; also page 1, line 8, by striking out the words "of labor and industry" and inserting in lieu thereof the words "of Factory Inspection".

Mr. McCONNELL. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 825 (House Bill No. 386), entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 828 (House Bill No. 889), entitled

An Act providing for the payment by State Hospitals for the Insane of the traveling expenses from said hospitals to their homes respectively of indigent inmates of said hospitals discharged by order of the Committee on Lunacy of the Board of Public Charities and for the reimbursement to such hospitals of the amounts so paid.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 834, entitled

An Act making it a misdemeanor for a parent wilfully to neglect to support a child born out of lawful wedlock whether such child shall have been begotten or shall have been born within or without this Commonwealth or whether such child shall have been begotten before or after the taking effect of this act) providing punishment therefor and empowering the court to make an order for support and to enforce the same and making it a misdemeanor to make false declarations as to who is the parent of the child and providing punishment therefor.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any parent who shall wilfully neglect or refuse to contribute reasonably to the support and maintenance of a child born out of lawful wedlock shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding $500 or imprisonment not exceeding one year or both with or without hard labor in the discretion of the court

On the question,
Will the Senate agree to the section?

Mr. MARTIN. Mr. President, I move to amend section 1, page 2, line 1, by inserting after the word "exceeding" the words "five hundred dollars."

Mr. JENKINS. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.
The second section of the bill was read as follows and agreed to:

Section 2 Proceedings under this act may be instituted upon complaint made under oath or affirmation by one parent of such child or by any other person having knowledge of the facts

The third section of the bill was read as follows:

Section 3 This act will be applicable whether such child shall have been begotten or shall have been born within or without this Commonwealth or whether such child shall have been begotten before or after the taking effect of this act

On the question,
Will the Senate agree to the section?

Mr. MARTIN. Mr. President, I move to amend section 3, page 2, line 8, by striking out the words "will be applicable" and inserting in lieu thereof the words "shall apply."

Mr. JENKINS. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.
The fourth section of the bill was read as follows:

Section 4 Before the trial with the consent of the defendant endorsed on the bill of indictment as now provided by law or at the trial on entry of a plea of guilty or after conviction instead of imposing the fine herein provided or in addition thereto the court in its discretion having regard to the circumstances and to the financial ability and earning capacity of the defendant shall have the power to make an order which shall be subject to change by the court from time to time as circumstances may require directing the defendant to pay a certain sum periodically for such time and to such person as the court may direct and the court shall have the power to suspend the sentence therein provided and release the defendant from custody on probation in a manner provided by "An Act for relief of wives and children deserted by their husbands and fathers within this Commonwealth" approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven and the supplements thereto provided that the defendant entered into a recognizance in such sum with or without surety as the court shall direct for compliance with such order

On the question,
Will the Senate agree to the section?

Mr. MARTIN. Mr. President, I move to amend section 4, page 2, line 26, by striking out "a" following the word "in;" also page 3, line 2, by inserting after the word "defendant" the word "has."

Mr. JENKINS. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.
The fifth section of the bill was read as follows and agreed to:

Section 5 Whenever a parent is paying for the support of a child under an order of court made in any other proceeding civil criminal or quasi-criminal said parent shall not be subject to proceedings for support for the same child under this act Provided however That if said parent as defendant in such other proceedings has failed to obey such order of court said parent shall be subject to all the provisions of this act

The sixth section of the bill was read as follows:

Section 6 Any person who shall at any stage of the proceedings under this act knowingly make false state-

ments as to who is the parent of a child will be punishable by a fine not exceeding five hundred dollars or imprisonment not exceeding one year

On the question,
Will the Senate agree to the section?

Mr. MARTIN. Mr. President, I move to amend section 6, page 3, line 16, by striking out the words "will be punishable" and inserting in lieu thereof the following: "shall be guilty of a misdemeanor and on conviction thereof shall be punished."

Mr. JENKINS. Mr. President, I second the motion.

On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.
The title of the bill was read as follows and agreed to:

An Act making it a misdemeanor for a parent wilfully to neglect to support a child born out of lawful wedlock whether such child shall have been begotten or shall have been born within or without this Commonwealth or whether such child shall have been begotten before or after the taking effect of this act) providing punishment therefor and empowering the court to make an order and to enforce the same and making it a misdemeanor to make false declarations as to who is the parent of the child and providing punishment therefor.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 843, as follows

An Act making an appropriation for the payment of the judgments and costs recovered in the court of common pleas of Dauphin county in the suits of the Western Saving Fund Society of Philadelphia versus Robert K Young Treasurer of State of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twelve hundred and sixty-eight dollars and sixty-one ($1,268.61) cents is hereby specifically appropriated to the Western Saving Fund Society of Philadelphia or to its attorney for the purpose of paying two certain judgments and the costs thereon duly recovered in the court of common pleas of Dauphin county to numbers twelve and thirteen Commonwealth docket one thousand nine hundred seventeen by said society against Robert K Young State Treasurer for moneys escheated to the Commonwealth and to which the aforesaid party in said suit astablished lawful claims in accordance with the provisions of law in such cases made and provided

Section 2 The aforesaid appropriation is hereby directed to be paid by the State Treasurer to the Western Saving Fund Society of Philadelphia or to its attorney on warrant of the Auditor General and after approval by the Attorney General

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 849, as follows

A Joint Resolution proposing an amendment to section eleven of article sixteen of the Constitution of Pennsylvania

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

Amend section eleven article sixteen of the Constitution of the Commonwealth of Pennsylvania which reads as follows

"No corporate body to possess banking and discounting privileges shall be created or organied in pursuance of any law without three months' previous public notice at the place of the intended location of the intention to apply for such privilege in such manner as shall be prescribed by law nor shall a charter for such privilege be granted for a longer period than twenty years" so that it shall read as follows

The General Assembly shall have the power by general law to provide for the incorporation of banks and trust companies and to prescribe the powers thereof

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 852, as follows

An Act to amend section sixteen hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to stablish a public school system in the Comonmwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 1601 All the public elementary and high schools in the several school districts of this Commonwealth shall be kept open each year as follows In school districts of the first and second class at least nine months in school districts of the third class at least eight months and in school districts of the fourth class at least seven months And unless otherwise provided by this act the board of school directors in any district may keep such other schools or departments as it may establish open during such time as it may direct" is hereby amended to read as follows

Section 1601 All the public elementary and high schools in the several school districts of this Commonwealth shall be kept open each year as follows In school districts of the first and second class at least nine months in school districts of the third class at least eight months and in school districts of the fourth class at least seven months In the year one thousand nine hundred and seventeen the schools in first second third and fourth class school districts may be closed the first day of May regardless of the number of months any schools may have been open in any of said districts No deduction shall be made in the State appropriation available for any district for the school year of one thousand nine hundred and sixteen and one thousand nine hundred and seventeen for the reason that the schools of such district were not kept open the number of months required by the provisions of this section And unless otherwise provided by this act the board of school directors in any district may keep such other schools or departments as it may establish open during such time as it may direct

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 870, as follows

An Act to prohibit the appointment of non-residents to any office position or place or as an employe under the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any elected officer of the Commonwealth or for the head of any department bureau board commission or division of the State government to appoint any person not a resident of this Commonwealth at the time of such appointment to any office position or place or as an employe under the Commonwealth

Section 2 No non-resident appointed in violation of the provisions of section one of this act shall be entitled to receive any salary or compensation from the Commonwealth

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 877, as follows:

An Act providing that the capital of certain national banks authorized to act in trust capacities shall be taken and considered as security for the faithful performance of the duties of such trusts and making such capital liable for any default

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where national banks doing business in the Commonwealth are authorized by the Federal Reserve Board of the United States under authority of an act of Congress of the United States to act in a trust capacity and shall receive and accept the office or appointment of assignee receiver guardian executor administrator or be directed to execute any trust whatever the capital of the said company shall be taken and considered as the security required by law for the faithful performance of the duties as aforesaid and shall be absolutely liable in case of any default whatever

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. DeWITT. Mr. President, I move that Senate Bill No. 877, the bill just read, be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 902, as follows:

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred eighty-two thousand eight hundred dollars ($282,800.00) be and the same is hereby specifically appropriated for the purpose of purchasing uniforms and personal equipment consisting of service hats olive drab flannel shirts canvas leggings olive drab cotton coats olive drab cotton breeches shoes olive drab blankets slickers and punches to be issued to the enlisted men of the National Guard of Pennsylvania in accordance with such regulations as may be prescribed by the Commander-in-Chief

Section 2 The warrants in payment of the uniforms and equipment purchased shall be drawn by the Adjutant General upon the State Treasurer and be countersigned by the Auditor General

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiirng bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 916, as follows:

An Act providing for the organization government discipline maintenance and regulation of an additional armed land force for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the Pennsylvania National Guard shall be called into the service of the United States or shall be drafted into the service of the United States during any war thereupon and immediately thereafter the Governor of this Commonwealth as Commander-in-Chief of the armed forces thereof be and he is hereby authorized and empowerd to organize an armed force for the defense of the Commonwealth during said war which shall be known and designated as the Pennsylvania Reserve Militia which force shall be available at the discretion of the Governor for active military duty whenever an invasion of or an insurrection in the State shal loccur or is threatened or a tumult riot or mob shall exist

Section 2 The Pennsylvania Reserve Militia shall consist of not to exceed three regiments of infantry and one squadron of cavalry Each regiment of infantry shall consist of the necessary field and staff commissioned and enlisted personnel a sanitary detachment and of twelve lettered companies provision shall be made by detail for headquarters supply and machine gun units the band section of the headquarters company of infantry may be organized at the discretion of the Governor The squadron of cavalry shall have such additional officers and enlisted men as shall be necessary in the discretion of the Governor to constitute an administrative force The enlisted personnel of the Pennsylvania Reserve Militia shall at all times be maintained at a strength not exceeding sixty-two enlisted men for each lettered company and troop provided however that if it shall become necessary to order the said Pennsylvania Reserve Militia on active duty that then it shall and may be lawful for the Governor in his discretion to increase the enlisted personnel of each company and troop to not exceed one hundred men severally

Section 3 The Governor shall have the power and he is hereby authorized and empowered to increase as hereinbefore provided for consolidate disband organize or re-organize any regiment squadron sanitary detachment company or troop organized hereunder andto provide either from the administrative staff or by original appointment and commission any department corps or staff required for the efficient administration of said Pennsylvania Reserve Militia The term of every commission and the period of every enlistment in the Pennsylvania Reserve Militia shall be at the discretion of the Governor subject to the provisions of section four of this act The Governor may make and promulgate such rules and regulations for the organization regulation government and discipline of the Pennsylvania Reserve Militia as he may deem necessary which when published in orders shall have the force and effect of statute law with like effect as if the same had been herein specifically enacted in words at length The Governor may relieve from duty any officer appointed hereunder and place him in the Reserve and he may in his discretion discharge any officer and enlisted man from the Pennsylvania Reserve Militia

Section 4 Whenever the Pennsylvania National Guard shall have been restored to state status or shall be enabled to resume its state organization thereupon the term of service of the Pennsylvania Reserve Militia shall cease and determine subject to the discretion of the Governor as to the time and manner in which the same shall be mustered out which may be either as one whole body or by separate units

Section 5 The Governor may in his discretion appoint one officer of the line staff corps or department as of the proper grade and assign him to duty as the commanding general of the Pennsylvania Reserve Militia The Governor shall appoint and commission all officers of every grade necessary for the regulation administration and discipline of the Pennsylvania Reserve Militia

Section 6 The Governor shall determine the location of the several units and may change the same at his discretion such units shall be located as far as practicable in armory buildings belonging to the Commonwealth When a unit is located in a privately owned armory or in other private property there shall be an annual allowance payable to the commanding officer of such unit which shall be devoted exclusively to armory rent purposes Such payments to be made by The Adjutant General in the usual manner

Section 7 Each commissioned officer before entering upon the duties of his appointment shall take and subscribe the following oath "I ———————— do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies foreign and domestic that I will bear true faith and allegiance to the same that I will obey the orders of the Governor of the State of Pennsylvania that I make this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office of———————— in the Pennsylvania Reserve Militia upon which I am about to enter"

Section 6 The moral character capacity and general fitness for service of any officer in the Pennsylvania Reserve Militia may at any time be determined by an efficiency board to be appointed by the Governor and to consist of three commissioned officers senior in rank If possible to the officer whose fitness for service shall be under investigation If the finding of such board be unfavorable to such officer and be approved by the Governor he shall be discharged

Section 9 Field and staff officers are authorized and empowered to administer oaths and affirmations in all matters pertaining to or concerning the Pennsylvania Reserve Militia the commanding officers of companies are authorized and empowered to administer oaths and affirmations in the enlistment of recruits for their respective organizations Any person who shall falsely swear or affirm to any oath or affirmation before any such officer shall be guilty of perjury and upon trial and conviction thereof shall be sentenced for such offense as now provided by law for the crime of perjury

Section 10 Officers appointed or assigned as quartermasters and as captains of companies and troops shall severally give bond in the sum of two thousand dollars lieutenants of companies and troops shall severally give bond in the sum of one thousand dollars The Adjutant General may require a bond in such amount as he may deem proper of any officer who may become responsible either for public funds or public property or both The form of all bonds shall be prescribed and furnished by The Adjutant General

Section 11 The Governor may place on duty in the Pennsylvania Reserve Militia any officer upon the retired list of the Pennsylvania National Guard who is not over sixty-four years of age and as of the grade in which he was retired or with a lesser grade

Section 12 Every man enlisting in the Pennsylvania Reserve Militia shall sign an enlistment contract and take and subscribe to the following oath and enlistment "I do hereby acknowledge to have voluntarily enlisted this..... day of .....19.... as a soldier in the Pennsylvania Reserve Militia for the period of the present war unless sooner discharged by proper authority and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Pennsylvania and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the Governor of the State of Pennsylvania and of the officers appointed over me according to law and the rules and articles of war"

Section 13 An enlisted man discharged from service in the Pennsylvania Reserve Militia shall receive a discharge in writing in such form and with such classification as may be prescribed by the Governor

Section 14 The Adjutant General of Pennsylvania shall be the Chief of Staff of the Pennsylvania Reserve Militia he shall perform all duties in connection therewith now prescribed by law in connection with the Pennsylvania National Guard and shall perform such other duties as the Governor may direct

Section 15 No officer or enlisted man shall be arrested on any warrant except for treason or felony while going to remaining at or returning from a place where he is ordered to attend for military duty

Section 16 The Governor may in his discretion provide for an annual encampment of not exceeding fifteen days in any one year for the Pennsylvania Reserve Militia For services during such tour of duty commissioned officers shall be entitled to the same pay and transportation in kind as officers of the regular army are or may be entitled to by law except longevity pay all enlisted men shall be entitled to the per diem pay hereinafter prescribed all payments to officers and men to be made by the Adjutant General in the usual manner In addition thereto enlisted men shall be entitled to transportation in kind and subsistence

Section 17 When the Pennsylvania Reserve Militia or any part thereof is ordered on active duty by the Governor and pay is authorized for such duty under the order prescribing the performance thereof the commissioned officers so ordered shall be intitled to the same pay as officers of like grade in the regular army Enlisted men so ordered shall be entitled to per diem pay as follows Quartermaster sergeants of every class and grade hospital sergeants of every class and grade band leaders first sergeants regimental and battalion sergeants major supply sergeants and color sergeants three dollars ($3.00) per day assistant band leaders and sergeant buglers two dollars and twenty-five cents ($2.25) sergeants of all other grades of companies troops and bands musicians first class and cooks two dollars ($2.00) corporals artificers farriers and musicians second class one dollar and seventy-five cents ($1.75) musicians third class and privates first class one dollar and sixty cents ($1.60) privates and buglers one dollar and fifty cents ($1.50) All payments therefor shall be made by the Adjutant General in the usual manner No deduction shall be made from the pay of officers or enlisted men in active service for dues or other financial obligations imposed by by-laws rules or regulations of a civic charter

Section 18 Officers ordered on special duty in attendance upon courts-martial or efficiency board shall receive transportation in kind and per diem pay as may be authorized in orders payable by the Adjutant General in the usual manner

Section 19 Organizations of the Pennsylvania Reserve Militia shall receive an annual allowance which shall be used and expended solely for military purposes and for the use and benefit of the organization as follows Each troop of cavalry one thousand dollars ($1,000) each regimental band three hundred dollars ($300) each company infantry five hundred dollars ($500) to be paid by the Adjutant General in the usual manner to the commanding officer of the respective organizations The Adjutant General before paying any of said allowances in money shall procure by purchase or otherwise and issue for each enlisted man not provided therewith such articles or uniforms and equipment as are required for field service and shall procure and issue such mess tents kitchen tents and military stores as may be necessary for said units and charge the cost thereof to said annual allowance the balance if any to be paid over to the commanding officer and disbursed subject to the provisions hereof No part of any allowance made hereunder shall be expended in procuring any special or dress uniform or in repairing or caring for the same The commanding officer of each organization shall whenever directed by the Governor made a return to the Adjutant General with an itemized account and statement of all disbursements of moneys paid to said organization not preciously accounted for in such form and accompanied by such voucher as the Adjutant General shall prescribe

Section 20 The military board of the State of Pennsylvania shall perform with relation to the Pennsylvania Reserve Militia all duties enjoined upon it in relation to the Pennsylvania National Guard

Section 21 Payment of hire of horses for officers and enlisted men required to be mounted and for horses and mules required for wagon transportation when in active service including camps of instruction duly ordered shall not exceed two dollars ($2.00) per diem per horse or mule to be paid by the Adjutant General in the usual manner

Section 22 The necessary military expenses of brigade headquarters if any regimental and separate battalion headquarters including clerk hire and other actual outlays shall be paid by The Adjutant General in the usual manner upon such vouchers as he may prescribe not exceeding seven hundred and fifty dollars ($750) annually for brigade headquarters five hundred dollars ($500) for each regimental headquarters and two hundred dollars ($200) annually for a separate battalion headquarters

Section 23 Any commissioned officer or enlisted man of the Pennsylvania Reserve Militia who shall misapply embezzle or convert to his own use without authority any moneys received by or entrusted to him for disbursement shall be deemed guilty of a misdemeanor and on conviction thereof shall be sentenced as for like offenses under the criminal laws of this State

Section 24 If any officer or enlisted man of the Pennsylvania Reserve Militia is wounded or otherwise disabled while on duty in active service for which a per diem rate of pay is paid he shall receive from the Commonwealth just and reasonable relief in an amount to be determined by the military board

Section 25 The commanding officer of any troops in active service may place in arrest any officer or enlisted men who shall disobey the orders of his superior officer or any person or persons who shall trespass on parade or camp grounds or in any way or manner interrupt or molest the orderly discharge of duty of those in active service he may also prohibit and prevent the sale of spirituous or malt liquors within two miles of such parade ground or encampment he may abate as a nuisance all hucksters auction sales or gambling

Section 26 Subsistence and quarter master stores and the expenses incident to active service including transportation of troops shall be contracted for on direction of the Governor by The Adjutant General or any officer designated for that purpose and shall be paid for in the usual manner

Section 27 The Pennsylvania Reserve Militia shall be uniformed armed and equipped at the cost of the Commonwealth payable out of appropriations made for that purpose the initial issue of clothing arms equipment and other stores shall not be charged against the annual allowances hereinbefore provided for The uniform and equipment shall be such as may be prescribed by the Governor

Section 28 Every commissioned officer shall furnish his own arms uniform and equipment upon presentation of the proper vouchers therefor and a report thereof in such form as The Adjutant General may prescribe he shall receive an annual allowance in repayment for such expenditures as follows A mounted officer not to exceed forty dollars ($40) per annum a dismounted officer not to exceed thirty dollars ($30) per annum The first payment may be made at any time within the year upon filing the proper vouchers no further payments shall be due until at least one calenar year shall have elapsed and no subsequent payments will be made for parts of a year

Section 29 When the Pennsylvania Reserve Militia or any part thereof is ordered on active duty by the Governor for repelling invasion subduing insurrection tumult riot or disorder within the State and payment of the troops and all other expenses incident to such service shall be made by The Adjutant General from funds obtained by warrant drawn by the Governor upon the State Treasurer against an appropriation made for such purpose The necessary transportation subsistence and quartermaster stores and other expenses incident to such active duty may be contracted for under direction of the Governor by The Adjutant General or other officer designated for that purpose and shall be paid for by The Adjutant General from funds obtained by warrant drawn by the Governor upon the State Treasurer against an appropriation made for such purpose

Section 30 The uniform arms ammunition accoutrements and equipment of every commissioned officer and enlisted man shall be free from suits distress executions or sales for debt or payment of taxes

Section 31 The Governor is authorized to procure and issue from time to time to the Pennsylvania Reserve Militia such flags standards guidons and text books as may be necessary which as far as practicable shall be similar in style to those of the United States army

Section 32 Any person knowingly and wilfully purchasing or receiving in pawn or pledge any arm accoutrement equipment article or military clothing tent or fly or any quartermaster medical engineer or signal property or ordnance or ordnance stores the property of the Commonwealth of Pennsylvania or of the United States in use by the Commonwealth shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of criminal jurisdiction shall be sentenced to an imprisonment of not exceeding one year and a fine not exceeding three hundred dollars

Section 33 Every officer and enlisted man in the Pennsylvania Reserve Militia shall during his service therein be exempt from service upon any posse comitatus and from jury duty

Section 34 No civil process shall issue or be enforced against any officer or enlisted man of the Pennsylvania Reserve Militia in the active service of this Commonwealth during so much of the term as he shall be engaged in active service under orders nor until thirty days after he shall have been relieved therefrom provided that the operation of all statutes of limitations and presumptions arising from lapse of time shall be suspended upon all claims against such officers or enlisted men during such term

Section 35 Courts-martial shall be of three kinds namely general special and summary They shall be constituted

and have cognizance of the same subjects and possess like powers as courts-martial provided for by an act entitled "An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" approved April ..... one thousand nine hundred and seventeen with like force and effect as if each and every provisions of the said act relating to courts-martial and court-martial procedure had beeu re-enacted herein in words at length being all of the sections of said act from section fifty-three to section sixty-seven both inclusive

Section 36 All officials and employes of the Commonwealth of Pennsylvania members of the Pennsylvania Reserve Militia shall be entitled to leave of absence from their respective duties without loss of pay time or efficiency rating on all days during which they shall as members of the Pennsylvania Reserve Militia be engaged in the active service of the Commonwealth or in field training ordered or authorized under the provisions of this act

Section 37 The various sections of this act are hereby declared to be independent of each other and in the event any section or part of a section hereof shall hereafter be declared unconstitutional it is the intent and meaning hereof that such section or part of a section alone should be eliminated herefrom without affecting any other portion of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 920, as follows

An Act providing additional employes in the Insurance Department and fixing their salaries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Insurance Commissioner in addtiion to the employes as now provided by law in the Insurance Department is hereby authorized to appoint the following employes

One special compensation deputy insurance commissioner at an annual salary of forty-five hundred dollars

One assistant compensation actuary at an annual salary of thirty-six hundred dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING.

Mr. SONES. Mr. President, I move that the Senate do now resume the third reading and consideration of Senate Bill No. 161, on third reading postponed for the present, entitled

An Act relative to the payment of deposits in banks or trust companies deposited in two names

Mr. WASBERS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 161, entitled

An Act relative to the payment of deposits in banks or trust companies deposited in two names

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SONES. Mr. President, I ask unanimous consent to amend the title, line 2, by inserting after the word "two" the words "or more;" also section 1, line 6, by inserting after the word "two" the words "or more."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question.

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON SECOND READING.

Mr. SCHANTZ. Mr. President, I move that the Senate do now resume the second reading and consideration of Senate Bill No. 827 (House Bill No. 866), on second reading postponed for the present, entitled

An Act to regulate the practice of Pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof, defining the words "Drug" and "Poisons" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity.

Mr. JENKINS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the second reading and consideration of Senate Bill No. 827 (House Bill No. 866), entitled

An Act to regulate the practice of Pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof, defining the words "Drug" and "Poisons" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity.

And the question recurring,

Will the Senate agree to the first section?

It was agreed to.

The second section of the bill was read as follows:

Section 2 That there shall be established in the State of Pennsylvania a board to be known as "The Pennsylvania Board of Pharmacy" to consist of five persons three of whom shall constitute a quorum who shall be appointed for the term of five years by the Governor from among the most skillful pharmacists in Pennsylvania who are not teachers or instructors in any educational institution teaching pharmacy each appointee must have been registered as a pharmacist in Pennsylvania for at least ten years previous to his appointment and he must be actually engaged in conducting a pharmacy at the time of his appointment provided whereas a State Pharmaceutical Examining Board has heretofore been created in this Commonwealth and is now instituted and organized as provided in this act of Assembly the members of the said Board heretofore created shall constitute and henceforth be deemed and taken to be the Pennsylvania Board of Pharmacy established by this act of Assembly

That the appointed members of said Board heretofore created shall respectively continue to hold office as members of the Board established by this act of Assembly until the expiration of the term for which each was originally appointed The members of said Board shall be paid ten dollars per diem and their necessary expenses when actually engaged in the performance of the duties of the Board

The officers of said Board shall be a President Vice President Secretary and Treasurer all of whom shall be elected annually from among their number The salary of the said Secretary shall be a reasonable amount to be determined by the Pennsylvania Board of Pharmacy The members of said Board shall within ten days of their appointment take and subscribe an oath or affirmation before a properly qualified officer of the county in which they reside that they will faithfully and impartially perform the duties of their office which oath or affirmation which oath shall be filed with the Secretary of the Commonwealth

And the said Board shall have the right to employ chemists assistant chemists agents and clerks for the purpose of carrying out the terms and conditions prescribed by this act of Assembly Any vacancy occurring in the said Board shall be filled by the Governor from among such only as are eligible for appointment under this act of Assembly Provided however If the office of a member shall become vacant before the expiration of the term for which said member was appointed the vacancy shall be filled by an appointment by the Governor for the unexpired term only

On the question,

Will the Senate agree to the section?

Mr. P. W. SNYDER. Mr. President, I move to amend section 2, page 4, line 4, by striking out the words "which oath".

Mr. SCHANTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth sections of the bill were read as follows and agreed to:

Section 3 That the Pennsylvania Board of Pharmacy shall meet at least four times a year in the City of Harrisburg or such other place in Pennsylvania as they may deem expedient and examine all persons in the science of pharmacy and its allied branches who shall make application for registration as pharmacists or assistant pharmacists and that the said Pennsylvania Board of Pharmacy or a majority of them shall grant to such persons as may be qualified registration and certificates of competency and qualification which shall entitle the holders thereof to all the privileges of a pharmacist or assistant pharmacist under the provisions of this act as may be specified therein

Section 4 That every person applying to the Pennsylvania Board of Pharmacy for examination and registration as a pharmacist shall be not less than twenty-one years of age and of good moral character and must produce satisfactory evidence of having had not less than four years practical experience in a pharmacy under the personal supervision of a pharmacist at least two years of which experience must have been acquired within the United States in the business of retailing compounding or dispensing of drugs chemicals and poisons and of compounding of physicians' prescriptions or in the case of an applicant having acquired experience in the drug dispensary of a regular public hospital which dispensary was conducted under the constant supervision of a registered pharmacist two years of such experience shall be allowed in lieu of two years required in a pharmacy and of being a graduate of some reputable and properly chartered college of pharmacy so recognized by the Pennsylvania Board of Pharmacy of this or some other State or any foreign country whose pharmacy licensing board or other authority recognizes the graduates of the reputable and properly chartered colleges of pharmacy of this State and admits the graduates of all such colleges to its pharmacy licensure examinations And every person applying for registration as qualified assistant shall be not less than eighteen years of age and of good moral character and must produce satisfactory evidence of having had not less than two years practical experience as defined and provided in this section

Section 5 Each applicant for examination and registration as a pharmacist shall pay to the Pennsylvania Board of Pharmacy an examination fee of five dollars ($5.00) If the said applicant passes a satisfactory examination and complies with the rules and regulations and with the terms and conditions of this act of Assembly then the said Board shall grant the applicant registration and a certificate of competency and qualification as a pharmacist upon the payment of a fee of twelve dollars ($12.00) provided said fee shall be paid to the said Board within thirty days of the time that the said applicant is notified that a satisfactory examination has been passed

Each applicant for examination and registration as assistant pharmacist must pay a fee of three dollars ($3.00) to the Pennsylvania Board of Pharmacy and if the said applicant passes a satisfactory examination and complies with the rules and regulation of the Pennsylvania Board of Pharmacy for the enforcement of this act of assembly and with the terms and conditions of this act of Assembly the said board shall grant the said applicant registration and a certificate of competency and qualification as an assistant pharmacist upon payment of a fee of five dollars ($5.00) provided that said fee shall be paid to the said board within thirty (30) days of the time when the said applicant is notified that a satisfactory examination has been passed

Section 6 That the registration of any pharmacist or assistant pharmacist under this act of Assembly may be revoked by the Pennsylvania Board of Pharmacy when the registration is proved to have been obtained by fraudulent means

Section 7 That there shall be kept in every pharmacy a copy of the latest revision of the United States Pharmacopoeia and the latest edition of the National Formulary and if homeopathic remedies are compounded and dispensed a copy of the latest revision of the American Homeopathic Pharmacopoeia or the Homeopathic Pharmacopoeia of the United States which books must be open to the inspection of the Pennsylvania Board of Pharmacy or the agents thereof Any person violating this section of this act of Assembly shall upon conviction be sentenced to pay a fine of ten dollars ($10.00) and the costs of prosecution

Section 8 That all certificates as pharmacists or assistant pharmacists issued under the authority of the Commonwealth of Pennsylvania shall at all times be conspicuously exhibited in the place of business where the pharmacist or assistant pharmacist is employed Any pharmacist violating this section of this act of Assembly as to the display of his own or his employes' certificates shall upon conviction be sentenced to pay a fine of ten dollars ($10.00) and the costs of prosecution

Section 9 That it shall be unlawful for any person to impersonate an applicant before the Pennsylvania Board of Pharmacy who shall be applying for registration under the provisions of this act of Assembly Any person violating this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of one hundred dollars ($100.00) or to undergo an imprisonment of six months in the county prison or either or both in the discretion of the court

Section 10 That the Pennsylvania Board of Pharmacy shall make uniform rules and regulations for the enforcement of this act including the forms of application for registration in accordance therewith

Section 11 That the Pennsylvania Board of Pharmacy shall enforce the provisions of this act of Assembly investigate all complaints and charges of non-compliance and prosecute all persons so offending whenever reasonable ground shall appear for such action All fines imposed through a violation of this act shall be paid to the Secretary of the Pennsylvania Board of Pharmacy and by him paid into the State Treasury for use in the enforcement of this act of Assembly

Section 12 That the Pennsylvania Board of Pharmacy shall make an annual report to the Governor of Pennsylvania of the work performed during the year together with a complete financial statement of all moneys received and all moneys paid out One thousand (1,000) copies of this report shall be printed by the State printer of Pennsylvania and two copies sent to each member of the Legislature the remaining copies to be distributed upon application by the Pennsylvania Board of Pharmacy All papers and records together with the minutes of the board shall be filed in the office of the board

The thirteenth section of the bill was read as follows:

Section 13 That hereafter it shall be unlawful to sell drugs medicines or poisons at retail or to compound physicians' prescriptions or to conduct a pharmacy or to practice as a pharmacist or assistant pharmacist except in compliance with the provisions of this act of Assembly provided however that nothing in this act of Assembly shall be so construed as to interfere with students of pharmacy or other employes in a pharmacy from performing such duties as may be assigned to them by and under the supervision of a pharmacist or assistant pharmacist and provided further that the compounding of physicians' prescriptions or the dispensing and selling of poisons at retail shall not be permitted except under the strict supervision and in the presence of a pharmacist or assistant pharmacist

Nothing in this act of Assembly shall be construed so as to prevent an authorized practitioner of medicine from administering or dispensing such drugs to bona fide patients as he or she shall deem necessary provided however that such drugs so administered or dispensed shall conform to the standards of strength quality and purity as fixed by the laws of this Commonwealth nor prevent the sale or manufacture of proprietory medicines nor prevent storekeepers from dealing in and selling commonly used household drugs when the same are offered for sale or sold in packages which have been put up ready for sale to consumers by pharmacists manufacturing pharmacists wholesale grocers or wholesale druggists Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00) or imprisonment for not more than one year or either or both in the discretion of the court

On the question,

Will the Senate agree to the section?

Mr. SCHANTZ. Mr. President, I move to amend section 13, page 9, line 27, by inserting after the word "drugs" the words "in bulk or".

Mr. EYRE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first and twenty-second sections of the bill were read as follows and agreed to:

Section 14 That it shall be lawful for a pharmacist druggist apothecary or drug store and to have charge or engage in conduct or carry on for himself or for another the dispensing compounding or sale of drugs chemicals medicines prescriptions or poisons anywhere within the State but he shall have personal supervision of not more than one pharmacy at the same time

It shall be lawful for an assistant pharmacist to take use or exhibit the title assistant pharmacist and to assist in the dispensing compounding or retailing of drugs chemicals medicines prescriptions or poisons in a pharmacy which is under the management and personal supervision of a pharmacist registered under the provisions of this act he may also perform such duties during the temporary absence of the pharmacist regularly in charge

Section 15 That it shall be unlawful for any person firm or corporation to use the title pharmacist assistant pharmacist druggist or apothecary except as authorized under this act of Assembly It shall further be unlawful to use the title drug store or pharmacy or any title having the same meaning for a place where drugs are sold at retail except by persons registered as pharmacists under the provisions of this act Provided however It shall not be unlawful for the owner of a pharmacy who is not registered under this act as a pharmacist to employ such titles when his pharmacy is conducted by a pharmacist duly registered under this act Any person violating this section of this act of Assembly shall be guilty of a misdemeanor

and upon conviction shall be sentenced to pay a fine of not less than fifty dollars ($50.00) and the costs of prosecution

Section 16 That the Pennsylvania Board of Pharmacy may register as a pharmacist without examination any person who was duly registered as a pharmacist by examination in some other state provided that the said person shall produce satisfactory evidence of having had the required secondary and professional education demanded of applicants for registration as pharmacist under the provisions of this act and provided also that the state in which such person was registered shall grant registration as a pharmacist without examination to pharmacists duly registered by examination within the meaning of this act A fee of twenty-five dollars ($25.00) shall be paid for such registration

Section 17 Poisons That a poison in the meaning of this act of Assembly shall be any drug chemical or preparation which according to standard works on medicine toxicology or Materia Medica is liable to be destructive to adult human life in quantities of sixty grains or less or any mixture compound or preparation containing in sixty grains or less a sufficient quantity of any such drug chemical or preparation as to make the same liable to be destructive to adult human life if sixty grains or less were to be taken

No person shall sell at retail or dispense any poison except as herein provided without affixing to the bottle box vessel or package containing same a label printed or plainly written containing the name of the article the word "Poison" and the name and place of business of the seller nor shall he deliver poison to any person without satisfying himself that the purchaser understands the poisonous nature of the article and that such poison is to be used for legitimate purposes

It shall be the further duty of any one selling at retail or dispensing poison which according to standard works on medicine toxicology or Materia Medica is liable to be destructive to adult human life in quantities of five grains or less before delivering them to enter in a book kept for this purpose the name of the seller the name and address of the buyer the name of the article the quantity sold or disposed of the date on which sold and the purpose for which it is said to be intended Such book of registry shall be preserved for at least two years from the last date of entry and shall at all times be open to inspection of the coroner police authorities or the agents of the Pennsylvania Board of Pharmacy provided however that the provisions of this section shall not apply to the dispensing of physicians' prescriptions specifying poisonous articles nor to the sale of mixed paints of all kinds white lead and colors ground in oil and all lead products for technical purposes

Any person violating this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one hundred dollars ($100.00)

Section 18 This act shall not apply to the sale of poisons for tenchical use and not sold or offered for sale as a drug within the meaning of this act provided that the article is labeled to show plainly that it is for technical use and not for medicinal use and is sold in compliance with section eighteen of this act of Assembly

Section 19 That all physicians' prescriptions compounded and dispensed shall be kept on file in the pharmacy in which compounded for a period of at least five years and during that time the same shall be open to the inspection of the police authorities upon presentation of an order from the court or to the members of the Pennsylvania Board of Pharmacy

Section 20 That it shall be unlawful for any person to falsely make oath or affirmation to any statement in any application made to this board for registration as a pharmacist or assistant pharmacist or to any statement in support of the experience claimed in any application by any applicant for registration under this act Any person so doing shall upon conviction be sentenced to pay a fine of not more than one hundred dollars ($100.00) and costs of prosecution

Section 21 That it shall be unlawful for any unregistered person to have charge of a pharmacy and anyone who permits any person who is not registered or deemed to be a pharmacist or assistant pharmacist under this act to take charge of a pharmacy shall be guilty of a misdemeanor and either or both shall upon conviction be sentenced to pay a fine of not more than one hundred dollars ($100.00) and costs of prosecution

Section 22 That all acts and parts of acts so far as they may be in conflict with this act are hereby declared void and of no effect provided however That if any action or prosecution now pending for violations of any of the acts of Assembly hereby repealed occurring prior to the passage of this act of Assembly shall not be affected by this act of Assembly and provided further that the duties and powers of the State Pharmaceutical Examining Board under any act of the General Assembly in force and effect on and after July first one thousand nine hundred and seventeen shall be taken to be the duties and powers of the Pennsylvania Board of Pharmacy created by this act of Assembly This act shall be in force and effect on and after July first one thousand nine hundred and seventeen

The title of the bill was read as follows and agreed to:

An Act to regulate the practice of Pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof, defining the words "Drug" and "Poisons" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL INTRODUCED.

Mr. SPROUL. Mr. President I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 928, entitled

An Act to authorize County Commissioners to appropriate from moneys received from dog taxes certain sums to societies for the prevention of cruelty to animals.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Appropriations, re-reported as committed Senate Bill No. 724, entitled

An Act authorizing the board of public accounts to consider petitions for the return of moneys erroneously or inadvertently paid or covered into the State Treasury and to make such order thereon as shall seem just and proper providing for the payment by the Commonwealth of such claim and claims heretofore adjusted and making an appropriation.

Mr. KLINE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Judiciary General, reported as amended Senate Bill No. 859 (House Bill No. 846), entitled

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth.

Also from the Committee on Judiciary General, reported as amended, Senate Bill No. 788, entitled

An Act regulating the recovery of personal property leased or sold under a conditional sale and the collection of balances arising from such lease or sale.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 897 (House Bill No. 1090), entitled

An Act supplementing and amending section ten (10) of an act, entitled "An Act establishing a court for the County of Philadelphia, prescribing its jurisdiction and powers, providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," approved the twelfth day of July, one thousand nine hundred and thirteen, by adding the words "and injuries to property" following the words "personal injuries," so that the exception in the said section shall read: "except that in actions for damages for personal injuries and injuries to property it shall have jurisdiction where the sum demanded by the plaintiff does not exceed one thousand five hundred dollars ($1,500.00)."

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 889 (House Bill No. 912), entitled

An Act validating certain foreclosure proceedings instituted by foreign executors, administrators and guardians sheriff's sales had thereon and the title acquired thereby.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 848, entitled

A Joint Resolution proposing an amendment to section twenty-two, article three of the Constitution of Pennsylvania.

Mr. EYRE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EYRE, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 918, entitled

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decide the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining Highways and State-aid Highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," providing that the State Highway Commissioner may take over, as a part of the system of State Highways, any public road leading from a State Highway to a State reservation or other State property.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 847, entitled

An Act relating to Commissioners of Public Parks

RECONSIDERATION OF SENATE BILL NO. 753.

Mr. C. A. SNYDER. Mr. President, I move to reconsider the vote by which Senate Bill No. 753, on page 4 of the calendar of April 11, 1917, entitled

A Supplement to the act approved the ninth day of April one thousand nine hundred fifteen (Pamphlet Laws forty-six) entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department" creating a Bureau of Economy and Efficiency in said Department fixing the number and salaries of its clerks and employes and prescribing its powers and duties.

was defeated on final passage.

The PRESIDENT. How did the Senator vote?

Mr. C. A. SNYDER. Mr. President, I voted "no."

Mr. EYRE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. EYRE. Mr. President, I voted "no"

On the question,

Will the Senate agree to the motion?

Mr. C. A. SNYDER. Mr. President, after canvassing the Senate I found there was some misapprehension and misconception of the purpose of this bill. Now, I desire that the Senate shall reconsider this bill, and if it does, I am perfectly willing to amend the bill to suit the Senators, especially those who object and feel that the Auditor General desires to impose upon himself more authority than he has at present. Before the Appropriations Committee yesterday the Auditor General, Mr. Powell, made a statement that the Economy and Efficiency Commission was an important one, especially with Mr. McDevitt at the head, and he believed there should be some department of the government in which this office should be continued, and, therefore, I ask that the Senate reconsider the bill and to-morrow morning you may amend it if you desire to pass it. I am satisfied that the Governor or anybody else shall appoint this officer, just so it goes through.

And the question recurring,

Will the Senate agree to the motion?

Mr. C. A. SNYDER. Mr. President, after consulting with several Senators, it would be perfectly agreeable that the bill, if it passes the Senate this morning, shall be amended by the committee in the House, if it sees fit.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Baldwin,	DeWitt,	Homsher,	Snyder, C. A.,
Beales,	Endsley,	Kline,	Sproul,
Buckman,	Eyre,	Martin,	Vare,
Catlin,	Graff, J. F.,	McConnell,	Wasbers,
Craig,	Graff, W. P.,	Miller,	Weaver,
Croft,	Hackett,	Phipps,	Beidleman,
Daix,	Haldeman,	Schantz,	Pres. pro tem.

NAYS—3.

Burke,	Leiby,	Snyder, P. W.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 589, entitled

An Act to amend an act entitled "An Act to amend an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four providing for the incorporation and regulation of electric light heat and power companies" approved the eighth day of May Anno Domini one thousand eight hundred and eighty-nine by giving to electric light heat and power companies the right of eminent domain.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 652, entitled

An Act to amend the first and second sections of "An Act to further amend an act approved April ninth one thousand eight hundred and seventy 'requiring railroad canal navigation and telegraph companies to make uniform reports to the Auditor-General' which act as amended by the Act of April thirteenth one thousand eight hundred and eighty-nine extended its provisions to telephone companies and conforming to the requirements of the Constitution provided for the filing of such reports with the Secretary of Internal Affairs and regulating the time for the filing of the same which said act is now further amended as to the time of forwarding blanks for such reports and the provisions of said act are extended to include all corporations owning or operating lines of railways canals transportation telegraphs or telephones located in whole or in part in Pennsylvania" approved the nineteenth day of April Anno Domini one thousand eight hundred and ninety-seven by changing the time of the forwarding of blanks and the filing and transmitting of annual reports.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 777, entitled

An Act making an appropriation for the purpose of placing caring for and removal of the exhibits of the institutions of Pennsylvania at the forty-fourth annual meeting of the National Conference of Charities and Correction to be held in the City of Pittsburgh Pennsylvania from the sixth to the thirteenth days of June one thousand nine hundred and seventeen

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 816, entitled

An Act providing for the formation and regulation of stock corporations having either or both preferred or common shares without nominal or par value and authorizing such corporations to issue shares without par value upon formation, reorganization merger or consolidation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 838, entitled

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 878, entitled

An Act fixing the fee for services of jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than one million four hundred thousand inhabitants under writs of inquisition condemnation inquiry of damages lunacy and habitual drunkard proceedings or under writs of process issued directing inquests

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 909, entitled

An Act making a deficiency appropriation to the Department of State Police for the payment of the salaries of the Superintendent and Deputy Superintendent of the Department and the salaries of the officers and enlisted men of the State Police force

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 910, entitled

An Act to repeal section five of an act entitled "Supplement to the act incorporating the Borough of Doylestown entitled 'An Act authorizing the Governor to incorporate the Bristol Steam Tow Boat and Transportation Company and for other purposes'" approved the thirteenth day of March one thousand eight hundred and sixty-seven (Papmhlet Laws four hundred and fourteen)

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 911, entitled

An Act providing for the ascertainment and assessment of damages and benefits in proceedings to lay out open widen vacate extend grade or changing the grade or lines of streets lanes and alleys in boroughs providing that this act shall apply to all proceedings when the damages shall not have been actually and finally ascertained and repealing all acts general local or special conflicting therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Appropriations, reported as amended Senate Bill No. 819, entitled

An Act to amend an act approved the 25th day of July, A. D. 1913, entitled "An Act providing for the establishment of the Pennsylvania Historical Commission; defining its powers and duties; and making an appropiration for its work," by enlarging its powers and duties and providing for publishing its report, etc.

HOUSE BILL FOR CONCURRENCE.

The Clerk of the House of Representatives, being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 187 (Senate Bill No. 929), entitled

An Act to provide for the protection and preservation of game, game-quardupeds and game-birds, and song and insectivorous and other wild birds, and prescriibng penalties for the violation of its several provisions

Which was committed to the Committee on Game and Fisheries.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor, being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nomipations:

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 24, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, L. A. Brennar, to be a Justice of the Peace in and for the Township of East Union, County of Schuylkill, to serve until the first Monday in January, 1918, vice William P. George, resigned.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 24, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, J. L. McMullen, to be a Justice of the Peace in and for the Township of West Deer, County of Allegheny, to serve until the first Monday in January, 1918, vice George C. McGill, deceased.

MARTIN G. BRUMBAUGH.

RECESS.

Mr. VARE. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES.

Mr. McNICHOL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL, from the Committee on Elections, reported as committed Senate Bill No. 924, entitled

An Act fixing the compensation of election assessors and constables in boroughs and townships for attendance at primary elections.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Municipal Affairs, re-reported as amended Senate Bill No. 391 (House Bill No. 260), entitled

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth.

BILLS INTRODUCED.

Mr. McNICHOL. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 930, entitled

An Act relieving the Governor of the duty of examining and approving warrants, vouchers, claims, contracts, or other instruments providing for the expenditure or collection of public moneys by the several departments of the executive branch of the state government.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 931, entitled

An Act to define the purposes for which a contingent fund appropriated to a department, board, commission, bureau or other division of the State government may be used, and providing penalties for the violation thereof.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 932, entitled

An Act creating a board of finance and revenue; transferirng to it all the powers and duties of the board of public accounts, the board of revenue commissioners, the sinking fund commission, and the board of license private bankers; and fixing the number and salaries of members and employes thereof.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 933, entitled

A Joint Resolution proposing an amendment to section sixteen of article three of the Constitution of the Commonwealth of Pennsylvania, in accordance with the provisions of the eighteenth article thereof.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 934, entitled

An Act to amend an act approved the fourteenth day of June, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-three), entitled "An Act to provide for retirement of state employes, permanently disqualified by reason of physical or mental disability to perform their official functions and duties, with half pay, under certain conditions, during the remainder of their lives, except state employes whose retirement has been or shall be otherwise provided for, and the filling of vacancies caused by such retirement," by changing the number of years service required of the aforesaid employes and providing for the retirement of all employes who have reached the age of seventy years and have been in the service of the state for twenty-five years or more.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 935, entitled

A Supplement to an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and fifty-eight), entitled "An Act to provide for the administration of the Workmen's Compensation Act of 1915 by creating the Bureau of Workmen's Compensation of the Department of Labor and Industry; providing for the establishment of the Workmen's Compensation Board to have charge of such Bureau; authorizing the division of the Commonwealth into Workmen's Compensation Districts, and the appointment of Workmen's Compensation Referees; defining the powers and duties of the Commissioner of Labor and Industry, the Bureau of Workmen's Compensation, the Workmen's Compensation Board, the Workmen's Compensation Referees, and the factory inspectors of the Department of Labor and Industry, in enforcing the said act; and fixing the salaries of the members of the Workmen's Compensation Board, the Workmen's Compensation Referees, and certain of their employes and assistants."

Which was committed to the Committee on Judiciary Special.

REPORT FROM COMMITTEE.

Mr. SPROUL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SPROUL, from the Committee on Executive Nominations, reported with a favorable recommendation, all the nominations made by the Governor at to-day's session.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. SPROUL,

That Rule 38, which requires nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting upon all the nomination's reported at to-day's session.

Which was agreed to,

Whereupon,

A motion was made by Mr. SPROUL,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,	Graff, J. F.,	McKee,	Snyder, C. A.,
Beales,	Graff, W. P.,	McNichol,	Snyder, P. W.,
Buckman,	Hackett,	Miller,	Sones,
Burke,	Haldeman,	Nason,	Sproul,
Catlin,	Hindman,	Patton,	Stewart,
Craig,	Homsher,	Phipps,	Vare,
Croft,	Jenkins,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,	Smith, R. E.,	Beidleman,
Eyre,	McConnell,	Smith, W. W.,	Pres. pro tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILL INTRODUCED.

Mr. BEALES. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEALES read in his place and presented to the Chair Senate Bill No. 936, entitled

An Act to establish as a State Highway a certain section of public road in the County of Adams.

Which was committed to the Committee on Public Roads and Highways.

ADJOURNMENT.

Mr. ENDSLEY. Mr. President, I move that the Senate do now adjourn until 10 o'clock to-morrow morning.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12.59 o'clock P. M. until Wednesday morning, April 25, 1917, at 10 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, April 24, 1917.

The House met at 11:00 o'clock A. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

Great Father in Heaven, help us to know Thee as our Father, to believe in Thy Father love for us, in Thy Father care. May our consecration and conduct be worthy of Thee. Grant that Thy image be printed on our lives very clearly, yea, so brightly that all who see us shall see the features of our Father shining in us.

Bless the House of Representatives, the Speaker and all of us assembled here. We need Try protection and care, as the world is full of dangers—subtle enemies, insidious influences and crafty evils. Hide us away in the secret of Thy presence from all strife. Fill us with Thy spirit. Give us of Thy life. Shed abroad Thy love in our hearts, and save us all for evermore, Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Ross the further reading was dispensed with, and the Journal was approved.

PETITION PROTESTING AGAINST THE PASSAGE OF A LAW FOR THE ABOLITION OF DOUBLE COUNCILS AND THE SUBSTITUTION OF A SINGLE COUNCIL.

The SPEAKER presented the petition of the Select and Common Councils of the City of Philadelphia protesting against the passage and approval of a bill for the abolition of the present Select and Common Councils and the substitution of a single counclimanic body.

Referred to the Committee on Municipal Corporations.

BILLS INTRODUCED AND REFERRED.

By Mr. DELL. House Bill No. 1574.

An Act to amend section eleven of article three of "The Public Service Company Law," approved the twenty-sixth day of July, one thousand nine hundred and thirteen, by exempting contracts and agreements between public service companies and boroughs from the approval of the commission.

Referred to the Committee on Judiciary Special.

By Mr. WALKER. House Bill No. 1575.

An Act prohibiting the sale, distribution and use of foods, drugs, and certain mixtures and preparations containing methyl or wood alcohol; and fixing penalties.

Referred to the Committee on Public Health and Sanitation.

By Mr. WOODWARD. House Bill No. 1576.

An Act to further amend an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A Further Supplement to an act entitled 'An Act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering purposes and imposing a tax of one mill on certain capital stock of certain corporations limited partnerships and joint-stock associations organized for manufacturing and laundering purposes, and appropriating the money received from such tax for State and State-aid highway purposes

Referred to the Committee on Ways and Means.

By Mr. WOODWARD. House Bill No. 1577.

An Act imposing a State tax upon crude petroleum, providing for the settlement and collection of said tax annually, and dedicating the same to the construction, maintenance, improvement and repair of State and State-aid highways, and providing penalties for the violation of this act.

Referred to the Committee on Ways and Means.

By Mr. WOODWARD. House Bill No. 1578.

An Act imposing a State tax upon natural gas, providing for the settlement and collection of said tax annually, and dedicating the same to the construction, maintenance, improvement and repair of State and State-aid highways, and providing penalties for the violation of this act.

Referred to the Committee on Ways and Means.

By Mr. WOODWARD. House Bill No. 1579.

An Act imposing a State tax on coal; providing for the assessment and collection of the said tax annually; dedicating fifty per centum of the fund received from said tax and appropriating the same to the construction, maintenance, improvement and repair of State and State-aid highways; providing penalties for the violation of this act.

Referred to the Committee on Ways and Means.

By Mr. POWELL. House Bill No. 1581.

An Act to reimburse mine inspectors for the loss in salary and making appropriations.

Referred to the Committee on Appropriations.

By Mr. JENNINGS. House Bill No. 1582.

An Act making an appropriation to the People's Co-operative Hospital, of Sayre, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. STERLING. House Bill No. 1583.

An Act to amend section one of an act approved the twenty-ninth day of April, one thousand nine hundred nine, entitled "An Act to prevent any individual from holding, at the same time, more than one of the offices of president, vice-president, secretary, treasurer, or solicitor of any building and loan association, incorporated under the laws of this Commonwealth, and providing a penalty for the breach thereof;" by prohibiting any individual from holding at the same time also the office of conveyancer.

Referred to the Committee on Banks and Banking.

By Mr. GORMLEY. House Bill No. 1584.

An Act providing a method for the levy, assessment, and collection of taxes in cities, boroughs, towns, townships, school districts and poor districts.

Referred to the Committee on Manufactures.

By Mr. GANS. House Bill No. 1585.

An Act to further amend section three of an act approved the twenty-third day of June, one thousand eight hundred and eighty-five, entitled "An Act relating to marriage licenses, providing for officers herein indicated to issue licenses for parties to marry," by eliminating notaries public from among those officers who are authorized to take affidavits to inquiries upon which marriage licenses are issued.

Referred to the Committee on Manufactures.

By Mr. RAMSEY. House Bill No. 1586.

An Act relating to the validation of all claims for taxes filed in accordance with the provisions of the act of May twenty-ninth, nineteen hundred and one (Pamphlet Laws three hundred and twenty), entitled "An Act to amend section one of an act approved May the fourteenth, one thousand eight hundred and seventy-four, entitled 'An Act to exempt from taxation public property used for public purposes, and places of religious worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity,'" and its amendments and supplements, and also relating to the return of delinquent or unpaid taxes upon seated lands in counties, school districts, poor districts, boroughs, incorporated towns or townships, where returns have not been made in accordance with the act of twenty-first May, nineteen hundred and thirteen (Pamphlet Laws two hundred and eighty-five).

Referred to the Committee on Manufactures.

By Mr. STADTLANDER. House Bill No. 1587.

A Supplement to an act, entitled "An Act for the government of cities of the second class," approved March seventh, one thousand nine hundred and one, conferring upon said cities in cases of emergency additional powers to purchase and store the necessities of life, including food and coal, and sell the same to the residents of said city.

Referred to the Committee on Municipal Corporations.

By Mr. STERLING. House Bill No. 1588.

An Act making it unlawful for any building and loan association to loan money on bond and mortgage unless the borrower furnishes a policy of title insurance; requiring all settlements to be made at the title insurance and trust company; requiring all checks to be made out to the borrower or to the title insurance and trust company at which settlement is made; and fixing penalties.

Referred to the Committee on Banks and Banking.

By Mr. FRANK I. SMITH. House Bill No. 1589.

An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River, and making an appropriation therefor.

Referred to the Committee on Appropriations.

By Mr. LAULER. House Bill No. 1590.

An Act making an appropriation to the Pittsburgh Maternity Dispensary, of Pittsburgh.

Referred to the Committee on Appropriations.

By Mr. BRADY. House Bill No. 1591.

An Act to exempt talking machines, phonographs and musical instruments of every description, leased, licensed or conditionally sold to, or hired by any person or persons residing in or having a place of business in this Commonwealth, from levy or sale on execution or distress for rent.

Referred to the Committee on Judiciary Local.

BILL RE-REFERRED.

By Mr. MAURER. House Bill No. 215.

An Act directing the Public Service Commission to appoint appraisers to fix the physical value of the lines, rolling-stock, and other equipment of street railway corporations, operating in this State; empowering the Commission to enforce the purchase and elimination of all fictitious, non-earning stock that may have been issued in excess of the physical valuation of any such corporations' plan and accessories thereto; making an appropriation to cover the expense of such appraisement and fixing a penalty for violation of this act.

Referred to the Committee on Appropriations.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 725 (House Bill No. 1593).

An Act requiring cities of the second class to give an increase of at least one hundred and fifty dollars per year to all employes now drawing a salary of fifteen hundred dollars per annum or less, and providing a method to enforce the provisions of this act.

Referred to the Committee on Appropriations.

Senate Bill No. 774 (House Bill No. 1594).

An Act making an appropriation to refund certain monies to the estate of the late Joseph P. Kennedy.

Referred to the Committee on Appropriations.

Senate Bill No. 688 (House Bill No. 1595).

An Act fixing the compensation of county treasurers in counties containing a population of one million five hundred thousand and upwards for services rendered the Commonwealth.

Referred to the Committee on Judiciary Special.

Senate Bill No. 137 (House Bill No. 1596).

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth.

Referred to the Committee on Judiciary General.

Senate Bill No. 785 (House Bill No. 1597).

An Act relating to bridges in townships of the second class.

Referred to the Committee on Public Roads.

Senate Bill No. 850 (House Bill No. 1598).

An Act to further amend an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer chief draughtsman superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part, requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

REPORTS FROM COMMITTEES.

Mr. STERLING, from the Committee on Judiciary Special, reported as committed House Bill No. 1063, entitled

An Act to amend section five of an act approved the fifth day of May, one thousand nine hundred and eleven, entitled "An Act to fix the salaries of the judges of the Supreme Court, the judges of the Superior Court, the judges of the Courts of Common Pleas, and the judges of the Orphans' Courts."

Mr. REYNOLDS, from the Committee on Judiciary Special, reported as committed House Bill No. 733, entitled

An Act to amend an act approved the eleventh day of June, eighteen hundred and seventy-nine, entitled "An Act to protect children from neglect and cruelty, and relating to their employment, protection and adoption," so that it shall not apply to discipline in the public schools.

Mr. BENNINGER, from the Committee on Appropriations, reported as committed House Bill No. 1474, entitled

An Act to amend sections one, four and five of an act approved the eighteenth day of May, one thousand nine hundred and fifteen, entitled "An Act establishing a State Commission of Agriculture; defining its powers and duties, including its powers relative to the Department of Agriculture and the State Livestock Sanitary Board."

Mr. DEAN, from the Committee on Ways and Means, reported as committed House Bill No. 1420, entitled

An Act providing for the classification of real estate in cities of the first class, so as to separate the land from the improvements thereon and to provide for the assessment of a less tax upon the buildings and other improvements than upon the land exclusive of the buildings and other improvements by a yearly reduction of the rate of taxation on improvements and increase of the rate on the land values.

Mr. EHRHARDT, from the Committee on Corporations, reported as committed, House Bill No. 1329 (Senate Bill No. 471), entitled

An Act to authorize the payment by corporations to their directors of compensation for services rendered by them.

Mr. STERLING, from the Committee on Corporations, reported as committed, House Bill No. 1336 (Senate Bill No. 671), entitled

An Act to amend an act entitled "An Act authorizing companies incorporated under the laws of any other state of the United States for certain purposes to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for such purposes" approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteen.

Mr. WALKER, from the Committee on Corporations, reported as committed, House Bill No. 1328 (Senate Bill No. 469), entitled

An Act authorizing any company incorporated under the laws of any other State for the manufacture of automobiles motor trucks or other motor vehicles or of any article appertaining to or entering into the construction thereof to erect and maintain buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor.

Mr. RININGER, from the Committee on Appropriations, re-reported as committed, House Bill No. 500 (Senate Bill No. 69), entitled

A Supplement to the second section of An Act entitled "A supplement to the twenty-fourth section of an act entitled 'An Act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine, approved the first day of June one thousand eight hundred and eighty-nine, amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," approved the twenty-eighth day of June, one thousand eight hundred and ninety-five, amending the same to provide for the payment of the net proceeds of the entire two per centum tax for the purpose indicated in the original act and supplement including townships among the distributees and providing for certain conditions upon said distributions.

Mr. GEORGE W. WILLIAMS, from the Committee on Ways and Means, re-reported as amended, House Bill No. 1020, entitled

An Act relating to tax assessment returns in certain counties.

Mr. STERLING, from the Committee on Corporations, reported as committed, House Bill No. 1405, entitled

An Act to amend an act, entitled "An Act to amend an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and seventy-four, providing for the incorporation and regulation of electric light, heat and power companies," approved the eighth day of May, one thousand eight hundred and eighty-nine, by giving to electric light, heat and power companies the right of eminent domain.

Mr. REYNOLDS, from the Committee on Judiciary Special, reported as committed, House Bill No. 1051, entitled

An Act to amend an act approved the first day of June, one thousand nine hundred eleven, entitled "An Act designating the employes of the Insurance Department, and fixing their salaries,"

Mr. RUDDY, from the Committee on Insurance, re-reported as committed, House Bill No. 1111 (Senate Bill No. 492), entitled

An Act making an emergency appropriation to the trustees of the State Institution for Feeble-Minded of Western Pennsylvania, at Polk, Pennsylvania.

LEAVES OF ABSENCE.

Mr. JONES asked and obtained leave of absence for Mr. Dawson on account of sickness.

The SPEAKER. The Chair has received a telegram asking for leave of absence for Mr. J. Ross Horne on account of sickness. Leave is granted.

RESOLUTION NO. 14.

Mr. LEWIS. Mr. Speaker, I call up for consideration at this time House Resolution No. 14 and move its adoption.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read by the Clerk as follows:

Be it Resolved That May first one thousand nine hundred and seventeen is hereby fixed as the last day for the introduction of bills in the House of Representatives for the session of one thousand nine hundred and seventeen.

On the question,

Will the House agree to the resolution?

Mr. CHARLES A. SHAFFER. Mr. Speaker, I offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the House Resolution No. 14, File Folio 3627, by striking out the word "One" after the word "May" and substituting in lieu thereof the word "Seven."

Mr. WEST. Mr. Speaker, I second the amendment.

Mr. LEWIS. Mr. Speaker, I object to the amendment.

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House agree to the resolution?

It was agreed to.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution in the House of Representatives as follows:

In the House of Representatives, April 18, 1917.

Resolved (if the Senate concur), That House Bill No. 295, entitled "An Act to further amend clause three of section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four), entitled 'A further supplement to the act entitled 'An Act concerning divorces' " as amended by omitting the proviso providing for the allowance of support or alimony in certain cases," be recalled from the Governor for the purpose of amendment.

BILLS SIGNED BY THE SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 201.

An Act authorizing cities boroughs and towns to lease water supply works and systems providing for the operation thereof and the establishment of rates.

Senate Bill No. 186.

An Act relating to the appointment of persons to the fire departments in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation of a secretary.

Whereupon,

The SPEAKER in the presence of the House signed the same.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 293.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 19, 1917.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 293, entitled "An Act to correct an error in section one of an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled 'An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth' as printed in the Pamphlet Laws of one thousand nine hundred and fifteen."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 477.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 19, 1917.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 477, entitled "An Act to enable Foreign Fraternal Beneficiary Associations and corporations to hold real estate in this Commonwealth and validating certain titles."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 852.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 19, 1917.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 852, entitled "An Act authorizing the Somerset Contracting Company a corportaion organized and existing under the laws of the Commonwealth of Pennsylvania with its principal office in the Borough of Somerset County of Somerset and State of Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 608.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 19, 1917.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 608, entitled "An Act authorizing Harry C. Swift of Everett Bedford County Pennsylvania to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Bedford County."

MARTIN G. BRUMBAUGH.

BILL ON THIRD READING (SPECIAL ORDER).

The SPEAKER. The hour of 11.30 having arrived, the Chair lays before the House as a special order on third reading, House Bill No. 490, File Folio 183.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 490, entitled

An Act prohibiting the solicitation, payment or receipt in any public building in any city of the first class of any money or valuable thing for political purposes; prohibiting the solicitation or receipt by or from officers or employes of cities of the first class of contributions for political purposes; prohibiting the payment by officers or employes of cities of the first class of contributions for political purposes; prescribing dismissal from public office as a penalty for violation thereof; prescribing methods of enforcing this penalty, and providing that any violation of this act shall be punished as a misdemeanor.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PHILLIPS. Mr. Speaker, I desire to offer amendments to this bill.

The SPEAKER. The bill has passed third reading and the motion is not in order unless the vote by which the bill passed on third reading be reconsidered.

MOTION TO RECONSIDER VOTE.

Mr. PHILLIPS. Mr. Speaker, I move that the vote by which this bill was agreed to on third reading be reconsidered.

Mr. GLASS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The Clerk will read the amendments for information.

The Clerk then read the amendments as follows:

Amend section 1, line 5, by striking out the words "of the first class."

Amend section 2, line 9, by striking out the words "of the first class."

Amend section 3, line 13, by striking out the words "of the first class."

Amend section 4, line 21, by striking out the words "of the first class."

Amend section 5, line 26, by striking out the words "of the first class."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time?

Mr. PHILLIPS. Mr. Speaker, my object in introducing this amendment at this time to this particular bill presented by the gentleman from Philadelphia, Mr. Beyer, in reference to taking employes out of politics and to prohibit them from making any contributions. If it is a good thing for Philadelphia why is it not also a good thing for the entitre State of Pennsylvania We should not stand by and let Philadelphia have everything that is good. I think we are just as much entitled to it as they are down in Philadelphia and I ask you, gentlemen, therefore, to amend this bill so that we can have it in the entire State and get all of the office holders out of politics.

Mr. BEYER. Mr. Speaker, do I understand that action on these amendments will require unanimous consent at this time?

The SPEAKER. Yes sir.

Mr. BEYER. Mr. Speaker, then I object.

The SPEAKER. The Chair hears objection.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

MR. RININGER IN THE CHAIR.

Mr. McNICHOL. Mr. Speaker, when the amendments which were proposed by my friend from Clearfield, Mr. Phillips, which would have made this law applicable to

every part of the State, were promptly objected to by the author of it, the gentleman from Philadelphia, Mr. Beyer, it showed conclusively, to my mind, that the purpose of this bill is simply to affect conditions in Philadelphia and Philadelphia alone. You gentlemen are sufficiently well versed in politics to know that your organization is supported by the followers of it. A proposition of this kind would place in the hands of men of unlimited wealth, men who had the backing of corporate interests, men who could call upon certain interests for contributions to carry on their political campaigns. Why is the interest in this bill solely confined to Philadelphia. My friend, the author of this bill, probably in answer to me will say that this is a bill that had its inception in the minds of men who have been interested in political uplift for years. I am going to say to my friend now, in answer to his statement made last night, relative to the men responsible for this bill, and by way of giving him an opportunity to reply to me, to say whether this bill was not discussed, conceived and finally approved of in the office of the Senior United States Senator in company with Dean Lewis, Mr. John C. Winston and others. The purpose of this bill is not to raise the status of political efficiency; it is not to surround politics with that safeguard that would bring it from the mire, but the entire purpose of this legislation is to hamstring and hamper one particular part of this organization of the State of Pennsylvania—that which is in Philadelphia. Why, if you men from the other parts of this Commonwealth were affected, particularly from Allegheny County, if this bill applied to your county, you would run away from it. Why not be fair? Why try to put it over on us? You men don't want this resolution any more than we do. You men ought not to vote on this resolution; they don't want it away down in your hearts and you don't want it, as they know the value of political organization, and every man on this floor, without exception, has been the beneficiary thereof. Why, you men from the other part of this State should remain silent on legislation of this kind, and let it be settled right in our own delegation from Philadelphia and if you do that you will be doing a great amount of good and save valuable time. This is only done for political effect. Let it be settled right in Philadelphia County, where you will find that it will be settled as we have a majority in that delegate. If you will submit it to the Philadelphia delegation you will find that twenty-four men will vote "no" and seventeen men will vote "aye". Why deprive a man of his rights, if he is attempting to contribute to his party organization? If he does contribute one nickel under this law towards your campaign he will be fined five hundred dollars and sent to jail for one year. If this legislation would be beneficient the amendments proposed by Mr. Phillips would be allowed to be placed in it. Then the sincerity of the vote of the members of this House could be decided. I am sure that all my friends from Allegheny County agree with me when I say that they have no use for this legislation and they do not want to be unfair and they should not attempt to interfere with this proposition which applies to Philadelphia only. I ask the members of this House to vote the bill down.

Mr. BEYER. Mr. Speaker, I cannot help but pay a passing compliment to my genial friend from Philadelphia when he calls into question my objection to the amendments offered to this bill by striking out the words which make it applicable to Philadelphia alone and make it pertain to no other part of the State. I see in the movement to amend this bill a clever piece of political strategy that emanates from the fertile minds of the gentlemen from Philadelphia, and it has no other purpose in view except that which it accomplished. Its purpose was to bring me to the floor with an objection to the amendment. His purpose, on the other hand, was to play a political game in order to appeal to the rest of you from other parts of the State. In both instances, I think, we may fairly conclude that the movement has served its purpose. Whatever there has been of a factional reference to these reform measures has emanated not from this side of the House but from the side represented by my good friend from Philadelphia. I know nothing of any conference held in the office of the Senior Senator of this Commonwealth, nor would it make any difference to me in my support of this bill if any such conference had been held. It is most natural and altogether proper and befitting, that men who take an interest in public affairs should be encouraged from time to time to visit those who take some part in political life in order to discuss with them what it is that they desire in the shape of legislation, and it might be that the appeal might well have been made to the Senior Senator of the State because they probably felt that he would be more likely to support the measure than the eminent gentleman who has just addressed you from Philadelphia. But it is absolutely immaterial what conference may have been held or what motives may lie behind any bill that comes before you in this chamber. Every human act is subject to some motive or other. The world judges by results that are accomplished and what the purpose is in view. If this is a good bill it ought not be voted down because of any advantage that accrues to one side or some disadvantage to the other.

Now this is a bill along the same line as the Shern bill that you have now on the books, which applies to no other part of the State except the City of Philadelphia. So it is not a new thing in that direction. It goes a step further because it provides that men in public office shall not be permitted to use their offices in a public building for the purpose of collecting campaign contributions. It is drawn along the same lines as your Federad Statute is to-day which governs United States employes. They are not allowed to make any political contributions and their superiors are not allowed to send for them or circularize them and ask them to make any contributions. This bill is drawn having a two fold purpose. The first is to prohibit a superior from taxing his subordinate and asking for contribution, and the second is to stop the subordinate from making such contributions in any public building in a city of the first class, such as Philadelphia. The punishment provided in the bill is by no means too drastic. The whole purpose of the bill is to accomplish something in the nature of a civil service reform, badly needed in the City of Philadelphia. I feel that by voting for this bill that you will be taking a step in the direction that we should have gone long ago. You have already gone on record now with the Shern bill which is along the same lines. This is a slight improvement and a further step in the right direction.

Mr. REYNOLDS. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Beyer, permit himself to be interrogated?

Mr. BEYER. Mr. Speaker, I will.

Mr. REYNOLDS. Mr. Speaker, the file folio of this bill is 1893, section 5, on page 2 of the bill, line 28, and I would ask the gentleman what is the meaning of the word "separated" in the act as it says that the violation of any of the provisions of this act shall be immediately "separated from the service," meaning, I presume, that the person that violates the act shall be "separated" from the service. I would like to know what is the meaning of the word "separated," and what is the meaning of the word "service" as applied in this act?

Mr. BEYER. Mr. Speaker, I might say that if my good friend and I were walking through Copitol Park arm in arm, and some one came along and put our arms apart, we would be separated, would not be walking together. If a man in a subordinate position violates this law, and he is held to be responsible for the act which he did, his superior is bound to remove from his office. That is a separation, both a political separation and a physical separation.

Mr. REYNOLDS. Mr. Speaker, I would like to know then why immediately following line 28, we have in lines 29 and 30 and so forth, which say that the person offending against the provisions of this act shall be discharged or dismissed at once by his superior—if "separated" means what the sponsor of the bill says it means, why has he dismissal in there immediately after?

Mr. BEYER. Mr. Speaker, I do not think that there is a particle of difference in the use of those words. It may be that the gentleman who drafted this bill is not quite as fluent in the use of the English language as my good friend from Philadelphia, but I take it for granted that the word "separated" is equal to and means the same thing as "dismissal."

Mr. REYNOLDS. Mr. Speaker, I would ask the gentleman then on page 3 of this act, line 3, at the top of the

page, what is the meaning of the word, which says, prior to the word that I am going to quote, any taxpawer may bring action to restrain the payment of compensation to any such appointed officer. I would like to know what is the meaning of the word "compensation" as employed in this act. Does it belong there, or was it inadvertently put in there by the man who constructed this act?

The purpose of the section just referred to is to enable a taxpayer to file a bill in equity praying for an injunction to restrain the payment of the salary or compensation to any appointed officer, clerk or employe who has violated the provisions of this act. I take it for granted, gentlemen, that this is a "look ahead," for this reason: that if it should happen that a superior fails to discharge a subordinate, the remedy is still in the hands of the taxpayer to bring the matter before the court to see that the law is enforced and that compensation is withheld in a case where the court holds the man guilty of the offense.

Mr. REYNOLDS. Mr. Speaker, I would further ask the gentleman what he means in line 15, section 7, when he says "by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding one year, or both fine and imprisonment, in the discretion of the court." How is that fine to be imposed? The act does not say that the court shall impose it. It shall be in there "to be imposed by the court," but it is not. I would like to have the gentleman explain the meaning of that provision.

Mr. BEYER. Mr. Speaker, just what it says, and nothing more. I know of no other tribunal except the court that is in a position to impose such a penalty or fine, and I do not imagine for one moment that the gentleman who drew this bill had in mind that any such a critical criticism would be made of it. I take it for granted that the average man understands enough English to know just what is said. It means "a fine or imprisonment, or both, at the discretion of the court."

Mr. REYNOLDS. Mr. Speaker, the gentleman, as a member of the bar, certainly knows that all criminal cases are strictly construed, and the gentleman also knows that in every act on our statute books, imposing a fine, a penalty or imprisonment, distinctly says by whom the imprisonment is to be imposed, and the words by whom to be imposed must be in that section of this act, or it must fall, because without it you cannot place any other construction on it but that the taxpayer, who in the former part of this act brings the action, would have the right to impose the penalty.

Mr. BEYER. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Reynolds, permit himself to be interrogated?

Mr. REYNOLDS. Not now, Mr. Speaker. Now, Mr. Speaker, I have briefly called the attention of this House to the provisions of this act, and it appears to my mind to be so defective and so poorly constructed that I doubt whether the gentleman who introduced this act himself would rely upon it if it was his own act and written by him; because I do not believe that Mr. Beyer himself would construct such an act and ask you gentlemen to vote for it. He is a lawyer, and I know he would not. He is far too good for that. I say to you that this entire act could be framed in one section, because it is simuly a repitition of words, meaning absolutely nothing, and the enforcement of it is null and void. I understand from information which I have received that when this bill goes over to the Senate it is there to be amended so that it will provide for every county in this State being brought in under the act. If you read the act carefully, and I maintain that you should read it carefully, you will find that it is such a conglomeration of words that if I, or any other man, would attempt to make a solicitation of any man holding any position under any branch of our service in the City of Philadelphia, for any proposition, we would be liable to prosecution, fine and imprisonment. Now, gentlemen, we all have our methods of employment, we all have our livings to make. One man is in one position, and another in another position. Because a man happens to be employed by a State or city, is it fair and right that you should say to him that if he dare contribute to anything—I care not what it is, whether a church, Sunday school picnic or political assessment—how dare you say to him that we will fine and imprison him for doing such a thing? Let me look over this House and ask you frankly how many men would be here if it were not for the fact that you relied upon some fund to see that your political expenses were paid.

Mr. BEYER. Mr. Speaker, just one word. I am amused at hearing the same threat made again that was almost made a few moments ago. Every time there is an effort made to defeat a bill, if it happens to be a Philadelphia bill, its defeat is attempted by the same sort of a threat. You were told by the gentleman from Philadelphia, Mr. McNichol, that he knew I would get on the floor and object to the amendment. He was ably seconded by the gentleman from Philadelphia, Mr. Reynolds, who makes the same proposition to you. He tells you—I do not know upon what authority—that when this bill goes over to the Senate that it is to be amended there so as to apply to the whole State. That is not a fair argument, but is the kind of an argument made in order to scare you. It is the kind of an argument made to weak-minded men who have not the ability to do their own thinking, and is made with the attempt to scare those persons. I do not think that such an argument is fair, or such a threat, but I will tell you this, that if this bill goes into the Senate and is amended in the manner suggested by the gentleman from Philadelphia, I will be the first to move not to concur in the amendments, and I think that answers that point of the question. In regard to the drawing of this section 7, I see nothing ambiguous about it. Section 7 says that "any person who shall violate or conspire to violate any of the provisions of this act shall be deemed guilty of a misdemeanor and shall, on conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding one year, or by both fine and imprisonment, in the discretion of the court." Now, my friend seems to fear that some ward politician is going to levy this fine or impose this imprisonment, that some tribunal outside of the courts of justice is going to pass upon it. It seems to me that the language is just as plain as any English scholar can make it. After the trial, in due course of procedure in a court of justice, if a man is found guilty, the court will impose the sentence of fine or imprisonment, both or either, as the circumstances of the case may require.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I shall welcome the day when the people of Philadelphia are permitted to legislate within and for themselves, a time when they will no longer bring their local differences to the legislature to be settled by the members from the country districts who ordinarily feel no interest in the questions over which the Philadelphia members differ.

It matters not to me who is Mayor of Philadelphia, whether the city councilis composed of one or two bodies or the membership is 16 or 1600. Neither am I interested whether John Doe or John Smith secured the larger percentage of the city contracts.

Repeatedly during this session our time has been taken up with these factional questions coming from the City of Philadelphia that are meaningless to many of us. The country members in this body would be justified in refusing to longer vote on these factional measures that are brought here for their consideration and action.

If this bill possesses any merit then it is 1-67th good in that its provisions apply to but one of the 67 county subdivisions of the State in this instance co-extensive with a county. If it is thought that in its operation it will improve the political conditions in Philadelphia, then Mr. Sponsor, do not be selfish in limiting its usefulness to but one municipality. On the contrary extend it to apply to every city, county and State employe in the Commonwealth. Our good friends from the city where the spirit of brotherly love is to be found everywhere, in the air they breathe and in the water they drink should not be so selfish as to restrict unto themselves all of the legislation they are suggesting along reform lines.

If we are starting out to improve the political conditions of Pennsylvania then let it not be done in spots for that will avail but little. But let these reform measures be general in their application that the people of the State as a whole may be benefitted thereby. I will gladly support any measure that will successfully limit the amount of money contributed by an office holder and the amount

an individual as a candidate or that a party organization can use to bring about nominations and elections. At the special and reform session of the Legislature in 1906 a corrupt practices act was passed which it was then thought would correct many of the evils resulting from the use of money in politics, but the law in its operation has proven to be a sham, a farce and a disgrace to the State.

It is a rich man's law many times putting a premium on the candidacy of men of financial strength and discouraging the candidacy of deserving men with limited means in permitting as it does the use of extravagant and unlimited amounts of money to bring about nominations and elections. Think of it, a law enacted in the name of reform, that permits the employment of an unlimited number of men to disseminate information and that permits a candidate to pay voters for transporting themselves to the polls. I might go on enumerating the defects of this law, but that is unnecessary. You are all familiar with its provisions.

Let us have a corrupt practices act covering the matter of contributions as well as the uses for which the same can be expended and strengthened in ways that will be an improvement to our present law.

Such a bill we all should be able to support and in doing so we would be doing something helpful, not alone to those employes in a single public building in Philadelphia, but to all the office holders of the State as well as the people as a whole.

Now, let us be fair to ourselves and with each other and not favor a law so absolutely factional that when the change comes in the controlling force in the city affected by this bill, which in time is certain to come, it will then in all probability be repealed; but stand for laws that will be so fair to all citizens, to all interests, and that will create such a favorable sentiment as will cement them to our statute books as firmly as the granite hills of Vermont are attached to mother earth.

I most sincerely and earnestly appeal to the eight Senators from Philadelphia to unite in passing through the Senate and sending to this House the State Civil Service bill now held in committee, amended if necessary to make it a fair, reasonable and working measure accompanied by a corrupt practices bill with teeth in it. We can then pass them and go back to our constituents pointing with pride to at least two reform measures enacted by this Legislature which will receive their approval.

Mr. WALKER. Mr. Speaker, before the roll is called I would just like to put myself on record as being in favor with what the gentleman from Tioga, Mr. Williams, has referred to when he speaks of passing a bill that is fair, square and honest and not a bill of this nature. Here is a bill, sir, that absolutely violates that which every man in this House is supposed to give to his fellow man, namely, a square deal. We have often heard it said, "Whatsoever ye would that men should do to you, do ye even so to them," and I therefore ask the gentlemen from every other county than Philadelphia County to treat us with the same consideration that they want us to treat them. That is a fair proposition and no man should deny it.

This bill, sir, reminds me in its supposed deficiency of what was once said by John Adams, after the Constitution of the United States was adopted, when he turned to his friends and said: "Gentlemen, the best thing that has ever been done in the world has been done now and there will be no corruption in the United States for five hundred years." Even as John Adams in 1789 made a mistake, so any man that thinks that this bill is capable of destroying that which it would attempt to destroy makes a mistake. It is, therefore, merely a sham.

One thought more, gentlemen: Under this bill if any of you men came to Philadelphia—I am going to put this to the Democratic House—if any of you Democrats came to Philadelphia and met any of your Democratic friends in the City Hall or in any of those buildings connected with the City of Philadelphia and you should say to him, "I would like you to let me have ten dollars to help the next Democratic candidate for Governor go through, or the next Presidential candidate, you will be guilty of a misdemeanor under this act because the first section of the act does not say anything about employees. It says, "No person shall solicit, pay, give or receive in any public building belonging to any city of the first class"—no person—"any money or valuable thing for any political purpose whatsoever."

Furthermore, this prevents any Republican, any Washington man, any Democrat, if he happens to be a city employee, from helping through a Presidential fight. I am going to say to you that in my humble opinion I believe that a person who will not support a President or help a President to be elected ought not to be considered an American citizen and that any bill that attempts to deprive one of the right of supporting a Presidential candidate ought to be killed and damned forever.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—81.

Albee,	Goodwin,	Mervine,	Snowden,
Baker,	Gransback,	Michel,	Somerman,
Bechtold,	Haight,	Miller, A. D.,	Sones,
Benninger,	Heffernan,	Miller, G. J. A.,	Sprowls,
Beyer,	Heyburn,	Neary,	Stern,
Bouton, V. B.,	Hibshman,	Perry,	Stites,
Boyd,	Hollern,	Pickering,	Strauss,
Brady,	Hollingsworth,	Powell,	Sullivan,
Campbell, T.,	Horton,	Ramsey,	Swartz,
Christman,	Jennings,	Rininger,	Thomas,
Clements,	Leary,	Robertson,	Ulsh,
Crosby,	Lohr,	Rogers,	Urich,
Davis, W.,	Luppert,	Ruddy,	Vogdes,
Dithrich,	Mangan,	Sampsel,	Weimer,
Drake,	McArdle,	Scott,	West,
Ehrhardt,	McCaig,	Shunk,	Whitaker,
Fitzgibbon,	McCullough,	Siggins,	Williams, J. P.,
Flynn,	McKinney,	Sinclair,	Wynne,
Fretz,	McPeake,	Smith, E. R.,	Zanders,
Gans,	Mearkle,	Smith, J. W.,	Baldwin,
Goodnough,			Speaker.

NAYS—88.

Aron,	Erdman,	Maurer,	Rudisill,
Arthur,	Fackler,	McCurdy,	Sarig,
Baldi,	Franklin,	McKay,	Schaeffer, A. C.,
Barner,	Geary,	McNichol,	Simpson,
Bell,	Glass,	McVicar,	Smith, F. I.,
Benchoff,	Golder,	Mehring,	Snyder,
Bennett,	Gormley,	Miller, C. G.,	Spangler,
Brumbaugh,	Graeff,	Milner,	Stadtlander,
Burnett,	Haldeman,	Mitchell,	Steedle,
Chestnut,	Hecht,	Morgan, T. J.,	Sterling,
Canon,	Helt,	Murphy,	Stofflet,
Coldsmith,	Hess,	Musser,	Sweitzer,
Conner,	Hoffman,	Ogden,	Taylor,
Corbin,	Howarth,	Palmer,	Vickerman,
Cox,	Isherwood,	Patterson,	Walker,
Cummins,	Jack,	Phillips,	Wallace,
Curry,	Kennedy,	Reichenbacker,	Wells,
Davis, D. F.,	Lanius,	Reitzel,	Wickman,
Dean,	Lauler,	Reynolds,	Williams, G. W.
Drinkhouse,	Lewis,	Ringler,	Wobensmith,
Dunn,	Malie,	Ross,	Wood,
Eby,	Marvin,	Rothenberger,	Wylie,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1241, as follows:

An Act requiring the courts of quarter session to file their reasons for revoking or refusing to renew existing liquor licenses requiring compensation to be paid the holder of the license or owner of the premises upon the revocation or refusal thereof in certain cases by the county and vesting in the court of common pleas jurisdiction in such cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the courts of quarter sessions of this Commonwealth shall upon the revocation or refusal to renew any liquor licenses previously granted by such court file of record with the order revoking or refusing such license the reasons for such action If the reasons of the court show that the license was revoked or refused for any cause other than a violation of any law of this Commonwealth relating to the sale of liquor or if the license revoked or refused was of a place conducted or under the control or charge of a tenant or lessee and the owner or lessor of the premises was not a party to such violation nor had any knowledge or reasonable cause to have knowledge thereof the holder of such license or the owner of the premises as the case may be shall be compensated and reimbursed by the county upon the basis and in the manner hereinafter prescribed

Section 2 The holder of the revoked or refused license or the owner of the premises shall within sixty days after the revocation or refusal file with the prothonotary of the court of common pleas of the county an application for compensation under the provisions of this act Such application shall be accompanied by an inventory under oath of the fixtures and personal property which in the cases of breweries distilleries and wholesale establishments shall include all machinery apparatus and appliances used in connection with the business for which said license shall have been granted and which were in the possession of the licensee or lessee on the date of the revocation or refusal of such license Whether the applicant for compensation under this act is the holder of the license or the owner of the premises regard shall be had in all cases to his legal interest in the premises or trade fixtures and other personal property used in connection with the business so licensed also for the unexpired portion of the license and the effect such revocation or refusal will have on the value of real estate The amount of compensation to be paid by the county shall be determined after a hearing upon said application by the court of common pleas wtihin six (6) months from the date of filing said application The said court of common pleas shall appoint three (3) disinterested persons to appraise the real estate good will and personal property used in connection with the business for which said license shall have been granted who shall verify the inventory filed by the applicant and appraise the property scheduled therein and who shall within fifteen (15) days from the date of their appointment file a sworn appraisement of the real estate good will and personal property with the prothonotary Hearings upon said application shall be had as in other cases in accordance with the rules of court as may be adopted to carry out the provisions of this act

Any applicant for compensation hereunder who may feel aggrieved at the compensation awarded him may appeal therefrom to the Superior or Supreme Court Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Superior or Supreme Courts respectively

Section 3 Exclusive jurisdiction is hereby vested in the courts of common pleas in the several counties of this Commonwealth to determine the amount of compensation upon the basis herein designated and which the county shall pay the holder of any liquor license or owner of the premises as aforesaid under and subject to such rules of court as may be adopted to carry out the provisions hereof

Section 4 The holder of the license shall be entitled to receive from the county a sum equal to the invoice prices of merchandise in stock and in his possession on the date of the termination of the license and in case the licensee shall be the owner of the premises or if not then the owner thereof shall be entitled to receive a sum representing the difference in value of the real estate occupied by said licensee or lessee and used in connection with the business for which said license shall have been granted together with the good will and trade fixtures which in the cases of breweries distilleries and wholesale establishments shall include all machinery apparatus and appliances and other personal property appertaining to and located upon the licensed premises or used in connection with the business for which said license shall have been granted immediately before the termination of the license and the value of said real estate trade fixtures and other personal property immediately after the termination of said license

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALLACE. Mr. Speaker, this is a very interesting little piece of proposed legislation and I think that the members of this House should most carefully consider it before they vote for it. This is an amendment to the Brooks High License Law. It is an amendment that I don't believe this House is going to take very seriously. We have had on our statute books for a good many years what is known as the Brooks High License Law, providing for the licensing and sale of intoxicating liquors. Some people seem to have the mistaken idea that license gives to a man a right to do a certain thing, which is a mistaken idea because a license is only a special privilege granted to do a thing that other men who don't have that license cannot do. The licensing proposition has been recognized for many years that the thing licensed is a dangerous proposition. The sale of intoxicating liquors will be admitted by everybody that is fair as being dangerous. Therefore, we must put around it all the restrictions that are possible in order to make it as safe as can be under the circumstances. The law has given to the Courts of Common Pleas certain powers and certain discretion in the matter of granting licenses. The purpose of this bill is to rob the Court of this power and of that discretion. In the first part of this bill it provides that where a court shall refuse a license he shall give his reasons for that refusal. Gentlemen, why in the name of all that is decent in this Commonwealth do you not require the judge to give his reasons for granting the license, if you please, the same as he gives his reasons for refusing it? That is, licensing for the sale of intoxicating liquor is of just as much interest and of as much more importance to the public as it is to the man licensed. If you are going to take away from the court this discretion, by requiring him to give his reasons then why not make him give his reasons when he grants a license and give the people the same opportunity to appeal the case and have the matter passed upon by a higher court that you give to the applicant when his case is refused. It is dangerous and it robs the people of the power of the court; it takes away from them the only safeguard that the people have. A license is only a special privilege and in the granting of that license the law says that the people shall have the right to remonstrate against the granting of that license and the court in passing upon that proposition shall have due regard for the number and character of the petitioners for and the remonstrants against. It is, in fact, a local option provision that some of the courts have recognized and have given consideration to. This House only a few weeks ago decided by a decisive majority that the courts should continue to grant license under the Brooks High Licence Law. Now, we come into this House with a proposition to change and take away from the court the discretion he has; take away from the court the right that he has to consider the petitioners for the remonstrants against and the character and the number of each. Now, the gentlemen who are friendly to this proposition had better look out a little to the safety of their proposition. If you take away these things from the court you are just driving another nail into the coffin of the business. The next provision of this bill is very interesting; it provides that if a man has had a license and the court refuses that license thereafter the county is going to pay that man a sum of money. I ask you, gentlemen of the House, what is the county going to pay him for? Not for any property; not for any right, because he does not have any property rights in the license. You are going to provide that because we have given a man a special permission to do a thing that you and I and his other neighbors cannot do, giving him a chance to make a lot of easy money, and because we don't continue that special privilege indefinitely then we have got to pay the man for refusing to grant the special privilege. This is a most ridiculous, unfair and preposterous proposition. Suppose a man moves into a shack, as they do in many instances, and gets a license for the sale of intoxicating liquors; and makes wonderfully big profits for that fear he has been fortunate from his standpoint and he has been given the thing that has enabled him to make money, plenty of it, and because you don't continue that indefinitely then the county should pay him for his property, pay him for a thing he never has had, pay him for the right that he never has had. Think of it, gentlemen, and ask yourself the question, what are you going to pay this man for? You have already given him something that you don't give to every man, to only a few in the community—you have given him a special privilege and now what in the name of common sense are you going to pay him for when the court refuses to grant him a further license? What provisions are you going to make when a certain man in the community has become objectionable in that particular business, when the sentiment has changed so that the remonstrance come in against him. Are you going to say that in order to let that man out that you are going to pay him this sum of money and what are you going to pay him for? For everything he has got, including good-will? Think of it, gentlemen, you are going to pay him for his good-will; pay him for good-will in a thing that he never had; pay him for a thing that has left destruction, hardship and poverty in its track ever since it was instituted as a special privilege in this country. Now, it might be possible to amend this bill to make it just, and that in order to amend it to make it just you would have to require him who is in that business to get out of that community and out of the business and to compensate that community for the damage and the injury and the cost and the expense that is incident to the trouble of conducting that business in the community.

Now, gentlemen, do not let us consider this matter lightly. This is the most vicious proposition that has ever come before the Legislature. Think of it, after having a license one year, if he gets out by order of the court because it is no longer necessary, perhaps because the place

is unfit, because the man is morally unfit, because of any reason under heaven, if you please, except when he is violating the law, if he gets out because of any of these reasons after one year, we have got to pay him for the property, for the license, for the good-will and for a whole lot of other things that no man could appraise at anything at all. Not only that, but the owner of the property, when the license is refused to the tenant, we have got to compensate the owner of the property. What for? We have got to pay him the difference between the value of that property used for a liquor licensed saloon, and the market value of that property. The property, the saloon business in that particular community would create a high fictitious value, but that property at the same time might have a market value less than one-fourth of the fictitious value created by a saloon business in that community and we would have to pay, under the provisions of this bill, for a fictitious value on the business, a fictitious value not on the basis of a market value. We are paying him for a thing that he has no right in. Gentlemen, this bill should be voted down. This bill should be voted down from every standpoint that you can consider it. If you are a temperance man it is vicious; if you are in favor of local option, or a majority rule in the county, it is un-American to do this; if you are in the liquor business you are the most short-sighted man that ever was seen if you are in favor of this bill, because it will do more to bring down upon your heads the just condemnation of every thinking man in this Commonwealth than anything else. I for one am not in favor of having this unwholesome task in the hands of the courts, but you have decided in this House only a few weeks ago that you will leave it in the hands of the courts, and since you have decided to leave it in the hands of the courts you had better keep your hand off. If he is the man you want to handle this, don't you rob him of one single iota of his power, or of his discretion, because if you do, you have signed your own death warrant. Gentlemen, be fair, be honest, consider not only the man who has had a special interest, and has made plenty of money out of it, but consider the people in the community, consider the welfare of this State, consider the men and the women, if you please, who have right under the Brook's High License Law to sign petitions and present them to the courts, and the courts under that law must give consideration to the number and character of the petitioners for or against. Gentlemen, that is the law and it cannot be contradicted. That being the law, the court has the right to exercise its own discretion in this matter. When it passes on an application, it passes not only on the number and character of the petitioners for and remonstrants against, but it has the right under the law to take into consideration his own knowledge of the situation, and the Supreme Court many times has said that it is for the lower courts to decide on the necessity and his discretion shall stand as the law. Gentlemen, vote this bill down as being unfair, un-American and a preposterous burden on each county that might have to bear the burden of it.

Mr. MITCHELL. Mr. Speaker and gentlemen of the House, we have under consideration at this time a measure which brings us face to face with the biggest moral and economic problem of to-day. The State, the nation, in fact the whole world is now, and has been for years, debating this very question. It has received the most serious consideration, and the tendency has always been to restrain, regulate and abolish the liquor business rather than to establish and perpetuate it. The history of liquor legislation in Pennsylvania is replete with information bearing out the statements that I have made. Prior to 1856, licenses to sell were granted when it was shown by the applicant that the hotel or tavern was necessary for the accommodation of strangers and the traveling public. Gentlemen of the House, prior to 1856 no remonstrance could be filed against an application for the granting of liquor licenses. From 1856 to 1867, if the court desired remonstrance could be filed confined to the single question is the hotel, tavern or eating house sought to be licensed necessary. From 1867 to 1887, the court was authorized to hear remonstrants having due regard to the number and character of the petitions, but he was not required to do so. The Brook's Law passed in 1887 differed therein from all laws prior to that time as to the filing and hearing of remonstrance against the granting of liquor license in that it provides that the court shall hear petitions from the residents of the ward, borough or township, in addition to that of the applicant, in favor of a remonstrance against the applications for said license, and in all cases shall refuse the same whenever in the opinion of the court, having due regard for the number and character of the petitioners for and against such application, such license is not necessary. You will notice gentlemen that instead of referring to the hotel or the tavern or the eating house, the Brook's Law which is the law relative to the granting of license, refers to the necessity of the license itself, and stating that the court shall refuse the same whenever in its opinion, having due regard for the number and character of the petitioners, said license is not necessary for the accommodation of the public and the entertainment of strangers and travelers. Thus you will see, gentlemen of the House, that the Legislature of this State lodges in the courts of quarter sessions of the State, the discretionary power to say whether or not a license is necessary, and to hear remonstrance as to whether a license in a certain community should be permitted.

Under the present law the court may refuse an application for a license, in its discretion, without giving any reason whatever, or for the violation of the liquor laws, or on the grounds of no necessity existing for the license; and the highest courts of Pennsylvania have said that the decision of the lower courts in so refusing is not reviewable. Under this law, within the discretion of the courts of quarter sessions of the State of Pennsylvania, we have I believe about twelve counties without liquor licenses to-day. Now gentlemen of the House, the Brooks Law was an onward step in liquor legislation in Pennsylvania, and the result of a demand on the part of the people of the State that the citizens of every community have something to say about whether or not licenses should be granted in that community. It gave them the right to go into court and remonstrate against the granting of such license, and say whether or not a license is or is not necessary in that community. House Bill No. 1241 is an act "requiring the courts of quarter sessions to file their reason for revoking or refusing to renew existing liquor licenses, requiring compensation to be paid the holder of the license or the owner of the premises upon the revocation or refusal thereof in certain cases, by the county, and vesting in the court of common pleas jurisdiction in such cases."

The first thing to which my attention is called is the constitutionality of this act. It is a question that is such a clear departure and backward step in regard to legislation in Pennsylvania that it requires and ought to command the most serious consideration of every member of this House, whether he be in favor of liquor licenses or whether he is not. A license has been defined as a "personal privilege or official permit to carry on a business or trade or perform acts forbidden by law, except to persons obtaining such permit." This was decided in the 85 Texas Reports 228. It is a part of our fundamental and elementary law that a license is personal. The very word "license" in itself indicates that it is a personal privilege and not even assignable without consent. In Bloomin-thal's Petition, 125 Pa. 412, and Grimm's Estate, 181 Pa. 233, the court held that a liquor license granted by the State, being a personal privilege, was not even an asset of the estate of the deceased licensee, and does not pass to the personal representative,—is not assignable unless expressly authorized by an act of Assembly. Gentlemen of the House, the Federal Constitution and the State Constitution protect only property and not licenses. A license to sell liquor is a privilege and not property, and the forfeiture of a license does not deprive the licensee of property without due process of law. It cannot be levied upon by the sheriff (6 District Reports, Pennsylvania, 408), nor can it be transferred unless such transfer is approved by the authorities in power to grant licenses. This was decided in 125 Pa. 412. No form of property in our whole land is restrained in this way, thus clearly indicating that our Legislature, from time immemorial, considered liquor licenses as a personal privilege and not as property. Further, the grantee of such a license takes it subject to all possible changes in the law, and is liable to have it revoked at any time. In 128 U. S. 1, and 123 id. 623, it is held that property used for the manufacture and sale of intoxicating liquors may be declared a nuisance and as such abated, and the abatement of such a nuisance is not a taking of

property without due process of law. It is also a recognized principle in liquor license law that every renewal is a new grant, and that the applicant must make out his case with the same precision, whether he has come forward for the first or twentieth time (17 Pa. C. C. 50). That a license is purely personal is further shown and strengthened by the decision in Hadtner vs. Williamsport, 15 W. N. C. 138, wherein the court held that a license is not a contract and the busines of selling liquor may be taxed in addition to the license either by the State or a municipal corporation duly authorized. If a license, gentlemen of the House, is not property, and the taking away of the license from a man who holds the license from the court of quarter sessions is not taking his property under the Constitution, then why should we as members of this House agree to a proposition wherein we are to compensate the liquor license dealers in this State for something that does not exist. I say to you that this law is unconstitutional, but whether it is or not, if it becomes a law it would nullify the Brooks Law and prevent the regulating of the granting of licenses to sell liquor in Pennsylvania. That is the real object of this act, and I say to you,—I do not say it in a spirit of antagonism—that the real object of this act is to fasten upon the State of Pennsylvania the licenses now in existence, for no court in the State of Pennsylvania would dare refuse to grant a license under the provision of compensation provided for in this act. The Brooks Law was not intended to protect the liquor business. It was intended to restrain and regulate the business, and its sponsors believed that the high fee license that was attached to the Brooks Law would legislate it out of business. But the Brooks Law created in every county of the State what I wish to call a closed corporation in the liquor business, and created a situation not foreseen by its sponsors. It became a very satisfactory law to the men in the liquor business of the State. Public sentiment, however, grew, and has grown tremendously against the liquor business, and the courts have been compelled to recognize this sentiment with the result that many counties are without licenses to sell liquor. So it has come to pass that the Brooks Law is no longer satisfactory. There is a deep-rooted fear that the interpretation placed on the Brooks Law by many courts is correct, and that many other counties in the State of Pennsylvania will be without liquor licenses in a short time.

Unless something is done with many counties of this State other counties in this State will have no license under the Brooks Law unless something is done to restrain the courts in its interpretation and force them to give their reasons when refusing to grant the renewal of a liquor license in force. Gentlemen of the House, it will fasten upon the State practically every license now in force for no court would dare to refuse applications for renewals of licenses on account of the compensation provided for in this bill. While there is strong opposition to the liquor business, there is violent opposition in the State of Pennsylvania and every other State of the Union against compensation for the liquor business where licenses are refused.

The liquor business, gentlemen of the House, is an evil, and no amount of regulation or restriction placed upon the business by law or rules regulating the traffic can transform this evil into an influence for good. It contaminates everything that it comes into contact with.

The liquor business is one of the biggest single economic problems of to-day. It affects the high cost of living, the social order, civic relations, labor conditions, the courts, politics, taxations, crime, and undoubtedly lowers the moral status of our people in general. Gentlemen of the House, the liquor business has caused more suffering than "war, pestilence and famine combined;" and then they come into this House and ask us to compensate the men in business when the licesses are refused them.

I do not believe that there is a man in this House that honestly believes in this piece of legislation, and I do not believe there is a man in this House who feels in his conscience that he should vote for it. I ask you to vote it down and to say to the people of Pennsylvania that while you are never willing to go on record in taking a backward step in Pennsylvania, that you are willing to take a forward step in legislation on the liquor problem.

Mr. URICH. Mr. Speaker and gentlemen of the House, you have heard a great deal on this bill from some of the legal lights in this House and I am sorry to say, gentlemen, that they have been guilty of referring you to laws that have been repealed by our Superior Court and our Supreme Court and tried to close your eyes. I am astonished that they would get up in this House and ask you to listen to anything like that.

In the first place, gentlemen of the House, I wish to call your attention to this fact on which they dwelt considerably and that is this: Before any man can secure a license in this State he will have to prove the necessity of it. Before any court can grant any license in this State the necessity of it has to be proven.

Gentlemen, the reason that I presented this bill for your consideration is this: That I have seen that the men who were standing up for local option, the men who were standing up for temperance and prohibition have resorted to such low, mean measures to accomplish their ends that it is really obnoxious to the human mind to think that men standing upon the pulpit would resort to such efforts to accomplish certain ends. We have had some of the most vicious actions down in our county propagated and promulgated and carried out by the members of the No-License League, at the head of which was one of the principal ministers of the gospel. I want to say to you that the reason I thought of bringing this bill before you was this: That that minister, who is at the head of the No-License League in Lebanon County, associated and conspired with men, some of whom are sitting in the Eastern Penitentiary to-day, in order to catch the hotel men in our county. They went out one night, gentlemen, as the minister upon the stand stated himself, for a joy ride. They drew up at a hotel in Fredericksburg at a quarter of twelve o'clock on a Saturday night. Several of the party went into that hotel and they asked the bar tender for a pint of whiskey and other drinks and by the time the matter was put on the bar it was five minutes of twelve. The minister testified that then they asked whether there was a restaurant near. They knew there was one next door, but, gentlemen, it was not twelve o'clock yet and he could not catch the man. They went into the next door and got a sandwich; they came back; the minister walked back into the dining room and the other man walked into the bar-room and asked for another pint of material and the minister called in from the dining room and asked that they should get a pint for him. It was five minutes after twelve. They came back. They arrested this man for selling liquor on Sunday and he lost his license; and a member of this House is the owner of that hotel but not the proprietor. It is not right. He lost the license; he suffered through it, through the mean actions of this minister of the gospel.

Some of the men who have preceded me have stated that this bill should be amended. I am willing and glad to refer this bill back to the Committee for amendment and a public hearing.

RECONSIDERATION OF VOTE.

Mr. RAMSEY. Mr. Speaker, in order to recommit this bill I move that the vote by which it passed third reading be reconsidered.

Mr. URICH. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER declared the "ayes" appeared to have it.

Whereupon, a division was called for and ninety gentlemen voting in the affirmative and forty-seven in the negative, the motion was agreed to.

BILLS RECOMMITTED.

Mr. RAMSEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Law and Order for the purpose of amendment.

Mr. SCOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1181, entitled

An Act making the fraudulent conversion of property or the proceeds of property a misdemeanor prescribing the penalties therefor and regulating the procedure therein.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. JEFFERSON W. SMITH. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. McNichol,, permit himself to be interrogated?

Mr. McNICHOL. Mr. Speaker, I will.

Mr. JEFFERSON W. SMITH. I would like to ask you to explain the purpose of this bill.

Mr. McNICHOL. The object of this bill is to make punishable a crime that is not now recognized either under the common law or statutory law. This law is intended to apply, for instance, to a crime committed by the treasurer of a savings fund organized for the purpose of raising what is ordinarily known as a Christmas fund of which the treasurer of the fund absconds or uses the money for his own personal benefit. In such case the courts have decided frequently that there is no statutory act or common law act that would permit punishment and that it is merely a breach of confidence and that there was no felonious intent; it was not embezzlement and the result has been that these men who have run away with a Christmas fund have walked out of the court Scot free. This bill was presented by me at the request of the District Attorney of Philadelphia County. That is what the act is intended to apply to, to make it punishable and to make a crime out of that which is not recognized now by our laws as one.

Mr. WALTER. Mr. Speaker, this act if passed would apply to every wrongful conversion of property, no matter under what contract the property was received by the bailee. The object which the gentleman from Philadelphia states to be lack of this bill is a very worthy one, yet in its terms it is so broad that many men might commit crimes that were not intended and be subjected to the penal provisions of this act. It is so broad, indeed, that it is hard to tell what would be or would not be a crime under these provisions and for that reason it ought not to become a law. Every wrongful use of property of any sort or kind would be a crime. Now, Sir, it seems to me that there are enough of punishable crimes under the law of Pennsylvania and this would add another that would cause a great many men to get into trouble unknowingly and unwittingly. The evil of which the sponsor of the bill complains is a sad one but in correcting that condition it would be probably worse, if corrected, than the present state of affairs. Therefore, I think the bill ought not to become a law.

Mr. McNICHOL. Mr. Speaker, my friend in his imagination goes a great way when he says, "A man might innocently commit a wrong or a crime." This law is submitted specifically to apply to a man who appropriates money or goods belonging to another. Now, to give you an idea of the laxity of the law as it now stands I will cite a few cases which will show you gentlemen the necessity of the protection to the people for their goods and money.

In larceny there must be a felonious taking as well as a conversion. Some cases in which the possession of the property stolen was lawfully acquired are covered by the statute relating to Larceny by Bailee. Under this statute however the courts have so construed the relationship of the bailor and bailee as to limit it to instances in which the property bailed is to be returned in kind. So it has been held in Commonwealth vs. Hart, 2 Pittsburg 495 that one who receives horses to be sold to another and to deliver the purchase price less the expenses to the other but sells the horses and keeps the money is not guilty of larceny by bailee on the ground that the fraudulent conversion by the bail must be of the property or thing delivered "which was to be returned in specie." In Commonwealth vs. Longenecker "A" gave "B" $1750 to buy horses to be sold again. B went west and returned with a carload of horses which he delivered to "C", and made no accounting to "A" for the money. On trial of "B" for larceny by bailee the court charged that as the money was not to be returned in kind "at least not so expressed that the prosecutor was to receive the identical money" there could be no conviction. 1 Lanc. Bar, No. 2.

In Krause against the Commonwealth, 93 Pa. 418 "A" sold two horses to be paid for when delivered at "B's" stable. "A" delivered them, but "B" being unable to pay for them in full, "A" accepted $25.00 of the amount and left the horses with "B". Subsequently "A" called for the horses but "B" refused to pay the balance due or return the horses. Judgment reversed on the ground that "B" was not a bailee under the act.

To be guilty of embezzlement, the defendant must be a public officer, an agent, employe, a banker, broker, consignee or factor. Thus it was held that if "A" gave "B", a neighbor, a note to collect for him, authorizing "B" to retain one-half of the proceeds as compensation, and "B" collected a small part of the amount which he retained, and was indicted for embezzlement as "a clerk, servant or other person in the employment of another" he was not guilty of embezzlement.—Comm. vs. Lynch, 3 C. P. Rep. 173.

In Commonwealth v. Biggam, 1 D. R. 438 "A" leased to "B" a machine shop in which were certain machines, which "A" gave "B" authority to sell at a certain price. "B" sold two of the machines at the fixed price, but appropriated the proceeds to his own use. He was indicted for embezzlement and convicted. On a motion for a new trial it was held that "B" was not such an agent as was contemplated by the act, nor was the property left with him for safe custody.

In Comm. vs. Kauffman, 11 Lanc. L. R. 247 it was held that one was not guilty of embezzlement when he retained the entire proceeds of the sale of a carriage belonging to another, he not being an agent, factor or consignee.

By decisions of this character many acts which are moral thefts and probably intended to be included in the acts relating to Larceny by Clerk, Servant and Employe by Bailee and embezzlement are excluded from the operation of those statutes, and are not crimes in this State. The intention of the present purposed act is to clear up this situation on as to make such acts crimes

This law is for the purpose of covering cases of this kind and there cannot be any objection to its passage because no man can be convicted of the commission of a crime without the intent is there and no man who would innocently do that which might make him ameable to a crime need fear the application of the law, because the law always considers the intent. I ask you, gentlemen, to vote "aye" on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Aron,	Fitzgibbon,	McCurdy,	Shunk.
Baker,	Flynn,	McKay,	Siggins,
Baldi,	Fowler,	McKinney,	Simpson,
Baldridge,	Franklin,	McNichol,	Sinclair,
Barner,	Fretz,	McVicar,	Smith, E. R.,
Bechtold,	Gans,	Mearkle,	Smith, J. W.,
Bell,	Glass,	Mehring,	Smith, O. W.,
Benchoff,	Golder,	Mervine,	Snowden,
Bennett,	Goodwin,	Michel,	Snyder,
Benninger,	Gormley,	Miller, Allan,	Somerman,
Beyer,	Graeff,	Miller, C. G.,	Sones,
Bidelspacher,	Graham,	Miller, G. J. A.,	Spangler,
Black,	Gransback,	Milner,	Speicher,
Bouton, V. B.,	Haight,	Mitchell,	Sprowls,
Bovee,	Haldeman,	Morgan, T.,	Stadtlander,
Boyd,	Hecht,	Morgan, T. J.,	Steedle,
Brady,	Heffernan,	Murdoch,	Sterling,
Burnett,	Helt,	Murphy,	Stern,
Campbell, J. O.,	Hess,	Musser,	Stites,
Campbell, T.,	Heyburn,	Neary,	Stoffiet,
Canon,	Hibshman,	Ogden,	Strauss,
Chestnut,	Hoffman,	Palmer,	Sullivan,
Christman,	Hollern,	Patterson,	Swartz,
Clements,	Hollingsworth,	Perry,	Sweitzer,
Coldsmith,	Horton,	Phillips,	Thomas,
Conner,	Howarth,	Powell,	Ulsh,
Corbin,	Isherwood,	Ramsey,	Urich,
Cox,	Jack,	Reichenbacker,	Vickerman,
Crosby,	Jennings,	Reynolds,	Vogdes,
Cummins,	Kennedy,	Rhoads, H. L.,	Wagner,
Curry,	Lafferty,	Ringler,	Wallace,
Davis, D. F.,	Lanius,	Rininger,	Weimer,
Davis, W.,	Lauler,	Robertson,	Wells,
Dean,	Leary,	Rogers,	Whitaker,
Dell,	Lewis,	Ross,	Wickman,
Dewey,	Lohr,	Rothenberger,	Williams, G. W.
Dithrich,	Luppert,	Ruddy,	Williams, J. P.,
Drake,	Malie,	Rudisill,	Wobensmith,
Drinkhouse,	Mangan,	Sampsel,	Woodward,
Dunn,	Marvin,	Sarig,	Wylie,
Eby,	Maurer,	Schaeffer, A. C.,	Wynne,

Ehrhardt,	McArdle,	Scott,	Zanders,
Erdman,	McCaig,	Shaffer, C. A.,	Baldwin,
Fackler,	McCullough,	Shattuck,	Speaker.

NAYS—3.

Reitzel,	Walter,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the sam to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1101 (Senate Bill No. 364), entitled

An Act to repeal an act entitled "An Act to increase the compensation of road viewers and surveyors in the County of Allegheny" approved the thirtieth day of March Anno Domini one thousand eight hundred and seventy-two.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albee,	Flynn,	McNichol,	Sinclair,
Aron,	Fowler,	McPeake,	Smith, E. R.,
Arthur,	Franklin,	McVicar,	Smith, F. I.,
Aston,	Fretz,	Mearkle,	Smith, J. W.,
Baker,	Gans,	Mehring,	Smith, L.,
Baldi,	Geary,	Mervine,	Smith, O. W.,
Barner,	Glass,	Michel,	Snowden,
Bechtold,	Golder,	Miller, A. D.,	Snyder,
Bell,	Goodnough,	Miller, Allan,	Somerman,
Bennett,	Goodwin,	Miller, C. G.,	Sones,
Benninger,	Gormley,	Miller, G. J. A.,	Speicher,
Beyer,	Graeff,	Milner,	Sprowls,
Black,	Graham,	Morgan, T.,	Stadtlander,
Bouton, V. B.,	Gransback,	Morgan, T. J.,	Steedle,
Bovee,	Haldeman,	Murdoch,	Sterling,
Boyd,	Hecht,	Murphy,	Stern,
Brady,	Heffernan,	Musser,	Stites,
Brumbaugh,	Helt,	Ogden,	Stofflet,
Burnett,	Heyburn,	Palmer,	Strauss,
Campbell, J. O.,	Hoffman,	Patterson,	Sullivan,
Canon,	Hollern,	Perry,	Swartz,
Chestnut,	Hollingsworth,	Phillips,	Sweitzer,
Christman,	Horton,	Pickering,	Taylor,
Clements,	Howarth,	Powell,	Thomas,
Coldsmith,	Isherwood,	Ramsey,	Ulsh,
Conner,	Jones,	Reichenbacker,	Urich,
Cook,	Jennings,	Reitzel,	Vickerman,
Corbin,	Jack,	Reynolds,	Vogdes,
Cox,	Kennedy,	Rhoads, H. L.,	Wagner,
Crosby,	Lanius,	Rich,	Walker,
Cummins,	Lauler,	Ringler,	Wallace,
Curry,	Leary,	Rininger,	Weimer,
Davis, D. F.,	Lewis,	Robertson,	Wells,
Davis, W.,	Lohr,	Rogers,	West,
Dean,	Luppert,	Rothenberger,	Whitaker,
Dell,	Malie,	Ruddy,	Wickman,
Dewey,	Mangan,	Rudisill,	Williams, G. W.
Dithrich,	Marvin,	Sampsel,	Williams, J. P.,
Donneley,	Maurer,	Sarig,	Wobensmith,
Drinkhouse,	McArdle,	Schaeffer, A. C.,	Wood,
Dunn,	McCaig,	Scott,	Woodward,
Eby,	McCullough,	Shaffer, C. A.,	Wylie,
Ehrhardt,	McCurdy,	Shattuck,	Wynne,
Erdman,	McKay,	Shunk,	Zanders,
Fackler,	McKinney,	Siggins,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Mr. SCOTT. Mr. Speaker, I desire to call up House Bill No. 1096 (Senate Bill No. 286), File Folio 2417, on page 26 of to-day's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1096 (Senate Bill No. 286), as follows:

An Act to amend an act entitled "An Act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement" approved the fourteenth day of June Anno Domini one thousand nine hundred and fifteen so as to extend the operation thereof to all employes in penitentiaries and other institutions operated by the Commonwealth as well as those more directly in the service thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement" approved the fourteenth day of June Anno Domini one thousand nine hundred and fifteen which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of September Anno Domini one thousand nine hundred and fifteen whenever the Governor is of opinion based upon satisfactory medical evidence that a State employe is by reason of physical or mental disability permanently incapacitated for performing his regular official duties except State employes whose retirement has been or shall be otherwise provided for he shall notify said employe of his opinion giving the reasons therefor and if the said employe shall resign within thirty days after such notice and shall have served continuously in office as such a State employe for twenty-five years or more or who shall have reached the age of seventy years and shall have served continuously in office as such a State employe for twenty years or more and shall hold himself in readiness to perform special duties in such ways as he may be reasonably able to do after his honorable retirement from office by resignation he shall receive during the remainder of his life or during the continuance of such disability or incapacity one-half of the salary which he would have received had he remained in active service" is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter whenever the Governor is of opinion based upon satisfactory medical evidence that a State employe is by reason of physical or mental disability permanently incapacitated for performing his regular official duties except State employes whose retirement has been or shall be otherwise provided for he shall notify said employe of his opinion giving the reasons therefor and if the said employe shall resign within thirty days after such notice and shall have served in office as such a State employe for twenty-five years or more or who shall have reached the age of sixty-five years and shall have served in office as such a State employe for twenty years or more and shall hold himself in readiness to perform special duties in such ways as he may be reasonably able to do after his honorable retirement from office by resignation he shall receive during the remainder of his life or during the continuance of such disability or incapacity one-half of the salary which he would have received had he remained in active service The term "State employe" as used in this act shall apply to all employes in penitentiaries reformatories and other institutions operated by the Commonwealth as well as those more directly in the service thereof

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. SCOTT. Mr. Speaker, I move that House Bill No. 1096 (Senate Bill No. 286), be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. BEYER. Mr. Speaker, I second the motion.

The motion was agreed to.

SPEAKER BALDWIN IN THE CHAIR.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 354

An Act authorizing the Legislative Reference Bureau to continue the work commenced under the provisions of an act approved the twentieth day of May one thousand nine hundred and thirteen entitled "An Act directing the Legis-

lative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the assistant director and making an appropriation therefor" fixing the powers and duties of the bureau therein and making an appropriation.

House Bill No. 451

An Act exempting free from the claims of all creditors the proceeds of certain life insurance and annuity contracts bona fide taken out by any person not exceeding one hundred dollars per month.

House Bill No. 612

An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth.

House Bill No. 738

An Act vesting in the persons appointed by the county commissioners of the several counties of this Commonwealth to inspect and repair county roads, improved and maintained by such counties, the power and authority now vested by law in the constables of the several cities, boroughs and townships of this Commonwealth, for the preservation of the peace in and along such roads, and for the enforcement of acts of Assembly regulating the speed of automobiles and other vehicles thereon, and for the enforcement of rules and regulations governing the use of such roads, designating such persons county road caretakers, and providing for badges evidencing their authority.

Whereupon,

The SPEAKER in the presence of the House signed the same.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

TIME OF NEXT MEETING.

In the Senate, April 24, 1917.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it be to reconvene on Tuesday morning, May first, at eleven forty-five o'clock; and when the House of Representatives adjourns this week it be to reconvene on Monday evening, April thirtieth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, April 24, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 771, entitled

An Act to amend section one thousand four hundred and five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

be recalled from the House of Representatives for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECESS.

Mr. RAMSEY. Mr. Speaker, I move that the House take a recess until 8 o'clock this evening.

Whereupon (at 1.15 o'clock P. M.) the House took a recess until 8 o'clock this evening.

AFTER RECESS.

The House reconvened at 8 o'clock P. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PETITIONS.

FAVORING PASSAGE OF SENATE BILL NO. 732.

Mr. SWARTZ presented the petition of the Philadelphia Board of Trade favoring the passage of Senate Bill No. 732.

Referred to the Committee on Banks and Banking.

FAVORING THE PASSAGE OF SENATE BILL NO. 731.

Mr. SWARTZ presented the petition of the Philadelphia Board of Trade favoring the passage of Senate Bill No. 731.

Referred to the Committee on Banks and Banking.

FAVORING PASSAGE OF HOUSE BILL NO. 383.

Mr. SWARTZ presented the petition of the Philadelphia Board of Trade favoring the passage of House Bill No. 383.

Referred to the Committee on Banks and Banking.

BILLS INTRODUCED AND REFERRED.

By Mr. POWELL. House Bill No. 1592.

An Act for the examination qualification and election of mine inspectors in the anthracite coal region; providing for the appointment of mine inspectors' examining boards by the courts of common pleas of certain counties and defining the powers and duties of such boards and fixing the compensation of its members; and fixing the salary of mine inspectors.

Referred to the Committee on Mines and Mining.

By Mr. WOODWARD. House Bill No. 1599.

An Act creating a salary board of the Commonwealth of Pennsylvania; defining the powers and duties of the same; and providing penalties for the violation thereof.

Referred to the Committee on Manufactures.

By Mr. ROBERTSON. House Bill No. 1600.

An Act making an appropriation to refund to Washington Hall Association of Mount Carmel, Northumberland County, Pennsylvania, a certain sum erroneously paid into the State Treasury as capital stock tax.

Referred to the Committee on Appropriations.

By Mr. SWARTZ. House Bill No. 1601.

An Act permitting corporations to invest their surplus funds in bonds of the United States issued for war purposes.

Referred to the Committee on Judiciary General.

By Mr. WOODWARD. House Bill No. 1602.

An Act making an appropriation for the payment of the annual fixed charge for road and school purposes on lands owned by the Commonwealth of Pennsylvania and held and administered by it as state forests.

Referred to the Committee on Appropriations.

By Mr. BAKER. House Bill No. 1603.

An Act to protect and safeguard the public against rabies and the spread of disease germs of contagious and epidemic diseases of the human family, stock, farm and domestic; to prevent depredations of vicious and rabid dogs, to conserve game and game birds and prevent destruction of song birds, to promote health, cleanliness, morality, decencey and safety of the whole people of the State.

Referred to the Committee on Agriculture.

By Mr. STERN. House Bill No. 1604.

An Act requiring judges to impose sentences upon persons convicted of felony.

Referred to the Committee on Judiciary Local.

By Mr. STADTLANDER. House Bill No. 1605.

An Act relating to the taxation of real estate and for the exemption of certain real property from taxation and imposing certain duties on the county commissioners and controllers of cities.

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1606.

An Act to repeal an act approved the second day of May, Anno Domini one thousand eight hundred and ninety-nine, entitled "An Act to provide revenue by imposing a mercantile license tax on vendors or dealers in goods, wares and merchandise, and providing for the collection of said tax."

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1607.

An Act to provide revenue by taxation.

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1608.

An Act relating to the assessment of certain properties for local improvements and making it unlawful to exempt or exonerate such properties from assesment therefor.

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1609.

An Act to amend further section twenty-one of an act approved the first day of June, one thousand eight hundred eighty-nine, entitled "A further supplement of an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine" by regulating the taxing of laundering and manufacturing companies.

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1610.

An Act authorizing a capitation tax for county purposes, imposing duties on registrars and registry assessors in connection wherewith and repealing parts of certain acts which heretofore authorized taxes on salaries, emoluments, offices, posts, professions, trades, occupations and freemen.

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1611.

An Act to repeal part of an act approved the fifteenth day of July, one thousand eight hundred ninety-seven, entitled "An Act to provide revenue by taxation.'

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1612.

An Act making all real property of any kind belonging to public service corporations taxable for county, city, borough, town, township and school purposes, prescribing the duties of the auditor general in connection wherewith and of county commissioners and assessing boards or bodies.

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1613.

A Supplement to an act entitled "An Act for the Government of cities of the second class," approved the seventh day of March, one thousand nine hundred and one, authorizing cities of the second class to prescribe dsitricts and regulate buildings and the uses of land and buildings in such cases, and by imposing an additional license fee on regulate and limit the height and bulk of buildings and the area of yards, courts and open spaces in such districts, and providing the method by which such regulations or districts may be altered or changed, and repealing all laws inconsistent therewith.

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1614.

Joint Resolution proposing an amendment to article nine of the Constitution of Pennsylvania.

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1615.

An Act to amend further an act approved the thirteenth day of July, one thousand eight hundred ninety-seven, entitled "An Act to provide revenue and regulate the sale of malt, brewed, vinious and spirituous liquors or any admixture thereof, by requiring and authorizing licenses to be taken out by brewers, distillers, wholesalers, bottlers, rectifiers, compounders, storekeepers, and agents, having a store, office or place of business within this Commonwealth, prescribing the amount of license fees to be paid in such cases, and by imposing an additional license fee on retail dealers in the intoxicating liquors," as amended by an act approved the twenty-ninth day of March, one thousand nine hundred seven, entitled "To amend section two of an act entitled 'An Act to provide revenue, and regulate the sale of malt, brewed, vinous and spirituous liquors, or any admixture thereof, by requiring and authorizing licenses to be taken by brewers, distillers, wholesalers, bottlers, rectifiers, compounders, storekeepers and agents, having a store, office, or place of business within this Commonwealth; prescribing the amount of license fees to be paid in such cases, and by imposing an additional license fee on retail dealers in intoxicating liquors' approved the thirteenth day of July, Anno Domini one thousand eight hundred and ninety-seven, by changing the time when the treasurers of the respective counties shall pay all license funds to the State Treasurer and to the treasurers of the respective municipalities, by regulating the disposition of certain retail liquor license fees.

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1616.

An Act relating to the valuation and assessment of real and personal property for taxation for county, city, school, borough and township purposes in counties having a population exceeding eight hundred thousand and not exceeding one million five hundred thousand inhabitants and for that purpose providing for a county assessing board, and incidentally prescribing powers and duties of county commissioners, and abolishing certain offices relating to assessment in counties, cities, boroughs and townships.

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1617.

An Act to further amend paragraphs one and two of section three of article nineteen of an act approved the seventh day of March, Anno Domino one thousand nine hundred and one entitled "An Act for the government of cities of the school class" by abolishing the exemption of machinery in taxation in said cities.

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1618.

A Joint Resolution proposing an amendment to article nine of the Constitution of Pennsylvania.

Referred to the Committee on Municipal Corporations.

By Mr. STATLANDER. House Bill No. 1619.

An Act to amend sections six and ten of an act approved the seventh day of June, one thousand nine hundred thirteen, entitled relating to and regulating motor vehicles, and vehicles trailing after or propelled by motor vehicles; controlling their speed upon the public streets and highways in the Commonwealth of Pennsylvania; providing for their registration, and licensing of certain operators, by the State Highway Department; prohibiting the operation of any motor vehicle by any persons when intoxicated, or without the consent of the owner; forbidding the passage of any law laying a tax upon or requiring the registration of motor vehicles, or licensing of any operator, or regulating the speed of motor vehicles, by any county, borough, city, incorporated town, or township; establishing the rights of motor vehicles upon the public highways, with relation to other vehicles; providing for their equipment and for the width of tires to be used upon motor vehicles and vehicles trailing after or propelled by motor vehicles; regulating the service of process and proceedings in actions for damages arising therefrom; providing for arrest, and for service of process, and proceedings for violation of this act; prescribing the penalties therefor; and providing for the disposition of fees collected and fines imposed thereunder," by changing the registration and license fees and the disposition of the funds derived therefrom.

Referred to the Committee on Municipal Corporations.

By Mr. GRAEFF. House Bill No. 1620.

An Act authorizing the president judge of the courts of common pleas in certain judicial districts to assign for disposition by the other judges of such court any cases in law or in equity, arguments or other matters.

Referred to the Committee on Judiciary Local.

By Mr. CROSBY. House Bill No. 1621.

An Act relating to certain sales of alcoholic and intoxicating liquors by wholesalers and bottlers; and providing for the suspension and revocation of licenses in certain cases.

Referred to the Committee on Law and Order.

By Mr. SWARTZ. House Bill No. 1622.

An Act empowering express companies to employ policemen commissioned by the Governor with authority to act in all counties in the State wherein such companies carry on their business.

Referred to the Committee on Judiciary General.

By Mr. WALKER. House Bill No. 1623.

An Act providing for the employment of persons confined in correctional institutions in this Commonwealth; the sale of the products to the Federal Government to institutions owned, managed and controlled by cities, boroughs and townships and to institutions receiving aid from the State or any government sub-division thereof; providing for the payment of the prisoners and the distribution of the net proceeds of the sales.

Referred to the Committee on Labor and Industry.

By Mr. STERN. House Bill No. 1624.

An Act to prohibit the submission of certain questions to the electors at primary elections.

Referred to the Committee on Elections.

By Mr. GANS. House Bill No. 1625.

An Act to amend section three of an act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, entitled "An Act regulating the issuance of licenses to marry; prohibiting the issuance of such licenses to certain persons; regulating the time during which licenses shall be valid, and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court; and prescribing the duties of the clerk of the orphans' court."

Referred to the Committtee on Judiciary Local.

By Mr. GANS. House Bill No. 1626.

An Act for the prevention of fraud and deception by prohibiting the use of added artificial coloring matter in such edible ailmentary pastes as macaroni, spaghetti, vermicelli and noodles.

Referred to the Committee on Public Health and Sanitation.

By Mr. BEYER. House Bill No. 1627.

An Act to exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity.

Referred to the Committee on Judiciary General.

By Mr. SCOTT. House Bill No. 1628.

An Act to amend an act, entitled "An Act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping, or attempting to escape, from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania, by the respective counties from whose courts the said escaping convicts or prisoners have been committed; and providing for the maintenance of such convicts under sentence for escape, et cetera," approved the twenty-second day of July, one thousand nine hundred and thirteen.

Referred to the Committee on Judiciary Local.

BILL RE-REFERRED.

By Mr. STERLING. House Bill No. 1529.

An Act relating to payments made to building and loan associations on account of stock or loans.

Referred to the Committee on Banks and Banking.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 729 (House Bill No. 1629).

An Act to provide for an additional law judge of the several courts of the thirty-eighth judicial district.

Referred to the Committee on Appropriations.

Senate Bill No. 543 (House Bill No. 1630).

An Act defining cold storage, and regulating time of storage of certain articles of food, and providing penalties for the violation of the provisions of this act.

Referred to the Committee on Public Health and Sanitation.

Senate Bill No. 753 (House Bill No. 1631).

A Supplement to the act approved the ninth day of April, one thousand nine hundred and thirteen (Pamphlet Laws forty-six), entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department," creating a Bureau of Economy and Efficiency in said department; fixing the number and salaries of its clerks and employes, and prescribing its powers and duties.

Referred to the Committee on Appropriations.

Senate Bill No. 672 (House Bill No. 1632).

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen, entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs."

Referred to the Committee on Counties and Townships.

Senate Bill No. 730 (House Bill No. 1633).

An Act empowering banks and trust companies to accept drafts and issue letters of credit.

Referred to the Committee on Banks and Banking.

Senate Bill No. 820 (House Bill No. 1634).

An Act authorizing manufacturing corporations now or hereafter organized under the laws of this State to engage in the production of necessary raw materials for such manufacturing purposes.

Referred to the Committee on Manufactures.

Senate Bill No. 821 (House Bill No. 1635).

An Act authorizing corporations now or hereafter organized under the laws of this Commonwealth for the purpose of manufacturing to own and operate certain conveyances for the transportation of raw materials and the products manufactured therefrom.

Referred to the Committee on Manufactures.

Senate Bill No. 864 (House Bill No. 1636).

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth, the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation.

Referred to the Committee on Appropriations.

BILLS ON SECOND READING.

Mr. STERN asked and obtained unanimous consent to call up House Bill No. 1573, File Folio 3613, from page 42 of to-day's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1573, as follows

An Act to carry into effect the amendment to section eight of article nine of the Constitution of Pennsylvania adopted by the people at an election held on the second day of November one thousand nine hundred and fifteen to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum upon the assessed valuation of taxable property in said city for the specific purposes authorized by said amendment regulating the manner of making such increase of indebtedness and providing for the redemption of the same validating elections held in said city since the adoption of said amendment in the manner provided by this act or by the

Act of the General Assembly approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the supplements and amendments thereto and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued pursuant to authority conferred by the electors at any such election

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in accordance with the amendment to section eight of article nine of the Constitution of Pennsylvania adopted at an election held on the second day of November one thousand nine hundred and fifteen the indebtedness of the City of Philadelphia may be increased to the extent of three per centum in excess of seven per centum upon the assessed valuation of taxable property in said city for the specific purpose of providing for all or any of the following purposes to wit For the construction and improvement of subways tunnels railways elevated railways and other transit facilities for the construction and improvement of wharves and docks and for the reclamation of land to be used in the construction of wharves and docks owned or to be owned by said city Such increase however shall only be made with the assent of the electors thereof at a public election to be held in the following manner Whenever the corporate authorities of the said city by their ordinance or vote shall have signified a desire to make such increase of indebtedness they shall give notice during at least thirty days by weekly advertisement in the newspapers not exceeding three of the said city of an election to be held at the place or places of holding the municipal elections in the said city on a day to be by them fixed for the purpose of obtaining the assent of the electors thereof to such increase of indebtedness Said notice shall contain a statement of the amount of the last assessed valuation of the amount of the existing debt of the amount and percentage of the proposed increase and for the purposes for which the indebtedness is to be increased Such election shall be held at the places time and under the same regulations as provided by law for the holding of municipal elections and it shall be the duty of the inspectors of such elections to receive tickets and to deposit said tickets in a box provided for that purpose as is provided by law in regard to other tickets received at said election and the tickets so received shall be counted and a return thereof made to the clerk of the court of quarter sessions of the proper county duly certified as is required by law together with a certified copy of the ordinance and advertisement and the said clerk shall make a record of the same and furnish a certified copy thereof under seal showing the result to the corporate authorities of such municipality and the same shall be placed of record upon the minutes thereof The corporate authorities of such municipality shall in all cases fix the time of holding such election on the day of the municipal or of the general election unless more than ninety days elapse between the date of the ordinance or vote desiring such increase and the day of holding the said municipal or general election If any other day be fixed for such election the expense of holding the same shall be paid by the said city In receiving and counting and in making returns of the vote cast the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating municipal elections and the vote shall be counted by the court as is now provided by general laws governing municipal elections and all the penalties of the said election laws for the violation thereof are hereby extended to and shall apply to the voters inspectors judges and clerks voting at and in attendance upon the elections held under the provisions of this act

Section 2 Whenever by the returns of such election it shall appear that there is a majority voting against such increase of debt such increase shall not be made nor shall any other election upon the same subject be held in the said city for fifty-one (51) weeks from the date of such preceding election If the return of such election shall show a majority voting in favor of the said increase of debt the corporate authorities of the municipality may increase the same to the amount named and specified in the notice given for the holding of such election not exceeding three (3) pre centum in excess of seven (7) per centum of the last assessed valuation of taxable property in such municipality Before issuing any such obligation or security it shall be the duty of the principal officer or officers of such municipality to prepare a statement showing the actual indebtedness of such city the amount of the last preceding assessed valuation of the taxable property therein the amount of the debt incurred the form number and date of maturity of the obligations to be issued therefor and he shall make and append thereto his oath or affirmation of the truth of the facts therein stated and shall file the said statement in the office of the Clerk of the Court of Quarter Sessions of the proper county Certified copies of the record of such statement under the seal of said court shall be competent evidence in all the courts of this Commonwealth Provided That the bonds shall not be sold at less than their par value

Section 3 In incurring indebtedness for any one or more of said purposes of construction improvement or reclamation the said city may issue its obligations maturing not later than fifty years from the date thereof with provision for a sinking fund sufficient to retire said obligations at maturity The payments to such sinking fund to be in equal or graded annual instalments Such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred And said city shall not be required to levy a tax to pay such interest and sinking fund charges until the expiration of said period of one year after the completion of such work The said obligations may be issued in the form of coupon bonds or other securities in sums not les than one hundred dollars each bearing interest at a rate not exceeding six per centum per annum payable semi-annually and the principal thereof reimbursable at a period not exceeding fifty years from their date At or before the expiration of said period of one year after the completion of such work the municipal authorities of the said city shall assess and levy an annual tax the collection whereof shall commence the first year after such levy and assessment The tax shall be equal to and sufficient for and applied exclusively to the payment of the interest and principal of such debt within a period not exceeding fifty (50) years from the date of the said obligations therefor and the monies arising from such tax shall be applied at such periods as the municipality may stipulate in such obligations to the redemption at par of the said outstanding obligations according to their terms

Section 4 All elections heretofore held by or in said City of Philadelphia for the increase of its indebtedness in excess of seven (7) per centum upon the assessed valuation of taxable property therein for the specific purposes authorized by said constitutional amendment or any of them and since the date thereof in the manner provided by this act or by an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini on thousand eight hundred and seventy-four and under the acts amendatory thereof or supplementary thereto where the majority of votes cast at such election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid and all bonds or other obligations heretofore issued or hereafter to be issued in pursuance of any such election are hereby made valid binding obligations of the said city

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Mr. GEORGE W. WILILAMS asked and obtained unanimous consent to call up House Bill No. 1494, File Folio 3563, on page 39 of to-day's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1494, as follows:

An Act to amend section thirty of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for the taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining the same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes on tollroads forming all or part of any State highway and procedure therein providing for the work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petition providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties

townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirty of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief duaghtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by the provisions of this act" which reads as follows

"Section 30 Where a portion of a highway traversing one or more townships and for the improvement and maintenance of which as a State-aid highway according to the provisions of this act application has been made by said township or townships shall lie within the limits of or traverse any borough or boroughs or any incorporated town or towns and where the failure of said borough or boroughs or incorporated town or towns to improve the said highway would leave a break or unimproved section in a continuous improved highway it shall be lawful for the county commissioners of the county in which said highway is located to enter into an agreement with said borough or boroughs or incorporated town or towns to bear a portion of the expenses of said improvement of the highway within the limits of the said borough or town in the same manner as herein provided for the co-operation between the counties and townships Provided That an improved road shall have been previously constructed in an adjoining township borough or town to the lines of the borough or town making applicatin or petition for such improvement the State Highway Commissioner is authorized to bear a portion of the expense of said improvement if said highway within said borough or town limits but in no case shall the portion of said expense to be borne by the State exceed fifty (50) per centum of the total expense of said improvement Boroughs or incorporated towns shall only receive aid from the State as aforesaid in cases where failure to receive such aid would prevent a continuous improvement of an important State-aid highway Provided That any borough or incorporated town which is willing to pay one-half the cost of constructing any such road hereinbefore mentioned may make application direct to the State Highway Department All improvements made in borough or town highways as herein provided shall be of a character similar to that specified for the township or townships through which the highway to be improved passes in reaching said borough or town Provided however That the council of any borough or boroughs or incorporated town or towns through which such highway passes shall before its construction by proper ordinance enter into an agreement with the State Highway Commissioner for the payment of said borough's or town's share of the cost of construction and of the subsequent maintenance of such portion of said State-aid highway as lies within the limits of said borough or town similar to that required elsewhere in this act of the commissioners or supervisors of townships" be and the same is hereby amended to read

Section 30 Where a portion of a highway traversing one or more townships and for the improvement and maintenance of which as a State-aid highway according to the provisions of this act application has been made by said township or townships shall lie within the limits of or traverse any borough or boroughs or any incorporated town or towns and where the failure of said borough or boroughs or incorported town or towns to improve the said highway would leave a break or unimproved section in a continuous improved highway it shall be lawful for the county commissioners of the county in which said highway is located to enter into an agreement with said borough or boroughs or incorporated town or towns to bear a portion of the expenses of said improvement of the highway within the limits of the said borough or town in the same manner as herein provided for the co-operation between the counties and townships Provided That an improved road shall have been previously constructed in an adjoining township borough or town to the lines of the borough or town making application or petition for such improvement except in the case where the application for State aid covers a section of street or road which when taken over by the State Highway Department will form a part or section of a State highway route the State Highway Commissioner is authorized to bear a portion of the expense of said improvement of said highway within said borough or town limits but in no case shall the portion of said expense to be borne by the State exceed fifty (50) per centum of the total expense of said improvement Boroughs or incorporated towns shall only receive aid from the State as aforesaid in cases where failure to receive such aid would prevent a continuous improvement of an important State-aid highway Provided That any borough or incorporated town which is willing to pay one-half the cost of constructing any such road hereinbefore mentioned may make application direct to the State Highway Department All improvements made in borough or town highways as herein provided shall be of a character simialr to that specified for the township or townships through which the highway to be improved passes in reaching said borough or town Provided however That the council of any borough or boroughs or incorporated town or towns through which such highway passes shall before its construction by proper ordinance enter into an agreement with the State Highway Commissioner for the payment of said borough's or town's share of the cost of construction and of the subsequent maintenance of such portion of said State-aid highway as lies within the limits of said borough or town similar to that required elsewhere in this act of the commissioners or supervisors of townships

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Mr. SPANGLER asked and obtained unanimous consent to call up House Bill No. 1440 (Senate Bill No. 662), File Folio 1437, on page 35 of to-day's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1440 (Senate Bill No. 662), entitled

An Act regulating the packing of apples providing penalties for violations and imposing certain duties upon the Department of Agriculture

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Mr. ALBEE. Mr. Speaker, I move that the House do now take up the calendar of second reading bills.

Mr. POWELL. Mr. Speaker, I second the motion.

The SPEAKER. The Chair desires to say to the members that the second reading calendar is a calendar that can be handled when there are not as many members present as there are this evening. The Chair's thought in proceeding with the third reading calendar was that it would expedite the work of the House.

On the question,

Will the House agree to the motion?

It was not agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1103 (Senate Bill No. 366), entitled

An Act to repeal an act entitled "An Act to encourage the destruction of foxes in the Counties of Allegheny Cambria York Mercer Union Huntingdon Luzerne and Schuylkill" approved the fourth day of May Anno Domini one thousand eight hundred and thirty-two in so far as the same relates to the County of Allegheny.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—105.

Albee,	Dewey,	Jones,	Somerman,
Baker,	Dithrich,	Lauler,	Sones,
Baldi,	Donneley,	Lohr,	Spangler,
Barner,	Drake,	Marvin,	Stadtlander,
Bechtold,	Drinkhouse,	Maurer,	Steedle,
Bennett,	Dunn,	McCaig,	Sterling,
Beyer,	Eby,	Mearkle,	Stern,
Bidelspacher,	Ehrhardt,	Michel,	Stites,
Bouton, V. B.,	Erdman,	Miller, Allan,	Strauss,
Bovee,	Fackler,	Miller, G. J. A.,	Swartz,
Boyd,	Fitzgibbon,	Mitchell,	Taylor,
Brady,	Franklin,	Musser,	Ulsh,
Brumbaugh,	Fretz,	Neary,	Vickerman,
Campbell, J. O.,	Glass,	Palmer,	Vogdes,
Canon,	Golder,	Phillips,	Wagner,
Chestnut,	Goodnough,	Pickering,	Weimer,
Christman,	Goodwin,	Ramsey,	Wells,
Clements,	Gormley,	Reichenbacker,	West,
Coldsmith,	Graham,	Ringler,	Wickman,
Conner,	Gransback,	Rininger,	Williams, G. W.
Corbin,	Hess,	Robertson,	Williams, J. P.,
Cox,	Heyburn,	Ross,	Wobensmith,
Crosby,	Hoffman,	Rothenberger,	Wood,
Cummins,	Hollingsworth,	Schaeffer, A. C.,	Wylie,
Curry,	Horton,	Siggins,	Wynne,
Davis, W.,	Isherwood,	Smith, J. W.,	Baldwin,
Dawson,	Jack,		Speaker.

NAYS—3.

Dell,	Malie,	Mervine.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

The SPEAKER. The Chair would ask the members to vote when their names are called. There was just a bare quorum voting on the last bill, while apparently there are many more than that present. Should a quorum not vote it will be necessary for the Chair to order the doors closed and take a poll of the House, which would take considerable time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1102 (Senate Bill No. 365), entitled

An Act to repeal section one of an act entitled "An Act to regulate the price of supporting the prisoners in the county jail in Allegheny" approved the eighth day of May Anno Domini one thousand eight hundred and fifty-five

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Albee,	Fowler,	Miller, C. G.,	Smith, O. W.,
Aron,	Franklin,	Miller, G. J. A.,	Snyder,
Baker,	Glass,	Milner,	Somerman,
Baldi,	Golder,	Mitchell,	Sones,
Baldridge,	Goodwin,	Morgan, T. J.,	Spangler,
Bell,	Gormley,	Murdoch,	Stadtlander,
Benchoff,	Graham,	Musser,	Steedle,
Benninger,	Gransback,	Neary,	Sterling,
Bidelspacher,	Haight,	Ogden,	Stern,
Black,	Haldeman,	Palmer,	Stites,
Bouton, V. B.,	Helt,	Patterson,	Stofflet,
Bovee,	Hess,	Perry,	Strauss,
Boyd,	Heyburn,	Phillips,	Sullivan,
Brady,	Hoffman,	Pickering,	Swartz,
Brumbaugh,	Hollern,	Powell,	Sweitzer,
Burnett,	Howarth,	Ramsey,	Taylor,
Campbell, J. O.,	Isherwood,	Reichenbacker,	Thomas,
Canon,	Jack,	Reynolds,	Ulsh,
Chestnut,	Jennings,	Rich,	Vickerman,
Christman,	Jones,	Ringler,	Vogdes,
Clements,	Kennedy,	Rininger,	Wagner,
Conner,	Lanius,	Robertson,	Walker,
Corbin,	Lauler,	Rogers,	Wallace,
Cox,	Lohr,	Ross,	Walter,
Crosby,	Malie,	Rothenberger,	Weimer,
Curry,	Mangan,	Ruddy,	Wells,
Davis, D. F.,	Marvin,	Sampsel,	West,
Davis, W.,	Maurer,	Sarig,	Wickman,
Dean,	McCullough,	Schaeffer, A. C.,	Williams, G. W.
Dell,	McCurdy,	Scott,	Williams, J. P.,
Dewey,	McKay,	Shattuck,	Wobensmith,
Dithrich,	McKinney,	Shunk,	Wood,
Donneley,	McPeake,	Siggins,	Woodward,
Drinkhouse,	McVicar,	Simpson,	Wylie,
Dunn,	Mehring,	Sinclair,	Wynne,
Ehrhardt,	Mervine,	Smith, E. R.,	Zanders,
Fackler,	Michel,	Smith, J. W.,	Baldwin,
Fitzgibbon,	Miller, Allan,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1105 (Senate Bill No. 371), entitled

An Act to repeal an act entitled "An Act for the reformation and employment of vagrants drunkards and other disorderly persons in the County of Allegheny" approved the thirteenth day of April Anno Domini one thousand eight hundred and fifty-nine

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albee,	Dunn,	Malie,	Siggins,
Aron,	Eby,	Mangan,	Simpson,
Baker,	Ehrhardt,	Marvin,	Sinclair,
Baldi,	Erdman,	Maurer,	Smith, E. R.,
Baldridge,	Fackler,	McArdle,	Smith, J. W.,
Barner,	Fitzgibbon,	McCaig,	Smith, O. W.,
Bechtold,	Flynn,	McCullough,	Snowden,
Bell,	Fowler,	McCurdy,	Snyder,
Benchoff,	Franklin,	McKay,	Somerman,
Bennett,	Fretz,	McKinney,	Sones,
Benninger,	Gans,	McPeake,	Spangler,
Beyer,	Geary,	Mearkle,	Stadtlander,
Bidelspacher,	Glass,	Michel,	Steedle,
Black,	Golder,	Mervine,	Sterling,
Bouton, V. B.,	Goodnough,	Michel,	Stern,
Bovee,	Goodwin,	Miller, Allan,	Stites,
Boyd,	Gormley,	Miller, C. G.,	Stofflet,
Brady,	Graeff,	Miller, G. J. A.,	Strauss,
Brumbaugh,	Graham,	Milner,	Swartz,
Burnett,	Gransback,	Mitchell,	Sweitzer,
Campbell, J. O.,	Haight,	Morgan, T. J.,	Taylor,
Canon,	Haldeman,	Musser,	Thomas,
Chestnut,	Heffernan,	Palmer,	Ulsh,
Christman,	Helt,	Patterson,	Urich,
Clements,	Hess,	Pickering,	Vickerman,
Coldsmith,	Heyburn,	Powell,	Vogdes,
Conner,	Hoffman,	Ramsey,	Wallace,
Corbin,	Hollern,	Rhodes, W. M.,	Walter,
Cox,	Hollingsworth,	Rich,	Weimer,
Crosby,	Howarth,	Ringler,	Wells,
Cummins,	Isherwood,	Rininger,	West,
Curry,	Jack,	Rothenberger,	Wickman,
Davis, D. F.,	Jennings,	Ruddy,	Williams, G. W.
Davis, W.,	Jones,	Rudisill,	Wobensmith,
Dean,	Kennedy,	Sampsel,	Wood,
Dell,	Lanius,	Sarig,	Woodward,
Dewey,	Lauler,	Schaeffer, A. C.,	Wylie,
Dithrich,	Leary,	Scott,	Wynne,
Donneley,	Lewis,	Shaffer, C. A.,	Zanders,
Drake,	Lohr,	Shattuck,	Baldwin,
Drinkhouse,	Luppert,	Shunk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1107 (Senate Bill No. 373), entitled

An Act to repeal sections two and three of an act, entitled "An Act to confer on Alexander Thomas and Budd Jones and Emma Downing, of Allegheny County, the rights and privileges and advantages of children born in lawful wedlock, in relation to a tax on dogs in the said County of Allegheny, incorporating the West Newton and Braddock's Field Plank Road Company, relative to fishing with nets in the Monongahela River, authorizing constables to serve civil process in Germantown, relative to miners in Schuylkill County, legitimatizing James C. Collins, relative to the premium on fox scalps in the County of York," approved the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-one, which said sections relate to the taxation of dogs in Allegheny County

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DELL. Mr. Speaker, I would like someone to explain this bill. There is such a mixup in the title you cannot tell what it is.

Mr. WICKMAN. It seems, Mr. Speaker, in the olden days when the Legislature had a lot of bills they drafted them under one title. Now, the only thing that we are connected with to-night is the subject of taxation of dogs, and that is covered by the general act of May 25, 1893, P. L. 136, which provides for a complete system, and as the special act of Allegheny County was not repealed by this general act it is desired that the special act be repealed in order that this situation be clarified and that we might work wholly under the general act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Baldi,	Fretz,	McKinney,	Siggins,
Baldridge,	Gans,	McPeake,	Smith, E. R.,
Barner,	Geary,	McVicar,	Smith, J. W.,
Bell,	Glass,	Mearkle,	Smith, O. W.,
Benchoff,	Golder,	Mervine,	Snyder,
Benninger,	Goodwin,	Michel,	Somerman,
Bidelspacher,	Graham,	Miller, Allan,	Sones,
Black,	Gransback,	Miller, C. G.,	Spangler,
Bovee,	Haight,	Miller, G. J. A.,	Sprowls,
Boyd,	Haldeman,	Milner,	Stadtlander,
Brumbaugh,	Heffernan,	Mitchell,	Steedle,
Burnett,	Helt,	Morgan, T. J.,	Sterling,
Campbell, J. O.,	Hess,	Murdoch,	Stern,
Canon,	Heyburn,	Musser,	Stites,
Chestnut,	Hibshman,	Near	Strauss,
Christman,	Hoffman,	Ogden,	Swartz,
Clements,	Hollern,	Palmer,	Sweitzer,
Conner,	Hollingsworth,	Patterson,	Taylor,
Cox,	Howarth,	Pickering,	Wagner,
Crosby,	Isherwood,	Powell,	Walker,
Curry,	Jack,	Ramsey,	Wallace,
Davis, D. F.,	Jones,	Reichenbacker,	Walter,
Davis, W.,	Kennedy,	Rich,	Weimer,
Dean,	Lanius,	Ringler,	Wells,
Dell,	Lauler,	Rininger,	West,
Dewey,	Leary,	Robertson,	Whitaker,
Dithrich,	Lohr,	Ross,	Wickman,
Drinkhouse,	Malie,	Rothenberger,	Williams, G. W.
Dunn,	Mangan,	Ruddy,	Williams, J. P.,
Ehrhardt,	Marvin,	Rudisill,	Wobensmith,
Erdman,	McCullough,	Sarig,	Wylie,
Fackler,	McCurdy,	Shaffer, C. A.,	Wynne,
Fitzgibbon,	McKay,	Shattuck,	Baldwin,
Franklin,			Speaker.

NAYS—4.

Albee,	Maurer,	Phillips,	Sampsel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1106, (Senate Bill No. 372), entitled

An Act to repeal an act entitled "An Act supplementary to an act passed January twenty-ninth one thousand eight hundred and sixty-three authorizing the commissioners and controller of Allegheny County to compromise with the holders of the bonds of said county" approved the twenty-second day of April Anno Domini one thousand eight hundred and sixty-three.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Albee,	Geary,	McVicar,	Siggins,
Baldi,	Glass,	Mearkle,	Simpson,
Baldridge,	Golder,	Mehring,	Sinclair,
Barner,	Goodwin,	Mervine,	Smith, E. R.,
Bell,	Gormley,	Michel,	Smith, J. W.,
Benchoff,	Graham,	Miller, A. D.,	Somerman,
Benninger,	Gransback,	Miller, Allan,	Sones,
Beyer,	Haight,	Miller, C. G.,	Spangler,
Bidelspacher,	Haldeman,	Miller, G. J. A.,	Stadtlander,
Black,	Heffernan,	Milner,	Steedle,
Bovee,	Helt,	Mitchell,	Sterling,
Boyd,	Hess,	Morgan, T.,	Stern,
Brady,	Heyburn,	Morgan, T. J.,	Stites,
Brumbaugh,	Hibshman,	Murdoch,	Strauss,
Burnett,	Hoffman,	Musser,	Sullivan,
Campbell, J. O.,	Hollern,	Neary,	Swartz,
Campbell, T.,	Howarth,	Ogden,	Sweitzer,
Chestnut,	Isherwood,	Palmer,	Taylor,
Christman,	Jack,	Patterson,	Thomas,
Conner,	Jennings,	Perry,	Ulsh,
Crosby,	Jones,	Phillips,	Urich,
Cummins,	Kennedy,	Pickering,	Wagner,
Curry,	Lanius,	Powell,	Walker,
Davis, D. F.,	Laucks,	Ramsey,	Walter,
Davis, W.,	Lauler,	Rhoads, H. L.,	Weimer,
Dean,	Leary,	Rich,	Wells,
Dewey,	Lewis,	Ringler,	West,
Dithrich,	Lohr,	Rininger,	Whitaker,
Donneley,	Malie,	Robertson,	Wickman,
Drinkhouse,	Mangan,	Rothenberger,	Williams, G. W.
Ehrhardt,	Marvin,	Ruddy,	Williams, J. P.,
Erdman,	Maurer,	Rudisill,	Wobensmith,
Fackler,	McCaig,	Sarig,	Wood,
Fitzgibbon,	McCullough,	Schaeffer, A. C.,	Woodward,
Flynn,	McCurdy,	Scott,	Wylie,
Fowler,	McKay,	Shaffer, C. A.,	Wynne,
Franklin,	McKinney,	Shattuck,	Zanders,
Fretz,	McPeake,	Shunk,	Baldwin,
			Speaker.

NAYS—1.

Reitzel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1108 (Senate Bill No. 377), entitled

An Act amending the twelfth section of an act, entitled "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the courts power to enforce its provisions," approved the fourteenth day of May, Anno Domini one thousand nine hundred and fifteen, providing that counties, cities, boroughs, townships, school districts and other municipalities shall not be required to file affidavits of defense.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Albee,	Franklin,	McPeake,	Shunk,
Aron,	Fretz,	McVicar,	Siggins,
Baldridge,	Gans,	Mearkle,	Simpson,
Bell,	Geary,	Mehring,	Sinclair,
Benchoff,	Golder,	Mervine,	Smith, E. R.,
Benninger,	Goodwin,	Michel,	Smith, J. W.,
Beyer,	Gormley,	Miller, A. D.,	Smith, O. W.,
Bidelspacher,	Graham,	Miller, C. G.,	Snowden,
Black,	Gransback,	Miller, G. J. A.,	Somerman,
Bovee,	Haight,	Mitchell,	Sones,
Boyd,	Haldeman,	Morgan, T. J.,	Spangler,
Brady,	Heffernan,	Murdoch,	Sprowls,
Brumbaugh,	Helt,	Murphy,	Stadtlander,
Burnett,	Hess,	Musser,	Steedle,
Campbell, J. O.,	Heyburn,	Neary,	Sterling,
Campbell, T.,	Hibshman,	Ogden,	Stern,
Canon,	Hoffman,	Palmer,	Stites,
Chestnut,	Hollern,	Patterson,	Strauss,
Christman,	Hollingsworth,	Perry,	Sullivan,
Clements,	Howarth,	Phillips,	Swartz,
Coldsmith,	Isherwood,	Pickering,	Taylor,
Conner,	Jack,	Powell,	Thomas,
Corbin,	Jennings,	Ramsey,	Ulsh,
Crosby,	Jones,	Reitzel,	Vogdes,
Cummins,	Lanius,	Rhoads, H. L.,	Wagner,
Curry,	Lauler,	Rich,	Walker,
Davis, W.,	Leary,	Ringler,	Wallace,
Dean,	Lewis,	Rininger,	Walter,
Dell,	Lohr,	Robertson,	Weimer,
Dewey,	Luppert,	Ross,	Wells,
Dithrich,	Malie,	Rothenberger,	West,
Donneley,	Mangan,	Ruddy,	Wickman,
Drinkhouse,	Marvin,	Rudisill,	Williams, G. W.
Dunn,	Maurer,	Sampsel,	Wobensmith,
Ehrhardt,	McCaig,	Sarig,	Woodward,
Erdman,	McCullough,	Schaeffer, A. C.,	Wylie,
Fackler,	McCurdy,	Scott,	Wynne,
Fitzgibbon,	McKay,	Shaffer, C. A.,	Zanders,
Flynn,	McKinney,	Shattuck,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

MR. MEARKLE IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1040 (Senate Bill No. 213), entitled

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the 20th day of April, 1874, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Albee,	Franklin,	McVicar,	Smith, E. R.,
Baldi,	Fretz,	Mearkle,	Smith, J. W.,
Baldridge,	Gans,	Mehring,	Smith, O. W.,
Barner,	Geary,	Mervine,	Snowden,
Bechtold,	Golder,	Michel,	Somerman,
Bell,	Goodwin,	Miller, A. D.,	Sones,
Benninger,	Graeff,	Miller, C. G.,	Spangler,
Beyer,	Graham,	Miller, G. J. A.,	Sprowls,
Bidelspacher,	Gransback,	Milner,	Stadtlander,
Black,	Haight,	Mitchell,	Steedle,
Bouton, V. B.,	Haldeman,	Morgan, T. J.,	Sterling,
Bovee,	Heffernan,	Murdoch,	Stern,
Boyd,	Helt,	Murphy,	Stites,
Brady,	Heyburn,	Musser,	Stofflet,
Brumbaugh,	Hibshman,	Neary,	Sullivan,
Burnett,	Hoffman,	Palmer,	Swartz,
Campbell, J. O.,	Hollern,	Patterson,	Sweitzer,
Campbell, T.,	Hollingsworth,	Perry,	Taylor,
Canon,	Horton,	Pickering,	Thomas,
Christman,	Howarth,	Ramsey,	Ulsh,
Coldsmith,	Isherwood,	Rhoads, H. L.,	Urich,
Conner,	Jack,	Rich,	Vogdes,
Corbin,	Jennings,	Ringler,	Wagner,
Cox,	Jones,	Rininger,	Walker,
Crosby,	Kennedy,	Robertson,	Wallace,
Cummins,	Lafferty,	Rogers,	Walter,
Curry,	Lanius,	Ross,	Weimer,
Davis, D. F.,	Lauler,	Rothenberger,	Wells,
Davis, W.,	Lewis,	Ruddy,	West,
Dean,	Lohr,	Sampsel,	Whitaker,
Dell,	Malie,	Sarig,	Wickman,
Dewey,	Mangan,	Schaeffer, A. C.,	Williams, G. W.
Dithrich,	Marvin,	Scott,	Williams, J. P.,
Drinkhouse,	Maurer,	Shaffer, C. A.,	Wobensmith,
Dunn,	McArdle,	Shattuck,	Woodward,
Ehrhardt,	McCaig,	Shunk,	Wylie,
Erdman,	McCullough,	Siggins,	Wynne,
Fackler,	McKay,	Simpson,	Zanders,
Fitzgibbon,	McKinney,	Sinclair,	Baldwin, Speaker.
Flynn,	McPeake,		

NAYS—1.

Hess,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1041 (Senate Bill No. 317), entitled

An Act validating certain elections of boroughs towns and townships held to determine the question of becoming a city of the third class and validating letters patent issued in pursuance of such elections.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albee,	Fackler,	McNichol,	Shattuck,
Arthur,	Fitzgibbon,	McPeake,	Shunk,
Baker,	Flynn,	McVicar,	Siggins,
Baldi,	Franklin,	Mearkle,	Simpson,
Baldridge,	Fretz,	Mehring,	Sinclair,
Barner,	Gans,	Mervine,	Smith, E. R.,
Bell,	Geary,	Michel,	Smith, F. L.,
Benchoff,	Glass,	Miller, A. D.,	Smith, J. W.,
Benninger,	Golder,	Miller, C. G.,	Smith, O. W.,
Beyer,	Goodwin,	Miller, G. J. A.,	Snyder,
Bidelspacher,	Graeff,	Milner,	Sones,
Black,	Graham,	Mitchell,	Spangler,
Bovee,	Gransback,	Morgan, T.,	Speicher,
Boyd,	Haight,	Morgan, T. J.,	Sprowls,
Brady,	Haldeman,	Murdoch,	Stadtlander,
Brumbaugh,	Heffernan,	Murphy,	Sterling,
Burnett,	Hess,	Musser,	Stern,
Campbell, J. O.,	Heyburn,	Neary,	Stites,
Campbell, T.,	Hibshman,	Ogden,	Stoffiet,
Canon,	Hoffman,	Palmer,	Strauss,
Chestnut,	Hollern,	Perry,	Swartz,
Christman,	Hollingsworth,	Phillips,	Sweitzer,
Clements,	Horton,	Pickering,	Thomas,
Conner,	Howarth,	Powell,	Urich,
Cook,	Jack,	Ramsey,	Vogdes,
Corbin,	Jennings,	Reichenbacker,	Wagner,
Cox,	Jones,	Reynolds,	Walker,
Crosby,	Kennedy,	Rhoads, H. L.,	Wallace,
Cummins,	Lafferty,	Rich,	Walter,
Curry,	Laucks,	Ringler,	Weimer,
Davis, D. F.,	Lauler,	Rininger,	West,
Dell,	Leary,	Robertson,	Whitaker,
Dewey,	Lohr,	Rogers,	Wickman,
Dithrich,	Luppert,	Ross,	Williams, G. W.
Donneley,	Malie,	Rothenberger,	Williams, J. P.,
Drake,	Mangan,	Rudisill,	Wobensmith,
Drinkhouse,	Marvin,	Sampsel,	Wood,
Dunn,	McArdle,	Sarig,	Wylie,
Eby,	McCaig,	Schaeffer, A. C.,	Wynne,
Ehrhardt,	McCurdy,	Scott,	Zanders,
Erdman,	McKay,	Shaffer, C. A.,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1042 (Senate Bill No. 318), entitled

An Act to amend sections one three and five of article three of an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June Anno Domini one thousand nine hundred thirteen

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Albee,	Fitzgibbon,	McPeake,	Siggins,
Arthur,	Flynn,	McVicar,	Sinclair,
Baldi,	Franklin,	Mehring,	Smith, E. R.,
Baldridge,	Fretz,	Mervine,	Smith, F. I.,
Barner,	Gans,	Michel,	Smith, J. W.,
Bechtold,	Glass,	Miller, Allan,	Smith, O. W.,
Bell,	Golder,	Miller, C. G.,	Snowden,
Bennett,	Goodwin,	Miller, G. J. A.,	Sones,
Benninger,	Gormley,	Milner,	Speicher.
Beyer,	Graeff,	Mitchell,	Sprowls,
Bidelspacher,	Graham,	Morgan, T.,	Stadtlander,
Black,	Gransback,	Morgan, T. J.,	Steedle,
Bovee,	Haight,	Murphy,	Sterling,
Boyd,	Haldeman,	Musser,	Stites,
Brady,	Heffernan,	Neary,	Stofflet,
Brumbaugh,	Helt,	Ogden,	Strauss,
Burnett,	Hess,	Palmer,	Swartz,
Campbell, J. O.,	Heyburn,	Perry,	Sweitzer,
Canon,	Hibshman,	Pickering,	Thomas,
Chestnut,	Hoffman,	Powell,	Ulsh,
Christman,	Hollern,	Ramsey,	Urich,
Clements,	Hollingsworth,	Reichenbacker,	Vogdes.
Conner,	Horton,	Reitzel,	Wagner,
Cook,	Howarth,	Reynolds,	Wallace,
Corbin,	Jack,	Rich,	Walter,
Cox,	Jones,	Ringler,	Weimer,
Crosby,	Lafferty,	Rininger,	Wells,
Curry,	Laucks,	Robertson,	Whitaker,
Davis, D. F.,	Lauler,	Ross,	Wickman,
Davis, W.,	Leary,	Rothenberger,	Williams, G. W.
Dell,	Lewis,	Ruddy,	Williams, J. P.,
Dewey,	Luppert,	Sampsel,	Wobensmith,
Dithrich,	Mangan,	Sarig,	Wood,
Donneley,	Marvin,	Schaeffer, A. C.,	Woodward,
Drake,	Maurer,	Scott,	Wylie,
Drinkhouse,	McArdle,	Shaffer, C. A.,	Wynne,
Eby,	McCaig,	Shattuck,	Zanders,
Ehrhardt,	McCurdy,	Shunk,	Baldwin,
Erdman,	McKay,		Speaker.

NAYS—1.

McKinney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1098 (Senate Bill No. 352), entitled

An Act to validate acts done by corporations before the recording of their charters.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Albee,	Franklin,	McNichol,	Smith, E. R.,
Aron,	Fretz,	McVicar,	Smith, F. I.,
Baker,	Gans,	Mehring,	Smith, J. W.,
Baldi,	Geary,	Mervine,	Smith, O. W.,
Baldridge,	Golder,	Michel,	Snowden,
Bechtold,	Goodwin,	Miller, A. D.,	Snyder,
Bell,	Gormley,	Miller, C. G.,	Somerman,
Benchoff,	Graham,	Miller, G. J. A.,	Sones,
Benninger,	Gransback,	Mitchell,	Spangler,
Beyer,	Haight,	Morgan, T. J.,	Sprowls,
Bidelspacher,	Haldeman,	Musser,	Stadtlander,
Black,	Heffernan,	Neary,	Steedle,
Bouton, V. B.,	Helt,	Ogden,	Sterling,
Bovee,	Hess,	Palmer,	Stern,
Boyd,	Heyburn,	Patterson,	Stites,
Brady,	Hibshman,	Perry,	Strauss,
Brumbaugh,	Hoffman,	Phillips,	Sullivan,
Burnett,	Hollern,	Pickering,	Swartz,
Campbell, T.,	Hollingsworth,	Ramsey,	Sweitzer,
Chestnut,	Horton,	Reichenbacker,	Taylor,
Christman,	Howarth,	Rhoads, H. L.,	Thomas,
Coldsmith,	Isherwood,	Rich,	Ulsh,
Conner,	Jack,	Ringler,	Urich,
Cox,	Jennings,	Rininger,	Vogdes,
Crosby,	Jones,	Robertson,	Wagner,
Cummins,	Kennedy,	Rogers,	Wallace,
Curry,	Lafferty,	Ross,	Walter,
Davis, D. F.,	Laucks,	Rothenberger,	Weimer,
Davis, W.,	Lauler,	Ruddy,	Wells,
Dean,	Leary,	Rudisill,	West,
Dewey,	Lohr,	Sampsel,	Whitaker,
Dithrich,	Luppert,	Sarig,	Wickman,
Drake,	Mangan,	Schaeffer, A. C.	Williams, G. W.
Drinkhouse,	Marvin,	Scott,	Williams, J. P.,
Dunn,	McArdle,	Shaffer, C. A.,	Wobensmith,
Ehrhardt,	McCaig,	Shattuck,	Woodward,
Erdman,	McCullough,	Shunk,	Wylie,
Fackler,	McCurdy,	Siggins,	Wynne,
Fitzgibbon,	McKay,	Simpson,	Zanders,
Flynn,	McKinney,	Sinclair,	Baldwin,
Fowler,			Speaker.

NAYS—2.

Dell, Lewis,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1043 (Senate Bill No. 342), entitled

A Supplement to an act approved the fifth day of June one thousand nine hundred and thirteen entitled "An Act regulating the operation of motor-boats and providing a penalty" giving the Board of Commissioners of Navigation jurisdiction to enforce the provisions of this act

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albee,	Gans,	McVicar,	Smith, F. I.,
Baker,	Geary,	Mearkle,	Smith, J. W.,
Baldi,	Glass,	Mervine,	Smith, O. W.,
Baldridge,	Golder,	Michel,	Snowden,
Barner,	Goodnough,	Miller, A. D.,	Snyder,
Bechtold,	Goodwin,	Miller, C. G.,	Somerman,
Bell,	Gormley,	Miller, G. J. A.,	Sones,
Benchoff,	Graham,	Milner,	Spangler,
Benninger,	Gransback,	Mitchell,	Sprowls,
Beyer,	Haldeman,	Morgan, T. J.,	Stadtlander,
Bidelspacher,	Heffernan,	Murdoch,	Steedle,
Black,	Helt,	Murphy,	Sterling,
Bouton, V. B.,	Hess,	Musser,	Stern,
Bovee,	Heyburn,	Neary,	Stites,
Boyd,	Hibshman,	Ogden,	Stofflet,
Brady,	Hoffman,	Palmer,	Sullivan,
Campbell, T.,	Hollern,	Perry,	Swartz,
Canon,	Hollingsworth,	Phillips,	Taylor,
Christman,	Horton,	Powell,	Thomas,
Clements,	Howarth,	Ramsey,	Ulsh,
Coldsmith,	Isherwood,	Reichenbacker,	Urich,
Conner,	Jack,	Rhoads, H. L.,	Vickerman,
Corbin,	Jennings,	Rich,	Vogdes,
Cox,	Jones,	Ringler,	Wagner,
Crosby,	Kennedy,	Rininger,	Walker,
Cummins,	Lafferty,	Robertson,	Wallace,
Curry,	Lanius,	Rogers,	Weimer,
Davis, W.,	Laucks,	Ross,	Wells,
Dean,	Lauler,	Rothenberger,	West,
Dewey,	Lewis,	Ruddy,	Whitaker,
Dithrich,	Lohr,	Rudisill,	Wickman,
Donneley,	Luppert,	Sampsel,	Williams, G. W.
Drinkhouse,	Malie,	Sarig,	Williams, J. P.,
Dunn,	Maurer,	Schaeffer, A. C.,	Wobensmith,
Ehrhardt,	McArdle,	Scott,	Wood,
Erdman,	McCaig,	Shattuck,	Woodward,
Fackler,	McCullough,	Shunk,	Wylie,
Fitzgibbon,	McCurdy,	Siggins,	Wynne,
Flynn,	McKay,	Simpson,	Zanders,
Franklin,	McNichol,	Sinclair,	Baldwin,
Fretz,	McPeake,	Smith, E. R.,	Speaker.

NAYS—1.

Brumbaugh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1100 (Senate Bill No. 356), entitled

A Joint Resolution proposing an amendment to section eight of article sixteen of the Constitution of the Commonwealth of Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MILNER. Mr. Speaker, I would like to know if there is someone in the House who can explain the purpose of this resolution?

Mr. DITHRICH. Mr. Speaker, I think I can explain the bill, but any lawyer in the House does not need any explanation at all. This bill proposes an amendment to the Constitution which enables an individual under power of eminent domain to take private property for the purpose of erecting thereon a home, and I am opposed to the bill.

Mr. SARIG. Mr. Speaker, I feel that before we take any action on this resolution we should consider it very seriously. To my mind there has been nothing in this House in this session that seemed more unreasonable than this proposition now before us, and I ask that you consider this proposition very carefully and I feel confident, if you do that, this resolution will never pass this House.

Mr. REYNOLDS. Mr. Speaker, this joint resolution is similar to a bill that appeared in the Judiciary General Committee. That bill was for the purpose of taking private property by right of eminent domain. The bill was referred to a sub-committee and in looking the matter up we found that under a decision of our Superior and Supreme Court, the latest in 1914, it is simply an impossibility for any corporation to take private property by right of eminent domain; that it is exclusively within the jurisdiction of a public corporation and especially so of a municipal corporation. Mr. Speaker, there is only one way of disposing of this joint resolution because it is so clearly unconstitutional that the Attorney General must so declare it. There is only one way to dispose of it and that is to defeat it.

BILL STRICKEN FROM CALENDAR.

Mr. DELL. Mr. Speaker, I move that this bill be stricken from the calendar.

Mr. RICH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 335 (Senate Bill No. 50), entitled

An Act to facilitate the labors of the judges learned in the law of the courts of common pleas and orphans courts of the several counties of the State by providing suitable clerical assistance.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McVICAR. Mr. Speaker, this bill was referred to the Judiciary General Committee and after consideration by its sub-committee was indefinitely postponed. Afterwards it seems to have been reconsidered and is now before you. The bill authorizes every judge of the common pleas courts and of the orphans' courts in Pennsylvania to employ clerical help or stenographic help at a rate of fifteen hundred dollars per annum and charge that to the State of Pennsylvania. In other words it is going to increase the expenses of this State about $182,500 per year, there being one hundred and fifteen judges, providing all the judges use that amount of help which they are authorized to do under the bill. Under the present law if a judge wants stenographic help or clerical help that help is paid by the county, and a great many of the judges do not need any help at all; some of them do. In the County of Allegheny, where I reside there is a certain number of official stenographers and their substitutes. These are paid by the county for doing the stenographic work of the court and they also do the private work of the judges. In addition to what the County of Allegheny pays already, under this bill the judges would have a right to pay $22,500 more and charge that to the State of Pennsylvania. I do not believe that that is wise. I believe that the matter of expenses for private stenographic help, if there is any, should be paid by the counties and not charged to the State.

BILL STRICKEN FROM CALENDAR.

Mr. PHILLIPS. Mr. Speaker, I move that this bill be stricken from the calendar.

Mr. RUDISILL. Mr. Speaker, I second the motion.

The SPEAKER. The ayes appear to have it.

Whereupon, a division was called for, eighty members having voted in the affirmative and fifty-two in the negative,

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 956 (Senate Bill No. 117), entitled

An Act to amend an act entitled "An Act authorizing the courts of common pleas of this Commonwealth to decree the dissolution of certain corporations in certain cases and to order the sale of their real estate and make distribution of the proceeds thereof approved the twenty-seventh day of March, one thousand nine hundred and three (Pamphlet Laws, page seventy-nine) by providing that the petition praying for dissolution may be by any owner or owners of capital stock and providing for publication of notice in the proper legal periodical.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—92.

Albee,	Donneley,	Kennedy,	Neary,
Aston,	Ehrhardt,	Lafferty,	Phillips,
Baldi,	Erdman,	Lauler,	Powell,
Benchoff,	Fackler,	Lewis,	Rhodes, W. M.,
Benninger,	Franklin,	Lohr,	Robertson,
Bidelspacher,	Fretz,	Luppert,	Ruddy,
Black,	Glass,	Malie,	Shaffer, C. A.,
Bouton, V. B.,	Golder,	Mangan,	Shattuck,
Brumbaugh,	Goodwin,	Marvin,	Siggins,
Campbell, J. O.,	Gormley,	Maurer,	Smith, E. R.,
Chestnut,	Graeff,	McArdle,	Smith, F. I.,
Christman,	Gransback,	McCaig,	Spangler,
Clements,	Haight,	McCullough,	Sprowls,
Coldsmith,	Helt,	McCurdy,	Stadtlander,
Conner,	Hess,	McKay,	Stern,
Corbin,	Heyburn,	McNichol,	Stofflet,
Cox,	Hibshman,	McPeake,	Strauss,
Crosby,	Hollern,	McVicar,	Sweitzer,
Cummins,	Hollingsworth,	Mearkle,	Walker,
Curry,	Horton,	Mervine,	Wallace,
Davis, W.,	Howarth,	Miller, A. D.,	Weimer,
Dean,	Jack,	Mitchell,	West,
Dell,	Jennings,	Morgan, T.,	Williams, J. P.,
Dewey,	Jones,		

NAYS—35.

Baldridge,	Pickering,	Scott,	Wagner,
Geary,	Reitzel,	Simpson,	Walter,
Graham,	Rich,	Sinclair,	Whitaker,
Miller, C. G.,	Ringler,	Somerman,	Wickman,
Miller, G. J. A.,	Rininger,	Sones,	Williams, G. W.
Morgan, T. J.,	Rothenberger,	Steedle,	Wood,
Palmer,	Sampsel,	Sullivan,	Woodward,
Patterson,	Sarig,	Vickerman,	Wylie,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1248, as follows

An Act requiring all persons hunting for game to wear red coats or red caps or hats and providing penalties for violations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to hunt game within the Commonwealth unless such persn shall wear a red coat or a red hat or red cap or either one or both

Section 2 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be liable to a penalty of twenty-five dollars ($25.00)

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. SHATTUCK. Mr. Speaker, I move that Bill No. 1248 be stricken from the calendar.

Mr. MITCHELL. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. POWELL. Mr. Speaker and gentlemen, they finally smoked me out. I think Mr. Speaker and gentlemen, that the bill now before you requires serious consideration. While the bill might be looked upon from the funny side, I might say that there is a serious side to the question, and explain why the bill has been presented. The bill was given to me at the request of a number of huntsmen in Luzerne County. There is one instance that I would like to call to your attention that I think might have you look at this bill in a different way. It was only during the last hunting season that two friends of mine, one a white man and the other a colored man, went on a little hunting trip a short distance outside of the City of Wilkes-Barre. While less than ten yards apart the man with the white color turned around and shot and almost killed the colored fellow. When he answered why he shot at the colored man he said that he had taken him for a squirrel. Now Mr. Speaker and gentlemen, there is no hardship connected with the bill in any way, shape or form. If you have a red coat it does not compel you to go to any additional expense; if you have a red cap, it does not compel you to buy a red cap, and so with the hat. Now I understand that some of the gentlemen within the hall seem to be of the opinion that this is going to work a hardship upon the farmer boy, because the farmer boy is likely to pick up his gun and go out without being prepared with the red cap or a red hat or a red coat. Now gentlemen this bill really is a matter that I can guarantee will be a protection to life and limb, and I will leave the bill with you for your consideration.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—105.

Aron,	Ehrhardt,	Luppert,	Schaeffer, A. C.,
Baker,	Erdman,	Maurer,	Siggins,
Baldi,	Fackler,	McCaig,	Smith, J. W.,
Baldridge,	Fitzgibbon,	McCullough,	Somerman,
Bell,	Fowler,	McCurdy,	Spangler,
Bidelspacher,	Franklin,	McKay,	Sprowls,
Bovee,	Fretz,	McPeake,	Stadtlander,
Boyd,	Gans,	McVicar,	Steedle,
Brady,	Glass,	Mehring,	Sterling,
Brumbaugh,	Golder,	Mervine,	Stern,
Campbell, T.,	Goodnough,	Michel,	Stites,
Canon,	Goodwin,	Miller, Allan,	Stofflet,
Chestnut,	Graeff,	Miller, C. G.,	Strauss,
Christman,	Graham,	Milner,	Sullivan,
Clements,	Gransback,	Morgan, T.,	Swartz,
Coldsmith,	Haight,	Morgan, T. J.,	Sweitzer,
Conner,	Hecht,	Murdoch,	Taylor,
Corbin,	Heffernan,	Neary,	Thomas,
Cox,	Helt,	Ogden,	Vickerman,
Curry,	Heyburn,	Patterson,	Wagner,
Davis, D. F.,	Hibshman,	Powell,	Wallace,
Dell,	Hoffman,	Ramsey,	Williams, J. P.,
Dithrich,	Howarth,	Robertson,	Woodward,
Donneley,	Jones,	Rogers,	Wylie,
Drake,	Lafferty,	Ross,	Wynne,
Drinkhouse,	Lauler,	Sampsel,	Zanders,
Dunn,	Leary,		

NAYS—55.

Albee,	Horton,	Murphy,	Scott,
Barner,	Isherwood,	Musser,	Shaffer, C. A.,
Bechtold,	Jack,	Palmer,	Shattuck,
Benchoff,	Jennings,	Phillips,	Shunk,
Beyer,	Lanius,	Pickering,	Simpson,
Black,	Lewis,	Reichenbacker,	Sinclair,
Burnett,	Lohr,	Rhoads, H. L.,	Smith, E. R.,
Davis, W.,	Mangan,	Rich,	Sones,
Dewey,	Marvin,	Ringler,	Walter,
Gormley,	McKinney,	Rininger,	Weimer,
Haldeman,	McNichol,	Rothenberger,	West,
Hess,	Mearkle,	Ruddy,	Williams, G. W.
Hollern,	Miller, G. J. A.,	Rudisill,	Wood,
Hollingsworth,	Mitchell,	Sarig,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1249, as follows:

An Act prohibiting state agents and employes from acting as guides to hunters and fishermen and from boarding or lodging hunter and fishermen during certain periods of time and providing penalties for violations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter it shall be unlawful for any agent or employe of the Game Commission or of the Fish Commission or of the Department of Forestry or of any other Department of the State Government to act as a guide to any hunter or fisherman in the Commonwealth or to lodge or board any hunter or fisherman on State property either for a money consideration or for any other reason during the open season for game or fish

Section 2 Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be liable to a penalty of twenty-five dollars ($25.00) for the first offense and to a discharge from State service for the second offense

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALBEE. Mr. Speaker and gentlemen of the House, I am against this bill for the reason that it seems that after an investigation of the game, forestry and fishery departments that there is no particular reason for this legislation. We have in our northern counties in Pennsylvania some forest rangers and game wardens who are some of the most loyal people to the sportsmen in the State of Pennsylvania. This bill seems to be aimed at one or two particular persons in the State of Pennsylvania, whom they claim have violated the game laws of the State. I wish to say that in the northern counties there are no hotels or places for the transient sportsmen, fishermen or hunters to go, except to some of the camps and houses occupied by our foresters and forest rangers, and I wish to say to you that we have no more loyal men to look after our camps, our streams and our woods than these men are. I object to this bill for the reason that while it might be aimed at one or two people in the State of Pennsylvania, that is no reason why we should put the rest of these men on the same plane and enact legislation here that prevents them from doing what is legitimate and what is right.

Mr. POWELL. Mr. Speaker, I am sorry that my good friend from Potter County cannot see his way clear to support this bill. The bill is very short, and the whole thing about it is this, gentlemen: "It shall be unlawful for any agent or employe of the Game Commission or of the Fish Commission or of the Department of Forestry or of any other department of the State government to act as a guide to any hunter or fisherman in the Commonwealth, or to lodge or board any hunter or fisherman "upon State property." There is the whole thing, "upon State property." In Pike

County there is a bit of water known as the "Promised Land Pond," and upon that pond up until two years ago there was a State forester. That State forester assumed the right to place a boat upon that water, and later on placed boats, until the time that he resigned, I have been informed, he owned no less than seventy-five boats for which he charged a dollar a day to anybody who came along to fish. He would not rent by the hour, he would only rent by the day. The water was State water; the fish within the water were placed there by the Fish Commissioner for the benefit of the public, but the man who derived the great benefit was the man who was in charge of the grounds and the water, and he happened to be a State forester. I have been informed that this man resigned and then turned around and built within a safe distance from this pond of water a large building, and to-day assumes the right to still rent the boats upon that water. I have also been reliably informed that there are foresters within this Commonwealth who have been making it a practice of having certain people come to them and stay. You can realize the position that the forester is in. He is the man who makes it his business to travel over the various lands of the Commonwealth, and thereby becomes acquainted with the game, where the game is to be found, and it is only natural that he takes his friends to the place where the game is to be found. The purpose of the bill is to prevent any person in the employ of any one of the three departments from acting as a guide and receiving compensation and housing them upon State premises. Therefore, I ask you gentlemen seriously to vote for this bill.

Mr. BEYER. Mr. Speaker, I desire to interrogate the gentleman from Luzerne, Mr. Powell.

The SPEAKER. Will the gentleman from Luzerne, Mr. Powell, permit himself to be interrogated?

Mr. POWELL. Certainly, Mr. Speaker.

Mr. BEYER. Can you tell me what salary these game wardens get?

Mr. POWELL. I cannot. I have been informed by some one to my rear that they get nine hundred dollars a year; nine hundred dollars and expenses.

Mr. WALTER. Mr. Speaker, if these irregularities prevail, of which the gentleman from Luzerne complains, they ought to be corrected by complaints to the heads of these departments. If the foresters are misbehaving or the game wardens or fish wardens are misbehaving and doing things detrimental to the public interests, those departments ought to have sense enough to correct those abuses; and there is no occasion for making a hard and fast rule so that a forester might not invite a friend to the cabin for the hunting season. These are matters of administration and not of legislative enactment, and therefore I think the bill ought to fall.

Mr. STOFFLET. Mr. Speaker, in answer to Mr. Walter's argument, let me say this: I am well acquainted with this "Promised Land" situation. Complaint has been lodged with the Department of Fisheries more than two years ago and Mr. Fuller told me no less than two weeks ago, when I told him that this game warden or forester in question had violated every game and fish law on the statute books, he agreed that I was right and told me, "We have been after him for two years but he is too foxy for us; we have not been able to catch him."

Now, this same game warden commits another offense. He told me himself that he had caught 4,200 bait fish out of that lake in one week. He sends these bait fish out of the State and often sells them at a cent apiece. He charges every fisherman that comes there a dollar a day for a boat and a cent apiece for bait, and he purposely treats this bait in such a manner that by the time you row from his boat landing to the fishing ground at least seventy-five per cent. of the bait fish are dead and in an hour's time you have to come back and it means another dollar to him. Several years ago a friend of mine and I fished in that lake and we discovered a gill net. We came down and notified this forester of the presence of this gill net in this water and he said, "I will give it my attention;" and he did. He gave it mighty good attention. He went down and got it out and put it on the fence back of his house to dry and after it was dried he rolled it up and put away for further use.

I know that he has entertained as high as twenty men in one night at his house when he acted as forester. He has seventy-two boats on this lake and I have been there more than once when not a single boat was left.

Now the result of catching these bait fish out of the lake in such numbers as he has caught them and sold them has destroyed the food fish for the big fish in the lake and the result is that the big pickerel has taken to eating up the small pickerel and where ten years ago you could go there fishing and come away with a good catch of fish, but you go there now and come away with mighty few.

These are abuses which this bill is intended to remedy and I sincerely ask and hope every man in this House will vote for it.

Mr. DELL. Mr. Speaker and gentlemen of the House, when this bill first appeared before the Game Committee it was a question with the members of the Committee whether or not it was advisable, but after we considered it carefully we came to this conclusion: The forest rangers, the fish wardens and the game protectors are hired by the State. The game protectors are paid out of your license fees, you pay them. But they, during their summer's work, find where the game is most plentiful and, though they are your servants, they gather a few of their friends and they take them to the point where the game is plentiful and the game is slaughtered.

You have paid your dollar license; you have taken your time; you spend your money to go to the point to hunt game, and the forest ranger or the game warden, especially the game warden, who has been paid out of your own money, has succeeded in exterminating the game and you get none. Therefore we believed and I believe now that this bill should be passed to correct an abuse by the man who is paid out of your own pocket and I sincerely trust because of that that this bill will pass and correct an evil that is going on in this State against the general hunter.

Mr. ALBEE. Mr. Speaker, I would like to ask the gentlemen of this House if the gentlemen who spoke in favor of this bill have not borne out my argment entirely? They have quoted one single place in the State of Pennsylvania where somebody they claim has violated the game and fish laws. Now, if that is the case, we have laws in the State of Pennsylvania that they have recourse to and by which they can get after these men. And they admit to it that he resigned from the position he held.

Now, gentlemen, I submit to you if it is fair to put all the rest of the game wardens, the fish wardens and the forest rangers, of whom we have no knowledge whatever that they have ever violated the law of the State of Pennsylvania or ever had any complaints in regard to the fishing or hunting in the State of Pennsylvania, I submit to you, gentlemen, if it is fair to put those gentlemen under the ban on account of one or two men who they say violated the law in Pennsylvania, which I do not know whether they have or not.

Mr. PHILLIPS. Mr. Speaker, I desire to interrogate the gentleman from Northampton, Mr. Stofflet.

The SPEAKER. Will the gentleman from Northampton, Mr. Stofflet, permit himself to be interrogated?

Mr. STOFFLET. Mr. Speaker, I will.

Mr. PHILLIPS. Do you think that one dollar per day for a boat to fish and one cent apiece for bait is too much for a man to charge?

Mr. STOFFLET. No, sir, I do not, not if the bait is properly taken care of; but what I fail to see is this: why one man should monopolize a water that belongs to the State and why one man should catch bait out of State waters and sell it and make $420.00 a week out of it; and at the same time I am informed that the State is actually propagating food fish and putting them into these waters to feed the big fish and then permitting dishonest foresters or game wardens to catch the food fish that are in the waters and sell them.

As to the argument of the gentleman from Potter, Mr. Albee, let me say this: He says it is not fair that one game warden should be punished for the sins of the other. I have read within the last week that in China they have not had a bank failure for eight hundred years, and the law there is this: That when a bank in China closes its doors and goes broke they execute every man that works in that bank. Now, if it is necessary to punish every game warden in the State because some dishonest fellows have come into the service, let us do it.

Mr. BEYER. Mr. Speaker, I desire to interrogate the gentleman from Northampton, Mr. Stofflet.

The SPEAKER. Will the gentleman from Northampton, Mr. Stofflet, permit himself to be interrogated?

Mr. STOFFLET. Mr. Speaker, yes sir.

Mr. BEYER. Mr. Speaker, I desire to know of the gentleman what opportunity there would be of getting a boat if the fish warden was not there, prepared to hire out these boats that you speak of?

Mr. STOFFLET. In places where persons not fish wardens have attempted to place boats on State waters these same wardens have made it so unpleasant for persons who hired boats from the other fellow, by watching them so closely and measuring every fish that comes in and in many instances unjustly harrasing and arresting these fellows, that they refused to hire boats from other persons excepting the wardens.

Mr. BEYER. Mr. Speaker, I desire to further interrogate the gentleman from Northampton, Mr. Stofflet.

The SPEAKER. Will the gentleman from Northampton, Mr. Stofflet, permit himself to be further interrogated?

Mr. STOFFLET. I will, Mr. Speaker.

Mr. BEYER. Does the State of Pennsylvania provide any boats on any public waters of any kind on these game preserves?

Mr. STOFFLET. There is too much noise; I cannot understand you.

Mr. BEYER. Does the State of Pennsylvania provide any boats on the waters in these game preserves?

Mr. STOFFLET. It does not.

Mr. BEYER. Then you have got to hire the boats from some individual?

Mr. STOFFLET. Yes sir.

Mr. BEYER. Now, with regard to the matters that you have spoken about, are these boats to be hired elsewhere than from the game wardens?

Mr. STOFFLET. In some places, on some State waters, they are. There are other persons besides the game wardens on some State waters, for instance, on the Mud Lake Reservation. On the Mud Lake Reservation the game warden has two boats; all the other boats on that water are owned by other persons.

Mr. ALBEE. Mr. Speaker, I would like to interrogate the gentleman from Northampton.

The SPEAKER. Will the gentleman from Northampton, Mr. Stofflet, permit himself to be interrogated?

Mr. STOFFLET. Mr. Speaker, yes sir.

Mr. ALBEE. Mr. Speaker, I would like to ask the gentleman from Northampton if he has had any knowledge of the violation of the game and fish laws by the gentleman he speaks of?

Mr. STOFFLET. Mr. Speaker, I have.

Mr. ALBEE. Did you make any complaint?

Mr. STOFFLET. No, not myself. The complaint was made by other parties.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—108.

Baker,	Graeff,	Miller, G. J. A.,	Smith, F. I.,
Baldridge,	Graham,	Morgan, T.,	Smith, L.,
Barner,	Hibshman,	Murdoch,	Smith, O. W.,
Bell,	Hoffman,	Murphy,	Somerman,
Benchoff,	Hollern,	Musser,	Sones,
Benninger,	Howarth,	Neary,	Spangler,
Black,	Jack,	Ogden,	Speicher,
Bovee,	Jennings,	Palmer,	Sprowls,
Brady,	Jones,	Patterson,	Stadtlander,
Brumbaugh,	Lafferty,	Pickering,	Steedle,
Burnett,	Lauler,	Powell,	Stern,
Campbell, J. O.,	Leary,	Rich,	Stofflet,
Canon,	Lewis,	Ringler,	Strauss,
Chestnut,	Luppert,	Robertson,	Sullivan,
Christman,	Maurer,	Rogers,	Sweitzer,
Coldsmith,	McArdle,	Ross,	Taylor,
Conner,	McCaig,	Rothenberger,	Thomas,
Crosby,	McCullough,	Ruddy,	Vickerman,
Davis, D. F.,	McCurdy,	Rudisill,	Vogdes,
Dell,	McKay,	Sampsel,	Wagner,
Dithrich,	McPeake,	Sarig,	Weimer,
Donneley,	McVicar,	Schaeffer, A. C.,	Whitaker,
Drake,	Mearkle,	Shunk,	Woodward,
Erdman,	Mervine,	Siggins,	Wylie,
Fitzgibbon,	Michel,	Simpson,	Wynne,
Fowler,	Miller, Allan,	Sinclair,	Zanders,
Geary,	Miller, C. G.,	Smith, E. R.,	Baldwin,
Goodnough,			Speaker.

NAYS—51.

Albee,	Davis, W.,	Horton,	Reynolds,
Arthur,	Drinkhouse,	Kennedy,	Rhoads, H. L.,
Baldi,	Dunn,	Lanius,	Rininger,
Bechtold,	Franklin,	Lohr,	Scott,
Beyer,	Glass,	Malie,	Shattuck,
Bidelspacher,	Golder,	Marvin,	Smith, J. W.,
Boyd,	Gormley,	McKinney,	Sterling,
Campbell, T.,	Gransback,	McNichol,	Walter,
Clements,	Haight,	Mehring,	Wells.
Corbin,	Haldeman,	Milner,	West,
Cox,	Hecht,	Mitchell,	Williams, G. W.
Cummins,	Helt,	Phillips,	Wood,
Curry,	Hollingsworth,	Reichenbacker,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1032, entitled

An Act validating certain proceedings and elections of any town, township or borough held to submit and determine the question of becoming a city of the third class, held pursuant to an act, entitled "An Act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," approved the twenty-seventh day of June, one thousand nine hundred and thirteen, as amended by the act approved the thirteenth day of May, one thousand nine hundred and fifteen, and validating letters patent issued or to be issued in pursuance thereof.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Baker,	Fitzgibbon,	McPeake,	Shunk,
Baldi,	Fowler,	McVicar,	Siggins,
Baldridge,	Franklin,	Mearkle,	Simpson,
Barner,	Fretz,	Mehring,	Sinclair,
Bechtold,	Gans,	Mervine,	Smith, E. R.,
Bell,	Geary,	Michel,	Smith, F. I.,
Benchoff,	Golder,	Miller, A. D.,	Smith, J. W.,
Benninger,	Goodnough,	Miller, Allan,	Smith, L.,
Beyer,	Goodwin,	Miller, C. G.,	Smith, O. W.,
Bidelspacher,	Gormley,	Miller, G. J. A.,	Snyder,
Black,	Graeff,	Mitchell,	Somerman,
Bovee,	Gransback,	Morgan, T.,	Sones,
Boyd,	Haldeman,	Murdoch,	Speicher,
Brady,	Hecht,	Murphy,	Sprowls,
Brumbaugh,	Heffernan,	Neary,	Stadtlander,
Burnett,	Hess,	Ogden,	Steedle,
Campbell, J. O.,	Heyburn,	Palmer,	Stern,
Campbell, T.,	Hibshman,	Patterson,	Stofflet,
Canon,	Hoffman,	Phillips,	Strauss,
Chestnut,	Hollern,	Pickering,	Sullivan,
Christman,	Hollingsworth,	Powell,	Swartz,
Clements,	Horton,	Ramsey,	Sweitzer,
Coldsmith,	Howarth,	Reichenbacker,	Taylor,
Conner,	Isherwood,	Reynolds,	Thomas,
Corbin,	Jennings,	Rhoads, H. L.,	Urich,
Cox,	Jones,	Rhodes, W. M.,	Vogdes,
Crosby,	Kennedy,	Rich,	Walker,
Cummins,	Lanius,	Richards,	Wallace,
Curry,	Laucks,	Ringler,	Walter,
Davis, D. F.,	Leary,	Rininger,	Weimer,
Davis, W.,	Lewis,	Rogers,	West,
Dean,	Luppert,	Ross,	Wickman,
Dell,	Malie,	Rothenberger,	Williams, G. W.
Dewey,	Marvin,	Ruddy,	Williams, J. P.,
Dithrich,	Maurer,	Rudisill,	Wood,
Donneley,	McArdle,	Sampsel,	Woodward,
Drake,	McCaig,	Sarig,	Wynne,
Drinkhouse,	McCullough,	Schaeffer, A. C.,	Zanders,
Dunn,	McCurdy,	Scott,	Baldwin,
Ehrhardt,	McKay,	Shaffer, C. A.,	Speaker.
Erdman,	McKinney,	Shattuck,	
Fackler,	McNichol,	Showalter,	

NAYS—2.

Albee,	Aston,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 991, as follows

An Act authorizing and empowering the State Highway Commissioner to take over abandoned rights of way or any part or parts thereof owned or controlled by railroad or railway companies for the use of the State Highway Department for the purpose of locating or relocating and constructing State highways and providing a method of acquiring the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Commissioner be and is hereby authorized and empowered to acquire as hereinafter provided any abandoned right of way of railroad or railway companies or part or parts thereof for a public highway and a part of the State Highway system and to take over for the State Highway Department any such abandoned right of way or any part or parts thereof owned or controlled by any railroad or railway company for the purpose of locating or relocating and constructing such as State Highways

Section 2 When it is desired to locate or relocate a State Highway upon such abandoned right of way or portion thereof it shall be the duty of the State Highway Commissioner for and in behalf of the Commonwealth by amicable agreement at a fair and reasonable price which shall be approved by the Governor to purchase said right of way or part thereof as may be necessary for the locating and constructing of said State Highway from the owner or owners thereof

Section 3 In like manner the State Highway Commissioner shall purchase any right title or interest of any individuals or corporations in and to any part or portion of the lands forming any part of said right of way and if a fair and reasonable price to be approved by the Governor for such part interest in such lands cannot be agreed upon it shall then be lawful for the State Highway Commissioner to secure any right title or interest of any individual or corporation in and to the land forming part of such right of way by condemnation proceedings under the methods of procedure provided in the ninth section of the act of May thirty-first one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) and the amendments and supplements thereto

Section 4 The amount agreed upon for the purchase of said right of way or part thereof as provided in section two or for the right title and interest of any individual or corporation therein or as determined by virtue of condemnation proceedings as provided in section three hereof shall be paid by the State Treasurer upon warrant of the Auditor General from funds appropriated to the said State Highway Department for the purposes of location maintenance and repairs of State highways in accordance with the procedure for payment of moneys and damages by the State Highway Department as set forth in act of Assembly approved May thirty-one one thousand nine hundred eleven (Pamphlet Laws four hundred sixty-eight) and amendments and supplements thereto

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Albee,	Geary,	Mehring,	Siggins,
Arthur,	Glass,	Mervine,	Simpson,
Baker,	Golder,	Miller, A. D.,	Sinclair,
Baldi,	Goodnough,	Miller, Allan,	Smith, E. R.,
Baldridge,	Goodwin,	Miller, C. G.,	Smith, F. I.,
Barner,	Graeff,	Miller, G. J. A.,	Smith, J. W.,
Bell,	Graham,	Mitchell,	Smith, O. W.,
Benchoff,	Gransback,	Morgan, T.,	Snowden,
Benninger,	Haight,	Morgan, T. J.,	Somerman,
Beyer,	Haldeman,	Murdoch,	Sones,
Bidelspacher,	Hecht,	Murphy,	Speicher,
Black,	Heffernan,	Musser,	Sprowls,
Bovee,	Hess,	Ogden,	Steedle,
Boyd,	Heyburn,	Palmer,	Stern,
Brady,	Hibshman,	Perry,	Stofflet,
Burnett,	Hoffman,	Phillips,	Strauss,
Campbell, J. O.,	Hollern,	Pickering,	Sullivan,
Campbell, T.,	Hollingsworth,	Powell,	Swartz,
Canon,	Hough,	Ramsey,	Sweitzer,
Chestnut,	Isherwood,	Reitzel,	Taylor,
Christman,	Jack,	Reynolds,	Thomas,
Clements,	Jennings,	Rhoads, H. L.,	Ulsh,
Conner,	Jones,	Rhodes, W. M.,	Vickerman,
Corbin,	Kennedy,	Rich,	Vogdes,
Crosby,	Lafferty,	Richards,	Wagner,
Curry,	Lanius,	Ringler,	Walter,
Dale,	Laucks,	Rininger,	Weimer,
Davis, D. F.,	Leary,	Robertson,	Wells,
Davis, W.,	Lewis,	Ross,	West,
Dell,	Luppert,	Rothenberger,	Whitaker,
Dithrich,	Malle,	Ruddy,	Wickman,
Donneley,	Mangan,	Rudisill,	Williams, G. W.
Drake,	Marvin,	Sampsel,	Williams, J. P.,
Drinkhouse,	McArdle,	Sarig,	Wobensmith,
Eby,	McCullough,	Schaeffer, A. C.,	Wood,
Ehrhardt,	McCurdy,	Scott,	Woodward,
Fitzgibbon,	McKay,	Shaffer, C. A.,	Wylie,
Fowler,	McKinney,	Shattuck,	Wynne,
Franklin,	McPeake,	Showalter,	Zanders,
Fretz,	McVicar,	Shunk,	Baldwin,
Gans,	Mearkle,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1147, entitled

An Act validating certain satisfaction of mortgages heretofore entered in good faith at the instance of the mortgagee.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COX. Mr. Speaker, I would like the sponsor of this bill to explain it to the House.

Mr. DITHRICH. Mr. Speaker, for a great many years the practice of most of the counties of the State has been to satisfy the mortgagees by filing a separate satisfaction piece. The Attorney General recently rendered an opinion which said such mortgages were not valid unless satisfaction was entered upon the margin of the record which has validated such mortgages made in good faith at the instance of the mortgagee.

Mr. COX. How is satisfaction made perfect?

Mr. DITHRICH. The mortgagee has furnished power of attorney.

Mr. COX. Why do you want to validate it then?

Mr. DITHRICH. Because the Attorney General has held in his opinion that even if power of attorney is furnished, it was not sufficient and that the only way it could be satisfied is by entering it on the margin of the record.

Mr. COX. Has the Attorney General rendered an opinion that we can refer to?

Mr. DITHRICH. I cannot give you a reply to that. It was quoted in the Legal Intelligencer and the Legal Journal but I cannot refer you to anything more definite.

Mr. COX. I would suggest that you postpone this bill for the present.

BILL POSTPONED.

Mr. DITHRICH. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. STADTLANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 689, entitled

An Act regulating the speed of motor-driven vehicles run on or over the public bridges of this Commonwealth and providing the punishment for violations thereof.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Albee,	Fowler,	McKay,	Shattuck,
Arthur,	Franklin,	McNichol,	Shunk,
Aston,	Fretz,	McVicar,	Siggins,
Baker,	Geary,	Mearkle,	Simpson,
Baldi,	Glass,	Mervine,	Sinclair,
Baldridge,	Golder,	Michel,	Smith, E. R.,
Barner,	Goodnough,	Miller, A. D.,	Smith, F. I.,
Bechtold,	Gormley,	Miller, Allan,	Smith, J. W.,
Bell,	Graeff,	Miller, C. G.,	Smith, L.,

Benchoff,	Graham,	Miller, G. J. A.,	Smith, O. W.,
Benninger,	Haight,	Milner,	Snyder,
Beyer,	Haldeman,	Mitchell,	Somerman,
Black,	Hecht,	Morgan, T.,	Sones,
Bovee,	Heffernan,	Murdoch,	Speicher,
Boyd,	Hess,	Murphy,	Sprowls,
Brady,	Heyburn,	Musser,	Stadtlander,
Burnett,	Hibshman,	Ogden,	Steedle,
Campbell, J. O.,	Hoffman,	Palmer,	Sterling,
Campbell, T.,	Hollern,	Perry,	Stites,
Canon,	Hollingsworth,	Phillips,	Stofflet,
Chestnut,	Howarth,	Pickering,	Strauss,
Christman,	Isherwood,	Powell,	Sullivan,
Clements,	Jack,	Ramsey,	Swartz,
Coldsmith,	Jennings,	Reichenbacker,	Sweitzer,
Conner,	Jones,	Reynolds,	Taylor,
Corbin,	Lafferty,	Rhoads, H. L.,	Ulsh,
Cox,	Lanius,	Rhodes, W. M.,	Vickerman,
Crosby,	Laucks,	Rich,	Wagner,
Curry,	Lauler,	Richards,	Wallace,
Davis, D. F.,	Leary,	Ringler,	Walter,
Davis, W.,	Lewis,	Rininger,	Weimer,
Dean,	Lohr,	Robertson,	Wells,
Dell,	Luppert,	Rogers,	West,
Donneley,	Malie,	Ross,	Williams, G. W.
Dithrich,	Mangan,	Rothenberger,	Williams, J. P.,
Drake,	Marvin,	Ruddy,	Woodward,
Drinkhouse,	Maurer,	Rudisill,	Wylie,
Eby,	McArdle,	Sampsel,	Wynne,
Ehrhardt,	McCaig,	Sarig,	Zanders,
Erdman,	McCullough,	Scott,	Baldwin,
Fitzgibbon,	McCurdy,	Shaffer, C. A.,	Speaker.

NAYS—3.

Mehring,	Whitaker,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 794, entitled

An Act to provide for the extradition of persons of unsound mind and to make uniform the laws of the states which enact the same.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Albee,	Franklin,	Miller, C. G.,	Smith, E. R.,
Aron,	Fretz,	Miller, G. J. A.,	Smith, J. W.,
Arthur,	Gans,	Milner,	Smith, L.,
Benchoff,	Geary,	Morgan, T. J.,	Smith, O. W.,
Beyer,	Glass,	Murphy,	Snyder,
Black,	Golder,	Musser,	Speicher,
Bovee,	Goodnough,	Neary,	Sprowls,
Boyd,	Goodwin,	Ogden,	Steedle,
Brady,	Graeff,	Palmer,	Sterling,
Burnett,	Haldeman,	Pickering,	Stern,
Campbell, J. O.,	Heffernan,	Powell,	Stofflet,
Campbell, T.,	Hess,	Reichenbacher,	Strauss,
Canon,	Heyburn,	Reynolds,	Sullivan,
Chestnut,	Hibshman,	Rhoads, H. L.,	Swartz,
Christman,	Hoffman,	Rich,	Sweitzer,
Coldsmith,	Hollern,	Richards,	Taylor,
Conner,	Hollingsworth,	Ringler,	Thomas,
Cox,	Howarth,	Rininger,	Urich,
Crosby,	Jennings,	Robertson,	Wagner,
Curry,	Jones,	Rogers,	Walker,
Davis, D. F.,	Lauler,	Ross,	Weimer,
Davis, W.,	Lewis,	Rothenberger,	Wells,
Dean,	Lohr,	Ruddy,	Whitaker,
Dell,	Mangan,	Rudisill,	Wickman,
Dewey,	Marvin,	Sampsel,	Williams, G. W.
Dithrich,	McCaig,	Sarig,	Williams, J. P.,
Donneley,	McCullough,	Scott,	Wobensmith,
Drake,	McCurdy,	Shaffer, C. A.,	Wood,
Dunn,	McKay,	Shattuck,	Woodward,
Ehrhardt,	McNichol,	Showalter,	Wylie,
Erdman,	McVicar,	Siggins,	Wynne,
Fackler,	Mearkle,	Simpson,	Zanders,
Fitzgibbon,	Mervine,	Sinclair,	Baldwin,
Fowler,	Miller, Allan,		Speaker.

NAYS—17.

Baker,	Kennedy,	McKinney,	Somerman,
Baldridge,	Lanius,	Miller, A. D.,	Wallace,
Bidelspacher,	Leary,	Phillips,	Walter,
Graham,	Luppert,	Shunk,	West,
Jack,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES.

Mr. HECHT, from the Committee on Judiciary Special, reported as committed House Bill No. 1141, entitled

An Act authorizing Almeda G. Pickering, of the Borough of Towanda, Bradford County, Pennsylvania, to bring suit against the Commonwealth.

Mr. MICHEL, from the Committee on Law and Order, reported as committed House Bill No. 1498, entitled

An Act providing that retail and wholesale liquor licenses, good-wills, and leaseholds in connection therewith, and the proceeds of the sale thereof, shall be an asset for the payment of the debts of deceased licensee, and for the transfer and holding of such license, and for whose benefit such license shall be held; and for the form of application thereof, and liabilities of transferee.

Mr. RUDDY, from the Committee on Counties and Townships, reported as committed House Bill No. 1191, entitled

An Act fixing the compensation of township auditors in townships of the first class, and providing how said compensation is to be paid.

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 344, entitled

An Act providing that automobiles when passing a standing street car from which a member of the crew has alighted shall not pass the car on the side on which the member of the crew is performing his duty.

Mr. RUDDY, from the Committee on Counties and Townships, reported as committed House Bill No. 1065, entitled

A Further Supplement to an act approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes and to prescribe the form of government for townships of each class," authorizing townships of the first class to make regulations for the construction of new buildings and repair the old ones; requiring approval of plans; providing for inspection; prescribing within which certain kinds of material may not be used; providing penalties for the violation thereof.

Mr. PICKERING, from the Committee on Agriculture, reported as committed House Bill No. 1408, entitled

An Act to amend sections one and three of an act approved the first day of May, one thousand nine hundred nine, entitled "An Act to regulate the manufacture and sale of commercial fertilizers; prescribing penalties for its violation, and repealing an act, entitled 'An Act to regulate the manufacture and sale of commercial fertilizers; providing for its enforcement, and prescribing penalties for its violation,' approved the twenty-fifth day of March, Anno Domini one thousand nine hundred and one."

Mr. JONES, from the Committee on Counties and Townships, reported as committed House Bill No. 1453, entitled

An Act to amend section one of an act approved the fifth day of May one thousand nine hundred eleven, entitled "An Act to amend section one of an act approved June twenty-second, one thousand eight hundred and ninety-seven entitled 'An Act to amend section four of an act approved June eight, one thousand eight hundred and eighty-one, entitled "An Act to authorize the erection of a poor house by the Township of Jenkins, Borough of Pittston, and Township of Pittston, in the County of Luzerne," approved May eight, one thousand eight hundred and fifty-seven, allowing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district,' authorizing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district."

Mr. JONES, from the Committee on Insurance, reported as committed House Bill No. 1365, entitled

An Act requiring public adjusters engaged in the adjustment of claims for loss or damage by fire under a policy or policies of insurance upon property in this Commonwealth to be licensed by the Insurance Commsisioner; defining such public adjuster; providing for the payment of a fee for the issuance of a license, and prescribing penalties for any violation of the act.

Mr. JONES, from the Committee on Counties and Townships, reported as amended House Bill No. 441, entitled

An Act to further amend the eighty-ninth section of an act approved the fifteenth day of April, one thousand eight hundred thirty-four, entitled "An Act relating to counties and townships and county and township officers," as amended, by fixing the per diem compensation of assessors and assistant assessors.

Mr. CHRISTMAN, from the Committee on Counties and Townships, reported as committed House Bill No. 1488, entitled

An Act validating certain elections of counties, cities, boroughs, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto, and validating bonds issued or authorized to be issued in pursuance of said elections.

Mr. CHRISTMAN, from the Committee on Counties and Townships, reported as committed House Bill No. 1389, entitled

An Act establishing in the several jails, prisons and penitentiaries the Bertillion method for the identification of criminals; imposing certain duties upon the warden of the Western Penitentiary, and authorizing county commissioners to provide measuring instruments and cabinets for the filing of cards and photographic plates at the expense of the county.

Mr. CHRISTMAN, from the Committee on Counties and Townships, reported as committed House Bill No. 851, entitled

An Act to amend the first paragraph of section four of the act approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes, and to prescribe the form of government for townships of each class," as amended.

Mr. PERRY, from the Committee on Law and Order, reported as committed House Bill No. 1289, entitled

An Act regulating the giving and delivery of trading stamps coupons and similar articles in connection with the sale and purchase of goods, wares and merchandise and providing penalties.

Mr. THEODORE CAMPBELL, from the Committee on Municipal Corporations, reported as committed House Bill No. 603, entitled

An Act repealing an act, entitled "An Act amending article six of an act, entitled 'An Act for the government of cities of the second class,' approved the seventh day of March, Anno Domini, one thousand nine hundred and one, as amended by an amendatory act, approved the first day of April, Anno Domini one thousand nine hundred and nine, and as affected by an act, entitled 'An Act providing a uniform rate of assesment and taxation for all real estate in cities of the second class,' approved the eleventh day of May, Anno Domini one thousand nine hundred and eleven, by providing for the classification of real estate for purposes of taxation into two classes, to wit, the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class," approved May fifteenth, Anno Domini one thousand nine hundred and thirteen.

Mr. THOMAS, from the Committee on Municipal Corporations, reported as committed House Bill No. 1265, entitled

An Act to amend section one of an act approved the twenty-fifth day of June, one thousand nine hundred and thirteen, entitled "An Act authorizing the township commissioners, or townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township, leading directly to or connecting cities, boroughs, villages, or places of public resort; providing for and regulating the construction of the same; and authorizing the township commissioners to charge a part of the expense of constructing the same, including the grading and curbing thereof, upon the abutting property owners, and to defray the remaining part of such expense from the public funds of the township," ordaining and establishing sidewalks over and upon land abutting along the sides of streets, highways and turnpikes, and providing for the assessment and payment of damages and benefits in connection therewith.

Mr. THOMAS, from the Committee on Municipal Corporations, reported as amended House Bill No. 1264, entitled

An Act to amend sections one and two of an act approved the seventh day of June, one thousand nine hundred and one, entitled "An Act to authorize the township commissioners, in townships of the first class, to lay out, widen, open and vacate streets and the highways within their respective townships, at the expense of the township or the properties benefited.

Mr. THOMAS, from the Committee on Municipal Corporations, reported as committed House Bill No. 1263, entitled

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen, entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Mr. GANS, from the Committee on Law and Order, reported as committed House Bill No. 1180, entitled

An Act to prohibit dancing, singing, carbaret shows, vaudeville or theatrical entertainments, and moving picture exhibitions in places licensed for the sale of vinous, spirituous malt or brewed liquors.

Mr. GOLDER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1076, entitled

An Act authorizing the Governor of the Commonwealth of Pennsylvania to convey to the estates of Susan E. Bayard and Mary Bayard certain lands in the Seventh Ward of the City of Pittsburgh, County of Allegheny.

Mr. GOLDER, from the Committee on Municipal Corporations, reported as committed House Bill No. 435, entitled

An Act to further amend an act approved the eleventh day of May, one thousand nine hundred and eleven, entitled "An Act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights, and fixing the penalties for the violation of the provisions hereof," by including instruments and devices used for weighing by manufacturers and at mines and quarries, and by which the wages of employes are determined.

Mr. RININGER, from the Committee on Law and Order, reported as committed House Bill No. 840, entitled

An Act amending an act, entitled "An Act prohibiting the offering or giving of premium by any person, partnership, or corporation, licensed to sell vinous, spiritous, malt, or brewed liquors at wholesale or retail, for the return of caps, stoppers, corks, stamps, or labels taken from any bottle, case, keg, barrel, or package containing such vinous, spiritous, malt, or brewed liquors and providing a penalty for the violation thereof," approved the twelfth day of June, Anno Domini nineteen thirteen, prohibiting the offer of gifts or premiums or presents as an inducement for the purchase of liquors, or for any other purpose.

Mr. SCOTT, from the Committee on Forestry, reported as committed House Bill No. 1363, entitled

An Act directing the Commissioner of Forestry to prepare, edit and publish an ediciton of bulletin number eleven of the Department of Forestry, known by the title of Pennsylvania Trees; providing for the printing, binding and distribution of said edition, and making an appropriation.

Mr. BECHTOLD, from the Committee on Municipal Corporations, reported as committed House Bill No. 1451, entitled

An Act providing for the payment out of the city treasury in cities of the second class, of the salaries of city employes enlisting in the army and navy or called into the service of the United States; and conferring powers upon the council, city controller and city treasurer.

Mr. BECHTOLD, from the Committee on Municipal Corporations, reported as committed House Bill No. 1452, entitled

An Act providing for the payment out of the county treasury in certain counties of the salaries of county employes enlisting in the army and navy or called into the service of the United States; and conferring certain powers upon the county commissioners, county controller and county treasurer.

Mr. MILNER, from the Committee on Law and Order, reported as committed House Bill No. 1131, entitled

An Act amending section seventeen of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixture thereof" approved the thirteenth day of May, Anno Domini one thousand eight hundred and eighty-seven, prohibiting the sale of liquors during certain hours of the day.

Mr. GLASS, from the Committee on Municipal Corporations, reported as committed House Bill No. 1423, entitled

An Act fixing the salary of the deputy coroner of counties having a population of one million five hundred thousand or over.

Mr. JOHN P. WILLIAMS, from the Committee on Counties and Townships, reported as committed House Bill No. 1426, entitled

An Act to further amend an act approved the eleventh day of May, one thousand nine hundred and eleven, entitled "An Act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof."

Mr. RININGER, from the Committee on Law and Order, reported as committed House Bill No. 1023, entitled

An Act making it a misdemeanor for any person under twenty-one years of age to procure or attempt to procure intoxicating liquors.

Mr. LAULER, from the Committee on Law and Order, reported as committed House Bill No. 17, entitled

An Act authorizing cities of the second and third classes to engage in the business of farming including dairy farming and vesting certain powers in said cities in connection therewith.

Mr. DONNELEY, from the Committee on Counties and Townships, reported as committed House Bill No. 1353, entitled

An Act amending an act entitled "An Act for the division of townships, upon the application of the owners of twenty-five per centum of the assessed valuation of the real estate thereof, and prescribing the manner of holding an election upon the question of division, and declaring any proceeding for a division under former laws to be no bar to a proceeding under this act."

Mr. BOULTON, from the Committee on Public Roads, reported as committed House Bill No. 1072, entitled

An Act to authorize the construction of branches by railroad companies.

Mr. DEAN, from the Committee on Insurance, reported as committed House Bill No. 1034, entitled

An Act to provide for the incorporation and regulation of mutual insurance companies, other than life, and for the licensing and regulation of such companies from other states, and to repeal existing laws.

Mr. POWELL, from the Committee on Counties and Townships, reported ac committed House Bill No. 1135, entitled

An Act placing the control and management of county jails and prisons in the several counties of the Commonwealth, and the inmates thereof in boards of prison inspectors; providing for the appointment of such boards in each of said counties and for the regulation and government of said jails and prisons and the inmates thereof; providing for the payment of the necessary expenses for keeping, furnishing and maintaining said jails and prisons by the several counties, respectively, and prescribing the duties of the commissioners and treasurers, respectively, of said counties relative to the payment of such expenses.

Mr. THEODORE CAMPBELL, from the Committee on Municipal Corporations, reported as amended House Bill No. 685, entitled

An Act to amend and revise an act, entitled "An Act providing for the incorporation, regulation, and government of cities of the third class, regulating nomination and election of municipal officers therein, and repealing, consolidating, and extending existing laws in relation thereto," approved the twenty-seventh day of June, Anno Domini one thousand nine hundred thirteen, enlarging, changing, modifying, and defining certain of the powers of cities of the third class.

Mr. ALLAN D. MILLER, from the Committee on Judiciary Local, reported as committed House Bill No. 1240, entitled

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania, and of the counties therein having a population of two hundred and fifty thousand inhabitants or more, and of such other counties and of such cities of the third class therein as may accept its provisions by a vote of the people of such counties or cities respectively, making any violation of its provisions a misdemeanor and providing penalties for any violations thereof.

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1541 (Senate Bill No. 837), entitled

An Act authorizing appeals from the courts of common pleas to the Supreme and Superior Courts from orders granting new trials.

Mr. MURDOCH, from the Committee on Municipal Corporations, reported as committed House Bill No. 1109 (Senate Bill No. 468), entitled

An Act to enable two or more boroughs that are contiguous or in close proximity, to be united and to become one city, wherever each of said boroughs shall have heretofore voted or shall hereafter vote to become a city of the third class, under laws now enacted or which may hereafter be enacted and wherever each of said boroughs has duly received or shall hereafter duly receive letters patent constituting it a city of the third class, but where sufficient time shall not have elapsed after the granting of such letters patent for the holding of a municipal election; providing for the consequences of such consolidation the government of such consolidated city, the payment of the indebtedness of each of the united territories and the enforcement of debts and claims due to and from each; and fixing the jurisdiction over the said consolidated city in the courts of the county in which the majority of its inhabitants shall reside.

Mr. THEODORE CAMPBELL, from the Committee on Public Health and Sanitation, reported as amended House Bill No. 1233 (Senate Bill No. 540), entitled

An Act for the protection of the public health by regulatin the possession, control, receipt, administering, prescribing, dispensing, sale, delivering and giving away of certain drugs and keeping records thereof by regulating the administering, dispensing, prescribing and delivery of certain drugs to habitual users of said drugs and regulating the treatment and cure of said habitual users of said drugs by providing for the revocation of the licenses of physicians, dentists, veterinarians, pharmacists and registered nurses for drug addiction and for violating the provisions of this act and otherwise fixing penalties for the violation of the provisions of this act

Mr. STERN, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1443 (Senate Bill No. 749), entitled

An Act amending section three of an act, approved the first day of June, one thousand nine hundred and fifteen, entitled "An Act to amend section three of an act, entitled 'An Act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof' approved the twenty-fifth day of July, Anno Domini one thousand nine hundred and thirteen; by providing that the Industrial Board of the Department of Labor and Industry may subdivide the one day of rest in seven into two half days" by providing that the restrictions as to hours shall not apply to females engaged at State and charitable institutions, hotels and boarding houses.

Mr. STERN, from the Committee on Insurance, reported as committed House Bill No. 1564 (Senate Bill No. 588), entitled

An Act to amend section fourteen of an act approved the second day of June one thousand nine hundred fifteen entitled "An Act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof."

Mr. GANS, from the Committee on Public Health and Sanitation, reported as amended House Bill No. 1566 (Senate Bill No. 770), entitled

An Act to further amend an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said Bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith," amended to read "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses by said Bureau; and providing penalties for violations thereof, and repealing all acts or parts of acts inconsistent therewith," by providing for further instruction prior to examination for licensure; by clarifying sections five (5) and twelve (12).

Mr. GOLDER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1095 (Senate Bill No. 249) entitled

An Act amending section one of an act, entitled "An Act to amend section one of an act ceding jurisdiction over real estate in the County of Philadelphia to be acquired by the United States," approved April fifteenth, Anno Domini one thousand nine hundred and three, increasing the limitation as to area of land the jurisdiction of which is ceded from twenty thousand square feet to forty thousand square feet, approved the twenty-fifth day of May, Anno Domini one thousand nine hundred and seven, by increasing the limitation as to area of land the jurisdiction of which is ceded from forty thousand square feet to eighty thousand square feet.

Mr. McKAY, from the Committee on Constitutional Reform, reported as committed, House Bill No. 1434 (Senate Bill No. 655), entitled

A Joint Resolution proposing an amendment to article three section six of the Constitution of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title.

Mr. BENCHOFF, from the Committee on Counties and Townships, reported as committed, House Bill No. 1093 (Senate Bill No. 171), entitled

A Supplement to the act of April twenty-eighth, eighteen hundred ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class," providing for the election of a township solicitor in townships of the first class; fixing his term of office; prescribing his duties and qualifications and authorizing the board of township commissioners to fix his compensation.

Mr. HESS, from the Committee on Judiciary Local, reported as committed, House Bill No. 1463 (Senate Bill No. 692), entitled

An Act authorizing tenants in common and coparceners of land to pay their proportionate shares of the taxes assessed against the land and providing that the sale thereof for unpaid taxes shall not impair or divest the titles of those who have paid their respective shares of such taxes.

Mr. DEAN, from the Committee on Counties and Townships, re-reported as amended, House Bill No. 409, entitled

An Act to compel land owners in townships of the second class to clear the highways abutting on their land of brush and trees and imposing certain duties and liabilities on township supervisors.

Mr. ALBEE, from the Committee on Agriculture, re-reported as committed, House Bill No. 937 (Senate Bill No. 217), entitled

An Act preventing the manufacture sale or transportation within the Commonwealth of adulterated or misbranded paris green lead arsenates lime-sulphur compounds and other insecticides and fungicides and regulating traffic therein providing for inspection of such materials and imposing penalties.

Mr. WALLACE, from the Committee on Constitutional Reform, reported with a negative recommendation, House Bill No. 1075, entitled

A Joint Resolution proposing an amendment to section four of article five, and section five of article five of the Constitution of Pennsylvania.

Mr. RININGER, from the Committee on Municipal Corporations, reported with a negative recommendation, House Bill No. 18, entitled

An Act authorizing cities of the second and third classes to procure and sell milk to the inhabitants thereof and vesting certain powers in said cities in connection therewith.

Mr. PERRY, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 136, entitled

An Act to prohibit the manufacture, sale and gift of intoxicating liquor except for certain purposes and under certain conditions; providing penalties for its violation, and repealing all laws or parts of laws in conflict with the same.

Mr. McCAIG, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 1148, entitled

An Act to amend section seventeen of an act approved the thirteenth day of May, one thousand eight hundred and eighty-seven, entitled "An Act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixtures thereof" so as to allow persons licensed to sell liquor at retail, to sell or furnish to any person any spirituous, vinous, malt or brewed liquors on Sunday between the hours of twelve noon, and seven post meridian.

HOUSE BILL NO. 1573 MADE A SPECIAL ORDER.

Mr. STERN. Mr Speaker, I move that House Bill No. 1573, File Folio 3613, entitled

An Act to carry into effect the amendment to section eight of article nine of the Constitution of Pennsylvania adopted by the people at an election held on the second day of November one thousand nine hundred and fifteen to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum upon the assessed valuation of taxable property in said city for the specific purposes authorized by said amendment regulating the manner of making such increase of indebtedness and providing for the redemption of the same validating elections held in said city since the adoption of said amendment in the manner provided by this act or by the Act of the General Assembly approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the supplements and amendments thereto and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued pursuant to authority conferred by the electors at any such election.

be made a special order of business for Wednesday, April 25, 1917, at 11.30 o'clock A. M.

Mr. HESS. Mr. Speaker, I second the motion.

The motion was agreed to.

RESOLUTION REQUESTING MEMBERS OF CONGRESS FROM PENNSYLVANIA TO SUPPORT SELECTIVE DRAFT MEASURE.

Mr. WHITAKER asked and obtained unanimous consent to offer a resolution which was twice read, considered and agreed to, as follows

In the House of Representatives, April 24, 1917.

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby request and urge the members of the House of Representatives and of the Senate of the United States from this Commonwealth to vote for and assist in the adoption of the selective draft measure now before the Congress of the United States.

Resolved, That a copy of this resolution signed by the Speaker and Chief Clerk of this House be forwarded to each Member of the Congress from this Commonwealth.

ADJOURNMENT.

Mr. GRANSBACK. Mr. Speaker, I move that this House do now adjourn until to-morrow morning at 11 o'clock.

The motion was agreed to and (at 10.35 P. M.) the House adjourned until to-morrow morning at 11 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

Vol. 4. HARRISBURG, PA., WEDNESDAY, APRIL 25, 1917. No. 44.

SENATE.

WEDNESDAY, April 25, 1917.

The Senate met at 10 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the Chair.

PRAYER.

The Chaplain, Rev. Thomas W. Davis, offered the following prayer:

Almighty God, we pray Thy blessing upon the Governor of this Commonwealth and his official family, Thy blessing upon our homes, our mothers, the wives and the children and the splendid influences that surround us there, becoming to us a place of refuge and of peace and of purity. We pray Thee to so help us to live from day to day, that we may be a blessing to those around us and that our lives may be happy. We ask these blessings in our Saviour's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. ENDSLEY, the further reading was dispensed with, and the Journal was approved.

PETITIONS

PROTESTING AGAINST THE PASSAGE OF A BILL ABOLISHING THE PRESENT SELECT AND COMMON COUNCILS OF PHILADELPHIA.

The Chair presented communication from Common Council of Philadelphia protesting against the passage and approval of any bill abolishing the present Select and Common Councils.

Which was referred to the Committee on Municipal Affairs.

FAVORING APPROPRIATION TO THE VILLAGE FOR FEEBLE-MINDED WOMEN OF CHILD BEARING AGE AT LAURELTON, ALSO FAVORING APPROPRIATION FOR THE INSTITUTIONS FOR FEEBLE-MINDED AT POLK AND SPRING CITY.

He also presented nineteen petitions of citizens of Chester County favoring appropriation to the village for feeble-minded women of child bearing age at Laurelton, sufficient to insure its immediate completion and to maintain it adequately during the years 1917 and 1918 and also by making an appropriation sufficient for the development and maintenance of the State institutions for feeble-minded at Polk and Spring City.

Which were referred to the Committee on Appropriations.

He also presented ten petitions of citizens of Erie County, favoring appropriations to the village for feeble-minded women of child bearing age at Laurelton, sufficient to insure its immediate completion and to maintain it adequately during the years 1917 and 1918, and also by making an appropriation sufficient for the development and maintenance of the State institutions for feeble-minded at Polk and Spring City.

Which were referred to the Committee on Appropriations.

He also presented seven petitions of citizens of Montgomery County, favoring appropriation to the village for feeble-minded women of child bearing age at Laruelton, sufficient to insure its immediate completion and to maintain it adequately during the years 1917 and 1918, and also by making an appropriation sufficient for the development and maintenance of the State institutions for feeble-minded at Polk and Spring City.

Which were referred to the Committee on Appropriations.

He also presented two petitions of citizens of Warren County, favoring appropriation to the village for feeble-minded women of child bearing age at Laurelton, sufficient to insure its immediate completion and to maintain it adequately during the years 1917 and 1918, and also by making an appropriation sufficient for the development and maintenance of the State institutions for feeble-minded at Polk and Spring City.

Which were committed to the Committee on Appropriations.

He also presented two petitions of citizens of Montour County, favoring appropriation to the village for feeble-minded women of child bearing age at Laurelton, sufficient to insure its immediate completion and to maintain it adequately during the years 1917 and 1918, and also by making an appropriation sufficient for the development and maintenance of the State institutions for feeble-minded at Polk and Spring City.

Which were referred to the Committee on Appropriations.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 25, 1917.

The Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their names, respectively:

CAMBRIA COUNTY.

Peter Smorto, Spangler, May 14, 1917.

PHILADELPHIA COUNTY.

Francis J. Morrissey, Philadelphia, May 20, 1917.

NORTHUMBERLAND COUNTY.

Miss Sara O. Yarnall, Sunbury, April 30, 1917.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 25, 1917.

The Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Miss I. K. Higgins, Pittsburgh.
John H. Wade, N. Fayette Township.

BLAIR COUNTY.

Miss Ruth W. Myers, Altoona.

DAUPHIN COUNTY.

John H. Alricks, Harrisburg.

SOMERSET COUNTY.

M. W. Kashmarock, Boswell.

WESTMORELAND COUNTY.

A. W. Love, Vandergrift.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 25, 1917.

The Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their names, respectively:

CLINTON COUNTY.

John U. Shaffer, Renovo, May 3, 1917.

ELK COUNTY.

T. A. Russell, Jay Township, May 6, 1917.

MARTIN G. BRUMBAUGH.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 24, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Cecil A. Taylor, to be a Justice of the Peace in and for the Borough of Venango, County of Crawford, to serve until the first Monday in January, 1918, vice Oscar Morris, who failed to qualify.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 24, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Charles C. Bole, to be a Justice of the Peace in and for the Township of Venango, County of Crawford, to serve until the first Monday in January, 1918, vice F. P. Straw, who failed to qualify.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 25, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Robert R. Clauser, to be a Justice of the Peace in and for the Borough of Sinking Springs, County of Berks, to serve until the first Monday in January, 1918, vice Henry S. Clauser, deceased.

MARTIN G. BRUMBAUGH.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. C. A. SNYDER,

That Rule 38, which requires nominations made by the Governor to be referred to proper committees, be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations,

Which was agreed to,

Whereupon,

A motion was made by Mr. C. A. SNYDER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Buckman,	Hackett,	Miller,	Snyder, P. W.,
Beales,	Haldeman,	Nason,	Sones,
Buckman,	Hindman,	Patton,	Sproul,
Burke,	Homsher,	Phipps,	Stewart,
Craig,	Jenkins,	Salus,	Vare,
Croft,	Kline,	Sassaman,	Warner,
Crow,	Leiby,	Schantz,	Wasbers,
DeWitt,	Lynch,	Semmens,	Weaver,
Endsley,	Martin,	Smith, R. E.,	Whitten,
Eyre,	McConnell,	Smith, W. W.,	Beidleman,
Graff, J. F.,	McKee,	Snyder, C. A.,	Pres. pro tem.
Graff, W. P.,	McNichol,		

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RESIGNATION OF HONORABLE CHARLES A. SNYDER, SENATOR FROM THE TWENTY-NINTH DISTRICT OF PENNSYLVANIA.

The PRESIDENT. The Chair very much regrets this morning to have the following communication in his hands, which will be read for the information of the Senate.

Harrisburg, Pennsylvania, April 25, 1917.

Hon. Frank B. McClain, President of Senate of Pennsylvania.

Dear Sir: I hereby most respectfully resign the office of Senator from the Twenty-ninth District of Pennsylvania to take effect Monday, April 30th, 1917.

Very respectfully yours,

CHAS. A. SNYDER.

COMMUNICATION FROM THE SECRETARY OF THE COMMONWEALTH ACCEDING TO THE REQUEST OF THE SENATE THAT HE ADMINISTER THE OATH OF OFFICE TO AUDITOR GENERAL-ELECT CHARLES A. SNYDER IN THE SENATE CHAMBER.

The Chair laid before the Senate the following communication from the Secretary of the Commonwealth:

CYRUS E. WOODS, SECRETARY OF THE COMMONWEALTH, HARRISBURG, PENNSYLVANIA.

April 24, 1917.

Hon. W. Harry Baker, Secretary, Senate of Pennsylvania, Harrisburg, Pennsylvania.

Sir: I have the honor to acknowledge receipt of a resolution passed this day by the Senate of Pennsylvania, requesting me to administer the oath of office to Auditor-General-elect Snyder in the Senate Chamber, at high noon, on Tuesday, May 1st, 1917.

It will give me very great pleasure to serve in the capacity indicated.

I have the honor to be,

Respectfully,

CYRUS E. WOODS,
Secretary of the Commonwealth.

HOUSE MESSAGE.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 24, 1917.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it be to reconvene on Tuesday morning, May first, at eleven forty-five o'clock; and when the House of Representatives adjourns this week it be to reconvene on Monday evening, April thirtieth at nine o'clock.

HOUSE CONCURS IN SENATE BILL NO. 213.

He also returned to the Senate Senate Bill No. 213, entitled

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the 20th day of April 1874 entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuant of such elections.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 317.

He also returned to the Senate Senate Bill No. 317, entitled

An Act validating certain elections of boroughs towns and townships held to determine the question of becoming a city of the third class and validating letters patent issued in pursuance of such elections.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 318.

He also returned to the Senate Senate Bill No. 318, entitled

An Act to amend sections one three and five of article three of an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June Anno Domini one thousand nine hundred thirteen.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 342.

He also returned to the Senate Senate Bill No. 342, entitled

A Supplement to an act approved the fifth day of June one thousand nine hundred thirteen entitled "An Act regulating the operation of motorboats and providing a penalty" giving the Board of Commissioner of Navigation jurisdiction to enforce the provisions of this act.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 352.

He also returned to the Senate Senate Bill No. 352, entitled

An Act to validate acts done by corporations before the recording of their charters.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 364.

He also returned to the Senate Senate Bill No. 364, entitled

An Act to repeal an act entitled "An Act to increase the compensation of road viewers reviewers and surveyors in the County of Allegheny" approved the thirtieth day of March Anno Domini one thousand eight hundred seventy-two.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 365.

He also returned to the Senate Senate Bill No. 365, entitled

An Act to repeal section one of an act entitled "An Act to regulate the price of supporting the prisoners in the county jail in Allegheny" approved the eighth day of May Anno Domini one thousand eight hundred fifty-five.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 366.

He also returned to the Senate Senate Bill No. 366, entitled

An Act to repeal an act entitled "An Act to encourage the destruction of foxes in the Counties of Allegheny Cambria York Mercer Union Huntingdon Luzerne and Schuylkill" approved the fourth day of May Anno Domini one thousand eight hundred thirty-two in so far as the same relates to the County of Allegheny.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 371.

He also returned to the Senate Senate Bill No. 371, entitled

An Act to repeal an act entitled "An Act for the reformation and employment of vagrants drunkards and other disorderly persons in the County of Allegheny" approved the thirteenth day of April Anno Domini one thousand eight hundred fifty-nine.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 372.

He also returned to the Senate Senate Bill No. 372, entitled

An Act to repeal an act entitled "An Act supplementary to an act passed January twenty-ninth one thousand eight hundred and sixty-three authorizing the commissioners and controller of Allegheny County to compromise with the holders of the bonds of said county" approved the twenty-second day of April Anno Domini one thousand eight hundred and sixty-three.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 373.

He also returned to the Senate Senate Bill No. 373, entitled

An Act to repeal sections two and three of an act entitled "An Act to confer on Alexander Thomas and Budd Jones and Emma Downing, of Allegheny County the rights and privileges and advantages of children born in lawful wedlock in relation to a tax on dogs in the said County of Allegheny incorporating the West Newton and Braddock's Field Plank Road Company relative to fishing with nets in the Monongahela river authorizing constables to serve civil process in Germantown relative to miners in Schuylkill County legitimatizing James C. Collins relative to the premium on fox scalps in the County of York" approved the fourteenth day of April Anno Domini one thousand eight hundred and fifty-one which said sections relate to the taxation of dogs in Allegheny County.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 377.

He also returned to the Senate Senate Bill No. 377, entitled

An Act amending the twelfth section of an act entitled "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass except actions for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" approved the fourteenth day of May Anno Domini one thousand nine hundred and fifteen providing that counties cities boroughs townships school districts and other municipalities shall not be required to file affidavits of defense.

with the information that the House has passed the same without amendment.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 689 (Senate Bill No. 937), entitled

An Act regulating the speed of motor-driven vehicles run on or over the public bridges of this Commonwealth and providing the punishment for violations thereof.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 794 (Senate Bill No. 938), entitled

An Act to provide for the extradition of persons of unsound mind and to make uniform the laws of the states which enact the same.

Which was committed to the Committee on Judiciary General.

House Bill No. 991 (Senate Bill No. 939), entitled

An Act authorizing and empowering the State Highway Commissioner to take over abandoned rights of way or

any part or parts thereof owned or controlled by railroad or railway companies for the use of the State Highway Department for the purpose of locating or re-locating and constructing State Highways and providing a method of acquiring the same.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1032 (Senate Bill No. 940), entitled

An Act validating certain proceedings and elections of any town township or borough held to submit and determine the question of becoming a city of the third class held pursuant to an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June one thousand nine hundred and thirteen as amended by the act approved the thirteenth day of May one thousand nine hundred and fifteen and validating letters patent issued or to be issued in pursuance thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 1181 (Senate Bill No. 941), entitled

An Act making the fradulent conversion of property or the proceeds of property a misdemeanor prescribing the penalties therefor and regulating the precedure therein.

Which was committed to the Committee on Judiciary General.

House Bill No. 1248 (Senate Bill No. 942), entitled

An Act requiring all persons hunting for game to wear read coats or red caps or hats and providing penalties for violations.

Which was committed to the Committee on Game and Fisheries.

House Bill No. 1249 (Senate Bill No. 943), entitled

An Act prohibiting state agents and employes from acting as guides to hunters and fishermen and from boarding or lodging hunters and fishermen during certain periods of time and providing penalties for violations.

Which was committed to the Committee on Game and Fisheries.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 213, entitled

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the 20th day of April 1874 entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuant of such elections.

Senate Bill No. 317, entitled

An Act validating certain elections of boroughs towns and townships held to determine the question of becoming a city of the third class and validating letters patent issued in pursuance of such elections.

Senate Bill No. 318, entitled

An Act to amend sections one three and five of article three of an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June Anno Domini one thousand nine hundred thirteen.

Senate Bill No. 342, entitled

A Supplement to an act approved the fifth day of June one thousand nine hundred thirteen entitled "An Act regulating the operation of motorboats and providing a penalty" giving the Board of Commissioner of Navigation jurisdiction to enforce the provisions of this act.

Senate Bill No. 352, entitled

An Act to validate acts done by corporations before the recording of their charters.

Senate Bill No. 364, entitled

An Act to repeal an act entitled "An Act to increase the compensation of road viewers reviewers and surveyors in the County of Allegheny" approved the thirtieth day of March Anno Domini one thousand eight hundred seventy-two.

Senate Bill No. 365, entitled

An Act to repeal section one of an act entitled "An Act to regulate the price of supporting the prisoners in the county jail in Allegheny" approved the eighth day of May Anno Domini one thousand eight hundred fifty-five.

Senate Bill No. 366, entitled

An Act to repeal an act entitled "An Act to encourage the destruction of foxes in the Counties of Allegheny Cambria York Mercer Union Huntingdon Luzerne and Schuylkill" approved the fourth day of May Anno Domini one thousand eight hundred thirty-two in so far as the same relates to the County of Allegheny.

Senate Bill No. 371, entitled

An Act to repeal an act entitled "An Act for the reformation and employment of vagrants drunkards and other disorderly persons in the County of Allegheny" approved the thirteenth day of April Anno Domini one thousand eight hundred fifty-nine.

Senate Bill No. 372, entitled

An Act to repeal an act entitled "An Act supplementary to an act passed January twenty-ninth one thousand eight hundred and sixty-three authorizing the commissioners and controller of Allegheny County to compromise with the holders of the bonds of said county" approved the twenty-second day of April Anno Domini one thousand eight hundred and sixty-three.

Senate Bill No. 373, entitled

An Act to repeal sections two and three of an act entitled "An Act to confer on Alexander Thomas and Budd Jones and Emma Downing, of Allegheny County the rights and privileges and advantages of children born in lawful wedlock in relation to a tax on dogs in the said County of Allegheny incorporating the West Newton and Braddock's Field Plank Road Company relative to fishing with nets in the Monongahela river authorizing constables to serve civil process in Germantown relative to miners in Schuylkill County legitimatizing James C. Collins relative to the premium on fox scalps in the County of York" approved the fourteenth day of April Anno Domini one thousand eight hundred and fifty-one which said sections relate to the taxation of dogs in Allegheny County.

Senate Bill No. 377, entitled

An Act amending the twelfth section of an act entitled "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass except actions for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" approved the fourteenth day of May Anno Domini one thousand nine hundred and fifteen providing that counties cities boroughs townships school districts and other municipalities shall not be required to file affidavits of defense.

House Bill No. 354, entitled

An Act authorizing the Legislative Reference Bureau to continue the work commenced under the provisions of an act approved the twentieth day of May one thousand nine hundred and thirteen entitled "An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the compensation of the assistant director and making an appropriation therefor" fixing the powers and duties of the bureau therein and making an appropriation.

House Bill No. 451, entitled

An Act exempting free from the claims of all creditors the proceeds of certain life insurance and annuity contracts bona fide take out by any person not exceeding one hundred dollars per month.

House Bill No. 612, entitled

An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth.

House Bill No. 738, entitled

An Act vesting in the persons appointed by the county commissioners of the several counties of this Commonwealth to inspect and repair county roads improved and maintained by such counties the power and authority now vested by law in the constables of the several cities boroughs and townships of this Commonwealth for the preservation of the peace in and along such roads and for the enforcement of acts of Assembly regulating the speed of automobiles and other vehicles thereon and for the enforcement of the rules and regulations governing the use of such roads designating such persons county road caretakers and providing for badges evidencing their authority.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES.

Mr. C. A. SNYDER, from the Committee on Judiciary Special, reported as committed Senate Bill No. 781 (House Bill No. 119), entitled

An Act authorizing a State Association of Township Supervisors and providing for the payment of the expenses thereof by the respective counties.

Also from the Committee on Judiciary Special, reported as Committed Senate Bill No. 689 (House Bill No. 447), entitled

An Act to amend the first section of "An Act approved the 18th day of April, A. D. 1905, entitled 'An Act for the better regulation of public pool rooms, billiard rooms, bowling saloons and tenpin alleys in the Commonwealth of Pennsylvania,' " and to regulate the time for closing the same.

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 824 (House Bill No. 221), entitled

An Act to further amend an act approved the 11th day of May, 1911, entitled "An Act to provide for the appointment of county and city inspectors of weights and measures, providing for their compensation and expenses, prescribing their duties, prohibiting vendors from giving false or insufficient wieghts and fixing the penalties for the violation of the provisions hereof," by including instruments and devices for weighing at coal mines.

Mr. W. W. SMITH, from the Committee on Public Printing, reported as committed Senate Bill No. 883 (House Bill No. 224), entitled

An Act to amend clause eighteen of section nineteen of an act approved the 28th day of April, 1915, (Pamphlet Laws one hundred seventy-eight), entitled "An Act creating a Division of Distribution of Documents, defining its powers and duties, regulating the printing, binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act."

Mr. KLINE, from the Committee on Judiciary General, reported as committed Senate Bill No. 651, entitled

An Act to regulate the importation into the State of Pennsylvania of dependent, delinquent, or defective children and providing a penalty for the violation thereof.

Mr. C. A. SNYDER, from the Committee on Judiciary Special, reported as committed Senate Bill No. 901, entitled

An Act authorizing the several courts of Common Pleas to appoint volunteer police officers during the present war with Germany or in any war in which this nation may become involved; providing for the organization and discipline of such police officers; and enumerating their powers.

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 927, entitled

An Act empowering express companies to employ policemen commissioned by the Governor with authority to act in all counties in the State wherein such companies carry on their business.

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 930, entitled

An Act relieving the Governor of the duty of examining and approving warrants, vouchers, claims, contracts, or other instruments providing for the expenditure or collection of public moneys by the several departments of the executive branch of the state government.

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 931, entitled

An Act to define the purposes for which a contingent fund appropriated to a department, board, commission, bureau or other division of the State government may be used, and providing penalties for the violation thereof.

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 932, entitled

An Act creating a board of finance and revenue; transferirng to it all the powers and duties of the board of public accounts, the board of revenue commissioners, the sinking fund commission, and the board to license private bankers; and fixing the number and salaries of members and employes thereof.

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 933, entitled

A Joint Resolution proposing an amendment to section sixteen of article three of the Constitution of the Commonwealth of Pennsylvania, in accordance with the provisions of the eighteenth article thereof.

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 934, entitled

An Act to amend an act approved the fourteenth day of June, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-three), entitled "An Act to provide for retirement of state employes, permanently disqualified by reason of physical or mental disability to perform their official functions and duties, with half pay, under certain conditions, during the remainder of their lives, except state employes whose retirement has been or shall be otherwise provided for, and the filling of vacancies caused by such retirement," by changing the number of years service required of the aforesaid employes and providing for the retirement of all employes who have reached the age of seventy years and have been in the service of the state for twenty-five years or more.

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 935, entitled

A Supplement to an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and seventy-eight), entitled "An Act to provide for the administration of the Workmen's Compensation Act of 1915 by creating the Bureau of Workmen's Compensation of the Department of Labor and Industry; providing for the establishment of the Workmen's Compensation Board to have charge of such Bureau; authorizing the division of the Commonwealth into Workmen's Compensation Districts, and the appointment of Workmen's Compensation Referees; defining the powers and duties of the Commissioner of Labor and Industry, the Bureau of Workmen's Compensation, the Workmen's Compensation Board, the Workmen's Compensation Referees, and the factory inspectors of the Department of Labor and Industry, in enforcing the said act; and fixing the salaries of the members of the Workmen's Compensation Board, the Workmen's Compensation Referees, and certain of their employes and assistants."

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 887 (House Bill No. 832), entitled

An Act to require that every future act of the General Assembly be given a short title for convenience of citation and to require the Legislative Reference Bureau to report to the next session of the General Assembly a list of short titles for certain acts now in force.

BILLS INTRODUCED.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 944, entitled

An Act making an appropriation to the Children's Industrial Home, at Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 945, entitled

An Act making an appropriation to the Florence Crittenton Home, of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 946, entitled

An Act making an appropriation to the Nursery Home of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 947, entitled

An Act making an appropriation to the Home for the Friendless, of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 948, entitled

An Act to exempt all script bonds or certificates of indebtedness issued by any county, city, borough, township, school district, or incorporated district of this Commonwealth from taxation for State purposes.

Which was committed to the Committee on Finance.

Also read in his place and presented to the Chair Senate Bill No. 949, entitled

An Act requiring that expenses be paid to State employes not later than the tenth of each month for the preceding month.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 950, entitled

An Act fixing the salaries of field inspectors in the Sanitary Engineering Division in the Department of Health.

Which was committed to the Committee on Appropriations.

Mr. McKEE read in his place and presented to the Chair Senate Bill No. 951, entitled

An Act amending and supplementing an act, entitled "An Act to provide revenue for State and county purposes, and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property, providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," approved the seventeenth day of June, one thousand nine hundred and thirteen, by defining the extent to which the holders of capital stock of any bank, corporation, association, company or limited partnership which pays or is relieved from taxation for State purposes shall be exempt from taxation under section one of this act, and validating assessments made in conformity therewith, and providing for the duties of the Auditor General in connection therewith.

Which was committed to the Committee on Finance.

Mr. W. W. SMITH (for Mr. Salus) read in his place and presented to the Chair Senate Bill No. 952, entitled

An Act regulating the appointment and payment of salaries of public employes paid out of the treasury of cities of the first class.

Which was committed to the Committee on Municipal Affairs.

Also (for Mr. Salus) read in his place and presented to to the Chair Senate Bill No. 953, entitled

An Act authorizing the reconstruction, alteration and repair of properties, premises, dwelling or apartment houses, factories, theatres, moving picture houses and places of amusement and other like structures where part of any such structure is taken by the public authorities under power of eminent domain or otherwise without regard to existing building laws so long as such reconstruction, alteration and repairs are made in a manner to leave the properties, premises, houses, factories, theatres, moving picture houses and places of amusement and other structures sufficiently safe for the purpose for which they are intended and receive the approval of the Department of Building Inspection or other corresponding department of local government.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 954, entitled

An Act fixing the salary of the Hardwood Floor Expert, in the Department of Public Grounds and Buildings.

Which was committed to the Committee on Appropriations.

Mr. BALDWIN read in his place and presented to the Chair Senate Bill No. 955, entitled

An Act fixing the salary of the sergeant of police, the policemen and the night-watchmen at the State Capitol.

Which was committed to the Committee on Appropriations.

Mr. PHIPPS (by request) read in his place and presented to the Chair Senate Bill No. 956, entitled

A Joint Resolution proposing an amendment to the Constitution of this Commonwealth in accordance with the provisions of the Eighteenth (XVIII) Article thereof.

Which was committed to the Committee on Judiciary General.

RESOLUTION REQUESTING THE GOVERNOR TO MAKE APPOINTMENTS.

Mr. C. A. SNYDER offered the following resolution, which was twice read as follows:

In the Senate, April 25, 1917.

Whereas, The public service is hampered and the efficiency of the several departments of the State Government is greatly lessened by reason of the fact that certain departments are at this time without heads, while the heads of other departments have not been confirmed by the Senate, therefore

Resolved, That the Senate request the Governor to appoint a Secretary of Internal Affairs, a Superintendent of Public Grounds and Buildings, and a Public Service Commissioner, and that names of such appointees together with the names of all other appointments by the Governor made since the session of the last Senate whose confirmation by the Senate of Pennsylvania is required by the Constitution, be submitted to the Senate so that the same may be acted upon in a regular and orderly manner as required by the Constitution of the Commonwealth.

On the question,

Will the Senate agree to the resolution?

Mr. VARE. Mr. President, let me understand, does that mean a request or a direction?

The PRESIDENT. This is a request.

Mr. C. A. SNYDER. Mr. President, in support of that resolution I desire to trespass on the time of the members this morning a little while. Before I do that, I wish to say that the performance of my duty this morning comes with considerable agitation and more feeling that I can express. I submit this is about the last act that I shall perform as a State Senator and therefore in the performation of that duty I wish every Senator to feel that it is absolutely without any personal feeling of reproach of any officer or to discredit any function of the Government. As a state senator and even as a member of the house I may have exaggerated the importance of the respective positions.

Coming into the House at perhaps a more mature age than most men—at thirty-five—I brought from the district which I represent some experience with public affairs and having been more or less connected with matters of convention, I entered the House with some knowledge of men I dare say, and with that knowledge brought with me a feeling of responsibility that younger men do not often feel. However, on entering into the Senate of Pennsylvania I felt an added responsibility and I may have exaggerated that to a great extent in my own mind. I wish, however, to bear witness this morning that in my opinion there is no more responsible, no higher honor to occupy or responsibility to respond to than the position of a State Senator. I feel that the man who enters into the State Senate should bring into that position every talent that he has been endowed with and with that talent should have had some knowledge of men and affairs, and that no man should be a Senator unless he feels that responsibility, because I believe that in no position in the State government of this Commonwealth can a man render as much service to the people as he can in the office of

Senator. If at times in the vissitudes of politics, if I may use that word in a qualified sense, my conduct may have had a tinge of partisanship, perhaps factionialism, I assure you it was simply an incident and not a principle that I believe should be imposed or carried out in the performance of a man's duty. The Senate of any state or any country since the earliest time of the formation of any government has been the highest place in which the people could exercise their rights and bear to the people that are to be represented in that capacity that message, and bring about that condition which a free people should have, and therefore, in my limited way I tried to bring to the Senate and to the House that kind of service. I brought with it no particular ambition. I wish to say I brought with it no insistent purpose that the Senate should lead to anywhere else, and I wish to say this morning that if I were a man of means and had no other dependents except that which ought to respond to one's own self, I should not have left the Senate of Pennsylvania by choice, and therefore I speak under considerable difficulty because I feel, beside all the personal relations, that I leave the forum in which I may in a humble way have rendered better service than I could in any other way. I will confess I had but one ambition in the legislature and I will also confess that somehow that has been modified and not been achieved. To my mind the public school system is absolutely the greatest factor for the upbuilding of the Commonwealth. I do not say it in reproach, but I say the Public School system of Pennsylvania has not advanced in the last two decades in the degree it should. I have committed to that branch of service of the State every effort that I could bring to it. I find it was of little avail and I feel that with the knowledge, with the experience of a Senator of Pennsylvania, and knowing the needs of the public school system as I believe I do, that if I could have arranged to remain in the Senate of Pennsylvania I might have, in the next few years, helped to bring about an improved condition. I must confess that in all the legislation that has passed through both houses of the legislature I fail to see in any way where the so called common man has been benefited, because from my point of view the legislation has rather confined and crimped the aspirations of the young men of the State. No poor man's son can under the present system of education, without a struggle such as he can hardly overcome, become an attorney, a lawyer, or even become a dentist or a veterinary surgeon if the legislation proposed is enacted. The professions, and I say this without fear of substantial denial, the professions of the State of Pennsylvania are closed to the sons of poor men by the legislation that has been put upon the statute books. I am not going to criticise this in detail, because it would take too long, but I sincerely feel that is the trend of the legislation, and in my way I should have liked to help to stop that kind of procedure because I believe the people of this State will realize it sooner or later. The high schools can only be made good through the legislature of the State by helping them with appropriations and by regulating them not according to the idealist but according to the practical man, with the idealist's co-operation and you men know as well as I that there are few high schools in the State of Pennsylvania which permit the young man to enter a profession from its doors. It is impossible and if you continue to enact the kind of legislation that you have you will shut the door absolutely to a poor man's son becoming a professional man in the State of Pennsylvania That is the only legislation that I feel strongly about and that I have tried consistently and persistently to lend my efforts to improve. As to the other parts of the legislation of this State I have nothing to say, but I do feel strongly about this one proposition, the common school system, and I regret to say, and I do not say it in reproach, that the men in this Commonwealth who could and should and who I know would have the co-operation of the people in this State in their efforts to improve this condition, have so far failed to do it. They are more concerned with the architecture of school houses, with the sanitary conditions, light, etc., the school grounds, with the jurisdiction and responsibility of school directors, and the pay of county superintendents than they are with the real needs of the people. The common school teacher is to-day the lowest paid servant of the Commonwealth of Pennsylvania. You refused in this legislature, in the Committee of the Senate on Education, you refused to even increase the salary of the common school teacher to-day, although every day you are voting thousands of dollars to other purposes that I do not believe mean for the welfare of the State what good servants could bring about and could do if they were properly treated and properly supported. You ask in the next decade that the poorest paid people that are in the service of State government shall give to the State government the highest class of service. You refuse to do that for some reason or other because forsooth in some districts of the Commonwealth the farmer and the man who pays the taxes say it is too much of a hardship upon them, and yet you vote for resolutions, you vote for bills, why you impose upon presidents and governors autocratic powers to send your sons abroad to die in the trenches of Europe so that democracy might live, and in the State of Pennsylvania you refuse to give to your boys and your girls, who will be the men and women of this Commonwealth, a proper education and the proper discipline so that they may perform that high ideal of democracy as we preach it and as we are called to sacrifice everything we have, lives, property, future. The Commonwealth of Pennsylvania refuses to put the men who will drill the coming generations in a position where they can properly, where they can as they ought, perform the duties of citizenship, and for that reason I regret more than I can say to you this morning my inability to be active as a state senator concerned with that kind of legislation. There will be a forum in which I will pay tribute to the personal relations of the members of the Senate with me and I shall endeavor to do so. This morning I am content to say simply that the relationship and intercourse with the members of the State Senate are such that no man who has ever enjoyed it will be able to forget it. It will be a memory such as will sustain him in old age and in more mature manhood, and I need not say that I cannot express my deep regret and my sorrow that that relationship must be severed, but it can not be continued, when a man once leaves the Senate Chamber. It matters not what position he occupies. And I wish to express to the Senators of Pennsylvania, my high appreciation of the courtesy, kindness and consideration that have been extended to me in all these years. I have been perhaps a positive, I may have been an emphatic, I may have been an aggressive, proponent of the things that I desired. I assure you at no time was that tinged with any feelings of ill will and what I may have done, may have been done, because nature will assert itself and the frailties of the human system will be exhibited no matter how much you like or desire not to exhibit them, and for that reason this morning I desire to say not farewell, but that we will see you in some other place where we will be glad to serve you if we can. If we must refuse we may perhaps do it with not the emphasis that a Senator sitting on Judiciary Special might do it, but we will do it in such a way that the intercourse of the Senate will not be forgotten and we will assure you that you will have a welcome. We trust you will come upon business that will be approved by the officer in charge.

And now gentlemen for the purpose of the resolution, I believe that the Senate of Pennsylvania is the part of the government of this Commonwealth which should be consulted by the Executive whenever the Constitution requires it. In the matter of appointments by the Governor of Pennsylvania, I think and sincerely believe that his Excellency should forward not at his pleasure, but when the Senate is in session, as it has been for the last four months, nominations for such position as are vacant. I do not believe he can exercise the powers of government autocratically. His duties are defined by legislative enactment, and are not discretionary. The Constitution requires certain conditions that must be fulfilled. One of the conditions is that all appointments made by the Governor that are prescribed shall be made by the advice and consent of the Senate, and I do not believe that advice and consent can be expressed by the Governor sending in a name to-night, and if the Senate refuses to confirm or reject, that he can to-morrow morning set aside that refusal or objection and reappoint an officer because the Senate has refused to act.

I believe His Excellency should confine himself and submit himself to the law just the same as any other citizen of the Commonwealth or any other officer should do, and in support of that proposition, I do not wish to impose upon the Senate of Pennsylvania a long address. I have prepared a brief at length after considerable work and consultation and the co-operation of skilled men upon this proposition, and I shall ask, without taking up any further time of the Senate, that the argument why the Governor of Pennsylvania should send into the Senate for confirmation the appointments that are now due or should be filled, and which should be in position so that the State government can be properly proceeded with, that these remarks and this argument shall be placed upon the record as my argument in favor of the proposition that the Governor of Pennsylvania should now send in for rejection or confirmation all appointments that he has to make, and for that reason I ask that this brief shall be made part of my remarks and that it may be distributed upon the desks of the Senators for their consideration in the future when this question may come up or when confirmation of these men may be requested, but for the present I believe the Governor of Pennsylvania should in this crisis, and I believe this is a crisis, send over to the Senate of Pennsylvania the nominations of men whose co-operation is necessary that the government of Pennsylvania may be efficient and proficient to perform the great service that is required of every citizen. Now, you know the Utilities Commission is a very important office, that that Commission has important functions. For some time the position of Utility Commissioner on the Public Service Board has been vacant. I believe and submit to the Senate of Pennsylvania so that the grave matters may be disposed of in case of a quick call from the United States government for the service of the Commonwealth of Pennsylvania, that that office should be filled and filled at once; that the office of the Superintendent of Public Grounds and Buildings, that the Commissioner of Banking should either be rejected or should be confirmed, and that several other high officers that have been appointed, I believe, the Commissioner of Agriculture, that he should either be approved or he should be rejected, and for that reason I ask that this resolution be passed and that it be sent to the Governor and in support of that I also wish that this brief will be considered when it comes up. I hope the Senate will pass this resolution because I sincerely believe it is the duty of the Governor of Pennsylvania to forthwith proceed to appoint, the duty of the Senate of Pennsylvania to forthwith proceed to reject or confirm these appointments so we can do what the Senate of Pennsylvania is expected to do in this great crisis of the world's history.

The PRESIDENT. Is there any objection to the printing of the brief of the Senator from Schuylkill, Mr. Snyder, as part of his remarks in the Legislative Journal? The Chair hears none and the remarks will be inserted as requested.

The brief referred to follows:

EXECUTIVE APPOINTMENTS AND CONFIRMATIONS BY THE SENATE.

In discussing the question of executive appointments and confirmations by the Senate, it will be interesting to follow the Constitutional history of executive appointments in Pennsylvania from the Royal Charter granted to William Penn in 16—down to the present day.

Section 5 of the Royal Charter to Penn provides:

"And we do likewise give and grant unto the said William Penn and his heirs, and to his and their deputies and lieutenants, such power and authority to appoint and establish any judges and justices, magistrates and officers whatsoever, for what causes soever, for the probate of wills and for the granting of administrations within the precincts aforesaid, and with what power soever, and in such form as to the said William Penn shall seem most convenient."

See also Charter 1682, Sec. 5, 17, 18; Charter 1701, Sec. 3.

The Constitution of 1776, Chapter 2, Section 20, provides:

"The President (of the Executive Council) and in his absence the Vice-President), with the Council, five of whom shall be a quorum, shall have power to appoint and commissionate judges, naval officers, Judge of the Admirality, Attorney General, and all other officers, cival and military, except such as are chosen by the General Assembly or the people agreeable to this frame of government and the laws that made be made hereafter; and shall supply every vacancy, in any office, occasioned by death, resignation, removal, or disqualification, until the office can be filled in the time and manner directed by law or this Constitution."

The Constitution of 1790, Article 2, Section 8, provides:

"He (the Governor) shall appoint all officers, whose offices are established by law, and whose appointments are not herein otherwise provided for * * * "

The Constitution of 1790 further provides, Article 5, Section 4:

"Section 4. Until it shall be otherwise directed by law, the several courts of common pleas shall be established in the following manner: The Governor shall appoint, in each county, not fewer than three nor more than four judges, who, during their continuance in office, shall reside in such county. The State shall be divided by law into circuits, none of which shall include more than six nor fewer than three counties. A president shall be appointed of the courts in each circuit, who, during his continuance in office, shall reside therein. The president and judges, any two of whom shall be a quorum, shall compose the respective courts of common pleas."

The amendment of 1838 (Article 2, Section 8) says:

"He (the Governor) shall appoint a Secretary of the Commonwealth during pleasure, and he shall nominate, and by and with the advice and consent of the Senate, appoint all judicial officers of the courts of record, unless otherwise provided for in this Constitution. He shall have power to fill all vacancies that may happen in such judicial offices, during the recess of the Senate, by granting commissions which shall expire at the end of their next sessions: Provided, That in acting on executive nominations the Senate shall sit with open doors, and in confirming or rejecting the nominations of the Governor the vote shall be taken by yeas and nays."

By the judiciary amendment of 1850, which Article 5, Section 2, which made judgeships in courts of record elective offices, it was provided: That

"any vacancies happening by death, resignation, or otherwise, in any of the said courts shall be filled by appointment by the Governor to continue until the first Monday of December, succeeding the next General Election."

The Constitution of 1874, Article 4, Section 8, provides:

"He shall nominate, and by and with the advice and consent of two-thirds of all the members of the Senate appoint a Secretary of the Commonwealth and an Attorney-General during pleasure, a Superintendent of Public Instruction for four years, and such other officers of the Commonwealth as he is or may be authorized by the Constitution or by law to appoint. He shall have power to fill all vacancies that may happen in office to which he may appoint, during the recess of the Senate, by granting commissions which shall expire at the end of their next session. He shall have power to fill any vacancy that may happen during the recess of the Senate in the office of Auditor-General, State Treasurer, Secretary of Internal Affairs, or Superintendent of Public Instruction, in a judicial office, or in any other elective office which he is or may be authorized to fill; if the vacancy shall happen during the session of the Senate, the Governor shall nominate to the Senate before their final adjournment a proper person to fill said vacancy, but in any such case of vacancy in an elective office a person shall be chosen to said office at the next general election unless the vacancy shall happen within three calendar months immediately preceding such election, in which case the election for said office shall be held at the second succeeding general election. In acting on executive nominations the Senate shall sit with open doors, and in confirming or rejecting the nominations of the Governor, the vote shall be taken by yeas and nays, and shall be entered on the journal."

Article 5, Section 25, provides:

"Any vacancy happening by death, resignation, or otherwise, in any court of record, shall be filled by appointment by the Governor, to continue till the first Monday of January next succeeding the first general election, which shall occur three or more months after the happening of such vacancy."

Section 4, Article 8, has been amended by the amendments of 1909, Amendment No. 1, adopted by the vote of the people, November 2, 1909, so as to read:

"But in any such case of vacancy, in an elective office, a person shall be chosen to said office on the next election day appropriate to such office according to the provisions of this Constitution, unless the vacancy shall happen within two calendar months immediately preceding such election day, in which case the election for said office shall be held on the second succeeding election day appropriate to such office."

Article 4, Section 8, and Article 5, Section 25, above quoted, are in direct conflict with each other, and no judicial decision ever seems to have been rendered on the sections concerning the office of the judiciary.

Smull's Legislative Handbook, 1916, says:

"there is a conflict between these sections as to filling vacancies in courts of record, which will require judicial determination."

In order to arrive at an intelligent understanding of the powers of the Executive to make appointments and the limitations on that power, it is well to first consider the present provision of the Constitution of Pennsylvania granting these powers and at the same time defining the limits within which they may be exercised, and beyond which they cannot operate. The Constitutional provision with regard to appointments, confirmations and the filling of vacancies is found in Section eight of Article four of the Constitution, which in so far as we are concerned, reads as follows:

"He (the Governor) shall nominate and, by and with the advice and consent of two-thirds of all the members of the Senate, appoint * * * such other officers of the Commonwealth as he is or may be authorized by the Constitution or by law to appoint; he shall have power to fill all vacancies that may happen, in offices to which he may appoint, during the recess of the Senate, by granting commissions which shall expire at the end of their next session; * * * if the vacancy shall happen during the session of the Senate, the Governor shall nominate to the Senate, before their final adjournment, a proper person to fill said vacancy. * * * In acting on Executive nominations the Senate shall sit with open doors, and, in confirming or rejecting the nominations of the Governor, the vote shall be taken by yeas and nays, and shall be entered on the journal."

It will be of advantage at the outset to note the similarity of the analagous provisions of the Federal Constitution, as I shall rely in this discussion very largely on arguments made in reference to the Federal Constitution and on official and judicial constructions placed on it. The provision of the Federal Constitution referred to is section 2, article 2, which, so far as it is necessary to quote it reads as follows:

" * * * * and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; * * *

"The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the end of their next Session."

The two constitutions are almost verbatim, and, for purposes of construction, differ in no material respect.

The Pennsylvania Constitution of 1838 contained similar provisions, but only with regard to judicial officers. The section in that Constitution is section 8 of Article 2, which is set forth at length above.

The earlier constitutions contained no provisions for action by the Senate on any appointments. Whatever appointments were made by the Governor were made at his pleasure entirely. In the very earliest constitution, however, the propriety of legislative control over the filling of public offices was recognized. By section 9 of the Constitution of 1776 the House of Representatives was given power "to choose the treasurer of the state," and by section 5, article 6 of the Constitution of 1790, it was provided that

"The State Treasurer shall be appointed, annually, by the joint vote of the members of both houses."

The matter of making appointments to public offices is not in itself essentially either an executive nor a legislative function. It is not a power that is inherent in either branch of the government. It exists only in the people themselves and may by them, through the mouthpiece of the constitution, be delegated to either branch of the government or given to both conjointly. The latter method was adopted by the present constitution in the case of the offices involved in the present argument, and is also the method adopted by the section of the Federal Constitution, which I have just referred to. An explanation of the seat of this power and the consequences of this construction is furnished in the following extract from a published report of the Committee on the Judiciary of the United States Senate (Feb. 18, 1886):

"There are certain powers of our Government that are purely legislative, others purely executive, and others purely judicial; and there are certain other powers that belong to neither of those classes, and because they are to be exercised by one of the departments, or a branch thereof, does not make them legislative, executive, or judicial. The House of Representatives may impeach officers of the Government; and, when the electors fail to elect the President, is to choose that officer, and yet neither of these acts is of a legislative character. The President, by and with the advice and consent of the Senate, is clothed with the full appointing power. The function of the Senate to approve or reject the President's nominations is not legislative; nor is it executive in our system, because, to be so, it must appertain to the President. Neither is the act of nominating to office an executive power, or indeed, of itself, any power; it is merely a constituent, an element of a power, to be furnished by the agency of the President, as the other constituent is to be produced by the action of the Senate. If the President's nomination be rejected, nothing has been effected by it; both must concur and combine to constitute a power, a faculty in the business of the Government."

"From these plain principles it is apparent that theoretical constructions of the provisions and powers of our Constitution, by analogies drawn from other Governments, are very liable, as they have led to great errors; and, as a general rule, it is much safer to construe our Constitution of itself; and by itself, especially as it is a Government, not of original and plenary, but of delegated and limited, powers. Though the power of appointment, in our peculiar system, is given conjointly to the President and the Senate, yet their action is separate and independent, and each equally necessary to effect the result. The 'advice and consent' of the Senate is as indispensable as the nomination of the president to fill an office."

At the constitutional convention which drew up our present constitution, section 8 of article 4 (or section 9 as it was first submitted) was made the subject of much discussion and some fine argument, the principal question under consideration being as to whether the appointment of the Secretary of the Commonwealth and the Attorney General ought properly to be subject to ratification by the Senate.

What was there said in favor of ratification applies with much stronger force to the cases of appointive offices in general—that is, offices other than the Secretary of the Commonwealth and Attorney General, for whose acts the Governor is more or less directly personally responsible. For the acts of the average head of a department the Governor is in no wise responsible. This was the view taken by ex-Governor Bigler, a member of the convention, who said in part (5 Deb. Const. Conv. Pa. 211):

"I can remember very well a condition of things when the proposition of the distinguished gentleman from the city (Mr. Woodward) would have been entirely proper, when the duties of the Attorney General and those of the Secretary of the Commonwealth were connected almost exclusively with those of the Executive Department. But it is otherwise now, and I think in view of the important duties devolving upon these officers by the law alone and not by the executive, it would be very proper to consult the Senate, and I cannot see any great objection to requiring the two-thirds vote. Occasions may arise when that would be an important and valuable restriction.

"I had made up my mind, in view of what little I know of this subject, in the way of experience, that it would be better to put this restriction in. Indeed I can see that it is the spirit of the Convention in reference to all the departments of the government. We propose to give them large powers, it is true, but at the same time we are endeavoring

to throw around the legislative department as well as the executive, unusual restraint. We are endeavoring to avoid the errors of the past, and considered in that spirit I cannot see any objection to this restriction upon the executive department."

It is interesting to note that among the members of this Constitutional Convention were two ex-Governors, Bigler and Curtin, Pennsylvania's war Governor. It is especially interesting to note that both these ex-Governors not only voted in favor of the restriction on executive appointments, but both made strong arguments in favor of it. The chief argument advanced by Governor Curtin was to the effect that the power of making appointments is inherent in the people, and that the right of the people to exercise this power should be protected as far as possible by saving to their agents, the Senate, the right and power to reject or confirm all appointments made. Governor Curtin's speech, omitting only such part as applies only to the offices of Secretary of the Commonwealth and Attorney General, is as follows (5 Deb. Const. Conv. Pa. pages 209-210):

"I trust the Convention will give this amendment full consideration before they agree to it. I should be very sorry indeed to take away any of the dignity of the office of Governor of the Commonwealth, or to change its responsibility either to the people or to God, in the language of the gentleman from Indiana (Mr. Harry White); but I would put around the Governor of this State precisely the same restraints that you put around other officials; and while he is enjoying the full dignity of his office, I think it is proper that the people should understand that they have something to do with the appointment of high official functionaries. * * * In the exercise of these powers the people of the State have more interest than the Governor; but he is given in this section, as reported by the committee, the full power to appoint at his pleasure a Secretary of the Commonwealth and an Attorney General; but as in other States the people elect the Secretary of the Commonwealth and the Attorney General, or officers having similar powers, in this State we continue to give the Governor the power to appoint, but we say to your Governor when he appoints his Attorney General and his Secretary of the Commonwealth at his pleasure and removes them at his will, that as they exercise very important official functions over which the Governor has no control and for which he is not responsible, the people shall have some interest in the appointment; and we therefore interpose the Senate representing the body of the people, confirming the appointment, precisely as all officers are appointed under the Constitution of the United States.

"We do not go back to elect these officers by the people. We give the Governor the appointment of these two men who are to a large extent his confidential advisers, but at the same time we provide in this article of the Constitution that he shall submit the names of these officers to the Senate of the State, representing the body of the people and if he appoints unfit men, the representatives of the people shall have the power to reject his nominations and compel him, while he seeks confidential advisers and appoints his friends to appoint men fit for the place; and we provide that the people shall have some voice in declaring who are fit and who are not fit.

"It is true, as has been said, that it is not likely that the people of Pennsylvania—and there is great consolation in the fact—are to elevate to this high position men who will not be careful that they discharge the duties faithfully. That may be true in the past; we take it for granted it is so; but I suppose I am in a position to say here that the people of Pennsylvania do not always choose the wisest or the best man for Governor. Sometimes it is possible they may make a mistake. Nor may they always choose a man who will hold the heavy responsibility so eloquently described by the gentleman from Indiana as feeling his allegiance to his God and his responsibility to his constituents; and if ever it should turn out that such a man by a mistake of the people should get into this most important office in the State, and select for his constitutional advisers an Attorney General and a Secretary of State of the Commonwealth of his own kind who might be connected with him, it would be proper, as the committee thought, that the people should have some voice; and we therefore referred to the Senate the confirmation or rejection of such appointments."

From another aspect the use of appointments as political assets and the safeguard against this abuse by the Executive a very strong and logical argument was presented by Mr. Armstrong in these words (5 Deb. Const. Conv. Pa. page 208):

"Now if we are to have a government in this State which is to exercise its functions for the best interests of all its people it should be lifted so far as it can be out of the mere influence of politicians. If the Senate is composed of a mere majority of either party and the Executive is of the same party he could scarcely make a nomination which would not be confirmed by a majority of the Senate. The purpose of this provision is that men shall be selected for these positions upon their merit and not as a reward merely of political services. The Senate of our State is at present composed of thirty-three members. A majority would be seventeen. It would require twenty-two members in a Senate of thirty-three to concur in approving a nominee suggested by the Governor. Is it too much to suppose that five members of an opposing party would give their assent to a nomination which was eminently fitting and proper to be made? And if it be said that they might refuse their assent to a person who is merely to be rewarded for political services, I say it is right, and it is the very thing and purpose which this section is intended to advance. I think there is no danger in it. It would compel the Governor to recommend for office persons of admitted ability and fitness, and if such persons are recommended I cannot conceive that there would not be found five members of the opposition party willing to concede such an appointment to the majority of the Senate and to the executive of the State. But it would be conservative and would prevent these offices from being made the mere reward of political service; not but what (that) persons of political influence and political service ought to be in many instances appointed, but they ought to be persons whose fitness would commend them in some degree to the approbation of the opposition party, whichever side it might chance to be.

"I believe that this section is right as it stands, that it can work no injury to the Commonwealth, but will greatly improve the quality and the fitness of the officers by whom these functions are to be exercised."

With the further extract from the remarks of Mr. Biddle, we leave the consideration of the proceedings of the Constitutional Convention of Pennsylvania, to see what aid in the construction of this section of the Constitution can be obtained from the remarks of the members of the greater convention which prepared the Constitution of the United States. Before leaving the Pennsylvania Convention, however, it will be very instructive to call attention to the vote taken on the proposed amendment, the effect of which would have been to take away the power of the Senate to act on the appointments of Secretary of the Commonwealth and Attorney General. This vote was yeas 16, nays 72—an overwhelming vote in favor of giving the Senate the final word on these appointments. Mr. Biddle said (5 Deb. Const. Conv. Pa. page 211):

"The amendment is to strike out the concurrence of the Senate or of any body at all and to allow the Governor to appoint the Secretary of the Commonwealth and the Attorney General without any restriction upon his selection. I, for one, am opposed to lodging any such power in the hands of the Executive. This subject has been treated as little as if the Governor's responsibilities were altogether to look to the future and indeed to look to the next world. Now, responsibility to the Governor's God may be an excellent thing for him; but it is of very little value to the people of this Commonwealth; and responsibility to constituents where you have just decided that he shall be ineligible to a second term, does not amount to a great deal. I think that in regard to officers so vastly important as these two functionaries, and who in many of the States of this Union are elected directly by the people, the stamp of approval of the representatives of the people should be upon them. I hope, therefore, that the amendment will not prevail.

In order to obtain an idea of the construction placed on the analagous provision of the Federal Constitution at the time of its adoption, the following extracts from the "Federalist" are of much interest:

'It ought to be vested in a single man, or in a select assembly of a moderate number; or in a single man, with the concurrence of such an assembly.

"One man of discernment is better fitted to analyze and estimate the peculiar qualities adapted to particular offices, than a body of men of equal, or perhaps even of superior discernment. The sole and undivided responsibility of one man, will naturally beget a livelier sense of duty, and a more exact regard to reputation. He will have fewer personal attachments to gratify than a body of men who may be supposed to have an equal number.

'If this power was in an assembly alone, it would beget bargains.

'The advantages to be expected from the appointment in one man would, in substance, be derived from the power of nomination. In the act of nominating his judgment alone is exercised, and as it is his sole duty to point out a man, who with the approbation of the Senate, shall fill the office, his responsibility is as complete as though he had made the final appointment.

'No difference between nominating and appointing. As no man can be appointed but upon his previous nomination, any man who might be appointed would be, in fact, his choice. The person ultimately appointed, must be the object of his preference, though not in the first degree.

'The concurrence of the Senate will have a powerful, though in general a silent operation. It will be a check upon a spirit of favoritism by the President and will tend greatly to prevent the appointment of unfit characters.

(Number 76, Federalist, pp. 197-8-9.)

'Senate has no choice in appointments—can only ratify or reject. The Senate might entertain a preference to some other person, at the very moment they were assenting to the one proposed, but if they withheld their consent they could not be sure that the subsequent nomination would fall upon their own favorite.

(Number 66, Federalist, p. 132.)

'President proposes, but possibility of rejection and consequent loss of his reputation would be a strong motive to prevent his presenting a candidate without merit. The Senate will not be complaisant because the supposition of universal venality in human nature is little less an error in political reasoning than that of universal rectitude.'

Before entering upon a minute consideration of the specific points of law involved in this controversy, it may be well to examine a few general authorities on the construction of this section of the Constitution. I will first call your attention to Buckalew on the Constitution of Pennsylvania, page 110, which makes the following construction of these rights:

"Rightly understood, this section confers no part of the appointing power upon the Senate, nor does it constitute any ground for implication in favor of senatorial participation in making removals from office. The appointing power, in its nature, executive, and is properly vested in the Governor, whose duty it is to see that the laws are faithfully executed. To the proper performance of this duty, charged upon the Governor by the Constitution, it is necessary that he shall hold an appointing power as to non-elective offices, except local or subordinate ones, and that he shall fill vacancies in all such, and in important elective offices, until they can be regularly filled by election or appointment.

"The check upon the appointing power placed in the hands of Senators does not render the Senate primarily responsible for appointments; that responsibility rests upon the Governor, for the power to select an appointee is exclusively his, and the ultimate appointment, made and evidenced by the issuing of a commission, is, also, his act alone. The Senate cannot propose any one for selection to an office by the Governor, nor even constrain the Governor to appoint a person he may have named to them for their advice and consent, and to whose proposed appointment they have consented, in short, they have power to prevent appointments which they may consider objectionable, but have not power to cause any appointment whatever to be made."

Let us now see what White on the Constitution of Pennsylvania has to say (page 283):

"As has already been suggested, the Governor's power to fill vacancies is applicable to two classes of offices: those which are elective and those which are appointive. He could fill appointive offices in the absence of any clause giving him authority to fill vacancies, were it not for the fact that his power to appoint is by and with the consent of the Senate. As during some portion of his term the Senate is not in session, it was necessary for the Governor to be given the power to make appointments during the recess of the Senate. The terms for which these appointments can be made are limited to such times as the Senate can conveniently confirm or reject them. It is, therefore, provided that the appointees shall hold their commissions only until the end of the next session of the Senate. If the vacancy occurs, however, during the session of the Senate and an appointment is made and confirmed, the appointee is then entitled to hold until the end of the term, for which his predecessor was originally appointed. This is also the case where an appointment made during the recess is subsequently confirmed.".

Probably the clearest and most logical treatment of the question of the double system of appointment to public offices is given in Story on the Constitution, which shows the advantages to be gained from this system and the safeguard it is intended to afford. It clearly indicates the spirit of the Constitution, which is the only firm and safe basis for all constitutional constructions. I hope I may therefore be pardoned for quoting from this work at some length. The following extract is taken from the second volume of Story on the Constitution, 5th Edition, pages 353 to 357 inclusive:

"1530. But though these general considerations might easily reconcile us to the choice of vesting the power of appointment exclusively in the President, in preference to the Senate or House of Representatives alone, the patronage of the government and the appointments to office are too important to the public welfare not to induce great hesitation in vesting them exclusively in the President. The power may be abused; and assuredly it will be abused, except in the hands of an executive of great firmness, independence, integrity and public spirit. It should never be forgotten, that in a republican government offices are established and are to be filled, not to gratify private interests and private attachments; not as a means of corrupt influence or individual profit; not for cringing favorites or court sycophants; but for purposes of the highest public good, to give dignity, strength, purity, and energy to the administration of the laws. It would not, therefore, be a wise course to omit any precaution, which, at the same time that it should give to the President a power over the appointments of those who are in conjunction with himself to execute the laws, should also interpose a salutary check upon its abuse, acting by way of preventive as well as of remedy.

"1531. Happily this difficult task has been achieved by the Constitution. The President is to nominate, and thereby has the sole power to select for office; but his nomination cannot confer office, unless approved by a majority of the Senate. His responsibility and theirs is thus complete and distinct. He can never be compelled to yield to their appointment of a man unfit for office; and, on the other hand, they may withhold their advice and consent from any candidate who, in their judgment, does not possess due qualifications for office. Thus, no serious abuse of the power can take place without the co-operation of two co-ordinate branches of the government acting in distinct spheres; and if there should be any improper concession on either side, it is obvious that, from the structure and changes incident to each department, the evil cannot long endure, and will be remedied, as it should be, by the elective franchise. The consciousness of this check will make the President more circumspect and deliberate in his nominations for office. He will feel that, in case of a disagreement of opinion with the Senate, his principal vindication must depend upon the unexceptionable character of his nomination. And in case of a rejection, the most that can be said is, that he had not his first choice. He will still have a wide range of selection; and his responsibility to present another candidate, entirely qualified for the office, will be complete and unquestionable.

"1532. Nor is it to be expected that the Senate will ordinarily fail of ratifying the appointment of a suitable person for the office. Independent of the desire which such a body may naturally be presumed, to feel, of having offices suitably filled (when they cannot make the appointment themselves), there will be a responsibility to public opinion for a rejection, which will overcome all common private wishes. Cases, indeed, may be imagined, in which

the Senate, from party motives, from a spirit of opposition, and even from motives of a more private nature, may reject a nomination absolutely unexceptionable. But such occurrences will be rare. The more common error (if there shall be any) will be too great a facility to yield to the executive wishes, as a means of personal or popular favor. A President will rarely want means, if he shall choose to use them, to induce some members of such a body to aid his nominations; since a correspondent influence may be fairly presumed to exist to gratify such persons in other recommendations for office, and thus to make them indirectly the dispensers of local patronage. It will be principally with regard to high officers, such as ambassadors, judges, heads of departments,' and other appointments of great public importance, that the Senate will interpose to prevent an unsuitable choice. Their own dignity and sense of character, their duty to their country, and their very title to office, will be materially dependent upon a firm discharge of their duty on such occasions.

"1533. Perhaps the duties of the President, in the discharge of this most delicate and important duty of his office, were never better summed up than in the following language of a distinguished commentator. 'A proper selection and appointment of subordinate officers is one of the strongest marks of a powerful mind. It is the duty of the President to acquire, as far as possible, an intimate knowledge of the capacities and characters of his fellow-citizens; to disregard the importunities of friends, the hints or menaces of enemies, the bias of party, and the hope of popularity. The latter is sometimes the refuge of feeble-minded men; but its gleam is transient, if it is obtained by a dereliction of honest duty and sound discretion. Popular favor is best secured by carefully ascertaining and strictly pursuing the true interests of the people. The President himself is elected on the supposition that he is the most capable citizen to understand and promote those interests; and in every appointment he ought to consider himself as executing a public trust of the same nature. Neither should the fear of giving offence to the public, or pain to the individual, deter him from the immediate exercise of his power of removal on proof of incapacity or infidelity in the subordinate officer. The public, uninformed of the necessity, may be surprised, and at first dissatisfied; but public approbation ultimately accompanies the fearless and upright discharge of duty.'

"1534. It was objected by some persons, at the time of the adoption of the Constitution, that this union of the executive with the Senate in appointments would give the President an undue influence over the Senate. This argument is manifestly untenable, since it supposes than an undue influence over the Senate is to be acquired by the power of the latter to restrain him. Even if the argument were well founded, the influence of the President over the Senate would be still more increased, by giving him the exclusive power of appointment; for then he would be wholly beyond restraint. The opposite ground was assumed by other persons, who thought the influence of the Senate over the President would by this means become dangerous, if not irresistible. There is more plausibility in this suggestion, but it proceeds upon unsatisfactory reasoning. It is certain, that the Senate cannot, by their refusal to confirm the nominations of the President, prevent him from the proper discharge of his duty. The most that can be suggested is, that they may induce him to yield to their favorites, instead of his own, by resisting his nominations. But if this should happen in a few rare instances, it is obvious that his means of influence would ordinarily form a countercheck. The power which can originate the disposal of honors and emoluments is more likely to attract than to be attracted by the power which can merely obstruct their course. But in truth, in every system of government there are possible dangers and real difficulties; and to provide for the suppression of all influence of one department in regard to another, would be as visionary as to provide that human passions and feelings should never influence public measures. The most that be done is to provide checks, and public responsibility. The plan of the Constitution seems as nearly perfect for this purpose as any one can be; and indeed it has been less censured than any other important delegation of power in that instrument."

We are now ready to consider the points of law involved, and in considering them, a few unalterable principles of construction must always be borne in mind. These principles, from which there is no dissention, may well be stated in the language of White on the Constitution of Pennsylvania (page 12):

"The rule of construction which is most fundamental is that 'Conventions to regulate the conduct of nations are not to be interpreted like articles of agreement at the common law; and that where multitudes are to be affected by the construction of an instrument, great regard should be paid to the spirit and intention. And the reason for it is an obvious one. A constitution is made, not particularly for the inspection of lawyers, but for the inspection of the million, that they may read and discern in it their rights and their duties; and it is consequently expressed in the terms that are most familiar to them. Words, therefore, which do not of themselves denote that they are used in a technical sense, are to have their plain, popular, obvious and natural meaning.' 'A constitution is not to receive a technical construction like a common law instrument or a statute. It is to be interpreted so as to carry out the great principles of government, not to defeat them.' 'In construing a constitution it must be borne in mind that its provisions are necessarily general, and couched in the language of the people by whom it was ordained. Its words should, therefore, be taken in their popular, natural and ordinary meaning, rather than in any technical or restricted sense. The object of construction, as applied to such an instrument, is to give full effect to the intent of its framers, and the people in adopting it. That intent, of course, is to be sought for in the instrument itself.' 'Every word employed in the constitution is to be expounded in its plain, obvious and common sense meaning.' If, however, the usual meaning of the words will operate as a restriction of a power, and another interpretation is possible which will sustain a grant of it, the latter meaning must be adopted, and the exercise of the power upheld. No attention will be paid to the captions of the article or sections. They are inserted only for convenience."

The further rule laid down in Page v. Allen, 58 Pa. 338 and in Etter v. McAfee, 229 Pa. 315, 318, should also be remembered:

"The expression of one thing in the constitution necessarily excludes things not expressed."

In the present discussion there are four main points to be considered:

First. Whether after an appointment has been made by the Executive and submitted to the Senate, and such appointment has been rejected by the Senate, the Executive may, notwithstanding, after the adjournment of the Senate, appoint the same person to the same office for the same period of time, or to fill the vacancy in the same office until the end of the next session of the Senate.

Second. Whether where a vacancy in an appointive office exists prior to or during the session of the Senate and remains vacant during the session, or filled by temporary appointment, the Executive may withhold the submission of any candidate for such office during the entire session of the Senate, and after its adjournment make an appointment to fill the vacancy or to permanently fill the office.

Third. Whether if the vacancy exists at any time during the session of the Senate, the Executive may, while the Senate is still in session, appoint a person to fill such vacancy or the entire term, without submitting such name to the Senate.

Fourth. Whether a temporary appointee can hold over after the session of the Senate, when no permanent appointment has been made during such session.

In taking up the first question of the discussion, that is, as to the appointment of a person rejected by the Senate, it will be sufficient to call attention to the express language of the Constitution, "He shall nominate and, by and with the advice and consent of two-thirds of all the members of the Senate, appoint * * * ." This language permits of no strained construction; its obvious meaning is that the Governor may nominate a person to fill an office, but may not without the advice and consent of the Senate appoint any one to such office. The idea sought to be brought out is that the Executive in the first

instance is given the power of nomination only, and is given no power to appoint without the concurrence of the Senate. If, therefore, the Executive were permitted after the adjournment of the Senate to appoint to the office a person who has been rejected by the Senate, not only is the constitutional provision not followed, but it is deliberately violated. An appointment is made not only without the advice and consent of the Senate, but contrary to its advice and consent. The point here in discussion has been definitely ruled upon by the Supreme Court of Pennsylvania in the case of Lane v. Commonwealth, 103 Pa., 481, where the court on page 485 says:

"As already shown, the Constitution declares in section 8 cited, the governor shall nominate and he shall appoint. Before he completes the appointment the senate shall consent to his appointing the person whom he has named. It may prevent an appointment by the governor, but it cannot appoint. It may either consent or dissent. That is the extent of its power. There its action ends. It cannot suggest the name of another. If it dissent the governor cannot appoint the person named. If it consent he may or may not, at his option, make the appointment. If for any reason his views as to the propriety of the proposed appointment change, he may decline to make it. That option is not subject to the will of the Senate. Until the governor executes the commission, the appointment is not made. Prior to that time at his mere will, he may supersede all action had in the case: Marbury v. Madison, 1 Cranch 137; Story's Con. Sec. 1540."

This language was quoted with approval in the late case of Seltzer v. Fertig, 237 Pa. 514, in which case the court, after calling attention to the similarity in the constitutional provisions relating to the appointment of assistant clerks of the orphans' court and executive appointments in general, reach the following conclusion:

"Our conclusion is, therefore, that, while the register may appoint an assistant clerk only with the consent and approval of the court, yet the power of removal is in the register alone."

The question as to filling of vacancies by the Executive without the advice and consent of the Senate will be taken up in the discussion of the second question herein involved. It is sufficient to say in the present connection that such appointments may be made for a temporary period only, that is until the end of the session of the Senate following the time when the appointment was made. Therefore if a temporary appointee has been submitted to the Senate as a candidate for a permanent appointment, if such candidate is rejected by the Senate, the term of his original appointment expires with the termination of the session of the Senate, and as will be shown later, neither he nor any other person can be appointed to such office either permanently or on the pretext of a vacancy. To appoint the same person even to fill a vacancy until the termination of the next session of the Senate is clearly a violation of the spirit, if not of the letter of the Constitution. This contention is well sustained in the opinion of the lower court in the case of Comm. v. Waller, 145 Pa. 235. A full discussion of the merits of this opinion will appear in a later part of this brief. The court on page 246 says:

"It is therefore manifest that this case is not an authority for the position which it is cited to sustain, and we have not been referred to any case which decides that the governor has power to appoint one who has been rejected by the Senate, to the same office and for the same period for which he was nominated and rejected, or any part of such period; and in the absence of authority we think the spirit and intent of the Constitution forbids this to be done."

The second point involved in this discussion, that is as to whether the Executive may withhold appointments to fill offices wherein there exists a vacancy, or offices that are filled by temporary appointments, during a session of the Senate, and appoint any person to fill the vacancies occurring after the adjournment of the Senate, is directly covered by the provision of the Constitution which declares * * * if the vacancy shall happen during the session of the Senate, the Governor shall nominate to the Senate, before their final adjournment, a proper person to fill said vacancy." The word "happen" as used in the Constitution has been frequently and uniformly construed to mean not necessarily originating, but include a vacancy which exists during such period, whether the vacancy originated before the session of the Senate, or during it.

Opinion of Atty.-Gen. Taney, 2 Opin. 525.
State v. Kuhl, 51 N. J. L. 191.
In re Farrow, 3 Fed. R. 112.
Opinions of Justices, 45 N. H. 590.
Richardson v. Young, 122 Tenn. 471.

With this construction, can it be argued that the Executive has any right to withhold appointments to offices where vacancies should be properly filled during a session of the Senate? To permit of such a construction would be to entirely do away with the beneficial provision of the Constitution in providing for the double system of appointments. If the Executive were so permitted to withhold appointments, there is no guarantee that an Executive might not withhold his appointments from each succeeding session of the Senate, and immediately upon its adjournment appoint a person, who would not have received the consent of the Senate, to the office, nominally, to fill a vacancy until the end of the next session of the Senate. That this would actually amount to a permanent two years' appointment cannot be gain-said. At the the following session of the Senate the Executive might again withhold the appointment, and again at the adjournment of such session appoint the same person, again nominally to fill a vacancy, but again actually appointing him for a permanent two years' term. Thus the Executive is given the absolute right to appoint for a full four years' term without control or restriction of any kind. This as has already been shown would absolutely frustrate the beneficial system of appointments which has been devised and incorporated into both our Constitution and the Constitution of the United States.

It may be argued that the safeguards of the Constitution are really not violated, insomuch as the Executive can make appointments to fill vacancies only for a limited period. So Attorney General Taney in an opinion which will be referred to more at length later, makes the following statement:

"But the control of the Senate over appointments to such vacancies is effectually preserved by the limited term for which the President is authorized to make them."

This argument, however, applies with less force in Pennsylvania than it does in the case of a national appointment, as the Senate of the United States sits every year, and a temporary appointment can therefore not be made for a longer period than one year, while the Senate of Pennsylvania sits only once in every two years, and the so-called temporary appointment must therefore be made for a period of two whole years.

It has been said, and it may be truly so with reference to the Federal Constitution, that it abhors a vacancy in office as nature abhors a vacuum. This argument is properly applicable only to cases where the Executive has submitted names to the Senate, and the Senate has failed to act on such names either favorably or otherwise. In such cases the safeguard of the Constitution has been afforded, and the failure of a complete appointment is not placed on the Executive. Cases may also well be imagined where through unforeseen circumstances or through inadvertence a vacancy continues after a session of the Senate, such for instance as the failure of the appointee to qualify. In cases like these, the Executive may well and in perfect good faith fill the vacancy which ensues after the adjournment of the Senate. Such cases are readily distinguishable from the deliberate attempt on the part of the Executive to defeat the purposes of the Constitution by designedly withholding nominations from the Senate.

It is interesting to note that this distinction was clearly drawn in one of the earliest opinions on this question. Attorney General Taney, later Chief Justice of the Superme Court of the United States, in ruling that the President of the United States may fill vacancies continuing after the adjournment of the Senate due to the failure of the Senate to act on nominations submitted, lays down the common sense rule that the Constitution is not subject to strained technical constructions, but must be construed according to its spirit and evident purpose, which, as has already been shown, is perfectly clear. The line of demarkation as laid down in the opinion referred to is not so much the strict one of vacancies originating during a recess, and those originating during a session, as it is the character of the vacancies themselves—that is, a vacancy that can be filled in the regular course by nomination and confirma-

tion, and one that for valid reasons cannot be so filled. The Constitution is just as specific in either case. In the former the provision is mandatory that nominations shall be submitted to the Senate, and no other method is provided or permitted.

The following extract from the opinion (2 Opin. 525), brings out these arguments and clearly sets forth the vital distinction between the case covered by the opinion and the present case:

"It is manifest, however, that the Constitution could not have intended to place such cases on a different footing from vacancies which occur after the adjournment. There is no reason for a distinction between them. And the words used in the Constitution do not, I think, by any fair construction, require a distinction to be taken. It was intended to provide for those vacancies which might arise from accident and the contingencies to which human affairs must always be liable; and if it falls out that, from death, inadvertence, or mistake, an office required by law to be filled is, in the recess, found to be vacant, then a vacancy has happened during the recess, and the President may fill it. This appears to be the common sense and natural import of the words used. They mean the same thing as if the Constitution had said 'if there happen to be any vacancies during the recess.' The framers of the Constitution had provided for filling the offices with the concurrence of the Senate, but foreseeing that, from the various casualties to which human concerns are exposed, vacancies would be found during the recess, they gave power to fill them until an opportunity can be afforded of bringing the appointments before the Senate; and they use words which denote the character of the vacancies which they foresee may occur, and for which they are providing. He may fill up vacancies which 'happen' during the recess, but vacancies are not designedly to be kept open by the President until the recess for the purpose of avoiding the control of the Senate; and the word 'happen' is used to describe the class and kind of vacancies and not the particular time at which they took place."

"It has been said that this power, if possessed by the President, may be so used as to defeat the intention of the Constitution and exclude the Senate from all share in appointments. The answer to such an objection appears to be a plain one. If the President wilfully abuses a power given to him, the Constitution has provided a remedy. In this case the Senate have had a full opportunity of acting, but have not acted, and have held the nomination under advisement and left it to fall vacant as soon as they adjourned. They must be supposed to have had sufficient reasons for keeping the nomination in their power and suspending their action upon it. The President could not nominate another person for the same office until this was disposed of and was either withdrawn by him or finally acted on by the Senate. And as the Senate have had an opportunity of acting, but have determined to suspend their decision, I can not see how an appointment now made by the President can be supposed to interfere with the rights of the Senate. There is nothing in the case that can be construed into a desire to avoid their constitutional control."

"If, however, the restricted interpretation contended for were admitted, still, in the case before me, the President would have the right to appoint. The vacancy did take place in the recess. The former appointment continued during the session, and there was no vacancy until after they adjourned. The vacancy followed the adjournment; and whether it took place immediately afterwards, or at distant interval, can make no difference. If it took place after the adjournment, it happened during the recess, according to the narrowest interpretation proposed to be given to the article; and, consequently, even in that view of the subject the President has a right to fill it."

"I do not desire to place my opinion on this ground, but upon what I believe to be the true construction of the Constitution, as before stated."

It may be said that if the power of appointment were abused by the Executive in the manner which has been indicated above, the Constitution itself gives the remedy by way of impeachment. That this remedy is not adequate, however, goes without saying. The mischief of an appointment by the Executive alone for a period of two years is still present, and an impeachment could be had, if at all, only at the session following, which would again premit two years to elapse. This point is very well taken in the case of Lane v. Commonwealth, already referred to on page 486 of that case. It is therefore seen that the only means of enforcing the safeguard is by prohibiitng an officer serving under a temporary appointment by the Executive, made after the adjournment of a session of the Senate, and where the vacancy filled existed during such session, from performing any of the functions, or from receiving the compensation provided for such office, that is by declaring an absolute vacancy which can only be filled by calling an extra session of the Legislature and permitting the Executive to submit names to the Senate at such extra session.

The case of Commonwealth v. Waller, 145 Pa. 235, may be well taken up at this point. This was a case where a vacancy occurred in the office of Superintendent of Public Instruction. The vacancy was filled by the Governor until the end of the following session of the Senate, at which session the name of the temporary appointee was submitted to and approved by the Senate for permanent appointment. Before the issuance of a commission by the Governor, however, the Governor's term expired, and a new Governor was inaugurated. The new Governor completely disregarded the appointment and confirmation already made and sent another name to the Senate to fill the office of Superintendent of Public Instruction. This nomination was rejected by the Senate. After the adjournment of the Senate the Governor appointed the person who had been rejected to fill the vacancy. The person holding under the old appointment and confirmation by the Senate refused to give up his office. The court of common pleas of Dauphin County held that the appointment was not complete, even though the nomination had been made and confirmed by the Senate, until the commission had actually been issued, and that the temporary appointment of the defendant expired with the adjournment of the Senate; that he could therefore not hold over after the Senate had adjourned. The Supreme Court, however, on appeal, held that the actual issuance of the commission was not necessary, and that the defendant having been nominated and confirmed by the Senate, was entitled to the office for the full term. The Supreme Court inter alia says on page 257:

"This clause of the Constitution is by no means clear. It will be noticed, however, that there are two classes of vacancies to be filled by appointment by the Governor, viz, those that relate to elective offices, and those that are non-elective. In the former, the Governor can only fill a vacancy until such time as the people can fill it by an election as provided by law. Hence the commission of the Governor can run no further. In the other case, non-elective offices, no time is designated during which his appointee can hold, except the single provision that, if a vacancy shall occur during the recess of the Senate, he shall be commissioned until the expiration of the next session. This simply means that his appointee to this class of offices shall be confirmed by the Senate; otherwise his incumbency expires with its adjournment. * * * "

The lower court, although mistaking the law on this one point, rendered a very good and logical opinion, and discussed the whole question of Executive appointments and confirmations by the Senate at much length, and we think on good authority. The lower court says in discussing the provision of the Constitution already referred to:

"We do not consider the proper construction of these clauses (Article IV, Section eight, of the Constitution), free from doubt, but assuming the spirit of the Constitution to be that appointments should not be made by the Governor alone when there is opportunity to consult the Senate, we are not prepared to hold that the second clause weakens the force of the first."

The court in another connection laid down the law in the following form:

"It has been argued, on behalf of the respondent, that the governor has no power, within the meaning and spirit of the constitution, to make a second temporary appointment during a second recess of the senate, after a vacancy has occurred which was temporarily filled by an appointment made when the vacancy occurred during the first recess.

"It cannot be doubted that it is understood and implied in the provisions of the constitution on this subject, contained in article IV, sec. 8, that when a vacancy occurs during a recess of the senate, which is temporarily filled

by appointment to expire at the end of the next session, a permanent appointment shall be made during such session by and with the advice and consent of the senate; but whether, when this has not been done, another temporary appointment can be made without the advice and consent of the senate, to continue until the end of the next recess—in this case for two years—is a question which, as we understand, is not now squarely before us, and which we, therefore, do not decide."

The third main point of this discussion, that appointments can not be made during a session of the Senate without its advice and consent, either for a limited space to fill a vacancy or as a permanent appointment, is so obvious from the letter of the Constitution itself that it scarcely requires argument. The Constitution as already indicated definitely and specifically provides * * * "if the vacancy shall happen during the session of the Senate, the Governor shall nominate to the Senate, before their final adjournment, a proper person to fill said vacancy." As has already been shown, "happen during the session of the Senate" means "exist during the session of the Senate." This provision therefore absolutely and conclusively of itself prohibits an appointment of any kind by the Executive during the session of the Senate without submitting such appointment to the Senate for its action. It will be impossible for any one to argue but that an attempt so to do is absolutely of no effect whatsoever, and entitled the person attempted to be appointed to no compensation, and makes all his acts in such office absolutely void and null. This point has been decided by the District Court of the United States for the Eastern District of Pennsylvania in the case of the District Attorney, 7 Am. L. Reg. N. S., 786, where the court in construing the Federal tenure of office act says:

"The act of the second of March, 1867, known as the Tenure of Office Act applied to civil offices whose tenure is not constitutionally defined, and to which appointments can not be made when the Senate is in session without the advice and consent of the Senate."

This argument is also very forcibly made in a published report of the Committee on the Judiciary of the United States Senate, March 2, 1905. The report in part is as follows:

"The Constitution clearly confers upon the President the power to nominate and, by and with the advice and consent of the Senate, to appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law. Congress in the same clause is empowered by law to 'vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of Departments.' "

"Human intention can not be made plainer by human language" than it is made clear by the Constitution that except as to the "inferior officers" referred to no Federal officer can be appointed save by and with the advice and consent of the Senate.

"But it was obvious that without some provision for temporary appointments to fill up vacancies which might happen while the Senate was not in session to participate in making appointments grave inconvenience and harm to the public interest would ensue. To meet this difficulty it was by common consent provided that—'the President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.' "

"This is essentially a proviso to the provision relative to appointments by and with the advice and consent of the Senate. It was carefully devised so as to accomplish the purpose in view, without in the slightest degree changing the policy of the Constitution, that such appointments are only to be made with the participation of the Senate. Its sole purpose was to render it certain that at all times there should be, whether the Senate was in session or not, an officer for every office, entitled to discharge the duties thereof."

"It can not by any possibility be deemed within the intent of the Constitution that when the Senate is in position to receive a nomination by the President, and, therefore, to exercise its function of advice and consent, the President can issue. Without such advice and consent, commissions which will be lawful warrant for the assumption of the duties of a Federal office."

"The framers of the Constitution were providing against a real danger to the public interest, not an imaginary one. They had in mind a period of time during which it would be harmful if an office were not filled; not a constructive, inferred, or imputed recess, as opposed to an actual one."

"They gave power to issue these commissions only where a vacancy (1) happened, (2) during a recess of the Senate, and they specifically provided that the commission shall expire at the end of the next session of the Senate."

The fourth point involves a rule of law on which there seems to be little or no doubt, that where an officer is appointed by a commission which by its term expires at a given time and no successor is appointed, when the time of such commission expires, the original incumbent can not hold over until an appointment is so made. Applying this rule to the present case, where an appointment has been made to fill a vacancy until the termination of the session of the present Senate, and no appointment to fill such vacancy from that time on is made, the officers holding under such temporary appointment can not exercise the powers and rights of the office, or receive the compensation attached to the office after the adjournment of the present session of the Senate. Their commission having expired, they are automatically ousted. A discussion of this point citing cases decided in the Supreme Court of the United States is given in the opinion of the lower court in the case of Commonwealth v. Waller, already referred to. On page 250 of the Supreme Court Report where the court says:

"In Badger v. United States, 93 U. S. 599, Justice Hunt, delivering the opinion of the court, said: 'By the common law, as well as by the statutes of the United States and the laws of most of the states, when the term of office to which one is elected or appointed expires, his power to perform its duties ceases. This is the general rule. The term of office of a district attorney of the United States is fixed by statute at four years. When these four years come around, his right or power to perform the duties of the office is at an end and as completely as if he had never held the office. Rev. Stat., Sec. 769. A judge of the court of appeals of the State of New York, or a justice of the supreme court, is elected for a term of fourteen years, and takes his seat on the first day of January following his election. When the first day of the fourteenth January is reached, he ceases to be a judicial officer, and can perform no one duty pertaining to the office. Whether a successor has been elected or whether is qualified, does not enter into the question.' "

"Section 769 of the Revised Statutes, cited in the above extract, is as follows: 'District attorneys shall be appointed for a term of four years and their commissions shall cease and expire at the expiration of four years from their respective dates.' This, it will be observed, is practically the same language as is used in section 8, article IV, providing that the governor may fill vacancies 'by granting commissions which shall expire at the end of the next session.' "

The distinction to be borne in mind here is between an office where the incumbent, as is the case with county offices, under the law creating the office, holds "until a successor be duly qualified," on the one hand, and on the other an office the term of which is definitely fixed and no provision is made for holding over until a successor is qualified. This rule is definitely laid down in the case of Commonwealth v. Shetz, 228 Pa. 301, and permits no adverse argument. The court in that case, on page 308, says:

"The respondent relies on Com. v. Hanley, 9 Pa. 513; Com. v. Wise, 216 Pa. 152, and cognate cases to sustain his position that the death of the treasurer-elect before he qualified did not create a vacancy in the office on the first Monday of May, 1910, and that, therefore, he, the respondent, holds over and is entitled to perform the duties of the office. This discloses a misapprehension of the doctrine of these cases, as well as a failure to recognize the distinction between the constitutional provisions relating to the terms of office of state and county officers. Since the adoption of our first Constitution this distinction has been consistently maintained in our organic law. The Constitutions of 1790, 1838 and 1874, each provided that elective county officers should hold their offices for a specified time 'and until a

successor be duly qualified'. On the other hand, the terms of state officers were definitely fixed with no provision for holding over until their successors were qualified. While, therefore, for more than a century by express constitutional provision the tenure of state officers has been fixed at a definite period, the tenure of county officers has been for the designated term 'or until his successor was duly qualified'. For reasons appealing to the framers of the several Constitutions and the people who adopted them, this distinction between the two classes of officers has been uniformly recognized in the organic law, and it has become the settled policy of the State to limit the term of service of a state officer strictly to the tenure prescribed by the Constitution."

A temporary appointment to fill any vacancy under section 8, article IV of the Constitution is a "constitutional tenure," that is, until "the end of their (the Senate's) next session." The temporary appointee cannot hold ever beyond that time.

It is therefore contended on all these points that unless regular nominations are made by the Executive to the Senate and approved by the Senate that all offices which became vacant prior to the present session of the Senate, will become vacant at the adjournment of the present Senate, and that there will be no person entitled to exercise any of the powers and duties or to receive the compensation provided for in all such offices. It is further submitted that all offices which became vacant prior to the present session of the Senate, and to which no temporary appointments to fill such vacancies were made by the Executive prior to the session, are now vacant, and that there is no person entitled to exercise the powers or to receive the compensation of any of such offices, regardless of the fact that an attempt may have been made to fill any such office by appointment during the session without the action of the Senate.

Mr. VARE. Mr. President, I have no objection to the passage of this resolution, because it is a request and a request only.

Further remarks were then made by the Senator from Philadelphia, Mr. Vare, and the Senator from Schuylkill, Mr. C. A. Snyder.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

REMARKS EXPUNGED FROM RECORD.

Mr. BUCKMAN. Mr. President, there has been a good bit said here this morning which, in my judgment, is extraneous to the matters before the Senate, and I therefore move that all matters not pertinent to the resolution just agreed to be expunged from the record.

Mr. EYRE. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL NO. 52 RECALLED FROM THE GOVERNOR.

Mr. PHIPPS. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PHIPPS offered the following resolution, which was twice read as follows, considered and agreed to:

In the Senate, April 25, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 52, entitled "An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products or any other products and prescribing penalties," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. KLINE. Mr. President, I would like to rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Kline, will state his question of personal privilege.

Mr. KLINE. Mr. President, as Secretary of the Society of State Senators of Pennsylvania, which society has arranged for a banquet to be tendered to the Auditor General-elect, to be held at the Bellevue-Stratford, Philadelphia, on next Monday night, I desire to state to the members of that society, and also to the rest of the members of the Senate who have received invitations from Senator Vare, Senator Sproul and Senator McNichol, that they will kindly send their names at once of their intention to attend to Senator Clarence Wolf, whose name appears upon their invitations, as it takes a lot of time for the preparation of this banquet next Monday night. I would ask the Senate of Pennsylvania that when it adjourns to-day it will adjourn to meet next Tuesday at 11.45, so that the Senators may have an opportunity to attend this banquet.

The PRESIDENT. The Chair desires to state for the information of the Senator from Allegheny that the concurrent resolution, which has been agreed to by both houses, provides for adjournment until next Tuesday at 11.45 A. M. The Chair also desires to inform the Senate that invitations have been sent to every member of the Senate, at the request of Senators McNichol, Sproul and Vare for the dinner at the Bellevue-Stratford next Monday night.

BILLS INTRODUCED.

Mr. PATTON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 957, entitled

An Act making an appropriation to the County of Philadelphia for the purpose of reimbursing said county for moneys advanced for the payment of expenses incident to the conduct of primary elections.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 958, entitled

An Act authorizing the County of Philadelphia to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County for moneys advanced for the payment of expenses incident to the conduct of primary elections.

Which was committed to the Committee on Judiciary Special.

Mr. HOMSHER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 959, entitled

An Act amending and supplementing an act approved the 22nd day of July, 1913, entitled "An Act relating to domestic animals; defining domestic animals so as to include poultry; providing methods of improving the quality thereof, and of preventing, controlling and eradicating diseases thereof, imposing certain duties upon practitioners of veterinary medicine in Pennsylvania; regulating the manufacture use and sale of tuberculin, mallein and other biological products for use with domestic animals, defining the powers and duties of the State Livestock Sanitary Board and the officers and employes thereof; fixing the compensation of the Deputy State Veterinary and providing penalties for the violation of this act."

Which was committed to the Committee on Public Health and Sanitation.

REPORT FROM COMMITTEE.

Mr. C. A. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. C. A. SNYDER, from the Committee on Judiciary Special, reported as committed Senate Bill No. 958, entitled

An Act authorizing the County of Philadelphia to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County for moneys advanced for the payment of expenses incident to the conduct of primary elections.

BILL ON FIRST READING.

Mr. PATTON. Mr. President, I move that Senate Bill No. 958, entitled

An Act authorizing the County of Philadelphia to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County for moneys advanced for the payment of expenses incident to the conduct of primary elections.

be read the first time.

Mr. C. A. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 958, entitled

An Act authorizing the County of Philadelphia to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County for moneys advanced for the payment of expenses incident to the conduct of primary elections.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RESOLUTION ENDORSING SELECTIVE SERVICE AS THE MOST EFFICIENT MEANS OF RECRUITMENT.

Mr. WASBERS. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WASBERS offered the following resolution, which was twice read as follows:

In the Senate, April 25, 1917.

Whereas, The Congress of the United States has declared a state of war to exist between the Imperial Government of Germany and the United States, and

Whereas, It is necessary for the United States to immediately raise a large army in order to meet the exigencies of the occasion,

Therefore be it Resolved, That the Senate of the Commonwealth of Pennsylvania hereby endorses the policy of President Wilson in urging a selective service as the most efficient means of raising the army required under present conditions, and respectfully urge the Members of Congress from this State to support the bill now pending Congress for that purpose, and the Clerk of the Senate is hereby directed to send a copy of this resolution to the President of the United States and to each Member of Congress from Pennsylvania.

Mr. BUCKMAN. Mr. President, I move that this resolution be referred to the Committee on Military Affairs.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 161, as follows:

An Act relative to the payment of deposits in banks or trust companies deposited in two or more names

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever a deposit has been made or shall hereafter be made in any bank or trust company transacting business in this Commonwealth in the names of two or more persons such deposit or any part thereof or any interest or dividend thereon may in all cases be paid to either of said persons whether the other be living or not unless the persons making such deposit shall at the time of making such deposit enter into an agreement in writing with such banks or trust company providing specifically a different method in which such monies shall be paid out The receipt or acquittance of the person so paid by such bank or trust company shall in all such cases be valid and sufficient discharge to any bank or trust company for any payment so made.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Baldwin,	Homsher,	McKee,	Snyder, C. A.,
Buckman,	Jenkins,	Nason,	Sones,
DeWitt,	Kline,	Patton,	Stewart,
Endsley,	Leiby,	Phipps,	Vare,
Eyre,	Lynch,	Sassaman,	Wasbers,
Hackett,	Martin,	Smith, R. E.,	Weaver,
Hindman,	McConnell,	Smith, W. W.,	Whitten,

NAYS—1.

Beidleman,
Pres. pro tem.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 323, entitled

An Act making an appropriation to The Pennsylvania State College for educational extension work, and for maintaining a summer session for teachers.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Hindman,	McKee,	Snyder, P. W.,
Buckman,	Homsher,	Nason,	Sones,
Daix,	Jenkins,	Patton,	Stewart,
DeWitt,	Kline,	Phipps,	Vare,
Endsley,	Leiby,	Sassaman,	Wasbers,
Eyre,	Lynch,	Smith, R. E.,	Whitten,
Hackett,	Martin,	Smith, W. W.,	Beidleman,
Haldeman,	McConnell,	Snyder, C. A.,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 391 (House Bill No. 260), on third reading, entitled

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading an consideration of Senate Bill No. 577, entitled

An Act regulating the display or exhibit for sale of food, imposing duties upon the Dairy and Food Commissioner and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—19.

Baldwin,	Homsher,	Nason,	Vare,
DeWitt,	Kline,	Phipps,	Wasbers,
Endsley,	Leiby,	Sassaman,	Whitten,
Hackett,	Lynch,	Snyder, C. A.,	Beidleman,
Hindman,	Martin,	Sones,	Pres. pro tem.

NAYS—7.

Buckman,	Jenkins,	Smith, R. E.,	Stewart,
Eyre,	Patton,	Smith, W. W.,	

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

REPORT FROM COMMITTEE.

Mr. C. A. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. C. A. SNYDER, from the Committee on Judiciary Special, re-reported as amended, Senate Bill No. 716, entitled

An Act prohibiting holders of brewers licenses from having offices or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses.

CONSIDERATION OF BILLS ON FIRST AND SECOND READING.

Mr. BUCKMAN. Mr. President, I move that the Senate do now proceed to the consideration of bills on second and first reading in their order.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 507, as follows

An Act to provide reserves for outstanding liability losses of insurance companies transacting the business of insuring any one against loss or damage resulting from accident to or injury suffered by an employe or other person for which the person insured is liable and also for outstanding losses incurred under the Workmen's Compensation Act of one thousand nine hundred fifteen and repealing existing laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the reserve for outstanding losses under insurance against loss or damage from accident to or injuries suffered by an employe or other person and for which the insured is liable shall be computed as follows

(1) For all liability suits being defended under policies written more than

(a) Ten years prior to the date as of which the statement is made one thousand five hundred dollars for each suit

(b) Five and less than ten years prior to the date as of which the statement is made one thousand dollars for each suit

(c) Three and less than five years prior to the date as of which the statement is made eight hundred and fifty dollars for each suit

(2) For all liability policies written during the three years immediately preceding the date as of which the statement is made such reserve shall be sixty per centum of the earned liability premiums of each of such three years less all loss and loss expense payments made under liability policies written in the corresponding years but in any event such reserve shall for the first of such three years be not less than seven hundred and fifty dollars for each outstanding liability suit on said year's policies

(3) For all compensation claims under policies written more than three years prior to the date as of which the statement is made the present value at four per centum interest of the determined and estimated future payments

(4) For all compensation claims under policies written in the three years immediately preceding the date as of which the statement is made such reserve shall be sixty-five per centum of the earned compensation premiums of each of such three years less all loss and loss expense payments made in connection with such claims under policies written in the corresponding years but in any event in the case of the first year of any such three-year period such reserve shall be not less than the present value at four per centum interest of the determined and the estimated unpaid compensation claims under policies written during such year Provided however That in computing the reserve for the statement for December thirty-one one thousand nine hundred and seventeen and December thirty-one one thousand nine hundred and eighteen the ratios sixty per centum and sixty-two and one half per centum respectively shall be used instead of sixty-five per centum and hereinbefore provided

Section 2 The terms "earned premiums" as used herein shall include gross premiums charged on all policies written including all determined excess and additional premiums less return premiums other than premiums returned to policyholders as dividends and less re-insurance premiums and premiums on policies cancelled and less unearned premiums on policies in force But any participating company which has charged in its premiums a loading solely for dividends shall not be required to include such loading in its earned premiums provided a statement of the amount of such loading has been filed with and approved by the Insurance Commissioner

The term "compensation" as used in this act shall relate to all insurances affected by virtue of statutes providing compensation to employes for personal injuries irrespective of fault of the employer The term "liability" shall relate to all insurance except compensation insurance against loss or damage from accident to or injuries suffered by an employe or other person and for which the insured is liable

The terms "loss payments" and "loss expense payments" as used herein shall include all payments to claimants including payments for medical and surgical attendance legal expenses salaries and expenses of investigators adjusters and field men rents stationery telegraph and telephone charges postage salaries and expenses of office employes home office expenses and all other payments made on account of claims whether such payments shall be allocated to specific claims or unallocated

Section 3 All unallocated liability loss expense payments made in a given calendar year subsequent to the first four years in which an insurer has been issuing liability policies shall be distributed as follows Thirty-five per centum shall be charged to the policies written in that year forty per centum to the policies written in the preceding year ten per centum to the policies written in the second year preceding ten per centum to the policites written in the third year preceding and five per centum to the policies written in the fourth year preceding and such payments made in each of the first four calendar years in which an insurer issues liability policies shall be distributed as follows In the first calendar year one hundred per centum shall be charged to the policies written in that year in the second calendar year fifty per centum shall be charged for the policies written in that year and fifty per centum to the policies written in the preceding year in the third calendar year forty per centum shall be charged to the policies written in that year forty per centum to the policies written in the preceding year and twenty per centum to the policies written in the second year preceding and in the fourth calendar year thirty-five per centum shall be charged to the policies written in that year forty per centum to the policies written in the preceding year fifteen per centum into the policies written in the second year preceding and ten per centum to the policies written in the third year preceding and a schedule showing such distribution shall be included in the annual statement

All unallocated compensation loss expense payments made in a given calendar year subsequent to the first three years in which an insurer has been issuing compensation policies shall be distributed as follows Forty per centum shall be charged to policies written in that year forty-five per centum to the policies written in the preceding year ten per centum to the policies written in the second year preceding and five per centum to the policies written in the third year preceding and such payments made in each of the first three calendar years in which an insurer issues compensation policies shall be distributed as follows In the first calendar year one hundred per centum shall be compensation policies shall be distributed as follows In the charged to the policies written in that year in the second calendar year fifty per centum shall be charged to the policies written in that year and fifty per centum to the policies written in the preceding year in the third calendar year forty-five per centum shall be charged to the policies written in that year forty-five per centum to the policies written in the preceding year and ten per centum to the policies written in the second year preceding and a schedule showing such distribution shall be included in the annual statement

Whenever in the judgment of the Insurance Commissioner the liability or compensation loss reserves of any insurer under his supervision calculated in accordance with the foregoing provisions are inadequate he may in his discretion require such insurer to maintain additional reserves based upon estimated individual claims or otherwise or whenever a satisfactory mathematical or actuarial table for valuating compensation loss reserves is promulgated he may require such insurers to maintain reserves upon such tubular basis

Section 4 Each insurer that writes liability or compensation policies shall include in the annual statement required by law schedule of its experience thereunder in such form as the Insurance Commissioner may prescribe

Section 5 The Act approved June first one thousand nine hundred and eleven (Pamphlet Laws six hundred four) entitled "An Act to provide a reserve for outstanding liability losses of insurance companies transacting the business of insuring any one against loss or damage resulting from accident to or injury suffered by an employe or other person for which the person insured is liable" and the act approved June tenth one thousand nine hundred and one (Pamphlet Laws five hundred forty six) entitled "A supplement to an act approved the first day of May one thousand eight hundred and seventy-six et cetera" be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. BUCKMAN. Mr. PRESIDENT, I move that Senate Bill No. 507, the bill just read, be recommitted to the Committee on Insurance.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 589 on second reading, entitled

An Act to amend an act entitled "An Act to amend an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four providing for the incorporation and regulation of electric light heat and power companies" approved the eighth day of May Anno Domini one thousand eight hundred and eighty-nine by giving to electric light heat and power companies the right of eminent domain.

be recommitted to the Committee on Corporations.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 652, as follows

An Act to amend the first and second sections of "An act to further amend an act approved April ninth one thousand eight hundred and seventy 'requiring railroad canal navigation and telegraph companies to make uniform reports to the Auditor General' which act as amended by the act of April thirteenth one thousand eight hundred and eighty-nine extended its provisions to telephone companies and conforming to the requirements of the Constitution provided for the filing of such reports with the Secretary of Internal Affairs and regulated the time for the filing of the same which said act is now further amended as to the time of forwarding blanks for such reports and the provisions of said act are extended to include all corporations owning or operating lines of railway canals transportation telegraph or telephones located in whole or in part in Pennsylvania" approved the nineteenth day of April Anno Domini one thousand eight hundred and ninety-seven by changing the time of the forwarding of blanks and the filing and transmitting of annual reports

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of said act which reads as follows

"Section 1 That the Secretary of Internal Affairs be and he is hereby directed to cause to be made and printed blank forms for the annual reports of the several railroad canal navigation telegraph and telephone corporations owning operating or controlling lines of railways transportation telegraphs and telephones in whole or in part in Pennsylvania referred to in the second section of this act and the said Secretary of Internal Affairs shall forward by mail or otherwise on or before the first day of June in each year to each of said corporations copies of said forms and when the same shall have been returned to the said Secretary of Internal Affairs properly filled out and executed as required by the second section of this act he shall cause the same to be filed in the Bureau of Railways of his department and published in book form and cause copies of said report to be transmitted to the Governor and the members of the Legislature on or before the fifteenth day of January in each year as required by law" be and the same is hereby amended to read as follows

Section one of the said act which reads as follows

Section 1 That the Secretary of Internal Affairs be and he is hereby directed to cause to be made and printed blank forms for the annual reports of the several railroad canal navigation telegraph and telephone corporations owning operating or controlling lines of railways transportation telegraphs and telephones in whole or in part in Pennsylvania referred to in the second section of this act and the said Secretary of Internal Affairs shall forward by mail or otherwise on or before the first day of December in each year to each of said corporations copies of said forms and when the same shall have been returned to the said Secretary of Internal Affairs properly filled out and executed as required by the second section of this act he shall cause the same to be filed in the Bureau of Railways of his department and published in book form and cause copies of said report to be transmitted to the Governor and the members of the Legislature on or before the fifteenth day of June in each year as required by law

Section 2 That section two of the said act which reads as follows

"Section 2 That it is hereby made the duty of each railroad canal navigation telegraph and telephone company or other corporation owning operating or controlling lines or works in whole or in part within the limits of this State to make out and return to the Secretary of Internal Affairs a complete report according to the form to be prescribed by the said Secretary of Internal Affairs which among other things shall embrace in detail the operations and affairs of said corporations during the fiscal year together with such other information as the Secretary shall direct Said report shall be attested by the oath or affirmation of at least two of the following named officers of the company president general manager superintendent sequestrator secretary treasurer and auditor That said report shall cover the transactions of each of said corporations for the fiscal year ending on the thirtieth day of June each year and shall be filed in the office of Secretary of Internal Affairs not later than the thirty-first day of August in each year" be and the same is hereby amended to read as follows

Section 2 That it is hereby made the duty of each railroad canal navigation telegraph and telephone company or other corporation owning operating or controlling lines or works in whole or in part within the limits of this State to make out and return to the Secretary of Internal Affairs a complete report according to the form to be prescribed by the said Secretary of Internal Affairs which among other things shall embrace in detail the operations and affairs of said corporations during the calendar year together with such other information as the Secretary shall direct Said report shall be attested by the oath or affirmation of at least two of the following named officers of the company president general manager superintendent sequestrator secretary treasurer and auditor That said report shall cover the transactions of each of said corporations for the calendar year ending on the thirty-first day of December each year and shall file in the office of the Secretary of Internal Affairs not later than the thirty-first day of March in each year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 724, as follows

An Act authorizing the board of public accounts to consider petitions for the return of moneys erroneously or inadvertantly paid or covered into the State Treasury and to make such order thereon as shall seem just and proper providing for the payment by the Commonwealth of such claims and claims heretofore adjusted and making an appropriation.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of public accounts is authorized to receive and consider the petition of any person partnership association or corporation alleging that he she or it has erroneously or inadvertently paid money into the State Treasury or to any department board bureau division or commission of the State Government which has been covered into the State Treasury and praying such board of public accounts to consider such petition and to make such order thereupon as to it shall seem just and proper

Section 2 The board of public accounts shall consider such petition and may require the production of such testimony books papers and documents as it may deem necessary If in the opinion of the board of public accounts such moneys or any part thereof have been erroneously or inadvertently paid or covered into the State Treasury and the Commonwealth is not justly entitled to retain such moneys the board shall direct the Auditor General to draw his warrant upon the State Treasurer for the repayment of the sum so erroneously or inadvertently paid or covered into the State Treasury

Section 3 The board of public accounts is also authorized to direct the Auditor General to draw his warrant upon the State Terasurer for the payment of any sum or sums of money to any person partnership association or corporation which by an adjustment heretofore made by the board of public accounts where shown to be due to such person partnership association or corporation and which now stand as credits to such person partnership association or corporation on the books of the Auditor General and State Treasurer

Section 4 The sum of twenty-five thousand dollars is hereby specifically appropriated for the purpose of reimbursing in accordance with the provisions of this act all persons partnerships associations and corporations for moneys erroneously or inadvertently paid or covered into the State Treasury whether the same have been heretofore adjusted or may hereafter be adjusted

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 777, as follows:

An Act making an appropriation for the purpose of placing caring for and removal of the exhibits of the institutions of Pennsylvania at the forty-fourth annual meeting of the National Conference of Charities and Correction to be held in the city of Pittsburgh Pennsylvania from the sixth to the thirteenth days of June one thousand nine hundred and seventeen.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the sum of eight thousand dollars ($8,000) or so much thereof as may be necessary be and the same is hereby appropriated for the placing caring for removal of and other incidental expenses connected with the exhibits of the institutions of this Commonwealth at the forty-fourth annual meeting of the National Conference of Charities and Correction to be held in the city of Pittsburgh Pennsylvania from the sixth to the thirteenth days of June one thousand nine hundred and seventeen

Section 2 For the proper expenditure of this appropriation all requisitions shall be paid by warrant of the Auditor General drawn upon the State Treasurer upon specifically itemized vouchers duly approved by the chairman and secretary of the committee on exhibits of the said National Conference.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 816, as follows:

An Act providing for the formation and regulation of stock corporations having either or both preferred or common shares without nominal or par value and authorizing such corporations to issue shares without par value upon formation reorganization merger or consolidation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That upon the formation or reorganization of any stock corporation under the laws of this Commonwealth now or hereafter in force or upon the merger or consolidation thereunder of two or more such corporations provision may be made for the issuance of the shares of stock of such corporation without any nominal or par value by stating in the certificate of incorporation or reorganization in the joint agreement of merger or consolidation

(a) The number of shares that may be issued by the corporation either preferred of one or more classes or common with one or more classes or both

(b) The certificate of incorporation may also provide for the issuance of shares of preferred stock of any or all classes and common stock of any class by such corporation without any nominal or par value

(c) Where preferred stock is issued under the terms of this act the various classes shall be stated if more than one with the preferences rights and limitations with respect to each class and the preferences or rights for any preferred stock may be stated not with respect to par value thereof but the amount of dollars or cents which each share thereof shall be entitled to receive on account of dividends cumulative or non-cumulative and the amount in dollars with each share shall be entitled to receive as a preference in the distribution of assets on dissolution The preferred stock may also be issued with such rights of redemption conversion into other stock of the corporation and such other privileges as the certificate of incorporation or the by-laws may contain

(d) In the certificate of incorporation there shall be stated the amount of capital with which the corporation will begin and carry on business but in no event shall the amount be less than five thousand dollars

(e) For all taxation purposes except as hereinafter provided preferred stocks without any nominal or pare value and common stocks without any nominal or par value shall be valued at their actual value

(f) Such statements in the certificate of incorporation shall be in lieu of any statements prescribed by the law under which the corporation shall have been formed or reorganized or merged or consolidated as to the amount of its capital stock the number of shares into which the same shall be divided or the amount or par value of such shares

Section 2 Each share of such preferred stock without any nominal or par value and each share of such common stock withuot any nominal or par value shall be equal to every other share of such stock of the same class Provided however That preferences may be given to any class as to dividends which may be cumulative or non-cumulative and as to priority in distribution by naming the amount of such preferred dividends and the amount of any preference in distribution in dollars or dollars and cents per share That the voting power of the different classes of stock whether preferred or common to be issued hereunder may be so regulated subject to the Constitution and laws of this Commonwealth as may be provided in the certificate of incorporation or reorganization or in the by-laws of the corporation

Section 3 Every certificate for such shares of stock without any nominal or par value shall have plainly written upon its face the number of such shares which it represents and no certificate shall express any par value for such shares

Section 4 The necessity for having a par value in any share of stock is hereby removed

Section 5 Such corporation may issue and may sell its authorized shares from time to time for such consideration as may be prescribed in the certificates of incorporation or reorganization or in the joint agreement of merger or consolidation or as from time to time may be fixed by the board of directors of such corporation

Section 6 Any and all shares issued as permitted by this act shall be deemed fully paid and non-assessable and the holder of such shares shall not be liable thereon to the corporation or to its creditors except for the unpaid purchase price or consideration where said stock has been issued or sold for a specific consideration

Section 7 No corporation authorized to issue stock without any nominal or par value in pursuance of this act shall begin to carry on business or shall incur any indebtedness until the amount of its capital as stated in pursuance of this act shall have been fully paid in cash or in property taken at its actual value Provided That nothing in this act shall be held to exempt any corporation from the payment of ten per centum of its capital in cash as now required by law

Section 8 No such corporation shall declare any dividend which shall reduct the amount of its capital below the amount stated in pursuance of this act as the amount of capital with which the corporation will carry on business nor out of anything except net profits or surplus In case any such dividend shall be declared the directors in whose administration the same shall have been declared except those who may have caused their dissent therefrom to be entered upon the minutes of such directors at the time or who being absent when such action was taken shall have filed their objections (with the secretary of the corporation upon learning of such action) shall be liable jointly and severally to such corporation and to the creditors thereof to the full amount of any loss sustained by such corporation or by its creditors respectively by reason of such dividend

Section 9 Any corporation having shares without any nominal or par value in pursuance of this act may increase or reduce the number of shares which it may issue or may increase or reduce the amount of its stated capital in the manner and subject to the terms and conditions now provided by law for the increase or reduction of the capital stock of a similar corporation having shares with a par value in case consent is given to an increase of stated capital and to an increase of the number of shares that may be issued or either the resolutions of directors and of stockholders declaring such purpose and consenting to such increase shall be included in the return filed in the office of the Secretary of the Commonwealth and shall specify both the amount of such authorized increase of stated capital if any and the number of additional shares authorized

Section 10 The bonus required by law to be paid upon the authorized capital stock of a corporation shall in the case of a corporation issuing shares without any nominal or par value be paid upon the amount of capital with which the corporation carries on business as stated pursuant to section one sub-division (d) of this act and upon any increase thereof

Section 11 For all purposes of a corporation formed hereunder each share of stock without any nominal or par value shall be deemed to be an aliquot part of the aggregate capital of the corporation subject however to any preferences rights or limitations with respect to any or all classes of preferred stock under this act

Section 12 Unless otherwise provided in the certificate of incorporation the by-laws or the certificate of stock wherever a preference is stated with respect to dividends or distribution or both such preferences so specified shall be all that the holder of such shares shall receive in dividends or distribution of assets unless otherwise specifically provided and mentioned

Section 13 Except as otherwise provided by this act corporations issuing shares without any nominal or par value under the provisions hereof shall be and remain subject to the laws of this Commonwealth now or hereafter in force relating to the formation and regulation of such corporations and all other laws applicable thereto

Section 14 All acts or parts of acts inconsistent herewith are hereby repealed

Section 15 This act shall take effect immediately

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 838, as follows:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artoficially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the first days of May one thousand nine hundred and nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid" is amended by adding the following to be known as section eight

Section 8 That it shall be unlawful to use fish baskets in the waters within or under the control of this Commonwealth from the fifteenth day of December to the fourteenth day of August next ensuing each date inclusive that it shall be lawful to use fish baskets from the fifteenth day of August to the fifteenth day of December in each year both dates inclusive and from four o'clock in the afternoon until eight o'clock on the following morning for the capture of eels and no fish basket shall be set or used in a stream known as a trout stream and no wing-falls of any two baskets shall be withing twenty feet of each other at the upper end when side by side or extend beyond each other at the upper end or reach from main shore to main shore or extend over more than three-fourths of the width of a stream or occupy so much of the stream as to prevent the passage of canoes or boats and fish at either side of the stream or be constructed of any other material than loose stones and no basket and wing-falls shall be set immediately above one already legally located nearer than one-quarter of a mile And provided That the bottom of the basket so used shall be made of well-rounded wooden slats not more than two inches wide so set or placed that they shall not be less than three-eights of an inch apart when swollen by water And provided further That the bottoms of said baskets shall be movable for the entire width of each and every fall or so much of said bottoms be movable as to leave not more than seven slats in one section and such bottoms or parts of bottoms shall be taken out of said falls or so adjusted as to make it impossible for them to catch fish from eight o'clock in the morning and kept out until four o'clock in the afternoon And provided further That the number of the license of said basket shall be clearly and permanently painted or marked on the sides thereof Provided That nothing in this section shall be so construed as to allow any fish baskets to be erected and operated within a quarter of a mile of any fishway shute or opening in a dam through which fish can pass when water is running through raceways and mills excepted And provided also That before any person or persons shall be authorized to catch or take eels by means of a fish basket as described he or they shall be required to take out a license from the treasurer of the county in which he or they propose to erect or construct any fish basket in accordance with section twenty-one of this act and no person shall be given a license for a fish basket for a spot or location for which a license was given another person the previous year until the first day of the lawful season for using said basket unless the licensee of the previous year shall have previously notified the county treasurer in writing of his intention not to renew his license Provided That any person who shall neglect to take out a license for two years shall have no priority to such location And provided also, That no license shall be granted for a fish basket in any stream without the written consent of the owner and occupant of the land on which it is proposed to place such basket And provided further That all baskets used or operated under the provisions of this section shall be entirely removed from the wing-walls or dismantled or destroyed within one week after the closing of the legal season And provided also That no person or persons shall operate said basket in the absence of the owner or owners except it be a member of his family or a bona fide employe or employes of a member of his or their family in which case the holder or holders of the certificates or license shall be held legally responsible for any violation of this section or of any existing acts relating to fish or fishing within this Commonwealth by the use of said fish baskets Provided further That nothong in this section shall be so construed as to prevent the licensee or lawful operater keeping besides eels any carp suckers or mullets but no other fish which may be taken by the basket while lawfully used for catching eels And provided further That at the end of the fishing season each holder of a license shall furnish to the Department of Fisheries on request of the Commissioner of Fisheries a written report of the approximate number and weight of eels carp suckers and mullets taken together with the market value of the same for statistical purposes No individual report to be made public without the written consent of the licensee Any person or persons violating any of the provisions of this section shall on conviction be subject to a fine of twenty-five dollars as provided in section twenty-seven of this act together with the forfeiture of any boats or appliances which may have been used to the Department of Fisheries and in addition be deprived of the right to secure another license for the period of two years and this section shall apply to the river Delaware above Trenton Falls

This section applies only to streams of a width greater than two thousand feet

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 878, as follows:

An Act fixing the fee for services of jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than one million four hundred thousand inhabitants under writs of inquisition condemnation inquiry of damages lunacy and habitual drunkard proceedings or under writs or process issued directing inquests

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first Monday of January one thousand nine hundred and eighteen the fee for jurors summoned by the sheriff of any county in this Commonwealth having a population of over five hundred thousand and not more than one million four hundred thousand inhabitants under writs of inquisition condemnation inquiry of damages lunacy or habitual drunkard proceedings or upon any proceedings or by virtue of any writ of process issued by the courts of this Commonwealth directing an inquest for services performed shall be five dollars ($5.00) for each and every session at which said juror shall be in attendance

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 909, as follows:

An Act making a deficiency appropriation to the Department of State Police for the payment of the salaries of the Superintendent and Deputy Superintendent of the Department and the salaries of the officers and enlisted men of the State Police force

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven thousand two hundred and sixty-two dollars and sixty-seven cents ($7,262.67) is hereby specifically appropriated to the Department of State Police as a deficiency appropriation for the purpose of paying the increase in the salaries of the Superintendent and Deputy Superintendent of the Department of State Police and the salaries of the officers and the enlisted men of the State Police force as provided in an act approved the twelfth day of April one thousand nine hundred and seventeen entitled "An Act fixing the salaries of the Superintendent and Deputy Superintendent of the Department of State Police and fixing the number and salaries of the officers and the enlisted men of the State Police force"

Section 2 The aforesaid appropriation shall be paid upon warrant of the Auditor General upon the State Treasurer in the usual manner

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 910, entitled

An Act to repeal section five of an act entitled "Supplement to the act incorporating the Borough of Doylestown entitled 'An Act authorizing the Governor to incorporate the Bristol Steam Tow Boat and Transportation Company and for other purposes' " approved the thirteenth day of March one thousand eight hundred and sixty-seven (Pamphlet Laws four hundred and fourteen).

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act entitled "Supplement to the act incorporating the borough of Doylestown entitled 'An Act authorizing the Governor to incorporate the Bristol Steam Tow Boat and Transportation Company and for other purposes' " approved the thirteenth day of March one thousand eight hundred and sixty-seven (Pamphlet Laws four hundred and fourteen) be and the same is hereby repealed

On the question,
Will the Senate agree to the section?
Mr. BUCKMAN. Mr. President, I move to amend section 1, page 1, line 10, by adding after the word "fourteen" the following: "which reads as follows:"

"Section 5 That any person, or persons, aggrieved by any regulation, under the provisions of this act, in relation to the laying out, widening, or straightening, any streets, roads, lanes, alleys, or other highways, within said borough, may apply, by petition, to the court of court of quarter sessions of the County of Bucks, upon which the said court shall appoint viewers, who shall proceed in the same manner as provided in the seventh, eighth and ninth sections of the act of fifteenth of June, one thousand eight hundred and thirty-six, entitled 'An Act relating to roads, highways and bridges,' and the same proceedings shall be had, in said court, and the same remedies, within the same time, by the parties, so aggrieved, as are provided in the said above recited sections of said act."

Mr. EYRE. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.
The title of the bill was read as follows and agreed to:

An Act to repeal section five of an act entitled "Supplement to the act incorporating the Borough of Doylestown entitled 'An Act authorizing the Governor to incorporate the Bristol Steam Tow Boat and Transportation Company and for other purposes' " approved the thirteenth day of March one thousand eight hundred and sixty-seven (Pamphlet Laws four hundred and fourteen).

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 911, as follows:

An Act providing for the ascertainment and assessment of damages and benefits in proceedings to lay out open widen vacate extend grade or changing the grade or lines of streets lanes and alleys in boroughs providing that this act shall apply to all proceedings when the damages shall not have been actually and finally ascertained and repealing all acts general local or special conflicting therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all damages which shall be suffered or sustained by any owner or tenant of lands property or materials in any borough of this Commonwealth whether incorporated under general or special law abutting on or through which pass roads streets lanes or alleys injured by the laying out opening widening vacating extending or grading of such roads streets lanes or alleys or the changing of the grades or lines thereof whereby private lands property or materials may or shall be injured taken or destroyed by any borough and all benefits in connecton therewith where such damages and benefits shall be ascertained by viewers shall be ascertained and assessed as provided in chapter six article two of the act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" and known as the "General Borough Act"

Section 2 All damages costs and expenses over and above any benefits assessed when ascertained as aforesaid shall be paid by the borough taking injuring or destroying such lands property or materials for any of the purposes aforesaid

Section 3 The provisions of this act shall extend and apply to all the proceedings provided for in section one of this act where such damages and benefits have not been actually and finally ascertained

Section 4 That all acts of Assembly either general special or local conflicting herewith be and the same are hereby repealed

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 574, entitled

An Act requiring borough councils, township commissioners, township supervisors, and school directors to file auditors' reports in the office of the clerk of quarter sessions; requiring the county commissioners to furnish books for that purpose; imposing certain duties on auditors; fixing the fee of the clerk of the court, and providing for removal from office in case of failure to comply herewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 610 (House Bill No. 648), entitled

An Act to amend section one thousand four hundred thirty-nine of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith," as amended by adding thereto section one thousand four hundred forty.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 711, entitled

An Act authorizing Rosario Fantino, of Philadelphia, to bring suit in the Court of Common Pleas of Philadelphia County against the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 750, entitled

An Act to repeal an act approved the twenty-third day of April, Anno Domini one thousand nine hundred and three, entitled "An Act to designate a uniform date when the Commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments, and the reassessment between the periods of the triennial assessment, of property, and fixing the time for the return thereof."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 788, entitled

An Act regulating the recovery of personal property leased or sold under a conditional sale and the collection of balances arising from such lease or sale.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 819, entitled

An Act to amend an act approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act providing for the establishment of the Pennsylvania Historical Commission defining its powers and duties and making an appropriation for its work" by enlarging its powers and duties and providing for publishing its report etc.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 847, entitled

An Act relating to Commissioners of Public Parks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 848, entitled

A Joint Resolution proposing an amendment to section twenty-two article three of the Constitution of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 858 (House Bill No. 842), entitled

An Act authorizing Robert J. McAllister and Ruth McAllister, his wife, residents of the Dunstable Township, Clinton County, Pennsylvania, to bring suit in the court of common pleas of Clinton County against the Commonwealth of Pennsylvania jointly or severally.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 859 (House Bill No. 846), entitled

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 861, entitled

An Act authorizing John F. Stone of Coudersport, Pennsylvania, to sue the Commonwealth in the Court of Common Pleas of Dauphin County for loss and damage incident to a shipment of cattle to Lancaster, delivery of which was not permitted by the State Livestock Sanitary Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 863, entitled

An Act to amend an act approved the fourteenth day of June, one thousand eight hundred and eighty-seven, entitled "An Act to provide for the incorporation and regulation of companies, not for profit, organized for the encouragement of the arts and sciences and of agriculture and horticulture, and to confer upon such companies the right of eminent domain," as amended; enabling said corporations to increase their bonded indebtedness from five hundred thousand dollars to one million dollars.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 867, entitled

An Act authorizing George F. Pawling Company, a corporation incorporated under the laws of the State of Pennsylvania, with its principal place of business in the City of Philadelphia, Pennsylvania, successor to Bergdoll and Pawling, to bring suit in the Court of Common Pleas of Dauphin County against the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 889 (House Bill No. 912), entitled

An Act validating certain foreclosures proceedings instituted by foreign executors administrators and guardians sheriff's sales had thereon and the title acquired thereby.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 895 (House Bill No. 1028), entitled

An Act authorizing James L. Baker and Mary A. Baker, his wife, of Harrisburg, Dauphin County, Pennsylvania, to bring suit in the court of common pleas of Dauphin County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 897 (House Bill No. 1090), entitled

An Act supplementing and amending section ten (10) of an act, entitled "An Act establishing a court for the County of Philadelphia, prescribing its jurisdiction and powers, providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," approved the twelfth day of July, one thousand nine hundred and thirteen, by adding the words "and injuries to property" following the words "personal injuries," so that the exception in the said section shall read: "Except that in actions for damages for personal injuries and injuries to property it shall have jurisdiction where the sum demanded by the plaintiff does not exceed one thousand five hundred dollars ($1,500.00)."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 898 (House Bill No. 1117), entitled

An Act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania or by any county or municipality thereof in its civil service, who have a wife children or parents dependents upon them for support, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment in the army or navy of the United States in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the army or navy; directing that one half of the salaries or wages of such officers or employes not exceeding two thousand dollars per annum, be paid during the term of their service in the army or navy to such dependents thereof; authorizing the employment, during said term, of substitutes to perform the duties theretofore performed by such officers or employes respectively, and providing for the compensation of such substitutes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 900 (House Bill No. 1253), entitled

A Joint Resolution petitioning the government of the United States and the Secretary of War to rescind or modify the order of the Department of War requiring the raising of certain bridges over the Allegheny River.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 905, entitled

An Act validating certain elections of counties, cities, boroughs, townships, school districts, and other incorporated districts, held pursuant to the provisions of an act approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto, and validating bonds issued, or authorized to be issued, in pursuance of such elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 906, entitled

An Act to empower certain county poor districts to purchase poor farms; providing that manner in which such purchases shall be made, and providing for the mortgaging of such poor farms to secure any part of the purchase price thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 907, entitled

An Act to validate certain deeds and conveyances made by trustees without setting forth their authority to convey.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 918, entitled

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decide the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining Highways and State-aid Highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," providing that the State Highway Commissioner may take over, as a part of the system of State Highways, any public road leading from a State Highway to a State reservation or other State property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 924, entitled

An Act fixing the compensation of election assessors and constables in boroughs and townships for attendance at primary elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECESS.

Mr. LYNCH. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILL RECOMMITTED.

Mr. C. A. SNYDER. Mr. President, I move that Senate Bill No. 641 (House Bill No. 770), on third reading, entitled

An Act providing fees and mileage for witnesses attending coroners inquests and providing for the payment thereof by the several counties.

be recommitted to the Committee on Judiciary Special.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED.

Mr. C. A. SNYDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. C. A. SNYDER read in his place and presented to the Chair Senate Bill No. 960, entitled

An Act prohibiting the manufacture, sale, keeping for sale, exchange bartering, disposing of, or giving away of cigarettes, cigarette papers or cigarette wrappers, or of cigarette papers and wrappers made or prepared for the purpose of being filled with tobacco for smoking.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 961, entitled

An Act to amend article seven of the act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by adding thereto sections seven hundred and twelve to seven hundred and twenty-eight both inclusive.

Which was committed to the Committee on Judiciary Special.

REPORT FROM COMMITTEE.

Mr. McKEE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McKEE, from the Committee on Military Affairs, reported as amended, the following resolution:

Whereas, The Congress of the United States has declared a state of war to exist between the Imperial Government of Germany and the United States, and

Whereas, It is necessary for the United States to immediately raise a large army in order to meet the exigencies of the occasion,

Therefore be it resolved, That the Senate of the Commonwealth of Pennsylvania hereby endorses the policy of President Wilson in urging a selective service as the most

efficient means of raising the army required under present conditions, and the Clerk of the Senate is hereby directed to send a copy of this resolution to the President of the United States and to each Member of Congress from Pennsylvania.

Which was laid over one day under the rules.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 363.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate in House Bill No. 363, entitled

An Act fixing the fee jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than fourteen hundred thousand for service in the courts of common pleas courts of quarter sessions and courts of oyer and terminer.

CONCURRENT RESOLUTION RECALLING SENATE BILL NO. 771 FROM THE HOUSE.

He also presented communication from the House of Representatives returning to the Senate resolution from the Senate as follows:

In the Senate, April 24, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 771, entitled An Act to amend section one thousand four hundred five of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" be recalled from the House of Representatives for the purpose of further consideration.

With the information that the House has concurred in the same, and returning said bill.

RECONSIDERATION OF SENATE BILL NO. 771.

Mr. EYRE. Mr. President, I move to reconsider the vote by which Senate Bill No. 771, entitled

An Act to amend section one thousand four hundred five of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

passed finally.

The PRESIDENT. How did the Senator vote?
Mr. EYRE. Mr. President, I voted "aye."
Mr. BUCKMAN. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. BUCKMAN. Mr. President, I voted "aye."
The motion was agreed to.
And the question recurring,
Shall the bill pass finally?

BILL RECOMMITTED.

Mr. EYRE. Mr. President, I move that this bill be recommitted to the Committee on Public Roads and Highways.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

RESOLUTION REQUESTING THE GOVERNOR TO DESIGNATE GOOD ROADS DAY.

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows:

In the House of Representatives, April 24, 1917.

Resolved, by the House of Representatives (if the Senate concur), That the Governor of this Commonwealth be requested to appoint a day to be designated as "Good Road's Day," in Pennsylvania, to recommend, by proclamation to the people, on the day named, the contributing of one day's labor upon the public roads and highways throughout the State, and that the Highway Department be authorized, to permit its employes to join in, and donate the use of its equipment, on the day named, towards carrying out the purpose of this resolution in the improvement of the highways of this Commonwealth.

Mr. EYRE. Mr. President, I move that this resolution be referred to the Committee on Public Roads and Highways.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILL NO. 855 RECALLED FROM THE GOVERNOR.

He also presented to the Senate extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 25, 1917.

Resolved (if the Senate concur), That House Bill No. 855, entitled An Act to repeal an act approved the nineteenth day of March one thousand nine hundred fifteen entitled "A further supplement to an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" be recalled from the Governor for the purpose of amendment.

HOUSE BILL NO. 775 RECALLED FROM THE GOVERNOR.

He also presented to the Senate extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 25, 1917.

Resolved (if the Senate concur), That House Bill No. 775, entitled An Act to fix and determine the salary of the several clerks of the courts of record of the County of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth be recalled from the Governor for the purpose of amendment.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 52

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

Resolved (if the House of Representatives concur), That Senate Bill No. 52, entitled "An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products or any other products and prescribing penalties," be recalled from the Governor for the purposes of amendment.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL NO. 219.

He also returned to the Senate Senate Bill No. 219. entitled

An Act to authorize counties cities boroughs towns townships school districts and poor districts to require a bond to protect labor and material men and providing for suits thereon by laborers and material men furnishing labor and material in and about the erection alteration addition and repair of public buildings.

with the information that the House has concurred in the amendments made by the Senate.

Said bill having been recalled from the Governor for amendment. The vote had on final passage and third reading on said bill were reconsidered in the Senate and the bill amended.

REPORTS FROM COMMITTEE.

Mr. C. A. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. C. A. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 960, entitled

An Act prohibiting the manufacture, sale, keeping for sale, exchange bartering, disposing of, or giving away of cigarettes, cigarette papers or cigarette wrappers, or of cigarette papers and wrappers made or prepared for the purpose of being filled with tobacco for smoking.

Also, from the Committee on Judiciary Special reported as committed, Senate Bill No. 961, entitled

An Act to amend article seven of the act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by adding thereto sections seven hundred and twelve to seven hundred and twenty-eight, both inclusive.

ADJOURNMENT.

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until next Tuesday morning at 11.45 o'clock.

Mr. LEIBY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:55 o'clock P. M., until Tuesday morning, May 1, 1917, at 11:45 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 25, 1917.

The House met at 11 o'clock A. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

Our Father who art in Heaven, may we ever by every thought and action hallow Thy most holy name. May we do our part to have Thy kingdom come and Thy will be done on earth as it is in Heaven. Hear our prayer this beautiful morning, and fill us with ennobling thoughts, lofty aspirations and divine ambitions. As the King of our lives we would have Thee rule our desires, our feelings and our affections. Forgive us as we chafe and fret and become discontented and unsubmissive. Bless us in all our deliberations here so that we do not grieve Thee nor mar Thy work. Father, we want to make this a sweet, beautiful day. Give us much of Thy spirit, and may we live near Thee always. We ask all in Christ's name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Marvin, the further reading was dispensed, with, and the Journal was approved.

PETITION FAVORING APPROPRIATION TO THE HOMEOPATHIC HOSPITAL OF POTTSTOWN.

Mr. CHRISTMAN presented the petition of citizens of Chester and Montgomery Counties praying for a special appropriation to the Homeopathic Hospital of Pottstown, Pennsylvania.

Referred to the Committee on Appropriations.

BILLS INTRODUCED AND REFERRED.

By Mr. WOODWARD. House Bill No. 1637.

An Act authorizing the Governor, upon certain conditions, to suspend by proclamation, restrictions relating to labor contained in any law of this Commonwealth, and providing for the publication of such proclamation and the payment of the costs thereof.

Referred to the Committee on Labor and Industry.

By Mr. STADTLANDER. House Bill No. 1638.

A Supplement to an act approved the twenty-third day of May, one thousand nine hundred and seven, entitled "An Act to regulate and improve the civil service of cities of the second class in the Commonwealth of Pennsylvania, making violations of its provisions to be misdemeanors, and providing penalties for violations thereof," providing for the election of the civil service commissioners and for their removal, and fixing their term of office and their compensation, and prescribing their rights and duties.

Referred to the Committee on Municipal Corporations.

By Mr. STADTLANDER. House Bill No. 1639.

An Act to amend section six hundred seventeen of an act, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," approved the eighteenth day of May, Anno Domini nineteen hundred and eleven, and providing for the construction, re-construction or repair of school buildings, or work upon school property within the Commonwealth of Pennsylvania, by contract, where the cost, value or amount of same, including labor and material, exceeds the sum of three hundred dollars ($300).

Referred to the Committee on Municipal Corporations.

By Mr. GLASS. House Bill No. 1640.

An Act to amend the act approved the second day of June, one thousand nine hundred and fifteen, entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder."

Referred to the Committee on Manufactures.

By Mr. FRANKLIN. House Bill No. 1641.

An Act to amend an act approved the first day of June, one thousand nine hundred eleven, entitled "An Act designating the employes of the Insurance Department and fixing their salaries.

Referred to the Committee on Appropriations.

By Mr. STERN. House Bill No. 1642.

An Act to further amend section twenty-eight of an act approved the tenth day of June, one thousand eight hundred and ninety-three, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended.

Referred to the Committee on Judiciary General.

By Mr. STERN. House Bill No. 1643.

An Act forbidding the advertising, publishing, selling, distribution or otherwise disseminating or imparting or attempting to disseminate or impart knowledge or information tending to interfere with or diminish the birth of human beings in the Commonwealth of Pennsylvania; defining it as a misdemeanor and providing for its punishment.

Referred to the Committee on Law and Order.

By Mr. SNYDER. House Bill No. 1644.

An Act creating a commission for the selection of a site for the erection of a monument to commemorate the Battle of Bushy Run in Penn Township, Westmoreland County, and to provide for the erection thereof; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. WELLS. House bill No. 1645.

An Act to amend section one of an act approved the eighth day of May, one thousand nine hundred and thirteen, entitled "An Act authorizing the appointment of interpreters in each county of this Commonwealth, and providing for their compensation."

Referred to the Committee on Judiciary Local.

By Mr. NEARY. House Bill No. 1646.

An Act permitting under the supervision of the authorities of cities, boroughs, towns and townships, baseball games on Sunday between three and six o'clock post meridian.

Referred to the Committee on Law and Order.

By Mr. ROGERS. House Bill No. 1647.

An Act making an appropriation to the Hospital of the Hahnemann Medical College and Hospital, of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. JEFFERSON W. SMITH. House Bill No. 1648.

An Act permitting the exhibition of moving or motion pictures on Sundays.

Referred to the Committee on Law and Order.

By Mr. SINCLAIR. House Bill No. 1649.

An Act authorizing churches, cemetery companies and burial associations to lease or convey certain coal and other minerals; providing for the use and expenditure of the funds derived therefrom and for the support of the overlying surface.

Referred to the Committee on Mines and Mining.

By Mr. RICH. House Bill No. 1650.

An Act to amend part of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for the purchase or acquiring of turnpikes or toll roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Referred to the Committee on Public Roads.

By Mr. WALKER. House Bill No. 1651.

An Act providing for an additional officer and employe of the House of Representatives, defining their duties and fixing their compensation.

Referred to the Committee on Appropriations.

By Mr. SIGGINS. House Bill No. 1652.

An Act fixing the compensation of the township treasurer of townships of the first class as treasurer and as tax collector.

Referred to the Committee on Counties and Townships.

REPORTS FROM COMMITTEES.

Mr. MARVIN, from the Committee on Appropriations, reported as amended House Bill No. 822, entitled

An Act making an appropriation to the trustees of the State Hospital for the Insane at Warren, Pennsylvania.

Mr. HORTON, from the Committee on Judiciary Local, reported as amended House Bill No. 841, entitled

An Act to amend an act approved the eighth day of May, one thousand nine hundred and nine, entitled "An Act to provide that admission now had or that may hereafter be had to practice as an attorney at law in the Supreme Court of this Commonwealth shall of itself, without more, operate as an admission of such attorney as attorney at law in every other court of this Commonwealth; and to provide that disbarment or suspension of any attorney by the said Supreme Court shall of itself, without more, operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth.

Mr. THEODORE MORGAN, from the Committee on Appropriations, reported as committed House Bill No. 1539, entitled

An Act appropriating and transferring to the Board of Commissioners of Public Grounds and Buildings the unexpended portions of money heretofore appropriated by the act of June sixteenth, one thousand nine hundred and eleven (Pamphlet Laws one thousand and twenty-seven), entitled "An Act to provide, within the following boundaries—namely: On the west, by the present eastern line of Capitol Park; on the north, by the southern line of North Street; on the east, by the western line of the right of way of the Pennsylvania Railroad company, and on the south, by the northern line of Walnut street—for the extension of Capitol Park in the City of Harrisburg; and for the acquiring, taking, and condemnation of the real estate in connection therewith and within said boundaries, and for the demolition of the buildings and structures thereon; and making an appropriation therefor, and also for the expenses and cost in connection therewith," and designating the purpose for which such money shall be used.

Mr. JONES, from the Committee on Appropriations, reported as committed House Bill No. 1159, entitled

An Act reappropriating and making available certain unexpended sums, appropriated by the General Assembly of one thousand nine hundred and fifteen for the support and maintenance of the National Guard and Naval Militia for improvements at the Permanent Camp Ground at Mount Gretna, Pennsylvania.

Mr. SCOTT, from the Committee on Appropriations, reported as committed House Bill No. 1565 (Senate Bill No. 216), entitled

An Act relating to the salaries and expenses of the examiners in the Department of Banking.

Mr. BRADY, from the Committee on Judiciary General, reported as amended House Bill No. 1562 (Senate Bill No. 670), entitled

An Act to increase the powers of courts in proceedings for desertion and non-support of wives, children or aged parents, and in proceedings for failure to comply with orders of court in fornication and bastardy proceedings or other proceedings for the support of illegitimate children; directing that imprisonment in such cases be at hard labor in such institution as the court shall name; providing for the payment by such institution, or in certain cases by the county from which the defendant was committed, of the sum of sixty-five cents per day, to be paid to the person designated by the order of the court; providing for the issuance of attachments and for the disbursement of moneys collected on forfeiture of bonds, bail bonds or recognizances; and providing for the payment by the county of the expenses incident to carry out this act

Mr. CHARLES A. SHAFFER, from the Committee on Appropriations, reported as committed House Bill No. 1465 (Senate Bill No. 766), entitled

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the Township of Coal near Shamokin Northumberland County Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred and fifteen.

Mr. McCAIG, from the Committee on Appropriations, reported as committed, House Bill No. 1296 (Senate Bill No. 282), entitled

An Act making an appropriation for the Dixmont Hospital for the Insane, to make good the deficit in operation of said hospital to January first one thousand nine hundred and seventeen.

LEAVE OF ABSENCE.

Mr. COX asked and obtained leave of absence for his colleague, Mr. Cummins on account of sickness.

RESOLUTION RECALLING HOUSE BILL NO. 375 BE RECALLED FROM THE SENATE.

Mr. DELL offered a resolution which was twice read, considered and agreed to, as follows

In the House of Representatives, April 24, 1917.

Resolved (if the Senate concur), That House Bill number three hundred and seventy-five, entitled "An Act to amend section one thousand two hundred and ten and to repeal sections one thousand two hundred and eleven, one thousand two hundred and thirteen, and two thousand eight hundred and five of an act aproved the eighteenth day of May, one thousand nine hundred and eleven, entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws general, special or local, or any parts thereof that are or may be inconsistent therewith," be recalled from the Senate for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

Mr. DUNN. Mr. Speaker, I move that the vote by which House Bill No. 962, File Folio 1675 was defeated on third reading on April 18, be reconsidered.

Mr. GLASS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 962, entitled

An Act to prohibit the letting of prison labor by contract to regulate the employment of prisoners in all county prisons and reformatories regulating the disposition of the products of prison labor and providing penalty for its violations.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. DUNN. Mr. Speaker, I move that House Bill No. 962 be placed on the postponed calendar for the present.

Mr. CURRY. Mr. Speaker, I second the motion.

The motion was agreed to.

RESOLUTION RELATIVE TO "GOOD ROAD'S DAY."

Mr. McPEAKE asked and obtained unanimous consent to present a resolution which was twice read, considered and agreed to as follows:

In the House of Representatives, April 24, 1917.

Resolved, by the House of Representatives, (if the Senate concur), That the Governor of this Commonwealth be requested to appoint a day to be designated as "Good Road's Day," in Pennsylvania, to recommend, by proclamation to the people, on the day named, the contributing of one day's labor upon the public roads and highways throughout the State, and that the Highway Department be authorized, to permit its employes to join in, and donate the use of its equipment, on the day named, towards carrying out the purposes of this resolution in the improvement of the highways of this Commonwealth.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 213.

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections.

Senate Bill No. 317.

An Act validating certain elections of boroughs towns and townships held to determine the question of becoming a city of the third class and validating letters patent issued in pursuance of such elections.

Senate Bill No. 318.

An Act to amend sections one three and five of article three of an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June Anno Domini one thousand nine hundred thirteen.

Senate Bill No. 342

A Supplement to an act approved the fifth day of June one thousand nine hundred and thirteen entitled "An Act regulating the operation of motor-boats and providing a penalty" giving the Board of Commissioners of Navigation jurisdiction to enforce the provisions of this act.

Senate Bill No. 352

An Act to validate acts done by corporations before the recording of their charters.

Senate Bill No. 364

An Act to repeal an act entitled "An Act to increase the compensation of road viewers reviewers and surveyors in the County of Allegheny" approved the thirtieth day of March Anno Domini one thousand eight hundred and seventy-two.

Senate Bill No. 365

An Act to repeal section one of an act entitled "An Act to regulate the price of supporting the prisoners in the county jail in Allegheny" approved the eighth day of May Anno Domini one thousand eight hundred and fifty-five.

Senate Bill No. 366

An Act to repeal an act entitled "An Act to encourage the destruction of foxes in the Counties of Allegheny Cambria York Mercer Union Huntingdon Luzerne and Schuylkill" approved the fourth day of May, Anno Domini one thousand eight hundred and thirty-two in so far as the same relates to the County of Allegheny.

Senate Bill No. 371

An Act to repeal an act entitled "An Act for the reformation and employment of vagrants drunkards and other disorderly persons in the County of Allegheny" approved the thirteenth day of April Anno Domini one thousand eight hundred and fifty-nine.

Senate Bill No. 372

An Act to repeal an act entitled "An Act supplementary to an act passed January twenty-ninth one thousand eight hundred and sixty-three authorizing the commissioners and controller of Allegheny County to compromise with the holders of the bonds of said county" approved the twenty-second day of April Anno Domini one thousand eight hundred and sixty-three.

Senate Bill No. 373

An Act to repeal sections two and three of an act, entitled "An Act to confer on Alexander Thomas and Budd Jones and Emma Downing, of Allegheny county, the rights and privileges and advantages of children born in lawful wedlock; in relation to a tax on dogs in the said county of Allegheny; incorporating the West Newton and Braddock's Field Plank Road Company; relative to fishing with nets in the Monongahela River; authorizing constables to serve civil process in Germantown; relative to miners in Schuylkill County; legitimatizing James C. Collins; relative to the premium on fox scalps in the county of York," approved the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-one, which said sections relate to the taxation of dogs in Allegheny County.

Senate Bill No. 377

An Act amending the twelfth section of an act entitled "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, giving the courts power to enforce

its provisions" approved the 14th day of May, Anno Domini one thousand nine hundred and fifteen providing that counties, cities, boroughs, townships, school districts and other municipalities shall not be required to file affidavits of defense.

Whereupon,

The SPEAKER in the presence of the House signed the same.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 363

An Act fixing the fee jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than fourteen hundred thousand for service in the courts of common pleas courts of quarter sessions and courts of oyer and terminer.

With information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the title in the first line by striking out after the word "Fee" the words "for service of."

Line 3, by inserting after the word "thousand" the words "and not more than fourteen hundred thousand."

Line 4, strike out "under writs of inquisition condemnation inquiry of damages et cetera" and insert "for service in the courts of Common Pleas Courts of Quarter Sessions and Court of Oyer and Terminer."

Section one, line 7, after the word "thousand" insert "and not more than fourteen hundred thousand."

Line 7, strike out the following "under writs of inquisition condemnation inquiry of damages lunacy or habitual drunkard proceedings or upon any proceedings or by virtue of any writ or process issued by the courts of this Commonwealth directing an inquest or requiring the services of jurors and the fees for the services performed by said jurors shall be the sum of five dollars and fifty cents for each and every session at which said jurors shall be in attendace" and insert "for service in the courts of common pleas courts of quarter sessions and courts of oyer and terminer shall be three dollars and fifty cents for each day's attendance in such court."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Aron,	Erdman,	McKay,	Sinclair,
Arthur,	Fackler,	McKinney,	Smith, E. R.,
Aston,	Fitzgibbon,	McNichol,	Smith, F. I.,
Baker,	Flynn.	McPeake,	Smith, J. W.,
Baldi,	Fowler,	McVicar,	Smith, O. W.,
Baldridge,	Franklin,	Mearkle,	Snowden,
Barner,	Fretz,	Mehring,	Snyder,
Bechtold,	Gans,	Mervine.	Somerman,
Bell,	Glass,	Michel,	Sones,
Benchoff,	Golder,	Miller, Allan,	Spangler,
Bennett,	Goodnough,	Miller, C. G.,	Sprowls,
Benninger,	Goodwin,	Miller, G. J. A.,	Stadtlander,
Beyer,	Gormley,	Milner,	Steedle,
Bidelspacher,	Graeff,	Mitchell,	Sterling,
Black,	Graham,	Morgan, T. J.,	Stern,
Bouton, V. B.,	Gransback,	Murdoch,	Stites,
Bovee,	Haight,	Ogden,	Strauss,
Boyd,	Haldeman,	Palmer,	Sullivan,
Brady,	Heffernan,	Patterson,	Swartz,
Brumbaugh,	Hess,	Phillips,	Sweitzer,
Burnett,	Heyburn,	Pickering,	Taylor,
Campbell, T.,	Hibshman,	Powell,	Thomas,
Canon,	Hoffman,	Ramsey,	Ulsh,
Chestnut,	Hollern,	Reitzel,	Urich,
Christman,	Hollingsworth,	Reynolds,	Vickerman,
Clements,	Horton,	Rhoads, H. L.,	Vogdes,
Coldsmith,	Howarth,	Rich,	Wagner,
Conner,	Isherwood,	Ringler,	Walker,
Corbin,	Jack,	Rininger,	Wallace,
Cox,	Jones,	Robertson,	Walter,
Crosby,	Kennedy,	Ross,	Weimer,
Cummins,	Lanius,	Rothenberger,	Wells,
Curry,	Lauler,	Ruddy,	West,
Davis, W.,	Leary,	Sampsel,	Whitaker,
Dean,	Lohr,	Sarig,	Wickman,
Dell,	Luppert,	Schaeffer, A. C.,	Williams, G. W.
Dewey,	Malie,	Scott,	Williams, J. P.,
Dithrich,	Mangan,	Shaffer, C. A.,	Wobensmith,
Drake,	Marvin,	Shattuck,	Wood,
Drinkhouse,	Maurer,	Showalter,	Woodward,
Dunn,	McCaig,	Shunk,	Wylie,
Eby,	McCullough,	Siggins,	Zanders,
Ehrhardt,	McCurdy,	Simpson,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL FOR CONCURRENCE.

The Clerk of the Senate bing introduced, presnted for concurrence bill numbered and entitled as follows:

Senate Bill No. 219

An Act to authorize counties cities boroughs towns townships school districts and poor districts to require a bond to protect labor and material men and providing for suits thereon by laborers and material men furnishing labor and material in and about the erection alteration addition and repair of public buildings.

Said bill having been recalled from the Governor for amendment. The vote on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk then read the amendments as follows:

Amend section 1, page 1, line 9, by striking out "a" and inserting the words "an additional;" also on section 1, page 2, line 1, after the word "providing" strike out "in addition to the covenants thereof a covenant therein on separate bond."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provision of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Albee,	Fitzgibbon,	McCullough,	Simpson,
Aron,	Flynn,	McCurdy,	Sinclair,
Arthur,	Fowler,	McKinney,	Smith, E. R.,
Aston,	Franklin,	McNichol,	Smith, J. W.,
Baker,	Fretz,	McPeake,	Smith, O. W.,
Baldi,	Gans,	McVicar,	Snowden,
Baldridge,	Geary,	Mearkle,	Snyder,
Bechtold,	Glass,	Mehring,	Somerman,
Bell,	Golder,	Michel,	Sones,
Benchoff,	Goodnough,	Miller, A. D.,	Spangler,
Bennett,	Goodwin,	Miller, C. G.,	Sprowls,
Benninger,	Graeff,	Miller, G. J. A.,	Stadtlander,
Beyer,	Graham,	Milner,	Steedle,
Bidelspacher,	Gransback,	Mitchell,	Sterling,
Black,	Haight,	Morgan, T.,	Stern,
Bouton, V. B.,	Haldeman,	Morgan, T. J.,	Stites,
Bovee,	Hecht,	Murdoch,	Stoffiet,
Boyd,	Heffernan,	Musser,	Sullivan,
Brady,	Helt,	Neary,	Swartz,
Brumbaugh,	Hess,	Ogden,	Sweitzer,
Burnett,	Heyburn,	Palmer,	Taylor,
Campbell, J. O.,	Hibshman,	Patterson,	Thomas,
Campbell, T.,	Hoffman,	Perry,	Ulsh,
Canon,	Hollern,	Phillips,	Urich,
Chestnut,	Hollingsworth,	Pickering,	Vickerman,
Christman,	Horton,	Powell,	Vogdes,
Coldsmith,	Howarth,	Ramsey,	Wagner,
Conner,	Isherwood,	Reitzel,	Walker,
Corbin,	Jack,	Reynolds,	Wallace,
Cox,	Jennings,	Rhoads, H. L.,	Walter,
Crosby,	Jones,	Rich,	Weimer,
Cummins,	Kennedy,	Ringler,	Wells,
Curry,	Lafferty,	Robertson,	West,
Davis, D. F.,	Lanius,	Rogers,	Whitaker,
Davis, W.,	Lauler,	Ross,	Wickman,
Dean,	Leary,	Rothenberger,	Williams, G. W.
Dell,	Lewis,	Rudisill,	Williams, J. P.,
Dewey,	Lohr,	Sampsel,	Wobensmith,
Dithrich,	Luppert,	Sarig,	Wood.
Donneley,	Malie,	Schaeffer, A. C.,	Woodward,
Drinkhouse,	Mangan,	Scott,	Wylie,
Dunn,	Marvin,	Shaffer, C. A.,	Wynne,
Eby,	Maurer,	Shattuck,	Zanders,
Ehrhardt,	McArdle,	Shunk,	Baldwin,
Erdman,	McCaig,	Siggins,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 24, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing for the recall of House Bill No. 295.

MARTIN G. BRUMBAUGH.

RECONSIDERATION OF VOTE.

Mr. WOBENSMITH. Mr. Speaker, I move that the vote by which House Bill No. 295, the bill recalled from the Governor, passed finally, be reconsidered.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WOBENSMITH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, line 1, by striking out the words "clause three of."

Amend title, line 6, by inserting after the word "proviso" the words "to clause three thereof."

Amend section 1, line 4, by striking out the words "clause three of."

Amend section 1, line 8, by inserting after the word "divorces" the following:

"as amended by the act approved the first day of May, one thousand nine hundred and nine (Pamphlet Laws, three hundred seventy-four), entitled 'An Act amending the act entitled "An Act amending the act entitled 'A further supplement to an act concerning divorces,' approved May eighth, one thousand eight hundred and fifty-four, by providing that conviction for certain enumerated crimes only shall be cause for divorce, and repealing the act of June first, one thousand eight hundred and ninety-one, relating to the same subject," approved the ninth day of March, Anno Domini one thousand nine hundred and three, so as to provide that conviction of the crime of assault with inten to kill shall ze cause for divorce," which amended clause two of said section, and"

Amend section 1, page 2, line 4, by inserting after the word "which" the words "amended the third."

Amend section 1, line 4, by striking out the words "as amended" and inserting in lieu thereof the words "of said section."

Amend section 1, by striking out lines 5 to 17 both inclusive and inserting in lieu thereof the following:

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in addition to the cases now provided for by law, it shall be lawful for the courts of common pleas of this Commonwealth, to grant divorces in the following cases:

I. Where an alleged marriage was procured by fraud, force or coercion, and has not been subsequently confirmed by the acts of the injured party.

II. Where either of the parties shall have been either within or without this State, convicted as principal, or as accessory, either before or after the fact, of the crime of arson, burglary, embezzlement, forgery, kidnapping, lar- with intent to kill, voluntary manslaughter, perjury, rape, robbery, sodomy, buggery, treason, or misprision of treason, and be sentenced by a competent court, having jurisdiction, to imprisonment for any term exceeding two years: Provided, That such application for a divorce be made by the husband or wife of the party so convicted and sentenced

III. Where a wife shall have, by cruel and barbarous treatment or indignities to his person, rendered the condition of her husband intolerable, or life burdensome: Provided, That in case of divorce under this act, if the application shall be made on the part of the husband, the court granting such divorce may allow such support or alimony to the wife as her husband's circumstances may admit of, and as said court may deem just and proper," be and the same is hereby further amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That in addition to the cases now provided for by law, it shall be lawful for the courts of common pleas of this Commonwealth, to grant divorces in the following cases:

I. Where an alleged marriage was procured by fraud, force or coercion, and has not been subsequently confirmed by the acts of the injured party.

II. Where either of the parties shall have been, either within or without this State, convicted as principal, or as accessory either before or after the fact, of the crime of arson, burglary, embezzlement, forgery, kidnapping, larceny, murder, either in the first or second degrees, assault with intent to kill, voluntary manslaughter, perjury, rape, robbery, sodomy, buggery, treason, or misprision of treason, and be sentenced by a competent court, having jurisdiction, to imprisonment for any term exceeding two years: Provided, That such application for a divorce be made by the husband or wife or the party so convicted and sentenced.

III. Where a wife shall have, by cruel and barbarous treatment or indignities to his person, rendered the condition of her husband intolerable, or life burdensome.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 905.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 20, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 905, entitled "An Act to amend section one of an act approved the sixteenth day of June one thousand eight hundred ninety-one entitled 'An Act to authorize the election of assistant assessors for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides.' "

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 877.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 24, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 877, entitled "An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL. NO. 122.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 19, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 122, entitled "An Act to amend section sixteen of an act approved the twenty-eighth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and seventy-eight), entitled 'An Act creating a division of distribution of documents defining its powers and duties regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act to provide that any member or officer of the General Assembly may have all or any part of his allotment of different documents sent on requisition to his residence or business address if he shall so desire.' "

MARTIN G. BRUMBAUGH.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate:

Resolved (if the House of Representatives concur), That Senate Bill No. 52, entitled An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products or any other products and prescribing penalties be recalled from the Governor for the purposes of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING (SPECIAL ORDER).

The SPEAKER. The hour of 11:30 A. M. having arrived, the House will proceed to the consideration of House Bill No. 1573, File Folio 3613, the special order set for this hour.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1573, entitled

An Act to carry into effect the amendment to section eight of article nine of the Constitution of Pennsylvania adopted by the people at an election held on the second day of November one thousand nine hundred and fifteen to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum upon the assessed valuation of taxable property in said city for the specific purposes authorized by said amendment regulating the manner of making such increase of indebtedness and providing for the redemption of the same validating elections held in said city since the adoption of said amendment in the manner provided by this act or by the Act of the General Assembly approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the supplements and amendments thereto and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued pursuant to authority conferred by the electors at any such election.

On the question,

Will the House agree to the bill on third reading?

Mr. HECHT and gentlemen of the House, this is a very meritorious piece of legislation, and should be passed by this House. I just want to say a word of explanation in reference to the bill. Two sessions of the Legislature passed a constitutional amendment allowing the City of Philadelphia to increase its bonding capacity from seven to ten per cent. for transit and port facilities. An election was held by the Commonwealth at which that constitutional amendment was ratified. The City of Philadelphia then had a special election at which a loan of sixty-seven million of dollars was ratified by the people of Philadelphia. Under that bonds were issued by the city. There has been some objection raised that the Legislature did not pass an act carrying into effect the constitutional provisions, and the effect of that question has been that it has cast a cloud upon the bonds issued by the city. This bill simply corrects that. It is a meritorious measure for the City of Philadelphia and only relates to the City of Philadelphia, and should receive the approval of the House.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally ?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Albee,	Flynn,	McKay,	Shattuck,
Aron,	Franklin,	McKinney,	Showalter,
Arthur,	Frets,	McNichol,	Shunk,
Baker,	Gans,	McPeake,	Siggins,
Baldi,	Geary,	McVicar,	Simpson,
Baldridge,	Glass,	Mearkle,	Sinclair,
Barner,	Golder,	Mehring,	Smith, E. R.,
Bechtold,	Goodnough,	Mervine,	Smith, F. I.,
Bell,	Goodwin,	Michel,	Smith, J. W.,
Benchoff,	Gormley,	Miller, A. D.,	Smith, O. W.,
Benninger,	Graeff,	Miller, Allan,	Snowden,
Beyer,	Graham,	Miller, C. G.,	Snyder,
Bidelspacher,	Gransback,	Miller, G. J. A.,	Somerman,
Black,	Haight,	Milner,	Sones,
Bouton, V. B.,	Haldeman,	Mitchell,	Spangler,
Bovee,	Hecht,	Morgan, T.,	Sprowls,
Boyd,	Heffernan,	Morgan, T. J.,	Stadtlander,
Brady,	Helt,	Murdoch,	Steedle,
Brumbaugh,	Hess,	Murphy,	Sterling,
Burnett,	Heyburn,	Musser,	Stern,
Campbell, J. O.,	Hibshman,	Neary,	Stites,
Campbell, T.,	Hoffman,	Ogden,	Stofflet,
Canon,	Hollern,	Palmer,	Strauss,
Chestnut,	Hollingsworth,	Patterson,	Sullivan,
Christman,	Horton,	Perry,	Swartz,
Clements,	Howarth,	Phillips,	Sweitzer,
Coldsmith,	Isherwood,	Pickering,	Taylor,
Conner,	Jack,	Powell,	Thomas,
Corbin,	Jennings,	Ramsey,	Ulsh,
Cox,	Jones,	Reichenbacker,	Urich,
Crosby,	Kennedy,	Reitzel,	Vogdes,
Curry,	Lafferty,	Reynolds,	Wagner,
Davis, D. F.,	Lanius,	Rhoads, H. L.,	Walker,
Davis, W.,	Laucks,	Rich,	Wallace,
Dean,	Lauler,	Ringler,	Weimer,
Dell,	Leary,	Rininger,	Wells,
Dewey,	Lewis,	Robertson,	West,
Dithrich,	Lohr,	Rogers,	Whitaker,
Donneley,	Luppert,	Ross,	Williams, G. W.
Drake,	Malie,	Rothenberger,	Williams, J. P.,
Drinkhouse,	Mangan,	Ruddy,	Wobensmith,
Dunn,	Marvin,	Rudisill,	Wood,
Eby,	Maurer,	Sampsel,	Woodward,
Ehrhardt,	McArdle,	Sarig,	Wylie,
Erdman,	McCaig,	Schaeffer, A. C.,	Wynne,
Fackler,	McCullough,	Scott,	Zanders,
Fitzgibbon,	McCurdy,	Shaffer, C. A.,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE.

The SPEAKER. If there are no objections, the House will proceed with the consideration of bills on final passage page 14 of to-day's calendar. The Chair hears no objections.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 879, as follows

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to townships, supervisors of townships and requiring townships to pay the expenses in connection therewith.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any burial ground is being neglected so as to become a nuisance even though said burial ground may occasionally be used for burial purposes the court of quarter sessions of the county in which such burial ground is situated may direct that such burial ground be placed in care of the township supervisor of the township under the direction and supervision of said court

Section 2 That upon the petition of twenty-five or more citizens residing within a radius of five miles of any such burial ground to the court of quarter sessions the said court may order and direct the township supervisors of the township to cut down in the month of August of each year all brush grass briars and weeds growing in such burial ground and to remove the same and place such grounds in good order and condition

The cost thereof shall be paid out of the township treasury but in no case shall supervisors of any township expend more than fifteen dollars on any one cemetery in any one year for such purposes

Section 3 Such burial grounds shall remain open to the public according to such regulations as may be made by the said court

On the question,

Shall the bill pass finally?

Mr. CANON. Mr. Speaker, and gentlemen of the House, this is not the most important bill that you will be called upon to consider during this session but, after all, it seems to me that it does propose to do a most commendable thing. Gentlemen, this is a grave question and should be discussed in a somewhat subdued and modest tone.

In all parts of this State, every county probably, we have some of these neglected burial grounds and they are, in-

deed; a sad sight and they are demoralizing as well. It is demoralizing in any community to have anything there that will create a sort of contempt or disregard for those who have departed. The reasons, probably, that these places are neglected in the country districts—there are many of them—some of them are connected with churches; the churches have fallen into decay and disuse and the organizations have disbanded but the bodies still remain there. There is no corporation of any kind to take care of these. The old friends have moved away and died and the younger generations are too busy making money and making a living and so they have neglected these.

This bill proposes to do, we think, a commendable thing in providing a way in which these neglected places may be taken care of. It is permissive entirely in its provisions. It does not say any persons must do anything, but it simply authorizes or provides a way in which this may be done. It proposes that on petition to the Court of Quarter Sessions by twenty-five citizens living within five miles of these burial places, asking that the care of these burial grounds be placed in the care of the township supervisor, so far as removing the grass and bushes and briers from these burial places is concerned. This is to be done once a year in the month of August and the cost, according to the terms of the bill, is limited to $15.00 a year for each cemetery, probably will not cost more than half that. These are small places of from half an acre to two acres of ground and it will probably be about two days' work for one man or one day's work for two men, but the limit is prescribed.

Now then, many of you gentlemen here that will decide the fate of this bill probably are not much interested in this little piece of legislation. Of course, you will find your resting place, all of you, in some fine large cemetery with great columns of granite and marble to mark the places, and the lot will be trimmed every Saturday for the admiring gaze of the Sunday visitors; but, remember, gentlemen that fortune is fickle and that republics are ungrateful, and that a few of us may probably have to fall back on the township supervisor to take care of our last resting-place.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Aron,	Fitzgibbon,	McKay,	Showalter,
Arthur,	Flynn,	McKinney,	Siggins,
Baker,	Franklin,	McPeake,	Simpson,
Baldi,	Fretz,	McVicar,	Sinclair,
Barner,	Gans,	Mehring,	Smith, E. R.,
Bell,	Geary,	Mervine,	Smith, F. I.,
Benchoff,	Glass,	Michel,	Smith, J. W.,
Benninger,	Golder,	Miller, A. D.,	Smith, O. W.,
Beyer,	Goodnough,	Miller, C. G.,	Snowden,
Black,	Goodwin,	Miller, G. J. A.,	Snyder,
Bouton, V. B.,	Gormley,	Milner,	Somerman,
Bovee,	Graeff,	Morgan, T.,	Sones,
Boyd,	Graham,	Morgan, T. J.,	Spangler,
Brady,	Gransback,	Murdoch,	Sprowls,
Brumbaugh,	Haight,	Musser,	Steedle,
Burnett,	Haldeman,	Neary,	Sterling,
Canon,	Heffernan,	Palmer,	Stern,
Chestnut,	Helt,	Patterson,	Stites,
Christman,	Hess,	Phillips,	Stoffiet,
Clements,	Hibshman,	Pickering,	Strauss,
Coldsmith,	Hoffman,	Powell,	Sullivan,
Conner,	Horton,	Ramsey,	Swartz,
Cox,	Howarth,	Reichenbacker,	Taylor,
Crosby,	Isherwood,	Reitzel,	Thomas,
Curry,	Jack,	Reynolds,	Ulsh,
Davis, D. F.,	Jones,	Rhodes, W. M.,	Walker,
Davis, W.,	Kennedy,	Ringler,	Wallace,
Dean,	Lafferty,	Rininger,	Walter,
Dell,	Lanius,	Robertson,	Weimer,
Dewey,	Laucks,	Rogers,	Wells,
Donneley,	Leary,	Ross,	West,
Drake,	Lewis,	Rothenberger,	Williams, G. W.
Drinkhouse,	Lohr,	Sampsel,	Williams, J. P.,
Dunn,	Mangan,	Sarig,	Wobensmith,
Eby,	Marvin,	Schaeffer, A. C.	Wylie,
Ehrhardt,	McCaig,	Scott,	Zanders,
Erdman,	McCullough,	Shaffer, C. A.,	Baldwin,
Fackler,	McCurdy,	Shattuck,	Speaker.

NAYS—7.

Albee,	Heyburn,	Rhoads, H. L.,	Wood,
Bechtold,	Hollingsworth,	Urich,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 494, entitled

An Act to further amend an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering purposes and imposing a tax of two mills on the capital stock of certain corporations limited partnerships and joint-stock associations organized for manufacturing purposes and appropriating the same for State and State-aid highway purposes.

On the question,

Shall the bill pass finally?

Mr. RININGER. Mr. Speaker, I understand that the Merchants Association of Pennsylvania, who are vitally interested in this bill, have asked for a hearing on this bill.

I therefore move you that it be recommitted to the Committee on Ways and Means for the purpose of a hearing.

Mr. SCOTT. Mr. Speaker, I second the motion.

The SPEAKER. The proper motion will be to reconsider the vote by which this bill passed third reading. A bill cannot be amended after it has passed third reading.

Mr. ALLAN D. MILLER. Mr. Speaker, this bill is a revenue raising measure and has been approved and endorsed by the Revenue Committee which was appointed under the resolution offered on this floor by the Speaker. Under these conditions I think the bill should pass this House at this time and I ask a favorable vote of the House upon it at this time.

Mr. RININGER. Mr. Speaker, I move that the House reconsider the vote by which this bill passed third reading in order that it may be recommitted for the purpose of a hearing.

Mr. SCOTT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER declared the "noes" appeared to have it,

Whereupon a division was called for and forty gentlemen voting in the affirmative and eighty in the negative, the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—100.

Albee,	Dunn,	Marvin,	Sarig,
Aron,	Eby,	McCullough,	Shaffer, C. A.,
Baldi,	Ehrhardt,	McCurdy,	Shattuck,
Barner,	Erdman,	McKay,	Showalter,
Bechtold,	Fackler,	McKinney,	Shunk,
Bell,	Fitzgibbon,	McPeake,	Siggins,
Benninger,	Flynn,	Mervine,	Smith, F. I.,
Beyer,	Franklin,	Miller, Allan,	Smith, J. W.,
Bidelspacher,	Glass,	Miller, C. G.,	Smith, O. W.,
Black,	Golder,	Mitchell,	Stern,
Bouton, V. B.,	Goodnough,	Morgan, T.,	Stoffiet,
Brumbaugh,	Goodwin,	Morgan, T. J.,	Strauss,
Campbell, J. O.,	Gormley,	Murphy,	Sweitzer,
Chestnut,	Graham,	Musser,	Taylor,
Clements,	Haight,	Neary,	Thomas,
Coldsmith,	Hecht,	Ogden,	Walker,
Conner,	Heffernan,	Phillips,	Wallace,
Cox,	Heyburn,	Powell,	Walter,
Crosby,	Hollern,	Ramsey,	Wells,
Curry,	Howarth,	Reichenbacher,	Whitaker,
Davis, D. F.,	Jones,	Ringler,	Williams, G. W.
Dean,	Lanius,	Robertson,	Williams, J. P.,
Dell,	Lauler,	Rothenberger,	Wood,
Dewey,	Lewis,	Ruddy,	Zanders,
Drinkhouse,	Lohr,	Sampsel,	Baldwin, Speaker.

NAYS—20.

Fretz,	Palmer,	Scott,	Sterling,
Horton,	Pickering,	Sinclair,	Ulsh,
Mehring,	Reitzel,	Smith, E. R.,	Urich,
Miller, G. J. A.,	Rhoads, H. L.,	Sones,	Weimer,
Milner,	Rininger,	Spangler,	Wobensmith,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1001, as follows:

An Act to amend part of section two of an act approved the fifth day of March one thousand seven hundred and ninety-one entitled "An Act to enable the Governor to appoint notaries public and for other purposes therein mentioned"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section two of an act approved the fifth day of March one thousand seven hundred and ninety-one (three Smith's Laws Pamphlet Laws six) entitled "An Act to enable the Governor to appoint notaries public and for other purposes therein mentioned" which reads as follows

"Section 2 The Governor shall appoint and commission a competent number of persons of known good character integrity and abilities as notaries-public for the Commonwealth of Pennsylvania to reside within such place or places within this State as the Governor shall in and by the respective commissions direct Provided that no person shall be commissioned as a notary who shall not have resided within this Commonwealth two years next previous to his appointment" is amended to read as follows

Section 2 The Governor shall appoint and commission a competent number of persons of known good character integrity and abilities as notaries public for the Commonwealth of Pennsylvania to reside within such place or places within this State as the Governor shall in and by the respective commissions direct Provided that no person shall be commissioned as a notary who shall not have resided within this Commonwealth one year and shall have been a citizen of the United States two years next previous to his appointment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—110.

Albee,	Erdman,	McNichol,	Showalter,
Baldi,	Fitzgibbon,	McPeake,	Shunk,
Barner,	Flynn,	Mearkle,	Simpson,
Bechtold,	Franklin,	Mehring,	Smith, E. R.,
Bell,	Fretz,	Mervine,	Smith, J. W.,
Black,	Golder,	Michel,	Somerman,
Bouton, V. B.,	Goodwin,	Miller, C. G.,	Sones,
Bovee,	Graham,	Miller, G. J. A.,	Spangler,
Brady,	Hecht,	Milner,	Stadtlander,
Brumbaugh,	Hess,	Mitchell,	Steedle,
Burnett,	Heyburn,	Morgan, T. J.,	Stern,
Chestnut,	Hollern,	Palmer,	Stites,
Clements,	Hollingsworth,	Patterson,	Strauss,
Coldsmith,	Howarth,	Phillips,	Swartz,
Conner,	Isherwood,	Powell,	Thomas,
Cox,	Jack,	Ramsey,	Ulsh,
Crosby,	Jones,	Rhoads, H. L.,	Walker,
Curry,	Kennedy,	Ringler,	Wallace,
Davis, W.,	Lanius,	Rininger,	Walter,
Dean,	Lewis,	Robertson,	Weimer,
Dell,	Lohr,	Ross,	Williams, G. W.
Dewey,	Marvin,	Rothenberger,	Williams, J. P.,
Dithrich,	Maurer,	Sampsel,	Wobensmith,
Donneley,	McCaig,	Sarig,	Wood,
Drake,	McCullough,	Schaeffer, A. C.,	Wynne,
Drinkhouse,	McCurdy,	Scott,	Zanders,
Dunn,	McKay,	Shaffer, C. A.,	Baldwin,
Eby,	McKinney,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmatve, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1288, as follows:

An Act to reimburse certain counties for rewards and bounties hereinbefore paid by such counties in good faith for the destruction of noxious animals and birds and directing the Auditor General to draw his warrant for the payment of the same

Whereas The county treasurers of various counties of this Commonwealth have heretofore paid considerable sums of money to persons as bounties or rewards for the destruction of noxious animals and birds under the provisions of the act approved the twenty-fifth day of July one thousand nine hundred thirteen entitled "An Act creating a reward or bounty for the destruction of certain noxious animals and birds killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth and providing penalties for violation of its several provisions" on orders issued in good faith by the county commissioners of such counties and

Whereas The Auditor General of the Commonwealth has in certain cases declined to draw his warrant on the State Treasurer to reimburse such counties for such payments because of omissions defects errors or irregularities in the proofs of such claims or in the certificates of the officers before whom such proofs were made and

Whereas There is an obligation on the part of the Commonwealth and it is deemed just that such counties should be reimbursed to the extent of the amounts which were paid in good faith by their officers notwithstanding such omissions defects errors or irregularities in the proofs of such claims or the certificates thereto therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the claims of the several counties for bounties or rewards heretofore paid by such counties for which reimbursements was refused by the Auditor General on account of omissions defects errors or irregularities in the proofs of such claims or the certificates thereto are hereby validated and the Auditor General of this Commonwealth is hereby directed to issue his warrants to the State Treasurer for the payment to the various counties of this Commonwealth from the funds provided by law for such purposes of the amounts paid by the treasurers of such counties as rewards to bounties for the destruction of noxious animals and birds under the provisions of said act of the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act creating a reward or bounty for the destruction of certain noxious animals and birds killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth and providing for violation of its several provisions" on orders issued in good faith by the county commissioners of such counties notwithstanding the omissions defects errors or irregularities in the proofs of the claims or the certificates thereto

This act shall not authorize the payment of any claims which on investigation have been found to be fraudulent

On the question,

Shall the bill pass finally?

Mr. MITCHELL. Mr. Speaker, this is an act to validate certain claims of several counties of the State for bounties paid under the Act of 1913 for the killing of noxious animals and birds.

The Act of 1913 requires the person killing noxious animals or birds, if he desires to secure the reward or bounty named in section one of the act to appear before any person authorized to administer oaths in the county in which such animal or bird was killed to appear and make affidavit that he or some member of his family killed the same and the time and place of the killing. It is then the duty of such official in the presence of at least one elector of the county and the party making the affidavit, to cut off the ears from such animal or feet or the head of such bird, and burn the same, and split the skin of the face of the animal from between the eyes through the end of the nose.

It is then the duty of such official to give the person making the affidavit a certificate to the county commissioners within his jurisdiction stating these facts. The county commissioners then give the party an order on the county treasurer for the amount of the bounty and same is paid.

The County Commissioners are required to keep an accurate account of the bounties so paid and on the first day of January and June of each year forward to the Auditor General an itemized statement of the amounts paid for bounties between said dates making affidavit thereto and accompanying same with sworn statement of the County Treasurer. If the statement is in proper form the Auditor General draws a warrant on the State Treasurer in favor of such county, and same is paid out of the funds accumulated in the hands of the State Treasurer from the fifty per centum paid for hunters' licenses under the Act of April 17, 1913.

The Act of 1913 relating to the payment of bounties repealed all former acts. Many of the persons authorized to administer oaths under the act in the several counties at the time it was passed were in possession of blank affidavits used by them under former acts and used these blank affidavits in proving bounties under the Act of 1913. Other officials secured new blanks purporting to comply with the Act of 1913, and while the officials taking the affidavit complied with the Act of 1913, cutting the head off the bird, the ears from such animal or felt, burning the same, and splitting the face from between the eyes through to the end of the nose, the blanks used did not state all these facts.

Owing to certain frauds and defective blank affidavits used the claims of many of the counties of the State for bounties are held up and unpaid. Among these counties are Armstrong, Beaver, Berks, Butler, Cambria, Clarion, Clearfield, Crawford, Elk, Green, Huntingdon, Jefferson, Lebanon, Lycoming, McKean, Mercer, Monroe, Perry, Potter, Somerset, Susquehanna, Union, Venango, Warren and others.

The acts under consideration simply validates all claims for bounties of the several counties for which reimbursement was refused by the Auditor General on account of omissions, defects, errors or irregularities in the proofs of such claims, and authorizes the proper officers of the Commonwealth to pay the same; but does not validate or authorize the payment of any such claims, which on investigation have been found to be fraudulent.

The several counties have paid these claims and it is only fair that they be reimbursed by the State where no fraud appears. This ast has the approval of Dr. Kalbfus, the Auditor General and Attorney General. I ask the members of this House to vote for this bill.

Mr. FLYNN. Mr. Speaker, I don't see how any member can justify a vote against this bill. The law requires this money to be paid by the counties and they have no option in the matter; they must pay it out and it further provides that they shall be reimbursed by the State, but because of some technicality of the law the State has withheld payment. In my county there is about three thousand or thirty-six hundred dollars owing our county by the State from this fund and I understand that if this bill passes it will only enable the Game Commission to pay money which is actually due. I believe the bill should pass.

Mr. WILLIAM DAVIS. Mr. Speaker, I see nothing objectionable in this bill; it is carrying out the letter of the law. There are a great many members in this House who represent counties in this State who are in favor of hunting and there will be no game as long as we allow wild cats and foxes to run at large. There is a provision for killing them and my own county has paid over three thousand dollars which is outstanding to-day. This is a measure simply to do justice in conformity with the law which is already on the statutes, and there is no reason why we should have these noxious animals running at large and destroying lambs which produce the wool and all kinds of food which we need so much, with what we know of high prices. We all know that these men when they are destroying these noxious animals are preserving the game that we want and are doing that which is valuable in saving lambs and turkeys and pheasants and all kinds of game which we are talking about. I think every man should vote for this bill.

Mr. WOBENSMITH. Mr. Speaker, I would like to interrogate the gentleman from Jefferson.

The SPEAKER. Will the gentleman from Jefferson, Mr. Mitchell, permit himself to be interrogated?

Mr. MITCHELL. Mr. Speaker, yes, sir.

Mr. WOBENSMITH. Mr. Speaker, did I understand the gentleman to say that this bill has the approval of the Auditor General?

Mr. MITCHELL. Mr. Speaker, yes, sir.

Mr. WOBENSMITH. Mr. Speaker, then I am for the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Albee,	Franklin,	McCurdy,	Showalter,
Baldi,	Fretz,	McKinney,	Shunk,
Baldridge,	Glass,	McNichol,	Siggins,
Barner,	Golder,	Mehring,	Sinclair,
Benchoff,	Goodnough,	Mervine,	Smith, E. R.,
Benninger,	Gormley,	Michel,	Smith, F. I.,
Bidelspacher,	Graham,	Miller, Allan,	Smith, J. W.,
Black,	Gransback,	Milner,	Snyder,
Bouton, V. B.,	Haldeman,	Mitchell,	Sones,
Boyd,	Heyburn,	Neary,	Sterling,
Brady,	Hibshman,	Ogden,	Stern,
Brumbaugh,	Hoffman,	Patterson.	Strauss,
Burnett,	Hollingsworth,	Phillips,	Sullivan,
Campbell, T.,	Horton,	Pickering,	Thomas,
Canon,	Howarth,	Powell,	Ulsh,
Chestnut,	Isherwood,	Ramsey,	Urich,
Clements,	Jack,	Reichenbacher,	Wagner,
Coldsmith,	Jones,	Rich,	Walker,
Corbin,	Kennedy,	Ringler,	Wallace,
Davis, D. F.,	Lanius,	Rininger,	Weimer,
Davis, W.,	Laucks,	Robertson,	Wells,
Dean,	Leary,	Rothenberger,	Whitaker,
Dithrich,	Lewis,	Sampsel,	Williams, J. P.,
Ehrhardt,	Lohr,	Sarig,	Wobensmith,
Erdman,	Marvin,	Schaeffer, A. C.,	Zanders,
Fitzgibbon,	Maurer,	Scott,	Baldwin,
Flynn,	McCullough,	Shattuck,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1176, as follows:

An Act providing for the establishment in cities of the first class of a house or houses of detention for witnesses and untried prisoners for the commitment of such prisoners and witnesses thereto and for the payment of the cost of establishing and maintaining the same by the county wherein said cities are situated

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that in every city of the first class there shall be established in the manner hereinafter prescribed a house or houses of detention for the reception and detention of all persons charged with crime or held as witnesses in any judicial proceeding

Section 2 Houses of detention established under the provisions of this act shall be under the care management and supervision of a board of managers consisting of five members to be appointed by the judges of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of the county wherein said house or houses are established

Section 3 The board of managers provided in this act shall serve without compensation and shall hold office for two years or until their successors are appointed subject to removal by the judges appointing them

Section 4 It shall be the duty of said board of managers to select and secure a suitable location in said cities of the first class for said house or houses of detention by leasing or purchasing the same and to erect thereon a suitable house or houses for such purpose Said houses shall be so arranged and constructed that persons therein may have as far as possible a comfortable and separate room for their accommodation and be subject to as little restraint as may be consistent with their safe detention and to this purpose the board of managers are hereby authorized and empowered to make suitable rules and regulations for the government and control of said house or houses of detention and of persons commited thereto said rules and regulations shall be approved by the judges appointing said board of managers and no change in said rules and regulations or amendment thereof shall have force and effect until approved in like manner by said judges

Section 5 It is hereby declared to be the true purpose and intent of this act that in the county wherein said house or houses of detention are situate all persons held to await trial on any criminal charge or as witnesses shall be committed to such house or houses of detention instead of the county prison as now provided by law and it shall be the duty of all judges magistrates or other officers having power of commitment and they are hereby authorized and directed in making commitments for trial on criminal charges and in holding witnesses in judicial proceedings to commit to said house or houses of detention instead of to the county prison as now provided by law The practice and procedure now established by law for the commitment and detention of prisoners for trial and witnesses shall remain as heretofore except that the place of commitment and detention shall be to the house or houses of detention herein established

Section 6 The cost of procuring a site for and erecting and constructing said house or houses of detention shall be provided for by appropriation by the councils of the city wherein the same shall be located in like manner as the cost of public improvements is now provided for by law Said appropriation shall be made to the county commissioners of the county wherein said city is located and the expenses incurred thereunder shall be itemized and presented with proper vouchers to the said county commissioners who shall be required to pay the same

Section 7 It shall be the duty of said board of managers to appoint a superintendent who shall reside in said house of detention and a sufficient number of persons to maintain order and conduct the affairs thereof The number of appointees shall be approved by the board of judges who shall have power to authorize an increase or reduction thereof from time to time The salary or compensation to be paid said superintendent and appointees shall be fixed by said board of managers and be certified to the county commissioners as the expense of maintaining said house or houses of detention

Section 8 The costs and expenses of maintaining the said house or houses of detention established by this act shall be provided by the respective counties containing the same in the same manner as the costs and expenses of maintaining county prisons are now provided by law

Section 9 Nothing in this act shall be construed to amend or repeal any of the provisions of the act approved the second day of July one thousand nine hundred and one (Pamphlet Laws six hundred and one) entitled "An Act to establish in cities of the first and second class a house or houses of detention for delinquent dependent and neglected children and providing for the management and maintenance thereof" or the act approved the third day of April one thousand nine hundred and three (Pamphlet Laws one hundred and thirty-seven) entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" as amended or the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs powers or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" the supplements or amendments thereto

Section 10 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Mr. McNICHOL. Mr. Speaker, this bill I think is one of the most meritorious bills that will come before you for your attention this session. It is a bill that speaks for itself, and you will find that in behalf of it the Philadelphia delegation is for once in this session united.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Albee,	Ehrhardt,	Maurer,	Shattuck,
Aron,	Erdman,	McArdle,	Showalter,
Arthur,	Fackler,	McCaig,	Shunk,
Baker,	Fitzgibbon,	McCullough,	Siggins,
Baldi,	Flynn,	McCurdy,	Simpson,
Baldridge,	Franklin,	McKay,	Sinclair,
Barner,	Fretz,	McKinney,	Smith, E. R.,
Bechtold,	Gans,	McNichol,	Smith, J. W.,
Benchoff,	Geary,	Mearkle,	Smith, O. W.,
Benninger,	Glass,	Mehring,	Snowden,
Beyer,	Golder,	Michel,	Somerman,
Bidelspacher,	Goodnough,	Miller, Allan,	Sones,
Black,	Goodwin,	Miller, C. G.,	Spangler,
Bouton, V. B.,	Gormley,	Miller, G. J. A.,	Sprowls,
Bovee,	Graeff,	Morgan, T.,	Steedle,
Boyd,	Graham,	Morgan, T. J.,	Stern,
Brady,	Gransback,	Musser,	Strauss,
Burnett,	Haight,	Ogden,	Sullivan,
Campbell, J. O.,	Haldeman,	Palmer,	Taylor,
Campbell, T.,	Hecht,	Patterson,	Thomas,
Canon,	Helt,	Perry,	Ulsh,
Chestnut,	Hess,	Pickering,	Urich,
Christman,	Heyburn,	Powell,	Vogdes,
Clements,	Hibshman,	Ramsey,	Wagner,
Coldsmith,	Hoffman,	Reichenbacker,	Wallace,
Conner,	Hollern,	Reitzel,	Walter,
Corbin,	Horton,	Reynolds,	Weimer,
Cox,	Howarth,	Rhoads, H. L.,	Wells,
Crosby,	Isherwood,	Rich,	Whitaker,
Curry,	Jack,	Ringler,	Williams, G. W.
Davis, D. F.,	Jennings,	Rininger,	Williams, J. P.,
Davis, W.,	Jones,	Rogers,	Wobensmith,
Dean,	Lanius,	Ross,	Wood,
Dell,	Lauler,	Ruddy,	Woodward,
Dewey,	Leary,	Rudisill,	Wylie,
Dithrich,	Lewis,	Sampsel,	Wynne,
Drinkhouse,	Lohr,	Schaeffer, A. C.,	Zanders,
Dunn,	Mangan,	Scott,	Baldwin,
Eby,	Marvin,	Shaffer, C. A.,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. HESS. Mr. Speaker, at the request of Mr. Patton, Secretary of the Department of Agriculture, I ask unanimous consent to call up at this time out of order on page 27 of to-day's calendar, bills on third reading, House Bill No. 986, entitled

An Act making a deficiency appropriation to the Department of Agriculture.

It is a deficiency appropriation for work that should be done by that Department at this time and for which they do not have the funds.

The SPEAKER. Will the House give unanimous consent to call up the bill at this time? Is there any objection? The Chair hears objection.

BILL ON FINAL PASSAGE.

Mr. BRADY. Mr. Speaker, I desire to call up House Bill No. 40, File Folio 2263, on page 15 of to-day's calendar, bills on final passage postponed.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 40, entitled

An Act amending an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by increasing the amount of salary to be paid to the judges of the municipal court of Philadelphia.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. BRADY. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. GRANSBACK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Mr. GEORGE J. A. MILLER. Mr. Speaker, I desire to call up at this time Senate Bill No. 58 (House Bill No. 333), File Folio 1409, bills on final passage postponed, page 15 of to-day's calendar.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 333 (Senate Bill No. 58), entitled

At Act to amend the first section of an act, entitled "An Act to amend the second section of an act, entitled 'An Act relative to the sale and conveyance of real estate' approved the eighteenth day of April, one thousand eight hundred and fifty-three, extending the provisions thereof to real estate upon which are limited vested remainders which are liable to open and let in after born children and validating sales of real estate heretofore made by proceedings under said act of lands and tenements subject to such remainders" approved the fourteenth day of June, one thousand eight hundred and ninety-seven (Pamphlet Laws page 144), extending the provisions thereof to real estate held by one or more persons for life and validating sales of real estate heretofore made by proceedings under said act of one thousand eight hundred and fifty-three and its amendment of one thousand eight hundred and ninety-seven of lands and tenements held by one or more persons for life.

On the question recurring,

Shall the bill pass finally?

Mr. GEORGE J. A. MILLER. Mr. Speaker and gentlemen, this bill is an amendment to the Price Act so as to permit the sale of real estate under the same circumstances under which it is now sold with only the addition in jurisdiction, so as to extend it in cases of life estate. The logic or the reason for this ought to be clearly apparent. Assuming for instance the case of a man who makes provision for his widow, giving her a piece of real estate for life, with remainder therein to some one else. The tax on that real estate becoming burdensome, the widow as life tenant of course is responsible for the payment of those taxes. She does not have the income to maintain the real estate, and what is the consequence? Unless she and the remainder can agree to a sale of this real estate, it cannot be sold, and the provision made by the testator for her benefit is swept away and dissipated. This amendment would change the law in the respect that in a case, in a proper and fair case, if the court is satisfied, it could grant an order for the sale of this real estate. When this matter was up a few weeks ago the gentleman from Butler, Mr. Campbell, raised objection to the bill on the ground of constitutionality. I have gone into the question of constitutionality and, of course, I am frank to say that it is merely a case of one lawyers' opinion against that of another. I am candid enough, and I trust that you will believe me candid enough, when I tell you that I am satisfied there is no question of constitutionality involved in this bill. At the present time under the law as it now exists in cases of partition, the same principle is applied to real estate held by two or more persons as tenants in common. Any one of them can

force a sale. There is no question of constitutionality involved at the present time in case of sale and separate use of trust by married women. Simply because of the intervention of a proceeding under the Price Act as it now stands a sale is permissible. There is no question of constitutionality there. The only change that this act makes is this: Where there is no trustee, there the remainderman, or life tenant, after satisfying the courts, can compel a sale. I think that this is a piece of good legislation, is remedial in its nature, and should be passed by this House.

Mr. WALTER. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr Miller.

The SPEAKER. Will the gentleman from Lehigh, Mr. Miller, permit himself to be interrogated?

Mr. GEORGE J. A. MILLER. Mr. Speaker, I will.

Mr. WALTER. Mr. Speaker, I desire to ask the gentleman from Lehigh whether or not this bill is included in the proposed revision of the laws pertaining to decedents' estates?

Mr. GEORGE J. A. MILLER. Mr. Speaker, it is not, and for that reason it is necessary to pass this act, because it is not covered by the decedent's estate code that is before the House this session.

Mr. WALTER. Mr. Speaker, I would further like to ask the gentleman from Lehigh whether or not the knows if this particular bill was brought to the attention of the Commission?

Mr. GEORGE J. A. MILLER. Mr. Speaker, it was not.

Mr. JAMES C. CAMPBELL. Mr. Speaker, when this bill came up in its regulate order a few weeks ago, I felt that it was a bill that should not receive the support of this House. At that time, I had given the matter considerable consideration, and presented two reasons against its adoption. The first was based upon a constitutional question, which I then stated that I did not care to enter into with the idea that the House would accept my personal opinion upon the matter, and for that reason I quoted a decision of Judge Scarswood some years ago bearing upon the same general question, and cited the adoption of that opinion in two Philadelphia County cases some few years ago. It is correct as the gentleman from Schuylkill states that under these circumstances, the parties in interest may partition, or may move to partition the interest that they hold as life tenants and as remaindermen, but the constitutional objection to this bill which does not apply to the proceeding in partition is based upon the fact that partition proceedings are proceedings that were extent prior to the adoption of the Constitution, and therefore came under that general clause "of due process of law." There is no argument I think upon that matter. Our Constitution provides that property shall not be taken except by due process of law, and those methods of taking property which were in vogue prior to the adoption of the Constitution, belong to that due process of law. Now this method of selling the interest of the remainderman and the life tenant who are sui juris was not in vogue prior to the adoption of the Constitution and therefore does not come under the clause "of due process of law" under the Constitution.

My objection was that it was improper to compel property to be sold away during the life time of a remainderman, unless he agrees to such sale. All I have to add to the discussion that was made at that time as to read a portion of letter which I have received. The statement was made at the time this bill was up, that it was included —that the same provisions are included in the new decedents' law code. That code was placed upon our desks the same evening this bill was voted on a few weeks ago, and I very hurriedly at that time examined the code to ascertain whether the provisions proposed in this bill were in that code. I have a letter here from Judge John Marshall Gest, the chairman of the Decedents' Laws Code Commission, in which he refers to the remarks made on page 956 of the Legislative Journal, concerning the bill—those remarks that were made the other time this bill was up before the house. He says, "I certainly agree with your view and hope that the bill will receive very careful consideration before final action is taken. It would be an unfortunate amendment to the Price act and I am at a loss to perceive any benefit to be gained by it." I think, Mr. Speaker, that disposes of the question as to whether this same provision is included in the new act. I believe that the bill should be voted down.

Mr. GEORGE J. A. MILLER. Mr. Speaker, I desire to interrogate the gentleman from Butler.

The SPEAKER. Will the Gentleman from Butler, Mr. James O. Campbell, permit himself to be interrogated?

Mr. JAMES O. CAMPBELL. Mr. Speaker, I will.

Mr. GEORGE J. A. MILLER. The letter you have just read does not raise the question of constitutionality, does it?

Mr. JAMES O. CAMPBELL. The letter states, "I certainly agree with your view." I do not know whether it agreed with both reasons or not.

Mr. GEORGE J. A. MILLER. You stated you have authorities as to the constitutionality or unconstitutionality of this measure. Are you prepared to submit the authorities?

Mr. JAMES O. CAMPBELL. Mr. Speaker, in answer to the last question I would state that I cited Palairet's Appeal, 67 Pa. 479, from the opinion of Judge Sharswood. I also cited the case of the Van Dusen Estate, 1 D. R. 156, and the Kearner's Estate, 13 D. R. 311. I also cited Foulk's Treatise on the Price Act, section 12, page 16.

Mr. GEORGE J. A. MILLER. I desire to further interrogate the gentleman from Butler.

The SPEAKER. Will the gentleman from Butler, Mr. James O. Campbell, permit himself to be further interrogated?

Mr. JAMES O. CAMPBELL. Mr. Speaker, I will.

Mr. GEORGE J. A. MILLER. Relative to the authorities cited by you is it not a fact that the Palairet's Appeal was a case of ground rent?

Mr. JAMES O. CAMPBELL. Yes, sir.

Mr. GEORGE J. A. MILLER. And is it not a fact that the Van Dusen Estate case cited was a case in which the court held that under the Price Act the court had no jurisdiction to sell?

Mr. JAMES O. CAMPBELL. Correct.

Mr. GEORGE J. A. MILLER. Is it not a fact that this bill changes the Price Act in that particular?

Mr. JAMES O. CAMPBELL. Correct.

Mr. GEORGE J. A MILLER. Is it not a fact that in cases for partition by petition of one of several tenants the court cannot compel a sale.

Mr. JAMES O. CAMPBELL. Yes, sir.

Mr. GEORGE J. A. MILLER. Is it not a fact that where real estate is devised to a married woman for her sole and separate use that in those cases a sale is permitted under the law?

Mr. JAMES O. CAMPBELL. I am not familiar with the rules in regard to that sale.

Mr. GEORGE J. A. MILLER. Under the law as it now exists without this amendment to the Price Act without the benefit to a married woman who is a life tenant of the real estate, with no income to maintain the real estate and keep it in repair and pay taxes, when it appears in court how is it possible at the present time to order a sale of that property?

Mr. JAMES O. CAMPBELL. Partition proceedings.

Mr. GEORGE J. A. MILLER. Under the present law is it possible for the court on petition to order a sale of such real estate to prevent a dissipation of the wife's devise?

Mr. JAMES O. CAMPBELL. I could not answer that, Mr. Speaker.

Mr. GEORGE J. A. MILLER. Mr. Speaker, this is not the Supreme Court of Pennsylvania, and I am not going to argue in the way I would before it. The gentleman cited two instances, one of the Palairet's Appeal. The Supreme Court there construed that the act related to ground rent, an altogether different proposition entirely from this one. In that case the ground rent was the estate belonging to an individual, and there is no question as to the unconstitutionality of such an act. I would be the last man to stand here and defend it, but that is not in point. The case of the Van Dusen Estate, the other one cited by the gentleman from Butler, was a case under the Price Act, and I do not think he could have cited a case which more clearly showed the need of this legislation. Under the Act of 1853 the court had no jurisdiction to sell real estate on petition of a life tenant, and that is exactly the condition which we are trying to remedy.

The court has no jurisdiction to sell a life estate on the petition of the life tenant. That is the law. There is no

question as to the law, and I am glad the gentleman from Butler agrees with me; and that is the very situation that we are endeavoring to correct by this bill.

Mr. SONES. Mr. Speaker and gentlemen of the House, it seems to me that all the members of the House who are members of the bar and practicing in the orphans' courts ought to appreciate the passage of this bill. In my practice I have had occasion at least once to appreciate the merits of a bill of this kind. The way the law is now, and Mr. Miller has just stated it, the life tenant cannot go into court and petition for the sale of real estate. It may often arise in this way, that the life tenant would like to dispose of the property and the life tenant cannot do it because he cannot get an order from the court.

Now, if the life tenant is burdered by taxes and other brudensome matters that arise out of that real estate, there is no way to dispose of it and if any one else that is interested in the estate, as remainderman, wants to have the property made productive, the only way is the old cumbersome method of procedure by a writ of estrepement. If this bill passes it will enable the life tenant to come into court and get an order of sale, and under the Price Act, the primary purpose of it being to make the sale of real estate flexible, the life tenant can get an order of court to sell. Now, in a petition for the sale of real estate under the Price Act all the safeguards that are necessary are thrown around. There is the description of the real estate, all the parties are named in the petition, and there is an appraisement held by disinterested persons so that the bond can be properly fixed; and in that way the real estate comes before the court and is sold and the money is put on interest during the lifetime of the life tenant and when the life tenancy is over that money goes to the remainderman.

Now, I am sure that the members of this House have met this difficulty in their practice. I have, and I am heartily in favor of passing this bill.

Mr. JAMES O. CAMPBELL. Mr. Speaker and gentlemen, I do not wish to further delay this matter. Any man who has any experience in legal matters knows that when one side cites authorities the other side usually comes back and shows the differenciation in the citations. It is true that Judge Sharswood's opinion was upon a ground rent. I cited it for the general statement as to the constitutionality of divesting the interest of the parties sui juris without their consent and I read that "this power to authorize conversions has never been recognized by this court except in the case of the property of persons under disability or where there were contingent interest whose owners have not come into existence," and then he goes on to state that these cases are collected in the Price Act. The citation of the Philadelphia cases was for the purpose of showing that the two eminent orphans' court judges had approved of the statements made by Judge Sharswood some years ago. They held that there was no authority under the Price Act to do this thing; but they also went farther and stated that if such an authority is to be found they would agree with Judge Sharswood in that it would be unconstitutional.

Now the whole purpose here is to compel a life tenant to lose the protection that her guardian, husband, father, or whoever it may be, has given her in a piece of property. Any man charged with the protection of his wife, his daughter or some other person dependent upon him desiring to look after them by giving that individual a life estate in his real estate may have that intention, that desire defeated by the remainderman coming into court and petitioning for a sale. I am not suspicious of the courts. If a matter is not mandatory it is possible the courts will not compel such a sale, but I believe this is a very unwise provision to place within the power of the court.

Mr. REYNOLDS. Mr. Speaker, for a number of years the members of the bar of the State of Pennsylvania have practiced in the orphans' court under what is termed the Price Act. That act has been construed by our orphans' court and by our supreme court and invariably, sir, the decision handed down that the safeguards of that act have been protective to the wife and to the children. Now, Mr. Speaker, when we have a gentleman like our friend from Butler, who has made a careful study of the question involved in this particular act, when we have the affirmance of the chairman of the commission which was especially appointed, Judge Gest, who is especially appointed by the Governor to frame a Decedents' Code which is now upon your desk, and when we have men of the calibre of Judge Gest say to you in a letter to Mr. Campbell, the gentleman from Butler, that he fully agrees with him that it would be a very dangerous proposition to place on the statute books an act amending the Price Act at this time or at any other time in view of the decisions of the Supreme Court relative to this very matter, we must carefully consider this proposition. I can readily understand the position of the gentleman from Lehigh, Mr. Miller, or some other counsel whose client may suffer a hardship, but, Mr. Speaker, these hardships are few and far between. The number that are safeguarded and the interests are so enormous that I think, gentlemen, you should hesitate and ponder carefully before you vote on a measure that may interfere with the rights of the decedent's estate under the Price Act, under which we are now practicing.

BILL POSTPONED.

Mr. GEORGE A. MILLER. Mr. Speaker, in view of the fact that this is a very important question, requiring careful consideration and one that should receive the attention of a full House, I move you that further consideration of this bill be postponed for the present.

Mr. SONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 853, as follows:

An Act requiring the Commonwealth and all counties thereof and all public institutions owned managed and controlled by the Commonwealth or any county thereof to purchase supplies and certain materials from State correctional institutions providing for the administration of this act by the Prison Labor Commission and others and making it unlawful under certain circumstances for the Auditor General of the Commonwealth or any county controller or the treasurer of any public institutions to approve any bill for such materials or supplies purchased elsewhere

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commonwealth and except as hereinafter otherwise provided all counties thereof and all public institutions owned managed and controlled by the Commonwealth or any county thereof shall purchase from a State correctional institution of this Commonwealth all supplies needed by them and all building materials needed for or in connection with the construction or repair of any State or county institution or any materials needed for industrial training or instruction or required in the manufacture and production of crushed stone brick tile culvert pipe or other material used for or in connection with building or draining the roads of the State whenever such materials or supplies or a substantial equivalent thereof can be furnished from such correctional institution

Section 2 On or before the fifteenth day of December of each year the Prison Labor Commission of this Commonwealth shall prepare a list of the classes of supplies and materials which the various State correctional institutions will be prepared to furnish during the year commencing on the first day of January next ensuing A copy of such list shall be mailed by the Prison Labor Commission to the Auditor General of the Commonwealth the controllers or auditors of each county and the treasurer of every public institution owned managed and controlled by the Commonwealth or any county thereof and upon application to any officer or department of the State government any county officer board or commission and any officer of a public institution owned managed and controlled by the Commonwealth

Section 3 Before purchasing any supplies or any materials mentioned in this act and belonging to any class included in the annual list prepared by the Prison Labor Commission otherwise than from a State correctional institution of this Commonwealth the proper officer of the Commonwealth or except as hereinafter otherwise provided of any county thereof or of any public institution owned managed and controlled by the Commonwealth or any county thereof shall on and after the first day of January one thousand nine hundred and eighteen inquire of the Prison Labor Commission whether any State correctional institution is able to supply the particular materials or supplies or a substantial equivalent thereof and shall purchase such materials or supplies desired or a substantial equivalent thereof from the State correctional institution designated by the Prison Labor Commission if such materials or a substantial equivalent thereof can be supplied by such State correctional institution

It shall be the duty of the Prison Labor Commission promptly to reply in writing to all inquiries regarding the supplies and materials manufactured in State correctional institutions

Section 4 The superintendents or other executive heads of the respective State correctional institutions shall subject to the approval of the Prison Labor Commission determine the price of all supplies or materials manufactured or produced therein but in no event shall the price exceed the prevailing market price for similar goods

Section 5 On or before the fifteenth day of October of each year the official or officials whose duty it is to make purchases for the Commonwealth or any public institution owned managed and controlled by the Commonwealth shall furnish to the Prison Labor Commission an estimate of the character and quantity of supplies and materials which in the opinion of such official or officials it will be necessary to purchase for such institution for the ensuing year and the official or officials whose duty it is to make purchases for any county or for any pulic institution owned managed and controlled by such county shall furnish to the said Commission a similar estimate of the supplies and materials which such county or such institution does not intend to purchae from any jail or workhouse of such county during the ensuing year

Section 6 On and after the first day of January one thousand nine hundred and eighteen it shall not be lawful for the Auditor General of the Commonwealth or for the county controller or county auditors or for the treasurer of any public institution owned managed and controlled by the Commonwealth or any county thereof except as hereinafter otherwise provided to approve any bill for supplies or materials mentioned in this act and belonging to any class included in the annual list prepared by the Prison Labor Commission if purchased otherwise than from a State correctional institution during the year for which such list shall have been prepared unless there shall accompany such bill a letter from the Prison Labor Commission stating that it has been impossible for any State correctional institution of this Commonwealth to supply the particular materials or supplies desired or a substantial equivalent thereof

Section 7 Nothing in this act shall prevent the purchase by any county or by any institution owned managed and controlled by such county of supplies or materials from a jail or workhouse in and for such county nor shall anything in this act prevent bills for the same when so purchased from being paid as heretofore

Section 8 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. BEYER. Mr. Speaker, I desire to state that I have arranged with Mr. Flynn to allow this bill to go on the postponed calendar at this time, and, therefore, move that further consideration of the bill be postponed for the present.

Mr. HIBSHMAN. Mr. President. I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 94, entitled

An Act to amend section two of an act approved the sixth day of February one thousand eight hundred four entitled "An Act to provide for the creation of a house for the employment and support of the poor in the County of York," (Pamphlet Laws sixty-five) by regulating the term and election of directors of the poor.

On the question,
Will the House agree to the bill on third reading?

Mr. LANIUS. Mr. Speaker and gentlemen of the House, this act before you attempt to amend a certain section of an act passed in 1904, providing for the establishment of a Board of Poor Directors in the County of York. At the present time there are three members of the board elected for a term of four years each. The provision of this particular section of this act says that a member shall be elected, one member each year, for a term of three years. Now, the point which I desire to call your attention to this morning is as to whether this whole piece of legislation is constitutional or unconstitutional. We elected in the County of York a member of the Poor Board each year until 1909. At that time an amendment was adopted, a constitutional amendment, and under this amendment the bill is unconstitutional because in the first place it is specifically prohibited by the Constitution and that section declares that there shall be no special or local legislation pertaining to county affairs and I maintain that the office of Poor Director is clearly an administrative office and therefore pertains to the public affairs of the county. The contention is at that time under the provisions of the Act of 1804 the term of three years expired at the expiration of that period of time. The following spring the Supreme Court of Pennsylvania declared that the gentleman who had been elected in 1910 had become a candidate unnecessarily and under the provisions of the Act of 1909, this particular section had been repealed from practical operation and that York County now came under the provision of the General Act, the Act of 1910, and the result was that in 1911 the same gentleman again became a candidate and was elected for a term of four years. I hold that the amendment which this gentleman here seeks to obtain is to amend a section which has already been practically repealed and out of operation by the constitutional amendment of 1909. In 1909 the constitutional amendment which was adopted was held by our court to have no bearing upon this act and in accordance with this decree the regular election of 1910, the election of a Director of the Poor, was held in the County of York. The following spring, I repeat, the Supreme Court had declared that York County was clearly under the general act or new process made and established by the constitutional amendment of 1909 and that the gentleman who was serving only a three year term as provided for in the Act of 1904 which this act now seeks to amend was really operating under the new process and that his term of office had been continued. It describes that where this legislation as intended for county affairs or public affairs, that it shall be specifically prohibited, and if the office of Poor Director is not an administrative office and is not a public affair then I don't know what a special act of a special Legislature means. I don't question the constitutionality of that, and to that I have no objection, but I hold that this bill is purely unconstitutional. From the point of view that now we operate under a general act, a new process act, described in the amendment of 1909 and also as being unconstitutional from the point of view that there would be no special legislation. This biil seeks to extend the term of one man whose term of office expires at a certain time by extending his term two years longer. I ask you how you can pick out one man out of sixty-seven counties, one particular poor director, as in York County, and give him two years over his allotted time. The Constitution says a county officer shall be elected for four years. I take it that four years means four years and no more and no less. I place this matter squarely before you and I ask you to look at it from the constitutional point of view. What it seeks to create is a minority member of the Poor Board and I say it is unconstitutional from the point of view of the amendment of 1909. Now, as to the minority membership. That is a question that cannot come up at this time because this act cannot go into that. My colleague will probably tell you of the awful conditions of York County, but I want it distinctly understood that my objection is clearly on the constitutional point of view.

I don't ask for any special privilege, but I don't understand why the Legislature should give us something that will just act only for York County. If it is a good thing let us make it general, let it be a general act in all counties. I will not be patriotic or honest to the citizens of York County if I do not raise my voice and protest against this amendment, for the reason that as the result of 1911 this same gentleman who had been elected in 1910, in accordance with the provisions of the 1804 Act, again became a candidate. These facts are well known to my colleague. The question is as to whether you really believe it is constitutional to extend the term of one man for two years and take out one particular county to do that and ask this House to verify that in 1909 the Supreme Court of the State decided that York County's special act had been automatically repealed in 1909.

BILL POSTPONED.

Mr. SPANGLER. Mr. Speaker, In view of the slender attendance of the House at the present time, I move that further consideration of this bill be postponed for the present.

Mr. MILNER. Mr. Speaker, I second the motion.

On the question,
Will the House agree to the motion?

Mr. LANIUS. Mr. Speaker, I regret exceedingly that I am compelled to object to that motion. Last week we went to the gentleman from York and asked him to make this bill a special order and he replied—

The SPEAKER. The gentleman will confine himself to the bill.

Mr. LANIUS. Mr. Speaker, I am speaking on the motion.

The SPEAKER. The gentleman used personalities.

Mr. LANIUS. Mr. Speaker, the gentleman from York informed me that the bill would come up in its regular order and now I ask that it shall be acted upon in its regular order.

Mr. SPANGLER. Mr. Speaker, if this bill were not a meritorious bill I would not be sponsor for it. It is a bill of much vital importance to York County, which I will explain when there is a full membership of the House present. Surely this House will not withhold the courtesy from me to postpone this bill at the present time, and if I cannot, before a full House, convince it that it is a meritorious bill then I am satisfied that it should be defeated. But it is a bill of much vital importance which I will explain in full before a larger House. It has been my intention to be recognized first, when this bill was called up to-day, so that it could be postponed without discussion at this time.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1310, entitled

An Act to confer additional powers upon fire insurance companies.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Albee,	Franklin,	McNichol,	Siggins,
Arthur,	Fretz,	McPeake,	Simpson,
Baker,	Gans,	Mearkle,	Sinclair,
Baldi,	Geary,	Mehring,	Smith, E. R.,
Baldridge,	Glass,	Michel,	Smith, F. I.,
Barner,	Golder,	Miller, Allan,	Smith, J. W.,
Bechtold,	Goodnough,	Miller, C. G.,	Sones,
Bell,	Goodwin,	Miller, G. J. A.,	Spangler,
Benninger,	Graham,	Milner,	Stadtlander,
Beyer,	Gransback,	Mitchell,	Steedle,
Bidelspacher,	Haight,	Murdoch,	Sterling,
Black,	Haldeman,	Murphy,	Stern,
Bouton, V. B.,	Hecht,	Neary,	Strauss,
Bovee,	Heffernan,	Ogden,	Sullivan,
Boyd,	Hess,	Palmer,	Swartz,
Brady,	Heyburn,	Perry,	Sweitzer,
Brumbaugh,	Hibshman,	Phillips,	Thomas,
Burnett,	Hoffman,	Pickering,	Ulsh,
Campbell, T.,	Horton,	Ramsey,	Urich,
Christman,	Howarth,	Reichenbacher,	Wagner,
Clements,	Isherwood,	Reitzel,	Walker,
Coldsmith,	Jack,	Reynolds,	Wallace,
Conner,	Jones,	Rhoads, H. L.,	Walter,
Corbin,	Kennedy,	Rich,	Weimer,
Cox,	Lafferty,	Ringler,	Wells,
Crosby,	Laucks,	Rininger,	West,
Curry,	Lauler,	Robertson,	Whitaker,
Davis, D. F.,	Leary,	Rogers,	Williams, G. W.
Davis, W.,	Lewis,	Rothenberger,	Wobensmith,
Dean,	Lohr,	Ruddy,	Wood,
Dell,	Mangan,	Rudisill,	Woodward,
Dithrich,	Marvin,	Sampsel,	Wylie,
Donneley,	Maurer,	Schaeffer, A. C.,	Wynne,
Drinkhouse,	McCaig,	Scott,	Zanders,
Dunn,	McCullough,	Shaffer, C. A.,	Baldwin,
Fackler,	McCurdy,	Shattuck,	Speaker.
Fitzgibbon,	McKay,	Showalter,	
Flynn,	McKinney,	Shunk,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MR. GEORGE J. A. MILLER IN THE CHAIR.

RESOLUTION RECALLING HOUSE BILL NO. 775 FROM THE GOVERNOR

Mr. BEYER offered a resolution which was twice read, considered and agreed to as follows:

Resolved (if the Senate concur) That House Bill No. 775, entitled "An Act to fix and determine the salary of the several clerks of the courts of record of the County of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION RECALLING HOUSE BILL NO. 885 FROM THE GOVERNOR

Mr. WOODWARD offered the following resolution which was twice read, considered and agreed to:

In the House of Representatives, April 25, 1917.

Resolved (if the Senate concur), That House Bill No. 855, File Folio 1063, entitled "An Act to repeal an act approved the nineteenth day of March one thousand nine hundred fifteen entitled 'A further supplement to an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise,' " be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1237 (Senate Bill No. 573), entitled

An Act authorizing the Department of Forestry to purchase surface rights to lands for use as State Forests.

On the question,

Will the House agree to the bill on third reading?

Mr. SHATTUCK. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 2, line 8, by inserting after the word "to" the words "any such."

Amend section 2, lines 8 and 9, by striking out the words "the surface rights of which are hereby authorized to be acquired are" and insert in lieu thereof the word "is."

Amend section 2, line 13, by striking out the word "for."

Amend section 2, line 13 by striking out the words "under this act" and insert in lieu thereof the word "of."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. DITHRICH. Mr. Speaker, I desire to call up at this time Senate Bill No. 9, House Bill No. 424, File Folio 281, on page 39 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed consideration on third reading of House Bill No. 424 (Senate Bill No. 9), entitled

An Act to provide for the change of subject of the corporate existence and authorizing and providing a mode for the dissolution and surrender of charters of fire companies.

On the question,

Will the House agree to the bill on third reading?

Mr. DITHRICH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, page 1, line 2, by inserting after the word "existence" the words "of volunteer fire companies and Firemen's Relief Associations connected with volunteer fire departments."

Amend title, page 1, line 3, by inserting before the word "charters" the word "the."

Amend title, page 1, line 3, by striking out the word "fire" and inserting in lieu thereof the word "said."

Amend title, page 1, line 4, by inserting after the word "companies" the words "and associations."

Amend page 1, line 4, by inserting after the word "many" the word "fire."

Amend page 1, line 3, by inserting after the word "with" the words "and consequently Firemen's Relief Associations operated in connection with volunteer fire departments are no longer necessary for the relief and protection of said firemen."

On page 2, line 23, strike out the words "or loan" and on page 2, line 24, strike out the words "and trust."

On page 4, line 13, after the word "thereto" and before the word "under" insert the following exception:

"Excepting, however, such property, effects or equipment which have been granted, conveyed, donated or given to the said companies by the municipalities in which said companies are located. Said property, effects or equipment shall revert back to and be and remain the property of said municipality."

On page 7, line 27, strike out the word "dividen" and insert in place thereof the word "dividend."

On page 9, line 16, strike out the word "inocrporation" and insert in place thereof "incorporation."

Amend page 1, line 4 by inserting after the word "companies" the words "and firemen's relief associations."

Amend page 1, line 7, by inserting after the word "the" the word "fire."

Amend page 1, line 7, by inserting after the word "companies" the words "and relief associations."

Amend page 2, line 8, by inserting after the word "companies" the words "or relief associations."

Amend page 2, line 12, by inserting after the word "companies" the words "or relief associations."

Amend section 1, page 2, line 22, by inserting before the word "upon" the words "or any firemen's relief association."

Amend section 1, page 2, line 23, by inserting after the word "company" the words "or relief association."

Amend section 1, page 2, line 29, by inserting after the word "company" the words "or association."

Amend section 1, page 3, line 4, by inserting after the word "company" the words "or association."

Amend section 1, page 3, line 22, by inserting after the word "company" the words "or association."

Amend section 1, page 3, line 25, by inserting after each word "company" in said line the words "or association."

Amend section 1, page 4, line 3, by inserting after the word "company" the words "or association."

Amend section 2, page 4, line 9, by inserting after the word "companies" the words "or relief associations."

Amend section 2, page 4, line 16, by inserting after the word "company" the words "or associations."

Amend section 2, page 4, line 21, by inserting after the word "company" the words "or association."

Amend section 2, page 4, line 23, by inserting after the word "company" the words "or association."

Amend section 2, page 5, line 9, by inserting after the word "company" the words "or associations."

Amend section 2, page 5, line 12, by inserting after the word "company" the words "or association."

Amend section 2, page 5, line 15, by inserting after the word "company" the words "or association."

Amend section 2, page 5, line 23, by striking out the word "to" and inserting in lieu thereof the word "at."

Amend section 2, page 5, line 23, by inserting after the word "company" the words "or association."

Amend section 2, page 6, line 2, by inserting after the word "company" the words "or association."

Amend section 2, page 6, line 11, by inserting after the word "company" the words "or association."

Amend section 2, page 6, line 16, by inserting after the word "company" the words "or association."

Amend section 3, page 6, line 26, by inserting after the word "companies" the words "or relief associations."

Amend section 3, page 7, line 1, by inserting after the word "company" the words "or association."

Amend section 3, page 7, line 7, by inserting after the word "company" the words "or association."

Amend section 3, page 7, line 11, by inserting after the word "company" the words "or association."

Amend section 4, page 7, line 13, by inserting after the word "company" the words "or relief association."

Amend section 4, page 7, line 15, by inserting after the word "company" the words "or association."

Amend section 4, page 7, line 18, by inserting after the word "company" the words "or association."

Amend section 4, page 7, line 20, by inserting after the word "company" the words "or association."

Amend section 4, page 7, line 24, by inserting after the word "company" the words "or association."

Amend section 4, page 8, line 2, by inserting after the word "company" the words "or association."

Amend section 4, page 8, line 4, by striking out the words "corporation or."

Amend section 4, page 8, line 4, by inserting after the word "company" the words "or association."

Amend section 4, page 8, line 5, by inserting after the word "company" the words "or association."

Amend section 5, page 8, line 9, by inserting after the word "company" the words "or relief association."

Amend section 6, page 8, line 16, by inserting after the word "companies" the words "or relief association."

Amend section 6, page 8, line 18, by striking out the word "inocrporation" and inserting in lieu thereof the word "incorporation."

Amend section 6, page 8, line 18, by inserting after the word "company" the words "or association."

Amend section 6, page 8, line 21, by inserting after the word "company" the words "or association."

Amend section 6, page 8, line 23, by inserting after the word "companies" the words "or associations."

Amend section 6, page 8, line 26, by inserting after the word "company" the words "or association."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1039 (Senate Bill No. 180), entitled

An Act granting compensation as provided for in the Workmen's Compensation Act of one thousand nine hundred fifteen to the family of the late Joseph McHugh of Weatherly employed as a game warden and killed while in the performance of his duties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

POINT OF ORDER.

Mr. WALTER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. WALTER. My point of order, Mr. Speaker, is that the bill is unconsitutional in that it attempts to confer upon the family of Joseph McHugh the right of compensation under the Workmen's Compensation Act for an injury suffered prior to the time when the Workmen's Compensation Act went into effect and that it is therefore special legislation and unconstitutional.

Mr. POWELL. Mr. Speaker, I would like to say that I did not read this bill until I happened to see the name—

Mr. WALTER. Mr. Speaker, I ask for a decision of the Chair on my point of order.

The SPEAKER. The Chair decides that the point of order is not well taken.

Mr. POWELL. Mr. Speaker, I had not read this bill until I happened to notice it this morning upon the calendar, and it reminds me of the instance pertaining to the death of this man McHugh. He was a game warden in the employ of the Game Department, and I think in the lower end of Luzerne or the upper end of Carbon County, on a Sunday met a party, and without a word of warning being given, was shot in cold blood. His body lay there for some time. I do not know what provisions have been made in the bill, but I believe if there is an attempt here to pay the family it should be done.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Albee,	Franklin,	McKinney,	Shunk,
Aron,	Fretz,	McNichol,	Siggins,
Arthur,	Gans,	McPeake,	Simpson,
Aston,	Glass,	Mehring,	Sinclair,
Baker,	Golder,	Mervine,	Smith, E. R.,
Baldi,	Goodwin,	Michel,	Smith, F. I.,
Baldridge,	Graeff,	Miller, A. D.,	Smith, O. W.,
Bechtold,	Graham,	Miller, C. G.,	Somerman,

Benchoff,	Gransback,	Miller, G. J. A.,	Sones,
Bennett,	Haight,	Milner,	Spangler,
Benninger,	Haldeman,	Morgan, T.,	Stadtlander,
Beyer,	Hecht,	Morgan, T. J.,	Steedle,
Bouton, V. B.,	Heffernan,	Murdoch,	Sterling,
Bovee,	Helt,	Murphy,	Stern,
Boyd,	Hess,	Musser,	Stites,
Brady,	Heyburn,	Neary,	Strauss,
Campbell, T.,	Hibshman,	Palmer,	Sullivan,
Christman,	Hoffman,	Patterson,	Swartz,
Clements,	Hollern,	Phillips,	Sweitzer,
Coldsmith,	Hollingsworth,	Pickering,	Thomas,
Conner,	Howarth,	Ramsey,	Ulsh,
Corbin,	Isherwood,	Reitzel,	Urich,
Cox,	Jack,	Reynolds,	Wagner,
Crosby,	Jennings,	Rhoads, H. L.,	Walker,
Curry,	Jones,	Rich,	Wallace,
Davis, W.,	Lafferty,	Ringler,	Walter,
Dean,	Lanius,	Rininger,	Weimer,
Dell,	Lauler,	Robertson,	Wells,
Dewey,	Leary,	Rogers,	West,
Dithrich,	Lewis,	Ross,	Whitaker,
Donneley,	Lohr,	Rothenberger,	Wickman,
Drake,	Luppert,	Rudisill,	Williams, G. W.
Dunn,	Mangan,	Sampsel,	Wobensmith,
Eby,	Marvin,	Sarig,	Wood,
Ehrhardt,	Maurer,	Schaeffer, A. C.,	Woodward,
Fackler,	McArdle,	Scott,	Wynne,
Fitzgibbon,	McCaig,	Shattuck,	Zanders,
Flynn,	McCullough,	Showalter,	Baldwin,
			Speaker.

NAYS—2.

Brumbaugh, McCurdy,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1205 (Senate Bill No. 491), entitled

An Act to amend section two of an act approved the twelfth day of June one thousand nine hundred and seven entitled "An Act to provide for the election of three directors of the poor for the County of Schuylkill at the general election of one thousand nine hundred and eight and every third year thereafter and fixing the salary of the three said directors to be paid out of the treasury of the County of Schuylkill and providing for the continuance of the service of the directors now serving."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Albee,	Erdman,	McCullough,	Siggins,
Aron,	Fackler,	McNichol,	Simpson,
Arthur,	Fitzgibbon,	McPeake,	Sinclair,
Baker,	Flynn,	Mearkle,	Smith, E. R.,
Baldi,	Franklin,	Miller, A. D.,	Smith, J. W.,
Baldridge,	Fretz,	Miller, C. G.,	Somerman,
Barner,	Gans,	Miller, G. J. A.,	Sones,
Bechtold,	Glass,	Milner,	Spangler,
Bell,	Goodnough,	Morgan, T. J.,	Stadtlander,
Benchoff,	Goodwin,	Murdoch,	Steedle,
Bennett,	Graham,	Murphy,	Sterling,
Benninger,	Gransback,	Musser,	Stern,
Beyer,	Haight,	Neary,	Stites,
Bidelspacher,	Haldeman,	Ogden,	Strauss,
Bouton, V. B.,	Hecht,	Palmer,	Sullivan,
Bovee,	Heffernan,	Patterson,	Swartz,
Boyd,	Helt,	Perry,	Sweitzer,
Brady,	Hess,	Phillips,	Thomas,
Brumbaugh,	Heyburn,	Pickering,	Ulsh,
Burnett,	Hibshman,	Powell,	Urich,
Campbell, J. O.,	Hoffman,	Ramsey,	Wagner,
Campbell, T.,	Hollern,	Reichenbacker,	Walker,
Christman,	Horton,	Reitzel,	Wallace,
Clements,	Howarth,	Rhoads, H. L.,	Walter,
Coldsmith,	Jack,	Rininger,	Weimer,
Conner,	Jennings,	Robertson,	Wells,
Corbin,	Jones,	Rogers,	West,
Cox,	Kennedy,	Ross,	Whitaker,
Crosby,	Lafferty,	Ruddy,	Wickman,
Curry,	Laucks,	Rudisill,	Williams, G. W.
Davis, W.,	Lauler,	Sampsel,	Williams, J. P.,
Dell,	Lewis,	Sarig,	Wobensmith,
Dewey,	Lohr,	Schaeffer, A. C.,	Wood,
Dithrich,	Malle,	Scott,	Woodward,
Donneley,	Mangan,	Shaffer, C. A.,	Wynne,
Drinkhouse,	Marvin,	Shattuck,	Zanders,
Dunn,	McArdle,	Showalter,	Baldwin,
Eby,	McCaig,	Shunk,	Speaker.
Ehrhardt,			

NAYS—6.

Chestnut,	McCurdy,	Mervine,	Michel,
Lanius,	McKinney,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

SPEAKER BALDWIN IN THE CHAIR.

Mr. RAMSEY. Mr. Speaker, I move that this House do now take a recess until 3.30 o'clock this afternoon.

The motion was agreed to and (at 1.30 P. M.) the House took a recess until 3.30 P. M.

AFTER RECESS.

The House reconvened at 3.30 o'clock P. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

RESOLUTION GRANTING USE OF THE HALL OF THE HOUSE.

Mr. GEORGE W. WILLIAMS offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the use of the Hall of the House of Representatives be granted for Tuesday evening, May 1st, to the International Reform Bureau.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 25, 1917.

Resolved (if the Senate concur), That House Bill No. 775, entitled "An Act to fix and determine the salary of the several clerks of the courts of record of the County of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate, being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 25, 1917.

Resolved (if the Senate concur), That House Bill No. 855, File Folio 1063, entitled "An Act to repeal an act approved the nineteenth day of March one thousand nine hundred fifteen entitled 'A further supplement to an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise.' " be recalled from the Governor for the purpose of amendment.

BILLS INTRODUCED AND REFERRED.

By Mr. SCOTT. House Bill No. 1653.

An Act making an emergency appropriation to the Department of Agriculture.

Referred to the Committee on Appropriations.

By Mr. DELL (By request). House Bill No. 1654.

An Act requiring certain State and Semi-State institutions to employ registered trained nurses in the respective institutions; and fixing their salaries; and regulating the payment thereof.

Referred to the Committee on Appropriations.

By Mr. ZANDERS. House Bill No. 1655.

An Act making an appropriation to Morgan O. Morgan, of Carbon County, for salary for services as mine inspector for Carbon County during the year one thousand nine hundred and six.

Referred to the Committee on Appropriations.

By Mr. STERN. House Bill No. 1656.

An Act to further amend section twenty-three of an act approved the tenth day of June, one thousand eight hundred and ninety-three, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended by the act approved the sixteenth day of April, one thousand nine hundred and three, entitled "An Act amending section twenty-three of an act of June tenth, one thousand eight hundred and ninety-three (Pamphlet Laws four hundred thirty), relating to watchers at elections, and providing that they must be residents of the district or divisions within which they act," by providing that watchers shall be residents of the county.

Referred to the Committee on Counties and Townships.

By Mr. LEWIS. House Bill No. 1657.

An Act directing the manner in which the Highway Department shall distribute between the several counties the moneys appropriated for State and State-aid roads.

Referred to the Committee on Public Roads.

By Mr. ROSS. House Bill No. 1658.

An Act making an appropriation for the purchase of a collection of Indian relics for the State Museum.

Referred to the Committee on Appropriations.

By Mr. GOLDER. House Bill No. 1659.

An Act to validate judgments heretofore entered in any actions of assumpsit to recover upon a ground rent deed or to recover any sum charged upon real property by will or deed, or to charge particular land with the payment of a particular debt running with the land, and judgments heretofore entered in any actions of scire facias sur mortgage, where the return to the writ of summons or scire facias shows that it has been served upon any of the defendants or real owners outside the Commonwealth by mailing a true and attested copy of the writ in a registered letter, but fails to show that such defendants or real owners cannot be served within the Commonwealth and to validate sheriff's sales heretofore had by virtue of such judgments.

Referred to the Committee on Judiciary Local.

By Mr. WALLACE. House Bill No. 1660.

An Act relating to retail grocery stores and persons engaged in selling groceries, fruits and vegetables at retail; requring persons engaged in said business to secure permits; prescribing certain powers and duties of the Dairy and Food Commissioner, and his agents; and prescribing a penalty for the violation of this act and the rules and regulations of the Dairy and Food Commissioner.

Referred to the Committee on Public Health and Sanitation.

By Mr. GOLDER. House Bill No. 1661.

An Act to exempt all script bonds or certificates of indebtedness issued by any county, city, borough, township, school district, or incorporated district of this Commonwealth from taxation for State purposes.

Referred to the Committee on Ways and Means.

By Mr. GOLDER. House Bill No. 1662.

An Act to provide for the entering upon the locality index in the offices of the prothonotaries of the courts of common pleas of the respective counties of this Commonwealth of the assessment of benefits occasioned by the opening, widening, narowing, vacating, change of grade, or construction of roads, streets, highways, sewers, or bridges.

Referred to the Committee on Judiciary Local.

By Mr. HESS. House Bill No. 1663.

An Act permitting the owners or lessees of land or members of their family to take or kill birds commonly known as black birds on the premises owned or leased by them, or upon or over a roadway immediately adjoining and abutting on said property at any time during the year, and repealing all acts inconsistent herewith.

Referred to the Committee on Game.

By Mr. VICKERMAN. House Bill No. 1664.

An Act to establish a commission to investigate sickness and accident, not compensated under the Workmen's Compensation Act of 1915 of employed persons and their families and to make an appropriation for such commission.

Referred to the Committee on Municipal Corporations.

By Mr. HESS. House Bill No. 1665.

An Act to amend an act approved the twenty-second day of July, one thousand nine hundred and thirteen, entitled "An Act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth."

Referred to the Committee on Public Roads.

By Mr. MITCHELL. House Bill No. 1667.

An Act to establish as a State Highway a certain section of public road in the County of Jefferson.

Referred to the Committee on Public Roads.

By Mr. WHITAKER. House Bill No. 1668.

A Supplement to the act approved the fourteenth day of May, one thousand eight hundred and eighty-nine (P. L. 211), entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth," authorizing such companies to furnish light, heat and power by means of electricity along and near its lines in boroughs and townships.

Referred to the Committee on Manufactures.

By Mr. SINCLAIR. House Bill No. 1669.

A Supplement to an act approved the sixteenth day of May, one thousand nine hundred thirteen, entitled "An Act for the protection of the public health and the prevention of fraud and deception, by regulating the storage and sale of cold storage foods; fixing penalties for the violation of the provisions thereof, and providing for the enforcement thereof," imposing excise taxes upon food-stuffs deposited in cold storage warehouses; prvoiding for the payment and collection of such taxes; imposing certain duties on cold storage warehouse keepers, and making them liable for the taxes in certain cases; creating a Cold Storage Warehouse Commission, and defining its powers and duties; and providing for the suspension and reimposition of the taxes in certain cases.

Referred to the Committee on Public Health and Sanitation.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate, being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 161 (House Bill No. 1666)

An Act relative to the payment of deposits in banks or trust companies deposited in two or more names.

Referred to the Committee on Banks and Banking.

Senate Bill No. 323 (House Bill No. 1670)

An Act making an appropriation to The Pennsylvania State College for educational extension work and for maintaining a summer session for teachers.

Referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. GEORGE J. A. MILLER, from the Committee on Public Roads, reported as committed House Bill No. 1471, entitled

An Act to amend part of section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, (Pamphlet Laws 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the juris-

diction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commowealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships, or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking or property, or otherwise, in the improvement thereof; providing for purchase of acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Mr. WHITAKER, from the Committee on Ways and Means, reported as committed House Bill No. 277, entitled

An Act to amend section twenty-one of an act approved the first day of June, one thousand eight hundred and eighty-nine, entitled "A further supplement to an act, entitled 'An Act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," as amended by an act approved the twenty-second day of July, one thousand nine hundred and thirteen (P. L. 903).

Mr HOLLINGSWORTH, from the Committee on Appropriations, reported as committed House Bill No. 969, entitled

An Act to amend section one of an act approved the thirtieth day of May, one thousand eight hundred ninety-three, entitled "An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park, and making an appropriation therefor," as amended, by providing for the acquistiion of additional land by the Valley Forge Park Commission.

Mr. SOMERMAN, from the Committee on Municipal Corporations, reported as committed House Bill No. 1381, entitled

An Act validating certain borough ordinances providing for certain street improvements and the liens and bonds imposed and issued in pursuance thereof.

Mr. DELL, from the Committee on Public Roads, reported as committed House Bill No. 1458, entitled

An Act providing that public roads through Indian Reservations in the State of Pennsylvania shall be improved and maintained by the State Highway Department as a part of the system of State Highways.

Mr. DITHRICH, from the Committee on Public Roads, reported as committed House Bill No. 819, entitled

An Act regulating the spreading upon the surface of the highways of the Commonwealth of Pennsylvania, of oil, tar, asphaltum, or any bituminous or similar material, or combinations containing any such materials. Restricting the spreading of same to one-half of such highway surface until the first portion spread shall become thoroughly dry, or is covered as specified. Providing that where certain materials so used must be covered with a top dressing as specified. Providing for exceptions to certain provisions under conditions specified, and further providing penalties for violations of this act.

Mr. NEARY, from the Committee on Corporations, reported as amended House Bill No. 1459, entitled

An Act requiring all domestic corporations of this Commonwealth and all foreign corporations registered and doing business therein, to file annually with the Auditor General of this Commonwealth, a list of the stockholders of such corporations residing in the Commonwealth and the number of shares held by each of them, and requiring the Auditor General to transmit to the County Commissioners of the several counties, a list of such stockholders residing in the respective counties and the number of shares by each held, and imposing penalties upon all corporations refusing or neglecting to make such return.

Mr. SPANGLER, from the Committee on Public Roads, reported as committed House Bill No. 1499, entitled

An Act granting power in certain cases to the Commonwealth of Pennsylvania or to any department thereof and to any municipal subdivision of the Commonwealth to purchase or condemn lands having thereon located road building material and to enter upon and across private property and to locate and erect necessary machinery thereon; and providing a method for the assessment of damages.

Mr. REICHENBACKER, from the Committee on Public Roads, reported as committed House Bill No. 1456, entitled

An Act to provide for the repair and maintenance, or improvement by the proper township, city or borough, of turnpikes heretofore or hereafter appropriated or condemned; or when any turnpike company or association has heretofore abandoned or may hereafter abandon its turnpike or any part thereof; or when any turnpike company or association, owning any turnpike, has heretofore been dissolved or may hereafter be dissolved by proceedings under any existing laws of this Commonwealth.

Mr. ZANDERS, from the Committee on Ways and Means, reported as committed House Bill No. 790, entitled

An Act to amend section two of an act approved the fifteenth day of July, one thousand eight hundred and ninety-seven, entitled "An Act to provide revenue by taxation."

Mr. SIGGINS, from the Committee on Judiciary General, reported as committed House Bill No. 1425, entitled

An Act to amend the act approved the sixteenth day of July, one thousand nine hundred and thirteen, entitled "A Supplement to an act, entitled 'An Act providing for the incorporation and government of cities of the third class,' approved the twenty-third day of May, Anno Domini one thousand eight hundred eighty-nine, creating a City Planning Department; defining its jurisdiction; and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city, and for three miles beyond the city limits; and to regulate the making and use of certain public improvements until said plans are approved by said department, and authorizing the exercise of the powers herein provided by a park or other municipal commission," by extending the powers of the City Planning Commission; imposing duties on certain borough and township officers; extending the jurisdiction of the commission to six miles outside the city limits in certain cases; restricting certain conveyances of land; and imposing penalties for violation of certain provisions of the act.

Mr. SIGGINS, from the Committee on Judiciary General, reported as committed House Bill No. 684, entitled

An Act creating a Bureau of Township Highways in the State Highway Department; conferring powers and imposing duties upon officers of the State Highway Department, requiring certain duties of clerks of the courts of quarter sessions, and providing penalties.

Mr. WALKER, from the Committee on Judiciary General, reported as committed House Bill No. 1554 (Senate Bill No. 817), entitled

An Act to amend the second section of an act approved the thirteenth day of June, Anno Domini one thousand nine hundred and eleven, entitled "An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand, a Board for the Assessment and Revision of Taxes for State and County purposes, prescribing the method of their appointment, their powers and duties; fixing their salary, to be paid by the proper county; and abolishing the office of ward, borough and township assessors, in so far as respects the assessment of State and county taxes;" by changing the pay of subordinate assessors from four to five dollars per day.

Mr. WALKER, from the Committee on Judiciary General, reported as committed House Bill No. 1543 (Senate Bill No. 812), entitled

An Act fixing the residence of the warden of the county jail or prison in counties of this Commonwealth where the government of such jail or prison is or may hereafter be vested in a prison board.

Mr. PICKERING, from the Committee on Public Roads, reported as committed House Bill No. 1557 (Senate Bill No. 792), entitled

An Act authorizing and empowering the several counties of this Commonwealth to locate, lay out, open, construct and maintain public bridges whether wholly or partly within any city, borough or township therein, across any river or stream dividing or separating any part of said county from any other part thereof, together with the necessary bridge approaches, viaduct or other approaches, to conveniently connect the same with existing streets or public roads in such cities, boroughs or townships; authorizing the cities and boroughs wherein such bridges are located, to share in the cost thereof and to provide approaches therefor; authorizing the taking and appropriation of property and rights of property, public or private, for such purposes; providing a method for making compensation for property taken, injured or destroyed thereby; authorizing the several counties to enter upon and over public streets or roads in cities, boroughs or townships for said purposes; authorizing the several counties to appropriate money, levy taxes and incur indebtedness therefor; and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street railway, telegraph, telephone or other corporations or persons making use thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use.

Mr. SIGGINS, from the Committee on Judiciary General, reported as committed House Bill No. 1297 (Senate Bill No. 333), entitled

An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations and the manner of appointments and the manner and power of removal of employes of said department, and providing a method for fixing compensation.

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed House Bill No. 1544 (Senate Bill No. 796), entitled

An Act validating all acts done, all contracts and expenditures made by virtue of and all obligations for money borrowed, issued under the provisions of an act approved the first day of May, one thousand nine hundred and nine (Pamphlet Laws three hundred and two), entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand, and not more than one million two hundred thousand inhabitants, to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts, and conferring the powers and regulating the proceedings for the establishment, maintenance and management thereof," and the amendments thereof and supplements thereto, and making such acts, contracts and obligations as valid and effective as if the said act had applied to each and every county within this Commonwealth and was constitutional and valid; vesting title to any and all property purchased or condemned by any county for said schools under said act in the county which paid for the same.

Mr. SWARTZ, from the Committee on Judiciary General, reported as committed House Bill No. 1545 (Senate Bill No. 789), entitled

An Act validating divorces granted on the ground of hopeless insanity of the respondent under the provisions of an act approved the eighteenth day of April, nineteen hundred and five, entitled "An Act to amend section eight of the act approved the thirteenth day of April, eighteen hundred and forty-three, entitled 'An Act to convey certain real estate and for other purposes,' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis, and to further regulate the procedure in action for divorce."

Mr. SWARTZ, from the Committee on Judiciary General, reported as committed House Bill No. 1227 (Senate Bill No. 513), entitled

An Act regulating the collection of county taxes in counties containing over one hundred thirty-five thousand and less than one hundred fifty thousand inhabitants creating the office of receiver of taxes in such counties and prescribing the powers and duties of said office.

Mr. THOMAS, from the Committee on Appropriations, reported as committed House Bill No. 1636 (Senate Bill No. 864), entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation.

Mr. McVICAR, from the Committee on Judiciary General, reported as committed House Bill No. 1560 (Senate Bill No. 745), entitled

An Act to validate affidavits, acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act.

Mr. SHOWALTER, from the Committee on Judiciary Local, re-reported as committed House Bill No. 848, entitled

An Act authorizing the attachment of wages or salary upon judgments obtained for necessaries; limiting the amount of exemption to be claimed; and providing for the payment of the costs.

Mr. FRANK I. SMITH, from the Committee on Public Roads, reported with a negative recommendation House Bill No. 1409, entitled

An Act requiring the expenditures of moneys for State and State-aid Highways in the several counties in proportion to the mileage of roads.

Mr. STERN, from the Committee on Judiciary General, reported as amended House Bill No. 1556 (Senate Bill No. 797), entitled

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million five hundred thousand.

Mr. RAMSEY, from the Committee on Municipal Corporations, reported as committed House Bill No. 76, entitled

An Act validating municipal liens filed by boroughs for paving and curbing the public highways thereof.

Mr. RAMSEY, from the Committee on Municipal Corporations, reported with a negative recommendation House Bill No. 396, entitled

An Act to amend part of section one, article twenty, of an act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, entitled "An Act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto."

BILLS ON THIRD READING.

The SPEAKER. If there is no objection, the House will at this time take up the first reading calendar. The Chair hears no objection.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1359, entitled

An Act to amend an act approved May twenty-eighth one thousand nine hundred and fifteen entitled "An Act permitting the Commonwealth to intervene in any proceeding at law or in equity in which the Commonwealth may have an interest without giving security" for the purpose of correcting a clerical error.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1063, entitled

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred andeleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas and the judges of the orphans' courts."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 733, entitled

An Act to amend an act approved the eleventh day of June eighteen hundred and seventy-nine entitled "An Act to protect children from neglect and cruelty and relating

to their employment protection and adoption" so that it shall not apply to discipline in the public schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1474, entitled

An Act to amend sections one four and five of an act approved the eighteenth day of May one thousand nine hundred and fifteen entitled "An Act establishing a state commission of agriculture defining its powers and duties including its powers relative to the Department of Agriculture and the State Livestock Sanitary Board."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1420, entitled

An Act providing for the classification of real estate in cities of the first class so as to separate the land from the improvements thereon and to provide for the assessment of a less tax upon the buildings and other improvements than upon the land exclusive of the buildings and other improvements by a yearly reduction of the rate of taxation on improvements and increase of the rate on the land values.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1405, entitled

An Act to amend an act, entitled "An Act to amend an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and seventy-four, providing for the incorporation and regulation of electric light, heat and power companies," approved the eighth day of May, one thousand eight hundred and eighty-nine, by giving to electric light, heat and power companies the right of eminent domain.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1051, entitled

An Act to amend an act approved the first day of June one thousand nine hundred eleven entitled "An Act designating the employes of the Insurance Department and fixing their salaries."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1329 (Senate Bill No. 471), entitled

An Act to authorize the payment by corporations to their directors of compensation for services rendered by them.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1336 (Senate Bill No. 671), entitled

An Act to amend an act entitled "An Act authorizing companies incorporated under the laws of any other state of the United States for certain purposes to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for such purposes" approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1328 (Senate Bill No. 469), entitled

An Act authorizing any company incorporated under the laws of any other state for the manufacture of automobiles motor trucks or other motor vehicles or of any article appertaining to or entering into the construction thereof to erect and maintain in buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1141, entitled

An Act authorizing Almeda G. Pickering of the Borough of Towanda Bradford County Pennsylvania to bring suit against the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1498, entitled

An Act providing that retail and wholesale liquor licenses goodwills and leaseholds in connection therewith and the proceeds of the sale thereof shall be an asset for the payment of the debts of deceased licensee and for the transfer and holding of such license and for whose benefit such license shall be held and for the form of application thereof and liabilities of transferee.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1191, entitled

An Act fixing the compensation of township auditors in townships of the first class and providing how said compensation is to be paid.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 344, entitled

An Act providing that automobiles when passing a standing street car from which a member of the crew has alighted shall not pass the car on the side on which the member of the crew is performing his duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1065, entitled

A Further Supplement to an act approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes and to prescribe the form of government for townships of each class," authorizing townships of the first class to make regulations for the construction of new buildings and repair to old ones; requiring approval of plans; providing for inspection; prescribing within which certain kinds of material may not be used; providing penalties for the violation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1408, entitled

An Act to amend sections one and three of an act approved the first day of May, one thousand nine hundred nine, entitled "An Act to regulate the manufacture and sale of commercial fertilizers; prescribing penalties for its violation, and repealing an act, entitled 'An Act to regulate the manufacture and sale of commercial fertilizers; providing for its enforcement, and prescribing penalties for its violation,' approved the twenty-fifth day of March, Anno Domini one thousand nine hundred and one."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1453, entitled

An Act to amend section one of an act approved the fifth day of May one thousand nine hundred eleven, entitled "An Act to amend section one of an act approved June

twenty-second, one thousand eight hundred and ninety-seven entitled 'An Act to amend section four of an act approved June eighth, one thousand eight hundred and eighty-one, entitled "An Act to authorize the erection of a poor house by the Township of Jenkins, Borough of Pittston, and Township of Pittston, in the County of Luzerne," approved May eighth, one thousand eight hundred and fifty-seven, allowing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district,' authorizing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1365, entitled

An Act requiring public adjusters engaged in the adjustment of claims for loss or damage by fire under a policy or policies of insurance upon property in this Commonwealth to be licensed by the Insurance Commissioner defining such public adjuster providing for the payment of a fee for the issuance of a license and prescribing penalties for any violation of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 441, entitled

An Act to further amend the eighty-ninth section of an act approved the fifteenth day of April one thousand eight hundred thirty-four entitled "An Act relating to counties and townships and county and township officers" as amended by fixing the per diem compensation of assessors and assistant assessors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1488, entitled

An Act validating certain elections of counties, cities, boroughs, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto, and validating bonds issued or authorized to be issued in pursuance of said elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1389, entitled

An Act establishing in the several jails prisons and penitentiaries the Bertillion method for the identification of criminals imposing certain duties upon the warden of the Western Penitentiary and authorizing county commissioners to provide measuring instruments and cabinets for the filing of cards and photographic plates at the expense of the county.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 851, entitled

An Act to amend the first paragraph of section four of the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1289, entitled

An Act regulating the giving and delivery of trading stamps coupons and similar articles in connection with the sale and purchase of goods wares and merchandise and providing penalties.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 603, entitled

An Act repealing an act, entitled "An Act amending article six of an act, entitled 'An Act for the government of cities of the second class,' approved the seventh day of March, Anno Domini, one thousand nine hundred and one, as amended by an amendatory act, approved the first day of April, Anno Domini one thousand nine hundred and nine, and as affected by an act, entitled 'An Act providing a uniform rate of assesment and taxation for all real estate in cities of the second class,' approved the eleventh day of May, Anno Domini one thousand nine hundred and eleven, by providing for the classification of real estate for purposes of taxation into two classes, to wit, the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class," approved May fifteenth, Anno Domini one thousand nine hundred and thirteen.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1265, entitled

An Act to amend section one of an act approved the twenty-fifth day of June, one thousand nine hundred and thirteen, entitled "An Act authorizing the township commissioners, of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township, leading directly to or connecting cities, boroughs, villages, or places of public resort; providing for and regulating the construction of the same; and authorizing the township commissioners to charge a part of the expense of constructing the same, including the grading and curbing thereof, upon the abutting property owners, and to defray the remaining part of such expense from the public funds of the township," ordaining and establishing sidewalks over and upon land abutting along the sides of streets, highways and turnpikes, and providing for the assessment and payment of damages and benefits in connection therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1264, entitled

An Act to amend sections one and two of an act approved the seventh day of June one thousand nine hundred and one entitled "An Act to authorize the township commissioners in townships of the first class to lay out widen open and vacate streets and the highways within their respective townships at the expense of the township or the properties benefited.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1263, entitled

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen, entitled "An Act providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1180, entitled

An Act to prohibit dancing, singing, cabaret shows, vaudeville or theatrical entertainments and moving picture exhibitions in places licensed for the sale of vinous, spirituous, malt or brewed liquors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1076, entitled

An Act authorizing the Governor of the Commonwealth of Pennsylvania to convey to the estates of Susan E. Bayard and Mary Bayard certain lands in the Seventh Ward of the City of Pittsburgh, County of Allegheny.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 435, entitled

An Act to further amend an act approved the eleventh day of May, one thousand nine hundred and eleven, entitled "An Act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights, and fixing the penalties for the violation of the provisions hereof," by including instruments and devices used for weighing by manufacturers and at mines and quarries, and by which the wages of employes are determined.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 840, entitled

An Act amending an act, entitled "An Act prohibiting the offering or giving of premium by any person, partnership, or corporation, licensed to sell vinous, spiritous, malt, or brewed liquors at wholesale or retail, for the return of caps, stoppers, corks, stamps, or labels taken from any bottle, case, keg, barrel, or package containing such vinous, spiritous, malt, or brewed liquors and providing a penalty for the violation thereof," approved the twelfth day of June, Anno Domini nineteen thirteen, prohibiting the offer of gifts or premiums or presents as an inducement for the purchase of liquors, or for any other purpose.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1363, entitled

An Act directing the Commissioner of Forestry to prepare, edit and publish an edition of bulletin number eleven of the Department of Forestry known as the title of Pennsylvania Trees; providing for the printing, binding and distribution of said edition and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1451, entitled

An Act providing for the payment out of the city treasury in cities of the second class of the salaries of city employes enlisted in the army and navy or called into the service of the United States and conferring powers upon the council, city controller and city treasurer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1452, entitled

An Act providing for the payment out of the county treasury in certain counties of the salaries of county employes enlisting in the army and navy or called into the service of the United States and conferring certain powers upon the County Commissioners, county controller and county treasurer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1131, entitled

An Act amending section seventeen of an act, entitled "An Act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors or any admixture thereof," approved the thirteenth day of May, Anno Domini one thousand eight hundred and eighty-seven, prohibiting the sale of liquors during certain hours of the day.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1423, entitled

An Act fixing the salary of the deputy coroner of counties having a population of one million five hundred thousand or over.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1426, entitled

An Act to further amend an act approved the eleventh day of May, one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1023, entitled

An Act making it a misdemeanor for any person under twenty-one years of age to procure or attempt to procure intoxicating liquors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 17, entitled

An Act authorizing cities of the second and third classes to engage in the business of farming including dairy farming and vesting certain powers in said cities in connection therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1353, entitled

An Act amending an act, entitled "An Act for the division of townships upon the application of the owners of twenty-five per centum of the assessed valuation of the real estate thereof and prescribing the manner of holding an election upon the question of division and declaring any proceeding for a division under former laws to be no bar to a proceeding under this act."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1072, entitled

An Act to authorize the construction of branches by railroad companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1034, entitled

An Act to provide for the incorporation and regulation of mutual insurance companies other than life and for the licensing and regulation of such companies from other states and to repeal existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1135, entitled

An Act placing the control and management of county jails and prisons in the several counties of the Commonwealth, and the inmates thereof in boards of prison inspectors; providing for the appointment of such boards in each of said counties and for the regulation and government of said jails and prisons and the inmates thereof; providing for the payment of the necessary expenses for keeping, furnishing and maintaining said jails and prisons by the several counties, respectively, and prescribing the duties of the commissioners and treasurers, respectively, of said counties relative to the payment of such expenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 685, entitled

An Act to amend and revise an act, entitled "An Act providing for the incorporation, regulation, and government of cities of the third class, regulating nomination and election of municipal officers therein, and repealing, consolidating, and extending existing laws in relation thereto," approved the twenty-seventh day of June, Anno Domini one thousand nine hundred thirteen, enlarging, changing, modifying, and defining certain of the powers of cities of the third class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1240, entitled

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania, and of the counties therein having a population of two hundred and fifty thousand inhabitants or more, and of such other counties and of such cities of the third class therein as may accept its provisions by a vote of the people of such counties or cities respectively, making any violation of its provisions a misdemeanor and providing penalties for any violations thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1541 (Senate Bill No. 837), entitled

An Act authorizing appeals from the courts of common pleas to the Supreme and Superior Courts from orders granting new trials.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1109 (Senate Bill No. 468), entitled

An Act to enable two or more boroughs that are contiguous or in close proximity, to be united and to become one city, wherever each of said boroughs shall have heretofore voted or shall hereafter vote to become a city of the third class, under the laws now enacted or which may hereafter be enacted and wherever each of said boroughs has duly received or shall hereafter duly receive letters patent constituting it a city of the third class, but where sufficient time shall not have elapsed after the granting of such letters patent for the holding of a municipal election; providing for the consequences of such consolidation the government of such consolidated city, the payment of the indebtedness of each of the united territories and the enforcement of debts and claims due to and from each; and fixing the jurisdiction over the said consolidated city in the courts of the county in which the majority of its inhabitants shall reside.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1233 (Senate Bill No. 540), entitled

An Act for the protection of the public health by regulating the possession, control, receipt, administering, prescribing, dispensing, sale, delivering and giving away of certain drugs and keeping records thereof by regulating the administering, dispensing, prescribing and delivery of certain drugs to habitual users of said drugs and regulating the treatment and cure of said habitual users of said drugs by providing for the revocation of the licenses of physicians, dentists, veterinarians, pharmacists and registered nurses for drug addiction and for violating the provisions of this act and otherwise fixing penalties for the violation of the provisions of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1443 (Senate Bill No. 749), entitled

An Act amending section three of an act, approved the first day of June, one thousand nine hundred and fifteen, entitled "An Act to amend section three of an act, entitled 'An Act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof' approved the twenty-fifth day of July, Anno Domini one thousand nine hundred and thirteen; by providing that the Industrial Board of the Department of Labor and Industry may subdivide the one day of rest in seven into two half days" by providing that the restrictions as to hours shall not apply to females engaged at State and charitable institutions, hotels and boarding houses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1564 (Senate Bill No. 588), entitled

An Act to amend section fourteen of an act approved the second day of June, one thousand nine hundred fifteen, entitled "An Act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1566 (Senate Bill No. 770), entitled

An Act to further amend an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said Bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith," as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses given by said Bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith," approved the third day of June one thousand nine hundred and eleven by providing for further instruction prior to examination for licensure; by clarifying sections five (5) and twelve (12).

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1095 (Senate Bill No. 249), entitled

An Act amending section one of an act, entitled "An Act to amend section one of an act ceding jurisdiction over real estate in the County of Philadelphia to be acquired by the United States," approved April fifteenth, Anno Domini one thousand nine hundred and three, increasing the limitation as to area of land the jurisdiction of which is ceded from twenty thousand square feet to forty thousand square feet, approved the twenty-fifth day of May, Anno Domini one thousand nine hundred and seven, by increasing the limitation as to area of land and the jurisdiction of which is ceded from forty thousand square feet to eighty thousand square feet.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1434 (Senate Bill No. 655), entitled

A Joint Resolution proposing an amendment to article three section six of the Constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1093 (Senate Bill No. 171), entitled

A Supplement to the act of April twenty-eighth, eighteen hundred ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class," providing for the election of a township solicitor in townships of the first class; fixing his term of office; prescribing his duties and qualifications and authorizing the board of township commissioners to fix his compensation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1463 (Senate Bill No. 692), entitled

An Act authorizing tenants in common and coparceners of land to pay their proportionate share of the taxes assessed against the land and providing that the sale thereof for unpaid taxes shall not impair or divest the titles of those who have paid their respective shares of such taxes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON THIRD READING.

Mr. SPANGLER. Mr. Speaker, I desire to call up, for the purpose of spending the time, House Bill No. 995, on page 39 of to-day's calendar, bills on third reading postponed.

Agreeably to order,
The House resumed the consideration on third reading of House Bill No. 995, entitled

An Act to prohibit the killing of foxes by certain methods in York County and fixing a penalty for violation of the act.

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. SPANGLER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.
Mr. WOBENSMITH. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON FINAL PASSAGE.

Mr. HECHT. Mr. Speaker, I desire to call up House Bill No. 243, on page 15 of to-day's calendar, bills on final passage postponed, for the purpose of having the time on same extended.

Agreeably to order,
The House resumed the consideration on final passage of House Bill No. 243, entitled

A Joint Resolution proposing an amendment to article nine of the Constitution of Pennsylvania.

On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. HECHT. Mr. Speaker, I move that further consideration of this bill be postponed for the present.
Mr. BEYER. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON FINAL PASSAGE.

Mr. HECHT. Mr. Speaker, I desire to call up House Bill No. 244, on page 15 of to-day's calendar, bills on final passage pontponed, for the purpose of having the time on same extended.

Agreeably to order,
The House resumed the consideration on third reading of House Bill No. 244, entitled

A Joint Resolution proposing an amendment to article nine of the Constitution of Pennsylvania.

On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. HECHT. Mr. Speaker, I move that further consideration of this bill be postponed for the present.
The motion was agreed to.

BILL ON FINAL PASSAGE.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, in the absence of the gentleman from Armstrong, I desire to call up, for the purpose of having the time extended, House Bill No. 1056, on page 15 of to-day's calendar, bills on final passage postponed.

Agreeably to order,
The House resumed the consideration on final passage of House Bill No. 1056, entitled

An Act authorizing the Commissioner of Health to accept private and philanthropic donations to assist in the care and treatment of indigent tuberculous persons.

On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.
Mr. SPANGLER. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1218 (Senate Bill No. 119), entitled

An Act providing for the filling of vacancies in the office of tax collector in boroughs and townships by the county commissioners and repealing certain acts inconsistent therewith.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. DITRICH. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. STADTLANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1204 (Senate Bill No. 490), entitled

An Act authorizing cities and boroughs to refund moneys paid by property owners into their treasuries when a court of competent jurisdiction shall have determined that there is no liability for such payment.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126.

Albee,	Fackler,	McPeake,	Scott,
Aron,	Fitzgibbon,	Mearkle,	Shaffer, C. A.,
Arthur,	Flynn,	Mehring,	Siggins,
Baker,	Franklin,	Mervine,	Simpson,
Baldi,	Fretz,	Michel,	Sinclair,
Bechtold,	Geary,	Miller, A. D.,	Smith, E. R.,
Bell,	Golder,	Miller, C. G.,	Smith, J. W.,
Benchoff,	Goodwin,	Miller, G. J. A.,	Smith, O. W.,
Bennett,	Graeff,	Milner,	Sones,
Benninger,	Graham,	Morgan, T.,	Spangler,
Beyer,	Haight,	Morgan, T. J.,	Stadtlander,
Bidelspacher,	Heffernan,	Murdoch,	Steedle,
Bouton, V. B.,	Hess,	Musser,	Sterling,
Boyd,	Heyburn,	Neary,	Stern,
Brady,	Hoffman,	Ogden,	Strauss,
Burnett,	Hollern,	Palmer,	Sullivan,
Campbell, T.,	Hollingsworth,	Powell,	Swartz,
Clements,	Howarth,	Ramsey,	Sweitzer,
Coldsmith,	Jack,	Reitzel,	Taylor,
Conner,	Jennings,	Reynolds,	Thomas,
Corbin,	Lafferty,	Rhoads, H. L.,	Ulsh,
Crosby,	Lanius,	Rich,	Urich,
Curry,	Lauler,	Ringler,	Wagner,
Davis, W.,	Leary,	Rininger,	Wallace,
Dean,	Lewis,	Robertson,	Walter,
Dell,	Mangan,	Rogers,	Weimer,
Dewey,	Marvin,	Ross,	Williams, G. W.
Dithrich,	Maurer,	Rothenberger,	Wobensmith,
Drinkhouse,	McCaig,	Ruddy,	Wood,
Drake,	McCullough,	Rudisill,	Woodward,
Dunn,	McCurdy,	Sarig,	Zanders,
Ehrhardt,	McKinney,	Schaeffer, A. C.,	Baldwin, Speaker.

NAYS—4.

Baldridge,	Chestnut,	Gormley,	Phillips,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

MR. HESS IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 782 (Senate Bill No. 144), entitled

An Act to amend section fourteen of an act approved the twelfth day of July, one thousand nine hundred thirteen (Pamphlet Laws seven hundred eleven), entitled "An Act establishing a court for the County of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein and appeals therefrom and providing for the expenses thereof."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Albee,	Ehrhardt,	McCurdy,	Showalter,
Aron,	Fackler,	McKay,	Shunk,
Baker,	Fitzgibbon,	McKinney,	Siggins,
Baldi,	Flynn,	McNichol,	Simpson,
Baldridge,	Franklin,	McPeake,	Sinclair,
Bechtold,	Gans,	Mearkle,	Smith, E. R.,
Bell,	Golder,	Mehring,	Smith, J. W.,
Bennett,	Goodwin,	Michel,	Smith, O. W.,
Benninger,	Graham,	Miller, Allan,	Snowden,
Beyer,	Gransback,	Miller, G. J. A.,	Somerman,
Bidelspacher,	Hecht,	Milner,	Sones,
Bouton, V. B.,	Heffernan,	Morgan, T.,	Spangler,
Bovee,	Helt,	Murdoch,	Stadtlander,
Boyd,	Hess,	Murphy,	Steedle,
Brady,	Heyburn,	Musser,	Sterling,
Brumbaugh,	Hibshman,	Neary,	Stern,
Burnett,	Hoffman,	Palmer,	Stites,
Campbell, J. O.,	Hollingsworth,	Patterson,	Strauss,
Canon,	Horton,	Phillips,	Sullivan,
Christman,	Howarth,	Powell,	Swartz,
Clements,	Isherwood,	Ramsey,	Sweitzer,
Coldsmith,	Jack,	Reichenbacher,	Ulsh,
Conner,	Jennings,	Reynolds,	Urich,
Corbin,	Kennedy,	Rich,	Walker,
Crosby,	Lafferty,	Ringler,	Walter,
Cummins,	Lauler,	Rininger,	Wells,
Curry,	Leary,	Robertson,	West,
Davis, W.,	Lohr,	Ross,	Wickman,
Dean,	Luppert,	Rothenberger,	Williams, G. W.
Dell,	Mangan,	Ruddy,	Wobensmith,
Dewey,	Marvin,	Rudisill,	Woodward,
Dithrich,	Maurer,	Sarig,	Zanders,
Drake,	McArdle,	Schaeffer, A. C.,	Baldwin,
Drinkhouse,	McCullough,	Scott,	Speaker.
Dunn,		Shattuck,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 429, entitled

An Act making an appropriation to the Lebanon Sanitorium of Lebanon, Pennsylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albee,	Fitzgibbon,	McPeake,	Siggins,
Arthur,	Flynn,	McVicar,	Sinclair,
Aston,	Franklin,	Mearkle,	Smith, E. R.,
Baker,	Fretz,	Mervine,	Smith, F. I.,
Baldi,	Geary,	Michel,	Smith, J. W.,
Baldridge,	Glass,	Miller, A. D.,	Smith, L.,
Barner,	Golder,	Miller, Allan,	Smith, O. W.,
Bechtold,	Goodnough,	Miller, C. G.,	Snyder,
Bell,	Gormley,	Miller, G. J. A.,	Somerman,
Bennett,	Graeff,	Milner,	Sones,
Benninger,	Graham,	Morgan, T.,	Spangler,
Beyer,	Gransback,	Morgan, T. J.,	Sprowls,
Bidelspacher,	Haldeman,	Murdoch,	Stadtlander,
Black,	Hecht,	Murphy,	Steedle,
Bouton, V. B.,	Heffernan,	Musser,	Sterling,
Bovee,	Helt,	Neary,	Stern,
Boyd,	Hess,	Ogden,	Stofflet,
Brady,	Heyburn,	Palmer,	Strauss,
Brumbaugh,	Hibshman,	Perry,	Sullivan,
Burnett,	Hoffman,	Phillips,	Swartz,
Canon,	Hollern,	Pickering,	Sweitzer,
Chestnut,	Hollingsworth,	Powell,	Taylor,
Christman,	Horton,	Ramsey,	Thomas,
Clements,	Howarth,	Reichenbacker,	Urich,
Coldsmith,	Jack,	Reitzel,	Vogdes,
Conner,	Jones,	Reynolds,	Walker,
Corbin,	Kennedy,	Rhoads, H. L.,	Wallace,
Cox,	Laucks,	Rich,	Walter,
Cummins,	Lauler,	Ringler,	Weimer,
Davis, D. F.,	Leary,	Rininger,	Wells,
Davis, W.,	Lewis,	Robertson,	West,
Dell,	Lohr,	Rogers,	Whitaker,
Dewey,	Luppert,	Ross,	Wickman,
Dithrich,	Malie,	Rothenberger,	Williams, G. W.
Donneley,	Mangan,	Rudisill,	Williams, J. P.,
Drake,	McArdle,	Sampsel,	Wobensmith,
Drinkhouse,	McCaig,	Sarig,	Wood,

Dunn,	McCullough,	Schaeffer, A. C.	Woodward,
Eby,	McCurdy,	Scott,	Zanders,
Ehrhardt,	McKay,	Shaffer, C. A.,	Baldwin,
Erdman,	McKinney,	Showalter,	Speaker.
Fackler,		Shunk,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1084, entitled

An Act authorizing J. A. Croup, of Concord Township, Butler County, Pennsylvania, to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Butler County.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Fowler,	McKay,	Smith, E. R.,
Aron,	Franklin,	McNichol,	Smith, F. L.,
Arthur,	Fretz,	McPeake,	Smith, J. W.,
Baker,	Gans,	Mearkle,	Smith, L.,
Baldi,	Geary,	Mervine,	Smith, O. W.,
Baldridge,	Glass,	Miller, A. D.,	Snyder,
Bechtold,	Golder,	Miller, C. G.,	Somerman,
Benchoff,	Goodnough,	Miller, G. J. A.,	Sones,
Bennett,	Goodwin,	Mitchell,	Speicher,
Beyer,	Gormley,	Morgan, T.,	Sprowls,
Bidelspacher,	Graeff,	Morgan, T. J.,	Stadtlander,
Boulton, H.,	Graham,	Murdoch,	Sterling,
Bouton, V. B.,	Gransback,	Murphy,	Stern,
Boyd,	Haight,	Neary,	Stites,
Brady,	Haldeman,	Ogden,	Stofflet,
Brumbaugh,	Hecht,	Palmer,	Strauss,
Campbell, J. O.,	Heffernan,	Perry,	Sullivan,
Campbell, T.,	Hess,	Phillips,	Swartz,
Canon,	Heyburn,	Pickering,	Sweitzer,
Chestnut,	Hibshman,	Powell,	Taylor,
Christman,	Hoffman,	Ramsey,	Thomas,
Clements,	Hollern,	Reichenbacher,	Urich,
Coldsmith,	Hollingsworth,	Reynolds,	Vickerman,
Conner,	Horton,	Rhoads, H. L.,	Vogdes,
Cook,	Hough,	Rich,	Wagner,
Corbin,	Howarth,	Ringler,	Walker,
Crosby,	Isherwood,	Rininger,	Wallace,
Curry,	Jack,	Robertson,	Walter,
Davis, D. F.,	Jennings,	Ross,	Weimer,
Davis, W.,	Jones,	Rothenberger,	West,
Dell,	Kennedy,	Ruddy,	Whitaker,
Dewey,	Lafferty,	Rudisill,	Wickman,
Dithrich,	Lauler,	Sampsel,	Williams, G. W
Donneley,	Lewis,	Sarig,	Williams, J. P.,
Drake,	Lohr,	Schaeffer, A. C.,	Wobensmith,
Drinkhouse,	Luppert,	Scott,	Wood,
Dunn,	Mangan,	Shaffer, C. A.,	Woodward,
Eby,	Marvin,	Shattuck,	Wylie,
Ehrhardt,	Maurer,	Showalter,	Wynne,
Erdman,	McCaig,	Shunk,	Zanders,
Fackler,	McCullough,	Siggins,	Baldwin,
Fitzgibbon,	McCurdy,	Sinclair,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 913, entitled

An Act authorizing Mildred J. Barclay a resident of the City of Pittsburgh in the County of Allegheny in her own right as well as for the benefit of her minor daughter Mildred J. Barclay to bring suit in the court of common pleas of Allegheny County against the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—163.

Albee,	Gans,	Mervine,	Sinclair,
Aron,	Geary,	Miller, A. D.,	Smith, E. R.,
Arthur,	Glass,	Miller, Allan,	Smith, F. L.,
Baker,	Golder,	Miller, C. G.,	Smith, J. W.,
Baldridge,	Goodwin,	Miller, G. J. A.,	Smith, L.,
Bechtold,	Gormley,	Milner,	Snyder,
Bell,	Graeff,	Morgan, T.,	Sones,
Bennett,	Gransback,	Morgan, T. J.,	Spangler,
Benninger,	Haldeman,	Murphy,	Speicher,
Beyer,	Hecht,	Musser,	Sprowls,
Bidelspacher,	Hess,	Ogden,	Steedle,
Black,	Heyburn,	Palmer,	Sterling,
Bovee,	Hibshman,	Patterson,	Stern,
Boyd,	Hoffman,	Perry,	Stites,
Brumbaugh,	Hollern,	Pickering,	Stofflet,
Burnett,	Hollingsworth,	Powell,	Sullivan,
Campbell, J. O.,	Horton,	Reichenbacker,	Swartz,
Campbell, T.,	Hough,	Reitzel,	Taylor,
Canon,	Isherwood,	Reynolds,	Urich,
Chestnut,	Jennings,	Rhoads, H. L.,	Vickerman,
Christman,	Jones,	Rich,	Wagner,
Clements,	Lafferty,	Ringler,	Wallace,
Conner,	Laucks,	Rininger,	Walter,
Crosby,	Lauler,	Robertson,	Weimer,
Davis, D. F.,	Lewis,	Rogers,	Wells,
Davis, W.,	Luppert,	Ross,	West,
Dell,	Malie,	Rothenberger,	Whitaker,
Dewey,	Mangan,	Ruddy,	Williams, G. W.
Dithrich,	Marvin,	Rudisill,	Williams, J. P.,
Donneley,	Maurer,	Sampsel,	Wobensmith,
Drake,	McCaig,	Sarig,	Wood,
Drinkhouse,	McCullough,	Schaeffer, A. C.,	Woodward,
Dunn,	McCurdy,	Scott,	Wylie,
Ehrhardt,	McKay,	Shaffer, C. A.,	Wynne,
Erdman,	McKinney,	Shattuck,	Zanders,
Fitzgibbon,	McPeake,	Shunk,	Baldwin,
Flynn,	McVicar,	Siggins,	Speaker.
Fretz,	Mehring,	Simpson,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 923, entitled

An Act authorizing Edward J. Woods of Edgewood Borough Allegheny County Pennsylvania to bring suit in the court of common pleas of Allegheny County against the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—166.

Albee,	Gans,	Mervine,	Smith, F. L.,
Aron,	Geary,	Miller, A. D.,	Smith, J. W.,
Arthur,	Glass,	Miller, Allan,	Smith, L.,
Aston,	Golder,	Miller, C. G.,	Smith, O. W.,
Baldi,	Goodnough,	Miller, G. J. A.,	Snyder,
Baldridge,	Gormley,	Milner,	Somerman,
Barner,	Graeff,	Mitchell,	Sones,
Bechtold,	Graham,	Morgan, T.,	Spangler,
Benchoff,	Gransback,	Morgan, T. J.,	Speicher,
Benninger,	Haight,	Murphy,	Stadtlander,
Beyer,	Haldeman,	Musser,	Steedle,
Black,	Hecht,	Neary,	Stern,
Bovee,	Heffernan,	Palmer,	Stites,
Boyd,	Hess,	Patterson,	Stofflet,
Brady,	Heyburn,	Perry,	Sullivan,
Brumbaugh,	Hibshman,	Phillips,	Swartz,
Burnett,	Hoffman,	Pickering,	Sweitzer,
Campbell, J. O.,	Hollern,	Powell,	Taylor,
Campbell, T.,	Hollingsworth,	Ramsey,	Thomas,
Canon,	Hough,	Reichenbacher,	Ulsh,
Chestnut,	Howarth,	Reitzel,	Urich,
Christman,	Isherwood,	Rhoads, H. L.,	Vickerman,
Clements,	Jack,	Rhodes, W. M.,	Vodges,
Coldsmith,	Jennings,	Rich,	Wagner,
Conner,	Jones,	Ringler,	Walker,
Crosby,	Lafferty,	Rininger,	Walter,
Davis, D. F.,	Laucks,	Robertson,	Weimer,
Davis, W.,	Lauler,	Rogers,	Wells,
Dell,	Lewis,	Rothenberger,	West,
Dewey,	Lohr,	Ruddy,	Whitaker,
Dithrich,	Luppert,	Rudisill,	Wickman,
Donneley,	Mangan,	Sampsel,	Williams, G. W.
Drake,	Marvin,	Sarig,	Williams, J. P.,
Drinkhouse,	Maurer,	Schaeffer, A. C.,	Wobensmith,
Dunn,	McArdle,	Scott,	Wood,
Eby,	McCaig,	Shaffer, C. A.,	Woodward,
Ehrhardt,	McCullough,	Showalter,	Wylie,

Erdman,	McCurdy,	Shunk,	Wynne,
Fitzgibbon,	McKinney,	Siggins,	Zanders,
Fowler,	McNichol,	Simpson,	Baldwin,
Franklin,	McVicar,	Sinclair,	Speaker.
Fretz,	Mearkle,	Smith, E. R.,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1031, entitled

A Supplement to an act, approved the second day of June, one thousand nine hundred and thirteen (P. L. 396), entitled "An Act creating a Department of Labor and Industry, defining its powers and duties; establishing an Industrial Board; providing for the appointment of a Commissioner of Labor, inspectors, statisticians, clerks, and others to enforce the provisions of this act, and providing salaries for the same; prescribing a standard of reasonable and adequate protection to be observed in the rooms, buildings, and places where labor is employed; empowering the said Industrial Board to make, alter, amend and repeal rules and regulations relating thereto; transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry, and abolishing the Department of Factory Inspection; and providing a penalty for the violation of the provisions of this act, or the rules and regulations of the said board," authorizing the Industrial Board to adopt a seal; and providing that certified copies of all records, documents and rulings of said board shall be received in evidence.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. RININGER. Mr. Speaker, the sponsor of this bill is absent. I therefore move you that further consideration of this bill be postponed for the present.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1139, entitled

An Act authorizing boroughs with the assent of the electors duly obtained at an election to use moneys borrowed for purposes which have proved impracticable or impossible for any other lawful municipal purposes.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—163.

Albee,	Geary,	Mehring,	Smith, J. W.,
Aron,	Glass,	Mervine,	Smith, O. W.,
Aston,	Golder,	Michel,	Snowden,
Baker,	Goodnough,	Miller, A. D.,	Snyder,
Baldi,	Goodwin,	Miller, C. G.,	Somerman,
Baldridge,	Gormley,	Miller, G. J. A.,	Sones,
Bechtold,	Graham,	Milner,	Spangler,
Bell,	Gransback,	Morgan, T.,	Stadtlander,
Bennett,	Haight,	Morgan, T. J.,	Steedle,
Beyer,	Haldeman,	Murdoch,	Sterling,
Bidelspacher,	Hecht,	Murphy,	Stern,
Black,	Heffernan,	Musser,	Stites,
Bouton, V. B.,	Helt,	Ogden,	Stoffiet,
Bovee,	Hess,	Palmer,	Strauss,
Boyd,	Heyburn,	Patterson,	Sullivan,
Brady,	Hoffman,	Perry,	Swartz,
Brumbaugh,	Hollern,	Pickering,	Sweitzer,
Campbell, J. O.,	Hollingsworth,	Ramsey,	Taylor,
Campbell, T.,	Horton,	Reichenbacher,	Thomas,
Christman,	Howarth,	Reitzel,	Ulsh,
Clements,	Isherwood,	Reynolds,	Vickerman,
Coldsmith,	Jennings,	Rhoads, H. L.,	Vodges,
Conner,	Kennedy,	Rich,	Wagner,
Corbin,	Lafferty,	Ringler,	Walker,
Cox,	Lanius,	Rininger,	Wallace,
Cummins,	Laucks,	Robertson,	Walter,
Curry,	Leary,	Rogers,	Weimer,
Davis, D. F.,	Lewis,	Ross,	West,
Davis, W.,	Lohr,	Ruddy,	Whitaker,
Dean,	Malie,	Rudisill,	Wickman,
Dell,	Mangan,	Sampsel,	Williams, G. W.
Dewey,	Marvin,	Schaeffer, A. C.,	Williams, J. P.,
Donneley,	Maurer,	Scott,	Wobensmith,
Drinkhouse,	McArdle,	Shaffer, C. A.,	Wood,
Dunn,	McCaig,	Shattuck,	Woodward,
Ehrhardt,	McCullough,	Showalter,	Wylie,
Fackler,	McCurdy,	Shunk,	Wynne,
Fitzgibbon,	McKay,	Siggins,	Zanders,
Fowler,	McNichol,	Simpson,	Baldwin,
Franklin,	McPeake,	Sinclair,	Speaker.
Fretz,	Mearkle,	Smith, E. R.,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 901, as follows

A Joint Resolution proposing an amendment to section seventeen of article two of the Constitution of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

Amend section seventeen article two of the Constitution of the Commonwealth of Pennsylvania which reads as follows

"Section 17 Representative Districts The members of the House of Representatives shall be apportioned among the several counties on a ratio obtained by dividing the population of the State as ascertained by the most recent United States census by two hundred and every county containing less than five ratios shall have one representative for every full ratio and an additional representative when the surplus exceeds half a ratio but each county shall have at least one representative Every county containing five ratios or more shall have one representative for every full ratio Every city containing a population equal to a ratio shall elect separately its porportion of the representatives allotted to the county in which it is located Every city entitled to more than four representatives and every county having over one hundred thousand inhabitants shall be divided into districts of compact and contiguous territory each district to elect its proportion of representatives according to its population but no district shall elect more than four representatives" so that it reads as follows

Section 17 The State shall be divided into one hundred representative districts of compact and contiguous territory as nearly equal in population as may be and each district shall be entitled to elect one representative Each county containing one or more ratios of population shall be entitled to one representative for each ratio and to an additional representative for a surplus of population exceeding three-fifths of a ratio but no county shall form a separate district unless it shall contain four-fifths of a ratio except where the adjoining counties are each entitled to one or more representatives when such county may be assigned a representative on less than four-fifths and exceeding one-half of a ratio and no county shall be divided unless entitled to two or more representatives No city or county shall be entitled to separate representation exceeding one-sixth of the whole number of representatives No ward borough or township shall be divided in the formation of a district The representative ratio shall be apportioned by dividing the whole population of the State as ascertained by the most recent United States census by the number one hundred

On the question,

Will the House agree to the bill on third reading?

Mr. BEYER. Mr. Speaker, I move you that this bill be stricken from the calendar.

Mr. WALTER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WILLIAM DAVIS. Mr. Speaker, I want to move that this bill be postponed for the present for further future consideration and ask Mr. Beyer to withdraw his motion.

Mr. BEYER. Mr. Speaker, I think that when the gentleman explains the purpose of this bill there will be no necessity for postponement.

Mr. WILLIAM DAVIS. Mr. Speaker, the proper time is when the bill is finally before the House.

Mr. BEYER. Mr. Speaker, I will withdraw my motion.

BILL POSTPONED.

Mr. WILLIAM DAVIS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. SPANGLER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1170, entitled

An Act authorizing R. B. Taylor of Bellefonte Centre County to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—165

Albee,	Fretz,	Mehring,	Sinclair,
Aron,	Gans,	Mervine,	Smith, E. R.,
Arthur,	Geary,	Miller, A. D.,	Smith, F. L.,
Aston,	Golder,	Miller, Allan,	Smith, J. W.,
Baldi,	Goodnough,	Miller, C. G.,	Smith, L.,
Baldridge,	Goodwin,	Miller, G. J. A.,	Snyder,
Barner,	Gormley,	Milner,	Sones,
Bechtold,	Graeff,	Mitchell,	Speicher,
Bell,	Graham,	Morgan, T.,	Sprowls,
Benchoff,	Gransback,	Morgan, T. J.,	Stadtlander,
Benninger,	Haight,	Murphy,	Steedle,
Beyer,	Haldeman,	Musser,	Stern,
Bidelspacher,	Hecht,	Neary,	Stites,
Black,	Heffernan,	Ogden,	Stofflet,
Bovee,	Hess,	Palmer,	Strauss,
Boyd,	Heyburn,	Patterson,	Sullivan,
Brady,	Hibshman,	Phillips,	Swartz,
Brumbaugh,	Hollern,	Pickering,	Sweitzer,
Burnett,	Hollingsworth,	Powell,	Taylor,
Campbell, J. O.,	Howarth,	Ramsey,	Thomas,
Campbell, T.,	Isherwood,	Reichenbacher,	Ulsh,
Canon,	Jennings,	Reitzel,	Urich,
Chestnut,	Jones,	Reynolds,	Vodges,
Christman,	Kennedy,	Rhoads, H. L.,	Wagner,
Clements,	Lafferty,	Rich,	Wallace,
Coldsmith,	Lauler,	Ringler,	Walter,
Conner,	Lewis,	Rininger,	Weimer,
Davis, D. F.,	Lohr,	Robertson,	West,
Davis, W.,	Luppert,	Rogers,	Whitaker,
Dell,	Malie,	Rothenberger,	Wickman,
Dewey,	Mangan,	Ruddy,	Williams, G. W.
Dithrich,	Marvin,	Rudisill,	Williams, J. P.,
Donneley,	Maurer,	Sampsel,	Wobensmith,
Drake,	McArdle,	Sarig,	Wood,
Drinkhouse,	McCaig,	Schaeffer, A. C.,	Woodward,
Dunn,	McCullough,	Scott,	Wylie,
Eby,	McCurdy,	Shaffer, C. A.,	Wynne,
Ehrhardt,	McKinney,	Showalter,	Zanders,
Erdman,	McNichol,	Shunk,	Baldwin,
Fackler,	McPeake,	Siggins,	Speaker.
Fitzgibbon,	McVicar,	Simpson,	
Franklin,	Mearkle,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 892, entitled

An Act to amend an act approved the twentieth day of May, one thousand nine hundred fifteen, entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions;" including also city and other public employes paid out of the funds of any public commission or private funds.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STERN. Mr. Speaker, I rise in my place in behalf of this bill to say a few words in tribute to the late John G. Johnson who was really the author of this bill. John G. Johnson, who died in Philadelphia about ten days ago, was the foremost lawyer of this nation. The Philadelphia Bar was proud to have him among its members and the Bar of Pennsylvania as well as the Bar of the United States lost, by far, its leading light. This bill, Mr. Speaker, gives the public a new light on the life of Mr. John G. Johnson, because it was drawn up and conceived by him. It takes care of three old ladies who have been in the employ of the City of Philadelphia for over thirty years in the Wilstach Art Galleries in Fairmount Park of that city. Mr. Johnson amidst a busy life had time to think of people who were deserving and who needed attention. He, therefore, called my attention to the laxity of the law and asked that an amendment be made so that these ladies would be included in its provisions. Mr. Speaker, this is the only opportunity that I have had to say a few words about our late John G. Johnson and I trust that the House will join with me in passing this bill unanimously as a tribute to his memory.

Mr. DUNN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Stern, permit himself to be interrogated?

Mr. STERN. Mr. Speaker, yes sir.

Mr. DUNN. Mr. Speaker, I would like to ask the gentleman from Philadelphia in regard to his amendment nunder this act which says, "including also city and public employes paid out of the funds of any public commission or private funds"—I would ask the gentleman whether or not the provisions made in this act to contribute from that private fund and general fund, what happens in case a deficiency occurred in the general fund?

Mr. STERN. Mr. Speaker, there is no such provision and no such contingency will arise.

Mr. DUNN. Mr. Speaker, I have the highest regard for the gentleman in regard to whom my friend from Philadelphia, Mr. Stern, has spoken so pleasantly in regard to his drawing up this particular act to cover three special employes in the Wilstach Art Gallery in the City of Philadelphia. Yet, as sponsor of this act two years ago with three months labor we finally put on the statute books a law for the benefit of municipal and county employes of Philadelphia to be paid out of the treasury of the City with money appropriated through the City Council. In addition to that we added that each year City Councils shall appropriate a sufficient amount of money to meet any deficiency that might occur in this noble, generous pension act. This act, which my good friend from Philadelphia has presented to you to-day, does not only apply to the three persons who are employed in the Wilstach Art Gallery of Philadelphia but it takes in a more general provision, covering almost any employe in the City of Philadelphia who is paid out of private funds or the funds of a commission. It opens the doors so extensively that we know not where it is going to stop. If it was only for these three people whom he mentions I would not object to the act, but in this fund paid out of commissions and private funds, we are going to open the door to take in almost anybody in the City of Philadelphia who is a public employe. I think we have been generous enough. Later on we find that these old employes both in the county and in the municipality of our city go on this generous pension we will find that City Councils must appropriate a certain amount of money each year, and with more that go on City Councils must appropriate an additional amount of money. But it is unfair for us to admit everybody who is paid out of a commission fund or out of a private fund to be admitted into this pension fund, under the same conditions in which the employes of the City and County of Philadelphia have been admitted, and who for the years before the act became operative have paid into the fund over two hundred and forty thousand dollars, and others can come in to-morrow, if this act becomes a law, and apply for a pension. If their service has been twenty years or they reach the age of sixty, which is the intention, the others could come in in two weeks from now on this pension and not hardly pay a month of the two per cent. salary. It is unfair to place on the people of Philadelphia this act which opens up the door to everybody to come in. It is a municipal act and not for people to be admitted who are paid out of commission funds or private funds. It is general and protective and we must have the act as it stands to-day to protect the interests of those employes who have already paid into that fund over two hundred and fifty thousand dollars. If this was only for those three people referred to by the gentleman, it might be different, but it is so broad that it is going to admit everybody and we know

not who or what may come in under the provisions of this act. I hope the act will not pass.

Mr. STERN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Dunn, permit himself to be interrogated?

Mr. DUNN. Mr. Speaker, I will.

Mr. STERN. What lawyer gave you that advice?

Mr. DUNN. What advice?

Mr. STERN. The information you have just mentioned.

Mr. DUNN. I know it from a practical knowledge of the law acquired after two years' study. No lawyer gave me this advice but my information is from studying the law and preparing the bill.

Mr. STERN. Mr. Speaker, I call attention to section 4, line 11, on page 3 of the bill, "that the persons so employed shall be after twenty years of service." In the first place the first section itself is an answer and I desire to say this, that I will take Mr. John G. Johnson's law in preference to Mr. Dunn's law in the present act.

Mr. DUNN. Mr. Speaker, as it stands the present law says a person must be of twenty years service or at the age of sixty years and that time is computed from the first time they enter the service. Some people who went on the pension fund in the first year owes twenty years of service or until he is sixty years of age; others paid into that fund only forty-eight dollars and they are drawing to-day from that pension one hundred dollars a month, the minimum of that amount of pension, and the same way in the three cases Mr. Stern mentioned, if they have served twenty years. If we include another department and this act passes and they are sixty years old they can make an application at once and be admitted under the law, and I think it is unfair.

Mr. WALTER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia Mr. Dunn.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Dunn, permit himself to be interrogated?

Mr. DUNN. Mr. Speaker, I will.

Mr. WALTER. Mr. Speaker, I desire to ask the gentleman if he can inform the House how many employes of the city are paid out of the funds of any public commission or out of private funds?

Mr. DUNN. Mr. Speaker, how many?

Mr. WALTER. Mr. Speaker, yes sir.

Mr. DUNN. Mr. Speaker, I know that it is unlimited, because it is very broad, it takes in private funds down in the City of Philadelphia paying those who might be called public servants but they are people working under a commission, like Fairmount Park, there are quite a lot of commissions which would all be taken in under this act.

Mr. WALTER. Mr. Speaker, I should like to ask the gentleman how many there are.

Mr. DUNN. Mr. Speaker, well I can't exactly tell because I have not figured on it.

Mr. WALTER. Mr. Speaker, are they not comparatively few employes in the City of Philadelphia who are paid out of private funds?

Mr. DUNN. Mr. Speaker, I do not know because if they are paid out of private funds, they come in under this act, and the old act is only for city and county employes and those county and city employes are not paid out of private funds.

Mr. WALTER. Mr. Speaker, as I understand the bill, they must be holding positions in the city or in the county and be paid out of funds of the commission or out of private funds that employ them. It occurs to me that there certainly could not be a very great number of those institutions or a great number of employes in them who would become a charge to the city if this bill should pass, and I rather excepted that the sponsor of the bill introduced and passed two years ago would be able to tell and give the House full information on the subject.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122.

Albee,	Erdman,	Mangan,	Shaffer, C. A.,
Arthur,	Fackler,	Marvin,	Shattuck,
Aston,	Fitzgibbon,	McCaig,	Showalter,
Baldi,	Flynn,	McCullough,	Shunk,
Baldridge,	Fowler,	McCurdy,	Siggins,
Bechtold,	Franklin,	McKay,	Sinclair,
Bell,	Fretz,	McKinney,	Smith, E. R.,
Bennett,	Gans,	McPeake,	Smith, F. I.,
Benninger,	Glass,	Mervine,	Sones,
Beyer,	Golder,	Miller, A. D.,	Spangler,
Black,	Goodnough,	Miller, C. G.,	Stadtlander,
Bouton, V. B.,	Goodwin,	Miller, G. J. A.,	Steedle,
Bovee,	Gormley,	Morgan, T.,	Stern,
Boyd,	Graham,	Morgan, T. J.,	Stofflet,
Brady,	Haight,	Neary,	Strauss,
Brumbaugh,	Hecht,	Ogden,	Sullivan,
Campbell, T.,	Heffernan,	Palmer,	Swartz,
Chestnut,	Hess,	Patterson,	Sweitzer,
Clements,	Heyburn,	Pickering,	Thomas,
Coldsmith,	Hibshman,	Powell,	Ulsh,
Conner,	Hoffman,	Reichenbacher,	Urich,
Cox,	Hollern,	Reitzel,	Walker,
Crosby,	Hollingsworth,	Reynolds,	Wallace,
Curry,	Horton,	Rhoads, H. L.,	Walter,
Davis, W.,	Howarth,	Rich,	Weimer,
Dean,	Jack,	Ringler,	Whitaker,
Dell,	Jones,	Rininger,	Wickman,
Dithrich,	Kennedy,	Robertson,	Williams, G. W.
Donneley,	Lauler,	Rogers,	Wood,
Drinkhouse,	Leary,	Ruddy,	Woodward,
Ehrhardt,	Lewis,	Schaeffer, A. C.,	Baldwin, Speaker.

NAYS—11.

Barner,	Corbin,	Maurer,	Sterling,
Benchoff,	Dunn,	Musser,	Wobensmith,
Canon,	Lanius,	Rothenberger,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1146, entitled

An Act authorizing William R. Shellenberger and Emma L. Shellenberger his wife of the Township of Athens Bradford County Pennsylvania to bring suit against the Commonwealth.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albee,	Geary,	Milner,	Snyder,
Aron,	Golder,	Mitchell,	Somerman,
Arthur,	Goodnough,	Morgan, T.,	Sones,
Aston,	Goodwin,	Morgan, T. J.,	Spangler,
Baldi,	Gormley,	Murphy,	Speicher,
Baldridge,	Graeff,	Musser,	Sprowls,
Barner,	Graham,	Ogden,	Stadtlander,
Bechtold,	Gransback,	Palmer,	Steedle,
Bell,	Haldeman,	Patterson,	Sterling,
Benninger,	Heffernan,	Phillips,	Stern,
Beyer,	Helt,	Pickering,	Stites,
Bidelspacher,	Heyburn,	Powell,	Stofflet,
Black,	Hibshman,	Ramsey,	Strauss,
Bovee,	Hoffman,	Reichenbacher,	Sullivan,
Boyd,	Hollingsworth,	Reitzel,	Swartz,
Brady,	Horton,	Reynolds,	Sweitzer,
Brumbaugh,	Howarth,	Rhoads, H. L.,	Taylor,
Burnett,	Isherwood,	Rhodes, W. M.,	Thomas,
Campbell, J. O.,	Jennings,	Rich,	Ulsh,
Campbell, T.,	Jones,	Rininger,	Urich,
Chestnut,	Lafferty,	Robertson,	Vickerman,
Christman,	Lauler,	Rogers,	Vodges,
Coldsmith,	Lewis,	Rothenberger,	Wagner,
Corbin,	Lohr,	Ruddy,	Walker,
Crosby,	Malie,	Rudisill,	Wallace,
Curry,	Mangan,	Sampsel,	Walter,
Davis, D. F.,	Marvin,	Sarig,	Weimer,
Davis, W.,	Maurer,	Schaeffer, A. C.,	Wells,
Dawson,	McArdle,	Scott,	West,
Dewey,	McCaig,	Shattuck,	Whitaker,
Dithrich,	McCullough,	Showalter,	Wickman,
Donneley,	McCurdy,	Shunk,	Williams, G. W.
Drake,	McKinney,	Siggins,	Williams, J. P.,
Drinkhouse,	McPeake,	Simpson,	Wobensmith,
Dunn,	McVicar,	Sinclair,	Wood,
Ehrhardt,	Mearkle,	Smith, E. R.,	Woodward,
Erdman,	Mervine,	Smith, F. I.,	Wylie,
Fitzgibbon,	Miller, A. D.,	Smith, J. W.,	Wynne,
Fowler,	Miller, Allan,	Smith, L.,	Zanders,
Franklin,	Miller, C. G.,	Smith, O. W.,	Baldwin, Speaker.
Fretz,	Miller, G. J. A.,	Snowden,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1261, as follows:

An Act to amend section one of an act entitled "An Act to provide for the removal of judges of the Supreme Superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" approved eleventh day of May one thousand nine hundred and one as amended by an act entitled "An Act to amend section one of an act entitled 'An Act to provide for the removal of judges of the Supreme Superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives" approved twenty-third day of June one thousand nine hundred and eleven so as to provide that any judge of the Supreme or Superior court who has served in judicial office for twenty or more years shall be entitled to receive the benefits of said act immediately after his honorable retirement from office by expiration of term resignation or otherwise whether said service be continuous or not

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eleventh day of May one thousand nine hundred one (Pamphlet Laws one hundred sixty-five) entitled "An Act to provide for the removal of judges of the Supreme Superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" as amended by an act approved the twenty-third day of June one thousand nine hundred eleven (Pamphlet Laws one thousand one hundred twenty-one) entitled "An Act to amend section one of an act entitled 'An Act to provide for the removal of judges of the Supreme Superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their functions and duties with half pay for the unexpired terms and the filling of vacancies caused by such removal approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives" which reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of January Anno Domini one thousand nine hundred and twelve whenever the Governor is of opinion based upon satisfactory medical evidence that a judge of the Supreme Superior common pleas or orphans' court is by reason of physical or mental disability permanently incapacitated for performing his judicial duties he shall notify said judge of his opinion giving the reasons therefor and if the said judge shall resign within thirty days after such notice and shall hold himself in readiness to advise with his successors and colleagues and to perform duties as special master referee auditor or examiner in such ways as he may be reasonably able to do he shall receive for the balance of the term for which he was elected if he shall so long live the salary he would have received had he remained in active service

Any judge of the common pleas or of the orphans' court so resigning who shall have served continuously in judicial office for twenty-five years or more immediately prior to the date of his resignation and shall have reached the age of seventy years or any judge of the Supreme or Superior Court so resigning who shall have served continuously in judicial office for twenty years or more immediately prior to the date of his resignation and who shall hold himself in readiness to advise his successors and colleagues and to perform duties as special master referee auditor or examiner in such ways as he may be reasonably able to do shall receive during the remainder of his life after the expiration of his said term one-half of the salary which he would have received had he remained in active service

Any judge of the Supreme or Superior Court who shall have served continuously in judicial office for twenty years or more and any judge of the common pleas or orphans' court who shall have reached the age of seventy years and who shall have served continuously in judicial office for twenty-five years or more and who shall hold himself in readiness to advise with his successors and colleagues and to perform such duties as special master referee auditor or examiner in such ways as he may be reasonably able to do after his honorable retirement from office by expiration of term resignation or otherwise shall receive during the remainder of his life one-half of the salary which he would have received had he remained in active service

No judge while accepting the benefits of this act shall be entitled to any additional compensation for the performance of any duties assigned to him hereunder and no such judge shall be obliged to accept an assignment of duty from any court other than the court of which he was a member at the time of his retirement

Any judge wishing to take advantage of the provisions of this act may notify the Governor of his desire so to do or the Governor on his own initiative may notify any judge as provided herein

All payments under this act shall be made monthly only upon the certificate of the retired judge that he is not engaged in any remunerative business or employment or if the judge himself is unable to make one upon a certificate to that effect from a competent physician

Any judge or judges who have been retired under the act to which this is an amendment are hereby given all the benefits and advantages and are made subject to the requirement of this act to the same extent and with the same effect as if they had been retired under the provision hereof

Any vacancy created by a retirement under this act prior to the expiration of the current term that the judge is filling at the time of such retirement shall be filled as now provided by law in cases of vacancies in judicial offices is amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after first day of January Anno Domini one thousand nine hundred and twelve whenever the Governor is of opinion based upon satisfactory medical evidence that a judge of the Supreme Superior common pleas or orphans' court is by reason of physical or mental disability permanently incapacitated for performing his judicial duties he shall notify said judge of his opinion giving the reasons therefor and if the said judge shall resign within thirty days after such notice and shall hold himself in readiness to advise with his successors and colleagues to perform duties as special master referee auditor or examiner in such ways as he may be reasonably able to do he shall receive for the balance of the term for which he was elected if he shall so long live the salary he would have received had he remained in active service

Any judge of the common pleas or of the orphans' court so resigning who shall have served continuously in judicial office for twenty-five years or more immediately prior to the date of his resignation and shall have reached the age of seventy years or any judge of the Supreme or Superior Court so resigning who shall have served in judicial office for twenty years or more at the date of his resignation and who shall hold himself in readiness to advise with his successors and colleagues and to perform duties as special master referee auditor or examiner in such ways as he may be reasonably able to do shall receive during the remainder of his life after the expiration of his said term one-half of the salary which he would have received had he remained in active service

Any judge of the Supreme or of the Superior Court who shall have served in judicial office for twenty years or more and any judge of the common pleas or orphans' court who shall have reached the age of seventy years and who shall have served continuously in judiciary office for twenty-five years or more and who shall hold himself in readiness to advise with his successors and colleagues and to perform such duties as special master referee auditor or examiner in such ways as he may reasonably be able to do after his honorable retirement from office by expiration of term resignation or otherwise shall receive during the remainder of his life one-half of the salary which he would have received had he remained in active service

No judge while accepting the benefits of this act shall be entitled to any additional compensation for the performance of any duties assigned to him hereunder and no such judge shall be obliged to accept an assignment of duty from any court other than the court of which he was a member at the time of his retirement

Any judge wishing to take advantage of the provisions of this act may notify the Governor of his desire so to do or the Governor on his own initiative may notify any judge as provided herein

All payments under this act shall be made monthly only upon the certificate of the retired judge that he is not engaged in any remunerative business or employment or if the judge himself is unable to make one upon a certificate to that effect from a competent physician

Any judge or judges who have been retired under the act to which this is an amendment are hereby given all the benefits and advantages and are made subject to the requirement of this act to the same extent and with the same effect as if they had been retired under the provision hereof

Any vacancy created by a retirement under this act prior to the expiration of the current term that the judge is filling at the time of such retirement shall be filled as now provided by law in cases of vacancies in judicial offices

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I would request the sponsor of the bill explain its purpose.

Mr. BEYER. Mr. Speaker, the only change that this bill makes in the existing law is that the twenty year period need not be a continuous period. If a judge serves

for fifteen years and is out of office for one year, and is returned and serves five years longer, he is within the provisions of the law.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albee,	Goodwin,	Miller, A. D.,	Smith, E. R.,
Aron,	Gormley,	Miller, Allan,	Smith, F. I.,
Arthur,	Graeff,	Miller, C. G.,	Smith, J. W.,
Aston,	Graham,	Miller, G. J. A.,	Smith, L.,
Baker,	Gransback,	Milner,	Smith, O. W.,
Baldi,	Haight,	Mitchell,	Snowden,
Baldridge,	Haldeman,	Morgan, T.,	Snyder,
Bechtold,	Hecht,	Morgan, T. J.,	Sones,
Benchoff,	Heffernan,	Murdoch,	Spangler,
Bennett,	Hess,	Murphy,	Speicher,
Beyer,	Heyburn,	Musser,	Sprowls,
Bidelspacher,	Hibshman,	Neary,	Stadtlander,
Bovee,	Hoffman,	Ogden,	Steedle,
Boyd,	Hollern,	Palmer,	Sterling,
Brady,	Hollingsworth,	Patterson,	Stern,
Brumbaugh,	Horton,	Perry,	Stites,
Burnett,	Howarth,	Phillips,	Stofflet,
Campbell, J. O.,	Isherwood,	Pickering,	Strauss,
Campbell, T.,	Jack,	Powell,	Sullivan,
Chestnut,	Jennings,	Ramsey,	Swartz,
Christman,	Jones,	Reichenbacher,	Sweitzer,
Clements,	Kennedy,	Reitzel,	Taylor,
Coldsmith,	Lafferty,	Reynolds,	Thomas,
Conner,	Lauler,	Rhoads, H. L.,	Ulsh,
Crosby,	Leary,	Rhodes, W. M.,	Urich,
Davis, D. F.,	Lewis,	Rich,	Vodges,
Davis, W.,	Lohr,	Ringler,	Wagner,
Dell,	Luppert,	Rininger,	Walker,
Dewey,	Malie,	Robertson,	Walter,
Dithrich,	Mangan,	Rogers,	Weimer,
Donneley,	Marvin,	Ross,	Wells,
Drake,	Maurer,	Rothenberger,	West,
Drinkhouse,	McArdle,	Ruddy,	Whitaker,
Dunn,	McCaig,	Rudisill,	Wickman,
Eby,	McCullough,	Sampsel,	Williams, J. P.,
Erdman,	McCurdy,	Sarig,	Wobensmith,
Fitzgibbon,	McKay,	Schaeffer, A. C.,	Wood,
Fowler,	McKinney,	Scott,	Woodward,
Franklin,	McNichol,	Shaffer, C. A.,	Wylie,
Gans,	McPeake,	Shattuck,	Wynne,
Geary,	McVicar,	Showalter,	Zanders,
Glass,	Mearkle,	Shunk,	Baldwin,
Golder,	Mehring,	Siggins,	Speaker.
Goodnough,	Mervine,	Simpson,	

NAYS—1.

Ehrhardt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 591, as follows:

An Act authorizing the Court of Quarter Sessions to make orders and decrees for the removal of bodies interred in burial grounds or cemeteries in or adjacent to cities belonging to any person partnership association or corporation and providing for the cost of the removal of such bodies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the court of quarter sessions of the several counties may make such orders and decrees for the regulation and care of burial grounds situated in and adjacent to cities as the public good shall require When any such burial grounds shall be abandoned for use as a burial ground or shall become so neglected as in the opinion of said court to become a public nuisance the court may direct the removal of the dead therefrom to some other properly regulated burial ground and may enforce the same by proper process order and decrees made under this act

Section 2 That upon the petition of one hundred or more citizens or residents in the vicinity of such cemetery setting forth that any such cemetery has been abandoned and constitutes a public nuisance the court may after three weeks advertisement of hearing in open court for the purpose and after a full hearing of the parties their proofs and allegations authorize and direct the removal of the remains of the dead from such burial grounds

Section 3 Such removal shall be made by a commission of three persons to be appointed by the court of quarter sessions having jurisdiction of the matter and shall be performed in a careful manner at the expense of the petitioners who shall file a bond to be approved by the court conditioned for the payment of said expense of removal to such other burial ground or grounds that may be selected for said purpose or if desired by the relatives or friends of such dead to some properly regulated burial ground or cemetery in the immediate vicinity Before removing any of said bodies said commission appointed for the purpose shall publish for two successive weeks in two weekly newspapers of such city wherein such burial ground is located a notice declaring their intention to remove said bodies in pursuance of this act

Section 4 Relatives and friends of such dead shall have the right to so remove said remains at any time during said proceedings at their own expense

Section 5 All bodies when removed shall be placed in separate caskets and graves and the headstones monuments or other marks by the remains of said bodies shall be taken by the persons authorized to make such removal and placed as near as can be in the same relative position in the new place of interment as before removal

Section 6 The members of said commission shall receive compensation for their services to be fixed by the court which shall not exceed five dollars per day for the actual time employed

Section 7 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albee,	Haight,	Mitchell,	Smith, L.,
Aron,	Haldeman,	Morgan, T.,	Smith, O. W.,
Baker,	Hecht,	Morgan, T. J.,	Snowden,
Bechtold,	Heffernan,	Murdoch,	Snyder,
Benninger,	Helt,	Murphy,	Somerman,
Bidelspacher,	Hess,	Musser,	Sones,
Bovee,	Heyburn,	Neary,	Speicher,
Brady,	Hibshman,	Ogden,	Sprowls,
Brumbaugh,	Hoffman,	Palmer,	Stadtlander,
Campbell, J. O.,	Hollern,	Patterson,	Steedle,
Campbell, T.,	Hollingsworth,	Perry,	Sterling,
Canon,	Horton,	Pickering,	Stern,
Chestnut,	Howarth,	Powell,	Stites,
Christman,	Isherwood,	Ramsey,	Stofflet,
Clements,	Jack,	Reichenbacher,	Strauss,
Conner,	Jennings,	Reitzel,	Sullivan,
Corbin,	Jones,	Reynolds,	Sweitzer,
Cox,	Lafferty,	Rhoads, H. L.,	Taylor,
Crosby,	Lauler,	Rhodes, W. M.,	Thomas,
Curry,	Lewis,	Rich,	Ulsh,
Davis, D. F.,	Lohr,	Richards,	Vickerman,
Davis, W.,	Luppert,	Rininger,	Vodges,
Dewey,	Malie,	Robertson,	Wagner,
Dithrich,	Mangan,	Rogers,	Walker,
Drinkhouse,	Marvin,	Ross,	Wallace,
Dunn,	Maurer,	Rothenberger,	Walter,
Eby,	McArdle,	Ruddy,	Weimer,
Ehrhardt,	McCaig,	Rudisill,	Wells,
Fackler,	McCullough,	Sampsel,	Whitaker,
Flynn,	McCurdy,	Sarig,	Wickman,
Franklin,	McKinney,	Schaeffer, A. C.,	Williams, G. W.
Fretz,	McPeake,	Scott,	Williams, J. P.,
Gans,	McVicar,	Shaffer, C. A.,	Wobensmith,
Geary,	Mearkle,	Showalter,	Wood,
Glass,	Mehring,	Shunk,	Woodward,
Golder,	Mervine,	Siggins,	Wylie,
Goodnough,	Miller, A. D.,	Simpson,	Wynne,
Goodwin,	Miller, Allan,	Sinclair,	Zanders,
Graeff,	Miller, C. G.,	Smith, E. R.,	Baldwin,
Graham,	Miller, G. J. A.,	Smith, F. I.,	Speaker.
Gransback,	Milner,	Smith, J. W.,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1121, as follows:

An Act to amend section fourteen hundred twelve of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Comonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general special or local or any parts thereof that are or may be inconsistent therewith" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fourteen hundred twelve of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing reve-

nue to establish and maintain the same and the method of collection such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by an act approved the ninth day of May one thousand nine hundred thirteen (Pamphlet Laws one hundred ninety-two) entitled "An act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children" which reads as follows

"Section 1412 The board of school directors of any school district in this Commonwealth in which there is located any orphan asylum home for the friendless children's home or other institution for the care or training of orphans or other children shall permit any children who are inmates of such homes but not legal residents in such district to attend the public schools in said district either with or without charge for tuition text-books or school supplies as the directors of the district in which such institution is located may determine Provided That when the education of such inmates of such institutions is charged for the cost thereof shall not exceed the cost of tuition text-books and school supplies of other children of similar grade in such district And provided further that such cost shall be paid to the district in which such institution is located by the district of which the respective pupils are legal residents" is hereby further amended to read as follows

Section 1412 The board of school directors of any school district in this Commonwealth in which there is located any orphan asylum home for the friendless children's home or other institution for the care or training of orphans or other children shall permit any children who are inmates of such homes but not legal residents in such district to attend the public schools in said district either with or without charge for tuition text-books or school supplies as the directors of the district in which such institution is located may determine Provided That when the education of such inmates of such institutions is charged for the cost thereof shall not exceed the cost of tuition text-books and school supplies of other children of similar grade in such district: And provided further That such cost shall be paid to the district in which such institution is located by the district of which the respective pupils are legal residents Provided further That where a school district in which such child is being educated is unable after every reasonable effort has been made to collect the cost of tuition text-books and school supplies from the district in which such child has a legal residence the State Superintendent of Public Instruction shall pay to the district in which such child is being educated the cost of such tuition text-books and school supplies which sum shall be deducted from the appropriation apporticned out of the general school appropriation to the district in which such child has a legal residence Provided further That the orphan asylum home for the friendless children's home or other institution for the care or training of orphans or other children shall furnish to the proper officers of the school district in which such child is being educated a certified record of age parentage or guardianship and designate the last place in which such child had legal residence (residence being as defined in section fourteen hundred and two of this act Provided further That where the residence of a child being so educated is in dispute the State Board of Education is authorized and empowered to determine after full and complete examination of all available facts and information the residence of such child such determination to be final Provided further That in case no legal residence for any child can be established or in case the child has a legal residence outside of the State then the orphan asylum home for the friendless children's home or other institution in which such child has a residence shall pay the school district for the cost of tuition text-books and school supplies.

On the question,

Will the House agree to the bill on third reading?

Mr. DELL. Mr. Speaker, I would like to have the author of this bill explain it.

Mr. URICH. Mr. Speaker and gentlemen of the House, this is a bill providing for the payment of the eudcation of orphanage children. We have quite a number of orphanages in Pennsylvania where the children of those institutions are educated in the public schools of the townships or cities or boroughs in which those buildings are located, and the cost of educating those children has devolved, and has come back upon those townships to be paid. Now under this rule, those townships, in trying under the school code to collect the money which they are entitled to for the cost of edueating those children, have not been able to get the money from some of the districts of the State of Pennsylvania; some of the school boards have refused to pay the money, and in order to get it the townships, in which those orphanages are situated are obliged and compelled to resort to legal measures to collect the amount due them for the education of those children, and it always costs them more money to collect it than they receive. This, gentlemen, is a bill to prevent such occurrences and throws the responsibility for the education of those children upon the school code and upon the State Board of Education to reimburse those townships without their being compelled to collect it at law.

An said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Albee,	Glass,	Mehring,	Simpson,
Aron,	Golder,	Mervine,	Sinclair,
Arthur,	Goodnough,	Miller, A. D.,	Smith, E. R.,
Baker,	Goodwin,	Miller, Allan,	Smith, F. I.,
Baldi,	Gormley,	Miller, C. G.,	Smith, J. W.,
Barner,	Graeff,	Miller, G. J. A.,	Smith, L.,
Bell,	Graham,	Milner,	Smith, O. W.,
Benchoff,	Gransback,	Mitchell,	Snowden,
Bennett,	Haldeman,	Morgan, T.,	Somerman,
Beyer,	Hecht,	Morgan, T. J.,	Sones,
Bidelspacher,	Heffernan,	Murphy,	Speicher,
Bouton, V. B.,	Hess,	Musser,	Sprowls,
Bovee,	Heyburn,	Neary,	Stadtlander,
Boyd,	Hibshman,	Ogden,	Steedle,
Brady,	Hollern,	Palmer,	Sterling,
Brumbaugh,	Hollingsworth,	Patterson,	Stern,
Burnett,	Horton,	Perry,	Stites,
Campbell, J. O.,	Hough,	Phillips,	Stofflet,
Campbell, T.,	Isherwood,	Pickering,	Strauss,
Chestnut,	Jack,	Powell,	Sullivan,
Christman,	Jennings,	Ramsey,	Swartz,
Coldsmith,	Jones,	Reichenbacker,	Sweitzer,
Corbin,	Kennedy,	Reitzel,	Taylor,
Curry,	Lafferty,	Reynolds,	Thomas,
Davis, D. F.,	Laucks,	Rhoads, H. L.,	Ulsh,
Davis, W.,	Lauler,	Rhodes, W. M.,	Urich,
Dell,	Leary,	Rich,	Vickerman,
Dewey,	Lewis,	Ringler,	Vogdes,
Dithrich,	Lohr,	Rininger,	Wagner,
Donneley,	Luppert,	Robertson,	Weimer,
Drake,	Mangan,	Rogers,	Wells,
Drinkhouse,	Marvin,	Rothenberger,	Whitaker,
Dunn,	McArdle,	Ruddy,	Wickman,
Eby,	McCaig,	Rudisill,	Williams, G. W.
Ehrhardt,	McCullough,	Sampsel,	Williams, J. P.,
Erdman,	McCurdy,	Sarig,	Wobensmith,
Fackler,	McKay,	Schaeffer, A. C.,	Wood,
Fitzgibbon,	McKinney,	Scott,	Woodward,
Franklin,	McNichol,	Shaffer, C. A.,	Wylie,
Fretz,	McPeake,	Showalter,	Wynne,
Gans,	McVicar,	Shunk,	Zanders,
Geary,	Mearkle,	Siggins,	Baldwin, Speaker.

NAYS—2.

Canon,	Walter,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 751, entitled

An Act to fix the compensation for members of the General Assembly.

An said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—97.

Albee,	Fackler,	Miller, C. G.,	Sones,
Aron,	Fitzgibbon,	Miller, G. J. A.,	Spangler,
Arthur,	Flynn,	Morgan, T. J.,	Stadtlander,
Baldi,	Franklin,	Murdoch,	Steedle,
Benninger,	Fretz,	Neary,	Sterling,
Beyer,	Glass,	Palmer,	Stern,
Bidelspacher,	Golder,	Patterson,	Stofflet,
Bouton, V. B.,	Goodnough,	Phillips,	Strauss,
Bovee,	Gormley,	Pickering,	Swartz,
Brady,	Hecht,	Powell,	Taylor,
Brumbaugh,	Hess,	Reichenbacher,	Thomas,
Campbell, T.,	Heyburn,	Reitzel,	Ulsh,
Clements,	Hibshman,	Reynolds,	Urich,
Coldsmith,	Hoffman,	Rhoads, H. L.,	Vickerman,
Conner,	Howarth,	Rininger,	Wagner,
Corbin,	Jennings,	Robertson,	Walker,

Crosby,	Jones,	Rogers,	Wickman,
Davis, D. F.,	Kennedy,	Ruddy,	Williams, J. P.,
Dell,	Lewis,	Sampsel,	Wobensmith,
Dewey,	McCaig,	Showalter,	Wood,
Dithrich,	McCurdy,	Shunk,	Woodward,
Donneley,	McKinney,	Siggins,	Zanders,
Drinkhouse,	McVicar,	Sinclair,	Baldwin,
Dunn,	Mervine,	Smith, E. R.,	Speaker.
Ehrhardt,	Miller, A. D.,	Smith, J. W.,	

NAYS—39.

Baldridge,	Davis, W.,	Leary,	Rudisill,
Barner,	Dean,	Marvin,	Sarig,
Bechtold,	Erdman,	Maurer,	Shaffer, C. A.,
Benchoff,	Goodwin,	Miller, Allan,	Smith, F. I.,
Bennett,	Graham,	Mitchell,	Sweitzer,
Black,	Hollern,	Musser,	Walter,
Burnett,	Hollingsworth,	Ogden,	Weimer,
Campbell, J. O.,	Isherwood,	Rich,	Whitaker,
Canon,	Jack,	Ringler,	Williams, G. W.
Chestnut,	Lanius,	Rothenberger,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1030, as follows:

An Act constituting the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania a commission to act as a joint commission with similar commissions of any other contiguous State or States, or as an independent commission, for the purpose of planning and accomplishing the erection or building of one or more bridges or tunnels as may be suitable and necessary over or under any navigable stream or river which is one of the boundaries of this Commonwealth and providing for the acquisition of ground for the site and approaches of said bridge or tunnel and for the maintenance of the same by the county or counties wherein it is located

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly and it is hereby enacted by the authority of the same That the Board of Commissioners of Public Grounds and Buildings is hereby constituted a commission to act in conjunction with a similar commission or commissions of any other State or States contiguous to this Commonwealth as a joint commission for the planning and construction of one or more bridges or tunnels such as may be suitable or necessary to provide passage for traffic over or under all navigable streams or rivers which partially bound any county or counties of this State and which streams or rivers are boundaries of this State said State commission may also act as an independent commission for said purposes should in the judgment of the commission it be convenient or necessary

Section 2 Said commission acting either as a joint or an independent commission shall have the power and it shall be their duty to have prepared the necessary and proper plans for the construction of said bridge or tunnel to select the location for the same to plan and fix the boundaries and approaches thereof to make all necessary estimates of the probable cost of its construction and of the acquisition of the ground for its site and approaches to enter into the necessary contracts to build and equip said bridge or tunnel and to obtain the necessary consent of the Government of the United States and the approval of the Secretary of War Provided however that no contracts shall be entered into and no expense whatsoever incurred by said commission unless a previous appropriation shall have been made there for by the General Assembly and Provided further that all moneys expended or appropriated to be expended for the purposes of this act shall be used and expended under the supervision of said commission and Provided further that the Commonwealth of Pennsylvania shall not be liable or pay for more than the cost of the construction of said bridge or tunnel to the middle of a navigable stream

Section 3 The term "cost of construction" as used in this act shall refer only to the cost of constructing the physical structure of the bridge or tunnel itself and shall not refer to the cost of the acquisition of the ground for the site of the said bridge or tunnel and the approaches thereto which shall be paid for and at the expense of the county in which said bridge or tunnel is to be located The one-half part of the cost of said bridge or tunnel construction shall be paid by the Treasurer of the Commonwealth of Pennsylvania upon warrants drawn by the Auditor General under such conditions as may be prescribed by said Auditor General

Section 4 The said commission is also hereby authorized to purchase such lands rights or interests in lands necessary for the building of said bridge or tunnel and the approaches thereto or to acquire the same by condemnation proceedings in the manner provided by the general laws of this Commonwealth relating to the condemnation of land for public purposes. The cost of said condemnation proceedings including the court costs compensation of viewers and the required advertising shall be paid by the Commonwealth of Pennsylvania. But said commission shall have no power to enter into any contracts for the purchase of the land rights or interests in land or of any other property unless a previous appropriation shall have been made therefor by the proper officers and officials empowered by law to make such appropriation for a municipal or county government Said commission is hereby authorized to accept on behalf of the county or municipality in which said bridge or tunnel is to be located any gifts of lands rights or interests in lands contiguous or adjacent to said bridge or tunnel for the purpose of building the same and shall hold the same for this purpose until such time as said commission in their judgment may transfer such lands rights or interests to the municipality or county in which said bridge or tunnel is to be located Said commission is likewise authorized to accept gifts of money or other property for this purpose

Section 5 Upon the completion of said bridge or tunnel the care charge control and the expense of maintenance and repairs of the same shall pass to the county or counties of this Commonwealth in which said bridge or tunnel and its approaches are located provided however that the cost of the same shall be borne equally by the county counties or State with which said bridge or tunnel connects. The title ownership and control of said bridge or tunnel to the middle of the stream its approaches and the land upon which it is situated shall be vested in the county or municipality in which said bridge or tunnel is located. All revenues received from rentals from all sources to the connecting point in the middle of a stream shall belong exclusively to the county in which said bridge or tunnel is located one-half of the revenues from through traffic if any shall also belong to the county in which said bridge is located.

This act shall become effective upon approval by the Governor of the Commonwealth of Pennsylvania

All acts or part of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. STERLING. Mr. Speaker in the absence of the sponsor of this bill I move that further consideration be postponed for the present.

Mr. STERN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 682, entitled

An Act concerning townships and revising amending and consolidating the law relating thereto.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STEEDLE. Mr. Speaker, I would like very much to have the author of the bill explain its purposes.

Mr. SIGGINS. Mr. Speaker, I am not the author of the bill. The bill was drawn by the Legislative Reference Bureau. They compiled all laws regarding townships of the first and second class, and from those laws as compiled they prepared a code. I have gone over this matter carefully. In that code there was no new matter added. The Legislative Reference Bureau made certain recommendations as to the repeal of obsolete laws, conflicting laws, and so forth. I have compared them to the best of my ability, and I believe that the code, as it now stands, is in good shape. There have been, since this session opened, many requests made to have the code amended. I have suggested to, those person desiring to amend the code that I did not think it was advisable, as I did not want to come in here to the Legislature and ask you gentlemen to vote for a long bill when I did not know all that it contained. Consequently all the amendments, the desired amendments to the code, are prepared in separate bills, and will take their places in order as separate bills on the floor. Two years hence, if the code becomes a law at this session, the Legislative Reference Bureau will take all the laws passed at this session, and incorporated them in the code.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—149.

Aron,	Fretz,	McKay,	Siggins,
Arthur,	Geary,	McKinney,	Simpson,
Baker,	Golder,	McPeake,	Smith, E. R.,
Baldi,	Goodnough,	Mearkle,	Smith, J. W.,

Baldridge,	Goodwin,	Mehring,	Snowden,
Bechtold,	Graeff,	Michel,	Snyder,
Bell,	Graham,	Miller, A. D.,	Somerman,
Benchoff,	Gransback,	Miller, C. G.,	Spangler,
Bennett,	Haight,	Miller, G. J. A.,	Stadtlander,
Benninger,	Haldeman,	Milner,	Steedle,
Beyer,	Hecht,	Morgan, T.,	Sterling,
Black,	Heffernan,	Morgan, T. J.,	Stites,
Bouton, V. B.,	Hess,	Murdoch,	Strauss,
Bovee,	Heyburn,	Musser,	Swartz,
Boyd,	Hibshman,	Ogden,	Sweitzer,
Brady,	Hoffman,	Palmer,	Thomas,
Brumbaugh,	Hollern,	Patterson,	Ulsh,
Campbell, T.,	Hollingsworth,	Phillips,	Urich,
Chestnut,	Horton,	Pickering,	Vodges,
Christman,	Howarth,	Ramsey,	Wagner,
Coldsmith,	Isherwood,	Reichenbacher,	Walker,
Conner,	Jack,	Reynolds,	Wallace,
Corbin,	Jennings,	Rhoads, H. L.,	Walter,
Crosby,	Jones,	Rich,	Weimer,
Curry,	Lafferty,	Ringler,	Wells,
Davis, D. F.,	Lanius,	Rininger,	Whitaker,
Davis, W.,	Laucks,	Robertson,	Wickman,
Dean,	Leary,	Rogers,	Williams, G. W.
Dell,	Lewis,	Rothenberger,	Williams, J. P.,
Dithrich,	Lohr,	Rudisill,	Wobensmith,
Drake,	Luppert,	Sampsel,	Wood,
Drinkhouse,	Malie,	Sarig,	Woodward,
Dunn,	Mangan,	Schaeffer, A. C.,	Wylie,
Eby,	Marvin,	Scott,	Wynne,
Ehrhardt,	Maurer,	Shaffer, C. A.,	Zanders,
Fackler,	McCaig,	Shattuck,	Baldwin,
Flynn,	McCullough,	Showalter,	Speaker.
Franklin,	McCurdy,	Shunk,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1243 (Senate Bill No. 650), entitled

An Act making an appropriation to A. K. Cassel for services rendered as deputy commissioner in the Dairy and Food Division of the Department of Agriculture.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. RICH. Mr. Speaker, this bill was contracted about 14 years ago, and was for four hundred dollars, and to-day it is nine hundred and fifty-two bills. It looks to me as though there is a great deal more interest charged than should be charged, and I think the bill should be postponed until we have time to investigate it. I therefore move you, Mr. Speaker, that the further consideration of this bill be postponed for the present.

Mr. McKINNEY. Mr. Speaker, I second the motion.

The motion was agreed to.

MOTION TO RECONSIDER VOTE.

Mr. FLYNN. Mr. Speaker, I move you that the vote by which House Bill No. 335 (Senate Bill No. 50), File Folio 85, entitled

An Act to facilitate the labors of the judges learned in the law of the courts of common pleas and orphans' courts of the several counties of the State by providing suitable clerical assistance.

on page 4 of yesterday's calendar, failed on final passage, be reconsidered.

Mr. RININGER. Mr. Speaker, I second the motion.

On the question.

Will the House agree to the motion?

POINT OF ORDER.

Mr. STEEDLE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The Gentleman will state his point of order.

Mr. STEEDLE. Mr. Speaker, my point of order is that this bill was not defeated by a number of votes, but was stricken from the calendar, therefore the motion is not in order.

The SPEAKER. The point of order is well taken.

RECONSIDERATION OF VOTE ON SENATE BILL NO. 50.

Mr. FLYNN. Mr. Speaker, I am not particularly interested in the passage of this bill. I am making this motion on behalf of the sponsor of the bill. His thought was that we would reconsider the vote at this time, and then move to postpone the bill, and try to arrive at a satisfactory agreement with the opponents, to see if it could not be passed finally. I therefore move, Mr. Speaker, that the vote by which this bill was dropped from the calendar be reconsidered.

Mr. RININGER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, by what vote was the bill defeated yesterday?

The SPEAKER. By a viva voce vote.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, can a bill that was dropped from the calendar be revived by a motion to reconsider?

The SPEAKER. Any motion can be reconsidered within five days.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. FLYNN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. RININGER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1020, as follows

An Act relating to tax assessment returns in certain counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the tax assessors of each city borough ward or township in counties having a population of not less than twenty thousand nor more than fifty thousand inhabitants in making the triennial assessment and the intermediate annual assessments shall include in their return to the county commissioners the actual value of all seated real property assessed by them the acreage or area of each piece of real estate assessed and the names of at least four owners of property adjoining if there are so many of the number of the lot or section with the adjoining streets or alleys in the plan of any city borough or town

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151.

Aron,	Shunk,	McKinney,	Siggins,
Arthur,	Franklin,	McNichol,	Simpson,
Baker,	Fretz,	McPeake,	Sinclair,
Baldi,	Gans,	McVicar,	Smith, E. R.,
Baldridge,	Glass,	Mehring,	Smith, J. W.,
Barner,	Golder,	Mervine,	Somerman,
Bechtold,	Goodwin,	Miller, A. D.,	Sones,
Bell,	Graeff,	Miller, C. G.,	Spangler,
Benninger,	Graham,	Miller, G. J. A.,	Stadtlander,
Beyer,	Hough,	Milner,	Steedle,
Bidelspacher,	Howarth,	Mitchell,	Sterling,
Bouton, V. B.,	Haldeman,	Morgan, T. J.,	Stern,
Bovee,	Hecht,	Murdoch,	Stites,
Boyd,	Heffernan,	Musser,	Strauss,
Brady,	Helt,	Neary,	Sullivan,
Brumbaugh,	Hess,	Palmer,	Swartz,
Campbell, J. O.,	Heyburn,	Patterson,	Taylor,
Campbell, T.,	Hibshman,	Phillips,	Thomas,
Chestnut,	Hoffman,	Powell,	Ulsh,
Christman,	Hollern,	Ramsey,	Urich,
Clements,	Horton,	Reichenbacker,	Vickerman,
Coldsmith,	Howarth,	Reitzel,	Wagner,
Corbin,	Isherwood,	Reynolds,	Walker,
Crosby,	Jack,	Rhoads, H. L.,	Wallace,
Curry,	Jennings,	Rich,	Weimer,
Dale,	Jones,	Ringler,	Wells,
Davis, W.,	Lanius,	Rininger,	West,
Dean,	Lauler,	Robertson,	Whitaker,
Dell,	Leary,	Rogers,	Williams, G. W.

Dewey,	Lewis,	Ross,	Williams, J. P.,
Dithrich,	Lohr,	Rothenberger,	Wobensmith,
Drake,	Malie,	Rudisill,	Wood,
Drinkhouse,	Mangan,	Sampsel,	Woodward,
Dunn,	Marvin,	Sarig,	Wylie,
Ehrhardt,	Maurer,	Schaeffer, A. C.,	Wynne,
Erdman,	McCaig,	Scott,	Zanders,
Fackler,	McCullough,	Shaffer, C. A.,	Baldwin,
Fitzgibbon,	McCurdy,	Shattuck,	Speaker.
Flynn,	McKay,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1111 (Senate Bill No. 492), entitled

An Act making an emergency appropriation to the trustees of the State Institution for Feble-Minded of Western Pennsylvania at Polk Pensylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Albee,	Geary,	Miller, C. G.,	Simpson,
Aron,	Golder,	Miller, G. J. A.,	Sinclair,
Aston,	Goodnough,	Milliron,	Smith, E. R.,
Baldi,	Gormley,	Mitchell,	Smith, F. I.,
Barner,	Graeff,	Morgan, T.,	Smith, J. W.,
Bechtold,	Graham,	Morgan, T. J.,	Smith, L.,
Bell,	Gransback,	Murphy,	Smith, O. W.,
Benchoff,	Haldeman,	Musser,	Snowden,
Benninger,	Heffernan,	Neary,	Snyder,
Beyer,	Helt,	Ogden,	Somerman,
Bidelspacher,	Hess,	Palmer,	Sones,
Black,	Heyburn,	Patterson,	Spangler,
Bovee,	Hibshman,	Perry,	Sprowls,
Boyd,	Hollern,	Phillips,	Stadtlander,
Brady,	Hollingsworth,	Pickering,	Steedle,
Brumbaugh,	Horton,	Powell,	Sterling,
Campbell, J. O.,	Isherwood,	Ramsey,	Stern,
Campbell, T.,	Jack,	Reichenbacher,	Stites,
Canon,	Jennings,	Reitzel,	Stofflet,
Chestnut,	Jones,	Reynolds,	Strauss,
Christman,	Kennedy,	Rhoads, H. L.,	Swartz,
Clements,	Lafferty,	Rhodes, W. M.,	Sweitzer,
Coldsmith,	Leary,	Rich,	Thomas,
Conner,	Luppert,	Ringler,	Ulsh,
Corbin,	Mangan,	Rininger,	Urich,
Davis, D. F.,	Marvin,	Robertson,	Vickerman,
Davis, W.,	Maurer,	Rogers,	Wagner,
Dewey,	McArdle,	Ross,	Walker,
Dithrich,	McCullough,	Rothenberger,	Walter,
Donneley,	McCurdy,	Ruddy,	Weimer,
Drake,	McKay,	Rudisill,	Wells,
Drinkhouse,	McNichol,	Sampsel,	Whitaker,
Eby,	McPeake,	Sarig,	Wickman,
Ehrhardt,	McVicar,	Schaeffer, A. C.,	Williams, G. W.
Erdman,	Mearkle,	Scott,	Williams, J. P.,
Fitzgibbon,	Mehring,	Shaffer, C. A.,	Wobensmith,
Flynn,	Mervine,	Showalter,	Wood,
Fretz,	Miller, A. D.,	Shunk,	Wylie,
Gans,	Miller, Allan,	Siggins,	Zanders,

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1152, entitled

An Act providing that persons, associations and corporations owning, occupying or controlling premises upon which any contractor or sub-contractor shall be permitted to do certain classes of construction work shall be liable for the wages of all employes engaged in such work and for the cost of all materials supplied for such work unless the contractor or sub-contractor shall file a bond for the immediate payment of wages and the cost of material when due; providing that a contractor shall be liable for the wages of employes of any sub-contractor and for the cost of materials furnished to any sub-contractor unless such sub-contractor shall file a bond covering the same; requiring every such contractor or sub-contractor to file a bond; specifying the form and amount of such bond; and permitting persons furnishing labor or materials to sue in such bond to recover wages and the cost of such materials.

On the question,

Will the House agree to the bill on third reading?

Mr. RININGER. Mr. Speaker, I would like to have the sponsor of the bill explain its purposes.

BILL POSTPONED.

Mr. WICKMAN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. STADTLANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 736, entitled

An Act to amend the third section of an act entitled "An Act providing for monthly returns and payments by county and city officers and prothonotaries of the Supreme Court of moneys received by them for the use of the Commonwealth" approved the twenty-fourth day of May one thousand eight hundred and ninety-three providing for proceeding in quo warranta against such officers for failure to file returns.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Albee,	Ehrhardt,	Maurer,	Rogers,
Aron,	Erdman,	McArdle,	Rothenberger,
Arthur,	Fackler,	McCaig,	Ruddy,
Aston,	Fitzgibbon,	McCullough,	Rudisill,
Baldi,	Flynn,	McCurdy,	Sampsel,
Baldridge,	Franklin,	McKinney,	Sarig,
Barner,	Fretz,	McNichol,	Schaeffer, A. C.,
Bechtold,	Geary,	McPeake,	Scott,
Bell,	Glass,	McVicar,	Shaffer, C. A.,
Benchoff,	Golder,	Mearkle,	Shattuck,
Benninger,	Goodnough,	Mervine,	Snowden,
Beyer,	Gormley,	Miller, A. D.,	Shunk,
Bidelspacher,	Graeff,	Miller, Allan,	Siggins,
Black,	Graham,	Miller, C. G.,	Simpson,
Bovee,	Gransback,	Miller, G. J. A.,	Sinclair,
Boyd,	Haight,	Milner,	Smith, E. R.,
Brady,	Haldeman,	Mitchell,	Smith, F. I.,
Brumbaugh,	Hecht,	Morgan, T.,	Smith, J. W.,
Burnett,	Heffernan,	Morgan, T. J.,	Smith, O. W.,
Campbell, J. O.,	Hess,	Murdoch,	Somerman,
Campbell, T.,	Heyburn,	Murphy,	Speicher,
Canon,	Hibshman,	Musser,	Stadtlander,
Chestnut,	Hoffman,	Neary,	Stern,
Christman,	Hollern,	Palmer,	Stofflet,
Clements,	Hollingsworth,	Patterson,	Swartz,
Coldsmith,	Horton,	Perry,	Sweitzer,
Conner,	Howarth,	Phillips,	Thomas,
Cook,	Isherwood,	Pickering,	Urich,
Crosby,	Jack,	Powell,	Wagner,
Dale,	Jennings,	Ramsey,	Walker,
Davis, D. F.,	Jones,	Reichenbacher,	Walter,
Davis, W.,	Kennedy,	Reitzel,	Weimer,
Dell,	Lauler,	Reynolds,	Whitaker,
Dewey,	Leary,	Rhoads, H. L.,	Wickman,
Dithrich,	Lewis,	Rhodes, W. M.,	Williams, G. W.
Donneley,	Lohr,	Rich,	Wobensmith,
Drake,	Luppert,	Richards,	Wood,
Drinkhouse,	Malie,	Ringler,	Woodward,
Dunn,	Mangan,	Rininger,	Wynne,
Eby,	Marvin,	Robertson,	Zanders,

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 751.

Mr. ALLAN D. MILLER. Mr. Speaker, I move you that the vote by which House Bill No. 751, File Folio 2839, entitled

An Act to fix the compensation for members of the General Assembly.

on page 20 of to-day's calendar, was defeated on final passage, be reconsidered.

Mr. JAMES O. CAMPBELL. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. GLASS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. THOMAS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1058, entitled

An Act authorizing the establishing of contagious disease hospitals in the several counties of the Commonwealth to be constructed and maintained out of county funds.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albee,	Fowler,	McNichol,	Shaffer, C. A.,
Aron,	Franklin,	McPeake,	Shattuck,
Arthur,	Fretz,	McVicar,	Shunk,
Aston,	Gans,	Mearkle,	Siggins,
Baker,	Geary,	Mehring,	Sinclair,
Baldi,	Glass,	Mervine,	Smith, E. R.,
Baldridge,	Golder,	Miller, A. D.,	Smith, F. I.,
Bechtold,	Goodnough,	Miller, Allan,	Smith, J. W.,
Bell,	Goodwin,	Miller, C. G.,	Smith, O. W.,
Benchoff,	Gormley,	Miller, G. J. A.,	Snowden,
Bennett,	Graeff,	Milner,	Snyder,
Beyer,	Graham,	Mitchell,	Somerman,
Black,	Gransback,	Morgan, T.,	Sones,
Bovee,	Haight,	Morgan, T. J.,	Speicher,
Boyd,	Haldeman,	Murdoch,	Sprowls,
Brady,	Hecht,	Murphy,	Stadtlander,
Brumbaugh,	Heffernan,	Musser,	Steedle,
Burnett,	Hess,	Ogden,	Stern,
Campbell, J. O.,	Heyburn,	Palmer,	Stites,
Campbell, T.,	Hibshman,	Patterson,	Stofflet,
Canon,	Hollern,	Perry,	Strauss,
Chestnut,	Hollingsworth,	Phillips,	Swartz,
Christman,	Horton,	Pickering,	Sweitzer,
Clements,	Howarth,	Powell,	Taylor,
Coldsmith,	Isherwood,	Ramsey,	Thomas,
Conner,	Jack,	Reichenbacher,	Ulsh,
Corbin,	Jennings,	Reitzel,	Vickerman,
Crosby,	Jones,	Reynolds,	Walker,
Davis, D. F.,	Lafferty,	Rhoads, H. L.,	Walter,
Davis, W.,	Lauler,	Rhodes, W. M.,	Weimer,
Dell,	Leary,	Rich,	West,
Dewey,	Lewis,	Ringler,	Whitaker,
Dithrich,	Lohr,	Rininger,	Wickman,
Donneley,	Luppert,	Robertson,	Williams, G. W.
Drake,	Mangan,	Rogers,	Williams, J. P.,
Drinkhouse,	Marvin,	Ross,	Wobensmith,
Dunn,	Maurer,	Rothenberger,	Wood,
Eby,	McArdle,	Ruddy,	Woodward,
Ehrhardt,	McCaig,	Rudisill,	Wylie,
Erdman,	McCullough,	Sampsel,	Wynne,
Fackler,	McCurdy,	Sarig,	Zanders,
Fitzgibbon,	McKinney,	Schaeffer, A. C.,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1151, entitled

An Act authorizing Frederick E. Windsor of the Borough of Warren, County of Warren to sue the Commonwealth.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Albee,	Fretz,	Mervine,	Sinclair,
Aron,	Geary,	Michel,	Smith, E. R.,
Arthur,	Glass,	Miller, A. D.,	Smith, F. I.,
Baldi,	Goodnough,	Miller, Allan,	Smith, J. W.,
Baldridge,	Goodwin,	Miller, C. G.,	Smith, L.,
Barner,	Gormley,	Miller, G. J. A.,	Smith, O. W.,
Bechtold,	Graeff,	Mitchell,	Snyder,
Bell,	Graham,	Morgan, T.,	Somerman,
Benchoff,	Gransback,	Morgan, T. J.,	Sones,
Benninger,	Haldeman,	Murphy,	Spangler,
Beyer,	Hecht,	Ogden,	Sprowls,
Bidelspacher,	Heffernan,	Palmer,	Stadtlander,
Black,	Hess,	Patterson,	Steedle,
Bovee,	Heyburn,	Phillips,	Stern,
Brady,	Hibshman,	Pickering,	Stites,
Brumbaugh,	Hollern,	Ramsey,	Stofflet,
Burnett,	Hollingsworth,	Reichenbacker,	Strauss,
Campbell, J. O.,	Horton,	Reitzel,	Sullivan,
Campbell, T.,	Isherwood,	Reynolds,	Swartz,
Canon,	Jennings,	Rhoads, H. L.,	Sweitzer,
Chestnut,	Jones,	Rhodes, W. M.,	Thomas,
Christman,	Kennedy,	Rich,	Ulsh,
Clements,	Lafferty,	Richards,	Vickerman,
Coldsmith,	Laucks,	Ringler,	Wagner,
Conner,	Lauler,	Rininger,	Wallace,
Crosby,	Leary,	Robertson,	Walter,
Davis, D. F.,	Lewis,	Rogers,	Wells,
Davis, W.,	Lohr,	Ross,	Whitaker,
Dean,	Luppert,	Rothenberger,	Wickman,
Dewey,	Mangan,	Ruddy,	Williams, G. W.
Dithrich,	Marvin,	Rudisill,	Williams, J. P.,
Donneley,	Maurer,	Sampsel,	Wobensmith,
Drake,	McArdle,	Sarig,	Wood,
Drinkhouse,	McCullough,	Schaeffer, A. C.,	Woodward,
Dunn,	McCurdy,	Scott,	Wylie,
Eby,	McKay,	Shattuck,	Wynne,
Ehrhardt,	McKinney,	Shunk,	Zanders,
Erdman,	McVicar,	Siggins,	Baldwin,
Fitzgibbon,	Mearkle,	Simpson,	Speaker.
Franklin,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 797, entitled

An Act fixing the salary of the elevator operators in the State Capitol.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, in the absence of the sponsor, I move that the further consideration of this bill be postponed for the present.

Mr. URICH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1045 (Senate Bill No. 347), entitled

An Act to amend section one of an act approved the twenty-first day of May, one thousand nine hundred and one, entitled "An Act amending an act, entitled 'An Act to authorize the councils of the cities of the first class of the Commonwealth to appropriate annually a sum, not exceeding five hundred dollars, for the support and maintenance of each company of the National Guard using and occupying an armory, building, room or quarters within said cities, in addition to the annual appropriation by the Legislature,' approved the twenty-fourth day of May, Anno Domini one thousand eight hundred and eighty-seven, by extending the provisions of said act to cities of the second and third class," by authorizing appropriations to batteries of artillery and regimental sanitary detachments.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Albee,	Fitzgibbon,	McCullough,	Sampsel,
Aron,	Flynn,	McCurdy,	Sarig,
Arthur,	Franklin,	McKinney,	Schaeffer, A. C.,
Aston,	Fretz,	McNichol,	Shaffer, C. A.,
Baldi,	Geary,	McPeake,	Shattuck,
Baldridge,	Glass,	McVicar,	Showalter,
Bechtold,	Golder,	Mearkle,	Shunk,
Bell,	Goodnough,	Mervine,	Sinclair,
Benchoff,	Goodwin,	Michel,	Smith, E. R.,
Benninger,	Gormley,	Miller, A. D.,	Smith, F. I.,
Beyer,	Graeff,	Miller, Allan,	Smith, L.,
Bidelspacher,	Graham,	Miller, C. G.,	Smith, O. W.,
Black,	Gransback,	Miller, G. J. A.,	Snowden,
Bovee,	Haight,	Milner,	Snyder,
Boyd,	Haldeman,	Mitchell,	Somerman,
Brady,	Hecht,	Morgan, T.,	Sones,
Brumbaugh,	Heffernan,	Morgan, T. J.,	Spangler,
Burnett,	Hess,	Murphy,	Sprowls,
Campbell, J. O.,	Heyburn,	Musser,	Steedle,
Campbell, T.,	Hibshman,	Neary,	Sterling,
Canon,	Hoffman,	Palmer,	Stites,
Chestnut,	Hollern,	Patterson,	Strauss,
Christman,	Hollingsworth,	Perry,	Sullivan,
Clements,	Horton,	Phillips,	Swartz,
Coldsmith,	Hough,	Pickering,	Taylor,
Conner,	Howarth,	Powell,	Ulsh,
Corbin,	Isherwood,	Ramsey,	Vickerman,
Crosby,	Jack,	Reichenbacher,	Wagner,
Davis, D. F.,	Jennings,	Reitzel,	Walker,
Davis, W.,	Jones,	Reynolds,	Walter,
Dean,	Kennedy,	Rhoads, H. L.,	Weimer,
Dell,	Lafferty,	Rhodes, W. M.,	Wells,
Dewey,	Lanius,	Rich,	Whitaker,
Dithrich,	Laucks,	Richards,	Wickman,
Donneley,	Leary,	Ringler,	Williams, G. W.
Drake,	Lohr,	Rininger,	Williams, J. P.,
Drinkhouse,	Luppert,	Robertson,	Wobensmith,
Dunn,	Malie,	Rogers,	Wood,
Eby,	Marvin,	Ross,	Woodward,
Ehrhardt,	Maurer,	Rothenberger,	Wylie,
Erdman,	McArdle,	Ruddy,	Zanders,
Fackler,	McCaig,	Rudisill,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 882, entitled

An Act providing for a statistician in the Department of Mines and fixing the salary.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. THOMAS J. MORGAN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. THOMAS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 888, entitled

An Act fixing the salaries of certain employes in the Department of Mines.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. THOMAS J. MORGAN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. THOMAS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1221 (Senate Bill No. 320), entitled

An Act amending sections one three four seven ten eleven and repealing section eight of an act entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be collector of the said several taxes prescribing his duties and fixing his compensation" approved the twentieth day of June Anno Domini one thousand nine hundred one.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Geary,	Mehring,	Sinclair,
Aron,	Glass,	Mervine,	Smith, E. R.,
Arthur,	Golder,	Miller, A. D.,	Smith, F. I.,
Baker,	Goodnough,	Miller, Allan,	Smith, J. W.,
Baldi,	Goodwin,	Miller, G. J. A.,	Smith, O. W.,
Baldridge,	Gormley,	Milner,	Snowden,
Barner,	Graham,	Morgan, T.,	Snyder,
Bechtold,	Gransback,	Morgan, T. J.,	Somerman,
Benchoff,	Haight,	Murphy,	Sones,
Bennett,	Haldeman,	Musser,	Spangler,
Benninger,	Hecht,	Neary,	Stadtlander,
Beyer,	Heffernan,	Ogden,	Steedle,
Black,	Helt,	Palmer,	Sterling,
Bovee,	Hess,	Patterson,	Stern,
Boyd,	Heyburn,	Perry,	Stites,
Brady,	Hibshman,	Phillips,	Stofflet,
Brumbaugh,	Hoffman,	Pickering,	Strauss,
Campbell, J. O.,	Hollern,	Powell,	Sullivan,
Campbell, T.,	Hollingsworth,	Ramsey,	Swartz,
Chestnut,	Horton,	Reichenbacher,	Taylor,
Christman,	Howarth,	Reitzel,	Ulsh,
Clements,	Isherwood,	Reynolds,	Urich,
Coldsmith,	Jack,	Rhoads, H. L.,	Vickerman,
Conner,	Jennings,	Rich,	Vodges,
Corbin,	Jones,	Ringler,	Wagner,
Crosby,	Kennedy,	Rininger,	Walker,
Curry,	Lafferty,	Robertson,	Walter,
Davis, W.,	Lanius,	Rogers,	Wells,
Dawson,	Laucks,	Ross,	West,
Dell,	Lauler,	Rothenberger,	Whitaker,
Dithrich,	Lewis,	Ruddy,	Williams, G. W.
Donneley,	Lohr,	Rudisill,	Williams, J. P.,
Drinkhouse,	Malie,	Sampsel,	Wobensmith,
Dunn,	Mangan,	Schaeffer, A. C.,	Wood,
Eby,	Maurer,	Scott,	Woodward,
Erdman,	McArdle,	Shaffer, C. A.,	Wylie,
Fackler,	McCullough,	Shattuck,	Wynne,
Fitzgibbon,	McCurdy,	Showalter,	Zanders,
Flynn,	McKinney,	Shunk,	Baldwin, Speaker.
Franklin,	McNichol,	Siggins,	
Fretz,	McPeake,	Simpson,	
Gans,	McVicar,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 941 (Senate Bill No. 265), entitled

An Act authorizing Ida Collins a resident of Somerset County in her own right and the right of her minor children to bring suit in the court of common pleas of Somerset County against the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Fitzgibbon,	McKinney,	Schaeffer, A. C.,
Aron,	Flynn,	McNichol,	Shaffer, C. A.,
Arthur,	Fowler,	McPeake,	Shattuck,
Aston,	Franklin,	McVicar,	Showalter,
Baldi,	Fretz,	Mehring,	Shunk,
Baldridge,	Geary,	Mervine,	Sinclair,
Bechtold,	Glass,	Michel,	Smith, E. R.,
Bell,	Golder,	Miller, A. D.,	Smith, F. I.,
Benchoff,	Goodnough,	Miller, Allan,	Smith, L.,
Benninger,	Goodwin,	Miller, C. G.,	Smith, O. W.,
Beyer,	Gormley,	Miller, G. J. A.,	Snowden,
Bidelspacher,	Graeff,	Milner,	Snyder,

Black,	Haldeman,	Mitchell,	Somerman,
Bovee,	Helt,	Morgan, T.,	Sones,
Boyd,	Heffernan,	Morgan, T. J.,	Spangler,
Brady,	Hess,	Murphy,	Sprowls,
Brumbaugh,	Heyburn,	Musser,	Steedle,
Burnett,	Hibshman,	Neary,	Sterling,
Campbell, J. O.,	Hoffman,	Palmer,	Stites,
Campbell, T.,	Hollern,	Patterson,	Strauss,
Canon,	Hollingsworth,	Perry,	Sullivan,
Chestnut,	Horton,	Phillips,	Swartz,
Christman,	Hough,	Pickering,	Taylor,
Clements,	Howarth,	Powell,	Ulsh,
Coldsmith,	Isherwood,	Ramsey,	Vickerman,
Conner,	Jack,	Reichenbacker,	Wagner,
Corbin,	Jennings,	Reitzel,	Walker,
Crosby,	Jones,	Reynolds,	Walter,
Davis, D. F.,	Kennedy,	Rhoads, H. L.,	Weimer,
Davis, W.,	Lafferty,	Rhodes, W. M.,	Wells,
Dean,	Lanius,	Rich,	Whitaker,
Dell,	Laucks,	Richards,	Wickman,
Dewey,	Leary,	Ringler,	Williams, G. W.
Dithrich,	Lohr,	Rininger,	Williams, J. P.,
Donneley,	Luppert,	Robertson,	Wobensmith,
Drake,	Malie,	Rogers,	Wood,
Drinkhouse,	Marvin,	Ross,	Woodward,
Dunn,	Maurer,	Rothenberger,	Wylie,
Eby,	McArdle,	Ruddy,	Zanders,
Ehrhardt,	McCaig,	Rudisill,	Baldwin,
Erdman,	McCullough,	Sampsel,	Speaker.
Fackler,	McCurdy,	Sarig,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments, in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 939 (Senate Bill No. 259), entitled

An Act authorizing Lee Greenleaf a resident of the Borough of Canton Bradford County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Albee,	Fitzgibbon,	McCurdy,	Shaffer, C. A.,
Aron,	Fowler,	McKay,	Shattuck,
Arthur,	Fretz,	McNichol,	Showalter,
Aston,	Gans,	McPeake,	Shunk,
Baker,	Glass,	McVicar,	Siggins,
Baldi,	Golder,	Mehring,	Simpson,
Baldridge,	Goodnough,	Mervine,	Smith, E. R.,
Barner,	Goodwin,	Michel,	Smith, O. W.,
Bell,	Gormley,	Miller, Allan,	Snowden,
Benchoff,	Graeff,	Miller, C. G.,	Somerman,
Bennett,	Graham,	Miller, G. J. A.,	Sones,
Benninger,	Gransback,	Milner,	Spangler,
Beyer,	Haldeman,	Mitchell,	Stadtlander,
Bidelspacher,	Hecht,	Morgan, T.,	Steedle,
Black,	Heffernan,	Morgan, T. J.,	Sterling,
Bouton, V. B.,	Helt,	Murphy,	Stern,
Bovee,	Hess,	Musser,	Stites,
Boyd,	Heyburn,	Ogden,	Strauss,
Brady,	Hibshman,	Palmer,	Sullivan,
Brumbaugh,	Hoffman,	Patterson,	Sweitzer,
Burnett,	Hollern,	Phillips,	Taylor,
Campbell, T.,	Hollingsworth,	Pickering,	Thomas,
Canon,	Howarth,	Powell,	Ulsh,
Chestnut,	Isherwood,	Ramsey,	Urich,
Christman,	Jack,	Reichenbacher,	Vickerman,
Clements,	Jennings,	Reynolds,	Vodges,
Coldsmith,	Kennedy,	Rhoads, H. L.,	Wagner,
Conner,	Lafferty,	Rhodes, W. M.,	Walker,
Cox,	Lanius,	Rich,	Wallace,
Crosby,	Laucks,	Ringler,	Walter,
Curry,	Lauler,	Rininger,	Weimer,
Davis, D. F.,	Leary,	Robertson,	Wells,
Davis, W.,	Lewis,	Rogers,	West,
Dean,	Lohr,	Ross,	Whitaker,
Dell,	Luppert,	Rothenberger,	Wickman,
Dewey,	Malie,	Ruddy,	Williams, G. W.
Dithrich,	Mangan,	Rudisill,	Williams, J. P.,
Drake,	Marvin,	Sampsel,	Wobensmith,
Drinkhouse,	Maurer,	Sarig,	Woodward,
Dunn,	McArdle,	Schaeffer, A. C.,	Wynne,
Ehrhardt,	McCaig,	Scott,	Zanders,
Erdman,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments, in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1203 (Senate Bill No. 536), entitled

An Act to validate tax liens filed since the twenty-first day of May, one thousand nine hundred and thirteen, under the provisions of an act approved the fourth day of June, one thousand nine hundred and one, entitled "An Act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances, the procedure upon claims filed therefor, the methods for preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albee,	Graeff,	Miller, G. J. A.,	Smith, F. I.,
Arthur,	Graham,	Milner,	Smith, J. W.,
Aston,	Gransback,	Mitchell,	Smith, L.,
Baldridge,	Haight,	Morgan, T.,	Smith, O. W.,
Bechtold,	Haldeman,	Morgan, T. J.,	Snyder,
Bennett,	Heffernan,	Murdoch,	Somerman,
Benninger,	Hess,	Murphy,	Sones,
Beyer,	Heyburn,	Musser,	Speicher,
Bidelspacher,	Hibshman,	Ogden,	Sprowls,
Black,	Hoffman,	Palmer,	Stadtlander,
Bovee,	Hollern,	Patterson,	Steedle,
Boyd,	Hollingsworth,	Perry,	Sterling,
Brady,	Horne,	Phillips,	Stern,
Brumbaugh,	Hough,	Pickering,	Stites,
Campbell, J. O.,	Howarth,	Powell,	Strauss,
Campbell, T.,	Isherwood,	Ramsey,	Sullivan,
Canon,	Jack,	Reichenbacker,	Swartz,
Chestnut,	Jennings,	Reitzel,	Sweitzer,
Christman,	Jones,	Reynolds,	Taylor,
Clements,	Kennedy,	Rhoads, H. L.,	Thomas,
Coldsmith,	Lafferty,	Rhodes, W. M.,	Urich,
Crosby,	Lauler,	Rich,	Vogdes,
Cummins,	Leary,	Richards,	Wagner,
Davis, D. F.,	Lewis,	Ringler,	Wallace,
Davis, W.,	Luppert,	Rininger,	Walter,
Dell,	Malie,	Robertson,	Weimer,
Dewey,	Mangan,	Ross,	Wells,
Dithrich,	Marvin,	Rothenberger,	West,
Donneley,	Maurer,	Ruddy,	Whitaker,
Drake,	McArdle,	Rudisill,	Wickman,
Drinkhouse,	McCaig,	Sampsel,	Williams, G. W.
Dunn,	McCullough,	Sarig,	Williams, J. P.,
Eby,	McCurdy,	Schaeffer, A. C.,	Wobensmith,
Ehrhardt,	McKinney,	Scott,	Wood,
Erdman,	McPeake,	Shaffer, C. A.,	Woodward,
Fackler,	McVicar,	Shattuck,	Wylie,
Fitzgibbon,	Mearkle,	Showalter,	Wynne,
Franklin,	Mehring,	Shunk,	Zanders,
Geary,	Mervine,	Siggins,	Baldwin,
Glass,	Miller, A. D.,	Simpson,	Speaker.
Goodwin,	Miller, Allan,	Sinclair,	
Gormley,	Miller, C. G.,	Smith, E. R.,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1231 (Senate Bill No. 537), entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Franklin,	McPeake,	Shunk,
Aron,	Fretz,	McVicar,	Siggins,
Arthur,	Gans,	Mearkle,	Simpson,
Baker,	Geary,	Mehring,	Sinclair,
Baldi,	Glass,	Mervine,	Smith, E. R.,
Baldridge,	Golder,	Michel,	Smith, F. I.,
Bechtold,	Goodnough,	Miller, A. D.,	Smith, J. W.,
Bell,	Gormley,	Miller, C. G.,	Smith, O. W.,
Benchoff,	Graeff,	Miller, G. J. A.,	Snowden,
Bennett,	Graham,	Milner,	Snyder,
Benninger,	Gransback,	Mitchell,	Somerman,
Beyer,	Haight,	Morgan, T.,	Sones,
Bidelspacher,	Haldeman,	Murdoch,	Spangler,
Boulton, H.,	Hecht,	Musser,	Stadtlander,
Bouton, V. B.,	Heffernan,	Neary,	Steedle,
Boyd,	Helt,	Palmer,	Sterling,
Brady,	Hess,	Patterson,	Stern,
Burnett,	Heyburn,	Perry,	Stites,
Campbell, J. O.,	Hibshman,	Phillips,	Stofflet,
Campbell, T.,	Hoffman,	Pickering,	Sullivan,
Chestnut,	Hollingsworth,	Powell,	Swartz,
Christman,	Howarth,	Ramsey,	Sweitzer,
Coldsmith,	Isherwood,	Reichenbacher,	Taylor,
Conner,	Jennings,	Reitzel,	Thomas,
Corbin,	Jones,	Reynolds,	Ulsh,
Cox,	Kennedy,	Rhoads, H. L.,	Urich,
Crosby,	Lafferty,	Rhodes, W. M.,	Vickerman,
Curry,	Laucks,	Rich,	Vodges,
Davis, D. F.,	Lauler,	Ringler,	Wagner,
Davis, W.,	Leary,	Rininger,	Walker,
Dawson,	Lohr,	Robertson,	Wallace,
Dean,	Luppert,	Rogers,	Weimer,
Dell,	Malie,	Ross,	Wells,
Dewey,	Mangan,	Rothenberger,	West,
Dithrich,	Marvin,	Ruddy,	Wickman,
Donneley,	Maurer,	Rudisill,	Williams, G. W.
Drake,	McArdle,	Sampsel,	Williams, J. P.,
Dunn,	McCaig,	Sarig,	Wobensmith,
Ehrhardt,	McCullough,	Schaeffer, A. C.,	Woodward,
Fackler,	McCurdy,	Scott,	Wylie,
Fitzgibbon,	McKay,	Shaffer, C. A.,	Zanders,
Fowler,	McNichol,	Shattuck,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1215 (Senate Bill No. 489), entitled

An Act to amend an act approved May first one thousand nine hundred and nine entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operation therein moving picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes providing for the promulgation of rulings by the Industrial Board of the Department of Labor and Industry and providing for appeal to the said Industrial Board and providing for the supervision and inspection of the said booths or enclosures by the Department of Labor and Industry of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred forty-six) entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any permanent booth or enclosure for the purpose of operating therein moving-picture machines unless they are built erected and constructed as follows "That it shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any permanent booth or enclosure for the purpose of operating therein moving-picture machines unless they are built erected and constructed as follows

Size

"All permanent booths or enclosures to be at least seven feet high the floor space to vary according to the number of machines in booths or enclosures as follows

One picture machine six feet by eight feet

One picture machine and one stereopticon nine feet by eight feet

Two picture machines and one stereopticon twelve feet by eight feet

The same to be made of structural steel as follows

Four outside horizontal members at top and bottom

Four corner uprights and members supporting roof to be made of one and one-half inch by one and one-half by one-fourth inch angle-irons

Intermediate uprights to be spaced every two feet and to be made of either one and one-half inch by one and one-half inch by one-fourth inch angle-iron or two inch by two inch by one-fourth inch tee-irons

Tee-irons to which roof is attached to be made of one and one-half inch by one and one-half inch by three-sixteenth inch tee-irons

All joints to be made with a three-sixteenth inch steel plate to which each angle-iron or tee-iron shall be riveted or bolted by the use of at least two (2) one-fourth inch bolts or rivets

All bolts or rivets in frame to have flat heads said heads always to be placed on exterior side of booth all angle or tee-irons being so countersunk as to accomplish this result

Frame to be built with a six-foot by two-foot doorway frame of said doorway to be built of one inch by one inch by three-sixteenth inch angle-irons which are to be joined together by the use of a three-sixteenth inch steel plate

Covering of Booth

"Sides and top of booth to be covered with asbestos boards of at least one-fourth inch in thickness said boards to be cut and arranged that vertical joints between boards shall always come over an angle or tee-iron so that both boards may be securely fastened to the same

After booth is complete all openings where combustible material is exposed must be plugged with asbestos cement or other equally satisfactory material When joints of asbestos boards on outside of booth do not come over angles of tee-irons the cracks between the boards shall be covered by a strip of asbestos board at least one-eighth inch thick and two inches wide said strips to be securely fastened to both boards in such manner as to cover the exposed joints The above-mentioned strips and all asbestos boards shall be secured in the proper place by the means of proper bolts and nuts said bolts and nuts to be spaced not more than six inches apart

Flooring

"Floor shall be made of two parts an upper and a lower floor Lower floor shall be made of boards seven-eighths inches minimum thickness supported on lower leg of horizontal angle-iron Resting on this floor shall be a floor made of asbestos boards of three-eight inch minimum thickness or an equally good material

Windows

"There shall not be more than two windows per machine in the booth—one for the operator and one for the machine Window for machine shall not be more than six inches high and twelve inches long and shall be located and cut after machine is set up Operator's window shall not be more than four inches wide or more than twelve inches high

All windows shall be provided with gravity-doors which when closed shall overlap the window opening at least one inch on all sides said doors to be held open normally by use of a fine combustible cord in series with a fusible link so arranged that the doors may easily be released by hand

Main Door

"Outside of door to be provided with a substantial spring sufficient to keep door closed Door to be provided with stop to prevent it from swinging into booth or injuring the hinges

Shelves

"To be made up of slate slabs or board not less than seven-eighth inches thick not exceeding four feet in length or twelve inches in width Said shelves if of board to be painted with at least three coats of asbestos paint and supported by means of angle-irons Upper shelf to be used for the rewinding and the repairing of films the lower shelf to be used for the storage of films A separate metal case made without solder shall be provided for each film when the same is not in the magazine or in the process of winding said films to be kept in these cases

Ventilation

"Booths to be provided with an inlet in each of four sides said inlets to be fifteen inches long three inches high the lower side of the same not to be more than

three inches above floor level Said inlets to be covered on the inside by a wire net of not greater than one-eighth inch mesh netting to be firmly secured to the asbestos boards by means of iron strips and screws

Near the center of the top of the booth shall be a circular opening of not less than ten inches in diameter the upper side of said opening to be provided with an iron flange which flange is to be securely fastened to the tee-irons supporting the roof Securely fastened to this flange shall be a vent-pipe not less than ten inches in diameter said pipe leading to the outside of the building or to a special incombustible vent-flue In this vent-pipe shall be placed a box containing a twelve-inch electric fan said box to be provided with a door of sufficient size to permit of the examination or removal of this fan this door to be made tight and provided with proper fastenings Box and vent-pipes to be made of galvanized iron or other non-combustible material fan to be so connected that it can be controlled from within the booth

Wiring

"If house lights are controlled from within the booth an additional emergency control must be provided near the main exit and kept at all times in good condition

All electric wires to be brought in to the booth and carried to all machines lights et cetera in conduits one light will be allowed for each machine and one for the rewinding-bench but all such lights shall be provided with wire guards

Rheostats

"All rheostats to be mounted on slate insulator properly supported said supports to be made of iron and securely fastened to the floor rheostats to be securely fastened to slate insulator

Machines

"Must be securely fastened to the floor to prevent accidental overturning of the same Provided That this section shall not apply to cities of the first and second classes" be amended to read as follows

Section 1 That in all theatres and opera houses where moving pictures are exhibited and in all other buildings where moving pictures are usually or regularly exhibited or where a moving picture machine is regularly housed and held in readiness for the purpose of exhibiting moving pictures there shall be provided a permanent booth or enclosure of fireproof construction and all moving picture machines and stereopticons operated or used in connection therewith shall be installed maintained and kept within the said booth or encluosure at all times and all moving picture films exhibited stored held or used in connection therewith shall be stored and kept within the said booth or enclosure at all times and in such manner as is hereinafter provided

It shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any permanent booth or enclosure for the purpose of operating therein moving picture machines unless such booth or enclosure is built erected constructed and maintained as follows

Size

All permanent booths or enclosures shall be at least seven feet high and the floor space shall vary according to the number of machines in such booths or enclosures as follows

One picture machine six feet by eight feet

Two picture machines or one picture machine and the stereopticon nine feet by eight feet

Three picture machines or two picture machines and one stereopticon twelve feet by eight feet

Such booths or enclosures shall be made of structural steel as follows

Four outside horizontal members at top and bottom

Four corner uprights and members supporting roof to be made of one-and-one-half inch by one-and-one-half inch by one-fourth inch angle-irons

Intermediate uprights shall be spaced every two feet and shall be made either of one-and-one-half inch by one-and-one-half inch by one-fourth inch-angle-irons or of two inch by two inch by one-fourth inch tee-irons

Tee-irons to which roof is attached shall be made of one-and-one-half inch by one-and-one-half inch by three sixteenth inch tee-irons

All joints shall be made with a three sixteenth inch steel plate to which each angle-iron or tee-iron shall be rivited or bolted by the use of at least two (2) one-fourth inch bolts or rivets

All bolts or rivets in frame shall have flat heads and said heads shall always be placed on the exterior side of the booth or enclosure and all angle-irons and tee-irons shall be so countersunk as to accomplish this result

The frame of the booth or enclosure shall be provided with a doorway six feet high by two feet wide The frame of the doorway shall be bulit of one inch by one inch by three-sixteenth inch angle-irons which shall be joined together by the use of a three-sixteenth inch steel plat

Covering of Booth

The sides and top of booth shall be covered with asbestos boards of at least one-fourth inch in thickness and said boards shall be cut and arranged in such manner that all vertical joints between boards shall always come over an angle-iron or tee-iron so that both boards may be securely fastened to such angle-irons or tee-irons

After the booth is complete all openings where combustible material is exposed must be plugged with asbestos cement or with other equally satisfactory material Where joints of asbestos boards on the outside of the booth do not come over angle-irons or tee-irons the cracks between the boards shall be covered by a strip of asbestos board at least one-eighth inch thick and two inches wide Such strips shall be securely fastened to both boards in such manner as to cover the exposed joints The above mentioned strips and all other asbestos boards shall be secured in the proper place by means of proper bolts and nuts and all such bolts and nuts shall be spaced not more than six inches apart

Flooring

The floor of the booth shall be made of two parts an upper and a lower floor The lower floor shall be made of boards of seven-eights inch minimum thickness supported on the lower legs of the horizontal angle-irons Resting on this floor there shall be a floor made of asbestos boards of three-eighth inch minimum thickness or an equally good fireproof material

Provided That such permanent booths or enclosures may be constructed of concrete brick or hollow tile in a substantial manner provided the herein prescribed regulations as to size windows door shelves ventilation wiring rheostats machines and all other structural features and equipment are fully met observed and furnished and that no wood or other conbustible material shall be used in the construction of such booths

Windows

There shall be not more than two windows per machine in the booth one for the operator and one for the machine The window for the machine shall be not more than six inches high and twelve inches long and shall be located and cut after the machine is set up The operators window shall be not more than four inches wide or more than twelve inches high

All windows in the booth shall be provided with gravity-doors which when closed shall overlap the window opening at least one inch on all sides Such gravity-doors shall be held open normally by use of a fine combustible cord in series with a fusible link directly over each machine and so arranged that the doors may easily be released by hand

Main Door

The main door of the booth shall be provided with substantial spring hinges and heavy steel spring or springs sufficient to keep door closed and said door shall be kept closed at all times The door frame shall be provided with a stop to prevent the door from swinging into the booth or injuring the hinges

Shelves

Two shelves shall be permitted in the booth each of which shall not exceed four feet in length or twelve inches in width Such shelves shall be made up of slate slabs or boards of not less than seven-eighth inch thickness and shall be substantially supported by means of angle-irons If such shelves are made of boards they shall be painted with at least three coats of asbestos paint Additional wooden shelves or cupboards shall not be installed

Film Cases

A separate fireproof metal case made without solder shall be provided for each individual film and such film cases shall be tightly closed at all times Each film shall be kept in one of such cases at all times when the same is not in the magazine of the machine or in the process of rewinding

Ventilation

Each booth shall be provided with an inlet in each of four sides Such inlets shall be fifteen inches long and three inches high and the lower side of each shall be not more than three inches above the floor level Such inlets shall be covered on the inside by a wire net of not greater than one-eighth inch mesh netting and the wire net shall be firmly secured to the asbestos boards or walls of the booth by means of iron strips and screws

Near the centre of the top of the booth there shall be a circular opening of not less than ten inches or more than twelve inches in diameter The upper side of said opening shall be provided with an iron flange which flange shall be securely fastened to the tee-irons supporting the roof Securely fastened to this flange shall be a vent-pipe of not less than ten inches or more than twelve inches in diameter Such vent-pipe shall lead directly to the outside of the building or to a special incombustible vent-flue and shall be provided with asbestos or other approved non-combustible fireproof material wherever such pipe shall pass through the roof of the building or wherever such pipe shall pass through or come within six inches of any combustible material Into this vent-pipe shall project by means of an elbow pipe a secondary metal pipe which shall be four inches in diameter and which shall enter the main vent-pipe from outside the booth and where such secondary pipe passes into the main pipe a metal flange shall be provided To the outside end of the four inch pipe there shall be connected a motor driven blower with a capacity for exhausting fifty cubic feet of air per minute Leading to this motor driven blower there shall be an air inlet pipe of five inches in diameter and such air inlet pipe shall be so arranged that the air shall be taken from without the booth All vent-pipes shall be made of galvanized iron or other non-combustible material and shall be connected without the use of solder The motor of the motor driven blower shall be connected to the electric circuit which controls the exit lights and such electric circuit shall be independent of the main electric circuit which controls the house lights and the said motor shall be so connected that it shall be controlled only from the switch controlling the said exit lights

Provided That nothing in this section shall interfere with vent-pipes and electric fans installed prior to the enactment of this act and in strict accordance with the

regulations and specifications prescribed by the provisions of the act of May first one thousand nine hundred and nine and approved by the proper authorities

Wiring

Where the house lights are controlled from within the booth an additional emergency control shall be provided near the main exit and maintained at all times in good condition

All electric wires shall be brought into the booth and carried to all machines lights et cetera in conduits There shall be permitted one electric lamp for each machine and one electric lamp for the re-winding bench and all such lamps shall be provided with wire guards All electric wiring and electric equipment shall conform with the rules and regulations of the National Board of Fire Underwriters

Rheostats

All rheostats shall be mounted on and securely fastened to slate insulators Such insulators shall be rigidly supported by means of angle-rion supports which shall be securely fastened to the angle-irons or tee-irons in the roof or side of the booth in such a manner that the rheostats shall be as near as practical to the ceiling of the booth

Provided That wherever practical rheostats may be put up outside of the booth Where rheostats are placed outside of the booth they shall be properly enclosed and mounted on slate insulators in a manner approved by the Department of Labor and Industry

Machines

All moving picture machines and stereopticons shall be securely fastened to the floor and all moving picture machines shall be provided with automatic shutters

Fire Protection

Every moving picture booth shall be provided with not less than one approved one-quart fire extinguisher of the pump type There shall be provided also one twelve quart bucket of sand for each machine in the booth and one small metal fireproof can with self-closing cover The booth shall be kept free of loose ends or strips of film paper oils rags and all other rubbish It shall be unlawful for any person to smoke or strike matches within the booth

It shall be unlawful for any operator to leave the booth while a moving picture machine under his control is in operation

Provided That this section shall not apply to cities of the first and second classes

Section 2 That section two of this act which reads as follows

Section 2 "That it shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any portable booth or enclosure for the purpose of operating therein moving picture machines unless they are built erected and constructed as follows

Size

"Portable booths or enclosures are to be at least six and one-half feet high and five feet square and are permitted for the use of one picture machine only

Frame

"The frame is to be made of standard pipe angle-iron ventilator trap and suitable fittings The pipe frame and angle-iron trap are to conform strictly to specifications hereinafter set forth and the fittings and details of construction must be approved by the Department of Factory Inspection of the Commonwealth of Pennsylvania

Skeleton Frame

"Four corner uprights to be made of three-quarter inch standard pipe

Eight horizontal members to be made of three-quarter inch standard pipe

Eight corner fittings to be made of iron or bronze castings

Ventilator Trap

"Ventilator trap to be made of one inch by one-eighth inch angle-iron shall extend full width of the top and two inches beyond the front of the top pipe shall be suitably hinged not less than two feet from the edge of the front angle corners and joints to be made with one-eighth inch steel plates riveted or bolted to each angle-iron by the use of at least two three-sixteenths inch rivets or bolts

Covering of Booth

"The side and top covering of the booth shall be made of an approved pure asbestos cloth same as used for asbestos curtains weighing not less than two pounds to the square yard Seams and hems in the asbestos cloth shall lap at least one inch and be stitched on each edge with asbestos sewing twine The top covering shall be made separate from the side covering It shall completely cover the top and have the outside flap hang down all around the sides not less than six inches deep It shall be fastened tightly and secured to the top pipes and ventilator trap by means of asbestos cords The side covering shall be made in one piece extending around all four sides and overlapping at the rear of the booth not less than eighteen inches so as to form a flap doorway The side covering shall extend from top pipes to which it shall be suspended by approved metal hooks or rings spaced not more than twelve inches apart to the floor with a flap of not less than three inches all around resting on the floor The metal hooks or rings for suspending the side covering shall be attached to the hem of the cloth by means of a metal strap and two rivets The side covering shall be drawn down tight and secured to the bottom pipe frame by means of asbestos tie cords The cloth covering for top and sides must at all times be kept free from rents or holes and be maintained in good condition

Door

"The side covering shall overlap eighteen inches in the rear of the booth This oerlap shall extend from top to bottom and shall be so arranged as to form a means of entrance and egress

Flooring

"The frame shall be placed on a mat or carpet made of approved asbestos cloth not less than seven feet square This mat must be spread out smoothly on a substantial floor or platform so that it shall extend one foot from the frame on all sides This mat must at all times be kept free from rents or holes and in good condition

Ventilation

"The top of the frame shall be fitted at the rear with a hinged ventilator trap as described in foregoing section of frame The asbestos cloth top covering shall be so arranged and so attached to the frame that when the hinged trap is raised the asbestos covering shall be raised also in the rear Suitable devices shall be supplied for maintaining this ventilator trap in a lifted position so as to form a clear ventilating space at the rear of not less than six inches high extending across the full width of the booth

Windows

"The look-out window for the operator shall be not more than four inches wide and twelve inches high The windows for the machine shall not be more than six inches high and twelve inches long All windows shall be located and cut after machine is set up

The opening shall be cut in the cloth with care and the edges reinforced by stitched hem of asbestos cloth they shall be provided with asbestos flaps securely stitched at the top of the openings These flaps when closed shall overlap the window opening at least two inches on the bottom and sides and shall be weighted across the bottom edge by a piece of three-eighth inch pipe or equal weight of metal securely sewed in the pocket in the cloth

Window Shutters and Ventilator Trap

"The window flaps or shutters are to be held open normally by the use of a fine combustible cord The hinged ventilator trap is to be raised for ventilation not more than six inches at the rear and shall be held open by a collapsible prop sustained by fine combustible cord The cord from the window shutters and the ventilator prop shall be in series with a fusible link and also approved tension clip so arranged that the automatic opening of the link or release of the tension clip by the operator will insure the immediate closing of all openings by the dropping of the flaps and the ventilator trap This fusible link and tension clip shall be arranged in a position directly over the machine within reach of the operator

Provided however That portable booths or enclosures shall not be permitted to be used in any theatre or public hall in which permanent booths or enclosures have been installed it being the intention of this section that portable booths or enclosures shall be used only for temporary exhibitions of moving-pictures in places of assemblage such as schools churches association halls lodge rooms theatres without permanent booths Provided That this section shall not apply to cities of the first and second classes" be amended to read as follows

Section 2 That in all buildings where moving pictures are exhibited and where a permanent booth or enclosure is not required by section one of this act there shall be provided a portable booth or enclosure of fireproof material

It shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any portable booth or enclosure for the purpose of operating therein a moving picture machine unless said portable booth or enclosure is built erected and constructed as follows

Size

Portable booths or enclosures shall be at least six and one-half feet high and five feet square and shall be permitted for the use of one picture machine only

Frame

The frame shall be made of standard pipe angle-iron ventilator trap and suitable fittings The pipe frame and angle-iron trap shall conform strictly to specifications hereinafter set forth and the fittings and details of construction shall be approved by the Department of Labor and Industry of the Commonwealth of Pennsylvania

Skeleton Frame

There shall be four corner uprights to be made of three-quarter inch standard pipe

Eight horizontal members to be made of three-quarter inch standard pipe

Eight corner fittings to be made of iron or bronze castings

Ventilator Trap

The ventilator trap shall be made of one inch by one-eighth inch angle-iron shall extend full width of the top and two inches beyond the front of the top pipe shall be suitably hinged and not less than two feet from the edge of the front angle corners and joints shall be made with one-eighth inch steel plates riveted or bolted to each angle-iron by the use of at least two three-sixteenths inch rivets or bolts

Covering of Booth

The side and top covering of the booth shall be made of an approved pure asbestos cloth same as used for asbestos curtains weighing not less than two pounds to the square yard Seams and hems in the asbestos cloth shall lap at least one inch and be stitched on each edge with asbestos sewing twine The top covering shall be made separate from the side covering It shall completely cover the top and have the outside flap hang down all around the sides not less than six inches deep It shall be fastened tightly and secured to the top pipes and ventilator trap by means of asbestos cord The side covering shall be made in one piece extending around all four sides and overlapping at the rear of the booth not less than eighteen inches so as to form a flap doorway The side covering shall extend from top pipes to which it shall be suspended by approved metal hooks or rings spaced not more than twelve inches apart to the floor with a flap of not less than three inches all around resting on the floor The metal hooks or rings for suspending the side covering shall be attached to the hem of the cloth by means of a metal strap and two rivets The side covering shall be drawn down tight and secured to the bottom pipe frame by means of asbestos tie cords The cloth covering for top and sides must at all times be kept free from rents or holes and be maintained in good condition

Door

The side covering shall overlap eighteen inches in the rear of the booth This overlap shall extend from top to bottom and shall be so arranged as to form a means of entrance and egress

Flooring

The frame shall be placed on a mat or carpet made of approved asbestos cloth not less than seven feet square The mat must be spread out smoothly on a substantial floor or platform so that it shall extend one foot from the frame on all sides This mat must at all times be kept free from rents or holes and in good condition

Ventilation

The top of the frame shall be fitted at the rear with a hinged ventilator trap as described in foregoing section of frame The asbestos cloth top covering shall be so arranged and so attached to the frame that when the hinged trap is raised the asbestos covering shall be raised also in the rear Suitable devices shall be supplied for maintaining this ventilator trap in a lifted position so as to form a clear ventilating space at the rear of not less than six inches high extending across the full width of the booth

Windows

The look-out window for the operator shall be not more than four inches wide and twelve inches high The windows for the machine shall not be more than six inches high and twelve inches long All windows shall be located and cut after machine is set up

The opening shall be cut in the cloth with care and the edges reinforced by stitched hem of asbestos cloth they shall be provided with asbestos flaps securely stitched at the top of the openings These flaps when closed shall overlap the window opening at least two inches on the bottom and sides and shall be weighted across the bottom edge by a piece of three-eighth inch pipe or equal weight of metal securely sewed in the pocket in the cloth

Window Shutters and Ventilator Trap

The window flaps or shutters shall be held open normally by the use of a fine combustible cord The hinged ventilator trap shall be raised for ventilation not more than six inches at the rear and shall be held open by a collapsible prop sustained by fine combustible cord The cord from the window shutters and the ventilator prop shall be in series with a fusible link and also approved tension-clip so arranged that the automatic opening of the link or release of the tension clip by the operator will insure the immediate closing of all openings by the dropping of the flaps and the ventilator trap This fusible link and tension clip shall be arranged in a position directly over the machine within reach of the operator

Provided however That portable booths or enclosures shall not be permitted to be used in any theatre or public hall in which permanent booths or enclosures have been installed it being the intention of this section that portable booths or enclosures shall be used only for temporary exhibitions of moving-pictures in places of assemblage such as schools churches association halls or lodge-rooms without permanent booths And provided That no licensed operator or booth shall be required for any moving-picture exhibition in which the apparatus for projecting such moving-picture uses only an enclosed incandescent lamp and only vellulose acetate or other slow-burning films of a size and perforation differing from the standard as used in regular licensed theaters moving-picture theaters or other similar establishments providing such exhibition is approved by the State or municipal authorities having jurisdiction and Provided further That this section shall not apply to cities of the first and second classes

Section 3 That section three of said act which reads as follows

Section 3 "It shall be the duty of the Department of Factory Inspection by and through its Chief Factory Inspector his deputy or deputies to take such means as it may deem necessary to enforce the provisions of this statute It shall be the duty of said Chief Factory Inspector his deputy or deputies within a reasonable time after the approval of this act to inspect all booths or enclosures in which moving pictures are now being operated and should any be found in a dangerous condition in that they lack adequate fire protection he or they shall immediately order the abatement and discontinuance of such use of such booth and enclosure The owner agent superintendent person or persons in charge and control of said booth or enclosure shall abate and discontinue the use of same within ten days after the service of the notice of abatement or discontinuance Any such person or persons who shall fail to comply with the said order of abatement or discontinuance so issued as aforesaid shall be deemed guilty of a misdemeanor and on conviction shall be punished by a fine of not less than twenty-five dollars and not more than five hundred dollars or an imprisonment in the county jail for a term of not less than ten days nor more than ninety days within the discretion of the court for each and every such violation" be amended to read as follows

Section 3 Any person who shall believe the specifications set forth in section one and two of this act will work unnecessary hardship upon him or do not in the best manner provide for the safety and health of the operators of the moving picture machines or users of a building as described in the foregoing sections of this act may appeal to the Industrial Board of the Department of Labor and Industry for relief The said Industrial Board may after due investigation of the ground for such appeal and not less than one public hearing order such modifications as will best accomplish the intent and purposes of this act And the said Industrial Board may make modify and repeal rulings related to the safety and health of employes and users of such buildings where nothing hereinbefore provided covers or where the intent and purposes of this act can be better obtained by methods other than those hereinbefore specified provided that no ruling shall be made which does not in the judgment of the Industrial Board after public hearing and investigation maintain a condition of safety and health for the employes and users of such buildings as herein described as is intended by this act

It shall be the duty of the Commissioner of Labor and Industry by and through its Chief Inspector and its authorized inspectors to take such means as may be deemed necessary to enforce the provisions of this act It shall be the duty of the Chief Inspector or authorized inspectors of the Department of Labor and Industry to inspect from time to time all booths or enclosures in which moving picture machines or stereopticons are operated and should any such booth or enclosure be found which does not comply in all respects with the specifications and requirements of sections one or two of this act the said inspectors shall immediately order the correction of all existing deficiencies or the discontnuance of the use of such booth or enclosure The owner agent superintendent person or persons in charge and control of such booth or enclosure shall correct all such deficiencies or shall discontiue the use of such booth or enclosure within ten (10) days after the service of such order or notice by the said inspector

Section 4 That section four of said act which reads as follows

Section 4 "Any person or persons who violate or ignore any of the provisions of sections one and two of this act shall be deemed guilty of misdemeanor and on conviction thereof shall be punished by a fine of not less than fifty dollars and not more than five hundred dollars or an imprisonment in the county jail for a term of not less than ten days nor more than ninety days for each and every violation In all cases of violation of sections one and two of this act the prosecutions shall be instituted in the name of the Commonwealth by the Chief Factory Inspector or his deputy or deputies and hearings shall be conducted by the alderman justice of the peace or other committing magistrate before whom the information is lodged after full hearing of the parties in interest the alderman justice of the peace or other committing magistrate shall if the evidence warrants it impose the penalty herein provided which shall be final to the party against whom the penalty is imposed unless the said party shall furnish good and sufficient bail for his or her appearance at the next term of the court of quarter sessions of the county wherein the offense is alleged to have been committed" be amended to read as follows

Section 4 Any person firm association corporation owner agent or superintendent who shall fail to comply with the aforesaid order for the correction of existing deficiencies or for the discontinuance of the use of such booth or enclosure or who shall violate or ignore any of the provisions of this act shall upon conviction thereof before an alderman magistrate or justice of the peace be punished by a fine of not less than twenty-five dollars or not more than two hundred dollars or an imprisonment in the county jail for a term of not less than ten days or more than sixty days for each and every such violation

Prosecutions for violations of this act may be instituted by any inspector of the Department of Labor and Industry upon oath or affirmation All prosecutions for violations of this act shall be in the form of summary criminal proceedings instituted before an alderman magistrate or justice of the peace Upon conviction after a hearing the sentences provided for in this act shall be imposed

Section 5 That section five of said act which reads as follows

Section 5 "All fines imposed and collected for any violation of this act shall be forwarded to the Chief Factory Inspector who shall pay the same into the office of the State Treasurer for the use of the Commonwealth of Pennsylvania" be amended to read as follows

Section 5 All fines imposed and collected for any violation of this act shall be forwarded to the Commissioner of Labor and Industry who shall pay the same into the office of the State Treasurer for the use of the Commonwealth of Pennsylvania

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Franklin,	McCaig,	Rudisill,
Aron,	Fretz,	McCullough,	Sampsel,
Arthur,	Geary,	McCurdy,	Sarig,
Aston,	Glass,	McKinney,	Schaeffer, A. C.,
Baldi,	Golder,	McNichol,	Scott,
Baldridge,	Goodnough,	McPeake,	Shattuck,
Barner,	Goodwin,	McVicar,	Shunk,
Bechtold,	Gormley,	Mearkle,	Siggins,
Bell,	Graeff,	Mehring,	Simpson,
Benchoff,	Graham,	Mervine,	Sinclair,
Benninger,	Gransback,	Michel,	Smith, E. R.,
Beyer,	Haight,	Miller, A. D.,	Smith, F. I.,
Bidelspacher,	Haldeman,	Miller, Allan,	Smith, J. W.,
Black,	Hecht,	Miller, G. J. A.,	Smith, L.,
Bovee,	Heffernan,	Milner,	Smith, O. W.,
Brumbaugh,	Helt,	Mitchell,	Snyder,
Burnett,	Hess,	Morgan, T.,	Somerman,
Campbell, J. O.,	Heyburn,	Morgan, T. J.,	Sones,
Campbell, T.,	Hibshman,	Murdoch,	Speicher,
Canon,	Hoffman,	Murphy,	Sprowls,
Chestnut,	Hollern,	Musser,	Stadtlander,
Christman,	Hollingsworth,	Neary,	Steedle,
Clements,	Horton,	Ogden,	Sterling,
Coldsmith,	Howarth,	Palmer,	Stern,
Conner,	Isherwood,	Patterson,	Stites,
Cummins,	Jack,	Perry,	Stoffiet,
Davis, D. F.,	Jennings,	Pickering,	Strauss,
Davis, W.,	Jones,	Powell,	Swartz,
Dean,	Kennedy,	Reichenbacher,	Sweitzer,
Dell,	Lafferty,	Reitzel,	Thomas,
Dewey,	Laucks,	Reynolds,	Urich,
Dithrich,	Lauler,	Rhodes, W. M.,	Vodges,
Donneley,	Leary,	Rich,	Walker,
Drake,	Lewis,	Ringler,	Walter,
Drinkhouse,	Lohr,	Rininger,	Wells,
Dunn,	Luppert,	Rinn,	Wickman,
Eby,	Malie,	Robertson,	Williams, G. W.
Ehrhardt,	Mangan,	Rogers,	Wobensmith,
Erdman,	Marvin,	Ross,	Woodward,
Fitzgibbon,	Maurer,	Rothenberger,	Zanders,
Flynn,	McArdle,	Ruddy,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1236 (Senate Bill No. 572), entitled

An Act making an appropriation to cover deficiency to the trustees of the State Hospital for the Criminal Insane at Farview Pennsylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albee,	Ehrhardt,	McCaig,	Scott,
Aron,	Erdman,	McCullough,	Shaffer, C. A.,
Arthur,	Fackler,	McKay,	Showalter,
Aston,	Flynn,	McKinney,	Shunk,
Baker,	Fowler,	McPeake,	Siggins,
Baldridge,	Franklin,	McVicar,	Simpson,
Barner,	Fretz,	Mearkle,	Smith, E. R.,
Bechtold,	Gans,	Mehring,	Smith, F. I.,
Bell,	Geary,	Mervine,	Smith, J. W.,
Benchoff,	Golder,	Miller, A. D.,	Smith, O. W.,
Bennett,	Goodnough,	Miller, Allan,	Snowden,
Benninger,	Goodwin,	Miller, G. J. A.,	Snyder,
Beyer,	Gormley,	Milner,	Somerman,
Bidelspacher,	Graham,	Mitchell,	Sones,
Bouton, V. B.,	Haldeman,	Morgan, T.,	Spangler,
Bovee,	Hecht,	Morgan, T. J.,	Sprowls,
Boyd,	Heffernan,	Murphy,	Stadtlander,
Brady,	Helt,	Musser,	Sterling,
Brumbaugh,	Hess,	Ogden,	Stern,
Burnett,	Heyburn,	Palmer,	Stites,
Campbell, J. O.,	Hibshman,	Perry,	Strauss,
Campbell, T.,	Hoffman,	Phillips,	Sullivan,
Canon,	Hollern,	Pickering,	Swartz,
Chestnut,	Hollingsworth,	Ramsey,	Sweitzer,
Clements,	Horton,	Reichenbacker,	Taylor,
Coldsmith,	Howarth,	Reitzel,	Thomas,
Conner,	Isherwood,	Reynolds,	Urich,
Corbin,	Jack,	Rhoads, H. L.,	Vickerman,
Cox,	Jennings,	Rhodes, W. M.,	Wagner,
Crosby,	Jones,	Rich,	Walker,
Cummins,	Kennedy,	Ringler,	Wallace,
Curry,	Lafferty,	Rininger,	Weimer,
Davis, D. F.,	Lanius,	Robertson,	Wells,
Davis, W.,	Lauler,	Rogers,	Whitaker,
Dawson,	Leary,	Ross,	Williams, G. W.
Dell,	Lewis,	Rothenberger,	Wobensmith,
Dewey,	Lohr,	Ruddy,	Woodward,
Dithrich,	Malie,	Rudisill,	Wylie,
Drake,	Mangan,	Sampsel,	Wynne,
Drinkhouse,	Marvin,	Sarig,	Zanders,
Eby,	Maurer,	Schaeffer, A. C.,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1225 (Senate Bill No. 502), entitled

An Act entitled "An Act requiring the court committing any insane person to an institution of this Commonwealth to certify the procedings upon which committment was made to the superintendent of said institution.

On the question,

Will the House agree to the bill on third reading?

Mr. WALTER. Mr. Speaker and gentlemen of the House, this bill provides that the court, whenever a person is committed to an asylum, shall certify all proceedings, all papers filed, and the testimony taken in each case to the superintendent of the asylum. Now, this is a very considerable record in some instances and no provision is made for the cost of the preparation of that record. This is a very serious ommission because of the expense and trouble involved and perhaps it is a bill that ought to be considered by the members of the House when they come to vote on it.

BILL POSTPONED.

Mr. JONES. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. WALTER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 940 (Senate Bill No. 262), entitled

An Act authorizing county controlers in counties having a population of more than one hundred thousand and less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of said solicitor and fixing his salary.

On the question,

Will the House agree to the bill on third reading?

Mr. RININGER. Mr. Speaker and gentlemen of the House, this bill provides for the appointment of a solicitor to county controllers in counties having a population of one hundred thousand inhabitants and less than one hundred and fifty thousand inhabitants. This is an office that is now filled by the county solicitors in counties having this population. The legal advice required by the county controllers can be secured from the county solicitors and, as far as I have been able to learn, there is no demand for this office in counties of this size and the salary is not commensurate with the duties that would devolve upon this officer were he appointed by the controller, the salary being $500.00 a year. I, therefore, would ask the members of the House to vote against this bill.

BILL POSTPONED.

Mr. BOVEE. Mr. Speaker, I move you that further consideration of this bill be postponed for the present.

Mr. STRAUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1200 (Senate Bill No. 263), entitled

An Act to amend section one of the act approved the twenty-eighth day of April, one thousand eight hundred and eighty-seven, entitled "An Act to authorize the courts of common pleas to decree the sale of real estate held for poor purposes in the several counties, boroughs, townships and poor districts in this Commonwealth and the reinvestment of the proceeds thereof," by extending the provisions of the act to include the sale of real property of the Commonwealth reserved for the use of a poor district.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albee,	Fretz,	Mervine,	Smith, E. R.,
Aron,	Geary,	Miller, A. D.,	Smith, F. I.,
Arthur,	Glass,	Miller, Allan,	Smith, J. W.,
Aston,	Golder,	Miller, C. G.,	Smith, L.,
Baldi,	Goodnough,	Miller, G. J. A.,	Smith, O. W.,
Barner,	Goodwin,	Milner,	Snowden,
Bechtold,	Graeff,	Mitchell,	Snyder,
Bell,	Graham,	Morgan, T.,	Somerman,
Benchoff,	Gransback,	Morgan, T. J.,	Sones,
Benninger,	Haight,	Murdoch,	Spangler,
Beyer,	Haldeman,	Murphy,	Speicher,
Bidelspacher,	Heffernan,	Musser,	Sprowls,
Black,	Helt,	Neary,	Stadtlander,
Bovee,	Hess,	Palmer,	Sterling,
Boyd,	Heyburn,	Perry,	Stern,
Brady,	Hibshman,	Phillips,	Stites,
Brumbaugh,	Hoffman,	Pickering,	Stoffiet,
Burnett,	Hollern,	Powell,	Strauss,
Campbell, J. O.,	Hollingsworth,	Ramsey,	Swartz,
Campbell, T.,	Hough,	Reichenbacher,	Sweitzer,
Canon,	Isherwood,	Reitzel,	Taylor,
Chestnut,	Jack,	Reynolds,	Thomas,
Christman,	Jennings,	Rhoads, H. L.,	Ulsh,
Clements,	Jones,	Rhodes, W. M.,	Urich,
Conner,	Lafferty,	Rich,	Vickerman,
Crosby,	Lauler,	Richards,	Vodges,
Dale,	Lewis,	Ringler,	Walker,
Davis, D. F.,	Lohr,	Rininger,	Walter,
Davis, W.,	Luppert,	Robertson,	Weimer,
Dean,	Malie,	Ross,	West,
Dewey,	Mangan,	Rothenberger,	Whitaker,
Dithrich,	Marvin,	Ruddy,	Williams, G. W.
Donneley,	McArdle,	Rudisill,	Williams, J. P.,
Drake,	McCaig,	Sarig,	Wobensmith,
Drinkhouse,	McCullough,	Schaeffer, A. C.,	Wood,
Eby,	McKay,	Scott,	Woodward,
Ehrhardt,	McKinney,	Shattuck,	Wylie,
Erdman,	McPeake,	Shunk,	Wynne,
Fackler,	McVicar,	Siggins,	Zanders,
Fitzgibbon,	Mearkle,	Simpson,	Baldwin.
Franklin,	Mehring,	Sinclair,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1236 (Senate Bill No. 503), entitled

An Act to repeal an act entitled "A Supplement to an act entitled "An Act relating to the fees salaries and duties of certain county officers in Allegheny County' approved April sixth Anno Domini one thousand eight hundred and seventy-one" approved the sixth day of March Anno Domini one thousand eight hundred and seventy-two.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Fitzgibbon,	McKinney,	Schaeffer, A. C.,
Aron,	Flynn,	McNichol,	Shaffer, C. A.,
Arthur,	Fowler,	McPeake,	Shattuck,
Aston,	Franklin,	McVicar,	Showalter,
Baldi,	Fretz,	Mehring,	Shunk,
Baldridge,	Geary,	Mervine,	Sinclair,
Bechtold,	Glass,	Michel,	Smith, E. R.,
Bell,	Golder,	Miller, A. D.,	Smith, F. I.,
Benchoff,	Goodnough,	Miller, Allan,	Smith, L.,
Benninger,	Goodwin,	Miller, C. G.,	Smith, O. W.,
Beyer,	Gormley,	Miller, G. J. A.,	Snowden,
Bidelspacher,	Graeff,	Milner,	Snyder,
Black,	Haldeman,	Mitchell,	Somerman,
Bovee,	Hecht,	Morgan, T.,	Sones,
Boyd,	Heffernan,	Morgan, T. J.,	Spangler,
Brady,	Hess,	Murphy,	Sprowls,
Brumbaugh,	Heyburn,	Musser,	Steedle,
Burnett,	Hibshman,	Neary,	Sterling,
Campbell, J. O.,	Hoffman,	Palmer,	Stites,
Campbell, T.,	Hollern,	Patterson,	Strauss,
Canon,	Hollingsworth,	Perry,	Sullivan,
Chestnut,	Horton,	Phillips,	Swartz,
Christman,	Hough,	Pickering,	Taylor,
Clements,	Howarth,	Powell,	Ulsh,
Coldsmith,	Isherwood,	Ramsey,	Vickerman,
Conner,	Jack,	Reichenbacher,	Wagner,
Corbin,	Jennings,	Reitzel,	Walker,
Crosby,	Jones,	Reynolds,	Walter,
Davis, D. F.,	Kennedy,	Rhoads, H. L.,	Weimer,
Davis, W.,	Lafferty,	Rhodes, W. M.,	Wells,
Dean,	Lanius,	Rich,	Whitaker,
Dell,	Laucks,	Richards,	Wickman,
Dewey,	Leary,	Ringler,	Williams, G. W.
Dithrich,	Lohr,	Rininger,	Williams, J. P.,
Donneley,	Luppert,	Robertson,	Wobensmith,
Drake,	Malie,	Rogers,	Wood,
Drinkhouse,	Marvin,	Ross,	Woodward,
Dunn,	Maurer,	Rothenberger,	Wylie,
Eby,	McArdle,	Ruddy,	Wynne,
Ehrhardt,	McCaig,	Rudisill,	Baldwin,
Erdman,	McCullough,	Sampsel,	Speaker.
Fackler,	McCurdy,	Sarig,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1228 (Senate Bill No. 525), entitled

An Act to repeal section twelve of an act entitled "A Supplement to an act approved the first of May Anno Domini one thousand eight hundred and sixty-one entitled 'An Act relating to Allegheny County'" approved the eighth day of April Anno Domini one thousand eight hundred and sixty-two which said section relates to the furnishing of supplies for the Alegheny County jail.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albee,	Ehrhardt,	Lohr,	Ringler,
Arthur,	Fackler,	Luppert,	Rininger,
Aston,	Fitzgibbon,	Malie,	Robertson,
Baker,	Flynn,	Mangan,	Rogers,
Baldi,	Fowler,	Marvin,	Ross,
Barner,	Franklin,	Maurer,	Rothenberger,
Bechtold,	Fretz,	McCaig,	Rudisill,
Bell,	Gans,	McCullough,	Sampsel,
Benchoff,	Geary,	McCurdy,	Sarig,
Bennett,	Glass,	McKay,	Schaeffer, A. C.,
Beyer,	Golder,	McKinney,	Scott,
Benninger,	Goodnough,	McNichol,	Shaffer, C. A.,
Bidelspacher,	Goodwin,	McPeake,	Shattuck,
Black,	Gormley,	McVicar,	Shunk,
Bouton, V. B.,	Graham,	Mearkle,	Siggins,
Bovee,	Gransback,	Mehring,	Simpson,
Boyd,	Haldeman,	Mervine,	Sinclair,
Brady,	Hecht,	Michel,	Smith, E. R.,
Brumbaugh,	Heffernan,	Miller, A. D.,	Smith, J. W.,
Burnett,	Helt,	Miller, C. G.,	Smith, O. W.,
Campbell, T.,	Heyburn,	Miller, G. J. A.,	Snowden,
Canon,	Helt,	Milner,	Snyder,
Christman,	Hess,	Mitchell,	Somerman,
Clements,	Heyburn,	Morgan, T.,	Sones,
Coldsmith,	Hibshman,	Morgan, T. J.,	Spangler,
Conner,	Hoffman,	Murdoch,	Stadtlander,
Corbin,	Hollern,	Murphy,	Steedle,
Cox,	Hollingsworth,	Musser,	Sterling,
Crosby,	Horton,	Neary,	Stern,
Cummins,	Howarth,	Ogden,	Stites,
Curry,	Isherwood,	Palmer,	Strauss,
Davis, D. F.,	Jack,	Patterson,	Sullivan,
Davis, W.,	Jennings,	Phillips,	Swartz,

Dean,	Jones,	Pickering,	Taylor,
Dell,	Kennedy,	Ramsey,	Thomas,
Dewey,	Lafferty,	Reichenbacker,	Ulsh,
Dithrich,	Lanius,	Reitzel,	Urich,
Drake,	Laucks,	Reynolds,	Vickerman,
Drinkhouse,	Lauler,	Rhoads, H. L.,	Vogdes,
Dunn,	Leary,	Rhodes, W. M.,	Wagner,
Eby,	Lewis,	Rich,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed is without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1229 (Senate Bill No. 535), entitled

An Act to repeal an act entitled "An Act to authorize the controller and commissioners of Allegheny County to compromise with the holders of bonds of said county issued in payment of subscriptions to the capital stock of certain railroad companies" approved the twenty-ninth day of January Anno Domini one thousand eight hundred and sixty-three.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albee,	Flynn,	McKay,	Sarig,
Aron,	Fowler,	McNichol,	Schaeffer, A. C.,
Arthur,	Franklin,	McPeake,	Scott,
Aston,	Fretz,	McVicar,	Shaffer, C. A.,
Baker,	Gans,	Mearkle,	Shattuck,
Baldridge,	Glass,	Mehring,	Showalter,
Barner,	Golder,	Mervine,	Shunk,
Bechtold,	Goodnough,	Miller, A. D.,	Siggins,
Bell,	Goodwin,	Miller, Allan,	Simpson,
Benchoff,	Gormley,	Miller, C. G.,	Sinclair,
Benninger,	Graeff,	Miller, G. J. A.,	Smith, E. R.,
Beyer,	Graham,	Milliron,	Smith, F. I.,
Bidelspacher,	Gransback,	Milner,	Smith, J. W.,
Black,	Haight,	Mitchell,	Smith, L.,
Bovee,	Haldeman,	Morgan, T.,	Smith, O. W.,
Boyd,	Hecht,	Murdoch,	Snyder,
Brumbaugh,	Helt,	Murphy,	Somerman,
Burnett,	Hess,	Musser,	Sones,
Campbell, J. O.,	Heyburn,	Neary,	Speicher,
Campbell, T.,	Hoffman,	Ogden,	Sprowls,
Canon,	Hollern,	Palmer,	Steedle,
Chestnut,	Hollingsworth,	Patterson,	Stern,
Christman,	Hough,	Phillips,	Stofflet,
Conner,	Howarth,	Pickering,	Strauss,
Corbin,	Isherwood,	Powell,	Swartz,
Crosby,	Jennings,	Reichenbacher,	Taylor,
Curry,	Jones,	Reitzel,	Thomas,
Davis, D. F.,	Lafferty,	Reynolds,	Urich,
Davis, W.,	Lanius,	Rhoads, H. L.,	Vodges,
Dean,	Laucks,	Rhodes, W. M.,	Walker,
Dell,	Leary,	Rich,	Walter,
Dewey,	Lewis,	Richards,	Weimer,
Dithrich,	Lohr,	Ringler,	Wells,
Donneley,	Luppert,	Rininger,	Whitaker,
Drake,	Malie,	Robertson,	Wickman,
Drinkhouse,	Mangan,	Rogers,	Williams, G. W.
Dunn,	Marvin,	Ross,	Williams, J. P.,
Eby,	Maurer,	Rothenberger,	Wobensmith,
Ehrhardt,	McArdle,	Ruddy,	Wood,
Erdman,	McCaig,	Rudisill,	Wylie,
Fitzgibbon,	McCullough.	Sampsel,	Zanders,

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1230 (Senate Bill No. 536), entitled

An Act to repeal an act entitled "An Act relating to the sinking fund of Allegheny County" approved the twelfth day of March Anno Domini one thousand eight hundred and seventy-three.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Fitzgibbon,	McKinney,	Showalter,
Aron,	Fowler,	McNichol,	Shunk,
Arthur,	Franklin,	McPeake,	Siggins,
Aston,	Fretz,	Mearkle,	Sinclair,
Baldi,	Gans,	Mehring,	Smith, E. R.,
Baldridge,	Glass,	Mervine,	Smith, F. I.,
Bechtold,	Golder,	Michel,	Smith, J. W.,
Bell,	Goodnough,	Miller, Allan,	Smith, L.,
Benchoff,	Goodwin,	Miller, C. G.,	Snowden,
Bennett,	Gormley,	Miller, G. J. A.,	Somerman,
Benninger,	Graeff,	Milner,	Sones,
Beyer,	Graham,	Mitchell,	Spangler,
Bidelspacher,	Gransback,	Morgan, T.,	Sprowls,
Black,	Haight,	Morgan, T. J.,	Stadtlander,
Bovee,	Haldeman,	Murdoch,	Steedle,
Boyd,	Hecht,	Murphy,	Stern,
Brady,	Heffernan,	Musser,	Stites,
Brumbaugh,	Hess,	Neary,	Stofflet,
Burnett,	Heyburn,	Ogden,	Strauss,
Campbell, J. O.,	Hibshman,	Palmer,	Sullivan,
Campbell, T.,	Hoffman,	Patterson,	Swartz,
Canon,	Hollern,	Perry,	Taylor,
Chestnut,	Hollingsworth,	Pickering,	Thomas,
Christman,	Horton,	Powell,	Urich,
Clements,	Howarth,	Ramsey,	Vogdes,
Conner,	Isherwood,	Reichenbacker,	Walker,
Corbin,	Jennings,	Reitzel,	Wallace,
Crosby,	Jones,	Reynolds,	Walter,
Dale,	Kennedy,	Rhoads, H. L.,	Weimer,
Davis, D. F.,	Lafferty,	Rhodes, W. M.,	West,
Davis, W.,	Lauler,	Richards,	Whitaker,
Dean,	Lewis,	Rininger,	Wickman,
Dell,	Lohr,	Robertson,	Williams, G. W.
Dewey,	Luppert,	Ross,	Williams, J. P.,
Dithrich,	Malie,	Rothenberger,	Wobensmith,
Donneley,	Mangan,	Ruddy,	Woodward,
Drake,	Maurer,	Rudisill,	Wylie,
Drinkhouse,	McArdle,	Sampsel,	Wynne,
Dunn,	McCaig,	Sarig,	Zanders,
Eby,	McCullough,	Scott,	Baldwin,
Erdman,	McCurdy,	Shattuck,	Speaker.
Fackler,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1231 (Senate Bill No. 537), entitled

An Act to repeal sections one two three and four of the act entitled "An Act fixing the terms of the courts of common pleas oyer and terminer and general jail delivery quarter sessions of the peace and orphans' court in the County of Allegheny and regulating proceedings therein" approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty-six.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Aron,	Fretz,	Michel,	Smith, J. W.,
Aston,	Gans,	Miller, C. G.,	Smith, O. W.,
Baker,	Geary,	Miller, G. J. A.,	Snyder,
Baldi,	Glass,	Milner,	Somerman,
Bechtold,	Golder,	Morgan, T.,	Sones,
Bell,	Goodwin,	Morgan, T. J.,	Spangler,
Benchoff,	Gormley,	Murphy,	Stadtlander,
Bennett,	Graham,	Musser,	Steedle,
Benninger,	Gransback,	Neary,	Sterling,
Bidelspacher,	Haight,	Ogden,	Stern,
Boulton, H.,	Haldeman,	Palmer,	Stites,
Bovee,	Heffernan,	Patterson,	Stofflet,
Brady,	Helt,	Perry,	Strauss,
Brumbaugh,	Hess,	Phillips,	Sullivan,
Campbell, J. O.,	Heyburn,	Pickering,	Swartz,
Campbell, T.,	Hibshman,	Ramsey,	Sweitzer,
Chestnut,	Hoffman,	Reichenbacher,	Taylor,
Christman,	Hollern,	Reitzel,	Thomas,
Clements,	Hollingsworth,	Reynolds,	Ulsh,
Coldsmith,	Horton,	Rhoads, H. L.,	Urich,

Conner,	Howarth,	Rhodes, W. M.,	Vickerman,
Corbin,	Isherwood,	Rich,	Vodges,
Cox,	Jack,	Ringler,	Wagner,
Crosby,	Jennings,	Rininger,	Walker,
Cummins,	Jones,	Robertson,	Wallace,
Curry,	Kennedy,	Rogers,	Walter,
Davis, D. F.,	Lafferty,	Ross,	Weimer,
Davis, W.,	Laucks,	Ruddy,	Wells,
Dean,	Lauler,	Rudisill,	West,
Dell,	Leary,	Sampsel,	Whitaker,
Dewey,	Lewis,	Sarig,	Wickman,
Dithrich,	Luppert,	Schaeffer, A. C.,	Williams, G. W.
Donneley,	Malie,	Scott,	Williams, J. P.,
Drinkhouse,	Marvin,	Shaffer, C. A.,	Wobensmith,
Eby,	Maurer,	Shattuck,	Wood,
Ehrhardt,	McCullough,	Showalter,	Woodward,
Erdman,	McCurdy,	Shunk,	Wylie,
Fackler,	McKinney,	Siggins,	Wynne,
Fitzgibbon,	McPeake,	Simpson,	Zanders,
Flynn,	McVicar,	Sinclair,	Baldwin,
Fowler,	Mehring,	Smith, E. R.,	Speaker.
Franklin,	Mervine,	Smith, F. I.,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1232 (Senate Bill No. 538), entitled

An Act to repeal an act entitled "An Act relative to the service of summons on jurors in Alegheny County and regulating compensation" approved the fifth day of April Anno Domini one thousand eight hundred and sixty.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albee,	Fitzgibbon,	McCurdy,	Sarig,
Aron,	Flynn,	McKinney,	Schaeffer, A. C.,
Arthur,	Fowler,	McNichol,	Shaffer, C. A.,
Aston,	Franklin,	McPeake,	Shattuck,
Baker,	Fretz,	McVicar,	Showalter,
Baldi,	Geary,	Mehring,	Shunk,
Barner,	Glass,	Mervine,	Simpson,
Bechtold,	Golder,	Michel,	Sinclair,
Bell,	Goodnough,	Miller, A. D.,	Smith, E. R.,
Benninger,	Goodwin,	Miller, Allan,	Smith, F. I.,
Beyer,	Gormley,	Miller, C. G.,	Smith, L.,
Bidelspacher,	Graeff,	Miller, G. J. A.,	Smith, O. W.,
Black,	Graham,	Milner,	Snowden,
Bovee,	Haldeman,	Mitchell,	Snyder,
Boyd,	Hecht,	Morgan, T.,	Somerman,
Brady,	Heffernan,	Morgan, T. J.,	Sones,
Brumbaugh,	Hess,	Murphy,	Spangler,
Burnett,	Heyburn,	Musser,	Sprowls,
Campbell, J. O.,	Hibshman,	Neary,	Steedle,
Campbell, T.,	Hoffman,	Palmer,	Sterling,
Canon,	Hollern,	Patterson,	Stites,
Chestnut,	Hollingsworth,	Perry,	Strauss,
Christman,	Horton,	Phillips,	Sullivan,
Clements,	Hough,	Pickering,	Swartz,
Coldsmith,	Howarth,	Powell,	Taylor,
Conner,	Isherwood,	Ramsey,	Ulsh,
Corbin,	Jack,	Reichenbacher,	Vickerman,
Crosby,	Jennings,	Reitzel,	Wagner,
Davis, D. F.,	Jones,	Reynolds,	Walker,
Davis, W.,	Kennedy,	Rhoads, H. L.,	Walter,
Dean,	Lafferty,	Rhodes, W. M.,	Weimer,
Dell,	Lanius,	Rich,	Wells,
Dewey,	Laucks,	Richards,	Whitaker,
Dithrich,	Leary,	Ringler,	Wickman,
Donneley,	Lohr,	Rininger,	Williams, G. W.
Drake,	Luppert,	Robertson,	Williams, J. P.,
Drinkhouse,	Malie,	Rogers,	Wobensmith,
Dunn,	Marvin,	Ross,	Wood,
Eby,	Maurer,	Rothenberger,	Woodward,
Ehrhardt,	McArdle,	Ruddy,	Wylie,
Erdman,	McCaig,	Rudisill,	Zanders,
Fackler,	McCullough,	Sampsel,	Baldwin,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1234 (Senate Bill No. 541), entitled

An Act to repeal an act entitled "An Act to authorize the appointment of two magistrates in the boroughs south of the Monongahela and Ohio in Allegheny County to hear and determine cases of drunkenness and disorderly conduct and to regulate the compensation therefor" approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-eight.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albee,	Geary,	Miller, A. D.,	Smith, E. R.,
Aron,	Golder,	Miller, Allan,	Smith, F. I.,
Arthur,	Goodnough,	Miller, C. G.,	Smith, L.,
Aston,	Goodwin,	Miller, G. J. A.,	Snowden,
Baker,	Gormley,	Milner,	Snyder,
Baldridge,	Graeff,	Mitchell,	Somerman,
Bechtold,	Graham,	Morgan, T.,	Sones,
Benchoff,	Gransback,	Morgan, T. J.,	Spangler,
Bennett,	Haldeman,	Murdoch,	Sprowls,
Beyer,	Hecht,	Murphy,	Stadtlander,
Bidelspacher,	Heffernan,	Musser,	Steedle,
Black,	Helt,	Ogden,	Stern,
Bovee,	Hess,	Palmer,	Stites,
Boyd,	Heyburn,	Patterson,	Stofflet,
Brumbaugh,	Hibshman,	Phillips,	Strauss,
Campbell, J. O.,	Hoffman,	Pickering,	Sullivan,
Campbell, T.,	Hollern,	Powell,	Sweitzer,
Canon,	Hollingsworth,	Ramsey,	Taylor,
Chestnut,	Horton,	Reichenbacker,	Thomas,
Christman,	Howarth,	Reitzel,	Ulsh,
Clements,	Isherwood,	Reynolds,	Urich,
Conner,	Jack,	Rhoads, H. L.,	Vickerman,
Crosby,	Jennings,	Rhodes, W. M.,	Vogdes,
Davis, D. F.,	Jones,	Rich,	Wagner,
Davis, W.,	Kennedy,	Richards,	Walker,
Dawson,	Lanius,	Ringler,	Wallace,
Dean,	Lauler,	Rininger,	Walter,
Dell,	Leary,	Robertson,	Weimer,
Dewey,	Luppert,	Rogers,	Wells,
Dithrich,	Mangan,	Ross,	West,
Donneley,	Maurer,	Rothenberger,	Whitaker,
Drake,	McArdle,	Ruddy,	Wickman,
Drinkhouse,	McCaig,	Sampsel,	Williams, G. W.
Eby,	McCurdy,	Sarig,	Williams, J. P.,
Ehrhardt,	McKay,	Schaeffer, A. C.,	Wobensmith,
Erdman,	McKinney,	Shaffer, C. A.,	Wood,
Fitzgibbon,	McPeake,	Showalter,	Woodward,
Fowler,	McVicar,	Shunk,	Wylie,
Franklin,	Mearkle,	Siggins,	Wynne,
Fretz,	Mehring,	Simpson,	Zanders,
Gans,	Mervine,	Sinclair,	Baldwin,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1008, as follows

An Act to amend an act approved the eighth day of May one thousand nine hundred and nine entitled "An Act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and seventy) entitled "An Act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement" which reads as follows

"Section 2 That the term 'drug' as used in this act shall include all medicines and preparations recognized in the United States Pharmacopoeia the National Formulary or the American Homeopathis Pharmacopoeia for the internal or external use and any substance or mixture of substances intended to be used for the cure mitigation or prevention of disease of either man or other animals" is hereby amended to read as follows

Section 2 That the term "drug" as used in this act shall include all medicines and preparations recognized in the ninth revision of the Pharmacopoeia of the United States

the fourth edition of the National Formulary or the American Homeopathic Pharmacopoeia for the internal or external use and any substance or mixture of substances intended to be used for the cure mitigation or prevention of disease of either man or other animals

Section 2 Section three of said act which reads as follows

"Section 3 That for the purpose of this act an article shall be deemed to be adulterated

"First if a drug is sold under or by any name recognized by the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia it differs from the standard of strength quality or purity as determined by the test or formula laid down in the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia Provided That no drug defined in the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia except official preparations of opium iodine peppermint camphor ginger and ethyl nitrit shall be deemed to be adulterated under this provision if the standard of strength quality or purity be plainly stated upon the bottle box or other container thereof although the standard may differ from that determined by the test or formula laid down by the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia

"Second If its strength or purity fall below the professed standard or quality under which it is sold" is hereby amended to read as follows

Section 3 That for the purpose of this act an article shall be deemed to be adulterated

"First if a drug is sold under or by a name recognized by the ninth revision of the Pharmacopoeia of the United States the fourth edition of the National Formulary or the American Homeopathic Pharmacopoeia it differs from the standard of strength quality or purity as determined by the test or formula laid down in the ninth revision of the Pharmacopoeia of the United States the fourth edition of the National Formulary or the American Homeopathic Pharmacopoeia Provided That no drug defined in the ninth revision of the Pharmacopoeia of the United States the fourth edition of the National Formulary or the American Homeopathic Pharmacopoeia except official preparations of opium iodine peppermint camphor ginger and ethyl nitrit shall be deemed to be adulterated under this provision if the standard of strength quality or purity be plainly stated upon the bottle box or other container thereof although the standard may differ from that determined by the test or formula laid down by the ninth revision of the Pharmacopoeia of the United States the fourth edition of the National Formulary or the American Homeopathic Pharmacopoeia

Second If the strength or purity fall below the professed standard or quality under which it is sold

Section 3 Section four of said act which reads as follows

"Section 4 That for the purpose of this act an article shall be deemed to be misbranded

"First All drugs the package or label of which shall bear any statment design or device regarding such article or the ingredients or substance or substances contained therein shall be false or misleading in any particular

"Second If it be an imitation of or offered for sale under the name of another article

"Third If the contents of the package as originally put up shall have been removed in whole or in part thereof and other contents shall have been placed in such package or if the package fail to bear statement on the label of the presence of any alcohol morphine opium heroin cocaine alpha or beta eucaine chloroform cannabis indica chloral hydrate acetanilide phenacetine antyprine or any derivative or any preparation of any such substances contained therein Provided That nothing in this paragraph apply to the filling of written prescriptions furnished by practicing physicians dentists and veterinarians and kept on file by pharmacists or as to such preparations as are specified and recognized by the United States Pharmacopoeia the National Formulary and the American Homeopathic Pharmacopoeia which are made in accordance therewith and are sold under titles designated therein" is hereby amended to read as follows

Section 4 That for the purpose of this act an article shall be deemed to be misbranded

First All drugs the package or label of which shall bear any statement design or device regarding such atricle or the ingredients or substance or substances contained therein shall be false or misleading in any particular

Second If it be an imitation of or offered for sale under the name of another article

Third If the contents of the package as originally put up shall have been removed in whole or in part thereof and other contents shall have been placed in such package or if the package fail to bear statement on the label of the presence of any label of the presence of any alcohol morphine opium heroin cocaine alpha or beta eucaine chloroform cannabis indica chloral hydrate acetanilide phenacetine antypyrine or any derivative or any preparation of any such substances contained therein Provided That nothing in this paragraph apply to the filling of written prescriptions furnished by practicing physicians dentists and veterinarians and kept on file by pharmacists or as to such preparations as are specified and recognized by the ninth revision of the Pharmacopoeia of the United States the fourth edition of the National Formulary and the American Homeopathic Pharmacopoeia which are made in accordance therewith and are sold under titles designated therein

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Gans,	McVicar,	Smith, J. W.,
Arthur,	Geary,	Mearkle,	Smith, O. W.,
Baker,	Golder,	Mehring,	Snowden,
Baldridge,	Goodnough,	Mervine,	Snyder,
Bell,	Gormley,	Michel,	Somerman,
Benchoff,	Graeff,	Miller, A. D.,	Sones,
Benninger,	Graham,	Miller, Allan,	Spangler,
Bidelspacher,	Gransback,	Miller, C. G.,	Sprowls,
Black,	Haight,	Miller, G. J. A.,	Steedle,
Bouton, V. B.,	Haldeman,	Milner,	Sterling,
Boyd,	Hecht,	Mitchell,	Stern,
Brady,	Heffernan,	Morgan, T.,	Stites,
Brumbaugh,	Helt,	Morgan, T. J.,	Stofflet,
Burnett,	Hess,	Murphy,	Strauss,
Campbell, J. O.,	Hibshman,	Musser,	Sullivan,
Campbell, T.,	Hoffman,	Ogden,	Swartz,
Canon,	Hollern,	Palmer,	Sweitzer,
Chestnut,	Hollingsworth,	Patterson,	Taylor,
Christman,	Horton,	Phillips,	Thomas,
Coldsmith,	Howarth,	Pickering,	Ulsh,
Conner,	Isherwood,	Ramsey,	Urich,
Corbin,	Jack,	Reitzel,	Vickerman,
Cox,	Jennings,	Rhoads, H. L.,	Vodges,
Crosby,	Jones,	Rich,	Wagner,
Curry,	Kennedy,	Ringler,	Wallace,
Davis, D. F.,	Lafferty,	Rininger,	Walter,
Davis, W.,	Lanius,	Robertson,	Weimer,
Dean,	Laucks,	Rogers,	Wells,
Dewey,	Lauler,	Ross,	Whitaker,
Dithrich,	Lewis,	Ruddy,	Wickman,
Donneley,	Lohr,	Rudisill,	Williams, G. W.
Drake,	Luppert,	Sampsel,	Williams, J. P.,
Drinkhouse,	Malie,	Sarig,	Wobensmith,
Dunn,	Marvin,	Schaeffer, A. C.,	Wood,
Eby,	Maurer,	Scott,	Woodward,
Erdman,	McArdle,	Shaffer, C. A.,	Wylie,
Fackler,	McCaig,	Shattuck,	Wynne,
Fitzgibbon,	McCullough,	Showalter,	Zanders,
Flynn,	McCurdy,	Shunk,	Baldwin,
Fowler,	McKay,	Siggins,	Speaker.
Franklin,	McNichol,	Sinclair,	
Fretz,	McPeake,	Smith, E. R.,	

NAYS—2.

Dell,	McKinney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1238 (Senate Bill No. 581), entitled

An Act empowering certain corporations societies and voluntary associations having subordinate lodges or branches within this Commonwealth to change the location of their principal office or place of business and providing for the approval by the Court of Common Pleas and the filing of notice of such changes.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PALMER. Mr. Speaker, this bill or a bill similar to this passed the last House and was vetoed by the Governor on the ground that there was certain litigation bearing on this point. I desire to be recorded as voting, as voting "no" on this bill.

Mr. DITHRICH. Mr. Speaker, are we considering Senate Bill No. 581?

The SPEAKER. Yes sir.

BILL POSTPONED.

Mr. DITHRICH. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. STADTLANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1217 (Senate Bill No. 109), entitled

An Act for the better protection of wild animals and birds and game within this Commonwealth requiring non-residents to procure a license before hunting in this Commonwealth providing penalties for violation of any of its several provisions and prescribing the disposition of license fees and penalties received.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albee,	Flynn,	McCullough,	Sampsel,
Aron,	Fowler,	McCurdy,	Schaeffer, A. C.,
Arthur,	Franklin,	McKinney,	Scott,
Aston,	Fretz,	McNichol,	Shattuck,
Baldi,	Gans,	McPeake,	Shunk,
Baldridge,	Geary,	McVicar,	Siggins,
Barner,	Glass,	Mearkle,	Simpson,
Bechtold,	Goodnough,	Mehring,	Smith, E. R.,
Bell,	Goodwin,	Mervine,	Smith, F. I.,
Benchoff,	Gormley,	Miller, A. D.,	Smith, J. W.,
Benninger,	Graeff,	Miller, Allan,	Smith, L.,
Beyer,	Graham,	Miller, C. G.,	Smith, O. W.,
Bidelspacher,	Gransback,	Miller, G. J. A.,	Snyder,
Black,	Haight,	Milliron,	Somerman,
Bovee,	Haldeman,	Milner,	Sones,
Boyd,	Hecht,	Mitchell,	Speicher,
Brady,	Heffernan,	Morgan, T.,	Sprowls,
Brumbaugh,	Helt,	Morgan, T. J.,	Steedle,
Campbell, J. O.,	Hess,	Murphy,	Sterling,
Campbell, T.,	Heyburn,	Musser,	Stites,
Canon,	Hibshman,	Ogden,	Stofflet,
Chestnut,	Hollern,	Palmer,	Strauss,
Christman,	Hollingsworth,	Patterson,	Swartz,
Clements,	Horne,	Phillips,	Sweitzer,
Coldsmith,	Horton,	Pickering,	Taylor,
Conner,	Hough,	Powell,	Thomas,
Corbin,	Howarth,	Ramsey,	Urich,
Curry,	Jack,	Reichenbacker,	Vickerman,
Davis, D. F.,	Jennings,	Reitzel,	Wagner,
Davis, W.,	Jones,	Reynolds,	Walker,
Dean,	Lafferty,	Rhoads, H. L.,	Walter,
Dell,	Lauler,	Rhodes, W. M.,	Weimer,
Dewey,	Leary,	Rich,	Wells,
Dithrich,	Lewis,	Richards,	West,
Donneley,	Lohr,	Ringler,	Whitaker,
Drake,	Luppert,	Rininger,	Wickman,
Drinkhouse,	Malie,	Rogers,	Williams, G. W.
Eby,	Marvin,	Rothenberger,	Wood,
Ehrhardt,	Maurer,	Ruddy,	Woodward,
Erdman,	McArdle,	Rudisill,	Wynne,
Fackler,	McCaig,		Zanders,
Fitzgibbon,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1219 (Senate Bill No. 121), entitled

An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof.

On the question,

Will the House agree to the bill on third reading?

Mr. WALTER. Mr. Speaker, I would like to know if any member of the House can inform the House as to what changes this bill makes in the existing laws with respect to the bounty claims.

Mr. PHILLIPS. Mr. Speaker, This bill provides that the bounty division which has been created under the Game Commission shall have the direct claim of the bounties instead of coming from the State Treasury as heretofore. For the bounty claims before this time a voucher was made out when a pelt was sent in and a voucher made out and sometimes it happened that it was from one to two months before the bounty reached the man who sent in the claim. This bill provides that the county shall pay this money direct and a voucher shall be sent in to the Auditor General.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Fitzgibbon,	McKinney,	Schaeffer, A. C.,
Aron,	Flynn,	McNichol,	Shaffer, C. A.,
Arthur,	Fowler,	McPeake,	Shattuck,
Aston,	Franklin,	McVicar,	Showalter,
Baldi,	Fretz,	Mehring,	Shunk,
Baldridge,	Geary,	Mervine,	Sinclair,
Bechtold,	Glass,	Michel,	Smith, E. R.,
Bell,	Golder,	Miller, A. D.,	Smith, F. I.,
Benchoff,	Goodnough,	Miller, Allan,	Smith, L.,
Benninger,	Goodwin,	Miller, C. G.,	Smith, O. W.,
Beyer,	Gormley,	Miller, G. J. A.,	Snowden,
Bidelspacher,	Graeff,	Milner,	Snyder,
Black,	Haldeman,	Mitchell,	Somerman,
Bovee,	Hecht,	Morgan, T.,	Sones,
Boyd,	Heffernan,	Morgan, T. J.,	Spangler,
Brady,	Hess,	Murphy,	Sprowls,
Brumbaugh,	Heyburn,	Musser,	Steedle,
Burnett,	Hibshman,	Neary,	Sterling,
Campbell, J. O.,	Hoffman,	Palmer,	Stites,
Campbell, T.,	Hollern,	Patterson,	Strauss,
Canon,	Hollingsworth,	Perry,	Sullivan,
Chestnut,	Horton,	Phillips,	Swartz,
Christman,	Hough,	Pickering,	Taylor,
Clements,	Howarth,	Powell,	Ulsh,
Coldsmith,	Isherwood,	Ramsey,	Vickerman,
Conner,	Jack,	Reichenbacher,	Wagner,
Corbin,	Jennings,	Reitzel,	Walker,
Crosby,	Jones,	Reynolds,	Walter,
Davis, D. F.,	Kennedy,	Rhoads, H. L.,	Weimer,
Davis, W.,	Lafferty,	Rhodes, W. M.,	Wells,
Dean,	Lanius,	Rich,	Whitaker,
Dell,	Laucks,	Richards,	Wickman,
Dewey,	Leary,	Ringler,	Williams, G. W.
Dithrich,	Lohr,	Rininger,	Williams, J. P.,
Donneley,	Luppert,	Robertson,	Wobensmith,
Drake,	Malie,	Rogers,	Wood,
Drinkhouse,	Marvin,	Ross,	Woodward,
Dunn,	Maurer,	Rothenberger,	Wylie,
Eby,	McArdle,	Ruddy,	Zanders,
Ehrhardt,	McCaig,	Rudisill,	Baldwin,
Erdman,	McCullough,	Sampsel,	Speaker.
Fackler,	McCurdy,	Sarig,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1375, entitled

An Act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. SIGGINS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McKINNEY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIED READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 418, as follows:

An Act fixing the fees of the recorder of deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees of the Recorder of Deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand shall be as follows

For recording and exemplifying deeds mortgages and other writings for every six words one cent The minimum rate for recording same shall be two dollars

For indexing deeds mortgages and other writings with more than four names ten cents extra for each additional name

For abstracting first description or parcel of land fifteen cents for each additional description or parcel ten cents extra

For entering satisfaction thirty cents

For taking acknowledgments for each person twenty-five cents

For certifying deeds mortgages assignments and satisfaction of record to County Commissioners tweny-five cents.

Section 2 All fees shall include any State tax now provided for by law and shall be payable in advance

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. JONES. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. SNYDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 946, entitled

An Act authorizing county commissioners to repay moneys collected on forfeited recognizances in certain cases.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALTER. Mr. Speaker, there are a number of counties in this State where the county itself does not receive forfeited recognizances. I notice no provision in this bill made to take care of such cases.

Mr. WHITAKER. Mr. Speaker, the act gives the county commissioners permission to repay forfeited bail which has been paid to the county commissioners. If there are any such cases as the gentleman from Franklin speaks of, this bill would not apply to them, for the money is not paid to the county commissioners. This bill gives authority to the county commissioner to repay forfeited bail, in cases where the defendant has surrendered himself and it merely gives the county commissioner permission to pay it with the consent of the district attorney and the consent of the court. It does not apply to the kind of a case which the gentleman from Franklin speaks of.

Mr. WALTER. Mr. Speaker, I am perfectly satisfied with the explanation of the gentleman from Chester.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Aron,	Gans,	Mearkle,	Smith, F. I.,
Arthur,	Glass,	Mehring,	Smith, J. W.,
Baker,	Golder,	Mervine,	Smith, O. W.,
Baldi,	Goodnough,	Miller, Allan,	Snowden,
Barner,	Goodwin,	Miller, C. G.,	Snyder,
Bechtold,	Gormley,	Miller, G. J. A.,	Somerman,
Bell,	Graeff,	Milner,	Sones,
Bennett,	Graham,	Mitchell,	Spangler,
Benninger,	Gransback,	Morgan, T. J.,	Sprowls,
Beyer,	Haight,	Murdoch,	Stadtlander,
Bidelspacher,	Haldeman,	Musser,	Steedle,
Bouton, V. B.,	Hecht,	Palmer,	Sterling,
Boyd,	Helt,	Patterson,	Stern,
Brady,	Hess,	Phillips,	Stites,
Brumbaugh,	Heyburn,	Pickering,	Stofflet,
Burnett	Hibshman,	Powell,	Strauss,
Campbell, J. O.,	Hoffman,	Ramsey,	Sullivan,
Campbell, T.,	Hollern,	Reichenbacker,	Sweitzer,
Christman,	Hollingsworth,	Reitzel,	Taylor,
Clements,	Horton,	Reynolds,	Thomas,
Coldsmith,	Hough,	Rhoads, H. L.,	Ulsh,
Conner,	Howarth,	Rhodes, W. M.,	Urich,
Corbin,	Isherwood,	Rich,	Vickerman,
Crosby,	Jennings,	Ringler,	Vogdes,
Cummins,	Jones,	Rininger,	Walker,
Curry,	Lafferty,	Robertson,	Wallace,
Dale,	Lanius,	Rogers,	Walter,
Davis, D. F.,	Laucks,	Ross,	Weimer,
Davis, W.,	Lauler,	Rothenberger,	Wells,
Dean,	Leary,	Ruddy,	West,
Dell,	Lewis,	Rudisill,	Whitaker,
Dewey,	Luppert,	Sarig,	Wickman,
Donneley,	Malie,	Schaeffer, A. C.,	Williams, G. W.
Drake,	Marvin,	Scott,	Williams, J. P.,
Dunn,	Maurer,	Shaffer, C. A.,	Wobensmith,
Eby,	McCaig,	Shattuck,	Wood,
Erdman,	McCullough,	Showalter,	Woodward,
Fackler,	McCurdy,	Shunk,	Wylie,
Fitzgibbon,	McKay,	Siggins,	Wynne,
Fowler,	McKinney,	Simpson,	Zanders,
Franklin,	McNichol,	Sinclair,	Baldwin,
Fretz,	McPeake,	Smith, E. R.,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 902, entitled

An Act to amend section one of an act approved the third day of May one thousand nine hundred nine entitled "An Act amending an act entitled 'An Act fixing salaries of county poor directors in counties of over one hundred and fifty thousand population' approved the eighth day of June one thousand nine hundred and seven by providing for compensation according to population and granting power to employ counsel."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albee,	Flynn,	McNichol,	Shunk,
Aron,	Franklin,	McPeake,	Siggins,
Arthur,	Gans,	McVicar,	Simpson,
Aston,	Geary,	Mearkle,	Sinclair,
Baldi,	Glass,	Mehring,	Smith, F. I.,
Baldridge,	Golder,	Mervine,	Smith, J. W.,
Barner,	Goodnough,	Miller, A. D.,	Smith, L.,
Bechtold,	Goodwin,	Miller, Allan,	Smith, O. W.,
Bell,	Gormley,	Miller, C. G.,	Snyder,
Benchoff,	Graeff,	Miller, G. J. A.,	Sones,
Benninger,	Graham,	Milner,	Spangler,
Beyer,	Gransback,	Mitchell,	Sprowls,
Bidelspacher,	Haldeman,	Morgan, T.,	Steedle,
Black,	Hecht,	Morgan, T. J.,	Sterling,
Bouton, V. B.,	Heffernan,	Murphy,	Stern,
Bovee,	Hess,	Musser,	Stites,
Boyd,	Heyburn,	Neary,	Strauss,
Brady,	Hibshman,	Ogden,	Swartz,
Brumbaugh,	Hoffman,	Palmer,	Sweitzer,
Burnett,	Hollern,	Perry,	Thomas,
Campbell, J. O.,	Hollingsworth,	Phillips,	Urich,
Campbell, T.,	Horton,	Powell,	Vickerman,
Chestnut,	Howarth,	Ramsey,	Vodges,
Christman,	Isherwood,	Reitzel,	Wagner,
Clements,	Jack,	Reynolds,	Wallace,
Coldsmith,	Jennings,	Rhoads, H. L.,	Walter,
Corbin,	Jones,	Rhodes, W. M.,	Weimer,
Crosby,	Kennedy,	Rich,	Wells,
Cummins,	Lafferty,	Richards,	West,
Dale,	Lauler,	Ringler,	Whitaker,
Davis, D. F.,	Leary,	Rininger,	Wickman,
Davis, W.,	Lewis,	Robertson,	Williams, G. W.
Dawson,	Lohr,	Rogers,	Williams, J. P.,
Dewey,	Luppert,	Ross,	Wobensmith,
Dithrich,	Malie,	Rothenberger,	Wood,
Donneley,	Mangan,	Ruddy,	Woodward,
Drake,	Maurer,	Sampsel,	Wylie,
Drinkhouse,	McArdle,	Sarig,	Wynne,
Eby,	McCaig,	Schaeffer, A. C.,	Zanders,
Ehrhardt,	McCullough,	Scott,	Baldwin,
Erdman,	McCurdy,	Shattuck,	Speaker.
Fitzgibbon,	McKinney,	Showalter,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Honse Bill No. 903, entitled

An Act authorizing prothonotaries in counties containing over one hundred and fifty thousand and less than two

hundred and fifty thousand inhabitants to appoint deputy prothonotaries fixing their salary and prescribing their duties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Goodnough,	Mearkle,	Smith, J. W.,
Arthur,	Gormley,	Mehring,	Smith, O. W.,
Aston,	Graham,	Mervine,	Snyder,
Baker,	Gransback,	Michel,	Somerman,
Baldi,	Haight,	Miller, A. D.,	Sones,
Baldridge,	Haldeman,	Miller, C. G.,	Spangler,
Barner,	Hecht,	Miller, G. J. A.,	Sprowls,
Bell,	Heffernan,	Milner,	Stadtlander,
Benchoff,	Helt,	Mitchell,	Steedle,
Bennett,	Hess,	Morgan, T. J.,	Sterling,
Beyer,	Heyburn,	Murdoch,	Stern,
Bidelspacher,	Hibshman,	Murphy,	Stites,
Bouton, V. B.,	Hoffman,	Musser,	Stofflet,
Bovee,	Hollern,	Ogden,	Strauss,
Boyd,	Hollingsworth,	Patterson,	Sullivan,
Brady,	Horton,	Perry,	Swartz,
Brumbaugh,	Hough,	Pickering,	Sweitzer,
Burnett,	Howarth,	Powell,	Taylor,
Chestnut,	Isherwood,	Ramsey,	Thomas,
Christman,	Jack,	Reichenbacher,	Ulsh,
Coldsmith,	Jennings,	Reitzel,	Urich,
Conner,	Jones,	Rhodes, W. M.,	Vickerman,
Corbin,	Kennedy,	Rich,	Vodges,
Crosby,	Lafferty,	Ringler,	Wagner,
Curry,	Laucks,	Rininger,	Walker,
Davis, D. F.,	Lauler,	Robertson,	Wallace,
Davis, W.,	Leary,	Rogers,	Walter,
Dean,	Lewis,	Ross,	Weimer,
Dell,	Lohr,	Reichenbacker,	Wells,
Dithrich,	Luppert,	Ruddy,	Whitaker,
Drake,	Malie,	Rudisill,	Wickman,
Drinkhouse,	Mangan,	Sampsel,	Williams, G. W.
Dunn,	Marvin,	Sarig,	Williams, J. P.,
Eby,	Maurer,	Schaeffer, A. C.,	Wobensmith,
Ehrhardt,	McArdle,	Scott,	Wood,
Fackler,	McCaig,	Shaffer, C. A.,	Woodward,
Fitzgibbon,	McCullough,	Showalter,	Wylie,
Fowler,	McCurdy,	Shunk,	Wynne,
Franklin,	McKay,	Siggins,	Zanders,
Fretz,	McKinney,	Sinclair,	Baldwin,
Gans,	McNichol,	Smith, E. R.,	Speaker.
Glass,	McPeake,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 954, as follows:

An Act regulating hunting trapping and fishing on unseated and auxiliary forest reserve lands providing for the propagation of game and fish on such lands and providing penalties for violations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter any person trespassing upon any lands classed as "unseated lands" or "auxiliary forest reserve lands" within this Commonwealth for the purpose of hunting or fishing shall be liable in an action of trespass only to the owner lessee or occupant for the damages from the act or acts of such person to said lands

Section 2 Any magistrate alderman or justice of the peace upon information or complaint made before him by affidavit of the violation of the provisions of this act shall issue his warrant under his hand and seal directed to any constable or warden of the county to cause such person to be arrested and brought before said magistrate alderman or justice of the peace who shall hear and determine the guilt or innocence of the person so charged and if guilty the amount of damage done

Section 3 Upon conviction such person shall pay a penalty in a sum sufficient to cover the damage done and the cost of prosecution and in default of the payment of such penalty and costs shall be committed to the county jail of the proper county for a period not exceeding three months The penalty herein provided shall be deemed to be the full and complete penalty for any trespass on unseated lands or auxiliary forest reserve lands except as further herein provided

Section 4 Whenever any person association co-partnership or corporation shall desire to undertake the propagation of game or fish on any unseated lands or auxiliary forest reserve lands they shall make application to the Board of Game Commissioners or to the Department of Fisheries as the case may be to secure the required propagating license The application shall be accompanied by an accurate description of the lands to be used for the propagation of the game or fish If the application is granted the owner lessee or occupant of said lands shall post the lands to be so devoted to the propagation of game or fish as a game or fish propagating plant or area Trespassing on such lands shall be punishable as above provided and in addition by a fine of twenty-five dollars ($25.00) This section does not apply to such unseated lands as are used for pasturing purposes or which are enclosed by fences

Section 5 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. ALLAN D. MILLER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. SHOWALTER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 190, as follows:

An Act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries judges of election return boards of the various counties and the Board of registration commissions in cities of the first and second class in relation thereto and providing penalties.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any duly qualified voter of this Commonwealth who by reason of his duties business or occupation is unavoidably absent from his lawfully designated election districts and outside of the county in which he is an elector but within the Commonwealth on the day of holding any general municipal or primary election may vote by marking his ballot in any election district of this Commonwealth where he may be upon the day such election is held Such voter however may vote only for such officers and upon such questions as he would be entitled to vote for or on had he presented himself in the district in which he has his legal residence and in the manner hereinafter provided

Section 2 Any voter expecting to be absent from the county in which his lawfully designated election district is situated on the day of any general municipal or primary election and who desires to cast his ballot at such election may make application not more than thirty days and not less than three days next preceding such election to the county commissioners of such county for a certificate of qualification and an official absent voter's ballot

Section 3 The certificate of qualification shall be issued by the county commissioners and shall set forth the name of such voter the name of the ward or district of the city borough town or township in which he resides if the voter is a resident of a borough town or township the certificate of qualificatiqons shall set forth that such voter's name has been duly entered on the registry list by the assessor thereof as appears from such list if the voter is a resident of a city the certificate of qualification shall set forth that the voter personally registered according to law The certificate of qualification shall be in the following form

Certificate of Qualification

We hereby certify that.....is a resident of the.....(district or precinct) of the.....ward of.....(city borough town or township) of.....county and Commonwealth of Pennsylvania (as appears by the personal registration books or the registry list of said district) and is a duly qualified elector of such district

.....
.....
.....

Dated.....

County Commissioners
County of.....

Section 4 The board of registration commissioners in cities of the first and second class shall certify to the county commissioners upon request any information that may be necessary for such county commissioners to properly fill out such certificate of qualification

Section 5 The county commissioners of the several counties shall prepare and have printed in addition to the regular and official ballots additional official ballots to be known as absent voter's ballots Such ballots shall be prepared and printed in the same form as the official ballot and shall in all respects be similar thereto except that on the back thereof shall be printed in addition to the form now required by law the words "Absent Voter's Ballot" There shall also be prepared three envelopes of such size and shape that will permit the placing of one within the other. On the first shall be printed only the words "Absent Voter's Ballot" On the second shall be printed the certificate of qualification the affidavit of the voter and the certificate of the judge of election of the District in which said voter presents himself the forms to be sub-

stantially as herein provided On the third shall be printed the name official title and post office address of the prothonotary or the county commissioners of the county in which such voter resides and to whom the returns shall be made as hereinafter provided

Section 6 Application for a certificate of qualification and for an absent voter's ballot shall be made on a blank to be furnished by the county commissioners and shall be in the following form

I ..... a duly qualified voter of the ..... (district or precinct) of the .....ward of..... (city borough town or township) of.....county and Commonwealth of Pennsylvania and entitled to vote in such district at the next election (in case of a primary election give party enrollment) expecting to be absent from said county on the day for such election hereby make application for a certificate of qualification and an official absent voter's ballot

Witnesses..... .....
Signature of Voter
.....
Dated..... .....
P. O. Address

Section 7 Such application blank shall upon request therefor be sent by the county commissioner to any absent voter by mail or shall be delivered to any voter upon application made personally at the office of the county commissioners

Section 8 Upon receipt of such application properly filled out and duly signed or as soon thereafter as the official absent voter's ballot for the election district in which the applicant resides have been printed the county commissioners shall send to such absent voter by mail or shall deliver one official absent voter's ballot or if there is more than one such absent voter's ballot to be voted by a voter of such election district one of each kind Such ballot or ballots shall be enclosed in the envelopes as provided for in section five of this act and in the order in which they are mentioned therein The envelopes shall be kept unsealed Before sending or delivering such ballot the county commissioners shall satisfy themselves that the applicant is a qualified elector and if so satisfied they shall fill out and sign the certificate of qualification and shall enter or cause to be entered on the registration book or registry list opposite the name of the applicant the words "Received absent voter's ballot"

Section 9 Such voter before voting shall exhibit his ballot or ballots and envelope on which is printed the certificate of qualification affidavit and certificate of the judge of election to the judge of election of the district in which he presents himself to vote on the day of such general municipal or primary election who shall examine the same and see that the ballot or ballots are unmarked After having such voter make and subscribe an affidavit in the following form he shall return the ballot or ballots and the envelopes to the voter

Form of Affidavit

Commonwealth of Pennsylvania ss
County of.....

I ..... do solemnly swear (or affirm) that I have resided in the Commonwealth of Pennsylvania one year (or having previously been a qualified elector or native-born citizen of the Commonwealth that I removed therefrom and returned then six months) immediately preceding this date and in the election district of ..... in the county of ..... at least two months immediately preceding this date and (if twenty-two years of age and upward) have paid within two years a State or county tax and am in all respects a duly qualified voter of said election district that I am a ..... and that because of

(occupation)

my duties business or occupation I am required to be absent from my lawfully designated election district on this day and will have no opportunity to vote therein that I have not voted elsewhere at this election and that I am the person named in the certificate of qualification presented to the judge of election

....
Signature of Voter

Sworn and subscribed to before me this.....day of .....A D 19....
.....
Judge of Election.
District of.....
County of.....

Section 10 Such voter shall thereupon enter the voting booth and mark his ballot or ballots in the same manner as now required by law Before leaving the booth he shall fold such ballot or ballots and insert the same in the envelope on which is printed the words "Absent Voter's Ballott" and shall then and there securely seal the same This envelope shall then be placed in the one on which is printed the certificate of qualification affidavit and certificate to be made by the judge of election and such envelope sealed in like manner by the voter

Section 11 Such voter shall then return such envelopes to the judge of election who shall fill out and sign the certificate of the judge of election thereon The signature of the judge shall be attested by the two inspectors of said election district and shall be in the following form

Certificate of Judge of Election

I the undersigned judge of election of the..... district of .....county hereby certify that the voter .....exhibited to me the enclosed
(name)
ballot (or ballots) unmarked that it is (or they are) marked as official ballot (or ballots) of..... district of.....county and that said voter marked and sealed the same according to law

Attest .....
Judge of Election
..... District of.....
..... County of.....
Inspectors

Such ballot or ballots and envelopes shall then be securely sealed in the third envelope which the judge of election shall send immediately after the polls are closed by mail to the prothonotary or county commissioners In case the ballot was voted at a general or municipal election it shall be sent to the prothonotary if voted at a primary election it shall be sent to the county commissioners of the county in which such voter is a resident The postage necessary to transmit such envelope shall be paid by the voter

Section 12 The prothonotary or county commissioners upon receipt of such letter shall safely keep and preserve the same unopened in their office until the return board canvasses the vote according to law at which time the said return board shall open such letter and after examining the certificate of qualification and the certificate of the judge of election shall compare the signature of said absent voter as written on the affidavit with the signature of such voter on the application blank given to the county commissions If the return board is satisfied that the signatures correspond and that the affidavit is sufficient they shall announce the name of the voter of such absent voter's ballot and shall give any person present an opportunity to challenge the same in like manner and for the same causes as such voter could have been challenged had he presented himself in his own district to cast his ballot If there are no challenges they shall open the second envelope in such manner as not to destroy the certificate of qualification affidavit and certificate of the judge of election as printed thereon which envelope shall be kept in the prothonotary's or commissioner's office for a period of one year thereafter All envelopes on which are printed the words "Absent Voter's Ballot" and containing the ballots shall be put into one depository at one time and said depository well shaken and the envelopes containing the ballots mixed before any ballot is taken thereform The return board shall now break the seals of such envelopes and record the said ballots in the same manner as the election officers record votes and in so canvassing said votes the return board shall count the votes of all absent voters taken as herein provided and add the same to the total result of the election in the county district precinct or ward accordingly as designated on each ballot

Section 13 The ballots after being opened and duly counted by the return board shall be safely kept in the custody of the prothonotary or the county commissioners as the case may be for the period of one year and in case of a contested election the same may be opened and counted as in other cases

Section 14 Any voter who has received an absent voter's ballot and who shall return to his properly designated election district on or before the day for holding the election for which such ballot was issued shall be permitted to vote upon presenting himself at his regular polling place in the same manner as he could have voted had he not received such absent voter's ballot however in any such case such voter shall surrender to the judge of election of such district his absent voter's ballot or ballots unmarked and the envelopes in which they were contained Such fact shall be noted by the judge of the election on the back thereof and the ballot or ballots and envelopes shall be returned to the county commissioners

Section 15 If any person voting an absent voter's ballot shall wilfully swear falsely to the affidavit herein provided for or shall vote any ballot other than one properly issued to him or who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars or be imprisoned for a term not exceeding one year or both at the discretion of the court

If any judge of an election district shall permit any person to vote other than as herein provided or without his taking the affidavit of the voter or requiring the voter to exhibit his certificate of qualification or if any such judge shall neglect or refuse to mail such ballot or ballots as herein provided or shall neglect or refuse to perform any other duties prescribed by this act he shall upon conviction thereof be guilty of a misdemeanor and shall be fined not exceeding one hundred dollars

If any prothonotary county commissioner or member of a return board shall neglect or refuse to perform any of the duties prescribed by this act or shall reveal or divulge any of the details of any ballot cast in accordance with the provisions of this act he shall be guilty of a misdemeanor and upon conviction shall be punished by fine not exceeding one hundred dollars

Section 16 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,
Will the House agree to the bill on third reading?

Mr. STERN. Mr. Speaker, I would request that the sponsor of the bill explain it.

Mr. BLACK. Mr. Speaker, the provisions of this bill allow a person unavoidably absent from an election on election day, to vote wherever he may be within the Commonwealth of Pennsylvania. It has been very carefully drawn to prevent fraud and to preserve the secrecy of the ballot.

Mr. STERN. Mr. Speaker, I seriously object to a bill of this kind passing in the House. I do not know of any sort of bill that could be brought into this House that would encourage fraud more than a bill of this character. It seems to me that any citizen of this Commonwealth who is sufficiently interested in his duties as a citizen would see to it that he remained at home on election day, or if he were away from home, the day preceding the election he could so arrange his affairs as to arrive in any part of this Commonwealth on election day before the polls close. This bill would only encourage absentee voting and I think it is the proper time that a bill of this kind should be voted down.

Mr. PHILLIPS. Mr. Speaker, I cannot see why there should be any serious objection to this bill. In the first place the law now provides that where a soldier is away attending to his duties, as a soldier, that he shall be taken care of and there is no reason why that privilege should not be extended to other persons. Now this has been very wisely taken care of and the provisions by which he shall vote have been taken care of. This bill, as I understand, is drafted along the same lines as that allowing the college boys who are away attending school to vote without making an extra trip and incurring the extra expense in getting home.

This will give a travelling man who finds it impossible to be at the election place, and in order to hold his job an opportunity to vote and still hold his job. Many times a railroad man who is attending to his job is prevented from being at the election polls, and this bill merely provides that such people may vote if they find it impossible to be at the polling place.

Mr. URICH. Mr. Speaker, I just want to say that when a soldier deposits his ballot, and no one can touch his ballot or handle it until it gets back to the proper place. Another thing and that is this, that where we have these elections, and those men are permitted to participate in the elections, they will participate in the election at those places and will largely increase the cost, which should not be incurred. I do not think the bill is right and it should be turned down.

BILL POSTPONED.

Mr. MILNER. Mr. Speaker, in view of the slim attendance of the House, I move that further consideration of the bill be postponed for the present.

Mr. THOMAS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 191, entitled

An Act to amend section one of an act approved the eighteenth day of April one thousand eight hundred ninety-three entitled "An Act providing that voters in this Commonwealth shall case their ballots at polling places inside the election district in which they are domiciled and making it the duty of the courts of quarter sessions of the several counties to carry out the provisions of the same."

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. BLACK. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. SARIG. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1080, as follows:

An Act to amend the first section of an act approved the twenty-first day of April Anno Domini one thousand nine hundred and fifteen entitled "An Act extending the powers and duties of foresters forest rangers game protectors deputy game protectors special deputy game protectors fish-wardens and deputy fish-wardens of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-first day of April Anno Domini one thousand nine hundred and fifteen entitled "An Act extending the powers and duties of foresters forest rangers game protectors deputy game protectors special deputy game protectors fish-wardens and deputy fish-wardens of this Commonwealth" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the approval of this act it shall be the duty of each forester and forest ranger in this Commonwealth to enforce all the laws relating to forestry fish and game it shall be the duty of every game protector deputy game protector or special deputy game protector commissioned in this Commonwealth to enforce all the law relating to fish game and forestry it shall be the duty of every fish-warden or deputy fish-warden commissioned in this Commonwealth to enforce all the laws relating to game fish and forestry under the direction of that department or commission into whose special care the interests or these several subjects have been entrusted namely All prosecutions for violation of laws relating to forestry shall be brought under the direction of the Department of Forestry all prosecutions for violation of the fish laws shall be brought under the direction of the Department of Fisheries and all prosecutions for violation of the game laws shall be brought under the direction of the Board of Game Commisioners and to that end the powers of all the officers aforesaid are hereby extended in such a way as to give them full authority to carry out the purposes of this act" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the approval of this act it shall be the duty of each forester and forest ranger in this Comonwealth to enforce all the laws relating to forestry fish and game it shall be the duty of every game protector deputy game protector or special deputy game protector commissioned in this Commonwealth to enforce all the laws relating to fish game and forestry it shall be the duty of every fish-warden or deputy fish-warden commissioned in this Commonwealth to enforce all the laws relating to game fish and forestry under the direction of that department or commission into whose special care the interests of these several subjects have been entrusted namely All prosecutions for violation of laws relating to forestry shall be brought under the direction of the Department of Forestry all prosecutions for violation of the fish laws shall be brought under the direction of the Department of Fisheries and all prosecutions for violations of the game laws shall be brought under the direction of the Board of Game Commissioners and to that end the powers of all the officers aforesaid are hereby extended in such a way as to give them full authority to carry out the purposes of this act It shall be the further duty of every such forester forest ranger game protector deputy game protector or special deputy game protector fish-warden and deputy fish-warden whenever such official may have knowledge of the violation of any of the aforesaid laws forthwith to make a full and complete report thereof to that department under which such official may be commissioned which department in case said law relates to a subject whose special care is entrusted to another department shall at once forward such report to the appropriate department charged with the enforcement of said law

Every person connected with either the Department of Forestry or with the Department of Fisheries or with the Game Commission and under pay of the Commonwealth who shall refuse or neglect to safeguard in a reasonable way the interests of the Commonwealth relating to either forestry or fish or game and wild birds as provided for and intended by this act or who without prejudice to the work of that department to which he may specially belong shall refuse or neglect to investigate to a reasonable conclusion any violation of the laws of this Commonwealth relating to either of the other departments named in this act that may be reported to him or who may refuse or neglect to make the reports required by this act shall be guilty of a misdemeanor and for the first offense shall be liable to penalty of twenty-five dollars or in lieu thereof to an imprisonment of one day for each dollar of penalty imposed and for the second offense to double the penalty imposed for the first offense and for the third offense shall be discharged from the service of the State and it shall be the duty of the heads of the several departments mentioned in this act to notify the various employes of the State Government that may be under their control and that are under the pay of the State of the requirements of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Fitzgibbon,	McCurdy,	Sampsel,
Aron,	Flynn,	McKinney,	Schaeffer, A. C.,
Arthur,	Fowler,	McNichol,	Shaffer, C. A.,
Aston,	Franklin,	McVicar,	Showalter,
Baker,	Fretz,	Mearkle,	Shunk,
Baldi,	Gans,	Mehring,	Siggins,
Baldridge,	Glass,	Mervine,	Simpson,
Barner,	Golder,	Michel,	Sinclair,
Bechtold,	Goodnough,	Miller, A. D.,	Smith, F. I.,
Bell,	Goodwin,	Miller, C. G.,	Smith, J. W.,
Benchoff,	Graeff,	Miller, G. J. A.,	Smith, L.,
Benninger,	Graham,	Milliron,	Smith, O. W.,
Bidelspacher,	Gransback,	Milner,	Snyder,
Boulton, H.,	Haldeman,	Mitchell,	Somerman,
Bovee,	Hecht,	Morgan, T.,	Spangler,
Boyd,	Heffernan,	Morgan, T. J.,	Sprowls,
Brumbaugh,	Helt,	Murdoch,	Steedle,
Burnett,	Hess,	Neary,	Stern,
Campbell, J. O.,	Hibshman,	Ogden,	Stoffiet,
Campbell, T.,	Hoffman,	Palmer,	Sullivan,
Canon,	Hollern,	Patterson,	Sweitzer,
Chestnut,	Hollingsworth,	Perry,	Thomas,
Christman,	Horton,	Phillips,	Ulsh,
Coldsmith,	Howarth,	Pickering,	Urich,
Conner,	Isherwood,	Powell,	Vogdes,
Corbin,	Jack,	Ramsey,	Walker,
Crosby,	Jennings,	Reichenbacker,	Wallace,
Davis, D. F.,	Jones,	Reitzel,	Weimer,
Davis, W.,	Kennedy,	Reynolds,	Wells,
Dawson,	Lafferty,	Rhoads, H. L.,	West,
Dean,	Lanius,	Rhodes, W. M.,	Wickman,
Dell,	Laucks,	Rich,	Williams, G. W.
Dewey,	Lauler,	Richards,	Williams, J. P.,
Dithrich,	Leary,	Ringler,	Wobensmith,
Donneley,	Lewis,	Rininger,	Wood.
Drake,	Lohr,	Rogers,	Woodward,
Drinkhouse,	Malie,	Robertson,	Wylie,
Dunn,	Mangan,	Ross,	Wynne,
Eby,	Maurer,	Rothenberger,	Zanders.
Ehrhardt,	McArdle,	Ruddy.	Baldwin,
Erdman,	McCaig,	Rudisill,	Speaker.
Fackler,	McCullough,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 60, entitled

An Act to amend section seventy-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred eighty-two) entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WHITAKER. Mr. Speaker, I move that this bill be postponed for the present.

Mr. STERN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1123, entitled

An Act to further amend section five of an act approved the twenty-ninth day of April, one thousand nine hundred and thirteen, entitled "An Act applicable to all counties of this Commonwealth, to provide monthly payments, as approved by the trustees, to indigent widows, or abandoned mothers, for partial support of their children in their own homes; the manner of appointment of the trustees; the administration of the trust; amount of appropriations, proportioning appropriations, co-ordinate appropriations; amounts to be paid, form of records, eligibility, penalties, and reports, as set forth," as amended.

On the question,

Will the House agree to the bill on third reading?

Mr. WALTER. Mr. Speaker, I would like to have the sponsor of the bill explain its provisions.

Mr. SHOWALTER. Mr. Speaker, under the present law it takes a widow three years to establish a residence before she is entitled to the provisions of the act. A pauper can gain a residence in one year's time. It does not seem fair that a mother and widow who through no fault of her own should be in such an unfortunate position, that it will require three years before she can gain a residence. I know of one instance of a wiodw living in the Borough of Milton who moved out of the borough. In one year's time she lost her husband. She was living at Lewisburg. She was not in Lewisburg three years and she had lost her residence in Milton. Now if she lost her residence in one place in one year's time she should be entitled to regain it in another place in the same time.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albee,	Fitzgibbon,	McKinney,	Schaeffer, A. C.,
Aron,	Flynn,	McNichol,	Shaffer, C. A.,
Arthur,	Fowler,	McPeake,	Shattuck,
Aston,	Franklin,	McVicar,	Showalter,
Baldi,	Fretz,	Mehring,	Shunk,
Baldridge,	Geary,	Mervine,	Sinclair,
Bechtold,	Glass,	Michel,	Smith, E. R.,
Bell,	Golder,	Miller, A. D.,	Smith, F. I.,
Benchoff,	Goodnough,	Miller, Allan,	Smith, L.,
Benninger,	Goodwin,	Miller, C. G.,	Smith, O. W.,
Beyer,	Gormley,	Miller, G. J. A.,	Snowden,
Bidelspacher,	Haldeman,	Mitchell,	Snyder,
Black,	Hecht,	Morgan, T.,	Somerman,
Bovee,	Heffernan,	Morgan, T. J.,	Sones,
Boyd,	Hess,	Murphy,	Spangler,
Brady,	Heyburn,	Musser,	Sprowls,
Brumbaugh,	Hibshman,	Neary,	Steedle,
Burnett,	Hoffman,	Palmer,	Sterling,
Campbell, J. O.,	Hollern,	Patterson,	Stites,
Campbell, T.,	Hollingsworth,	Perry,	Strauss,
Canon,	Horton,	Phillips,	Sullivan,
Chestnut,	Hough,	Pickering,	Swartz,
Christman,	Howarth,	Powell,	Taylor,
Clements,	Isherwood,	Ramsey,	Ulsh,
Coldsmith,	Jack,	Reichenbacher,	Vickerman,
Conner,	Jennings,	Reitzel,	Wagner,
Corbin,	Jones,	Reynolds,	Walker,
Crosby,	Kennedy,	Rhoads, H. L.,	Walter,
Davis, D. F.,	Lafferty,	Rhodes, W. M.,	Weimer,
Davis, W.,	Lanius,	Rich,	Wells,
Dean,	Laucks,	Richards,	Whitaker,
Dell,	Leary,	Ringler,	Wickman,
Dewey,	Lohr,	Rininger,	Williams, G. W.
Dithrich,	Luppert,	Robertson,	Williams, J. P.,
Donneley,	Malie,	Rogers,	Wobensmith,
Drake,	Marvin,	Ross,	Wood,
Drinkhouse,	Maurer,	Rothenberger,	Woodward,
Dunn,	McArdle,	Ruddy,	Wylie,
Eby,	McCaig,	Rudisill,	Zanders,
Ehrhardt,	McCullough,	Sampsel,	Baldwin,
Erdman,	McCurdy,	Sarig,	Speaker.
Fackler,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 986, entitled

An Act making a deficiency appropriation to the Department of Agriculture.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Albee,	Erdman,	McCaig,	Rudisill,
Aron,	Fackler,	McCullough,	Sampsel,
Arthur,	Fitzgibbon,	McCurdy,	Sarig,
Aston,	Fowler,	McKay,	Schaeffer, A. C.,
Baker,	Franklin,	McKinney,	Scott,
Baldi,	Fretz,	McPeake,	Shaffer, C. A.,

Baldridge,	Gans,	McVicar,	Shattuck,
Barner,	Geary,	Mearkle,	Shunk,
Bechtold,	Golder,	Mehring,	Siggins,
Bell,	Goodnough,	Mervine,	Simpson,
Benchoff,	Goodwin,	Miller, A. D.,	Sinclair,
Benninger,	Gormley,	Miller, Allan,	Smith, E. R.,
Bidelspacher,	Graeff,	Miller, C. G.,	Smith, F. I.,
Black,	Graham,	Miller, G. J. A.,	Smith, J. W.,
Boyd,	Gransback,	Milliron,	Smith, L.,
Brady,	Haight,	Milner,	Smith, O. W.,
Brumbaugh,	Haldeman,	Mitchell,	Snowden,
Burnett,	Hecht,	Morgan, T.,	Somerman,
Campbell, J. O.,	Heffernan,	Morgan, T. J.,	Spangler,
Campbell, T.,	Hess,	Murdoch,	Sprowls,
Canon,	Heyburn,	Murphy,	Stadtlander,
Chestnut,	Hibshman,	Musser,	Steedle,
Christman,	Hoffman,	Neary,	Stern,
Clements,	Hollern,	Palmer,	Stites,
Coldsmith,	Hollingsworth,	Patterson,	Stofflet,
Conner,	Horne,	Perry,	Strauss,
Corbin,	Hough,	Phillips,	Sweitzer,
Cox,	Isherwood,	Pickering,	Taylor,
Crosby,	Jack,	Powell,	Thomas,
Cummins,	Jennings,	Ramsey,	Ulsh,
Dale,	Jones,	Reichenbacker,	Urich,
Davis, D. F.,	Kennedy,	Reynolds,	Vickerman,
Davis, W.,	Lafferty,	Rhoads, H. L.,	Walker,
Dean,	Lanius,	Rhodes, W. M.,	Wallace,
Dell,	Laucks,	Rich,	Wells,
Dewey,	Leary,	Richards,	Whitaker,
Dithrich,	Lewis,	Ringler,	Wickman,
Donneley,	Luppert,	Rininger,	Wobensmith,
Drake,	Malie,	Robertson,	Woodward,
Drinkhouse,	Mangan,	Rogers,	Wynne,
Dunn,	Marvin,	Ross,	Zanders,
Eby,	Maurer,	Rothenberger,	Baldwin,
Ehrhardt,	McArdle,	Ruddy,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1144, entitled

An Act to amend section one of an act approved the twenty-first day of March, one thousand nine hundred and seven, entitled "An Act authorizing the county commissioners of the several counties, or the town councils of the several boroughs, of this Commonwealth, or both, to appropriate annually a sufficient sum of money to each Post of the Grand Army of the Republic, in their respective counties or boroughs, to aid in defraying the expenses of Memorial Day," as amended; by requiring the commissioners to make appropriations also to Memorial Day or similar organizations where there was heretofore an established post.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Fitzgibbon,	McKay,	Sinclair,
Aron,	Flynn,	McKinney,	Smith, E. R.,
Arthur,	Fowler,	McNichol,	Smith, F. I.,
Aston,	Franklin,	McPeake,	Smith, J. W.,
Baker,	Fretz,	Mearkle,	Smith, O. W.,
Baldi,	Gans,	Michel,	Snowden,
Baldridge,	Geary,	Miller, A. D.,	Snyder,
Barner,	Glass,	Miller, C. G.,	Somerman,
Bechtold,	Golder,	Miller, G. J. A.,	Sones,
Benchoff,	Goodnough,	Milner,	Spangler,
Bennett,	Goodwin,	Morgan, T.,	Sprowls,
Benninger,	Graeff,	Murdoch,	Stadtlander,
Beyer,	Graham,	Musser,	Steedle,
Bidelspacher,	Gransback,	Ogden,	Sterling,
Bouton, V. B.,	Haight,	Patterson,	Stern,
Bovee,	Haldeman,	Phillips,	Stites,
Boyd,	Hecht,	Pickering,	Strauss,
Brady,	Heffernan,	Powell,	Swartz,
Brumbaugh,	Helt,	Ramsey,	Sweitzer,
Campbell, J. O.,	Hess,	Reichenbacher,	Taylor,
Campbell, T.,	Heyburn,	Reitzel,	Thomas,
Christman,	Hibshman,	Reynolds,	Ulsh,
Clements,	Hoffman,	Rhoads, H. L.,	Urich,
Coldsmith,	Hollern,	Rhodes, W. M.,	Vickerman,
Conner,	Hollingsworth,	Rich,	Wagner,
Cox,	Horton,	Ringler,	Walker,
Crosby,	Hough,	Rininger,	Wallace,
Cummins,	Howarth,	Robertson,	Walter,
Curry,	Isherwood,	Rogers,	Wells,
Davis, D. F.,	Jack,	Ross,	West,
Davis, W.,	Jones,	Rothenberger,	Wickman,
Dawson,	Lafferty,	Rudisill,	Williams, G. W.
Dean,	Lanius,	Sampsel,	Williams, J. P.,
Dell,	Lauler,	Sarig,	Wobensmith,
Dithrich,	Lewis,	Schaeffer, A. C.,	Wood,
Donneley,	Lohr,	Scott,	Woodward,
Drinkhouse,	Luppert,	Shaffer, C. A.,	Wylie,
Dunn,	Malie,	Shattuck,	Wynne,
Eby,	Marvin,	Showalter,	Zanders,
Erdman,	Maurer,	Shunk,	Baldwin,
Fackler,	McCaig,	Siggins,	Speaker.
	McCullough,	Simpson,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1025, entitled

An Act authorizing the Commissioner of Banking to appoint five additional examiners and providing for their compensation and expenses.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. WALTER. Mr. Speaker, this morning the House defeated the only revenue measure that has been before us this season. This will add additional expense to the conducting of the Government of the State, and unless we are going to pass revenue measures we cannot afford to add additional expense. I therefore move that further consideration of this bill be postponed for the present.

Mr. SWARTZ. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1340, entitled

An Act to amend part of section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentages of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

On the question,
Will the House agree to the bill on second reading?
It was agreed to.
On the question,
Shall the bill pass finally?
Mr. SPEAKER. I would like to ask the sponsor of this bill to explain its provisions.

BILL POSTPONED.

Mr. POWELL. Mr. Speaker, in view of the absence of the sponsor, I move that further consideration of the bill be postponed for the present.
Mr. McKINNEY. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1165, entitled

An Act exempting agricultural corporations from the payment of a bonus and of State taxes upon their capital stock.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. HOFFMAN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.
Mr. HARRY L. RHOADS. Mr. Speaker, I second the motion.
The motion was agreed to.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 410, entitled

An Act to locate and establish a certain section of State Highway in the County of Lebanon and providing for the construction improvement and maintenance thereof.

On the question,
Will the House agree to the bill on third reading?
Mr. WALTER. Mr. Speaker, I would like the sponsor of this bill to tell just what it does, what changes it makes in the existing law relating to State highways, in Lebanon County.
Mr. WEIMER. Mr. Speaker, I do not know of any changes in the law that it makes. It simply provides for the running of a State highway through the State reservation at Mt. Gretna.
On the question recurring,
Will the House agree to the bill on third reading?
It was agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albee,	Fackler,	Michel,	Simpson,
Aron,	Flynn,	Miller, A. D.,	Sinclair,
Arthur,	Franklin,	Miller, Allan,	Smith, E. R.,
Aston,	Gans,	Miller, C. G.,	Smith, F. I.,
Baker,	Geary,	Miller, G. J. A.,	Smith, J. W.,
Baldi,	Golder,	Milliron,	Smith, L.,
Baldridge,	Goodwin,	Milner,	Smith, O. W.,
Barner,	Gormley,	Mitchell,	Snowden,
Bechtold,	Graeff,	Morgan, T.,	Somerman,
Bell,	Graham,	Morgan, T. J.,	Sones,
Benchoff,	Gransback,	Murdoch,	Speicher,
Benninger,	Haldeman,	Neary,	Stadtlander,
Beyer,	Hecht,	Ogden,	Steedle,
Black,	Heffernan,	Palmer,	Stern,
Boulton, H.,	Helt,	Patterson,	Stites,
Bovee,	Heyburn,	Perry,	Stofflet,
Boyd,	Hibshman,	Phillips,	Strauss,
Brady,	Hoffman,	Pickering,	Swartz,
Brumbaugh,	Hollern,	Powell,	Sweitzer,
Burnett,	Hollingsworth,	Ramsey,	Taylor,
Campbell, J. O.,	Horton,	Reichenbacker,	Thomas,
Campbell, T.,	Howarth,	Reitzel,	Ulsh,
Canon,	Isherwood,	Reynolds,	Urich,
Chestnut,	Jennings,	Rhoads, H. L.,	Vickerman,
Christman,	Jones,	Rhodes, W. M.,	Vogdes,
Clements,	Kennedy,	Rich,	Wagner,
Conner,	Lafferty,	Richards,	Wallace,
Corbin,	Lauler,	Ringler,	Walter,
Crosby,	Leary,	Rininger,	Weimer,
Cummins,	Lohr,	Robertson,	West,
Davis, D. F.,	Luppert,	Rogers,	Whitaker,
Davis, W.,	Malie,	Ross,	Wickman,
Dawson,	Mangan,	Rothenberger,	Williams, G. W.
Dean,	Marvin,	Ruddy,	Williams, J. P.,
Dell,	Maurer,	Rudisill,	Wobensmith,
Dewey,	McCaig,	Sampsel,	Wood,
Dithrich,	McCurdy,	Sarig,	Woodward,
Donneley,	McKinney,	Schaeffer, A. C.,	Wylie,
Drake,	McPeake,	Scott,	Wynne,
Drinkhouse,	Mearkle,	Shattuck,	Zanders,
Dunn,	Mehring,	Shunk,	Baldwin,
Eby,	Mervine,	Siggins,	Speaker.
Ehrhardt,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.
Ordered, That the Clerk present the same to the Senate for concurrence.

SPEAKER BALDWIN IN THE CHAIR.

The SPEAKER. The Chair would like to give notice to the House that those members who are not here to-morrow and who have not made arrangements to have their bills called up on second reading, will lose a whole week on the calendar.

BILL SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bill has passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 363.

An Act fixing the fee of jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than fourteen hundred thousand for service in the courts of common pleas courts of quarter sessions and courts of oyer and terminer.

Whereupon,
The Speaker in the presence of the House signed the same.

ADJOURNMENT.

Mr. RAMSEY. Mr. Speaker, I move that this House do now adjourn.
The motion was agreed to, and at (6.10 P. M.) the House adjourned until tomorrow morning at 11.00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

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HOUSE OF REPRESENTATIVES.

THURSDAY, April 26, 1917.

The House met at 11 o'clock A. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

Rev. S. G. Zerfass offered the following prayer:

Gracious God, may this new morning bring us into new fellowship with Thee our Father.

We pray that the light of Thy love be revealed anew in our hearts.

Continue to pour Thy grace upon us so that we may know our duties and with sunshine in our hearts courageously perform that duty.

Give us of Thy holy spirit so that Thy love be shed abroad in our hearts.

Grant that we be more diligent, more faithful and more unselfish in all our ministries.

Cause us to be more thoughtful, ever constant, sincere, full of sympathy, kindness and helpfulness, that the beauty of the Lord may be revealed in our hearts.

We pray for our neighbors and friends and the dear ones at home, also the poor, the sick and the dying.

Console and comfort all in distress, and make us happy and eventually save us all. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk then proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Bovee, the further reading was dispensed with, and the Journal was approved.

PETITION PROTESTING AGAINST THE ENACTMENT OF SENATE BILL NO. 370, HOUSE BILLS NO. 1104 AND 1155.

The SPEAKER presented a petition from the citizens of the Borough of Rochester, protesting against the enactment of Senate Bill No. 370, House Bill No. 1104 and House Bill No. 1155.

Which was referred to the Committee on Municipal Corporations.

BILLS INTRODUCED AND REFERRED.

By Mr. BIDELSPACHER. House Bill No. 1671.

An Act fixing the pay of election officers in cities of the third class, boroughs, towns and townships.

Referred to the Committee on Municipal Corporations.

By Mr. CROSBY. House Bill No. 1672.

An Act prohibiting the erection of advertising signs, show cases and stands over highways and imposing penalties therefor.

Referred to the Committee on Public Roads.

By Mr. BOYD. House Bill No. 1673.

An Act relating to the powers and duties of coroners and their officers or assistants.

Referred to the Committee on Counties and Townships.

By Mr. STEEDLE. House Bill No. 1674.

An Act amending section 2 of an act entitled "An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand, a Board for the Assessment and Revision of Taxes for State and county purposes; prescribing the method of their appointment, their powers and duties; fixing their salary, to be paid by the proper county; and abolishing the office of ward, borough and township assessors, insofar as respects the assessment of State and county taxes," approved the thirteenth day of June, one thousand nine hundred and eleven.

Referred to the Committee on Municipal Corporations.

By Mr. BEYER. House Bill No. 1675.

An Act to fix and determine the salary of the several clerks of the courts of common pleas of the County of Philadelphia in accordance with article five, section seven of the Constitution of this Commonwealth.

Referred to the Committee on Judiciary General.

By Mr. MERVINE. House Bill No. 1676.

An Act for the safety of the public by prohibiting, except in certain cases, the use for the purpose of hunting and the discharging at dead marks or targets or otherwise of rifles of more than twenty-two calibre; and providing penalties.

Referred to the Committee on Game.

By Mr. RUDDY. House Bill No. 1677.

An Act to establish as a State Highway a certain section of public road in the Counties of Lackawanna and Wayne.

Referred to the Committee on Public Roads.

By Mr. RICH. House Bill No. 1678.

An Act making an appropriation for the deficiency in the amount appropriated, for the education of teachers in the State Normal Schools in nineteen hundred and fifteen (1915).

Referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. BECHTOLD, from the Committee on Appropriations, reported as committed House Bill No. 196, entitled

An Act making an appropriation for the purpose of reimbursing counties for monies advanced to incorporated county agricultural associations and for reimbursing incorporated county agricultural associations for premiums paid on exhibits.

Mr. SWARTZ, from the Committee on Judiciary General, reported as amended House Bill No. 1166, entitled

An Act to provide a method, upon petition of owner, with notice to wife of bankrupt, for ascertaining, determining and charging dower inchoate on lands of bankrupt sold under order of United States Court, by report of viewers and decree of court of common pleas; in certain cases freeing and discharging part of such lands from such dower inchoate and charging same upon a portion of lands formerly owned by bankrupt; in case of death of wife during life of bankrupt or after his death, to discharge the lands from such dower inchoate or dower fixed by decree of court; providing for service of rules and notices, and for appeal from final decree of such court.

Mr. LAULER, from the Committee on Municipal Corporations, re-reported as amended House Bill No. 142, entitled

An Act providing for the examination licensure and registration of persons corpartnerships associations or corporations engaging in the business or work of electrical construction and any maintenance alterations or repairing in

conection therewith in any buildings or structures in cities of the second and third class of this Commonwealth and providing penalties.

LEAVES OF ABSENCE.

Mr. CANON asked and obtained leave of absence for Mr. Drake.

Mr. BLACK asked and obtained leave of absence for Mr. Sweitzer.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 706, as follows:

An Act to repeal a portion of the twenty-fourth clause of section one of the act of May thirty-first one thousand eight hundred forty-four (Pamphlet Laws five hundred eighty-five) entitled "An Act to provide for the ordinary expenses of government repair of the canals and railroads of the State and other claims upon the Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That that portion of the twenty-fourth clause of section one of the act of the General Assembly of the Commonwealth of Pennsylvania approved the thirty-first day of May Anno Domini one thousand eight hundred and forty-four (Pamphlet Laws five hundred and eighty-five) entitled "An Act to provide for the ordinary expenses of government repair of the canals and railroads of the State and other claims upon the Commonwealth" which reads as follows to wit "Hereafter the wardens of the Eastern and Western Penitentiaries shall each receive a compensation not exceeding twelve hundred dollars the moral instructors not more than five hundred dollars each the principal overseers not more than five hundred dollars per annum to be fixed by the inspectors of the said penitentiaries" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1154, entitled

An Act authorizing the judges of the separate orphans' court in counties having a population of over eight hundred thousand and less than one million five hundred thousand inbahitants to fix and determine the salaries of assistant clerks in said court.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census wherein a Separate Orphans' Court is or may be established the judges of the said courts are hereby authorized to fix the salaries of the assistant clerks of said court

On the question,

Will the House agree to the section?

Mr. STADTLANDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 9, by striking out "courts" and inserting in lieu thereof "court."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections and title were separately read and agreed to as follows:

Section 2 All salaries as so fixed by the Judges of said Orphans' Court shall be paid out of the fees of said office as paid into the treasury of the county upon bills attested by the register of wills and countersigned by a judge of said court but in the event that the fees received in said office of register of wills be not sufficient to fully pay the register and his assistants then payment shall be made in full to the said register of wills but to his assistants in manner as follows namely where there are more than one assistant then the balance of fees remaining to the credit of said office of register of wills shall be divided among each of said assistants in proportion as his salary shall stand to the whole

Section 3 All acts or parts of acts general special or local inconsistent herewith are hereby repealed

An Act authorizing the Judges of the Separate Orphans' Court in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants to fix and determine the salaries of assistant clerks in said court.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1060, as follows:

An Act empowering cities of the second class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the sameto connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the later and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities subject to the provisions of "The Public Service Company Law" of July twenty-sixth one thousand nine hundred and thirteen and its suplements and amendments

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That the words "transit facilities" as used in this act shall be taken to mean and to include railways and extensions thereof for the transportation of persons and property over under upon through and across any streets highways avenues bridges viaducts rivers waters and public and private lands or partly over under upon through and across all or any of the same They shall also be taken to mean and to include tunnels subways bridges elevated structures tracks poles wires conduits power-houses sub-stations line for the transmission of power car-barns shops yards siding turn-outs switches stations and approaches thereto cars and motive equipment and all works buildings appliances and appurtenances necessary and convenient for the proper construction equipment maintenace and operation of such transit faciltiies or any one or more of them

Section 2 It shall be lawful for and the right is hereby conferred upon cities of the second class of this Commonwealth to purchase lease locate construct and equip or otherwise acquire transit facilities or any one or more of them and to own maintain use and operate the same within their respective corporate limits and within the limits of adjacent cities boroughs and townships Provided Such right shall only be exercised by any of said cities within the limits of adjacent cities boroughs and townships subject to the consent and approval of the proper authorities of such adjacent cities boroughs and townships lawfully empowered to regulate or to consent to the construction maintenance and operation of such transit facilities therein

Section 3 It shall be lawful for and the right is hereby conferred upon cities of the second class of this Commonwealth to sell pledge or lease transit facilities or any one or more of them and to grant licenses for the use of transit facilities or any one or more of them or any part thereof to any corporation or corporations duly authorized and empowered under the laws of this Commonwealth to use or operate the same also to enter into agreements for the construction or operation or for both the construction and operation of such transit facilities or any one or more of them by any such corporation or corporations upon such terms and conditions including the prescribing and fixing of rates for transportation as the councils of such cities shall determine Provided No such lease license of operating agreement shall be for any period longer than fifty (50) years Providing further That no such agreement for the construction of such transit facilities or any one or more of them or any part thereof shall be made or entered into unless the same provides that work on such construction shall begin within eighteen months from the date of said agreement and be completed within a fixed time designated in said agreement Providing further That no agreement for the leasing licensing using or operating transit facilities or any one or more of them or any part

thereof to any individual copartnership or corporation shall be made or entered into unless said agreement provides that the actual use or operation of such transit facilities or any one or more of them or any part thereof shall begin within a definite fixed and reasonable time Any of the said agreements may be entered into either prior to the commencement of the said construction work or during the course thereof or subsequent to the completion thereof

Section 4 It shall be lawful for and the right is hereby conferred upon cities of the second class of this Commonwealth their assigns lessees and licensees to connect the tracks of railways acquired constructed owned or operated under the rights conferred by this act with the tracks of any railroad or railway company upon such terms and conditions as may be agreed upon and to contract with such company for the use of its tracks or for the interchange of cars whether passenger or freight for continuous movement over any such connecting tracks upon such terms and conditions as the councils of such cities shall determine and as may be agreed upon Such cities their assigns lessees and licensees may use such portions of the tracks of any street passenger railway company surface elevated or underground or motor power company as may be required either to complete a circuit upon any railway constructed owned or operated under the rights conferred by this act or to connect any such railway with another railway upon such terms and conditions as the councils of such cities shall determine and as may be agreed upon Provided compensation for such use shall have been paid or secured

Section 5 Any street passenger railway company surface elevater or underground or motor power company incorporated under the laws of this Commonwealth and authorized to own maintain or operate transit facilities or any of them or any part thereof in any city of the second class of this Commonwealth or within the limits of any city borough or township adjacent thereto is hereby authorized and empowered to sell or lease transit facilities or any of them or any part thereof to such city to purchase or lease transit facilities or any of them or any part thereof from such city to accept licenses from such city for the use of transit facilities or any of them or any part thereof to enter into agreements with such city for the connection of tracks and the interchange of cars and agreements for the construction or operation or for both the construction and operation of transit facilities of any of them or any part thereof by said company upon such terms and conditions as the councils of such cities shall determine and as may be agreed upon Any railroad company incorporated under the laws of this Commonwealth is hereby authorized and empowered to enter into agreements and accept licenses from such city for the use by said company of the transit facilities of such city or any of them or any part thereof and for the connection of tracks and the interchange of cars upon such terms and conditions as the councils of such cities shall determine and as may be agreed upon

Section 6 It shall be lawful for and the right is hereby conferred upon cities of the second class of this Commonwealth to purchase acquire enter upon take apropriate occupy and use such lands rights and interests therein property and franchises within their respective corporate limits and within the corporate limits of adjacent cities boroughs and townships as shall be necessary for the acquisition location construction maintenance use and operation of transit facilities or any one or more of them under the rights conferred by this act including such lands and rights and interests therein as shall be necessary for future additions to and enlargements of such transit facilities or of any one or more of them also such lands and rights and interests therein as shall be necessary for the relocation of any track or tracks of existing railroads or railways or of any pipes sewers subways underground conduits or ways necessary to be removed and relocated in order not to interfere with the location construction maintenance use or operation of such transit facilities or any one or more of them and including also such lands and rights and interests therein as shall be necessary for the purpose of disposing of earth stone and other material excavated in the construction of such transit facilities or any one or more of them Provided however That the right hereby conferred shall not be taken as authorizing the taking or appropriating of any railroad or railway in operation in said cities

Section 7 In cases where the city and the owner or owners of lands rights and interests therein property or franchises to be taken under the powers conferred by this act cannot agree as to the price or damages to be paid or where by reason of the absence or legal incapacity of such owner or owners or where the owner or owners are unknown no agrement as to the price or the damages sustained can be agreed upon the said city may tender its bond in such penal sum as it may deem proper to the party claiming or entitled to said moneys or damages or to the agent of any person absent or to the guardian or committee of any one under legal incapacity the condition of which shall be that the said city will pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided by this act Provided however That in case the party claiming damages refuses to or does not accept said bond as tendered the said city shall then give said party a writen notice at least five days beforehand of a time when the same will be presented for filing in court and thereafter said city may present said bond to the proper court of common pleas or to any law judge thereof in vacation and if the said bond is approved it shall be filed in said court for the use of those interested In case the title to the lands rights or interests therein property or franchises to be taken as aforesaid is defective disputed or doubtful or the party owning or interested in the same is absent unknown not of full age of unsound mind or from any cause cannot be bargained with or served with notice or have a bond tendered to him her or them within the county where said lands rights or interests therein property or franchises are taken the court of common pleas of the proper county or any law judge thereof in vacation upon petition of the said city setting forth the necessary facts shall direct the filing of a bond to the Commonwealth of Pennsylvania in an amount to be fixed and approved by the court or a law judge in vacation for the use of those who may be found entitled to the damages for said taking and appropriation the condition whereof shall be the same as is herein above provided in bonds to be tendered owners when known Upon the filing and approval of any bond provided for by this section the respective city shall have the right to enter upon take use occupy and appropriate the lands rights or interests therein property or franchises mentioned in the bond aforesaid and the title acquired by virtue of the provisions of this act shall be the fee simple or absolute title

Section 8 In case the damages for the said taking and appropriation have not been agreed upon any court of common pleas of the proper county or any law judge thereof in vacation on application thereto by petition of the city or any person interested shall appoint any three members of the board of viewers of such county and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the premises or lands taken or appropriated or upon which there is property or with respect to which there are rights interest or franchises taken used or appropriated and view the same The said viewers shall give or cause to be given at least ten days' notice of said meeting to the owner or owners of the lands rights or interest therein property or franchises taken if such owner or owners reside within the proper county and can be found and where the owner or owners are minors and have a guardian then the said notice shall be given to the guardian if resident within the county and can be found and where the owner or owners are lunatic or of unsound mind and have a guardian or committee and in all cases where the owner or owners are incapacitated or are unknown notice shall be given in at least two newspapers of general circulation printed and published in the proper city or county and they shall give such other or further notice as the court shall direct having regard to the circumstances of the case Where minors have no guardians and lunatics or persons of unsound or feeble mind have no guardians or committees the said court shall have power to appoint a guardian or committee ad litem and direct that said notice and all other notices required by this act shall be served upon them

Section 9 The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning the matter to be submitted to them in relation to which they are authorized to inquire in pursuance of the provisions of this act shall hear the parties interested and their witnesses and shall estimate and determine the value of the lands rights or interests therein property or franchises taken and appropriated and any damages that may have been sustained by reason of said taking and appropriation and to whom the same is payable and having so estimated and determined the value of the property and damages sustained they shall make up their report which shall be signed by them or any two of them and thereupon filed in the court of common pleas from which the order to view issued Upon the filing of said report the said viewers shall give notice thereof by one publication in at least two newspapers printed and published in the proper city or county and in additional papers if so directed by the court

Section 10 Upon said report being filed in court any interested party within thirty days may file exceptions thereto and the court shall have power to confirm modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report And within thirty days from the filing of any such report or disposal of exceptions in court the respective city or any party whose lands rights or interests therein property or franchises have been taken may appeal to the proper court of common pleas and demand a trial by jury according to the course of the common law and said court shall have power to order what notices shall be given in connection with any part of the proceedings and make all such orders as it may deem requisite Upon the entry of final judgment on any issue had upon such appeal either party shall have the right to an appeal to the Superior or Supreme Court as in other cases

Section 11 It shall be lawful for and the right is hereby conferred upon cities of the second class of this Commonwealth to sell any of the lands rights and interests therein property and franchises acquired and owned under the rights conferred by this act or any one or more of them or any part thereof if and when the same shall have become unnecessary for their purposes upon such terms and conditions as the councils of such cities shall determine.

Section 12 The provisions of this act and all of the powers rights and privileges herein conferred upon cities of the second class shall be subject to the provisions of the act of July twenty-sixth one thousand nine hundred and thirteen Pamphlet Laws one thousand three hundred and seventy-four known as "The Public Service Company

Law" and the various amendments and supplements thereto in so far as the same are applicable hereto

Section 13 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 592, as follows:

An Act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioner at the expense of the county to provide books for the entry of such certificates fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no individual or individuals shall hereafter carry on or conduct any business in this Commonwealth under any assumed or fictitious name style or designation unless the person or persons conducting or carrying on the same shall have first filed in the office of the Secretary of the Commonwealth and in the office of the prothonotary to be entered in a book to be provided for that purpose a certificate under oath and signed by such person or persons setting forth the real name or names and addresses of all the persons owning or interested in said business and also the name style or designation under which said business is being or will be carried on or conducted

Where any of the owners of said business live outside of the Commonwealth of Pennsylvania and carry on or conduct any such business through an agent such certificate shall also show the name and address of such agent

Section 2 The book hereinbefore required to be kept by the prothonotary shall be provided by the county commissioners at the expense of the respective counties The fees of the prothonotary and the Secretary of the Commonwealth for the entry of such certificate shall be the same as now provided by law for similar services

Section 3 Any person carrying on or conducting any business in violation of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year or both in the discretion of the court

Section 4 If the certificate required by section one of this act shall be in any material respect false any person signing or swearing to the same shall be guilty of a misdemeanor and upon conviction shall be punishable by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year or both in the discretion of the court

Section 5 All acts or parts of acts inconsistent with this act be and they are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 478, as follows:

An Act regulating the use of vehicles on the public highways requiring lights on certain vehicles and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of July one thousand nine hundred and seventeen from one hour after sunset until one hour before sunrise or whenever it is impossible to see clearly for a distance of two hundred feet or less there shall be displayed upon every vehicle excepting agricultural machinery and such as are propelled by hand or are loaded with hay or straw in bulk while standing or in motion upon any public highway in the State of Pennsylvania at least one white light which shall be clearly visible from both the front and from the rear of such vehicle

Section 2 No vehicle meeting or overtaking a street passenger car that has stopped for the purpose of taking on or discharging passengers shall pass such car on the side on which passengers get on or off until the car has started and until any passenger who may have alighted shall have reached the side of the highway or until any passenger who may be about to board such car shall have done so

Section 3 Slow moving and heavily-ladended vehicles shall at all times keep as near to the right hand boundary of the highway or to the right hand curb as possible The driver of any vehicle meeting another vehicle or overtaken by another vehicle travelling at a greater speed shall turn reasonably to the right of the center of the highway allowing such other vehicle free passage of the left

Section 4 The term public highway as used in this act shall include all streets alleys and public places and all public bridges and approaches thereto

Section 5 Constables and police officers of the cities boroughs incorporated towns townships and counties in Pennsylvania and members of the State Police force may arrest upon view and without warrant any person violating any of the provisions of this act

Section 6 Any person violating any of the provisions of this act shall be subject to a fine of not less than two dollars ($2.00) nor more than five dollars ($5.00) for each offence to be collected by summary conviction before any burgess alderman magistrate or justice of the peace which fine shall be paid into the treasury of the city borough incorporated town or township wherein the offence has occurred In case of non-payment of such fine within forty-eight hours such person shall undergo an imprisonment in the county prison for a period not exceeding five days

Section 7 All acts and parts of acts inconsistent herewith are hereby repealed but nothing in this act shall affect the special requirements for the display of lights or the regulation and restrictions placed upon motor vehicles

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1057, entitled

An Act granting certain powers to cities of the second class in relation to underground tunnels, tubes and subways, including their construction, maintenance and operation, and the leasing thereof or parts thereof, and providing for the ascertaining of the damages by reason of such construction, or by reason of the taking, using or appropriating of land necessary and incidental thereto, conferring the power of eminent domain in connection therewith, and providing for the approval of the contracts provided for herein by the Public Service Commission.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the second class may construct and operate and maintain underground tubes or tunnels or subways under public highways and public property and private property Such tubes tunnels or subways may be used for such lawful purposes as shall be designated from time to time by ordinance

The city may provide for entrances and exits to and from any such tunnel tube or subway and may grant rights of entrances to any part of such tube tunnel or subway to individuals copartnership corporations or associations Entrances and exits may be on a public highway public property and on private property

The city may construct and maintain the necessary openings entrances vaults and manholes and may construct install and maintain tracks platforms stations equipment and appliances therein and connect therewith as may be useful and necessary for the full and complete use thereof by the general public the said city and the said persons firms and corporations using or intending to use the same

On the question,

Will the House agree to the section?

Mr. STADTLANDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 6, by striking out "copartnership" and inserting in lieu thereof "copartnerships."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections were separately read and agreed to as follows:

Section 2 When any such tube tunnel or subway together with the equipment and appliances therein is constructed they may be leased in whole or in part to in-

dividuals copartnerships associations or corporations and rights therein may be so leased No such leasing shall be for a longer period than twenty-five years

Section 3 Such city shall also have power to enter into agreements with any individual copartnership association or corporation having any structure or appliance located under on or above the highways of said city or intending to construct the same either prior to during or subsequent to the construction of such tube tunnel or subway for the location or relocation of such structures and appliances in such tube tunnel or subway All such agreements shall be subject to the approval of the Public Service Commission

The fourth section was read as follows:

Section 4 In case any property is damaged by the construction of such subway or tunnel or in case any such city desires to enter upon any land to make any investigation or desires to take use or appropriate the fee or any lesser estate in any lands or properties necessary for the construction of such subway or tunnel and is unable to agree with the owner or owners upon the price to be paid therefor the damages caused by such construction shall be ascertained and collected in the same manner as is now or may hereafter be provided by law for ascertaining and collecting damages to abutting properties caused by the grading or otherwise improving of streets in such cities and the damages caused by such entry or taking using and appropriation of land shall be ascertained and collected in the same manner as is now or may hereafter be provided by law for ascertaining and collecting damages for the taking occupation or injury or property necessary in the laying out opening widening and grading of streets in the municipal corporations of this Commonwealth

On the question,

Will the House agree to the section?

Mr. STADTLANDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 4, page3, line 20, by striking out "or" after "injury" and inserting in lieu thereof "of."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth, sixth and seventh sections and title were separately read and agreed to as follows:

Section 5 Such city shall have the power with respect to all of the rights and powers hereinbefore conferred to impose such reasonable terms and conditions including a reasonable rental or charge as may be fixed from time to time by ordinance

Section 6 Should any section or provisions of this act be held by the courts to be invalid or unconstitutional the same shall not impair the grant or power herein to cities of the second class to locate construct own and maintain subways or tunnels and their appurtenances nor shall it be held to affect any other section or provision of this act

Section 7 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

An Act granting certain powers to cities of the second class in relation to underground tunnels, tubes and subways including their construction, maintenance and operation and the leasing thereof or parts thereof and providing for the ascertaining of the damages by reason of such construction or by reason of the taking, using or appropriating of land necessary and incidental thereto; conferring the power of eminent domain in connection therewith and providing for the approval of the contracts provided for herein by the Public Service Commission.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1053, entitled

An Act to amend an act approved the eleventh day of June one thousand nine hundred fifteen entitled "An Act to amend an act approved the fourteenth day of April one thousand nine hundred fifteen entitled 'An Act providing for the payment of judgments and mortgages and other claims which are liens on property affected by public improvements or appropriated by the exercise of the right of eminent domain'" excepting proceedings to ascertain damages and benefits by reason of municipal street or sewer improvements

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eleventh day of June onethousand nine hundred fifteen entitled "An Act to amend an act approved the fourteenth day of April one thousand nine hundred fifteen entitled 'An Act providing for the payment of judgments and mortgages and other claims which are liens on property affected by public improvements or appropriated by the exercise of the right of eminent domain" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all proceedings hereafter instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain the petition for the appointment of viewers therein shall contain allegations specifying any judgments mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all proceedings hereafter instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain excepting proceedings to ascertain damages and benefits by reason of municipal street or sewer improvements the petition of the appointment of viewers therein shall contain allegations specifying and judgments mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid

On the question,

Will the House agre to the section?

Mr. STADTLANDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 22, by striking out "of" following "petition" and inserting in lieu thereof "for."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend an act approved the eleventh day of June, one thousand nine hundred fifteen, entitled "An Act to amend an act approved the fourteenth day of April, one thousand nine hundred fifteen, entitled 'An Act providing for the payment of judgments and mortgages and other claims which are liens on property affected by public improvements or appropriated by the exercise of the right of eminent domain,'" excepting proceedings to ascertain damages and benefits by reason of municipal street or sewer improvements.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 589, as follows:

An Act to amend section eight of an act approved the twenty-fifth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred thirty-six) entitled "An Act for the taxation of dogs and the protection of sheep"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of an act approved the twenty-fifth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and thirty-six) entitled "An Act for the taxation of dogs and the protection of sheep" which reads as follows

"Section 8 That justices of the peace magistrates or aldermen for the special service under the provisions of this act shall be entitled to one dollar for each case and the auditors or controllers each one dollar per day for the time necessarily spent by them in investigating each claim to be paid by the claimant in each case Provided That in all cases where damages are awarded the fees paid by claimant shall be included in the amount of such damages" is hereby amended to read as follows

Section 8 That justices of the peace magistrates or aldermen for the special service under the provisions of this act shall be entitled to one dollar for each case and the

auditors or controllers each two dollars per day for the time necessarily spent by them in investigating each claim and five cents per mile for each mile traveled in going to and from the place examined to be paid by the claimant in each case Provided That in all cases where damages are awarded the fees paid by claimant shall be included in the amount of such damages

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 758, as follows:

An Act fixing the salary of the clerk of the county commissioners in counties having a population between one hundred thousand and one hundred and fifty thousand inhabitants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of the clerk of the county commissioners in counties having a population of not less than one hundred thousand and not more than one hundred and fifty thousand inhabitants shall be one thousand five hundred dollars per annum

Section 2 All acts and parts of acts general local or special inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 23, as follows:

An Act authorizing township commissioners and township supervisors to adopt certain roads streets and highways as public roads and providing for their maintenance improvement and repair

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any road stret or highway in any recorded plan of lots in any township of the first or second class in this Commonwealth has been dedicated to the public and opened fof public travel the township commissioners or township supervisors as the case may be may upon petition of the majority of the abutting property owners along such road street or highway showing a plan of said road street or highway and a reference to the place where such plan is recorded by resolution duly entered upon the township records adopt such road street or highway as a public road and after the filing for record a certified copy of said resolution in the office of the clerk of the court of quarter sessions of the proper county the township commissioners or township supervisors shall maintain improve and repair such road street or highway in the same manner as other township roads streets and highways

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1346, as follows:

An Act to further amend part of section six of an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highway and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section six of the act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendent of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and town and extending to the State line describing and defining same by route number as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring State Highway Commission to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and state-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which as amended by the act approved the twenty-second day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred and forty-one) reads as follows

"Route Sixty-three From Indiana to Brookville—Commencing in Indiana and running by way of Gilpin Home Marion Center Marchand and Covode to a point on the dividing line between Indiana and Jefferson Counties thence by way of Punxsutawney Walston Oliveburg Markton Coolspring and Stanton to Brookville Jefferson County" is hereby further amended to read as follows

Route Sixty-three From Indiana to Brookville Commencing in Indiana and running by way of Gilpin Home Marion Center Marchand and Covode to a point on the dividing line between Indiana and Jefferson Counties thence by way of Punxsutawney leaving by way of North Main Street Oliveburg Coolspring Stanton into Brookville Jefferson County

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1417, as follows:

An Act to provide for an additional law judge of the several courts of the thirty-first judicial district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the president judge now provided for by the existing law an additional law judge is hereby authorized and provided for the several courts of the thirty-first judicial district who shall possess the same qualifications which are required by the Constitution and law for the President judge of said district and who shall hold his office for a like term and for the same tenure and shall have the same powers authority and jurisdiction and shall be subject to the same duties rights and penalties and shall receive such compensation as is provided by law

Section 2 At the next municipal election after the passage of this act the qualified electors of the said thirty-first judicial district shall elect in the manner provided by law for the election of the president judge a competent person to serve as additional law judge in said district Vacancies in the office hereby created whether caused by death resignation or expiration of term or otherwise shall be filled in the same manner as is required by law in case of a similar vacancy in the office of the president judge

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1267, entitled

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of Pennsylvania.

The first section was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives in General Assembly met that the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section eight be amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein but the debt of the City of Philadelphia may be increased in such amount that the total city debt of said city shall not exceed ten per centum (10) upon the assessed value of the taxable property therein nor shall any such municipality or district incur any new debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law In ascertaining the borrowing capacity of the City of Philadelphia at any time there shall be deducted from such debt so much of the debt of said city as shall have been incurred or is about to be incurred and the proceeds thereof expenses or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof of facility therefor if such public improvement or public utility or part thereof may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted may be prescribed by the General Assembly

In incurring indebtedness for any purpose the City of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking-fund sufficient to retire said obligations at maturity the payment to such sinking-fund to be in equal or graded annual or other periodical instalments Where any indebtedness shall be or shall have been incurred by said City of Philadelphia for the purpose of the construction or improvements of public works of any character from which income or revenue is to be derived by said city or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city such obligations may be in an amount sufficient to provide for any may include the amount of the interest and sinking-fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking-fund charges as required by section ten article nine of the Constitution of Pennsylvania until the expiration of said period of one year after the completion of said work

On the question,

Will the House agree to the section?

Mr. HERBST. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment were read by the Clerk as follows:

Amend section 1, page 2, line 29, by inserting after the word "works" the words "or utilities."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of Pennsylvania.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1342, as follows:

An Act amending section six hundred and one (601) of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six hundred and one (601) of the act of Assembly entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania et cetera" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 601 The board of school directors of each district shall provide the necessary grounds and suitable school buildings to accommodate all the children between the ages of six and twenty-one years in said district who attended school Such buildings shall be constructed furnished equipped and maintained in a proper manner as herein provided suitable provisions being made for the seating ventilating and sanitary conditions thereof so that every pupil in any such building may have proper and healthful accommodations" shall be amended to read as follows

Section 601 The board of school directors of each district shall provide the necessary grounds and suitable school buildings to accommodate all the children between the ages of six and twenty-one years in said district who attended school Such buildings shall be constructed furnished equipped and maintained in a proper manner as herein provided suitable provisions being made for the heating ventilating and sanitary conditions thereof so that every pupil in any such building may have proper and health accommodations Provided however That in all school districts of the first class the restrictions limitations and specications of the laws relating to school buildings shall not apply to school buildings known as "portable" school buildings nor to other buildings constructed or leased for temporary use but no portable school building nor other building to be constructed or leased for temporary use shall be continued in use more than one year and the use of all such portable or temporary buildings now constructed or leased shall be discontinued within one year after the passage of this act and the pupils attending in such portable or temporary buildings shall be provided with substantial buildings in all respects otherwise as required by law

Section 2 All other acts or parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1140, entitled

An Act to revise, amend and consolidate the law relating to fish and providing penalties.

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

ARTICLE I

Short Title and Definitions

The second section was read as follows:

Section 2 This act shall be known and may be cited as "The Fish Law of One Thousand nine hundred seventeen"

On the question,
Will the House agree to the section?

Mr. ALBEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 1, lines 7 and 8, by striking out the words "one thousand nine hundred and seventeen" and inserting in lieu thereof "1917."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The third, fourth, fifth, sixth, tenth, fifteenth, sixteenth, seventeenth eighteenth nineteenth twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, forty-fifth, forty-sixth, forty-seventh, forty-eighth, forty-ninth, fifty-fifth and fifty-sixth sections were separately read and agreed to as follows:

Section 3 The term "person" except where the context otherwise indicates means a person firm association or corporation Singular number includes the plural Masculine gender includes the feminine

Section 4 The term "game fish" as used in this act means the following fish Charr commonly called brook trout all species of trout and of the salmon family blue pike pike-perch otherwise known as Susquehanna salmon or wall-eyed pike pickerel western pike muscallonge fall fish small mouth bass otherwise called black bass large mouth bass otherwise called Oswego green or yellow bass crappie grass strawberry or calico bass white bass rock bass otherwise known as red eye or goggle eye and all other species or varieties of fresh water fish called or commonly known as bass except striped bass or rock fish

Section 5 The term "bait fish" as used in this act means the following fish All forms of minnows all forms of killifishes and stone catfish

Section 6 The term "food fish" as used in this act means all species or varieties of fish whatsoever in the waters within this Commonwealth not "game fish" or "bait fish"

ARTICLE II

Sunday Fishing Prohibited

Section 10 It is unlawful to fish for any species of fish or with any device on the fist day of the week commonly called Sunday Any person violating any of the provisions of this section shall on conviction as provided in Article thirteen of this act be subject to a penalty of twenty-five dollars

ARTICLE III

Closed Season

Section 15 The following closed seasons are hereby established for

(a) Charr commonly called brook trout or any species of trout except lake or salmon trout from the first day of August to the fourteenth day of April next following both dates inclusive

(b) Lake trout or salmon trout from the thirtieth day of September to the thirtieth day of June next following both dates inclusive

(c) Small and large mouth bass rock bass white bass crappie strawberry or calico bass from the thirty-first day of December to the thirtieth day of June next following both dates inclusive

(d) Pike-perch otherwise called wall-eyed pike or Susquehanna salmon from the thirty-first day of December to the thirtieth day of June next following both days inclusive

(e) Pickerel from the thirty-first day of December to the thirtieth day of June next following both dates inclusive

(f) Muscallonge or western pike from the thirty-first day of December to the thirtieth day of June next following both dates inclusive

(g) Yellow perch from the thirty-first day of December to the thirtieth day of June next following both dates inclusive

Section 16 No person shall angle for or have in his possession except as in this article otherwise provided any of the fish enumerated in section fifteen of this act during the closed season respectively provided for Any person violating the provisions of this section is guilty of a misdemeanor and on conviction as provided in Article thirteen of this act shall be sentenced to pay a fine of ten dollars for each fish so taken caught or had in possession

Section 17 Charr commonly called brook trout or any species of trout except lake trout and large or small mouth bass caught during the lawful season respectively provided therefor may be kept in possession six days after the expiration of such season

Section 18 The provisions of section sixteen of this act do not apply to a person who having caught any fish during the closed season respectively provided therefor immediately returns such fish in the condition in which it was captured to the water from which it was taken

Section 19 The provisions of this article do not apply to fish artificially propagated under the authority of Article eight of this act

ARTICLE IV

Size of Fish That May Be Caught

Section 25 No person shall fish for or have in possession except as in this article otherwise provided any

(a) Charr commonly called brook trout or any species of trout except lake trout less than six inches in length

(b) White bass rock bass crappie strawberry or calico bass less than six inches in length

(c) Black bass or small mouth bass large mouth bass otherwise called Oswego green or yellow bass less than nine inches in length

(d) Pike-perch otherwise called wall-eyed pike or Susquehanna salmon less than twelve inches in length

(e) Pickerel less than twelve inches in length

(f) Muscallonge or western pike less than twenty-four inches in length

(g) Yellow perch less than six inches in length

Section 26 Any person violating the provisions of section twenty-five of this act is guilty of a misdemeanor and on conviction as provided in article thirteen of this act shall be sentenced to pay a fine of ten dollars for each fish so taken or had in possession

Section 27 The provisions of sections twenty-five and twenty-six of this act do not apply to a person who having caught any fish less than the size respectively permitted returns such fish in the condition in which it was caught to the water from which it was taken

Section 28 The provisions of this article do not apply to fish artificially propagated under the authority of Article eight of this act

ARTICLE V

Number of Fish Which May be Caught

Section 35 No person except as in this Article otherwise provided shall in any one day catch kill or have in possession more than the number of fish hereby designated for the respectives species that is to say

(a) Charr or trout of the combined species twenty-five

(b) White bass rock bass crappie strawberry or calico bass twenty-five

(c) Small or large mouth bass twelve

(d) Pike-perch otherwise called wall-eyed pike or Susquehanna salmon twenty-five

(e) Pickerel twenty-five

(f) Muscallonge or western pike four

(g) Yellow perch fifty

(h) Sunfish fifty

Section 36 Any person violating the provisions of Section thirty-five of this act shall on conviction as provided in Article thirteen of this act be sentenced to pay a fine of ten dollars for each fish taken caught or had in psosession over the number respectively allowed by this act

Section 37 In computing the number of fish taken caught or had in possession the number of fish returned in the condition in which they were caught to the waters from which they were taken shall be omitted

Section 38 The proviisons of this Article do not apply to fish artificially propagated under the authority of Article eight of this act

ARTICLE VI

Fishing Devices

Section 45 No person shall use any device means or method whatsoever except as in this article otherwise provided for taking fish from the waters within this Commonwealth except the following That is to say

(a) Game fish a single rod and line or one hand line with not more than three hooks attached

(b) Food fish rods and lines or one hand line with not more than three hooks attached The rods and lines and the hand line must be under the immediate control of the person using the same

(c) Bait fish rods hooks and lines with not more than three hooks attached to each line a dip net not over four feet in diameter a minnow trap with not more than one opening which shall not exceed one inch is diameter The rods hooks and lines must be under the immediate control of the person using the same

Section 46 Any person violating the provisions of section forty-five of this act is guilty of a misdemeanor and on conviction as provided in Article thirteen shall be sentenced to pay a fine of twenty dollars and shall forfeit to the Department of Fisheries all devices unlawfully used

Section 47 The provisions of this article do not prohibit the use of a gaff or landing net to assist in landing fish already caught by a lawful device

Section 48 The provisions of this article do not apply to fish artificially propagated under the authority of Article eight of this act

Section 49 The provisions of this article do not apply to fish caught by a seine or net for which a license is obtained under the provisions of Article seven of this act

ARTICLE VII

Seine Licenses

Section 55 The Department of Fisheries is authorized to issue a "seine license" upon a written application therefor signed by the applicant and upon payment to said Department of the sum of two dollars

Section 56 No seine or net shall be licensed for use except a haul seine sometimes called a shore seine a dip net or a hold in net sometimes called a moon rake The meshes of any of the above enumerated seines or nets shall not be less than two and one-half inches stretched fishing measure or one and one-quarter inches from knot to knot while being fished

The fifty-seventh section was read as follows:

Section 57 The license certificate shall be prepared by the Department of Fisheries and shall show the date of issue the name and place of residence of the licensee and the number of the seine or net licensed The certificate may contain such other matters as the Department of Fisheries may determine All seine licenses shall expire on the twenty-first day of June next following the date of issue Such certificate shall be shown by the licensee to any fish warden constable or other person authorized to make arrests for violation of any provisions of the laws of this Commonwealth relating to fish

On the question,

Will the House agree to the section?

Mr. ALBEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 57, page 8, line 8, by striking out "theried" and inserting in lieu thereof "thorized."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifty-eighth section was read as follows:

Section 58 A "seine license" issued under this article authorizes the licensee to fish with the licensed seine or net for shad herring or alewife catfish suckers eels and carp from the first day of March of the twentieth of June of the same year in the waters of the Susquehanna river from McCall's Ferry Dam to the Maryland State line or within the limits of the tide water of any tidal waters of this Commonwealth and in no other waters of this Commonwealth whatsoever

On the question,

Will the House agree to the section?

Mr. ALBEE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 58, page 8, line 23, by striking out "of" after "March" and inserting in lieu thereof "to" and also inserting "day" after "twentieth."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifty-ninth section was read as follows:

Section 59 No person shall fish with a seine or net in any waters of this Commonwealth except the Susquehanna river from McCall's Ferry Dam to the Maryland state line or within the limits of the tidal waters of a tidal stream No person shall fish with a seine or net in the Susquehanna river from McCall's Ferry Dam to the Maryland state line or within the limits of the tidal waters of a tidal stream of this Commonwealth except from the first day of March to the twentieth day of June of the year next following No person shall from the twentieth day of June to the first day of March of the year next following fish with a seine or net in the waters of the Susquehanna river from McCall's Ferry Dam to the Maryland State Line or within the limits of the tidal waters of any tidal stream of this Commonwealth without first having procured a license herefor as hereinabove provided No person shall from the twentieth day of June to the first day of March of the year next following fish with a seine or net in the waters of the Susquehanna river from McCall's Ferry Dam to the Maryland State Line or within the limits of the tidal waters of any tidal stream of this Commonwealth for any fish other than shad herring or alewife catfish suckers eels and carp A person who catches in a licensed seine during the license period fish other than those enumerated in the preceding paragraph shall not be guilty of violating the provisions of said paragraph if he immediately returns such fish so taken to the waters from which taken and in the condition in which captured No person shall from the twentieth day of June to the first day of March of the year next following in the waters of the Susquehanna river from McCall's Ferry Dam to the Maryland State Line or within the limits of the tidal waters of any tidal stream of this Commonwealth with a seine or net other than a licensed net or seine

On the question,

Will the House agree to the section?

Mr. ALBEE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 59, page 9, line 10, by striking out the words "of the year next following."

Amend section 59, page 9, lines 17 and 18, by striking out the words "the twentieth day of June to the first day of March of the year next following" and inserting in lieu thereof "the first day of March to the twentieth day of June."

Amend section 59, page 10, lines 1 and 2, by striking out the words "the twentieth day of June to the first day of March of the year next following," and inserting in lieu thereof the following: "the first day of March to the twentieth day of June."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixtieth, sixty-first, sixty-second, seventieth, seventy-first, seventy-second, seventy-third and seventy-fourth sections were separately read and agreed to as follows:

Section 60 No person shall remove fish from any licensed seine or net without the consent of the owner thereof except that any person may return to the water any fish not authorized to be taken by such device

Section 61 Any person violating any provisions of this article except as herein otherwise provided is guilty of a misdemeanor and on conviction in the manner provided in Article XIII of this act shall be sentenced to pay a fine of one hundred dollars and shall forfeit to the Department of Fisheries all nets seines boats or appliances unlawfully used

Section 62 The provisions of this article do not apply to fish artificially propagated under the authority of Article VIII of this act

ARTICLE VIII

Artificial Propagation Licenses

Section 70 The Department of fisheries is authorized to issue an "Artificial Propagation License" upon a written application therefor signed by the applicant and upon the payment to such Department of the sum of ten dollars

Section 71 Applications shall be made on blanks prepared by the Department of Fisheries and shall show the size character and purpose of the propagation plant and such other matters as the Department may require All licenses issued under this article shall expire on the first day of January next following the date of issue

Section 72 No dams ponds or other devices which will prevent the free migration of fish shall be erected or placed by a person licensed under this article in any stream flowing over his property No person shall use the ponds so licensed for any purpose than for commercial fish purposes

Section 73 The license issued by this article authorizes the licensee to carry on the business of propagation and sale of all species of game food and bait fish or the eggs thereof during the year for which the license is issued The license authorizes the licensee to catch and kill game food or bait fish from the licensed ponds in any manner whatsoever except with explosives or poisonous substances The license further authorizes the licensee to sell or dispose of in any maner whatsoever game food or bait fish or the eggs thereof at any time of the year and it authorizes express and railroad companies to receive and transport the same

Section 74 The license issued under this article does not authorize the catching of fish out of any stream flowing

over the property of the licensee except the Susquehanna river from McCall's Ferry Dam to the Maryland State Line and the tidal waters of any tidal stream in this Commonwealth

The seventy-fifth section was read as follows:

Section 75 A person selling fish under the license provided by this article shall furnish the purchaser with a certificate or invoice of the sale bearing the date of sale the number of the license under which sold the number of fish and number of pounds sold The certificate or invoice must be shown by the holder on demand of any fish warden clerk of the market constable or any person authorized to make arrests for violation of the laws of this Commonwealth relating to fish The certificate or invoices shall authorize the sale of the fish so purchased for a period of six days after its date of issue

On the question,
Will the House agree to the section?

Mr. ALBEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 75, page 12, line 8, by striking out "invoices" and inserting in lieu thereof "invoice."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The seventy-sixth, seventy-seventh, seventy-ninth, eightieth, eighty-first, eighty-fifth and eighty-sixth sections were separately read and agreed to as follows:

Section 76 A person holding an artificial propagation license under this article shall annually on the first day of December file with the Department of Fisheries a written statement duly sworn to showing the number value and number of pounds of game food or bait fish or the eggs thereof sold or disposed of during the year The books and property of the person licensed under this article shall be open to the Department of Fisheries or its agents for inspection at all reasonable times

Section 77 No person licensed under this Article shall in any manner stock or maintain their establishments with any species of game fish food fish or bait fish or eggs thereof taken from any waters within this Commonwealth not owned occupied or controlled by them This section does not prohibit the exchange of fish eggs or the fry of any species of game food or bait fish with the Department of Fisheries

Section 78 A license issued under this Article authorizes the licensee or his agent to kill after five days notice to their owner if known any domestic bird or fowl trespassing on the waters or lands controlled used or occupied entirely for the artificial propagation of fish Such license also authorizes the licensee or his agent to kill any wild birds or wild animals destructive to fish life whenever found on such waters or lands

Section 79 No person shall artificially propagate game food or bait fish without first procuring the license provided by this Article No person receiving a license as provided by this article shall operate a propagating plant different from that designated in the license No person operating a propagating plant for which a license has been issued for the operation of such plant shall catch fish out of any stream flowing over the property of the licensee

Section 80 No person shall fish or trespass with intent to fish in or upon any waters or bed or banks of any waters or any banks owned controlled or occupied by person licensed by this article No person shall wilfully or maliciously destroy or damage any ponds property or appliances whatever of a propagating plant licensed under this article No person shall interfere or obstruct pollute or diminish the natural flow of water into or through a propagating plant licensed under this article

Section 81 Any person violating any provision of this article is guilty of a misdemeanor and shall on conviction in the manner provided by article thirteen of this act be sentenced to pay a fine of one hundred dollars

ARTICLE IX

Dams Fishways Bar-racks Obstructions Etc.

Section 85 Any person now or hereafter erecting or maintaining a dam in the waters of this Commonwealth shall immediately on a written order from the Commissioner of Fisheries erect therein such chutes clopes fishways gates or other devices as the Board of Fishery Commissioners may deem necessary to enable the fish to ascend and descend the waters at all seasons of the year

Section 86 Every such chute slope fishway gate or other device shall be maintained open and in good order and repair by the person owning or maintaining such dam until said dam is removed raised or rebuilt

The eighty-seventh section was read as follows:

Section 87 Any chute fishway or other device aforesaid may be closed for repairs or the time of low water but such closing shall only be for a period of thirty days at any one time

On the question,
Will the House agree to the section?

Mr. ALBEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 87, page 14, line 16, by striking out "or" and inserting in lieu thereof "at."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The eighty-eighth, eighty-ninth and ninetieth sections were separately read and agreed to as follows:

Section 88 Any person neglecting or refusing to comply with sections eighty-five and eighty-six of this article within three months from the date of notice provided in section eighty-five of this act shall forfeit and pay the sum of one hundred dollars for every month such person so refuses or neglects Such sum shall be recovered by civil suit or process in the name of the Commonwealth

Section 89 If after the lapse of three calendar months from the date of notice provided by section eighty-five of this act the person owning or maintaining said dam neglects or refuses to erect or place or maintain unchanged open and in good order and repair the appliance as directed by the Commissioner of Fisheries said Commissioner is authorized to enter upon such dam and erect such slope chute fishway or gate or make such repairs as may have been directed as aforesaid The cost thereof shall be charged against the person owning or maintaining such dam by the Commissioner of Fisheries and may be recovered by civil suit and process in the name of the Commonwealth

Section 90 Where by reason of any dam having been constructed prior to any requirements by law of the placing of chutes slopes or fishways therein or for any other reasons the owner or person maintaining such dam cannot be compelled by law to pay the cost of erecting such chute slope or fishway as directed by the Commissioner of Fisheries such cost shall be paid by the Commonwealth of Pennsylvania out of such funds as may be appropriated therefor

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The ninety-first section was read as follows:

Section 91 No person owning leasing or maintaining a dam holding back waters inhabited by fish shall draw off such waters without first applying for written permission from the Department of Fisheries nor shall any such person obstruct the flow of water through any such dam without allowing sufficient water at all times to flow in the natural stream on which such dam is located to enable the fish to live Any person violating the provisions of this section is guilty of a misdemeanor and on conviction as provided in section fifty-eight of this act shall be sentenced to pay a fine of one hundred dollars for each offense

On the question,
Will the House agree to the section?

Mr. ALBEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 91, page 15, line 28, by striking out the words "section fifty-eight" and inserting in lieu thereof "Article thirteen."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The ninety-second, ninety-third, ninety-fourth, ninety-fifth, ninety-sixth, one hundredth, one hundred and

first, one hundred and second, one hundred and second, one hundred and third, one hundred and fourth, one hundred and tenth, one hundred and eleveth, one hundred and twelfth, one hundred and thirteenth, one hundred and fourteenth, one hundred and twentieth, one hundred and twenty-first, one hundred and twenty-second and one hundred and twenty-third sections were separately read and agreed to as follows:

Section 92 No person shall fish except with a rod hook and line within one hundred feet of the lower end of any fishway or dam or within such other distance as the Commissioner of Fisheries may determine Such distance shall be plainly posted on the fishway or adjacent shore Any person violating the provisions of this section is guilty of a misdemeanor and on conviction as provided in article thirteen of this act shall be sentenced to pay a fine of one hundred dollars

Section 93 Any person owning or maintaining a raceway flume or inlet pipe leading to a water wheel turbine pump or canal shall immediately upon receipt of a written order from the Commissioner of Fisheries place and maintain a bar-rack of not less than one half inch nor more than an inch and a half space between the bars in or near such raceway flume or inlet pipe sufficient to prevent fish from entering therein Any person refusing or neglecting to comply with such order for a period of one month shall forfeit and pay the sum of one hundred dollars which shall be recovered by civil suit and process in the name of the Commonwealth

Section 94 If one month after the notice provided in section ninety-two of this act the person owning or operating such raceway flume or inlet pipe has not placed such bar-rack as may have been directed the Commissioner of Fisheries is authorized to enter upon such raceway flume or inlet pipe and place a bar-rack of not less than one half inch nor more than an inch and a half space between the bars The cost thereof shall be charged against such owner or operator and if not promptly paid may be recovered by civil suit and process in the name of the Commonwealth

Section 95 No person shall place any device or object in the waters within this Commonwealth in such a manner as to obstruct the migration or passage of fish therein or to obstruct any fishway Any person violating the provisions of this section is guilty of a misdemeanor and on conviction as provided in article thirteen shall be sentenced to pay a fine of one hundred dollars

Section 96 Any obstruction in the streams of this Commonwealth not permitted by law shall when found be immediately removed by any Fish Commissioner fish warden sheriff or other peace officer

ARTICLE X.

Pollution Trespass on State Hatcheries

Section 100 No person shall put or place in any waters of this Commonwealth any electricity explosives or any poisonous substances whatsoever for the purpose of catching injuring or killing fish No person shall allow any substance of any kind or character deleterious destructive or poisonous to fish to be turned into or allow to run flow wash or be emptied into any waters within this Commonwealth unless it be shown to the satisfaction of the Commissioner of Fisheries or to the proper court that every reasonable and practicable means has been used to aabte and prevent the pollution of waters in question by the escape of deleterious substances

Section 101 The preceding section of this article does not prohibit the use of explosives for engineering purposes when a written permit has been given therefor by the proper national state or municipal government authorities

Section 102 Any person violating the provisions of this article shall on conviction as provided in article thirteen of this act be sentenced to pay a fine of one hundred dollars

Section 103 In prosecutions under this article for the pollution of waters by substances known to be injurious to fish or to fish food it shall not be necessary to prove that such substances have actually caused the death of any particular fish

Section 104 No person shall fish or trespass with intent to fish neither upon any waters or bed or banks of any water or any lands controlled or owned or occupied by the Department of Fisheries No person shall wilfully or maliciously destroy or damage any ponds property or appliances whatsoever of the Department of Fisheries nor interfere obstruct pollute or diminish the natural flow of water into or through any State hatchery Any person violating the provisions of this section shall on conviction as provided in article thirteen of this act be sentenced to pay a fine of one hundred dollars

ARTICLE XI

Sale of Fish Market Hotels Etc Reports

Section 110 No person and no proprietor manager clerk or agent of any market hotel boarding house eating house restaurant or saloon shall purchase sell or expose for sale whether caught within or without this Commonwealth any brook trout or any species of trout except lake trout any small mouth bass or large mouth bass No person and no proprietor manager clerk or agent of any market hotel boarding house eating house restaurant or saloon shall contract with or employ any person to catch and keep such fish for him by the day or otherwise

Section 111 A person engaged in catching fish for market or who may be engaged in the sale of fish shall on demand of the Commissioner of Fisheries furnish at the close of each calendar year a duplicate statement of their sales of fish and the gross amount of money realized The contents of such reports shall be used by the Department of Fisheries entirely for statistical purposes The contents of such reports so received by the Department of Fisheries shall not be made public without the written consent of the owner

Section 112 Any person violating the provisions of this article is guilty of a misdemeanor and on conviction as provided in article thirteen of this act shall be sentenced to pay a fine of twenty-five dollars

Section 113 This article does not prohibit any person from employing a guide to accompany him when fishing

Section 114 This article does not apply to fish artificially propagated and sold under the authority of article eight

ARTICLE XII

Commissioner of Fisheries General Powers and Duties Fish Wardens Appointments Powers Compensation

Section 120 The Commissioner of Fisheries may grant permission to catch fish in any of the waters of this Commonwealth at any season of the year and with any kind of nets or devices for a period not exceeding one year to a person engaged in scientific research or for the propagation of fish and the stocking of waters therewith Persons permitted to fish pursuant to the foregoing provision of this section shall make a return in writing to the Commissioner of Fisheries of all fish caught by them and also the use made by them of the fish so caught

Section 121 The Commissioner of Fisheries may catch fish in any of the waters of this Commonwealth at any season of the year and with any kind of nets or devices The Commissioner of Fisheries may promulgate such rules and regulations for the angling catching or removal of fish in or from any waters artificial or otherwise wholly within this Commonwealth as are not inconsistent with any provisions of this act or other constitutional or statutory provision

Section 122 The Commissioner of Fisheries shall make free distribution or planting of the fish produced at the State fish hatcheries or otherwise acquired in the following order or preference First To the public waters of the Commonwealth within the State forestry reserves Second To the public school authorities and to persons connected with institutions of learning who may apply for the same for educational purposes or for scientific research and to persons applying for fishing culture for acquarium purposes and show ponds Third To the waters within this Commonwealth the bed and banks of which are the subject of private ownership upon a wrtiten application of one or more of the owners or lawful occupants thereof Fourth To the waters within this Commonwealth the bed and banks of which are the subject of private ownership but whose owners are non-residents and unknown or whose owners by habit and custom permit the public to fish therein The Commissioner of Fisheries may distribute and plant fish without an application therefor

Section 123 Any person who shall by false representation receive fish from the Department of Fisheries and plant the same in waters where the public are not allowed to fish shall on conviction in the manner provided by article thirteen of this act be sentenced to pay a fine of twenty-five dollars for each offense

Mr. ALBEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Article XII, by inserting as section 123½ the following:

"Any natural stream or lake in this Commonwealth which has been or may be stocked with fish furnished by the Commonwealth or the Department of Fisheries shall be open to the public for the purpose of lawful fishing, but nothing in this section shall be so construed as to free any person trespassing on the lands of any person in this Commonwealth from liability for any damage he may do to said lands or the improvements thereon or to any crops or live stock or poultry thereon."

On the question,

Will the House agree to the amendment?

It was agreed to.

The one hundred and twenty-fourth section was read as follows:

Section 124 The Commissioner of Fisheries is authorized to set aside at his discretion such small streams and lakes as he may judge best as nursery streams or lakes in which fishing shall be prohibited at all times of the year Before setting aside such streams or lakes the Commissioner of Fisheries shall give public notice of such closing by posting such streams or waters with notices of the prohibition and the duration thereof in two newspapers of general circulation published in the county or counties where such stream or water is located once a week for three consecutive weeks Notice of such closing shall also be posted at the outlet of the stream or lake so closed and at intervals of three hundred yards along the banks thereof Any per-

son fishing catching or killing any fish from any stream or water so closed shall on conviction in the manner provided by article thirteen be sentenced to pay a fine of one hundred dollars

On the question,
Will the House agree to the section?
Mr. ALBEE. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 124, page 21, line 28, by striking out the following: the word "such" before "closing;" the words "by posting" and the words "with no-" and inserting after the word "waters" the words "by publishing."
Amend section 124, page 22, line 1, by striking out "tices of" at beginning of line.

The one hundred and twenty-fifth and one hundred and twenty-sixth sections were separately read and agreed to as follows:

Section 125 The Commissioner of Fisheries with the advice and consent of the Board of Fishery Commission is authorized to appoint sixty-five competent citizens of this Commonwealth as fish wardens The Commissioner of Fisheries shall from time to time by and with the advice and consent of the Board of Fishery Commission designate one of such wardens as chief warden who shall remain as such during the pleasure of the Commissioner of Fihseries and shall perform such duties as the Commissioner of Fisheries may prescribe The chief warden shall have the direction and control of other wardens under the direction of the Commissioner of Fisheries
Section 126 Fish wardens appointed under the preceding section shall hold office during the pleasure of the Commissioner of Fisheries Fish wardens shall receive such compensation for their services as the Commissioner of Fisheries and the Board of Fishery Commission may determine and shall be allowed such expenses as may be deemed by the Commissioner of Fisheries and the Board of Fishery Commission just and reasonable

The one hundred and twenty-seventh section was read as follows:

Section 127 A fish warden shall have power to
(a) Enforce all the laws of the Commonwealth relating to fish (b) To execute all warrants and search warrants for the violation of the fish laws (c) To serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to fish (d) To carry firearms or other weapons in the performance of his duties (e) To search without warrant any boat conveyance vehicle fish box bag coat basket or other receptacle for fish when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated (f) To seize and take possession of any and all fish which may have been caught taken or killed at any time in any manner or for any purpose or had in possession or under control or have been shipped or about to be shipped contrary to the laws of this Commonwealth Fish so seized shall be disposed of in any manner as the Commissioner of Fisheries may direct (g) To enter upon any land or water in the performance of his duty (h) to demand and secure proper assistance in case of emergency

On the question,
Will the House agree to the section?
Mr. ALBEE. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 127, page 23, line 1, by striking out "to."
Amend section 127, page 23, line 2, by inserting "to" before "enforce."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The one hundred and twenty-eighth, one hundred and twenty-ninth, one hundred and thirtieth, one hundred and thirty-first and one hundred and thirty-second sections were seperately read and agreed to as follows:

Section 128 Each fish warden shall keep a record of his official acts receipts and expenditures and shall at the close of each month make a summary of such record with such detailed information as may be necessary for the information of or be required by the Department of Fisheries Such summary shall be immediately sent to the chief warden the chief warden shall report to the Commissioner of Fisheries any negligence or incompetency on the part of any of the fish wardens with the fact relating thereto The chief warden shall report monthly to the Commissioner of Fisheries his operations during the preceding month and shall make such other reports as may be required by the Commissioner of Fisheries The chief warden shall annually report in writing the operations of himself and subordinates during the year to the Board of Fishery Commission
Section 129 The Commissioner of Fisheries on written application of a properly organized fish protective association or on the written application of any association or individual owning or leasing waters may appoint one or more special fish wardens for the county in which the application is made The Commissioner of Fisheries may appoint special fish wardens to act anywhere within the Commonwealth All special fish wardens appointed under the authority of this section may exercise the powers of their appointments until the thirty-first day of May next succeeding the date of their appointment and no longer Special fish wardens shall have the same powers and shall make the same reports as is conferred on and required from other fish wardens
Section 130 A special fish warden shall not be entitled to any salary compensation or expenses for his services from the Commonwealth unless such special fish warden shall be detailed by writing for duty by the Commissioner of Fisheries in which case the Commissioner of Fisheries may make a per diem allowance for compensation and reasonable expenses out of any moneys available for the compensation and expenses of other fish wardens
Section 131 The Commissioner of Fisheries with the authority of the Board of Fishery Commission may issue such bulletins relating to fish culture and fish protection as he deems best for the interests of the work of the Department of Fisheries The Commissioner of Fisheries shall make a report annually to the Governor of the operations of the Department of Fisheries
Section 132 The several provisions of this act are independent of each other and in the event of any provision being declared unconstitutional it is hereby declared as the legislative intent that such section may be eliminated therefrom without affecting any other provision of this act

The one hundred and fortieth section was read as follows:

ARTICLE XIII ENFORCEMENT OF THE ACT
Criminal Procedure

Section 140 Any fish commissioner fish warden special warden sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and required to proceed with such force of the county as may be necessary to destroy any device for catching fish used contrary to or prohibited by law in any of the waters within this Commonwealth Such officers are hereby required to arrest and without warrant any person owning placing or using such device or violating any provision of this act

On the question,
Will the House agree to the section?
Mr. ALBEE. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 140, page 25, line 24, by striking out "and" and inserting in lieu thereof "with or."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The one hundred and forty-first section was read as follows:

Section 141 Such officers are authorized and required to apprehend and arrest and immediately take any person guilty of any violation of this act before any alderman magistrate or justice of the peace and shall forthwith hear and determine such charge in the manner herein provided

On the question,
Will the House agree to the section?
Mr. ALBEE. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 141, page 26, line 2, by striking out the words "magistratae" and "and" and inserting in lieu thereof respectively the words "magistrate" and "who."

On the question,
Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The one hundred forty-second, one hundred and forty-third, one hundred and forty-fourth, one hundred and forty-fifth, one hundred and forty-sixth and one hundred and forty-seventh sections were separately read and agreed to as follows:

Section 142 In case of any fish commissiner fish warden or any officer hereinbefore named fails to prove his case and the defendant is discharged or in case the defendant is convicted and sent to jail in lieu of the payment of fine the county in which the case is heard shall pay the costs

Section 143 Such arrests may be made on Sunday or any legal holiday in which case the person so arrested shall be taken before the proper officer and proceeded against on the first lawful day following the arrest

Section 144 Any sheriff deputy sheriff constable special officer or other peace officer of this Commonwealth refusing or neglecting to proceed with such force of the county to forthwith remove and destroy any existing device illegally used for the catching of fish within its jurisdiction after being notified in writing of the existence of such illegally used device or any such officer neglecting or refusing to remove or destroy any such illegal device for catching fish within the Commonwealth of which he shall be cognizant shall on conviction as provided herein be sentenced to pay a fine of fifty dollars

Section 145 Any person who shall by threat menace or force or in any manner attempt to deter or prevent any fish warden or other person authorized to make arrests for violation of the fish laws from enforcing or carrying into effect any provision of this act or who shall resist the seizure of boats devices or nets illegally used shall on conviction thereof as provided herein be sentenced to pay a fine of one hundred dollars

Section 146 In all cases of arrest for the violation of any of the provisions of this act the possession of the fishes or of the nets or the possession of or operation of any other device herein prohibited shall be prima facie evidence of the violation of this act

Section 147 Any alderman magistrate or justice of the peace upon information or complaint made to him by affidavit of one or more persons charging any person with having violated any of the provisions of this act or any of the rules and regulations adopted and promulgated by the Commissioner of Fisheries pursuant to this act is hereby authorized and required to issue his warrant under his hand and seal directed to any constable peace officer or warden and shall cause such person to be arrested and brought before such alderman magistrate or justice of the peace who shall hear and determine the guilt or innocence of the person or persons so charged

The one hundred and forty-eighth section was read as follows:

Section 148 If convicted such person shall be sentenced to pay the fine provided in this act for such violation together with the costs of suit The person so convicted shall on failure to pay such fine be sentenced by such alderman magistrate of justice of the peace to undergo imprisonment in the county jail of the county in which such conviction takes place for a period of one day for each dollar of fine so imposed unless the person so convicted shall give notice of an intention to procure a writ of certiorari of appeal in which case such person shall be permitted to enter into good and sufficient recognizance to appear before such justice alderman or magistrate on or before the expiration of five days if such appeal or certiorari is not taken by them on the final determination of the same if it be not sustained for execution of sentence

On the question,

Will the House agree to the section?

Mr. ALBEE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 148, page 28, line 2, by striking out "of" where it occurs the second time and inserting in lieu thereof "or."

Amend section 148, page 28, line 6, by inserting "or" after "them."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The one hundred and forty-ninth section was read as follows:

Section 149 All fines imposed for the violation of any provision of this act shall be forthwith paid by such alderman magistrate or justice of the peace to the Department of Fisheries at Harrisburg All moneys received or recovered by the Department of Fisheries under any provision of this act shall be immediately paid into the State Treasury where it shall be kept as part of a fund separate and apart to be used solely under the direction of the Department of Fisheries for the purpose of defraying any of the necessary expenses incurred in the purpose of fish propagation and protection

On the question,

Will the House agree to the section?

Mr. ALBEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 149, page 28, line 19, by striking out the words "the purpose of."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The one hundred and fiftieth and one hundred and fifty-first sections were separately read and agreed to as follows:

Section 150 All actions for violation of any provision of this act shall be taken within one year from the time the offense is committed The Commissioner of Fisheries is hereby authorized to employ legal counsel to assist in the enforcement of this act and to defend the officers and employes of the Department of Fisheries for acts done in the proper performance of their duties

Section 151 All boats and legal devices used unlawfully and forfeited to the Department of Fisheries under any of the provisions of this act shall be sold by the Commissioner of Fisheries or destroyed by his order All unlawful nets or devices not preserved for exhibition purposes by the Department of Fisheries shall be destroyed by the Commissioner of Fisheries or by his order Records shall be made of all such sales or destruction on the books of the department

The one hundred and fifty-second section was read as follows:

ARTICLE XIV

Construction and Repeal

Section 152 It is the intent of this act to prescribe a complete and exclusive system for the angling catching and propagation of fish in waters wholly within the limits of the Commonwealth of Pennsylvania Nothing in this act shall repeal or affect any of the following statutes to wit

An Act approved May twenty-second one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and sixty-one) entitled "An Act for the protection of shad and game fish in the River Delaware"

An Act approved May eighth one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and forty-six) entitled "A Supplement to an act entitled 'An Act to amend and consolidate the several acts relating to game and game fish' approved May first Anno Domini one thousand eight hundred and seventy-three to require all persons engaged in any of the manufacturing interests of this State accustomed to the washing of iron and other ores and of coal preparatory to its use for cokeing and engaged in the business of tanning to prepare a tank or other suitable receptacle into which the sediment culm or coal dust the offal refuse and the tan bark and liquor therefrom used in tanning so far as is practicable may be prevented from passing into or upon any of the rivers lakes ponds or streams of this Commonwealth"

An Act approved April second one thousand nine hundred and three (Pamphlet Laws one hundred and twenty-eight) entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries"

An Act approved May first one thousand nine hundred and nine (Pamphlet Laws three hundred and nine) entitled "An Act to encourage the propagation of fish and to regulate the catching taking and destruction of fish in the Delaware River below Trenton Falls within the jurisdiction respectively of the Commonwealth of Pennsylvania and of the State of New Jersey and providing penalties for violation of its provisions and to repeal acts inconsistent therewith"

An Act approved May eighth one thousand nine hundred and nine (Pamphlet Laws four hundred and eighty) entitled "An Act to encourage the propagation of fish and to regulate the catching taking and destruction of fish in the Delaware River above Trenton Falls within the jurisdiction respectively of the Commonwealth of Pennsylvania and of the State of New Jersey and providing penalties for violation of its provisions and to repeal acts inconsistent herewith"

An Act approved April eighteenth one thousand nine hundred and thirteen (Pamphlet Laws one hundred) entitled "An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres

as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or conected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authority of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith"

An Act approved April twenty-first one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty) entitled "An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions"

This act does not affect any other statute now existing or hereafter passed which relates to the angling or catching of fish in any boundary waters

On the question,

Will the House agree to the section?

Mr. ALBEE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 152, page 30, line 28, by striking out the word "herewith" and inserting in lieu thereof "therewith."

Amend section 152, page 31, line 7, by striking out the word "conected" and inserting in lieu thereof "connected."

Amend section 152, page 31, line 23, by striking out the word "prohibing" and inserting in lieu thereof "prohibiting."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The one hundred and fifty-third section was read as follows:

Section 153 The act approved May first one thousand nine hundred and nine Pamphlet Laws three hundred and fifty-three entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid" the act approved June thirty-one one thousand nine hundred and eleven Pamphlet Laws six hundred and fifty entitled "An Act to amend the fiftth section of an act approved the first day of May Anno Domini one thousand nine hundred and nine entitled 'An Act to classify the fish in the water within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the water within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid' by removing certain restrictions in fishing with nets" are hereby repealed All acts or parts of acts inconsistent with this act are hereby repealed The repeal by this act of any prior act shall not operate to revive any act or part of act heretofore repealed

This act shall become effective January first one thousand nine hundred and eighteen

On the question,

Will the House agree to the section?

Mr. ALBEE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 153, page 32, lines 21 and 22, by striking out "thirty-one" and inserting in lieu thereof "third."

Amend section 153, page 32, line 26, by striking out "water" and inserting "waters."

Amend section 153, page 33, line 1, by striking out "water" and inserting in lieu thereof "waters."

Amend section 153, page 33, line 7, by striking out "Comonwealth" and inserting in lieu thereof "Commonwealth."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to revise, amend and consolidate the law relating to fish and providing penalties.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1437 (Senate Bill No. 700), as follows:

An Act to provide for the classification of inspectors of the Department of Labor and Industry according to qualifications determined by a Committee of the Department of Labor and Industry and fixing the salaries of inspectors within the several classifications

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commissioner of Labor and Industry shall by joint conference with the industrial board and chief inspector draft a table of qualifications based upon experience and length of service and shall classify inspectors of the first grade in the Department of Labor and Industry into three classes designated as Class A Class B and Class C

Section 2 In Class A there shall be not more than twenty-five inpectors each of whom shall receive a salary of two thousand dollars ($2,000) per annum In Class B there shall be not more than fifty inspectors each of whom shall receive a salary of one thousand eight hundred ($1,800) per annum In Class C there shall be not more than twenty-five inspectors each of whom shall receive a salary of one thousand five hundred ($1,500) per annum

Section 3 No person shall hereafter be appointed as an inspector of the Department of Labor and Industry unless he shall have first passed an examination before the committee herein provided for in order to determine his qualifications and that he may be classified in one of the classes hereinbefore provided according to his past experience and ability

Section 4 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1330 (Senate Bill No. 560), as follows:

An Act amending sections eight and ten of an act approved the nineteenth day of March one thousand nine hundred nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examination and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by provided for the extension of time necessary for graduation by revising the fee for reciprocity licenses and by further regulating the preliminary educational requirements for matriculation into colleges

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of an act approved the nineteenth day of March one thousand nine hundred nine (Pamphlet Laws forty-six) entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteo-

pathic Examiners to define the powers and duties of the said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" which reads as follows

"Section 8 From and after the approval of this act any person not theretofore authorized to practice osteopathy in this State and desiring to enter upon such practice may deliver to the Secretary of the State Board of Osteopathic Examiners upon the payment of a fee of twenty-five dollars a written application for license together with satisfactory proof that the applicant is more than twenty-one years of age is of good moral character and has obtained a prelimary education as hereinafter provided and has received a diploma conferring the degree in osteopathy from some legally incorporated reputable osteopathic college of the United States or some foreign country wherein the course of instruction consists of at least three separate years of not less than nine months in each separate year Applicants who receive their degree in osteopathy after the first day of January Anno Domini one thousand nine hundred and twelve must have pursued the study of osteopathy for four years of at least eight months in each year in four different calendar years the work of each year having been successfully passed in some legally incorporated reputable osteopathic college or colleges prior to the granting of said diploma or foreign license Provided however That any applicant who shall have completed a course of study in any osteopathic college consisting of three years of nine months each and a post-graduate course of at least five months aggregating at least thirty-two months shall be accepted in lieu of the full period of four years of eight months each provided for in this act) Provided further That any one who is in the practice of osteopathy in some other State at the time of the approval of this act and who is a graduate from a reputable and legally incorporated college of osteopathy providing a course of study of at least four terms of five months each shall be eligible for examination upon all others terms and conditions provided for applicants for examination under the provisions of this act And provided further That the completion of the regular four years' course and graduation from a reputable literary college in which four years' course two years were devoted to scientific and biological work in the college shall be accepted by the State Board of Osteopathic Examiners as an equivalent for the first year in a recognized reputable osteopathic college Provided That the examinations of the first year of the said osteopathic college have been successfully passed and accepted by the osteopathic college as dealing adequately with chemistry toxicology physics physiology anatomy and the biologic sciences Such proof shall be made if required on affidavit Upon the making of said payment and proof the State Board of Osteopathic Examiners if satisfied with the same shall admit said applicant to examination as to his other qualifications for the practice of osteopathy which examination shall include the subjects of anatomy physiology chemistry toxicology pathology diagnosis hygiene obstetrics and gynecology surgery principles and practice of osteopathy and such other subjects as the board may require On receiving from the committee of examiners delegated to conduct examinations as provided for in section five of this act official report of the examination of any applicant for license the said State Board of Osteopathic Examiners shall issue forthwith to each applicant who shall have obtained a general average of not less than seventy-five per centum and therefore has been returned as having successfully passed said examination and who shall have been adjudged by the said Board of Examiners to be duly qualified for the practice of osteopathy a license to practice osteopathy in the State of Pennsylvania as provided for in section ten of this act In case of failure at any such examination the candidate after the expiration of six months and within two years shall have the privilege of a second examination Having failed upon a second examination as herein provided application de novo may be made upon conforming with the standard of qualification both as to character preliminary and osteopathic education in force at the time of said application and upon the payment of a fee of twenty-five dollars" be and the same is hereby amended to read as follows

Section 8 From and after the approval of this act any person not theretofore authorized to practice osteopathy in this State and desiring to enter upon such practice may deliver to the Secretary of the State Board of Osteopathic Examiners upon the payment of a fee of twenty-five dollars a written application for license together with satisfactory proof that the applicant is more than twenty-one years of age is of good moral character has obtained a preliminary education as hereinafter provided and has received a diploma conferring the degree in osteopathy from some legally incorporated reputable osteopathic college of the United States or some foreign country wherein the course of instruction consists of at least three separate years of not less than nine months in each separate year Applicants who receive their degree in osteopathy after the first day of January Anno Domini one thousand nine hundred and twelve must have pursued the study of osteopathy for four years of at least eight months in each year for four different calendar years the work of each year having been successfully passed in some legally incorporated reputable osteopathic college or colleges prior to the granting of said diploma or foreign license Provided further That any one who is in the practice of osteopathy in some other state at the time of the approval of this act and who is a graduate from a reputable and legally incorporated college or osteopathy provided a course of study of at least four terms of five months each shall be eligible for examination upon all other terms and conditions provided for applicants for examination under the provisions of this act And provided further That the completion of the regular four years' course and graduation from a reputable literary college in which four years' course two years were devoted to scientific and biological work in the college shall be accepted by the State Board of Osteopathic Examiners as an equivalent for the first year in a recognized reputable osteopathic college Provided That the examinations of the first year of the said osteopathic college have been successfully passed and accepted by the osteopathic college as dealing adequately with chemistry toxicology physics physiology anatomy and the biologic sciences Such proof shall be made is required on affidavit Upon the making of said payment and proof the State Board of Osteopathic Examiners if satisfied with the same shall admit said applicant to examination as to his other qualifications for the practice of osteopathy which examination shall include the subjects of anatomy physiology chemistry toxicology pathology diagnosis hygiene obstetrics and gynecology surgery principles and practice of osteopathy and such other subjects as the board may require On receiving from the committee of examiners delegated to conduct examinations as provided for in section five of this act official report of the examination of any applicant for license the said State Board of Osteopathic Examiners shall issue forthwith to each applicant who shall have obtained a general average of not less than seventy-five per centum and therefore has been returned as having successfully passed said examination and who shall have been adjudged by the said board of examiners to be duly qualified for the practice of osteopathy a license to practice osteopathy in the State of Pennsylvania as provided for in section ten of this act In case of failure at any such examination the candidate after the expiration of six months and within two years shall have the privilege of a second examination Having failed upon a second examination as herein provided application de novo may be made upon complying with the standard of qualification both as to character preliminary and osteopathic education in force at the time of said application and upon the payment of a fee of twenty-five dollars

Section 2 That section ten of said act which as amended by the act approved the eleventh day of May one thousand nine hundred eleven (Pamphlet Laws two hundred forty-one) entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States" reads as follows

"Section 10 Applicants examined and licensed by the State Boards of Osteopathic Examiners of other States on the payment of a fee of twenty-five dollars to the State Board of Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act (may) without further examination receive a license conferring on the holder thereof all the right and privileges provided by section eleven of this act

"Candidates for license to practice osteopathy in this State who present their applications and undergo examination after the first day of January Anno Domini one thousand nine hundred and twelve shall be obliged to present to the State Board of Osteopathic Examiners one of the following credentials satisfactory to the said board covering their preliminary education prior to their beginning the study of osteopathy in some legally incorporated reputable osteopathic college to wit A diploma of graduation from a reputable college or university granting the degrees of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four years' course of study that is a State Normal School or a high school a seminary an academy or a college preparatory school or a certificate of having passed examination for admission to the freshman class of a reputable literary or scientific college or university or a certificate of having passed an equivalent examination conducted by a certified examiner for the State of Pennsylvania to be appointed by the State Superintendent of Public Instruction and for other states to be approved by the State Superintendent of Public Instruction of Pennsylvania said certified examiner being privileged to accept credentials from reputable and recognized preliminary schools for any subjects included in the preliminary examination (Provided however That nothing contained in this act shall be construed to affect the right of those qualified to register under the provisions of this act and who are so registered in one county at the time of the approval of this act from registering with the prothonotary in any other county or counties in which he or she desires to practice and it shall be mandatory on their part to so register)" be and the same is hereby further amended to read as follows

Section 10 Applicants examined and licensed by the State Boards of Osteopathic Examiners of other States on the payment of a fee of fifty dollars to the State Board of

Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary or such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act shall without further examination receive a license conferring on the holder thereof all the rights and privileges provided by section eleven of this act

Candidates for license to practice osteopathy in this State who present their applications and undergo examination after the first day of January Anno Domini one thousand nine hundred and twelve shall be obliged to present to the State Board of Osteopathic Examiners one of the following credentials satisfactory to the said board covering their preliminary education prior to their beginning the study of osteopathy in some legally incorporated reputable osteopathic college to wit A diploma of graduation from a reputable college or university granting the degree of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four years' course of study equivalent to a standard four year high school course—this is a State Normal School or a high school a seminary an academy or a college preparatory school or a certificate of having passed examination for admission to the freshmen class of a reputable literary or scientific college or university or a certificate of having passed an equivalent examination conducted by the Bureau of Professional Education Nothing herein shall be construed as being incompatible with the following additional requirement namely That the preliminary education shall include one year's credits in physics chemistry and biology as approved by the Bureau of Professional Education

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1029, entitled

A Joint Resolution for the appointment of a Commission by the Governor of this Commonwealth for the purpose of amending revising and collating the laws touching upon and relating to dependent defective delinquent neglected incorrigible and illegitimate children of this State and for the further purpose of suggesting new legislation for the care and welfare of such children and making an appropriation to meet the expenses of the said Commission.

The first section was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the Governor of this Commonwealth be and is hereby authorized and required to appoint seven (7) competent citizens of whom the Secretary of the State Board of Public Charities and the Secretary of the State Board of Education shall be two (2) as commissioners to revise collate and digest all the acts and statutes relating to or touching on dependent defective delinquent neglected incorrigible and illegitimate children of the Commonwealth

On the question,

Will the House agree to the section?

Mr. REYNOLDS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, lines 1 and 2, by striking out the words "Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met," and insert in lieu thereof the following:

"Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third, fourth and fifth sections and title were seperately read and agreed to as follows:

Section 2 That the duties of said commissioners shall be to collate and reduce into one act all the acts and statutes and parts of acts and statutes relating to or touching on dependent defective delinquent neglected incorrigible and illegitimate children of this Commonwealth and arrange the same systematically under proper titles divisions and sections To omit in such provisions all acts and parts of acts that have been repealed or supplied by subsequent acts or which have expired and to prepare and submit such bills to the legislature as they shall deem necessary to make the laws and methods of this Commonwealth relating to dependent defective delinquent neglected incorrigible and illegitimate children more comprehensive more efficient and better adapted to the needs of such children and the welfare of the State

Section 3 That said commissioners shall report the result of their labor to the legislature that shall convene in one thousand nine hundred and nineteen on or before the first of February of said year

Section 4 That said Commissioners shall meet and organize within thirty (30) days of their appointment and elect a president and secretary and as promptly as possible proceed to perform their duties

Section 5 That for the purpose of said commission the sum of five thousand ($5,000.00) dollars or so much thereof as may be necessary is hereby appropriated

An Act for the appointment of a commission by the Governor of this Commonwealth for the purpose of amending revising and collating the laws touching upon and relating to dependent defective delinquent neglected incorrigible and illegitimate children of this State and for the further purpose of suggesting new legislation for the care and welfare of such children and making an appropriation to meet the expenses of the said Commission.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1254, as follows:

An Act relating to the photographing by police officials of persons charged with any crime and providing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person arrested and charged with having committed any crime or any person arrested on suspicion of having committed any crime shall not be photographed by any sheriff constable or police officer or any one connected with the police department of this Commonwealth or of any county municipality borough or township before said person shall have been convicted of some crime Nor shall a photograph of said person be received and placed in any album or gallery of any police department of this Commonwealth or of any county municipality borough or township before said person shall have been convicted of some crime

Any violation of this act shall be punishable by a fine not exceeding five hundred dollars ($500.00) or imprisonment not exceeding one year or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1290, as follows:

An Act relating to the arrest character of evidence and punishment of professional thieves burglars and pickpockets

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person shall be charged on oath or affirmation before a magistrate justice of the peace alderman mayor or burgess in this Commonwealth with being a professional thief burglar or pickpocket and who shall have been arrested by any police officer detective constable sworn peace officer or watchman at any steamboat landing railroad depot or station ferry-house on the platform or inside of any street passenger railway car in any church or the vestibule or corridor thereof in any building occupied as a banking institution trust company saving fund or brokers office elevators used to carry passengers in any park or place of public amusement or recreation or the approaches thereto auction stores or crowded thoroughfares public or private in this Commonwealth and if it shall be proven to the satisfaction of the said magistrate justice of the peace alderman mayor or burgess by sufficient testimony and by duly authenticated documents of a court of record or a court not of record or by any official record of a criminal bureau private or public of recognized standing that said person is a professional thief burglar or pickpocket and that he or she was frequenting or attending such place or places for an unlawful purpose he or she shall be committed to the county jail or prison for a term not exceeding ninety (90) days at labor or in the discretion of said mayor magistrate justice of the peace alderman or burgess be required to enter security for his or her good behaviour for a period not exceeding one (1) year Provided however That the defendant or defendants

may within five days after such conviction appeal to the court of quarter sessions of the county in which such justice of the peace alderman mayor or burgess shall reside upon allowance of said court of quarter sessions or any judge thereof upon cause shown

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1347, as follows:

An Act to amend an act approved the twenty-second day of July one thousand nine hundred and thirteen entitled "An Act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of the act approved the twenty-second day of July one thousand nine hundred and thirteen entitled "An Act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" which reads as follows

"Route Three Hundred and Fifty-seven A certain section of public road beginning at the Morris School House Young Township Jefferson County and running northwardly to a point near the Ephraim Kessler homestead connecting with State highway route sixty-three thence passing through Frostburg Grange Ringgold and North Freedom Jefferson County thence to a point on State highway route two hundred and thirty-seven near New Mayville Clarion County" is hereby amended to read as follows

Route Three Hundred and Fifty-seven A certain section of public road beginning at Punxsutawney Borough Jefferson County at North Finley Street thence by way of Walston Frostburg Grange Ringgold and North Freedom Jefferson County thence to a point on State highway route two hundred and thirty-seven near New Mayville Clarion County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1285, as follows:

An Act to amend article six of the second section of an act approved the eleventh day of March one thousand eight hundred and ninety-one entitled "An Act to regulate the issue of policies of insurance and certificates of inspection made by steam boiler insurance companies in all cities of the first class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That article six of the second section of an act approved the eleventh day of March one thousand eight hundred and ninety-one entitled "An Act to regulate the issue of policies of insurance and certificates of inspection made by steam boiler insurance companies in all cities of the first class" which reads as follows

"Article six" It shall be the duty of the inspector of steam engines and boilers in and for all cities of the first class to furnish all steam boiler insurance companies such as aforesaid or their authorized agents with printed forms properly prepared with appropriate headings for the reception of the details of inspection such as are furnished to his own assistants and in addition thereto a form of certificate setting forth that the premium upon the policy of insurance to be issued in connection with the certificate of inspection equals or exceeds the amount provided for in article third of section two of this act and when these forms are returned to him properly filled up with the certificate duly signed he shall record the same as provided for in the city ardinance and the inspector of steam engines and boilers aforesaid is hereby authorized and required to affix his signature and official seal to the certificate of inspection of such insurance companies Provided The details of inspection as aforesaid shall show that the requirement of the city ordinance relative to boiler inspections have been fully complied with and that all provisions of this act relating to the duties of such insurance companies have been fulfilled

"The inspector of steam engines and boilers in and for all cities of the first class shall receive for such approval one dollar for each boiler which shall be paid into the city treasury but said approval shall not be in effect for a longer period than one year from the date thereof Any person or persons possessing such certificate of inspection duly approved as hereinbefore provided for the same not having been rendered invalid as provided for in this act shall be deemed to possess the certificate of the inspector of steam engines and boilers for the purpose of the act of the Assembly and the ordinance of the city to carry the same into effect Provided That nothing in this act shall affect the duty of the inspector to withhold or withdraw such certificate whenever he may deem the engineer incompetent or unreliable as provided for in the city ordinance or whenever he may consider the boiler or boilers unsafe" be and the same is hereby amended to read as follows

Article 6 It shall be the duty of the inspector of steam engines and boilers in and for all cities of the first class to furnish all steam boiler insurance companies such as aforesaid or their authorized agents with printed forms properly prepared with appropriate headings for the reception of the deals of the inspection such as are furnished to his own assistants and in addition thereto a form of certificates setting forth that the premium upon the policy of insurance to be issued in connection with the certificate of inspection equals or exceeds the amount provided for in article third of section two of this act and when these forms are returned to him properly filled up with the certificate duly signed he shall record the same as provided for in the city ordinance and the inspector of steam engines and boilers aforesaid is hereby authorized and required to affix his signature and official seal to the certificate of inspection of such insurance companies Provided The details of inspection as aforesaid shall show that the requirements of the city ordinances relative to boiler inspections have been fully complied with and that all the provisions of this act relating to the duties of such insurance companies have been fulfilled

The inspector of steam engines and boilers in and for all cities of the first class shall receive for such approval five dollars for each boiler which shall be paid into the city treasury but said approval shall not be in effect for a longer period than one year from the date thereof Any person or persons possessing such certificate of inspection duly approved as hereinbefore provided for the same not having been rendered invalid as provided for in this act shall be deemed to possess the certificate of the inspector of steam engines and boilers for the purpose of the act of the Assembly and the ordinance of the city to carry the same into effect Provided That nothing in this act shall affect the duty of the inspector to withhold or withdraw such certificate whenever he may deem the engineer incompetent or unreliable as provided for in the city ordinance or whenever he may consider the boiler or boilers unsafe

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 768, as follows:

An Act to refund to Friedman Manufacturing Company of Pittsburgh Allegheny County money paid for a license to sell oleomargarine

Whereas Friedman Manufacturing Company a corporation procured from the Dairy and Food Commissioner a wholesale license authorizing it to sell oleomargaine at wholesale at thirty-nine South Front Street Philadelphia Pennsylvania during the six months period from the first day of July one thousand nine hundred sixteen to the thirty-first day of December one thousand nine hundred sixteen being license number seventeen thousand three hundred and six for which it paid the sum of two hundred and fifty dollars ($250) which sum was covered into the State Treasury and

Whereas The Keystone Butterine Company was selling oleomargarine under the license number sixteen thousand five hundred fourteen which license through a change of agency was duly assigned to the Friedman Manufacturing Company and therefore the license number seventeen thousand three hundred and six procured in the name of Friedman Manufacturing Company was an error and unnecessary and was never used by the Friedman Manufacturing Company therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred and fifty dollars ($250) is hereby specifically appropriated to refund to the Friedman Manufacturing Company of Pittsburgh Allegheny County Pennsylvania the money paid for a license to sell oleomargarine which said license was never used Said amount shall be paid on warrant of the Auditor General on due proof that such moneys were as aforesaid erroneously and actually paid into the State Treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1514, entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said government and the people thereof, and their property and making an appropriation.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a commission to be known as the Commission of Public Safety and Defense of the Commonwealth of Pennsylvania is hereby created which shall be composed as follows viz The Governor the Lieutenant-Governor the members of the Military Board and the following named members of the executive committee of the Committee of Public Safety for Pennsylvania viz Mr. W. W. Atterbury of Philadelphia Mr. E. T. Stotesbury of Philadelphia and Mr. Andrew W. Mellon of Pittsburgh The Governor shall be chairman of the commission The commission shall organize immediately after the passage of this act and shall appoint a secretary who shall be a member of said commission.

On the question,
Will the House agree to the section?

BILL RECOMMITTED.

Mr. WOODWARD. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. POWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 149, entitled

An Act to amend an act, approved the twenty-eighth day of May, one thousand nine hundred thirteen, entitled "An Act authorizing and empowering township supervisors, in townships of the second class to enter into contract with electric, gas, or other light companies, for the purpose of lighting and illuminating the streets, highways, and other public places in any village in said township; and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited;" by providing also for the levying of a tax upon taxable residents in the district benefited.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-eighth day of May one thousand nine hundred thirteen (Pamphlet Laws three hundred seventy-one) entitled "An Act authorizing and empowering supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighing and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives in General Assembly met and it is hereby enacted by the authority of the same That the township supervisors of any township of the second class in this Commonwealth are hereby authorized and empowered on the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within said township to enter into contract with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said villages with electric light gas light or other illuminate" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the township supervisors of any township of the second class in this Commonwealth are hereby authorized and empowered on the petition of the owners of a majority of the lineal feet frontage or on the petition of a majority of the taxable residents along any highway or portion thereof in any village within said township to enter into contract with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said villages with electric light gas light or other illuminate

On the question,
Will the House agree to the section?

Mr. STRAUSS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 10, by inserting after "Representatives" the following: "of the Commonwealth of Pennsylvania."

Amend section 1, page 2, line 20, by striking out "illuminate" and inserting in lieu thereof "illuminant."

Amend section 1, page 3, line 6, by striking out "illuminate" and inserting in lieu thereof "illuminant."

On the question,
Will the House agree to the amendment?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The second section was read as follows:

Section 2 That section two of said act which reads as follows

"Section 2 The township supervisors shall levy for the maintenance of said lights an annual tax upon the property abutting upon the said streets highways and other public places in the district benefited thereby based upon the assessment for county purposes Such tax (shall become a lien against such property to the same extent and with the same effect as other liens for taxes now authorized by law and) shall be collected in the same manner as other taxes the collector of taxes to receive the same commission as on the road tax Provided That no tax as herein provided shall be levied against any farm land nor shall any property be assessed hereunder or included in the provisions hereof unless the residence thereon shall be within five hundred feet of such highway" be and the same is hereby amended to read as follows

Section 2 The township supervisors shall levy for the maintenance of said lights an annual tax upon the property abutting upon the said streets highways and other public places and upon all residents taxable for township purposes in the district benefited thereby based upon the assessment for county purposes Such tax shall be collected in the same manner as other taxes for township purposes the collector of taxes to receive the same commission as on the road tax Provided That no tax as herein provided shall be levied against any farm land nor shall any property be assessed hereunder or included in the provisions hereof unless the residence thereon shall be within five hundred feet of such highway

On the question,
Will the House agree to the section?

Mr. STRAUSS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 3, lines 13 and 16, by striking out the parenthesis marks.

On the question,
Will the House agree to the amendments?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read and agreed to as follows:

An Act to amend an act approved the twenty-eighth day of May one thousand nine hundred thirteen entitled "An Act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited" by providing also for the levying of a tax upon taxable residents in the district benefited.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1305, entitled

An Act to amend the title of an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, entitled "An Act amending section one of an act, approved the seventeenth day of April, one thousand nine hundred and five, entitled 'An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees, between the municipal corporations and telegraph, telephone, or light or power companies;' extending the provisions thereof to street passenger railway, motor traction, gas, or water companies."

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-one) entitled "An Act amending section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled 'An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations and telegraph telephone or light or power companies' extending the provisions thereof to street passenger railway motor traction gas or water companies" which reads as follows

"An act amending section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations and telegraph telephone or light or power companies' extending the provisions thereof to street passenger railway motor traction gas or water companies" is hereby amended to read as follows

An act amending sections one three and six of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations and telegraph telephone or light or power companies" extending the provisions thereof to street passenger railway motor traction gas or water companies

The title was read as follows:

An Act to amend the title of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen entitled "An Act amending section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled 'An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations and telegraph telephone or light or power companies' extending the provisions thereof to street passenger railway motor traction gas or water companies."

On the question,

Will the House agree to the title?

Mr. GOODWIN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title page 1, line 1, by striking out "twetny" and inserting in lieu thereof "twenty."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1326 (Senate Bill No. 273), entitled

An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties

The first section was read as follows:

Definitions.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

(1) "Retirement System" shall mean the arrangement for the payment of retirement allowances under the provisions of this act

(2) "Retirement Association" shall mean the employes' retirement association provided for in section three of this act

(3) "Retirement Board" shall mean the employes' retirement board provided for in section four of this act

(4) "Superintendent of Public Instruction" shall mean the Superintendent of Public Instruction of the Commonwealth of Pennsylvania

(5) "Public School" shall mean any class school high school normal school training school vocational school truant school parental school and any or all classes or schools within the State of Pennsylvania conducted under the order and superintendence of the Department of Public Instruction of the Commonwealth of Pennsylvania and of a duly elected or appointed board of public education board of school directors or board of trustees of the Commonwealth or of any school district or normal school district thereof and shall include the offices of the State Department of Public Instruction and the State Board of Education

(6) "Employer" shall mean the Commonwealth school district normal school district board or other committee by which the employe is paid

(7) "Employe" shall mean any teacher principal supervisor supervising principal county superintendent district superintendent assistant superintendent any member of the professional staff of the State normal schools or of the professional staff of the State Department of Public Instruction or of the professional staff of the State Board of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or under contract or engagement to perform one or more of these functions provided that no person shall be deemed an employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods In all cases of doubt the retirement board shall determine whether any person is a teacher as defined in this act

(8) "Present Employe" shall mean any employe as defined in paragraph seven of this section employed law in any capacity in connection with the public schools and any teacher who was employed prior to such time and who shall become a contributor within three years from the date of expiration of such employment

(9) "New Entrant" shall mean any employe as defined in paragraph seven of this section appointed or elected or contracting or otherwise legally engaging to serve in any capacity in connection with the public schools after this bill becomes a law

(10) "Contributor" shall mean any person who has an account in the annuity savings fund

(11) "Beneficiary" shall mean any person in receipt of a retirement allowance or other benefit as provided in this act

(12) "School Service" shall mean any service as an employe as defined by paragraph (seven) of this section

(13) "Prior Service" shall mean all school service completed not later than the thirteenth day of June nineteen hundred eighteen

(14) "School Year" shall mean the official school year of the school district in which an employe is employed

(15) "Disablity Retirement" shall mean retirement as defined in section twelve of this act

(16) "Superannuation Retirement" shall mean retirement as defined in section thirteen of this act

(17) "Final Salary" shall mean the average annual salary not exceeding two thousand dollars earnable by a contributor as an employe for the ten years of service immediately preceding retirement

(18) "Accumulated Deductions" shall mean the total of the amounts deducted from the salary of a contributor and credited to his individual account in the annuity savings fund together with the regular interest thereon

(19) "Regular Interest" shall mean interest at four per cent per annum compounded annually

(20) "State Annuity" shall mean payment for life derived from contributions made by the Commonwealth of Pennsylvania as provided in this act

(21) "Employe's Annuity" shall mean payments for life derived from contributions made by a contributor as provided in this act

(22) "Retirement Allowance" shall mean the state annuity plus the employe's annuity

(23) "State Annuity Reserve" shall mean the present value computed on the basis of such mortality tables as shall be adopted by the retirement board with regular in-

terest of the future payments to be made on account of any state annuity granted and based on contributions made by the Commonwealth of Pennsylvania

(24) "Employe's Annuity Reserve" shall mean the present value computed on the basis of such mortality tables as shall be adopted by the retirement board with regular interest of the future payments to be made on account of any employe's annuity granted and based on the accumulated deductions of the contributor

(25) "Expense Fund" shall mean the fund provided for in paragraph number two in section eight of this act

(26) "Contingent Reserve Fund" shall mean the fund provided for in paragraph number three in section eight of this act

(27) "State Annuity Reserve Fund" shall mean the fund provided for in paragraph number four in section eight of this act

(28) "State Annuity Reserve Fund Number Two" shall mean the fund provided for in paragraph number five in section eight of this act

(29) "Employe's Annuity Savings Fund" shall mean the fund provided for in paragraph number six in section eight of this act

(30) "Employe's Annuity Reserve Fund" shall mean the fund provided for in paragraph number seven in section eight of this act

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 3, line 4, by striking out the word "professional."

Amend section 1, page 3, line 5, by striking out the word "professional."

Amend section 1, page 3, line 6, by striking out the word "professional."

Amend section 1, page 3, line 11 by inserting after the word "wealth" the following: "or in connection therewith."

Amend section 1, page 3, line 17 by striking out the words "a teacher" and inserting in lieu thereof "an employe."

Amend section 1, page 3, line 21, by striking out the word "law" and inserting after the word "schools" the following: "at the time this bill becomes a law."

Amend section 1, page 3, line 22, by striking out the word "teacher" and inserting in lieu thereof the word "employe."

Amend section 1, page 5, line 3, by striking out the word "payment" and inserting in lieu thereof the word "payments."

Amend section 1, page 4, line 27, by inserting after the word "his" the words "or her."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows and agreed to:

Retirement System.

Section 2 The retirement system shall be established on the first day of July nineteen hundred eighteen

The third section was read as follows:

Employe's Retirement Association

Section 3 An employes' retirement association is hereby organized the membership of which shall consist of the following

1 All present employes except those specifically excluded by paragraph three of this section who by written application to the Superintendent of Public Instruction shall elect before the first day of July nineteen hundred eighteen to be covered by the retirement system

2 All new entrants except those specifically excluded by paragraph three of this section

3 Present employes who are members and new entrants who become members of a retirement system maintained under the laws of the Commonwealth from appropriations or contributions made wholly or in part by any employer and existing at the time this bill becomes a law shall be excluded from membership in this retirement association But should two-thirds of all the teachers participating in any such retirement system apply for membership in the retirement association by a petition duly signed and verified approved by their employer and filed with the retirement board all the teachers included in the membership of such retirement system shall become members of the retirement association at such time within three months after the filing of such petition as the retirement board shall designate Thereupon the retirement system of which they were members at the time they were included in the retirement association provided by this act shall be dissolved and discontinued as follows

The payment of retirement allowances or other benefits which were in effect at the time of such discontinuance shall become an obligation of the employer shall be continued as formerly provided by such retirement system and shall be paid out of such moneys excepting further contributions of teachers as were formerly available for such payment and the employer shall appropriate for such purpose such other moneys as shall be required

All present assets of such retirement system at the time of its discontinuance shall be transferred to the employer to be held and invested as a trust fund and disbursed only in payment to the before-mentioned retired teachers except that if the amount of such present assets exceed the present value of the future retirement allowances or other benefits of such retired teachers computed on the basis of such tables as the retirement board shall have adopted for similar classes of annuitants and of regular interest the amount of the excess shall thereupon be transferred to State annuity reserve fund number two. Upon the retirement of any contributor of the retirement association established by this act who has not received back any contributions which he made to such discontinued retirement system there shall be paid from State annuity reserve fund number two into employes' annuity reserve fund the amount of such contributions and he shall receive therefor such annuity or other benefit purchasable therewith as he may elect in addition to the other benefits provided by this act

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 7, line 4, by striking out the word "teachers" and inserting in lieu thereof the word "members."

Amend section 3, page 7, line 8, by striking out the word "teachers" and inserting in lieu thereof the word "person."

Amend section 3, page 7, line 21, by striking out the word "teachers" and inserting in lieu thereof the word "members.'

Amend section 3, page 7, line 28, by striking out the word "teachers" and inserting in lieu thereof the word "members.'

Amend section 3, page 8, line 1, by striking out the word "teachers" and inserting in lieu thereof the word "members.'

Amend section 3, page 8, line 8, by inserting after the word "he" the words "or she."

Amend section 3, page 8, line 12, by inserting after the word "he" the words "or she."

Amend section 3, page 8, line 13, by inserting after the word "he" the words "or she."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

The Retirement Board.

Section 4 A retirement board of seven members is hereby constituted which shall consist of the following

(a) The Superintendent of Public Instruction

(b) The Treasurer of the Commonwealth of Pennsylvania

(c) One member who shall be appointed by the Governor of the Commonwealth of Pennsylvania who shall serve until his successor is appointed

(d) Three members of the retirement association elected from among their number in a manner to be approved by the Superintendent of Public Instruction the State Treasurer and the member of the retirement board appointed by the Governor one to serve for one year one for two years and one for three years and whose successors shall be elected for a term of three years from among the members of the retirement association in a manner to be approved by the retirement board

(e) One member not an employe nor officer or employe of the State shall be elected annually by the board to serve for a term of one year

A vacancy occurring during a term shall be filled for the unexpired term by the appointment of a successor in the same manner as his predecessor Until the organization of the retirement association and the election of three representatives therefrom the Superintendent of Public Instruction the State Treasurer and the member appointed by the Governor are empowered to perform the duties of the retirement board

2 The members of the retirement board shall serve without compensation but shall be reimbursed from the expense fund for any necessary expenditures and no contributor shall suffer loss of salary or wages through serving on the retirement board

3 The retirement board shall elect from its membership a chairman and shall appoint a secretary an actuary and such medical clerical and other employes as may be necessary

4 The compensation of all persons employed by the retirement board shall be fixed by said retirement board

5 Subject to the limitations of this act and of law the retirement board shall from time to time establish rules and regulations for the administration of the funds created by this act and for the transaction of its business

6 The retirement board shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds created by this act

7 In the years nineteen hundred twenty and nineteen hundred twenty-three and in every fifth year thereafter the actuary of the retirement board shall make an actuarial investigation into the mortality and service experience of the contributors and beneficiaries as defined in this act and shall make a valuation of the various funds created by this act and on the basis of such investigation and valuation the retirement board shall

(a) Adopt for the retirement system one or more mortality tables and such other tables as shall be deemed necessary

(b) Certify the rates of deduction from salary necessary to pay the annuities authorized under the provisions of this act and

(c) Certify the rates of contribution expressed as a percentage of the salary of new entrants at various ages which shall be made by the Commonwealth to the contingent reserve fund

8 Immediately after the passage of this act the actuary of the retirement board shall make such investigation of the mortality service and salary experience of the employes of the public schools as he shall recommend and the retirement board shall authorize for the purpose of determining upon the proper tables to be prepared and submitted to the retirement board for adoption On the basis of such investigation and recommendation the retirement board shall adopt such tables and certify such rates as are required in subsections a b and c of paragraph seven immediately preceding On the basis of such tables the actuary of the retirement board shall immediately after the first day of July nineteen hundred eighteen make a valuation of the various funds created by this act

9. The retirement board shall publish annually a report showing the condition of the various funds created by this act and setting forth such other facts recommendations and data as may be of use in the advancement of knowledge concerning employes' pensions and annuities and said retirement board shall submit said report to the Governor of the Commonwealth of Pennsylvania and shall file copies thereof in the offices of the State Department of Public Instruction of the State Insurance Department and of each employer for use of the employes and the public

10. Each member of the retirement board shall take an oath of office that he will so far as it devolves upon him diligently and honestly administer the affairs of said retirement board and that he will not knowingly violate or wilfully permit to be violated any of the provisions of law applicable to this act Such oath shall be subscribed by the member making it and certified by the officer before whom it is taken and shall be immediately filed in the office of the Secretary of State

11 The retirement board shall keep a record of all of of its proceedings which shall be open to inspection by the public

12. The retirement board shall perform such other functions as are required for the execution of the provisions of this act

On the question,
Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 9, line 9, by inserting after the word "his" the words "or her."

Amend section 4, page 11, line 21, by inserting after the word "he" the words "or she."

Amend section 4, page 11, line 23, by inserting after the word "he" the words "or she."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fifth section was read and agreed to as follows:

Corporate Powers

Section 5 For the purposes of this act the retirement board shall possess the powers and privileges of a corporation The Attorney General of the Commonwealth of Pennsylvania shall be the legal adviser of said retirement board

The sixth section was read as follows:

Management of the Funds

Section 6 The funds created by this act shall be managed as follows

1 The members of the retirement board shall be the trustees of the several funds created by this act and shall have full power to invest the same subject however to all the terms conditions limitations and restrictions imposed by this act upon the making of investments and subject also to the terms conditions limitations and restrictions imposed by law upon savings banks in the making and disposing of their investments and subject to like terms conditions limitations and restrictions and trustees shall have full power to hold purchase sell assign transfer or dispose of any of the securities and investments in which any of the funds created by this act shall have been invested as well as of the proceeds of said investments and of any moneys belonging to said funds

2 The retirement board shall annually allow regular interest on the mean amount for the preceding year in each of the funds created in accordance with the provisions of this act with the exception of the expense fund The amount so allowed shall be due and payable to such funds and shall be annually credited there to by the retirement board

3 The treasurer of this Commonwealth shall be the custodian of the several funds created by this act

4 All payments from the funds created by this act shall be made by the State Treasurer only upon warrants signed by the chairman of the retirement board and countersigned by the secretary of the retirement board and on warrant shall be drawn except by order of the retirement board duly entered in the record of its proceedings

5 For the purpose of meeting disbursements for annuities and other payments in excess of the receipts there may be kept an available fund not exceeding ten per centum of the total amount in the several funds created by this act on deposit in any bank in this Commonwealth organized under the laws thereof or under the laws of the United States or with any trust company incorporated by any law of this Commonwealth provided said bank or trust company shall furnish adequate security for said funds and provided that the sum so deposited in any one bank or trust company shall not exceed twenty-five per centum of the paid-up capital and surplus of said bank or trust company

6 Except as herein provided no trustee or any person connected with the retirement board shall have any interest direct or indirect in the gains or profits of any investment made by the retirement board nor as such directly or indirectly receive any pay or endowment for his services And no trustee or person connected with said retirement board directly or indirectly for himself or as an agent or partner of others shall borrow any of its funds or deposits or in any manner use the same except to make such current and necessary payments as are authorized by the board of trustees nor shall any trustee or person connected with said retirement board become an endorser or surety or become in any manner an obliger for moneys loaned by or borrowed of said retirement board

On the question,
Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 6, page 12, line 17, by inserting after the word "have" the following: "exclusive control and management of the said funds and."

Amend section 6, page 12, line 23, by striking out the word "and" before the word "trustees" and inserting in lieu thereof the word "said."

Amend section 6, page 14, line 5, by striking out the word "endorsements" and inserting in lieu thereof the word "emoluments."

Amend section 6, page 14, line 5, by inserting after the word "his" the words "or her."

Amend section 6, page 14, line 7, by inserting after the word "himself" the words "or herself."

Amend section 6, page 14, line 13, by striking out the word "obliger" and inserting in lieu thereof the word "obligor."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The seventh section was read as follows:

Duties of the Employer

Section 7 Each employer shall before employing any person to whom this act may apply notify such person of his duties and obligations under this act as a condition of his employment.

2 During September of each year each employer shall certify to the retirement board the name of all employes to whom this act applies

3 Each employer shall on the first day of each calendar month notify the retirement board of the employment of new employes' removals withdrawals and changes in salary of employes that shall have occurred during the month preceding

4 Under the direction of the retirement board each employer shall furnish such other information as the board may require in the discharge of his duties

5 Each employer shall cause to be deducted on each and every payroll of a contributor for each and every payroll period subsequent to June thirtieth nineteen hundred eighteen such per centum of the total amount of salary earnable by the contributor in such payroll period as shall be certified to said employer by the retirement board as proper in accordance with the provisions of this act No deductions shall be made from that part of the salary earnable by any contributor which is at a rate in excess of two thousand dollars per annum In determining the amount earnable by a contributor in a payroll period the retirement board may consider the rate of salary payable to such contributor on the first day of each regular payroll period as continuing throughout such payroll period and it may omit salary deductions for any period less than a full payroll period in cases where the employe was not a contributor on the first day of the regular payroll period and to facilitate the making of the deductions it may modify the deduction required of any contributor by such amount as shall not exceed one-tenth of one per centum of the salary upon the basis of which the deduction is to be made the deductions provided herein shall be made notwithstanding that minimum salaries provided for by the laws ordinances resolutions or other acts of the Commonwealth or of any other employer shall be reduced thereby each employer shall certify to the treasurer of said employer on each and every payroll a statement as voucher for the amounts so deducted and shall send a duplicate of such statement to the secretary of the retirement board

6 The treasurer of each employer on receipt from the employer of the voucher for deductions from the salaries of employes provided in paragraph five of this section shall transmit monthly or at such times as the retirement board shall designate the amounts specified in such voucher to the secretary of the retirement board The secretary of the retirement board after making a record of all such receipts shall pay them to the treasurer of the Commonwealth for use according to the provisions of this act

7 Each employer shall keep such records as the retirement board may require

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 7, page 14, line 18, by inserting after the word "his" the words "or her."

Amend section 7, page 14, line 19, by inserting after the word "his" the words "or her."

Amend section 7, page 15, line 3, by striking out the word "his" and inserting in lieu thereof the word "its."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighth section was read as follows:

Funds

Section 8 The funds hereby created are the expense fund the contingent reserve fund State annuity reserve fund State annuity reserve fund number two the employes' annuity savings fund and the employes' annuity reserve fund

2 The expense fund shall consist of such amounts as shall be paid by the Commonwealth on the basis of estimates submitted by the retirement board to defray the expenses of the administration of this act exclusive of the payment of retirement allowances and of the other benefits provided for in this act

3 In the month of July nineteen hundred nineteen for a period covering the twelve months next preceding and semi-annually thereafter covering the six months next preceding the Commonwealth of Pennsylvania shall pay into a fund to be known as the contingent reserve fund on account of each new entrant who was a contributor for one or more months of such respective periods such amount as shall be certified by the retirement board as necessary to provide by such method of payment during the prospective active service of such new entrant the State annuity reserve required at the time of retirement for the disability or superannuation State annuity allowable by the said Commonwealth under the provisions of this act The amount so certified by the retirement board shall be computed to bear a ratio to the salary earnable by such new entrant during the period for which the amount is certified which shall remain constant during his entire period of prospective active service and shall be based on such mortality and other tables as shall be adopted by the retirement board and on regular interest

4 Upon the retirement of a new entrant an amount equal to his State annuity reserve shall be transferred from the contingent reserve fund into a fund to be known as State annuity reserve fund his State annuity shall be paid from said State annuity reserve fund Should said new entrant be subsequently restored to active service his State annuity reserve shall thereupon be transferred from State annuity reserve fund to the contingent reserve fund Should the State annuity of any such new entrant be otherwise reduced or discontinued in accordance with the provisions of this act his State annuity reserve or such proportionate part of his State annuity reserve as corresponds to the amount of the reduction in his State annuity shall be transferred from State annuity reserve fund to the contingent reserve fund

5 Beginning with the month of July nineteen hundred eighteen and continuing until the accumulated reserve equals the present value as computed by the actuary of the retirement board and approved by the retirement board of all State annuity payments thereafter payable by the Commonwealth on account of present employes then retired or to be retired on State annuities as provided in this act the said Commonwealth shall pay semi-annually into a fund to be known as State annuity reserve fund number two an amount equal to two and eight-tenths (2.8) per centum of the total compensation paid to all contributors for service during the preceding school year and in every case an amount at least three percentum greater than the second preceding semi-annual payment provided that in every case the amount shall be sufficient when combined with that in the fund to provide the pensions payable by the Commonwealth during the half-year then current to present employes then retired or to be retired as provided in this act Upon the retirement of a present employe his State annuity shall be paid from State annuity reserve fund number two

6 The employes' annuity savings fund shall consist of the accumulated deductions from the salaries of contributors made under such rules and regulations as the retirement board shall prescribe as follows

From the salary of each employe who is a contributor there shall be deducted such percentum of his earnable salary not exceeding two thousand dollars per annum as shall be computed to be sufficient with regular interest to procure for him on superannuation retirement at age sixty-two an employe's annuity equal to one one-hundred sixtieth (1-160) of his final salary for each year of service after the thirtieth day of June nineteen hundred eighteen except that if the deduction so computed shall exceed five per centum of his earnable salary and the employe shall so elect there shall be deducted five percentum of his earnable salary and further provided that a beneficiary restored to school service shall not be required to contribute at a percentum rate of his earnable salary which is greater than the percentum thereof which he was required to contribute prior to his retirement the rate percentum of said deduction from salary shall be based on such mortality and other tables as the retirement board shall adopt together with regular interest and shall be computed to remain constant during the prospective school service of the contributor

7 Upon the retirement of a contributor his accumulated deductions shall be transferred from the employes' annuity savings fund to a fund to be known as the employes' annuity reserve fund his employes' annuity shall be paid out of said employes' annuity reserve fund Should said contributor be subsequently restored to active service his employes' annuity reserve shall thereupon be transferred from the employes' annuity reserve fund to the employes' annuity savings fund

8 No contributor shall be required to continue to contribute to the employes' annuity savings fund after he shall have become eligible for superannuation retirement all contributions made thereafter to said fund shall be voluntary

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 8, page 17, line 16, by inserting after the word "his" the words "or her."

Amend section 8, page 17, line 20, by inserting after the word "his" the words "or her."

Amend section 8, page 17, line 22, by inserting after the word "his" the words "or her."

Amend section 8, page 17, line 24, by inserting after the word "his" the words "or her."

Amend section 8, page 18, line 1, by inserting after the word "his" the words "or her."

Amend section 8, page 18, line 2, by inserting after the word "his" the words "or her."

Amend section 8, page 18, line 3, by inserting after the word "his" the words "or her."

Amend section 8, page 18, line 25, by inserting after the word "his" the words "or her."

Amend section 8, page 19, line 3, by inserting after the word "his" the words "or her."

Amend section 8, page 19, line 6, by inserting after the word "his" the words "or her."

Amend section 8, page 19, line 8, by inserting after the word "his" the words "or her."

Amend section 8, page 19, line 11, by inserting after the word "his" the words "or her."

Amend section 8, page 19, line 12, by inserting after the word "his" the words "or her."

Amend section 8, page 19, line 15, by inserting after the word "his" the words "or her."
Amend section 8, page 19, line 16, by inserting after the words "he" the words "or she."
Amend section 8, page 19, line 17, by inserting after the word "his" the words "or her."
Amend section 8, page 19, line 23, by inserting after the word "his" the words "or her."
Amend section 8, page 19, line 26, by inserting after the word "his" the words "or her."
Amend section 8, page 19, line 29, by inserting after the word "his" the words "or her."
Amend section 8, page 20, line 5, by inserting after the words "he" the words "or she"

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The ninth section was read and agreed to as follows:

State Guaranty

Section 9 Regular interest charges payable the creation and maintenance of reserves in the contingent reserve fund and the maintenance of employers' annuity reserves and State annuity reserves as provided for in this act and the payment of all retirement allowances and other benefits granted by the retirement board under the provisions of this act are hereby made obligations of the Commonwealth of Pennsylvania All income interest and dividends derived from deposits and investments authorized by this act shall be used for the payment of the said obligations of the Commonwealth The retirement board shall prepare and submit to the Legislature on or before the thirty-first day of January in each odd-numbered year an itemized estimate of the amounts necessary to be appropriated by the Commonwealth to the various funds to complete the payment of the said obligations of said Commonwealth accruing during the biennium beginning July first of the same year and it shall be the duty of said legislature to make an appropriation sufficient to provide for such obligations of the Commonwealth and the amounts so appropriated shall be included in the general appropriation bill and shall be paid by the Treasurer of the Commonwealth into the various funds created by this act For the biennium beginning July first nineteen hundred seventeen there is hereby appropriated to the expense fund created by section eight paragraph two of this act such sum not to exceed twenty thousand dollars as shall be certified to the Treasurer of the Commonwealth by the retirement board as necessary to meet the expenses of establishing the retirement system constituted by the provisions of this act For said biennium there is hereby appropriated and the Treasurer of the Commonwealth of Pennsylvania is hereby authorized and directed to pay into pension reserve fund number two the amounts which shall become due in such period from the Commonwealth of Pennsylvania to such fund under the provision of section eight paragraph five of this act

The tenth section was read as follows:

Service Allowance

Section 10 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each contributor by the retirement board for each school year of service as an employe as defined in section one paragraph seven of this act Under such rules and regulations as the retirement board shall adopt each employe shall file with the retirement board a detailed statement of all such service rendered by him As soon as practicable thereafter the retirement board shall verify such statement as to prior service and shall issue to each employe a certificate certifying to the aggregate length of his prior service Such certificate shall be final and conclusive as to his prior service unless thereafter modified (a) by the retirement board upon application by the employe or (b) by the State Superintendent of Public Instruction upon application by the employe or by the retirement board provided such application for modification be made to said State Superintendent of Public Instruction within one year after the issuance of a certificate or a modified certificate by the retirement board A certificate for prior service issued to a present employe shall certify the total number of completed years of prior service allowance for said present employe to and including the thirtieth day of June nineteen hundred eighteen The time during which an employe is absent without pay shall not be counted in computing the prior service the total service or the average salary of a contributor unless allowed by the employer by whom said contributor was employed at the time said leave of absence was granted and further unless said allowance is approved by the retirement board

On the question,
Will the House agree to the section?
Mr. STERLING. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 10, page 21, line 25, by inserting after the word "him" the words "or her."
Amend section 10, page 21, line 28, by inserting after the word "his" the words "or her."
Amend section 10, page 22, line 1, by inserting after the word "his" the words "or her."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The eleventh section was read as follows:

Withdrawal

Section 11 Should a contributor by resignation or dismissal or in any other way than by death or retirement separate from the school service he shall be paid on demand (a) the full amount of the accumulated deductions standing to the credit of his individual account in the annuity savings fund or in lieu thereof should he so elect (b) an annuity or a deferred annuity which shall be the actuarial equivalent of said accumulated deductions His membership in the retirement association shall thereupon cease

2 Should an employe so separated from the school service return within three years and restore to the annuity savings fund his accumulated deductions as they were at the time of his separation the annuity rights forfeited by him at that time shall be restored

3 Should a contributor die before retirement his accumulated deductions shall be paid to his estate or to such person as he shall have nominated by written designation duly executed and filed with the retirement board

On the question,
Will the House agree to the section?
Mr. STERLING. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 11, page 22, line 25, by inserting after the word "he" the words "or she."
Amend section 11, page 22, line 25, by inserting after the word "his" the words "or her."
Amend section 11, page 22, line 27, by striking out the word "be" and inserting in lieu thereof "he or she."
Amend section 11, page 23, line 1, by inserting after the word "his" the words "or her."
Amend section 11, page 23, line 5, by inserting after the word "his" the words "or her."
Amend section 11, page 23, line 6, by inserting after the word "his" the words "or her."
Amend section 11, page 23, line 7, by inserting after the word "him" the words "or her."
Amend section 11, page 23, line 8, by inserting after the word "his" the words "or her."
Amend section 11, page 23, line 9, by inserting after the word "his" the words "or her."
Amend section 11, page 23, line 10, by inserting after the word "he" the words "or she."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The twelfth section was read as follows:

Disability Retirement

Section 12 Retirement upon disability shall be made and discontinued as follows

1 Upon the application of a contributor who is a employe or of one acting in his behalf or upon the application of the employer of a contributor the retirement board shall retire said contributor on a disability allowance if he is under the age of sixty-two years and on a superannuation allowance if he has attained or passed such age provided the physician or physicians designated by said board after a medical examination of said contributor made at the place of residence of said contributor or at a place mutually agreed upon shall certify to the retirement board that said contributor is physically or mentally incapacitated for the performance of duty and that said contributor ought to be retired and provided further that said contributor has had ten or more school years of school service

2 Once each year the retirement board may require any disability annuitant while still under the age of sixty-two years to undergo medical examination by a physician or physicians designated by the retirement board said examination to be made at the place of residence of said beneficiary or other place mutually agreed upon Should such physician or physicians thereupon report and certify to the retirement board that such disability beneficary

is no longer physically or mentally incapacitated for the performance of duty or that such disability beneficiary is able to engage in a gainful occupation and should the retirement board concur in such report then the amount of the State annuity shall be discontinued or reduced to an amount that shall be not in excess of the amount by which the amount of the last year's salary of the beneficiary as an employe exceeds the present earning capacity of the contributor

3 Should any disability annuitant while under the age of sixty-two years refuse to submit to at least one medical examination in any year by a physician or physicians designated by the retirement board his State annuity shall be discontinued until the withdrawal of such refusal and should such refusal continue for one year all his rights in and to the State annuity constituted by this act shall be forfeited

4 Upon application of any beneficiary under the age of sixty-two years drawing a retirement allowance under the provisions of this act said beneficiary may be restored to active service by the employer by whom he was employed at the time of his retirement Upon the restoration of a beneficiary to active service his retirement allowance shall cease

Allowance on Disability Retirement

5 On retirement for disability a contributor who is an employe shall receive a retirement allowance which shall consist of

(a) An employe's annuity which shall be the acturial equivalent of his accumulated deductions and

(b) A State annuity which together with the employe's annuity shall be sufficient to produce a retirement allowance of one-ninetieth of his final salary multiplied by the number of his years of service but in any case not less than thirty per centum of said final salary except that in case thirty per centum of said final salary shall exceed eight-ninths of the rate of retirement allowance to which the employe might have been entitled had retirement been deferred until age sixty-two then the State annuity granted shall be such as to make the rate of the total retirement allowance equal to eight-ninths of the rate of allowance to which the employe might have been entitled had retirement been deferred until age sixty-two

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 12, page 23, line 15, by striking out the words "it a" and inserting in lieu thereof the word "is."

Amend section 12, page 23, line 16, by inserting after the word "his" the words "or her."

Amend section 12, page 23, line 19, by inserting after the word "he" the words "or she."

Amend section 12, page 23, line 20, by inserting after the word "he" the words "or she."

Amend section 12, page 24, line 21, by inserting after the word "his" the words "or her."

Amend section 12, page 24, line 24, by inserting after the word "his" the words "or her."

Amend section 12, page 24, line 29, by inserting after the word "he" the words "or she."

Amend section 12, page 25, line 1, by inserting after the word "his" the words "or her."

Amend section 12, page 25, line 2, by inserting after the word "his" the words "or her."

Amend section 12, page 25, line 9, by inserting after the word "his" the words "or her."

Amend section 12, page 25, line 12, by striking out the word "nintieth" and inserting in lieu thereof the word "ninetieth."

Amend section 12, page 25, line 12, by inserting after the word "his" the words "or her."

Amend section 12, page 25, line 14, by inserting after the word "his" the words "or her."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirteenth section was read as follows:

Superannuation Retirement

Section 13 Retirement for superannuation shall be as follows

1 Any contributor who is an employe sixty-two years of age or older may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at which time subsequent to the execution of said application he desires to be retired Said application shall retire said contributor at the time so specified or in the discretion of the retirement board at the end of the school term in which the time so specified occurs

2 Each and every contributor who has attained or shall attain the age of seventy years shall be retired by the retirement board for superannuation forthwith or at the end of the school term in which said age of seventy years is attained

Allowance on Superannuation Retirement

3 On retirement for superannuation a contributor who is an employe shall receive a retirement allowance which shall consist of

(a) A teacher's annuity which shall be the actuarial equivalent of his accumulated deduction and

(b) A State annuity of one one-hundred sixtieth (1-160) of his final salary for each year of service prior to the age of sixty-two years and

(c) In addition thereto if a present employe a further State annuity of one one-hundred sixtieth (1-160) of his final salary for each year of prior service as certified to said present employe in the certificate issued to him by the retirement board under the provisions of section ten of this act but in no event shall the total State annuity exceed fifty percentum of his final salary

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 13, page 26, line 3, by inserting after the word "he" the words "or she."

Amend section 13, page 26, line 17, by inserting after the word "his" the words "or her."

Amend section 13, page 26, line 19, by inserting after the word "his" the words "or her."

Amend section 13, page 26, line 22, by inserting after the word "his" the words "or her."

Amend section 13, page 26, line 24, by inserting after the word "him" the words "or her."

Amend section 13, page 26, line 27, by inserting after the word "his" the words "or her."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourteenth section was read as follows:

Options

Section 14 At the time of his retirement any contributor may elect to receive his benefits in a retirement allowance payable throughout life or he may on retirement elect to receive the actuarial equivalent at that time of his employe's annuity his State annuity or his retirement allowance in a lesser employe's annuity or a lesser State annuity or a lesser retirement allowance payable throughout life with the provision that

Option 1 If he die before he has received in payments the present value of his employe's annuity his State annuity or his retirement allowance as it was at the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement

Option 2 Upon his death his employe's annuity his State annuity or his retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement

Option 3 Upon his death one-half of his employe's annuity his State Annuity or his retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement

Option 4 Some other benefit or benefits shall be paid to either the contributor or such other person or persons as he shall nominate provided such other benefit or benefits shall be certified by the actuary of the retirement board to be of equivalent actuarial value and shall be approved by the retirement board

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 14, page 27, line 2, by inserting after the word "his" the words "or her."

Amend section 14, page 27, line 3, by inserting after the word "his" the words "or her."

Amend section 14, page 27, line 4, by inserting after the word "he" the words "or she."

Amend section 14, page 27, line 6, by inserting after each word "his" in said line the words "or her."
Amend section 14, page 27, line 10, by inserting after each word "he" in said line the words "or she."
Amend section 14, page 27, line 11, by inserting after each word "his" in said line the words "or her."
Amend section 14, page 27, line 12, by inserting after the word "his" the words "or her."
Amend section 14, page 27, line 13, by inserting after each word "his" in said line the words "or her."
Amend section 14, page 27, line 15, by inserting after the word "his" the words "or her" and after the word "he" the words "or she."
Amend section 14, page 27, line 17, by inserting after the word "his" the words "or her."
Amend section 14, page 27, line 18, by inserting after each word "his" in said line the words "or her."
Amend section 14, page 27, line 19, by inserting after the word "his" the words "or her."
Amend section 14, page 27, line 21, by inserting after the word "his" the words "or her" and after the word "he" the words "or she."
Amend section 14, page 27, line 23, by inserting after the word "his" the words "or her."
Amend section 14, page 27, line 24, by inserting after each word "his" in said line the words "or her."
Amend section 14, page 27, line 25, by inserting after each word "his" in said line the words "or her."
Amend section 14, page 27, line 27, by inserting after the word "his" the words "or her" and after the word "he" the words "or she."
Amend section 14, page 27, line 29, by inserting after the word "his" the words "or her."
Amend section 14, page 28, line 3, by inserting after the word "he" the words "or she."
Amend section 14, page 28, line 4, by inserting before the word "shall" the words "together with such lesser employe's annuity or lesser state annuity or lesser retirement allowance."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The fifteenth and sixteenth sections were separately read and agreed to as follows:

Monthly Payments

Section 15 An employes' annuity a State annuity or a retirement allowance granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed except as otherwise provided in this act

State Supervision

Section 16 The various funds created by this act shall be subject to the supervision of the State Department of Insurance

The seventeenth section was read as follows:

Exemptions from Execution

Section 17 The right of a person to a employe's annuity a State annuity or retirement allowance to the return of contributions any benefit or right accrued or accruing to any person under the provisions of this act and the moneys in the various funds created under this act are hereby exempt from any State or municipal tax and exempt from levy and sale garnishment attachment or any other process whatsoever and shall be unassignable except as in this act specifically otherwise provided

On the question,
Will the House agree to the section?
Mr. STERLING. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 17, page 28, line 18, by striking out the "a" before "employe's" and inserting in lieu thereof the word "an."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The eighteenth section was read as follows:

Section 18 Any person who shall knowingly make any false statement or shall fasify or permit to be falsified any record or records of this retirement system in any attempt to defraud such system as a result of such act shall be guilty of a misdemeanor and shall be punishable for such under the laws of the Commonwealth of Pennsylvania Should any such change in records or any mistake in records result in any employe or beneficiary receiving from the retirement system more or less than he would have been entitled to receive had the records been correct then on the discovery of any such error the retirement board shall correct such error and so far as practicable shall adjust the payment which may be made for and to such person in such a manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid

On the question,
Will the House agree to the section?
Mr. STERLING. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 18, page 29, line 7, by inserting after the word "he" the words "or she."
Amend section 18, page 29, line 12, by inserting after the word "he" the words "or she."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The nineteenth section was read as follows:

Section 19 This act shall take effect at once

On the question,
Will the House agree to the section?
Mr. STERLING. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 19, page 29, line 14, by striking out the words "at once" and inserting in lieu thereof the word "immediately."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read and agreed to as follows:

An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process and providing penalties.

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1127, entitled

An Act empowering cities and boroughs to provide for the licensing of cats

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That authority is hereby conferred upon cities boroughs and townships to regulate by ordinance the licensing of cats to fix reasonable fees for the licensing thereof and to adopt proper rules and regulations to govern the running at large of cats

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1380, entitled

An Act to amend section one of an act approved the fifteenth day of July, one thousand eight hundred ninety-seven, entitled "An Act to provide revenue by taxation."

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (Pamphlet Laws two hundred and ninety-two) entitled "An Act to provide revenue by taxation" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the twentieth day of June in each and every year make to the Auditor General a report in writing verified by the oath or affirmation of the president cashier or treasurer setting forth the full number of shares of the capital stock subscribed for or issued by such bank or savings institution and the actual value thereof which shall be ascertained as hereinbefore provided whereupon it shall be the duty of the Auditor General to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares The Auditor General shall have the power and it shall be his duty in case he shall not be satisfied with the correctness of the report as made by the officers of any bank or savings institution to summon the officers of said bank or savings institution to appear before him upon notice to do so on a day to be fixed by him and to bring with them the books of said bank or savings institution for his examination and he shall have the right to have further evidence to satisfy himself as to the correctness of the report made to him on the question of the value of the shares of stock of such bank or savings institution according to the rule hereinbefore stated After the Auditor General shall have fixed the value of the shares of stock in any bank or savings institution by the method hereinbefore provided and settled an account according to law he shall thereupon transmit to the president cashier or treasurer of such bank or savings institution a copy of such settlement showing the valuation and assessment so made by him and the amount of tax due the Commonwealth on all such shares And it shall be the duty of the president cashier or treasurer of any such bank or savings institution immediately upon the receipt of said settlement to post the same in a conspicuous place in such bank or savings institution so as to give notice to the shareholders of such valuation and it shall be the duty of the Auditor General to hear any shareholder upon the subject of the valuation of such shares of stock at the Auditor General's office within a period of thirty days from the date of said settlement It shall be the duty of every bank or savings institution within a period of forty days after the date of such settlement by the Auditor General at its option to pay the amount of said tax to the State Treasurer from its general fund or collect the same from its shareholders and pay over to the State Treasurer Provided That if any such bank or savings institution shall fail or refuse to make such report or to pay such tax at the time herein specified or shall make any false statement in such report or shall fail or refuse by its officers to appear before the Auditor General upon notice as aforesaid or shall fail or refuse to produce its books for examination when required to do so by the Auditor General he shall after having ascertained the actual value of each share of the capital stock of such bank or savings institution from the best information he can obtain add thereto fifty per centum as a penalty assess the tax as aforesaid and proceed according to law to collect the same from such bank or savings institution Provided further That if the president cashier or treasurer of any such bank or savings institution shall neglect or refuse to post the copy of the settlement in a conspicuous place in such bank or savings institution immediately upon the receipt of the same so as to give notice to the shareholders such president cashier or treasurer shall be adjudged to be in default and as a penalty for such default such bank or savings institution shall be responsible to the Commonwealth for the amount of the tax assessed against the shareholders of such bank or savings institution And provided further That in case any bank or savings institution having capital stock incorporated under the law of this States or of the United States shall collect annually from the shareholders thereof said tax of four mills on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the rule hereinbefore stated that has been subscribed for or issued and pay the same into the State Treasury on or before the first day of March in each year the shares and so much of the capital and profits of such bank or savings institution as shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon Except however that any bank or savings institution incorporated as aforesaid in lieu of the method hereinbefore set out for ascertaining the actual value of the shares of capital stock thereof may elect to collect annually from the stockholders thereof a tax of ten mills on the dollar upon the par value of all shares of said bank that have been subscribed for or issued and pay the same into the State Treasury on or before the first day of March in each year and the shares of such bank or savings institution and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempted from local taxation under the laws of this Commonwealth" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the twentieth day of June in each and every year make to the Auditor General a report in writing verified by the oath or affirmation of the president cashier or treasurer setting forth the full number of shares of the capital stock subscribed for or issued by such bank or savings institution and the actual value thereof which shall be ascertained as hereinbefore provided whereupon it shall be the duty of the Auditor General to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares The Auditor General shall have the power and it shall be his duty in case he shall not be satisfied with the correctness of the report as made by the officers of any bank or savings institution to summon the officers of said bank or savings institution to appear before him upon notice to do so on a day to be fixed by him and to bring with them the books of said bank or savings institution for his examination and he shall have the right to have further evidence to satisfy himself as to the correctness of the report made to him on the question of the value of the shares of stock of such bank or savings institution according to the rule hereinbefore stated After the Auditor General shall have fixed the value of the shares of stock in any bank or savings institution by the method hereinbefore provided and settled an account according to law he shall thereupon transmit to the president cashier or treasurer of such bank or savings institution a copy of such settlement showing the valuation and assessment so made by him and the amount of tax due the Commonwealth on all such shares And it shall be the duty of the president cashier or treasurer of any such bank or savings institution immediately upon the receipt of said settlement to post the same in a conspicuous place in such bank or savings institution so as to give notice to the shareholders of such valuation and it shall be the duty of the Auditor General to hear any shareholder upon the subject of the valuation of such shares of stock at the Auditor General's office within a period of thirty days from the date of said settlement It shall be the duty of every bank or savings institution within a period of forty days after the date of such settlement by the Auditor General at its option to pay the amount of said tax to the Stae Treasurer from is general fund or collect the same from its shareholders and pay over to the State Treasurer Provided That if any such bank or savings institution shall fail or refuse to make such report or to pay such tax at the time herein specified or shall make any false statement in such report or shall fail or refuse by its officers to appear before the Auditor General upon notice as aforesaid or shall fail or refuse to produce its books for examination when required to do so by the Auditor General he shall after having ascertained the actual value of each share of the capital stock of such bank or savings institution from the best information he can obtain add thereto fifty per centum as a penalty assess the tax as aforesaid and proceed according to law to collect the same from such bank or savings institution Provided further That if the president cashier or treasurer of any such bank or savings institution shall neglect or refuse to post the copy of the settlement in a conspicuaus place in such bank or savings institution immediately upon the receipt of the same so as to give notice to the shareholders such president cashier or treasurer shall be adjudged to be in default and as a penalty for such default such bank or savings institution shall be responsible to the Commonwealth for the amount of the tax assessed against the shareholders of such bank or savings institution And provided further That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of four mills on

the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the rule hereinbefore stated that has been subscribed for or issued and pay the same into the State Treasury on or before the first day of March in each year the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon

On the question,
Will the House agree to the section?

Mr. DEAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 7, line 20, by striking out "and" and inserting in lieu thereof "any."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read and agreed to as follows:

An Act to amend section one of an act approved the fifteenth day of July, one thousand eight hundred ninety-seven, entitled "An Act to provide revenue by taxation."

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1268, entitled

An Act authorizing any city of the first class to acquire existing street railway transit facilities within such city or adjacent thereto and the franchises for operating the same by the exercise of the power of eminent domain providing for the determination by the Public Service Commission subject to appeal of the amount of compensation to be paid for the properties and franchises taken and empowering such city to operate maintain use lease license or contract for the operation of the facilities so acquired

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "Street Railway Transit Facilities" as used in this act includes every railroad and railway by whatsoever power operated or any extension or extensions thereof for public use in the conveyance of passengers and property or both being mainly or in part located upon over above below across through or along any street avenue road highway bridge or public place and the facilities plant and equipment thereof including tunnels subways bridges elevated structures tracks poles wires conduits power houses sub-stations lines for the transmission of power car-lines shops yards sidings turn-outs switches stations and approaches thereto cars and motive equipment and all works buildings appliances and appurtenances necessary and convenient for the proper construction equipment maintenance and operation of such railroad or railway

On the question,
Will the House agree to the section?

Mr. HECHT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 8, by striking out after the word "mainly" the words "or in part."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The second section was read as follows:

Section 2 For the purpose of operating any street railway transit facility or any part thereof any city of the first class within this Commonwealth shall have the power to enter upon take appropriate occupy and use any existing street railway transit facility or any part thereof and any franchise for the operation of the same within the corporate limits of such city and with the consent of the local authorities any existing street railway transit facility or any part thereof and any franchise for the operation of the same within the corporate limits of any adjacent city borough or township if such street railway transit facility or part thereof and franchise within such adjacent city borough or township is connected with and a part of a street railway transit facility within the corporate limits of such city of the first class or reasonably necessary as a connecting part of a street railway transit facilitiy intended to be purchased constructed or taken and appropriated by such city

On the question,
Will the House agree to the section?

Mr. HECHT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 15, by striking out the word "existing."
Amend section 2, page 2, lines 15 and 16, by striking out the words "or any part thereof."
Amend section 2, page 2, line 19, by striking out the words "or any part thereof."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The third section was read as follows:

Section 3 Whenever any city of the first class shall desire to enter upon take appropriate occupy and use any street railway transit facility or any part thereof and the franchise for the operation of the same under the provisions of this act it shall declare its intention so to do by ordinance duly enacted and the compensation or damages arising from its entry upon taking appropriating occupying and using such street railway transit facility or part thereof and franchise shall be considered ascertained determined and paid in the manner hereinafter provided

On the question,
Will the House agree to the section?

Mr. HECHT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 3, line 3, by striking out the words "or any part thereof."
Amend section 3, page 3, line 9, by striking out the words "or any part thereof."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The fourth section was read as follows:

Section 4 If the city and the owner owners of any street railway transit facility or any part thereof and the franchise for operating the same about to be taken under the powers conferred by this act shall agree upon the amount of compensation or damages to be paid by the said city for the said street railway transit facility or part thereof and franchise and the method of paying such compensation or damages they shall join in a petition to The Public Service Commission of the Commonwealth of Pennsylvania for the confirmation of the said agreement and The Public Service Commission shall confirm the same unless it shall believe that the amount agreed upon is excessive or that the method of payment is unlawful or unjust or unreasonable to the city

On the question,
Will the House agree to the section?

Mr. HECHT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 3, line 12, by inserting after the word "owner" the word "or."

Amend section 4, page 3, line 13, by striking out the words "or any part thereof."

Amend section 4, page 3, line 18, by striking out the words "or part thereof."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The fifth section was read as follows:

Section 5 (a) If the city and the owner or owners of the street railway transit facility or any part thereof and the franchise for operating the same about to be taken under the powers conferred by this act cannot agree as to the compensation or damages to be paid and the method of paying the same or if because of the absence or legal incapacity of such owner or owners or of any owner if there be more than one the amount of compensation or damages cannot be agreed upon or if although the amount and method of payment have been agreed upon The Public Service Commission shall have refused to confirm the same the said city may tender its bond in such legal sum as it may deem proper to the said owner or owners or the agent of any absent owner or owners or to the guardian or committee of any owner or owners under legal incapacity

(b) If the owner or owners shall not accept said bond as tendered the said city shall present its petition to The Public Service Commission to ascertain fix and determine the amount and character of the bond to be given to the owner or owners and when The Public Service Commission shall have fixed and determined the amount of such bond the city may file such bond with The Public Service Commission

(c) If the owner or any of the owners is absent unknown or under a legal incapacity or for any reason cannot have a bond tendered to him her or it The Public Service Commission shall upon proper petition setting forth the facts direct the filing of a bond to the Commonwealth of Pennsylvania in an amount to be fixed by the said Commission for the use of such owner or owners

(d) The condition of any bond provided for in this section shall be that the said city will pay or cause to be paid such amount of compensation or damages as the owner or owners shall be entitled to receive after the same shall have been agreed upon by the parties and confirmed or assessed in the manner provided by this act

(e) Upon the acceptance of any bond by the owner or owners or the filing thereof as provided by this section the city shall have the right to enter upon take use occupy and appropriate the street railway transit facility or part thereof and franchise for the operation of the same mentioned in the said bond and the title acquired by virtue of the provisions of this act shall be the fee simple of absolute title

On the question,
Will the House agree to the section?
Mr. HECHT. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 5, page 3, line 27, by striking out the words "or any part thereof."

Amend section 5, page 5, line 12, by striking out the words "or part thereof."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The sixth section was read and agreed to as follows:

Section 6 If the amount of the compensation or damages for the said taking and appropriation has not been agreed upon and confirmed as hereinbefore provided the city shall petition The Public Service Commission to assess and determine the proper amount thereof and the said Public Service Commission shall after due notice to all parties interested and after such public hearings thereon as it shall deem necessary assess and determine the amount of compensation or damages to be paid by the city to the owners or owners aforesaid

The seventh section was read as follows:

Section 7 In ascertaining assessing and determing the amount of compensation or damages to be paid by the city the said Public Service Commission may determine every fact matter or thing which in its judgment does or may have any bearing on the fair amount of the compensation among other things the original cost of construction particularly with reference to the amount expended in existing and useful permanent improvements with such consideration for the amount in market value of the owner's bonds and stocks of the owner be a corporation the probable earning capacity of the property under particular rates prescribed by statute or ordinance or other municipal contract or fixed or proposed by The Public Service Commission and for the items of expenditures for obsolete equipment and construction as the circumstances and the historical development of the enterprise may warrant the reproduction cost of the property based upon the fair average price of materials property and labor and the development and going concern value of such street railway transit facility and these and other elements of value shall be given such weight by the commission as may be just and right in each case

On the question,
Will the House agree to the section?
Mr. HECHT. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 7, page 6, line 7, by striking out "of" and inserting in lieu thereof "if."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The eighth section was read as follows:

Section 8 Within thirty days after the filing of any determination by The Public Service Commission of the amount of compensation or damages to be paid by any city for taking and appropriating any street railway transit facility or part thereof and franchise for operating the same as provided by this act unless application for a rehearing be pending and then within thirty days after the refusal of such application any party to the proceedings may appeal therefrom to the Superior Court and the said court shall have the power to confirm the commission's determination or to direct the commission to reconsider the question and file a new determination modified and corrected in such manner as the court shall prescribe

If however any party shall desire a trial by jury such party within thirty days after the filing by The Public Service Commission of its determination or if an application for a rehearing shall have been made within thirty days after the refusal of such application shall take an appeal to the court of common pleas of the county containing the street railway transit facility or part thereof and franchise in question demanding a jury trial according to the course of the common law Upon any such trial the determination of The Public Service Commission and any opinion rendered by the said commission in connection therewith shall be admissible in evidence Upon the entry of final judgment on any issue had upon any such trial either party shall have the right to an appeal to the Superior or Supreme Court as in other cases

On the question,
Will the House agree to the section?
Mr. HECHT. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 8, page 6, line 24, by striking out the words "or part thereof."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The ninth section was read as follows:

Section 9 When the amount of the compensation or damages to be paid to the owner or owners of any street railway transit facility or part thereof and franchise for operating the same taken and appropriated under the provisions of this act shall have been agreed upon and confirmed as provided by this act such city of the first class shall make payment in the manner agreed upon and confirmed or if the amount to be paid shall not have been agreed upon payment shall be made in such manner and in such amounts as The Public Service Commission or the court as the court as the case may be shall have determined

On the question,
Will the House agree to the section?

Mr. HECHT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 9, page 7, line 23, by striking out the words "or part thereof."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The tenth section was read as follows:

Section 10 Any city of the first class which shall have taken and appropriated any street railway transit facility or part thereof and the franchise for operating the same shall have the power to own maintain use operate and lease the same or to grant licenses for the operation thereof or to enter into operating agreements therefor upon the same terms and under the same conditions upon and under which such city shall have the power under then-existing law to own maintain use operate and lease or to grant licenses for the operation of or enter into operating agreements for street railway transit facilities constructed purchased or leased by such city

On the question,
Will the House agree to the section?

Mr. HECHT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 10, page 8, line 6, by striking out the words "or part thereof."

Amend section 10, page 8, lines 10 to 15, by striking out after the word "for" the following: "upon the same terms and under the same conditions upon and under which such city shall have the power under then-existing law to own, maintain, use, operate and lease or to grant licenses for the operation of or enter into operating agreements for street railway transit facilities constructed, purchased or leased by such city."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The eleventh section was read and agreed to as follows:

Section 11 If any of the powers conferred on any city of the first class by section ten of this act shall be deemed unconstitutional the court's decision holding the same unconstitutional shall not affect the validity of the remaining provisions of this act it being the intention of the Legislature that every power conferred upon any city of the first class by this act is a separate and distinct power

The title was read as follows:

An Act authorizing any city of the first class to acquire existing street railway transit facilities within such city or adjacent thereto and the franchises for operating the same by the exercise of the power of eminent domain providing for the determination by The Public Service Commission subject to appeal of the amount of compensation to be paid for the properties and franchises taken and empowering such city to operate maintain use lease license or contract for the operation of the facilities so acquired.

On the question,
Will the House agree to the section?

Mr. HECHT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, lines 1 and 2, by striking out the word "existing."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1424, entitled

An Act for the imposition and collection of certain inheritance taxes.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all estates real personal and mixed of every kind whatsoever situated within this Commonwealth whether the person dying seized thereof be domiciled within or without this Commonwealth and all such estates situated in another state, territory or country when the person dying seized thereof shall have his domicile within this Commonwealth passing from any person who may be seized or possessed of such estates either by will or under the intestate laws of this Commonwealth or any part of such estates or interests therein transferred by deed grant bargain or sale made or intended to take effect in possession or enjoyment after the death of the grantor or bargainor to or for the use of father mother husband wife children lineal descendants born in lawful wedlock children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof or to adopted children are hereby made subject to a tax of two ($2) dollars made on every hundred dollars of the clear value of such estates and at the same rate for any less amount to be paid to the use of the Commonwealth

The tax hereinbefore provided is also imposed on any estate passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such illegitimate child his wife or widow Such tax also applies to any estate passing from an illegitimate child to his mother

On the question,
Will the House agree to the section?

Mr. WOODWARD. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 4, by inserting after the word "to" the word "legally."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The second section was read as follows:

Section 2 A register of wills of the county in which letters testamentary or of administration are granted shall appoint an appraiser whenever occasion may require to fix the value of the estates hereinbefore subjected to tax Such appraiser shall make a fair conscionable appraisement of such estates and assess and fix the cash value of all annuities and life estate growing out of said estates upon which annuities and life estates the tax imposed by this act shall be immediately payable out of the estate at the rate of such valuation

On the question,
Will the House agree to the section?

Mr. WOODWARD. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 2, line 15, by striking out the word "A" and insert in lieu thereof the word "The."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The third, fourth, fifth and sixth sections were separately read and agreed to as follows:

Section 3 The compensation of such appraisers shall be as follows namely For each day during which an appraiser shall actually be engaged in making appraisements of property subject to the tax he shall receive the sum of two dollars If it shall be necessary for the appraiser to travel from his place or residence to appraise property subject to the tax he shall be allowed such actual neecssary traveling expenses as he may incur which expenses shall be itemized in a sworn statement to be returned to the register and subject to the final approval of the auditor general

Section 4 Whenever because of the complicated nature of an estate subject to the payment of such tax the interest of the Commonwealth shall require the appointment as appraiser of such estate of a person possessed of expert or technical knowledge to ascertain the value thereof reasonable additional compensation shall be allowed such appraiser for the exercise of such expert or technical knowledge In case where after the appointment of an appraiser it shall appear that the proper appraisement of said estate will require the services of a person possessed of expert or technical knowledge whereof the appraiser appointed is not possessed the appraiser may employ the services of a person possessed of expert or technical knowledge to assist him in the appraisement and for such services the person so employed shall receive reasonable compensation In all such cases the register of wills appointing the appraiser shall certify to the auditor general that there is an actual necessity for the appointment of an appraiser possessed of expert or technical knowledge or that the appraiser already appointed to appraise the estate in question should be assisted by a person possessed of such knowledge No person shall be appointed as such expert appraiser or as expert to the appraiser until the approval of the auditor general of said appointment is first obtained nor shall any payment be made to any appraiser or to any person employed by him under this section until an itemized statement of the services performed and the compensation recommended shall have been rendered under oath or affirmation to the auditor general for his approval and shall have received the same No clerk or other person employed in the office of a register of wills shall be appointed as an expert appraiser of an estate subject to the payment of such tax nor as an expert to assist the appraiser of such estate

Section 5 It shall be a misdemeanor for an appraiser to take any fee or reward from any executor or administrator legatee lineal descendant or heir of any decedent and for any such offense the register shall dismiss him from such service Upon conviction of such misdemeanor such appraiser shall be fined not exceeding five hundred dollars or imprisoned not exceeding one year or both

Section 6 Any person not satisfied with any appraisement may appeal within thirty days to the orphans' court on paying or giving security to pay all costs together with whatever tax shall be fixed by the court Upon such appeal the court may determine all questions of valuation and of the liability of the appraised estate for such tax subject to the right of appeal to the supreme or superior court

The seventh section was read as follows:

Section 7 The register of wills shall enter in a book to be provided at the expense of the Commonwealth which shall be a public record the returns made by all appraisers under the provisions of this act opening an account in favor of the Commonwealth against each decedent's estate The register may give certificates of payment of such tax from such record The register shall transmit to the auditor general on the first day of each month a statement of all returns made by appraisers during the preceding month upon which the taxes remain unpaid which statement shall be entered by the auditor general in a book to be kept for that purpose Whenever any such tax shall have remained due and unpaid for one year the register may apply to the orphans' court by bill or petition to enforce the payment of the same whereupon the court having caused notice to be given to the owner of the real estate charged with the tax and to such other person as may be interested shall proceed according to equity to make such decree or orders for the payment of the tax out of such real estate as shall be just and proper

On the question,
Will the House agree to the section?

Mr. WOODWARD. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 7, page 5, line 8, by inserting after the word 'taxes" the words "have been paid for."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The eighth, ninth, tenth, eleventh, twelfth and thirteenth sections were separately read and agreed to as follows:

Section 8 If the register shall discover that any tax imposed by this act has not been paid the orphans' court may cite the executors or administrators of the decedent whose estate is subject to the tax to file an account or to appear on a certain day and show cause why the tax should not be paid When personal service cannot be had notice shall be given for four weeks once a week in at least one newspaper published in the county If the tax shall be found to be due the delinquent shall pay the tax and costs The register or the auditor general shall employ an attorney of the county to sue for the recovery of the amount of such tax The auditor general in the settlement of accounts of any register may allow his costs of advertising and other reasonable fees and expenses incurred in the collection of the tax

Section 9 Where there is a devise descent or bequest liable to the tax hereinbefore imposed which devise descent or bequest is to take effect in possession or to come into actual enjoyment after the expiration of one or more life estates or a period of years the tax on such estate shall not be payable nor shall interest begin to run thereon until the person liable for the same shall come into actual possession of such estate by the termination of the estates for life or years The tax shall be assessed upon the value of the estate at the time the right of possession accrues to the owner but the owner may pay the tax at any time prior to his coming into possession In such cases the tax shall be assessed on the value of the estate at the time of the payment of the tax after deducting the value of the life estate or estates for years The tax on real estate shall remain a lien on the real estate on which the same is chargeable until paid The owner of any personal estate shall make a full return of the same to the register of wills within one year from the death of the decedent and within that time enter into security for the payment of the tax to the satisfaction of such register In case of failure so to do the tax shall be immediately payable

Section 10 If the tax is paid within three months after the death of the decedent a discount of five per centum shall be allowed If the tax is not paid at the end of one year from the death of the decedent interest shall be charged at the rate of twelve per centum per annum on such tax Where because of claims made upon the estate litigation or other unavoidable cause of delay the estate of any decedent or any part thereof cannot be settled up at the end of the year interest at the rate of six per centum per annum shall be charged upon the tax arising from the unsettled part thereof from the end of such year until there be default Where real or personal estate withheld by reason of litigation or other cause of delay in manner aforesaid from the parties entitled thereto subject to such tax has not been productive to the extent of six per centum per annum the proper parties shall not pay a greater amount as interest to the Commonwealth than they have realized or shall realize from such estate during the time the same has been or shall be withheld as aforesaid

Section 11 The executor or administrator or other trustee paying any legacy or share in the distribution of any estate subject to the said tax shall deduct therefrom at the rate of two dollars in every hundred dollars upon the whole legacy or sum paid or if not money he shall demand payment of a sum to be computed at the same rate upon the appraised value thereof No executor or administrator shall be compelled to pay or deliver any specific legacy or article to be distributed subject to tax except on the payment into his hands of a sum computed on its value as aforesaid In case of neglect or refusal on the part of such legatee to pay the same such specific legacy or article or so much thereof as shall be necessary shall be sold by such executor or administrator at public sale after notice to such legatee and the balance that may be left in the hands of the executor or administrator shall be distributed as is or may be directed by law Every sum of money retained by any executor or administrator or paid into his hands on account of any legacy or distributive share for the use of the Commonwealth shall be paid by him without delay

Section 12 When a legacy subject to tax under this act is given to any person for life or for a term of years or for any other limited period upon a condition or contingency if the same be money the tax thereon shall be retained upon the whole amount but if not money application shall be made to the orphans court to make apportionment if the case require it of the sum to be paid by such legatees and for such further order relative thereto as equity shall require

Whenever any such legacy shall be charged upon or payable out of real estate the heir or devisee before paying the same shall deduct therefrom at the rate aforesaid and pay the amount so deducted to the executor and the same shall remain a charge upon such real estate until paid and the payment thereof shall be enforced by the decree of the orphans' court in the same manner as the payment of such legacy may be enforced

Section 13 Whenever any real estate of which any decedent may die seized shall be subject to the tax the executors and administrators shall give information thereof to the register of the county where administration has been granted within six months after they undertake the execution of their respective duties or if the fact be not known to them within that period then within one month after the same shall have come to their knowledge The owners of such estate immediately upon its vesting shall give information thereof to the register having jurisdiction of the granting of administration

The fourteenth section was read as follows:

Section 14 Any executor or administrator on the payment of said tax shall take duplicate receipts from the register one of which shall be forwarded forthwith to the auditor general who shall charge the register receiving the money with the amount and seal with the seal of his office and countersign the receipt and transmit it to the executor or administrator whereupon it shall be a proper voucher in the settlement of the estate In no event shall an executor or administrator be entitled to a credit in his account by the register unless the receipt is so sealed and countersigned by the auditor general

On the question,
Will the House agree to the section?

Mr. WOODWARD. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 14, page 9, line 17, by striking out the word "one" and insert in lieu thereof the word "both."

Amend section 14, page 9, line 20, by inserting after the words "countersign the" the word "original."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fifteenth and sixteenth sections were read and agreed to as follows:

Section 15 Whenever any foreign executor or administrator or trustee shall assign or transfer any stocks or loans in this Commonwealth standing in the name of the decedent or in trust for the decedent which shall be liable for the tax imposed by this act such tax shall be paid on the transfer thereof to the register of the county where such transfer is made otherwise the corporation permitting such transfer shall become liable to pay such tax

Section 16 Whenever debts shall be proved against the estate of a decedent after distribution of legacies from which the tax has been deducted in compliance with this act and the legatee is required to refund any portion of a legacy a portion of the said tax shall be repaid to him by the executor or administrator if the tax has not been paid into the state or county treasury or by the county treasurer if it has been so paid

The seventeenth section was read as follows:

Section 17 The registers of wills upon their filing with the auditor general the bond hereinafter required shall be the agents of the Commonwealth for the collection of the said tax For services rendered in collecting and paying over the same they shall be allowed to retain for their own use five per centum upon the tax collected if such tax shall amount to a sum less than fifty thousand dollars in any year or two per centum if the same shall amount to two hundred thousand dollars and less than three hundred thousand dollars in any year or one per centum if the tax collected shall amount to three hundred thousand dollars or more in any year

On the question,
Will the House agree to the section?

Mr. WOODWARD. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 17, page 10, lines 20 and 25 both inclusive and inserting in lieu thereof the following:

"tax shall amount to a sum of fifty thousand ($50,000) dollars or less, three per centum on the amounts collected in excess of fifty thousand ($50,000) dollars and not exceeding one hundred thousand ($100,000) dollars, two per centum on the amounts collected in excess of one hundred thousand ($100,000) dollars and not over two hundred thousand ($200,000) dollars and one per centum on the amounts collected in excess of two hundred thousand ($200,000).

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The eighteenth section was read and agreed to as follows:

Section 18 Each register shall give bond to the Commonwealth in such penal sum as the orphans court may direct with two or more sufficient sureties for the faithful performance of the duties hereby imposed and for the regular accounting and paying over of the amounts to be collected and received This bond when executed and approved shall be forwarded to the auditor general

Until such bond and security be given the said tax shall be collected by the county treasurer In such cases all the provisions of this act relating to collection and payment by registers shall apply to the county treasurer

The nineteenth section was read as follows:

Section 19 Each register of wills shall on the first Monday of each month make return and payment to the state treasurer of all taxes imposed under this act received stating for what estate paid All taxes collected by him and not paid over within one month after his quarterly return of the same he shall pay interest at the rate of twelve per centum per annum until paid

On the question,
Will the House agree to the section?

Mr. WOODWARD. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 19, page 11, line 9, by striking out the words "and payment" and inserting in lieu thereof the words "to the Auditor General and return and payment."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The twentieth, twenty-first, twenty-second and twenty-third sections and title were separately read and agreed to as follows:

Section 20 The lien of the said tax shall continue until the tax is settled and satisfied and shall be limited to the property chargeable therewith All such taxes shall be sued for within five years after they are due otherwise they shall be presumed to have been paid and cease to be a lien as against any purchasers of real estate

Section 21 In all cases where any amount of such tax is paid erroneously to the register of wills the state treasurer on satisfactory proof rendered to him by said register of wills of such erroneous payment may refund and pay over to the person paying such tax the amount erroneously paid All such applications for the repayment of such tax erroneously paid in the treasury shall be made within two years from the date of payment except when the estate upon which such tax has ben erroneously paid shall have consisted in whole or in part of a partnership or other interest of uncertain value or shall have been involved in litigation by reason whereof there shall have been an over-valuation of that portion of the estate on which the tax has been assessed and paid which over-valuation could not have been ascertained within said period of two years in such case the application for repayment shall be made to the state treasurer within one year from the termination of such litigation or ascertainment of such over-valuation

Section 22 This act does not repeal or effect the tax imposed and collected under the act approved May sixth one thousand eight hundred eighty-seven entitled "An Act to provide for the better collection of collatteral inheritance taxes" its amendments and supplements

Section 23 All acts or parts of acts inconsistent with this act are hereby repealed

An Act for the imposition and collection of certain inheritance taxes.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1301 (Senate Bill No. 624), entitled

An Act dividing the Middle Coal-field Poor District into four districts and providing for the nomination and election of a director and auditor from each district, and one director at large to be elected by the voters of all districts; fixing the time when such nominations and elections shall be held and when those elected shall take office; providing for appointments and filling of vacancies; placing the affairs of the district under the supervision and control of the court of quarter sessions of Carbon County; making it lawful to erect new or additional buildings for said district after the approval of the court of quarter sessions of Carbon County; and repealing certain acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1325 (Senate Bill No. 203), as follows:

An Act defining and regulating boxing and wrestling contests

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "contest" includes any contest bout match or exhibition of boxing or sparring or wrestling

Section 2 A State Athletic Commission is hereby established The commission shall consist of three members appointed by the Governor for a term of four years from the first day of June next succeeding their appointment A vacancy from any cause shall be filled by the Governor for the unexpired term The Governor may for cause remove any member

Section 3 The commission shall elect one of its members as chairman It shall adopt a seal and shall adopt rules for the administration of its duties Such rules may be changed or abrogated at any time Two members of the commission shall be a quorum for all purposes

Section 4 The commission shall elect a secretary who shall hold office during the pleasure of the commission He shall receive an annual salary of eighteen hundred dollars and shall perform such duties as may be imposed by the commission

Section 5 The members of the commission shall receive an annual salary of twelve hundred dollars each Each member and the secretary shall be allowed expenses actually and necessarily incurred by him respectively in the performance of his duties

Section 6 The commission shall annually make to the Governor a written report of its proceedings during the year ending November first The commission shall also report such other matters as the Governor may direct It may report such recommendations as to it seem proper

Section 7 The commission shall have sole jurisdiction over all contests It is unlawful to conduct or participate in a contest unless the contest is conducted by a corporation licensed under the provisions of this act and is conducted according to the rules of the commission and the provisions of this act

Section 8 The commission may in its discretion issue and may at its pleasure revoke a license to conduct contests licenses shall issue only upon written application verified as to the statements therein by the chief officer and the secretary of the applicant No application shall be considered by the commission unless the applicant is the owner of the premises where the contests are to be conducted or holds a lease of at least a year for the premises If the applicant is an amateur athletic organization it must have been incorporated and organized in accordance with the rules of the Amateur Athletic Union of the United States The application shall be accompanied by a certificate from the Auditor General as hereinafter prescribed Application shall be on blank forms prepared and furnished by the commission and in addition to the foregoing requirements shall contain such additional information as may be desired by the commission

Section 9 Every applicant for a license shall file with the Auditor General a bond to the Commonwealth in the sum of five thousand dollars conditioned for the faithful observance of the rules of the commission and of the provisions of this act and for the payment of the tax imposed by this act The surety thereon shall be two individuals or one surety company authorized to act as surety in Pennsylvania The surety shall be subject to the approval of the Auditor general The form of bond shall be prepared by the Auditor General Failure to observe the rules of the commission or the provisions of this act shall work a forfeiture of the bond and the Attorney General shall on request of the commission proceed to recover and pay into the State Treasury the amount thereof Upon approval of the bond a certificate of the filing and acceptance thereof shall be furnished to the applicant by the Auditor General

Section 10 The commission may at any time examine the books of any such licensed corporation and may require it to furnish to the commission a written report on any matters coming within the jurisdiction of the commission. The commission may hold hearings which shall be public and may by subpoena compel the attendance of persons and the production of books papers and other documents It may cause its subpoena to be served anywhere in Pennsylvania. If a person subpoenaed refuses to appear and testify or if he appears but refuses to testify the commission may apply to the court of common pleas of the county where the delinquent resides The court shall issue its subpoena requiring the attendance and testimony of the delinquent as the commission shall desire Failure to obey the subpoena of the court shall be contempt of court punishable as contempt in open court is punishable When the examination of any books or the hearing is to determine whether this act is being violated the expense incidental thereto shall be paid by the licensed corporation

Section 11 Within twenty-four hours after a contest is conducted the licensee shall report to the commission the whole number of tickets sold for the contest and the amount of the gross receipts from the sale of tickets and from other sources incidental to and connected with the contest The report shall also include such other matters as the commission may demand The report shall be on blanks furnished by the commission and shall be verified by the chief officer and the secretary of the licensee

Section 12 At the same time the report required in the foregoing section is made the licensee shall forward to the State Treasurer as a tax five per centum of the gross receipts mentioned in such section Failure to pay the tax within five days after the contest is terminated shall work a forfeiture of the bond

Section 13 No free or complimentary tickets nor tickets at a discount shall be issued for any contest except under the rules of the commission

Section 14 No person under the age of eighteen years shall perticipate in or be a spectator of a contest nor shall any such person be permitted to participate in or be a spectator of a contest

Section 15 It is unlawful to conduct or permit to be conducted or to participate in any fraudulent sham or collusive contest The license of a corporation permiting such a contest shall be revoked and the corporation shall not thereafter receive a license

Section 16 If a person knowingly contests in a fraudulent sham or collusive contest he shall for the first offense be debarred from participating for a period of six months in any contest For the second offense he shall be debarred from admission to or participating at any time thereafter in a contest This penalty shall be in addition to the penalty hereinafter imposed

Section 17 No boxing contest shall be for more than ten rounds The contestants shall wear gloves weighing at least six ounces

Section 18 The building wherein contests are conducted shall be properly ventilated and shall be amply protected against fire and other danger according to the laws of the Commonwealth and the ordinances of the city borough town or township wherein the building is located The commission may require a certificate of inspection in compliance with this section to be filed with the application for license

Section 19 The violation of any of the provisions of this act is a misdemeanor On conviction in case of a corporation so offending the bond of the corporation shall be forfeited On conviction in the case of a person the offender shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceeding six months This shall be in addition to any other penalty mentioned in this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1401, as follows:

An Act to provide for the regulation of rag shops second hand paper shops and junk shops in cities of the first class and providing a penalty for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after January first one thousand nine hundred and eighteen it shall be unlawful for any person firm or corporation to own operate or conduct any rag shop second hand paper shop or junk shop in cities of the first lass without having first received a permit from the board of health for said cities to own operate or conduct the said shop and the board of health of said cities is hereby authorized and empowered to issue permits for said purpose and to make rules and regulations for the location conduct and operation of said shops

Section 2 Violators of any of the provisions of this act or of any of the rules and regulations of the board of health made in pursuance thereof shall be deemed guilty of a misdemeanor punishable by summary conviction before a magistrate by a fine of twenty-five dollars ($25.00) or imprisonment in default of fine of not less than five (5) days or more than fifteen (15) days subject to appeal as in cases of summary conviction

Section 3 The acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 400, as follows:

An Act to protect the public health by prohibiting the use of public cigar cutters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person partnership association or corporation or for any agent or employe of any such person partnership association or corporation to offer for use expose for use or permit

to be used in his her or its place of business any cigar cutter intended for use by the public for the purpose of cutting the ends of cigars

Section 2 Any person partnership association or corporation or any agent or employe of such person partnership association or corporation violating section one of this act shall be sentenced for each offense to pay a fine not exceeding ten dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 619, entitled

An Act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bull-frogs tad-poles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceedings to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid.

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person to catch take or kill any bull-frogs or tad-poles from the first day of November to the first day of July both dates inclusive and terrapin from the fifteenth day of March to the first day of November both dates inclusive in each year in any of the waters within this Commonwealth or in the boundary waters thereof

The second section was read as follows:

Section 2 From and after the passage of this act it shall be unlawful for any person to catch kill or have in possession more than twenty-five bull-frogs or more than fifty in any one season Any person violating any of the provisions of this section shall on conviction as provided in section eight of this act be subject to a penalty of ten dollars for each and every frog so taken caught or had in possession

On the question,

Will the House agree to the section?

Mr. BOVEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 2, line 5, by inserting "in any one day" after "possession."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third, fourth and fifth sections were read and agreed to as follows:

Section 3 From and after the passage of this act it shall be unlawful for any one person to catch take or kill more than twenty-five tad-poles in any one day or have more than twenty-five tad-poles in possession at any one time Any person violating any of the provisions of this section shall be subject to a penalty of ten dollars for each and every tad-pole so taken caught or had in possession

Section 4 From and after the passage of this act it shall be unlawful for any one person to catch take or kill more than five terrapin in any one day or more than fifty in any one season Any person violating any of the provisions of this act shall on conviction as provided in section eight of this act be subject to a penalty of ten dollars for each and every terrapin so taken caught or had in possession

Section 5 From and after the passage of this act it shall be unlawful to catch take or kill any bull-frogs by the use of a light at night Any person violating any of the provisions of this section shall on conviction thereof as provided in section eight of this act be subject to a penalty of twenty-five dollars

The sixth section was read as follows:

Section 6 The several sections of this act are to be deemed independent of each other and in the event of any section hereof being declared unconstitutional it is hereby declared as the intention of the Legislature that such section may be eliminated therefrom without affecting any other portion of this act

On the question,

Will the House agree to the section?

Mr. BOVEE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 6, page 3, line 9, by striking out "eliminiated" and inserting in lieu thereof "eliminated."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh and eighth sections and title were separately read and agreed to as follows:

Section 7 That from and after the passage of this act any fish commissioner fish warden special fish warden sheriff deputy sheriff constable or any special officer or any peace officer of this Commonwealth is hereby authorized and commanded to forthwith seize any net nets or device whatever that may be used in any violation of any of the provisions of this act and turn the same over to the Department of Fisheries and they are hereby authorized and commanded to forthwith apprehend and arrest any person or persons who may be guilty of violating any of the provisions of this act and take him or them before any justice of the peace magistrate or other legally constituted authority and thereupon make charge of such violation of the law or of any of the provisions thereof and the magistrate shall forthwith hear and determine the charge as provided in this act and in case any fish commissioner fish warden or other officer named above fails to prove his case and the defendant or defendants are discharged the county shall pay the costs and in case the defendant or defendants are convicted and are sent to jail in lieu of the payment of the fine or fines penalty or penalties the county in which the case is heard shall pay the costs without however relieving any defendant or defendants sentenced to pay the same Such arrests may also be made on Sunday in which case the person or persons shall be taken before the proper officer and proceeded against on a week-day following the arrest All fines penalty or penalties paid to any justice of the peace alderman or magistrate shall forthwith be paid over by him to the Commissioner of Fisheries and by him deposited into the State Treasury where it shall be kept as part of a fund separate and apart to be used solely under the direction of the Department of Fisheries for the purpose of defraying any of the necessary expenses incurred in the purpose of fish propagation and protection All boats and nets or devices forfeited to the Department of Fisheries shall be sold and the moneys received therefrom by the department shall be paid into the State Treasury where it shall be kept as part of a fund separate and apart to be used solely under the direction of the Department of Fisheries for the purpose of defraying any of the necessary expenses incurred in the purpose of fish propagation and protection All illegal devices not preserved for exhibition purposes are to be destroyed under the direction of the Commissioner of Fisheries

Section 8 That any justice of the peace alderman or magistrate upon information or complaint made to him by affidavit of one or more persons charging any person or persons with having violated any of the provisions of this act or any of the rules and regulations adopted and promulgated by the Commissioner of Fisheries pursuant to this act is hereby authorized and required to issue his warrant under his hand and seal directed to any constable peace officer or warden and cause such person or persons to be arrested and brought before such justice alderman or magistrate who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted upon such charge shall be sentenced by said justice alderman or magistrate severally to pay the fine or fines penalty or penalties provided in this act for such violations together with the costs of suit The whole of said fine shall be paid over forthwith to the Commissioner of Fisheries who shall deposit the same into the State Treasury where it shall be kept as part of a fund separate and apart to be used solely under the direction of the Department of Fisheries for the purpose of defraying any of the necessary expenses incurred in the purpose of fish propagation and protection Provided That in case the defendant or defendants shall neglect to pay at once the fine or fines so imposed said defendant or defendants shall forthwith be sentenced to undergo imprisonment in the county jail of the county where such conviction takes place for a period of one day for each dollar of fine so imposed and unpaid unless the defendant or defendants upon conviction shall give notice of intention to appeal when such defendant or defendants shall be permitted to enter into good and sufficient recognizance to appear before such justice alderman or magistrate on or before the expiration of five days if such appeal is not taken by them or on the final determination of such appeal

if it be not sustained for execution of sentence Provided also That all actions for any violation of any of the provisions of this act must be taken within one year from the time the offence was committed and when necessary to properly conduct any case before any alderman justice of the peace magistrate or any court the Commissioner of Fisheries is authorized to employ legal counsel

An Act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bull-frogs tad-poles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the maner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 232, entitled

An Act to amend an act entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an election schedule of compensation and providing procedure for the determination of liability and compensation thereunder" approved the second day of June one thousand nine hundred fifteen

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article three section three hundred six paragraphs (d) and (e) of an act entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the couse of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" approved the second lay of June one thousand nine hundred fifteen (Pamphlet Laws seven provided in clause (e) of this section

"(d) No compensation shall be allowed for the first (fourteen) days after disability begins except as hereinafter provided in clause (e) of this section

"(e) During the first (fourteen) days after disability begins the employer shall furnish reasonable surgical medicale and hospital services medicine and supplies as and when needed unless the employe refuses to allow them to be furnished by the employer The cost of such services medicines and supplies shall not exceed twenty-five dollars unless a major surgical operation shall be necessary in which case the cost shall not exceed seventy-five dollars If the employer shall upon application made to him refuse to furnish such services medicines and supplies the employe may procure the same and shall receive from the employer the reasonable cost thereof within the above limitations If the employe shall refuse reasonable surgical medicial and hospital services medicines and supplies tendered to him by his employer he shall forfeit all right to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal" be amended so as to read as follows

(d) No compensation shall be allowed for the first seven days after disability except as hereinafter provided in clause (e) of this section

(e) During the first (seven) days after disabiltiy begins the employer shall furnish reasonable surgical medical and hospital service medicines and supplies as and when needed unless the employe refuses to allow them to be furnished by the employer The cost of such services medicines and supplies shall not exceed twenty-five dollars unless a major surgical operation shall be necessary in which case the cost shall not exceed seventy-five dollars if the employer shall upon application made to him refuse to furnish such services medicines and supplies the employe may procure the same and shall receive from the employer the reasonable cost thereof within the above limitations If the employe shall refuse reasonable surgical medical and hospital services medicines and supplies tendered to him by his employer he shall forfeit all right to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal of.

On the question,

Will the House agree to the section?

BILL RE-REFERRED.

Mr. RUDDY. Mr. Speaker, I move that House Bill No. 232 be re-referred to the Committee on Judiciary Special.

Mr. ERDMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 886, entitled

An Act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering providing for the appointment by the Governor of an examining board defining the powers and duties of such board regulating barber shops barber schools and barber colleges and apprentices and students therein and providing penalties.

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to follow the occupation of a barber in this Commonwealth unless he or she shall have first passed an examination and obtained a certificate of registration as provided in this act Nothing contained in this act however shall apply to or affect any person who is now actually engaged in such occupation except as hereinafter provided

Section 2 A board of examiners to consist of five persons is hereby created to carry out the purposes and enforce the provisions of this act The board shall be appointed by the Governor the appointees to be chosen from practical barbers who have for at least ten years prior to their appointment followed the occupation and have been residents of this Commonwealth for a period of five years Each member of the board shall serve for a term of three years and until his successor is appointed and qualified Of the first board appointed two of the appointees shall be for a term of one year two for a term of two years and one for the term of three years, Vacancies in the board occurring from any cause whatsoever shall be filled by the Governor for the unexpired portion of the term Each member of the board shall take the oath provided by law for public officers

Section 3 The board may appoint deputies to assist in carrying out the provisions of this act The salary of such deputies shall be fixed by the board in a sum not to exceed five dollars for each day so employed

The fourth section was read as follows:

Section 4 The board shall elect a president secretary and treasurer and shall have its headquarters at such place in the Commonwealth as the board may determine The board shall have a common seal and may administer oaths A majority of the board may in meeting duly assembled perform the duties and exercise the powers devolving upon the board under the provisions of this act The secretary of the board shall receive a salary of fifteen hundred dollars annually The members of the board shall receive for their compeisation six dollars per diem and such expenses actually and necessarily incurred

On the question,

Will the House agree to the section?

Mr. BENNETT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 4, page 2, line 25, by striking out "ority" at the beginning of the line and inserting in lieu thereof "jority."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth, sixth, seventh, eighth, ninth and tenth sections were separately read and agreed to as follows:

Section 5 The board shall make a report annually to the Governor which shall set forth in full the erceipt and disbursements of the board in itemized account and shall contain a full statement of its doings and proceedings and such recommendations as to it may deem proper looking to the better carrying out of the purposes of this act A copy thereof shall be furnished to the Legislature.

Section 6 All moneys received by the board from fees or otherwise shall be deposited with the State Treasurer within thirty days from its receipt All disbursements shall be paid on warrants of the Auditor General on the State Treasurer upon the requisition of the board of examiners

Section 7 The board shall hold public examinations on the first Tuesdays in March June September and December in the cities of Philadelphia Pittsburgh Scranton Harrisburg and Erie at such hours as the board shall prescribe

Section 8 Every person now engaged in the occupation of a barber shall within ninety days after the board is appointed file with the secretary of the board two affidavits The one shall be made by the applicant and shall set forth his or her name age residence and length of time during which and the place where he or she has practiced said occupation The other shall be made by a practicing physician and shall set forth that the applicant was examined and is free from all contagious and infectious disease The applicant at the time of filing these affidavits shall pay to the secretary of the board the sum of one dollar Thereupon the board shall issue to such applicant a certificate of registration entitling him or her to practice such occupation

Section 9 Any person not holding a license under the provisions of the preceding section and desiring to obtain a license under this act shall make application in such form as the board shall prescribe and shall be verified by the applicant as to the truth of the statement or answers therein made to the board Such application shall be accompanied by an affidavit which shall be made by a practicing physician and shall set forth that the applicant was examined and is free from all contagious and infectious disease The applicant at the time of filing such application and affidavit shall pay to the secretary of the board an examination fee of five dollars and shall present him or herself at the next regular meeting of said board for examination of applicants The board shall thereupon proceed to examine such person If satisfied that he or she is above the age of nineteen years of good moral character free from contagious and infectious disease and has either (a) studied the occupation for a period of three years as apprentice under a qualified and practicing barber or (b) studied the occupation in a properly appointed and conducted barber school under the instruction of a competent barber for a period of at least three years (c) practiced the occupation in another State for a period of at least three years and is possessed of requisite skill in said occupation to properly perform all the duties thereof including his or her knowledge and ability in the antiseptic preparation of tools shaving hair cutting and all the duties and services incident thereto and is possessed of sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said occupation the board shall enter his or her name in the register hereinafter provided for and shall issue a certificate of registration to him or her authorizing him or her to practice such occupation

Section 10 Any person who holds a certificate of registration granted after examination by a board of barber examiners of any other State who shall present credentials showing that he or she is a qualified barber under the laws of this Commonwealth and who shall file an affidavit made by a practicing physician as hereinbefore provided may be granted a certificate of registration by said board without practical examination upon the payment of the registration fee of one dollar

The eleventh section was read as follows:

Section 11 Nothing in this act shall prohibit any person from serving as an apprentice in such occupation under a registered barber of this Commonwealth or from serving as a student in any berber school for the training of students in said occupation under the training of a duly registered barber authorized to practice such occupation in this Commonwealth provided that such apprentice or student shall apply to the board to have his or her name registered with said board in a book which shall be kept by the board for the registering of apprentices or students and secure a permit to practice as an apprentice or student under a duly registered barber such permit to tbe displayed in front of his or her working chair After having practiced the occupation for three years under a registered barber such apprentice or student shall be eligible to become a registered barber and shall present him or herself at the next meeting of the board held nearest to him or her for the examination of applicants and pay the fee as provided for in section nine of this act

On the question,
Will the House agree to the section?

Mr. BENNETT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 11, page 6, line 3, by striking out the word "or" and inserting in lieu thereof "and."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The twelfth section was read and agreed to as follows:

Section 12 The board shall furnish to each person to whom a certificate of registration is issued a card bearing the seal and signature of said board certifying that the holder thereof is entitled to practice the occupation of a barber The holder of such card shall paste the same in a conspicuous place in front of his or her working chair where it may be readily seen by all persons whom he or she may serve

The thirteenth section was read as follows:

Section 13 The card shall be removed on or before the first day of January in each year and the holders of said certificates of registration shall pay the secretary of said board the sum of one dollar for a renewal card Upon the failure of any holder of a certificate of registration to apply for a renewal of his or her card on or before the first day of January in each year his or her certificate of registration shall be revoked by the board and a new certificate of registration shall not be issued to such person until he or she shall again comply with all the provisions of this act in the same manner as if he or she had never been registered

On the question,
Will the House agree to the section?

Mr. BENNETT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 13, page 6, line 25, by inserting after the word "card" the following: "and at the same time shall file an affidavit made by a practicing physician setting forth that at the time of making application for such card, the applicant was free from all contagious and infectious disease."

Amend section 13, page 6, line 26, by inserting after the word "card" the following: "or to file the physician's affidavit as herein required."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections were separately read and agreed to as follows:

Section 14 The board may revoke any certificate of registration granted by it under this act for (a) conviction of crime (b) habitual drunkenness (c) having or imparting any contagious or infectious disease (d) doing work in an unsanitary or filthy manner or (e) gross incompetence Before any certificate shall be revoked for any of the reasons contained in this section the holder thereof shall have notice in writing of the charge or charges against him or her and shall at a day specified in said notice wich shall be at least five days after the service thereof be given a public hearing before the board with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose certificate of registration has been so revoked may after the expiration of ninety days on application have the same reissued to him or her upon satisfactory showing that the disqualification has ceased except where such certificate was revoked for having or imparting any contagious or infectious disease in which case a new certificate shall not be issued for a period of at least one year and then only after the provisions of this act have been fully complied with by such person in the same manner as if he or she had never been registered

Section 15 The board may adopt reasonable rules and regulations prescribing the sanitary requirements of each barber shop barber school or barber college subject to the approval of the Department of Health and shall cause the rules and regulations so approved to be printed in a suitable form and shall transmit a copy thereof to the proprietor or person operating each barber school or barber college which shall at all times be kept conspicuously displayed in such shop school or college Any member of the board or duly authorized deputy may enter and make reasonable examination of any barber shop barber school or barber college during the business hours for the purpose of ascertaining the sanitary condition thereof Any barber shop barber school or barber college in which tools appliances and furnishings in use therein are kept in an unclean and unsanitary condition as to be a danger to heal is hereby declared to be a public nuisance and the proprietor thereof or any person operating such barber shop barber school or barber college shall be subject to prosecution and punishment therefor

Section 16 The board shall keep a register in which shall be entered the names of all persons to whom certificates of registration or permits for serving apprenticeship or as students are issued under this act The register shall at all times be open to public inspection

Section 17 In no barber shop shall there be more than one apprentice to two barbers authorized under this act to practice such occupation All barber shops having but one chair shall be entitled to at least one apprentice All barber schools or barber colleges shall have not less than one teacher or instructor for every ten students All barber schools or barber colleges shall keep prominently displayed a sign reading "Barber College" or "Barber School" Any

copartnership corporation or person desiring to operate or conduct a barber school or barber college shall first secure from the board a permit to do so and shall keep the same prominently displayed The board may pass upon the qualifications appointments and course of study in said college which shall be not less than three years There shall be no money charged or collected by the college or by any of its students or teachers in the practice of the trade therein taught

Section 18 To shave or to trim the beard or to cut shampoo or singe the hair or to massage the face or head by either manual or mechanical means or to apply hot cloths to the face of any person for reward received by the person performing such service for any other persons shall be considered as practicing the occupation of a barber within the meaning of this act

The nineteenth section was read as follows:

Section 19 Any barber apprentice or student who shall practice the occupation of barber while suffering from contagious or infectious disease or who shall knowingly serve any person afflicted with such disease or any person who shall permit himself to be served knowing at the time that he is afflicted with any such contagious or infectious disease shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or undergo an imprisonment not exceeding one year or both at the discretion of the court

Any barber apprentice or student who shall infect any person or who shall impart any contagious or infectious disease by reason of carlessness or negligence in the practice of such occupation shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding two years or both at the discretion of the court

Any person who shall violate any of the other provisions of this act except as herein otherwise provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or to undergo an imprisonment not exceeding ninety days or both at the discretion of the court

On the question,
Will the House agree to the section?

Mr. BENNETT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 19, page 9, line 22, by inserting the word "any" after "with."

Amend section 19, page 9, line 27, by inserting the word "to" before "undergo."

Amend section 19, page 10, line 5, by inserting the word "thereof" after "conviction."

On the question,
Will the House agree to the amendments?

They were agreed to.

On the question,
Will the House agree to the section as amended?

It was agreed to.

The twentieth and twenty-first sections were separately read and agreed to as follows:

Section 20 This act shall become effective on the first day of July one thousand nine hundred and seventeen

Section 21 All acts and parts of acts inconsistent with this act are repealed

The title was read as follows:

An Act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering; providing for the appointment by the Governor of an examining board; defining the powers and duties of such board; regulating barber shops, barber schools and barber colleges and apprentices and students therein and providing penalties.

On the question,
Will the House agree to the title?

Mr. BENNETT. Mr. Speaker, I desire to offer the following amendment?

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 5, by striking out the word "such" and inserting in lieu thereof "said."

On the question,
Will the House agree to the amendment?

It was agreed to.

On the question,
Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1438 (Senate Bill No. 696), entitled

An Act to amend the second section of an act approved April fourth, one thousand nine hundred and seven, entitled "An Act creating in counties having a population from three hundred thousand to one million a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments and divisions thereof; prescribing the powers and duties of said board and regluating appeals from the decision thereof," by providing that where said board as constituted by said act is composed of the county controller and county commissioners only the president of the board in case of a tie vote shall be entitled to a deciding vote.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1352, as follows:

An Act to amend the second section of an act approved the fifteenth day of April one thousand nine hundred thirteen "An Act to amend the second section of an act entitled 'An Act amending section two of the act entitled "An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth' approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof by empowering courts to issue writs of attachment againts the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trusts or otherwise" by empowering courts to issue writs of execution against any property real or personal belonging to the defendant and writs of attachment execution against the money or property to which defendant may be entitled whether under what is known as a spendthrift trust or otherwise no matter when said trust was created and making same a continuing lien and levy for fifty per centum thereof until the order and costs are paid and abolishing the benefit of the exemption law in such case

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act to amend section two of an act entitled 'An Act amending section two of the act entitled "An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth"' approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof" approved the fifteenth day of April Anno Domini one thousand nine hundred and thirteen which reads as follows

Section 2 The information proceedings thereon and warrant shall be returned to the next Court of Quarter Sessions when it shall be lawful for said court after hearing to order the person against whom complaint has been made being of sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to the county prison there to remain until he shall comply with such orders or give security by one or more sureties to the Commonwealth and in such sum as the court shall direct for the compliance therewith and to further enforce the compliance with the said order the court may issue the appropriate writ of execution against any money or property to which he may be in any way entitled whether under what is known as a spendthrift trust or otherwise . Where an attachment execution is issued the further proceedings thereon shall be in the manner heretofore practiced and allowed in the case of foreign attachments" be and the same is hereby amended to read as follows

Section 2 The information proceedings thereon and warrant shall be returned to the next Court of Quarter Sessions when it shall be lawful for said court after hearing to order the person against whom complaint has been made being of sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to the county prison there to remain until he comply with such order or give security by one or more sureties to the Commonwealth and in such sum as the court shall direct for the compliance therewith and to further enforce the appropriate writ of

execution against any property real or personal belonging to the defendant and its writ of attachment execution against any money or property to which he may be in any way entitled whether under what is known as a spendthrift trust or otherwise and its said writ of attachment execution shall become a lien and continuing levy upon any money or property to which he may be in any entitled whether under what is known as a spendthrift trust or otherwise which shall not exceed fifty per centum thereof and shall remain a continuing levy until the order has been paid in full with costs And it is further provided that the person against whom an order is made shall not be entitled to the benefits of any exemption law now in force or hereafter passed And it is further provided that the provisions of this act shall apply to any trust whether it is known as a spendthrift trust or otherwise whether such trust was created or came into existence before or after the passage of this act Where an attachment execution is issued and the further proceedings thereon shall be in the manner heretofore practiced and allowed in the case of foreign attachments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1391, as follows:

An Act to amend section five of an act approved the tenth day of April one thousand eight hundred and seventy-nine entitled "An Act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of re-payment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the tenth day of April one thousand eight hundred seventy-nine entitled "An Act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of re-payment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these association to these associations of the bonus tax and registry laws for corporations" which reads as follows

"Section 5 In case of non-payment of installments of stock premiums dues or interest by borrowing stockholders for the space of six months payment of the same together with the full principal of the loan may be enforced by proceeding on their securities according to law and the moneys so recovered shall be paid into the treasury the association for such uses (loans or otherwise) as may be deemed proper by the association and if the said moneys so recovered together with the withdrawal value of the shares of such defaulting borrowed shall exceed the amount it would have required according to the preceding section to have voluntarily repaid the loan together with all the expenses incurred by the association such excess shall be paid to such defaulting borrower" is hereby amended to read as follows

Section 5 In case of non-payment of installments of stock premiums dues or interest by borrowing stockholders for the space of three months payment of the same tgoether with the full principal of the loan may be enforced by proceeding on their securities according to law and the moneys so recovered shall be paid into the treasury of the association for such uses (loans or otherwice) as may be deemed proper by the association and if the said moneys so recovered together with the withdrawal value of the shares of such defaulting borrowed shall exceed the amount it would have required according to the preceding section to have voluntarily repaid the loan together with all the expenses incurred by the association such excess shall be repaid to such defaulting borrower

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1130, as follows:

An Act to amend section forty-five of the act approved the nineteenth day of May one thousand nine hundred and fifteen entitled "An Act relating to the sale of goods"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty-five of the act approved the nineteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred forty-three) entitled "An Act relating to the sale of goods" which reads as follows

"Section 45 First Unless otherwise agreed or it is to be implied from the nature of the contract the buyer of goods is not bound to accept delivery thereof by instalments

Second Where there is a contract to sell goods to be delivered by stated instalments which are to be separately paid for and the seller makes defective deliveries in respect of one or more instalments or the buyer neglects or refuses to take delivery of or pay for one or more instalments (it depends in each case on the terms of the contract and the circumstances of the case whether the breach of contract is so material as to justify the injured party in refusing to proceed further and suing for damages for breach of the entire contract or whether the breach is severable giving rise to a claim for compensation but not to aright to treat the whole contract as broken)" be and the same is hereby amended to read as follows

Section 45 First unless otherwise agreed or it is to be implied from the nature of the contract the buyer of goods is not bound to accept delivery thereof by instalments

Second Where there is a contract to sell goods to be delivered by stated instalments which are to be separately paid for and the seller makes defective deliveries in respect of on or more instalments or the buyer neglects or refuss to take delivery of or pay for one or more instalments such breach of the contract justifies the injured party in refusing to proceed further and in suing for damages for breach of the entire contract unless the terms of the contract and the circumstances of the case disclose a different intention of the parties as to the consequences of such breach

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 705, entitled

An Act amending sections one, three and twelve of an act entitled "An Act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed roads and highways county roads, authorizing the relocation, opening, straightening, widening, extension, and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties, and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and for the payment of damages resulting from such taking, and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road," approved the eleventh day of May, one thousand nine hundred and eleven.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become nunecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four) which reads as follows "Be it enacted by the Senate and House of Representatives

of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several counties of this Commonwealth shall have the power and they are hereby authorized whenver the commissioners or a majority of them shall by resolution duly adopted deem it expedient so to do and upon approval therof by a grand jury and by the court of quarter sessions as hereinafter provided for the purpose of providing public roads specially constructed improved and maintained to originally locate and construct and take exclusive control of and improve any public roads or highway or section thereof within their respective limits and for that purpose they are hereby authorized and empowered to originally locate lay out and establish in whole or in part relocate straighten widen extend alter and open public roads or highways and to construct and improve the same and to vacate so much of any road so taken as may be thereby rendered unnecessary and useless in the manner and by the procedure hereinafter provided and any road or highway as established altered constructed and improved under the provisions of this act shall forever thereafter be a county road and the duty of maintaining and keeping the same in repair whether constructed or improved under this act or former acts shall devolve upon the county and the expense thereof shall be paid by the county as hereinafter provided" shall be and the same is hereby amended to read as follows

Section 1 That the several counties of this Commonwealth shall have the power and they are hereby authorized whenever the county commissioners or a majority of them shall resolve so to do and upon the approval thereof by a grand jury and by the court of quarter sessions in the manner hereinafter provided for the pupose of providing public roads specially constructed improved and maintained to make construct and maintain public roads or highways as county roads within their respective limits and to that end to originally lay out and open any public road or highway and to take possession of and exercise control over any existing public road or highway or part thereof and to straighten widen extend and alter any such road or part thereof so as aforesaid originally laid out taken over or improved and to vacate so much of any road or part thereof in the manner and by the proceedure hereinafter provided so orignally laid out taken over or improved as may thereby become unnecessary and useless and any road or highway so established and improved under the provisions of this act shall thereupon become and be a county road and it shall be the duty of such county to maintain and keep such roads in repair whether constructed or improved under this or former acts and the expense thereof shall be paid by such county as hereinafter provided

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. SPANGLER. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Roads for the purposes of a hearing.

Mr. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1415, entitled

An Act to amend section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority of the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts and parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the some That so much of section six of an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which reads as follows

"Route one hundred From Emporium to Smethport Commencing in Emporium and running by way of Sizerville to a point on the dividing line between Cameron and McKean Counties thence to Gardeau thence to a point on the dividing line between McKean and Potter Counties thence to Forest House thence to a point on the dividing line between Potter and McKean Counties thence by way of Liberty Wrights Port Allegany Turtle point and Farmers Valley thence over route ninety-six into Smethport McKean County" is amended to read as follows

Route one hundred From Emporium to Smethport Commencing in Emporium and running by way of Sizerville to a point on the dividing line between Cameron and McKean Counties thence to Gardeau thence to a point on the dividing line between McKean and Potter Counties thence to Forest House thence to a point on the dividing line between Potter and McKean Counties thence by way of Liberty Wrights Port Allegany Turtle Point Larabee Eldred Borough Prenticeville Rixford Dallas City and Corwin's Corners thence over route ninety-six into Smethport McKean County

The title was read as follows:

An Act to amend section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment

of a State Highway Department by the appointment of a State Highway Commissioner, two deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing the salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority of the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchasing or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and state aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to highway department and improvement of roads and of all acts and parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act."

On the question,

Will the House agree to the title?

Mr. FITZGIBBON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 7, by striking out "superintendent" and inserting in lieu thereof "superintendents."

Amend title, page 1, line 10, by striking out "the" before "salaries."

Amend title, page 2, line 8, by striking out "of" and inserting in lieu thereof "on."

Amend title, page 3, line 8, by striking out "and" before "parts" and inserting in lieu thereof "or."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 394, as follows:

An Act relating to sales on the installment plan providing for a rebate on the purchase price in certain cases by the vendor or lessor to the purchaser or lessee and providing a procedure for the determination and collection of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term sale on the "installment plan" wherever used in this act means any contract whereby goods or chattels are sold or leased and an agreement is entered into between the vendor or lessor and the purchaser or lessee at the time of such sale or lease that certain part payment or a certain rental shall be paid at stated intervals by the purchaser or lessee to the vendor or lessor and that the title to such goods or chattels shall remain in the vendor or lessor until the full purchase price of the goods or chattels or a certain number of rental payments agreed upon are paid at which time such title shall pass to the purchaser or lessee and that if at any time before the full payment of such purchase price or the stated number of rental payments the purchaser or lessee fails to make any payment when due he thereby forfeits all claim to such goods or chattels and the vendor or lessor may at any time retake possession of the same as of his own property and that all part payments made or rental paid is thereby forfeited to the vendor or lessor

Section 2 Whenever hereafter any goods or chattels are sold on the installment plan and the vendor or lessor retakes possession of the same because of a failure on the part of the purchaser or lessee to pay any stated part payment or rental such vendor or lessor shall refund to the purchaser or lessee a part of the purchase price paid on account or of the rental already paid and shall retain only so much thereof as will justly compensate him for the actual wear and tear on such goods or chattels while in the possession of the purchaser or lessee

Section 3 If the parties cannot agree upon the amount to be refunded the same shall be determined by an appraiser mutually agreed upon by them

If the parties cannot agree upon any one appraiser the amount to be refunded shall be determined by three appraisers One of such appraisers shall be chosen by the vendor or lessor the other by the purchaser or lessee and the third shall be chosen by the other two appraisers If the third appraiser canot be agreed upon either party may apply to the court of common pleas for the appointment of such appraiser The court shall thereupon appoint the third appraiser

Such appraiser or appraisers shall receive such compensation as is agreed upon by the parties In no case shall such compensation exceed ten per centum of the money refunded Such compensation shall be paid by the vendor or lessor and the purchaser or lessee in equal shares

Section 4 If the award of the appraiser or appraisers is not paid within ten days of the date when made the same may be filed in the office of the prothonotary and shall then have the effect of a judgment

If either party deems himself aggrieved by the award he may within ten days appeal to the court of common pleas and a jury and such appeals shall be entered heard and disposed of as other cases of contract are entered heard and disposed of taking into consideration however all the rights established by this act

Section 5 If the vendor or lessor fails or refuses to make any rebate agreed upon by the parties themselves or fails or refuses to agree on or choose an appraiser the purchaser or lessee may collect such rebate in an action of contract as provided by the law in cases of claims for like amounts Such action shall be brought for one-half of the money paid on the contract

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 817, as follows:

An Act relating to the consideration upon appeal by the Supreme and Superior Courts of testimony taken in proceedings in courts of record and providing for the making of such testimony a part of the records

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any proceedings heretofore or hereafter had in any court of record of this Commonwealth where the testimony has been or shall be taken by witnesses depositions or otherwise such testimony shall be filed in said proceedings and where an appeal has been or shall hereafter be taken from the order sentence decree or judgment entered in said proceedings to the Superior or Supreme Court the effect of said appeal shall be to remove for the consideration of the appellete court the testimony taken in the court room from which the appeal is taken and the same shall be reviewed by the appellate court as a part of the record with like effect as upon an appeal from a judgment entered upon the verdict of a jury in an action at law and the appeal so taken shall not have the effect only of a certiorari to review the regularity of the proceedings of the court below

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1435 (Senate Bill No. 55), entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 932 (Senate Bill No. 115), entitled

An Act to promote uniformity in all courts of record in issuing writs and process for the beginning of civil actions.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 784 (Senate Bill No. 177), entitled

An Act authorizing overseers and directors of the poor to enter into contracts with certain incorporated associations for the care and maintenance of indigent deaf and dumb persons and conferring certain powers on the Board of Public Charities its officers and agents.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the overseers and directors of the poor of any poor district maintaining an almshouse for its indigent poor may enter into a contract with any incorporated association organized for the purpose of providing a home for deaf and dumb persons and being situated within the boundaries of the State of Pennsylvania for the care and maintenance at such home of any indigent deaf and dumb person who may be an inmate of the almshouse of any poor distrcit or who may under the laws of Pennsylvania be entitled to relief from such poor district

On the question,

Will the House agree to the section?

Mr. REYNOLDS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, by striking out the word "incorporated" on line 6.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 The contract as hereinbefore provided shall be entered into by the poor districts on its own motion with such qualified institution as they may select provided however that the Board of Public Charities or any of its authorized agents may direct any poor district to remove any deaf and dumb inmate of an almshouse to the care of an incorporated association qualified under this act and when such removel is so ordered the contract for maintenance and the removal of the inmate to such institution shall be made and carried out by the overseers or directors of the poor district or in the event of their failure to comply with such direction the said contract and the removal of such inmate may be made and carried out by the Board of Public Charities or its authorized agents

On the question,

Will the House agree to the section?

Mr. REYNOLDS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, by striking out the word "incorporated" on line 9, page 2.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 Whenever a contract for such care and maintenance is made whether by any poor district or by the Board of Public Charities for any poor district the said poor district shall during the period such person may remain in said institution pay to such incorporated association annually a sum equal to the per capita cost of maintaining inmates in the almshouse of such poor district and all such costs for maintenance shall be collectible by process of existing laws

On the question,

Will the House agree to the section?

Mr. REYNOLDS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, by striking out the word "incorporated" on line 22, page 2.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read and agreed to as follows:

Section 4 This act shall take effect and be in force from and after the date of its passage

The title was read as follows:

An Act authorizing overseers and directors of the poor to enter into contracts with certain incorporated associations for the care and maintenance of indigent deaf and dumb persons and conferring certain powers on the Board of Public Charities its officers and agents.

On the question,

Will the House agree to the title?

Mr. REYNOLDS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the title by striking out the word "incorporated" on line 2.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1104 (Senate Bill No. 370), entitled

An Act to amend section one of an act entitled "An Act relating to unused streets lanes and alleys" approved the ninth day of May one thousand eight hundred and eighty-nine.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act relating to unused streets lanes and alleys" approved the ninth day of May one thousand eight hundred and eighty-nine which reads as follows

"Section 1 Be it enacted et cetra That any street lane or alley laid out by any person or persons in any village or town plot or plan of lots on lands owned by such person or persons in case the same has not been opened to or used by the public for twenty-one years next after the laying out of the same shall be and have no force and effect and shall not be opened without the consent of the owner or

owners of the land on which the same has been or shall be laid out" is hereby amended to read as follows

Section 1 Be it enacted et cetera That whenever any street lane or alley has been or may hereafter be laid out by any person or persons in any village or town plot or plan of lots on lands owned by such person or persons in case the same has not been opened to or used by the public for twenty-one years next after the laying out of the same or in case the same or any portion thereof has been opened to and used by the public and the use of the same or any portion thereof by the public has ceased for a period of twenty-one years such laying out opening or use of the same or portion thereof shall be and have no force and effect and said street lane or alley shall not be opened without the consent of the owner or owners of the land on which the same has been or shall be laid out

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. STADTLANDER. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of amendment.

Mr. HOWARTH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1580, as follows:

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred eighty-two thousand eight hundred dollars ($282,800.00) be and the same is hereby specifically appropriated for the purpose of purchasing uniforms and personal equipment consisting of service hats olive drab flannel shirts canvas leggings olive drab cotton coats olive drab cotton breeches shoes olive drab blankets slickers and ponchos to be issued to the enlisted men of the National Guard of Pennsylvania in accordance with such regulations as may be prescribed by the Commander-in-Chief

Section 2 The warrants in payment of the uniforms and equipment purchased shall be drawn by the Adjutant-General upon the State Treasurer and be countersigned by the Auditor General

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 500 (Senate Bill No. 69), entitled

A Supplement to the second section of An Act entitled "A supplement to the twenty-fourth section of an act entitled 'An Act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine, approved the first day of June one thousand eight hundred and eighty-nine, amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," approved the twenty-eighth day of June, one thousand eight hundred and ninety-five, amending the same to provide for the payment of the net proceeds of the entire two per centum tax for the purpose indicated in the original act and supplement including townships among the distributees and providing for certain conditions upon said distributions.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1359, as follows:

An Act to amend an act approved May twenty-eighth one thousand nine hundred and fifteen entitled "An Act permitting the Commonwealth to intervene in any proceeding at law or in equity in which the Commonwealth may have an interest without giving security" for the purpose of correcting a clerical error

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act entitled "An Act permitting the Commonwealth to intervene in any proceding at law or in equity in which the Commonwealth may have an interest without giving security" approved May twenty-eighth one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixteen) which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases at law or in equity in any court or before any officer board commission or other body having jurisdiction of the matter in which the Commonwealth or any officer thereof may be a party or in which the Commonwealth may have an interest the Commonwealth shall have the right to intervene and to plead prosecute defend or appear as other parties litigant but in no case shall be required to give any bond or other security for costs or for any other purposes whatever" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases at law or in equity in any court or before any officer board commission or other body having jurisdiction of the matter in which the Commonwealth or any officer thereof may be a party or in which the Commonwealth may have an interest the Commonwealth shall have the right to intervene and to plead prosecute defend or appeal as other parties litigant but in no case shall be required to give any bond or other security for costs or for any other purposes whatever

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1063, as follows:

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the Courts of the Common Pleas and the judges of the Orphans' Courts"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred eighty-two) entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas and the judges of the Orphans' Courts" which reads as follows

"Section 5 The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) shall be eight thousand five hundred dollars ($8,500) in judicial districts having a population of ninety thousand (90.000) and less than two hundred and fifty thousand (250,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be seven thousand dollars ($7,000) in judicial districts having a population of less than ninety thousand (90,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be six thousand dollars ($6,000) but each of the judges of the court of common pleas of Dauphin County shall receive two thousand dollars ($2,000) additional for trying the Commonwealth's civil cases" be amended to read as follows

Section 5 The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred thousand (200,000) and less than five hundred thousand (500.000) shall be eight thousand five hundred dollars ($8,500) in judicial districts having a population of ninety thousand (90,000) and less than two hundred thousand (200,000) the annual salary of each of the judges of the court of common pleas learned in the law shall be seven thousand ($7,000) in judicial districts having a population of less than ninety thousand (90,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be six thousand dollars ($6,000) but each of the judges of the court of common pleas of Dauphin County shall receive two thousand dollars ($2,000) additional for trying the Commonwealth's civil cases

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 733, as follows:

An Act to amend an act approved the eleventh day of June eighteen hundred and seventy-nine entitled "An Act to protect children from neglect and cruelty and relating to their employment protection and adoption" so that it shall not apply to discipline in the public schools

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eleventh day of June eighteen hundred and seventy-nine (Pamphlet Laws one hundred and forty-two) entitled "An Act to protect children from neglect and cruelty and relating to their employment protection and adoption" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person whatsoever who shall cruelly ill-treat abuse or inflict unnecessary cruel punishment upon any infant or minor child and any person having the care custody or control of any minor child who shall willfully abandon or neglect the same shall be guilty of a misdemeanor and upon conviction thereof before any justice of the peace magistrate or court of record shall be fined by such justice magistrate or court of record not less than ten dollars nor more than fifty dollars for each offense" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person whatsoever who shall cruelly ill-treat abuse or inflict unnecessary cruel punishment upon any infant or minor child and any person having the care custody or control of any minor child who shall willfully abandon or neglect the same shall be guilty of a misdemeanor and upon conviction thereof before any justice of the peace magistrate or court of record shall be fined by such justice magistrate or court of record not less than ten dollars nor more than fifty dollars for each offense Provided That it be expressly intended that the provisions of this act or any part thereof shall not apply in any case of corporal punishment administered by any teacher principal supervisor or superintendent in the public schools of this Commonwealth in the regular discharge of his or her duty in maintaining discipline in said schools

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1474, as follows:

An Act to amend sections one four and five of an act approved the eighteenth day of May one thousand nine hundred and fifteen entitled "An Act establishing a State Commission of Agriculture defining its powers and duties including its powers relative to the Department of Agriculture and the State Livestock Sanitary Board"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred forty-one) entitled "An Act establishing a State Commission of Agriculture defining its powers and duties including its powers relative to the Department of Agriculture and the State Livestock Sanitary Board" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a State Commission of Agriculture is hereby established It shall consist of seven commissioners five of whom shall be farmers to be appointed by the Governor by and with the advice and consent of the Senate The first commission shall be appointed as follows Two for a term of two years two for a term of four years two for a term of six years and one for a term of eight years After the first appointments each appointment other than to fill a vacancy shall be for a term of eight years Any vacancy shall be filled by the Governor by and with the advice and consent of the Senate for the unexpired term The commissioners shall receive no compensation but shall be allowed all expenses necessarily incurred in the performance of their duties Each commissioner before entering upon the duties of his office shall take and subscribe the oath of office prescribed by the Constitution of Pennsylvania" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a State Commission of Agriculture is hereby established It shall consist of seven commissioners five of whom shall be farmers to be appointed by the Governor by and with the advice and consent of the Senate The first commission shall be appointed as follows Two for a term of two years two for a term of four years two for a term of six years and one for a term of eight years After the first appointments each appointment other than to fill a vacancy shall be for a term of eight years Any vacancy shall be filled by the Governor by and with the advice and consent of the Senate for the unexpired term The commissioners shall receive ten dollars per diem for each day actually spent in the performance of their duties and shall be allowed all expenses necessarily incurred Each commissioner before entering upon the duties of his office shall take and subscribe the oath of office prescribed by the Constitution of Pennsylvania

Section 2 That section four of said act which reads as follows

"Section 4 The Governor by and with the advice and consent of the Senate shall appoint one Secretary of Agriculture He shall receive a salary of five thousand dollars per year and shall be allowed all expenses necessarily incurred in the performance of his duties He shall give bond to the Commonwealth in the sum of ten thousand dollars with sureties to be approved by the commission conditioned for the faithful performance of the duties of his office The first Secretary of Agriculture shall be appointed for a term of four years and thereafter the Secretary of Agriculture appointed shall hold his office at the pleasure of the Governor" is hereafter amended to read as follows

Section 4 The Commissioner of Agriculture shall appoint one Secretary of Agriculture He shall receive a salary of five thousand dollars per year and shall be allowed all expenses necessarily incurred in the performance of his duties He shall give bond to the Commonwealth in the sum of ten thousand dollars with sureties to be approved by the commission conditioned for the faithful performance of the duties of his office The first Secretary of Agriculture shall be appointed by a term of four years and thereafter the Secretary of Agriculture appointed shall hold his office at the pleasure of the Commission of Agriculture

Section 3 That section five of said act which reads as follows

"Section 5 The Secretary of Agriculture with the approval of the Governor and commission shall appoint one Deputy Secretary of Agriculture one Dairy and Food Commissioner one Economic Zoologist one State Veterinarian and one Deputy State Veterinarian one chief chemist and fix their respective duties and salaries The salary of any of said officers shall not exceed four thousand dollars per annum Such officials may be removed only by the commission with the consent of the Governor The Secretary of Agriculture with the approval of the commission shall appoint such officers and employes of the Department of Agriculture and State Livestock Sanitary Board as may be necessary and fix their respective duties and salaries" is hereby amended to read as follows

Section 5 The Secretary of Agriculture with the approval of the Commission shall appoint one Deputy Secretary of Agriculture one Dairy and Food Commissioner one Economic Zoologist one State Veterinarian and one Deputy State Veterinarian one chief chemist and fix their respective duties and salaries The salary of any of said officers shall not exceed four thousand dollars per annum Such officials may be removed only by the Commission The Secretary of Agriculture with the approval of the Commission shall appoint such officers and employes of the Department of Agriculture and State Livestock Sanitary Board as may be necessary and fix their respective duties and salaries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1420, entitled

An Act providing for the classification of real estate in cities of the first class so as to separate the land from the improvements thereon and to provide for the assessment of a less tax upon the buildings and other improvements than upon the land exclusive of the buildings and other improvements by a yearly reduction of the rate of taxation on improvements and increase of the rate on the land values

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of revision of taxes in cities of the first class in this Commonwealth shall classify all real estate in the city in such a manner and upon such testimony as may be adduced before them so as to distinguish between the buildings and other improvements on land and the land exclusive of the buildings and other improvements thereon so that the separate assessments of land and improvements shall appear in parallel columns

in the assessment books of said cities whereupon the said board shall certify to the councils of said cities the aggregate valuation of the city property subject to taxation in two items namely First a total of the value of the land separate from any improvements thereon and Second a total valutaion of all improvements upon the land

On the question,
Will the House agree to the section?

BILL RECOMMITTED.

Mr. RAMSEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of a hearing.

Mr. WALKER. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1051, entitled

An Act to amend an act approved the first day of June one thousand nine hundred eleven entitled "An Act designatinging the employes of the Insurance Department and fixing their salaries.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the first day of June one thousand nine hundred eleven (Pamphlet Laws five hundred ninety-eight) entitled "An Act designating the employes of the Insurance Department and fixing their salaries" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after June first nineteen hundred and eleven the employes of the Insurance Department in addition to the Insurance Commissioner shall be as follows

One deputy insurance commissioner at an annual salary of four thousand dollars
One actuary at an annual salary of five thousand dollars
One examiner-in-chief at an annual salary of four thousand dollars
One assistant examiner at an annual salary of three thousand dollars
Two assistant examiners at an annual salary of twenty-four hundred dollars each
One examiner of company's statements at an annual salary of two thousand dollars
Four examiners at an annual salary of eighteen hundred dollars each
Two inspectors at an annual salary of two thousand dollars each
One chief clerk at an annual salary of two thousand five hundred dollars
Twelve clerks at an annual salary of sixteen hundred dollars each
Three stenographers at an annual salary of twelve hundred dollars each
One messenger at an salary of twelve hundred dollars
Additional examiners or deputies may with the approval of the Governor be employed for special or temporary service at salaries not to exceed two hundred dollars per month for each month employed
Said salaries shall be paid monthly by the State Treasurer upon warrant of the Auditor General" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after June first one thousand nine hundred seventeen the employes of the Insurance Department in addition to the Insurance Commissioner shall be as follows

One deputy insurance commissioner at an annual salary of four thousand dollars
One actuary at an annual salary of five thousand dollars
One examiner-in-chief at an annual salary of four thousand dollars
One assistant examiner at an annual salary of three thousand dollars
Two assistant examiners at an annual salary of twenty-four hundred dollars each
One examiner of company's statements at an annual salary of two thousand dollars
Four examiners at an annual salary of eighteen hundred dollars each
Two inspectors at an annual salary of two thousand dollars each
One chief clerk at an annual salary of two thousand five hundred dollars
Six actuaries at an annual salary of two thousand dollars each
Six clerks at an annual salary of sixteen hundred dollars each
Three stenographers at an annual salary of twelve hundred dollars each
One messenger at an salary of twelve hundred dollars
Additional examiners or deputies may with the approval of the Governor be employed for special or temporary service at salaries not to exceed two hundred dollars per month for each month employed
Said salaries shall be paid monthly by the State Treasurer upon warrant of the Auditor General

On the question,
Will the House agree to the section?

Mr. HECHT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 4, line 3, by striking out the word "actuaries" and inserting in lieu thereof the words "actuary clerks."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read and agreed to as follows:

An Act to amend an act approved the first day of June one thousand nine hundred eleven entitled "An Act designating the employes of the Insurance Department and fixing their salaries"

And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1329 (Senate Bill No. 471), entitled

An Act to authorize the payment by corporations to their directors of compensation for services rendered by them

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1336 (Senate Bill No. 671), entitled

An Act to amend an act entitled "An Act authorizing companies incorporated under the laws of any other state of the United States for certain purposes to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for such purpose" approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteen.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1328 (Senate Bill No. 469), entitled

An Act authorizing any company incorporated under the laws of any other state for the manufacture of automobiles, motor trucks or other motor vehicles or of any article appertaining to or entering into the construction thereof to erect and maintain in buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1141, as follows:

An Act authorizing Almeda G. Pickering of the Borough of Towanda Bradford County Pennsylvania to bring suit against the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Amelda G. Pickering of Towanda Borough Bradford County Pennsylvania in her own right is hereby authorized to bring suit in the court of common pleas of Bradford County against this Commonwealth for any sum or sums of money that may be legally due the said Amelda G. Pickering in her own right from this Commonwealth as damages for personal injuries to and death of Joseph R. Pickering late husband of said Almeda G. Pickering while lawfully driving a motor vehicle upon State highway route number twenty in the County of Lycoming about two miles south of Ralston and about one mile north of Bodine This suit shall be subject to the same rules of pleadings and evidence as in other cases between individuals The right to bring suit hereby given shall not preclude the Commonwealth from raising any defense available to it in the suit hereby authorized

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1498, as follows:

An Act providing that retail and wholesale liquor licenses good wills and leaseholds in conection therewith and the proceeds of the sale thereof shall be an asset for the payment of debts of deceased licensee and for the transfer and holding of such license and for whose benefit such license shall be held and for the form of application thereof and liabilities of transferee

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any person other than a member of a firm or co-partnership shall die possessed of a retail or wholesale license for the sale of vinous spiritous malt or brewed liquors or any admixtures thereof whether deceased licensee occupies the licensed premises as owner or lessee such license together with the goodwill thereof the leasehold if any in conection therewith and the proceeds of the sale of such license goodwill and leasehold shall be an asset for the payment of the debts of such deceased licensee and such license goodwill and leasehold if not immediately sold to a bona fide purchaser thereof shall only be held by and transferred to the executor or executors administrator or administrators of such deceased licensee or by such person or persons firm or corporation as may be designated by the said executor or executors administrator or administrators of such deceased licensee if for any legal reason such executor or executors or administrator or administrators cannot hold such license subject however to the approval of such transfer by the court of quarter sessions sitting as a license court of the county in which said license is situated and such transferee shall hold such license goodwill and leasehold until sold for the benefit of the creditors heirs and beneficiaries of such deceased licensee and when sold account therefor in the proper court

Section 2 The form of the application for such transfer of such license aforesaid shall set forth the facts of the case but in all other respects be the same as now required by law

Section 3 Nothing herein contained shall be taken to relieve such transferees from personal liability under any laws relating to the sale of vinous spiritous malt or brewed liquors or any admixture thereof or under any laws relating to the violations thereof now in force or hereafter to be passed

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1191, as follows:

An Act fixing the compensation of township auditors in townships of the first class and providing how said compensation is to be paid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the compensation of each township auditor in townships of the first class shall be five dollars per diem for each day necessarily and actually employed in the duties of his office provided that this act shall not interfere with or change any local or special act where a larger amount than five dollars per day is authorized to be paid

Section 2 Each township auditor in townships of the first class shall file with the town clerk of the township for which he is auditor a statement in writing signed by him certifying the number of days necessarily and actually employed by such auditor in the duties of his office the compensation of said auditors shall be paid by the township treasurer out of the township funds upon orders issued by the board of township commissioners of said township

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 344, as follows:

An Act providing that automobiles when passing a standing street car from which a member of the crew has alighted shall not pass the car on the side on which the member of the crew is performing his duty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when a motor vehicle meets or overtakes a street passenger car which has stopped for the purpose of permitting either member of the crew thereof to alight from the said car for the purpose of turning the siginal light or for the purpose of flagging a railroad crossing the motor vehicle shall not pass the said car on the side upon which the said member of the crew shall get off until the said member of the crew of the said passenger car shall have reached the side of the street upon which the signal box is located or until the said member of the crew shall have reached the crossing for the purpose of flagging over which the said street car is about to pass

Section 2 Any persons violating either provisions of this act shall be subject to a fine or penalty of not less than ten dollars or more than twenty-five dollars to be collected by summary conviction before any magistrate alderman or justice of the peace as like fines are now by law collected or in case of the nonpayment of the fine he shall undergo imprisonment in the county jail for a period not exceeding ten (10) days

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1065, as follows:

A Further Supplement to an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" authorizing townships of the first class to make regulations for the construction of new buildings and repair to old ones requiring approval of plans providing for inspection prescribing limits within which certain kinds of materials may not be used providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every township of the first class of this Commonwealth shall have the power by ordinance to make regulations for the construction of new buildings and the repair of old ones and to require that before the work begins municipal approval of the plans and specifications therefor be secured and to provide for the inspection of such construction and repair including the appointment of one or more building inspectors to prescribe limits wherein none but buildings of non-combustible material and fireproof roofs shall be erected or substantially reconstructed or removed thereinto to provide penalties for the violation of such regulations Any building erected reconstructed or removed contrary to the provisions of any ordinance passed for any of the purposes herein specified is declared to be a public nuisance and abatable as such

Section 2 All acts or parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1408, as follows:

An Act to amend sections one and three of an act approved the first day of May one thousand nine hundred and nine entitled "An Act to regulate the manufacture and sale of commercial fertilizers prescribing penalties for its violation and repealing an act entitled 'An Act to regulate the manufacture and sale of commercial fertilizers providing for its enforcement and prescribing penalties for its violation' approved the twenty-fifth day of March Anno Domini one thousand nine hundred and one"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the first day of May one thousand nine hundred and nine entitled "An Act to regulate the manufacture and sale of commercial fertilizers prescribing penalties for its violation and repealing and act entitled 'An Act to regulate the manufacture and sale of commercial fertilizers providing for its enforcement and prescribing penalties for its violation' approved the twenty-fifth day of March Anno Domini one thousand nine hundred and one" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every package of commercial fertilizer sold offered or exposed for sale for manurial purposes within this Commonwealth except the dung of domestic animals lime marl and wood ashes shall have plainly stamped thereon the name and address of the manufacturer or importer and his place of business the net weight of the contents of the package the brand or trade-name of the fertilizer the package contains and an analysis stating percentage such fertilizer contains of nitrogen in an available form of potash soluble in water of soluble and reverted phosphoris acid and of insoluble phosphoric acid" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all corporations associations partnerships or persons before selling or offering for sale any commercial fertilizer in the Comomnwealth except the dung of domestic animals lime marl and wood ashes shall brand or attach to each bag barrel or package in a conspicuous place on the outside thereof a plainly printed statement giving the following particulars and no others

(1) The number of pounds of fertilizer contained in the package

(2) The name brand or trade-mark under which the fertilizer is sold

(3) The name and principal address of the manufacturer importer or other person putting the fertilizer on the market in this Commonwealth

(4) The minimum percentage of each of the following constituents which the fertilizer may contain (a) nitrogen (b) nitrogent equivalent to ammonia (c) total phosphoric acid (d) available phosphoric acid (e) potash soluble in distilled water The potash may be claimed "derived from" or "equivalent to" sulphate of potash if there is not a sufficient amount of chlorine present to unite with one-half (½) of one per centum (1%) of actual potash (K_2O) In the case of undissolved bone tankage phosphat rock and similar materials in their natural and untreated conditions when sold unmixed with other substances the minimum percentage of the total phosphoric acid therein may be stated instead of the percentage of total and available phosphoric acid But in the case of basic phosphatic slag the available phosphoric acid shall be stated on the basis of the results of an analysis by the Wagner method so-called until such time as the Association of Official Agricultural Chemists of North America shall adopt an official method of analysis for basic slag after which the available phosphoric acid shall be stated on the basis of an analysis by the method of said association

Section 2 That section three of said act which reads as follows

"Section 3 In addition to the statement required by section two of this act every manufacturer or importer of commercial fertilizers shall on or before the first day of January of each year or before offering them for sale in this Commonwealth file annually with the Secretary of Agriculture an affidavit showing the amount of each brand of fertilizer having a distinct trade-name sold within the Commonwealth during the last preceding year and if the said amount shall be one hundred tons or less he or they shall pay or cause to be paid to the Secretary of Agriculture the sum of fifteen dollars for each and every brand of such commercial fertilizer having a distinct trade name sold within the State during the last preceding year and if the said amount shall exceed one hundred tons and be less than five hundred tons he or they shall pay the sum of twenty dollars as aforesaid and if the said amount shall be five hundred tons or more he or they shall pay the sum of thirty dollars as aforesaid If such manufacturer or manufacturers importer or importers shall not have made any sales within the Commonwealth during the preceding year he or they shall pay the sum of fifteen dollars upon each such brand as aforesaid Provided That all monies so received shall be immediately paid by the Secretary of Agriculture into the State Treasury for the use of the Commonwealth" is hereby amended to read as follows

Section 3 In addition to the statement required by section two of this act every manufacturer or importer of commercial fertilizers shall on or before the first day of January of each year or before offering them for sale in this Commonwealth file annually with the Secretary of Agriculture an affidavit showing the amount of each brand of fertilizer having a distinct trade-name sold within the Commonwealth during the last preceding year and if the said amount shall be one hundred and fifty tons or less he or they shall pay or cause to be paid to the Secretary of Agriculture the sum of fifteen dollars for each and every brand of such commercial fertilizer having a distinct trade-name sold within the State during the last preceding year and if the said amount shall exceed one hundred and fifty tons and be not more than two hundred and fifty tons he or they shall pay the sum of twenty dollars as aforesaid if the amount shall exceed two hundred and fifty tons and not more than four hundred tons he or they shall pay the sum of thirty dollars if the amount shall exceed four hundred tons and not more than five hundred tons he or they shall pay forty dollars and if the amount shall exceed five hundred tons he or they shall pay fifty dollars If such manufacturer or manufacturers importer or importers shall not have made any sales within the Commonwealth during the preceding year he or they shall pay the sum of fifteen dollars upon each such brand as aforesaid That all monies so received shall be immediately paid by the Secretary of Agriculture into the State Treasury for the use of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1453, as follows:

An Act to amend section one of an act approved the fifth day of May one thousand nine hundred eleven entitled "An Act to amend section one of an act approved June twenty-two one thousand eight hundred and ninety-seven entitled 'An Act to amend section four of an act approved June eight one thousand eight hundred and eighty-one entitled "An Act to authorize the erection of a poorhouse by the Township of Jenkins Borough of Pittston and Township of Pittston in the County of Luzerne" approved May eight one thousand eight hundred and fifty-seven allowing an increase in the amount of relief that may be granted to paupers not residing in the poorhouse in said district' authorizing an increase in the amount of relief that may be granted to paupers not residing in the poorhouse in said district"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of an act approved the fifth day of May one thousand nine hundred eleven entitled "An Act to amend section one of an act approved June twenty-two one thousand eight hundred and ninety-seven entitled 'An Act to amend section four of an act approved June eight one thousand eight hundred and eighty-one entitled "An Act to authorize the erection of a poorhouse by the Township of Jenkins Borough of Pittston and Township of Pittston in the County of Luzerne" approved May eight one thousand eight hundred and fifty-seven allowing an increase in the amount of relief that may be granted to paupers not residing in the poorhouse in said district authorizing an increase in the amount of relief that may be granted to paupers not residing in the poorhouse in said district" which reads as follows

"The amount of relief granted to paupers not residing in the poorhouse in said district shall not in any one year exceed the sum of twelve thousand five hundred dollars" is hereby amended to read as follows

The amount of relief granted to paupers not residing in the poorhouse in said district shall not in any one years exceed the sum of thirty thousand dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1365, as follows:

An Act requiring public adjusters engaged in the adjustment of claims for loss or damage by fire under a policy or policies of insurance upon property in this Commonwealth to be licensed by the Insurance Commissioner defining such public adjuster providing for the payment of a fee for the issuance of a license and prescribing penalties for the violation of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the

authority of the same That no person partnership association or corporation shall directly or indirectly act as a public adjuster or receive directly or indirectly for or because of services rendered in the adjustment of any claim or claims for loss or damage by fire under a policy or policies of insurance upon property within this Commonwealth any money or commission or other thing of value without first procuring a certificate of authority to act as a public adjuster from the Insurance Commissioner The term public adjuster in this section shall include every person partnership association or corporation advertising soliciting business or holding himself or itself out to the public as an adjuster of loss or damage by fire or receiving any compensation assured in adjustment of claim for loss or damages by fire and all persons who for compensation or reward whether by way of salary or commission or otherwise directly or indirectly solicit business investigate or adjust losses or advice the assured with reference to claims for loss or damage by fire on behalf of any other person partnership association or corporation engaged in the business of adjusting loss or damage by fire

Provided however That this section shall not apply to an agent or employe of an underwriter by whom a policy of insurance against loss or damage by fire shall have been written upon property within this Commonwealth in adjusting loss or damage under such policy nor to a broker acting as adjuster provided that the services of the agent or broker in the adjustment are without compensation but no such public adjuster shall act or be licensed as an insurance agent or broker or be identified with or have offices in conjunction with any insurance company or insurance agency

Section 2 The Insurance Commissioner shall issue adjusters' certificates of authority to persons partnerships associations or corporations applying therefor whom he deems to be trustworthy and competent to transact business as public adjusters in such manner as to safeguard the interests of the public

A certificate of authority issued to a corporation partnership or association shall authorize only the officers and directors of the corporation or the members of the partnership or association specified in the certificate The fee to be paid to the Insurance Commissioner by the applicant for such adjuster's certificate at the time the application is made and annually for the renewal thereof shall be twenty-five dollars If the applicant be a corporation partnership or association such fee shall be paid for each person specified in the certificate

Section 3 Before any adjuster's certificate of authority shall be issued by the Insurance Commissioner there must be filed in the Insurance Department a written application therefor Such application shall be in the form or forms and supplements thereof prescribed by the commissioner and must set forth (a) The name and address of the applicant and if the applicant be a partnership or association the name and address of each member and if the applicant be a corporation the name and address of each of its officers and directors (b) Whether any certificate of authority as agent broker or adjuster has been issued heretofore by the commissioner to the applicant and if the applicant be an individual whether any such certificate has been issued heretofore to any partnership or association of which he was or is a member or to any corporation of which he was or is an officer or director and if the applicant be a partnership or association whether any such certificate has been issued heretofore to any member thereof and if the applicant be a corporation whether any such certificate has been issued heretofore to any officer or director of such corporation (c) The business in which the applicant has been engaged for the year next preceding the date of the application and if employed by another the name or names and address or addresses of such employer or employers (d) Such information as the commissioner may require of applicants to enable him to determine their trustworthiness and competency to transact the business of adjusters in such manner as to safeguard the interest of the public

An application for an adjuster's certificate of authority must be signed and verified by the applicant and if made by if made by a corporation by each officer and director thereof a partnership or association by each member thereof and to be authorized thereby to act as an adjuster

A corporation association or partnership to which a certificate of authority shall have been issued by the commissioner may at any time make an application to the commissioner for the issuance of a supplemental certificate of authority authorizing additional officers or directors of the corporation or members of the partnership or association to act as adjusters and the commissioner may thereupon issue to such corporation association or partnership a supplemental certificate accordingly upon the payment of an additional fee for each member officer or director thereby authorized to act as an adjuster

Section 4 A certificate issued under this act shall be revoked by the commissioner if after due investigation he determines that the holder of such certificate (1) has violated any provision of this act ar (2) has made a material misstatement in the application for such certificate or (3) has been guilty of fraudulent practices or (4) has in the judgment of the Insurance Commissioner demonstrated his incompetency or untrustworthiness to transact the business of a public adjuster

If an application for a certificate of authority under this act be rejected or such a certificate be revoked by the Commissioner notice thereof shall forthwith be served on the applicant or on the holder of such certificate either personally or by mail and if by mail such service shall be complete if such notice be deposited in the post-office postage prepaid directed to the applicant or the holder of such certificate as the case may be at the place of business specified in the application or certificate

Section 5 Any person partnership associatio nor corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not exceeding five hundred dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 441, as follows:

An Act to further amend the eighty-ninth section of an act approved the fifteenth day of April one thousand eight hundred thirty-four entitled "An Act relating to counties and townships and county and township officers" as amended by fixing the per diem compensation of assessors and assistant assessors

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the eighty-ninth section of the act approved the fifteenth day of April one thousand eight hundred thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An Act relating to counties and townships and county and township officers" which as amended by the act approved the twenty-fifth day of May one thousand nine hundred seven (Pamphlet Laws two hundred and thirty-two) entitled "An Act to further amend an act entitled 'An Act amending the eighty-ninth section of the act entitled "An Act relating to counties and townships and to county and township officers' " approved the fifteenth day of April Anno Domini one thousand eight hundred and thirty-four and amendment thereto approved the twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-seven making the compensation of assessors two dollars and fifty cents per day" reads as follows

"Section 89 It shall be the duty of each assessor and assistant assessor to keep an account of the several days by him actually employed in the performance of his duties and to make return of the same to the commissioners of the county verified by his oath or affirmation and for each day necessarily so employed he shall receive the sum of two dollars and fifty cents" is further amended to read as follows

Section 89 It shall be the duty of each assessor and assistant assessor to keep an account of the several days by him actually employed in the performance of his duties and to make return of the same to the commissioners of the county verified by his oath or affirmation and for each day necessarily so employed he shall receive the sum of three dollars and fifty cents

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1488, as follows:

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such election

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all elections heretofore held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the provisions of an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four and under the acts amendatory thereof where the majority of votes cast at such election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding failure to comply with the requiriments of any Act of 9ssembly providing for the arrangement of equipment of the polling places at which such election was held Provided how-

ever that all the other requirements of the law concerning such elections and the issue of bonds have been complied with

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1389, as follows:

An Act establishing in the several jails prisons and penitentiaries the Bertillion method for the identification of criminals imposing certain duties upon the warden of the Western Penitentiary and authorizing county commissioners to provide measuring instruments and cabinets for the filing of cards and photographic plates at the expense of the county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons committed to the several jails prisons and penitentiaries of this Commonwealth under sentence from a court of record for the commission of any of the crimes enumerated in this section shall be measured described and photographed by the authorities of such jails prisons and penitentiareis in accordance with the Bertillion method for the identification of criminals That is to say conviction of any of the following crimes

Abortion arson blackmailing bribery burglary counterfeiting carrying concealed deadly weapons embezzlement forgery incest kidnapping larcey receiving stolen goods mayhem murder voluntary manslaughter rape robbery seduction sodomy buggery and treason assault with intent to kill or to ravish assault with explosives assault with intent to rob sending or delivering explosive or corrosive substances with intent to kill maim or disfigure administering stupefying drugs or narcotics with intent to commit a felony wrecking or attempting to wreck any railroad or railway train or railroad or railway car or conveyance with intent to commit a felony or being an accessory before or after the fact to any of the crimes mentioned in this section

Section 2 The measurements descriptions and photographs of every person sentenced as aforesaid shall be entered upon standard cards used for the recording of such measurements descriptions and photographs by the Bertillion method for the identification of crinimals Such cards shall be preparel in duplicate one of which shall be retained in the institution in which it was prepared and the other shall be sent to the warden of the Western Penitentiary Weekly returns of cards shall be made to the warden of the Western Penitentiary

Section 3 The cards retained in the insttitution in which the same are prepared and the cards sent to the Western Penitentiary shall be indexed and classified by the proper authorities of the respective institutions according to the Bertillion method of indexing and classification Such index and classifications shall be kept securely locked in such manner as to be at all times safe from alterations or destruction

Section 4 The photographs of each prisoner measured and described under this act shall be made one to be attached to each card bearing the measurements and descriptions of the prisoners The plates from which said photographs are made shall be indexted and classified in the institutions in which the same are taken and shall be securely locked in such manner as to be at all time safe from destruction No further prints shall be made from any of said plates unless the same becomes necessary for the purpose of identifying any criminal in which case when the warden of the Western Penitentiary so directs any number of prints necessary may be made

Section 5 All requests and communications received at the several institutions relative to the identification of criminals shall be forwarded to the warden of the Western Penitentiary and all information shall be given only under the direction of the warden of said penitetntiary It is unlawful for any of the authorities of any other institution to give out any information relative to the measurements or description of any prisoner

Section 6 All measuring instruments when not in use shall be kept securely locked and shall be frequently tested to insure their accuracy

Section 7 All deaths occurring at the several institutions as well as all escapes of prisoners and recapture shall be immediately reported to the warden of the Western Penitentiary

Section 8 The county commissioners of each county shall provide at the expense of the county suitable cabinets for each jail or prison for the keeping of cards and plates as well as proper measuring instruments All cabinets and measuring instruments for the several penitentiaries shall be provided by the wardens thereof from appropriations made for that purpose

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 851, as follows:

An Act to amend the first paragraph of section four of the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authortiy of the same That so much of section four of an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred four) entiteld "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" which as amended by the act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred eighty-four) entitled "An Act amending the first paragraph of the fourth section of the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" which reads as follows

Section 4 In townships of the first class the following township officers shall be chosen by the qualified voters at the township election on the first Tuesday following the first Monday of November of each odd-numbered year

First That at the next regular election for township officers after the passage of this act or at the time that any township of the first class of this Commonwealth is organized there shall be chosen by the qualified voters of the township one township commissioner from each election district of said township and in townships of the first class of this Commonwealth having five or less election districts the number of commissioners of such township shall be five The qualified voters of each election district shall elect one commissioner who need not reside in the district for which he is elected and where there are less than five election districts each district shall elect one commissioner as aforesaid and the remaining number of township commissioners to which the said township is entitled shall be elected by vote of the qualified voters of the whole township The said commissioners shall hold office for the term of two years and shall each receive a salary of sixty dollars per year payable quarterly out of the treasuries of the respective townships which shall be in full and in lieu of all other compensation in the performance of any service office or duty imposed upon twonship commissioners of townships of the first class Provided however That a proportionate amount shall be deducted from the salary of any township commissioner for each and every regular meeting of the board which he shall fail or neglect to attend And provided further That no township commissioner shall be eligible to any other township office is hereby amended to read as follows

Section 4 In townships of the first class the following township officers shall be chosen by the qualified voters at the township election on the first Tuesday following the first Monday of November of each odd-numbered year

First That at the next regular election for township officers after the passage of this act and every four years thereafter there shall be elected by the qualified voters of each even-numbered election district of townships of the first class one township commissioner who need not reside in the election district for which he is elected In townships of the first class having five or less election districts the number of commissioners of such township shall be five The remaining number of commissioners to which the said township is entitled as aforesaid including the commissioners now holding office for the odd-numbered election districts of the said township shall hold over and continue in said office until the first Monday in January in the year one thousand nine hundred and twenty At the township election to be held on the first Tuesday following the first Monday in November on the year one thousand nine hundred and nineteen and every four years thereafter the qualified voters of each odd-numbered election district of every township of the first class shall elect one commissioner who need not reside in the election district for which he is elected and the remaining number of commissioners to which the said township is entitled as aforesaid shall at the same time be elected by the qualified voters of the whole township All commissioners hereafter elected shall hold office for the term of four years

When any township of the first class is organized there shall be elected at the municipal election following one township commissioner from each election district who need not reside in the election district for which he is elected In any such townships having less than five election districts the number of township commissioners shall be five and the number of commissioners equal to the difference between five and the number of election districts shall be elected at large At such election the township commissioners elected in even-numbered districts shall be elected for a term of two years and the township commissioners elected at large and in odd-numbered districts shall be elected for a term of four years or vice versa as

the case may be in order that the terms may harmonize with the elections in townships organized prior to the passage of this act

Each township commissioner shall receive a salary of sixty dollars per year payable quarterly out of the treasuries of the respective townships which shall be in full and in lieu of all other compensation in the performance of any service office of duty imposed upon township commissioners of township of the first class Provided however That a proportionate amount shall be deducted from the salary of any township commissioner for each and every regular meeting of the board which he shall fail or neglect to attend And provided further That no township commission shall be eligible to any other township office

Section 2 All general and special acts and parts thereof inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1289, as follows:

An Act regulating the giving and delivery of trading stamps coupons and similar articles in connection with the sale and purchase of goods wares and merchandise and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person copartnership association or corporation hereinafter called "vendor" to give or deliver or offer to give or deliver with the sale or in connection with the sale of any goods wares or merchandise any trading stamp coupon or similar article which entitles the holder thereof when presented alone or in connection with other trading stamps or coupons or similar articles to a property premium unless such trading stamp coupon or similar article is redeemable by the vendor in this Commonwealth and is given or delivered by said vendor directly to the purchaser and is redeemable by such vendor personally either in cash or for merchandise or credit or rebate upon the price of goods wares and merchandise purchased or to be purchased by such person from such vendor

Section 2 Any person copartnership association or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than ten dollars and not more than one hundred dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 603, as follows:

An Act repealing an act entitled "An Act amending Article six of an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by an amendatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax than upon the buildings than upon the land exclusive of the buildings in cities of the second class" approved May fifteenth Anno Domini one thousand nine hundred and thirteen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act entitled "An Act amending article six of an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by an amendatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Dominin one thousand nine hundred and eleven by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings of lands and the land exclusive of buildings and providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class" approved the fifteenth day of May Anno Domini one thousand nine hundred and thirteen be and the same is hereby repealed provided however that this repeal shall not in any way affect the validity of the assessments heretofore made or taxes levied under the provisions of said act for the years one thousand nine hundred and fourteen one thousand nine hundred and fifteen one thousand nine hundred and sixteen and one thousand nine hundred and seventeen or any rights or privileges which have already accrued either to the cities of the second class or to property owners under the provisions of said act for the years one thousand nine hundred and fourteen one thousand nine hundred and fifteen one thousand nine hundred and sixteen and one thousand nine hundred and seventeen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1265, as follows:

An Act to amend section one of an act approved the twenty-fifth day of June one thousand nine hundred and thirteen entitled "An Act authorizing the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities boroughs villages or places of public resort providing for and regulating the construction of the same and authorizing the township commissioners to charge a part of the expense of constructing the same including the grading and curbing thereof upon the abutting property owners and to defray the remaining part of such expenses from the public funds of the township" ordaining and establishing sidewalks over and upon land abutting along the sides of streets highways and turnpikes and providing for the assessment and payment of damages and benefits in connection therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-one) entitled "An Act authorizing the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connection cities boroughs villages or places of public resort providing for and regulating the construction of the same and authorizing the township commissioners to charge a part of the expense of constructing the same including the grading and curbing thereof upon the abutting property owners and to defray the remaining part of such expense from the public funds of the township" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for the board of township commissioners of any township of the first class in this Commonwealth and they are hereby authorized and empowered from time to time whenever they may deem it advisable so to do to ordain and establish sidewalks along either one or both sides of any principal street or highway of the said township leading directly to or connecting cities boroughs villages or places of public resort within the lines of the said street or highway for such distance as the said board of township commissioners may deem proper Provided however That in case the said street or highway be a turnpike or other road managed and controlled by a corporation duly incorporated under the laws of this Commonwealth the written consent of the said corporation shall first be obtained thereto" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for the board of township commissioners of any township of the first class in this Commonwealth and they are hereby authorized and empowered from time to time whenever they may deem it advisable so to do to ordain and establish sidewalks along either one or both sides of any principal street or highway of the said township leading directly to or connecting cities boroughs villages or places of public resort within the lines of the said street or highway or upon or over the land abutting or fronting along the side of any street highway or turnpike road for such distance as the said board of township commissioners may deem proper Provided however That in case the said street or highway be a turnpike or other road managed and controlled by a corporation duly incorporated under the laws of this Commonwealth the written consent of the said corporation shall first be obtained thereto And provided further That the damages caused to any land abutting or fronting along the side of any street highway or turnpike road and all benefits in connection therewith shall be assessed and paid for as provided by existing laws relating to the widening of roads and streets by township commissioners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1264, as follows:

An Act to amend sections one and two of an act approved the seventh day of June one thousand nine hundred and one entitled "An Act to authorize the township commissioners in townships of the first class to lay out widen open and vacate streets and highways within their respective townships at the expense of the township or the properties benefited"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the seventh day of June one thousand nine hundred and one (Pamphlet Laws five hundred ten) entitled "An Act to authorize the township commissioners in townships of the first class to lay out widen open and vacate streets and the highways within their respective townships at the expense of the township or the properties benefited" which read as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of township commissioners in townships of the first class shall have power to enact ordain survey lay out widen straighten vacate and relay all roads streets lanes and alleys within the township upon the petition of any owner or owners of property through whose lands any such road street lane or alley shall pass or upon whose land the same shall abut if in the judgment of said board of commissioners the same shall be deemed proper and necessary for the public convenience or benefit and thereupon the said board shall give ten days' notice to the property owners affected thereby of the time and place when and where all parties interested may meet and be heard and witnesses may be summoned and examined by said board and said parties interested at said meeting or any adjournement thereof and after such hearing and consideration of the matter should the said board or a majority thereof decide in favor of granting the prayer of said petition they shall make written report together with a draft or survey of said road street lane or alley fixing the width therof and noting the improvements along the line thereof together with the names of the owners of property through which the same shall pass or whereon it shall abut which report and draft shall be filed in the office of the clerk of the court of quarter sessions of the county wherein said township is situate Provided however That any citizen or freeholder of said township may within thirty days after filing of said report upon entering in said court sufficient surety to indemnify the said board for all costs incurred in the proceedings file in said court exceptions to the said report to gether with a petition for review in conformity with the now existing road laws of this Commonwealth" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of township commissioners in townships of the first class shall have power to enact ordain survey lay out widen straighten vacate and relay all roads streets lanes and alleys within the township if in the judgment of said board of commissioners the same shall be deemed proper and necessary for the public convenience or benefit and thereupon the said board shall give ten days' notice to the property owners affected thereby of the time and place when and where all parties interested may meet and be heard and witnesses may be summoned and examined by said board and said parties interested at said meeting or any adjournement thereof and after such hearing and consideration of the matter should the said board or a majority thereof decide favorably they shall make written report together with a draft or survey of said road street lane or alley fixing the width thereof and noting the improvements along the line thereof together with the names of the owners of property through which the same shall pass or whereon it shall abut which report and draft shall be filed in the office of the clerk of the court of quarter sessions of the county wherein said township is siuate Provided however That any citizen or freeholder of said township may within thirty days after filing of said report upon entering in said court sufficient surety to indemnify the said board for all costs incurred in the proceedings file in said court exceptions to the said report to gether with a petition for review in conformity with the now existing road laws of this Commonwealth

Section 2 That section two of said act which reads as follows

"Section 2 That upon the favorable action in such petition by said board and after the expiration of the term allowed for filing exceptions or upon the order of said court in case the compensation for the damages or benefits accruing therefrom have not been agreed upon the said court of quarter sessions of the proper county or any law judge thereof in vacation on application thereto by petition by said board of commissioners or any person interested shall appoint three discreet and disinterested freeholders of said township as viewers and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the line of the improvement and view the same and the premises affected thereby The said viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers of said township in which it is situate and by handbills posted upon the premises or otherwise as the said court shall direct having regard to the circumstances of the case" is hereby amended to read as follows

Section 2 After the expiration of the term allowed for filing exceptions or upon the order of said court in cast the compensation for the damages or benefits accruing therefrom have not been agreed upon the said court of quarter sessions of the proper county or any law judge thereof in vacation on application thereto by petition by said board of commissioners or any person interested shall appoint three discreet and disinterested freeholders of said township as viewers and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the line of the improvement and view the same and the premises affected thereby Tre said viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers of said township in which it is situate and by handbills posted upon the premises or otherwise as the said court shall direct having regard to the circumstances of the case

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1263, entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of chapter two article one of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which reads as follows

"Section 4 Upon presentation to the court the application shall be filed with the clerk and notice thereof shall be given in one newspaper of the county for a period of not less than thirty days immediately before the next regular term following the filing thereof during which time exceptions may be filed to the application by any person interested The court at said term if it shall find that the conditions prescribed by this article have been complied with may grant the prayer of the petitioners and make a decree accordingly but if the court shall deem further investigation necessary they may make such order thereon as to right and justice shall appertain The application and decree shall be recorded in the recorder's office of the county at the expense of the applicants who shall also pay all other expenses and costs in connection therewith" is hereby amended to read as follows

Section 4 Upon presentation to the court the application shall be filed with the clerk and notice thereof shall be given in one newspaper of the county for a period of not less than thirty days immediately before the next regular term following the filing thereof during which time exceptions may be filed to the application by any person interested The court at said term if it shall find that the conditions prescribed by this article have been complied with and that the incorporation of such borough will be to the best interests of the inhabitants within the limits of the proposed borough and also to the best interests of the inhabitants within the limits of the remaining parts of the township may grant the prayer of the petitioners and make a decree accordingly but if the court shall deem further investigation necessary they may make such order thereon as to right and justice shall appertain The application and decree shall be recorded in the recorder's office of the county at the expense of the applicants who shall also pay all other expenses and costs in connection therewith

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. RAMSEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations.

Mr. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1180, as follows:

An Act to prohibit dancing singing cabaret shows vaudeville or theatrical entertainments and moving picture exhibitions in places licensed for the sale of vinous spirituous malt or brewed liquors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person or persons licensed to sell vinous spirituous malt or brewed liquors to maintain or conduct any public dances or dancing whether by any performer or performers engaged for the purpose or by any guests customers patrons or any other persons whatsoever upon any part of the premises so licensed or any public singing therein or any cabaret shows vaudeville or theatrical entertainments or exhibitions of moving pictures upon any part of the premises so licensed

Section 2 Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1076, as follows:

An Act authorizing the Governor of the Commonwealth of Pennsylvania to convey to the estates of Susan E. Bayard and Mary Bayard certain lands in the seventh ward of the City of Pittsburgh County of Allegheny

Whereas By agreement dated the twenty-sixth day of October Anno Domini one thousand nine hundred and fifteen The Fidelity Title and Trust Company Ralph Bayard Baldridge and William M. Galbraith executors of the last wills and testaments of Susan E. Bayard and Mary Bayard agreed with the Armory Board of Pennsylvania to convey to the Commonwealth of Pennsylvania certain property known as "Lots eight nine ten eleven and twelve in the Bayard Place Plan" of lots City of Pittsburgh for the consideration of forty-five thousand dollars and the procuring of a conveyance to said first party for their constituents of the strip of ground on the northerly side of lot number four in said plan lying between the present armory building and lots numbers one two and three in said plan and the rear of property of E. Z. Smith about ten (10) feet more or less in width" and

Whereas Upon the execution of said agreement the party of the second part being unable without legislative authority to convey the said strip of land as part payment for said lands conveyed to the said armory board the terms of the agreement were nevertheless carried out by parties of the first part and the conveyance of said land accordingly made upon receipt of a part of the consideration to wit the sum of forty-five thousand dollars the balance of the consideration to wit the "strip of land ten (10) feet more or less in width" still remains unconveyed to the party of the first part therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth of Pennsylvania is hereby authorized and directed to convey by good and sufficient deed unto the estates of Susan E. Bayard and Mary Bayard the following described piece of property situate in the seventh ward of the City of Pittsburgh Allegheny County Pennsylvania bounded and described as follows

Beginning at a point in the westerly line of Emerson street City of Pittsburg distant ninety-nine and sixty-one one-hundredths feet southwardly from the southly line of Alder street thence by lands of the estate of Susan E. Bayard and Mary Bayard and also of E. Z. Smith westwardly seventy-seven degrees forty-seven minutes forty seconds west one hundred and ninety-nine and ninety-four one hundredths feet to the easterly line of Carron Alley thence by the same southwardly seven and twelve tenths to a point on said easterly line of Carron Alley thence by lands of the Commonwealth of Pennsylvania south seventy-seven degrees forty-seven feet and forty minutes east one hundred and ninety-nine and twenty-eight one-hundredths feet to the easterly line of Emerson Street thence by the easterly line of Emerson Street six and eighty-one one-hundredths feet to the place of beginning

Being part of the same lands conveyed to the Commonwealth of Pennsylvania by Susan E. Bayard et al by deed dated the twentieth day of January Anno Domini one thousand nine hundred and ten and recorded in the recorder's office of Allegheny County in deed book volume one thousand six hundred and ninety-three page one

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 435, as follows:

An Act to further amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by including instruments and devices used for weighing by manufacturers and at mines and quarries and by which the wages of employes are determined

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred seventy-five) entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" which as amended by an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred sixty) entitled "An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled 'An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof' " reads as follows

"Section 2 That all county and city inspectors so appointed shall be supplied at the expense of their respective counties and cities with standard tests of weights and measures in conformity with those established by the Government of the United States or the Bureau of Standards of the State and the laws of this Commonwealth and to ensure the accuracy of these tests they shall be compared with the standard tests to be purchased by the Secretary of Internal Affairs and when so compared and their correctness established they shall be so stamped or marked in such manner as may be established by the rules and regulations hereinbefore referred to to be put in force by said Secretary of Internal Affairs and approved by the Governor of the Commonwealth

"Each inspector shall report in writing at least once every month to the Chief of the State Bureau of Standards upon blanks furnished by the Chief Such report shall contain (1) The number of tests made since the last preceding report (2) The number of weights measures and balances found by such tests to be correct (3) The number of weights measures and balances found by such tests to be false (4) The number of prosecutions instituted by such inspector since the last preceding report together with the name of the accused the title of the court where prosecutions was instituted and the result of such prosecution (5) Such other matters as the Chief may from time to time prescribe

"The inspectors shall take charge of and safely keep the proper standards They shall be furnished by the Chief of the Bureau of Standards of this Commonwealth with full specifications of tolerances and allowances to be used by them in the performance of their duties Each inspector shall have power within his respective jurisdiction to test all instruments and devices used in weighing or measuring anything sold or to be sold and seal the same if found to be correct Such test shall include all appliances connected or used with such instruments or devices For the purpose of making such test each inspector at any reasonable time and without formal warrant may enter upon any premises and may on any public highway stop any vendor or dealer or the agent or servant of such vendor or dealer or stop any vehicle used in delivering any commodity which is weighed or measured as delivered He may condemn and mark as condemned or may seize any false or illegal instrument or device used or intended to be used in weighing or measuring If he shall seize any such instrument or device he shall retain possession thereof until it shall have been used as evidence in any prosecution under the laws of this Commonwealth relating to weights and measures or to the sale of commodities After the determination of such prosecution the false or illegal instrument or device shall be destroyed unless otherwise ordered by the proper court" is further amended to read as follows

Section 2 That all county and city inspectors so appointed shall be supplied at the expense of their respective counties and cities with standard tests of weights and measures in conformity with those established by the Government of the United States or the Bureau of Standards of the State and the laws of this Commonwealth and to ensure the accuracy of these tests they shall be compared with the standard tests to be purchased by the Secretary of Internal Affairs and when so compared and their correctness established they shall be so stamped or

marked in such manner as may be established by the rules and regulations hereinbefore referred to to be put in force by said Secretary of Internal Affairs and approved by the Governor of the Commonwealth

Each inspector shall report in writing at least once every month to the Chief of the State Bureau of Standards upon blanks furnished by the Chief Such report shall contain (1) The number of tests made since the last preceding report (2) The number of weights measures and balances found by such tests to be correct (3) The number of weights measures and balances found by such tests to be false (4) The number of prosecutions instituted by such inspector since the last preceding report together with the name of the accused the title of the court where prosecutions was instituted and the result of such prosecution (5) Such other matters as the Chief may from time to time prescribe

The inspectors shall take charge of and safely keep the proper standards They shall be furnished by the Chief of the Bureau of Standards of this Commonwealth with full specifications of tolerances and allowances to be used by them in the performance of their duties Each inspector shall have power within his respective jurisdiction to test all instruments and devices used in weighing or measuring anything sold or to be sold including instruments and devices for weighing by manufacturers and at mines and quarries and which are used for the purpose of determining the wages of employes and seal the same if found to be correct Such test shall include all appliances connected or used with such instruments or devices For the purpose of making such test each inspector at any reasonable time and without formal warrant may enter upon any premises and may on any public highway stop any vendor or dealer or the agent or servant of such vendor or dealer or stop any vehicle used in delivering any commodity which is weighed or measured as delivered He may condemn and mark as condemned or may seize any false or illegal instrument or device used or intended to be used in weighing or measuring If he shall seize any such instrument or device he shall retain possession thereof until it shall have been used as evidence in any prosecution under the laws of this Commonwealth relating to weights and measures or to the sale of commodities After the determination of such prosecution the false or illegal instrument or device shall be destroyed unless otherwise ordered by the proper court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 840, as follows:

An Act amending an act entitled "An Act prohibiting the offering or giving of premium by any person partnership or corporation licensed to sell vinous spiritous malt or brewed liquors at wholesale or retail for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spirituous malt or brewed liquors and providing a penalty for the violation thereof" approved the twelfth day of June Anno Domini one thousand nine hundred thirteen prohibiting the offer or gift of premiums or presents as an inducement for the purchase of liquors or for any other purpose

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act of the General Assembly entitled "An Act prohibiting the offering or giving of premium by any person partnership or corporation licensed to sell vinous spirituous malt or brewed liquors at wholesale or retail for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spiritious malt or brewed liquors and providing a penalty for the violation thereof" and approved the twelfth day of June Anno Domini one thousand nine hundred thirteen and which reads as follows

Section 1 Be it enacted et cetera That from and after the passage of this act it shall be unlawful for any person partnership or corporation licensed to sell vinous spirituous malt or brewed liquors at wholesale or retail to offer or give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spirituous malt or brewed liquors" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted et cetera That from and after the passage of this act it shall be unlawful for any person partnership or corporation licensed to sell vinous spirituous malt or brewed liquors at wholesale or retail to offer or give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spirituous malt or brewed liquors or to offer or give anything of value as a premium or present to induce the purchase of such liquors or for any other purpose whatsoever in connection with the sale of such liquors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1363, as follows:

An Act directing the Commissioner of Forestry to prepare edit and publish an edition of bulletin number eleven of the Department of Forestry known by the title of Pennsylvania Trees providing for the printing binding and distribution of said edition and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commissioner of Forestry is directed to prepare edit and publish or cause to be prepared edited and published an edition of ten thousand copies of bulletin number eleven of the Department of Forestry heretofore published under the title of Pennsylvania Trees

Section 2 The Department of Forestry is hereby directed to furnish for the use of this publication all cuts and plates used in the publication of the former edition of this bulletin and in possession of said Department

Section 3 The said edition shall be bound in cloth and shall be printed by the State Printer upon requisition of the Commissioner of Forestry to the Superintendent of Public Printing and Binding The said edition when printed shall be placed with the Division for the Distribution of Documents and shall by it be delivered upon requisition as follows To the Governor five hundred copies to the State Library two hundred copies to the Legislative Reference Bureau one hundred copies to each member of the present Senate twenty copies to each member of the present House of Representatives fifteen copies and the remaining copies to the Department of Forestry

Section 4 The sum of five thousand five hundred dollars is hereby specifically appropriated to the Commissioner of Forestry for the purpose of preparing editing and proofreading of said edition and for the furnishing of any additional cuts and plates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1451, as follows:

An Act providing for the payment out of the city treasury in cities of the second class of the salaries of city employes enlisting in the army and navy or called into the service of the United States and conferring powers upon the council city controller and city treasurer

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for the city council of any city of the second class to provide by ordinance for the payment of the salaries of all city employes who enlist in the army or navy or are called into the service of the United States during the present war with the government of Germany It shall be lawful for the proper authorities of any such city to draw the necessary warrants for the payment of such salaries and for the city controller to countersign and approve all such warrants and for the treasurer to pay the same in like manner as if such employe actually continued in the employ of such city

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1452, as follows:

An Act providing for the payment out of the county treasury in certain counties of the salaries of county employes enlisting in the army and navy or called into the service of the United States and conferring certain powers upon the county commissioners county controller and county treasurer

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for the county commissioners in counties having a population of more than eight hundred thousand and less than one million two hundred thousand inhabitants to draw their warrants for the payment of the salaries of any county employes enlisting in the army or navy of the United States or called into the service of the United States during the present war with

the government of Germany It shall be lawful for the county controller to countersign and approve all such warrants and for the county treasurer to pay the same in like manner as if such employe actually continued in the employ of such county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1131, as follows:

An Act amending section seventeen of an act entitled "An Act to restrain and regulate the sale of vinous and spiritous malt or brewed liquors or any admixture there" approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven prohibiting the sale of liquors during certain hours of the day

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of an act entitled "An Act to restrain and regulate the sale of vinous and spiritous malt or brewed liquors or any admixtures thereof" approved May thirteenth Anno Domini one thousand eight hundred and eighty-seven which provides as follows namely

"Section 17 That it shall not be lawful for any person with or without license to furnish by sale gift or otherwise to any person any spiritous vinous malt or brewed liquors on any day upon which elections are now or hereafter may be required to be held nor on Sunday nor at any time to a minor or a person of known intemperate habits or a person visibly affected by intoxicating drink either for his or her use or for the use of any other person or to sell or furnish liquors to any person on a pass-book or order on a store or to receive from any person any goods wares merchandise or provisions in exchange for liquors shall be held and deemed a misdemeanor and upon conviction thereof the offender shall be fined not less than fifty nor more than five hundred dollars and undergo an imprisonment of not less than twenty nor more than ninety days" be and the same is hereby amended so as to read as follows

Section 17 That it shall not be lawful for any person with or without license to furnish by sale gift or otherwise to any person any spiritous vinous malt or brewed liquors on any day upon which elections are now or hereafter may be required to be held nor on Sunday nor on any other day between the hours of one ante meridian and five ante meridian nor at any time to a minor or a person of known intemperate habits or a person visibly affected by intoxicating drink either for his or her use of for the use of any other person or to sell or furnish liquors to any person on a pass-book or order on a store or to receive from any person any goods wares merchandise or provisions in exchange for liquors Any violation of any of the provisions of this section shall be held and deemed a misdemeanor and upon conviction thereof the offender shall be fined not less than fifty nor more than five hundred dollars and undergo an imprisonment of not less than twenty nor more than ninety days

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1423, as follows:

An Act fixing the salary of the deputy coroner of counties having a population of one million five hundred thousand or over

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of the deputy coroner of counties having a population of one million five hundred thousand or over shall be four thousand eight hundred dollars per annum which salary shall be paid out of the county treasury

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1426, as follows:

An Act to further amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" which as amended by an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred sixty) entitled "An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled 'An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof'" reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the mayors of cities of the second and third class and the several boards of county commissioners shall respectively appoint one or more competent persons as inspectors of weights and measures in the respective county or city whose salary shall not be less than one thousand dollars per annum to be paid out of the respective revenues of such county or city Provided however That the payment of a minimum salary shall not apply to counties having a population of fifteen thousand or less In addition to the salary provided by law the said county and city inspectors shall be entitled to receive the actual expenses incurred by them personally in performing the duties of their office such as transportation hotel livery telephone telegraph and postal charges to be paid by the boards of county commissioners of their respective counties on bills itemized and properly sworn to Provided however That nothing in this act shall be construed to prevent two or more counties or any county and city from combining the whole or any part of their districts as may be agreed upon by the board of county commissioners and mayors of cities with one set of standards and one inspector upon the written consent of the chief of the bureau of standards Provided further In cities of the first class the inspectors shall be appointed by the county commissioners of the county in which the said city may be located Any inspector appointed in pursuance of an agreement for such combination shall subject to the terms of his appointment have the same authority and duties as if he had been appointed by each of the authorities who are parties to the agreement The county and city inspectors of weights and measures as appointed by the respective counties and cities shall hold their office during good behavior and shall not be removed discharged or reduced in pay or position except for inefficiency incapacity conduct unbecoming employes or other just cause and until the said officials shall have been furnished with written statements of the reason for such removal discharge or reduction and shall have been given reasonable time to make written answer thereto Nor shall such removal discharge or reduction be made until the charge or charges shall have been examined into and found true in fact by the appointing power of such county or city at a hearing upon reasonable notice to the person charged at which time he may be represented by counsel and offer testimony or witnesses in his own behalf It shall be unlawful for any sealer or inspector of weights and measures or any of his deputies to perform clerical or other services for the county or city of their respective districts" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the mayors of cities of the second and third class and the several boards of county commissioners shall respectively appoint one or more competent persons as inspectors of weights and measures in the respective county or city whose salary shall not be less than one thousand dollars per annum to be paid out of the respective revenues of such county or city Provided however that the payment of a minimum salary shall not apply to counties having a population of fifteen thousand or less In addition to the salary provided by law the said county and city inspectors shall be entitled to receive the actual expenses incurred by them personally in performing the duties of their office such as transportation hotel livery telephone telegraph and postal charges to be paid by the boards of county commissioners of their respective counties and by the proper officers of their respective cities in such proportion as may be agreed upon by said boards of county commissioners and proper officers of cities on bills itemized and properly sworn to Provided however That nothing in this act shall be construed to prevent two or more counties or and county and city from combining the whole or any part of their districts as may be agreed upon by the board of county commissioners and mayors of cities with one set of standards and one inspector upon the written consent of the chief of the bureau of standards Provided further

In cities of the first class the inspectors shall be appointed by the county commissioners of the county in which the said city may be located Any inspector appointed in pursuance of an agreement for such combination shall subject to the terms of his appointment have the same authority and duties as if he had been appointed by each of the authorities who are parties to the agreement The county and city inspectors of weights and measures as appointed by the respective counties and cities shall hold their office during good behaviour and shall not be removed discharged or reduced in pay or position except for inefficiency incapacity conduct unbecoming employes or other just cause and until the said officials shall have been furnished with written statements of the reason for such removal discharge or reduction and shall have been given reasonable time to make written answer thereto Nor shall such removal discharge or reduction be made until the charge or charges shall have been examined into and found true in fact by the appointing power of such county or city at a hearing upon reasonable notice to the person charged at which time he may be represented by counsel and offer testimony or witnesses in his own behalf It shall be unlawful for any sealer or inspector of weights and measures or any of his deputies to perform clerical or other services for the county or city of their respective districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1023, as follows:

An Act making it a misdemeanor for any person under twenty-one years of age to procure or attempt to procure intoxicating liquors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person under twenty-one years of age who shall procure or attempt to procure or have furnished to him by sale gift or otherwise any intoxicating liquors shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding fifty dollars or undergo an imprisonment not exceeding sixty days or both in the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 17, as follows:

An Act authorizing cities of the second and third classes to engage in the business of farming including dairy farming and vesting certain powers in said cities in connection therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each city of the second and third class may engage in the business of farming including dairy farming The products thereof shall be sold only to the inhabitants of the proper city at rates fixed by ordinance

Section 2 To carry out the intent of this act the city may utilize lands already owned or leased and may purchase and lease lands and may erect equip and maintain buildings and other structures within and without the city and may purchase and hire and maintain and sell vehicles and fowl of any kind

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1353, as follows:

An Act amending an act entitled "An Act for the division of townships upon the application of the owners of twenty-five per centum of the assessed valuation of the real estate thereof and prescribing the manner of holding an election upon the question of division and declaring any proceedings for a division under former laws to be no bar to a proceeding under this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act for the division of townships upon the application of the owners of twenty-five per centum of the assessed valuation of the real estate thereof and prescribing the manner of holding an election upon the question of division and declaring any proceeding for a division under former laws to be no bar to a proceeding under this act" which reads as follows

Section 1 Be it enacted by the Senate and House of Representatives in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter the owners of twenty-five per centum of the assessed valuation of the real estate of a township already erected in any county in this Commonwealth shall make application by petition to the court of quarer sessions of the proper county setting forth that the convenience of the inhabitants of such township will be promoted by a division thereof and shall in said petition accurately describe the proposed division line by courses and distances of natural marks if any and accompany the same with a plot or draft showing the existing lines of the township proposed to be divided and the proposed division line it shall be the duty of the court to order a vote of the qualified electors of said township to be taken on the question of such division upon a day certain to be fixed by the court to be held by the election officers of the township proposed to be divided at the place fixed by law for the holding of township election and to be governed by the several laws relating to township elections And it shall be the duty of the constable of said township or if there be no constable then of one of the supervisors to give at least fifteen days' notice of the time and place of the holding of said election by posting not less than ten handbills written or printed in the most public places in said township" be amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter the owners of twenty-five per centum of the assessed valuation of the real estate of a township already erected in any county in this Commonwealth shall make application by petition to the court of quarer sessions of the proper county setting forth that the convenience of the inhabitants of such township will be promoted by a division thereof and shall in said petition accurately describe the proposed division line by courses and distances of natural marks if any and accompany the same with a plot or draft showing the existing lines of the township proposed to be divided and the proposed division line it shall be the duty of the court to order a vote of the qualified electors of said township to be taken on the question of such division upon a day certain to be fixed by the court to be held by the election officers of the township proposed to be divided at the place fixed by law for the holding of township elections and to be governed by the several laws relating to township elections In the taking of the vote of any township to be so divided it shall be the duty of the court at the time or ordering the taking of such vote to decree that each voter shall cast his vote at a place to be designated within the proposed division where he resides such place to be designated by the court A complete list of the qualified voters of the township shall be furnished by the county commissioners to each of the election boards conducting such election And it shall be the duty of the constable of said township or if there be no constable then of one of the supervisors to give at least fifteen days' notice of the time and place of the holding of said election by posting not less than ten hand-bills written or printed in the most public places in said township

That section 2 which reads as follows

"Section 2 The bollots to be deposited by the electors shall have written or printed on the outside thereof the word "division" and on the inside the words "for division" or "against division" and it shall be the duty of the officers of said election after the polls have been closed to count the ballots and certify within two days thereafter the number of votes for and against division to the clerk of the court of quarter sessions of the proper county and shall file in the office of said clerk the ballots cast at said election and it shall be the duty of the said clerk to lay said returns and ballots before the said court at the next session held after the filing as aforesaid and it shall appear that the majority of the votes so taken are "for division" the said court shall thereupon order and decree a division of the said township agreeably to the lines set forth in the said petition but if a majority of votes have been "against division" no further action shall be had upon such proceedings Provided however That if ther is any difficulty in locating the division line described in the petition upon the ground the court may appoint commissioners for that purpose and that no proceeding under former laws for the division of any township shall be a bar to a proceeding under this act" be amended to read as follows

Section 2 The ballots to be deposited by the electors shall have written or printed on the outside thereof the word "division" and on the inside the words "for division" or "against division" and it shall be the duty of the officers of said election after the polls have been closed to count the ballots and certify within two days thereafter the number of votes for and against division to the clerk of the court of quarter sessions of the proper county and shall file in the office of said clerk the ballots cast at said election and it shall be the duty of the said clerk to lay said returns and ballots before the said court at the next session held after the filing as aforesaid and it shall appear that the majority of the votes so taken are "for division" or if it shall appear that two-thirds or more of the votes so taken in either of the divisions are "for division" the said court shall thereupon order and decree a division of the said township

agreeably to the lines set forth in the said petition such division representing not less than forty (40) per cent of the assessed valuation of taxable property of the township to be so divided but if a majority of votes have gone "against division" or if neither of the division shall have two-thirds of the votes "for divisions" no further action shall be had upon such proceedings Provided however That if there is any difficulty in locating the division line described in the petition upon the ground the court may appoint commissioners for that purpose and that no proceedings under former laws for the division of any township shall be a bar to a proceeding under this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1072, as follows:

An Act to authorize the construction of branches by railroad companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any railroad company heretofore or hereafter incoroprated under the laws of this Commonwealth or under the laws of this Commonwealth and any other state or states shall have authority to construct such branches from any part of its railroad as it may deem necessary to increase its business and to accommodate the trade and travel of the public

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1034, as follows:

An Act to provide for the incorporation and regulation of mutual insurance companies other than life and for the licensing and regulation of such companies from other states and to repeal existing laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any ten or more natural persons citizens of this Commonwealth may associate in accordance with the provisions of this act and form an incorporated company to carry on the business of mutual insurance with power and authority to make contracts of insurance or reinsure and accept reinsurance for any or all kinds of insurance other than life which are not prohibited by statute or at common law from being the subject of insurance but no such mutual company shall transact any other kinds of insurance than may be transacted by a stock company effecting the same kinds of insurance

Section 2 Such persons shall associate by articles of agreement in writing for the purpose of forming a mutual insurance company which agreement shall specify

a The name by which the company shall be known

b The kinds of insurance for the transaction of which it is constituted

c The plan or principle upon which the business is to be conducted

d The place in which it is to be established or located

e The general objects of the company

f The proposed duration of the company

g The powers it proposes to have and exercise

Any name not previously in use by any existing company may be adopted but such name must clearly designate the object and purpose of the company and must contain the word "mutual" The Insurance Commissioner may reject any name when in his judgment it too closely resembles that of any existing company or is likely to confuse or mislead the public

Section 3 The subscribers to said articles of agreement shall choose from their number a president a secretary treasurer and such number of directors not less than seven as they may deem advisable who shall continue in office until the first annual meeting of the insured and until their successors are duly chosen and qualified as hereinafter provided

Section 4 The subscribers to said articles of agreement shall acknowledge the same before some person empowered to receive acknowledgments of deeds and forward the same in duplicate to the Insurance Commissioner who shall in case he approves the name of the proposed company certify thereto in duplicate and submit said articles of agreement to the Attorney General for examination and if found by him to be in accordance with this act and not inconsistent with the Constitution of this Commonwealth and of the United States he shall certify the same in duplicate to the Governor with his approval endorsed thereon Upon receipt of such articles of agreement certified as aforesaid the Governor shall in case he approves the same endorse his approval thereon in duplicate and cause letters patent to issue erecting the subscribers to said articles of agreement and their associates into a body corporate with succession under the name designated in said articles of agreement but it shall not have power to engage in the business of insurance until the provisions of this act have been otherwise complied with

Section 5 The Secretary of the Commonwealth shall cause the articles of agreement aforesaid together with the proceedings had thereon and certificate to the Governor after the approval of the Governor has been endorsed on said articles of agreement and letters patent have been issued to be recorded in a book kept for that purpose and he shall return one of the said articles of agreement to the company who shall have the same recorded in the recorder's office of the county in which said company is located The Secretary of the Commonwealth shall furnish the Insurance Commissioner with a certified copy of said letters patent and shall also certify the duplicate articles of agreement with all endorsements thereon and file the same in the office of the Insurance Commissioner and certified copies of said records may be used in evidence for or against the company with the same effect as the original

Section 6 If any company created under this act does not commence to issue policies within one year from the date of its letters patent or shall cease for two years to make new insurance its corporate powers and existence shall cease and the court upon petition of the Attorney General may fix by decree the time within which it shall settle and close its affairs

Section 7 The characters for incorporation named in this act may be perpetual or limited in time as the articles of agreement shall specify and the General Assembly reserves the power to revoke or annul any charter granted or accepted under this act whenever in the opinion of the said General Assembly it may be injurious to the citizens of this Commonwealth in such manner however that no injustice shall be done to the corporators or their successors

Section 8 A company organized under this act shall have power to make such by-laws as may be deemed necessary for the government of its officers and the conduct of its affairs and the same when necessary to alter and amend and to make and have a common seal and change and alter the same at pleasure

Section 9 The annual meeting for the election of directors shall be held at such time in the month of January as the by-laws of the company may direct of the time and place of which meeting at least thirty days' previous notice shall be given to the members by publication not less than three times each in at least two daily or weekly newspapers and in the legal periodical if any designated by the rules of court of the proper county for the publication of legal notices published in the city or county wherein the company is domiciled At such annual meeting the members shall elect by ballot from their own number not less than seven directors a majority of whom shall be residents of this Commonwealth to serve for one year and until their successors are duly chosen Provided That any company incorporated under this act or any general insurance company heretofore incorporated under any general or special laws of this Commonwealth and accepting this act as herein provided may provide in its by-laws for the division of its board of directors or trustees into two three or four classes and the election thereof at its annual meetings in such manner that the members of one class only shall retire and their successors be chosen each year Vacancies may be filled by election by the board for the unexpired term If for any cause the members shall fail to elect directors or trustees at any annual meeting the directors or trustees may call a special meeting for that purpose on some subsequent day of which notice shall be given as hereinbefore provided The directors or trustees before they are qualified to act shall file with the secretary a written acceptance of the trust and they or a majority thereof when statedly convened at the office of the company or when convened after special notice given to each member shall be competent to exercise all the powers vested in them by law Not less than four shall constitute a quorum The directors or trustees shall annually choose by ballot a president who shall be a member of the board a secretary a treasurer who may also be either the president or secretary and such other officers as the by-laws may provide and they shall fix the salaries of the president and secretary and fix the salaries or compensation of such other officers and agents as the by-laws prescribe Vacancies in any office may be filled by the directors or trustees or by the members as the by-laws shall prescribe

Section 10 Policies of insurance made or entered into by any company may be made either with or without the seal thereof and they shall be subscribed by the president or such other officer as may be designated by the directors or trustees for that purpose and attested by the secretary or other designated officer and when so subscribed and attested shall be obligatory on the company

Section 11 Such company may procure an amendment to its charter by calling a special meeting of the members notice of the object by which meeting shall be given by advertisement for four weeks preceding in at least two daily or weekly newspapers and in the legal periodical if any designated by the rules of court of the proper county for the publication of legal notices published in the city or county where the principal office of the company is located and by circular mailed to the address of each member If at such meeting two-thirds of the votes cast in person or by proxy shall favor a resolution agreeing that said company shall hold its charter subject to the provisions of the Constitution of the Commonwealth and setting forth at length the sections of its existing charter which it desires to retain and agreeing to be sub-

ject to the provisions of this act said resolution and the number of votes cast for and against the same at the special meeting aforesaid shall be spread on the records of said company and a certified copy of the same forwarded to the Insurance Commissioner who shall sumbit the same to the Attorney General in case he approves of said resolution he shall certify his approval thereof to the Governor and when approved by the Governor and recorded in the office of the Secretary of the Commonwealth they shall be deemed and taken to form part of the charter of said company

Section 12 No such company shall issue policies or transact any business of insurance unless it shall hold a certificate of authority from the Insurance Commissioner authorizing the transaction of such business which certificate shall not be issued until and unless the company shall comply with the following conditions

a It shall hold bona fide applications for insurance upon which it shall issue simultaneously or it shall have in force at least twenty policies to at least twenty members for the same kind of insurance upon not less than two hundred separate risk each within the maximum single risk described herein

b The "maximum single risk" shall not exceed twenty per cent. of the admitted assets or three times the average risk or one per centum of the insurance in force whichever is the greater any reinsurance taking effect simultaneously with the policy being deducted in determining maximum single risk

c It shall have collected á cash premium upon each application which premiums shall be held in cash or securities in which insurance companies are authorized to invest and shall be equal in case of fire insurance to not less than twice the maximum single risk assumed subject to one fire nor less than ten thousand dollars and in any other kind of insurance to not less than five times the maximum single risk assumed and in case of workmen's compensation insurance to not less than fifty thousand dollars

d For the purpose of transacting employers' liability and workmen's compensation insurance the applications shall cover not less than five thousand employes each such employe being considered a separate risk for determining the maximum single risk

Section 13 Any political subdivision of this Commonwealth or other public or private corporation board or association in this Commonwealth or elsewhere may make applications enter into agreements for and hold policies in any such mutual insurance company Any officer stockholder trustee or local representative of any such corporation board association or estate may be recognized as acting for or in its behalf for the purpose of such membership but shall not be personally liable upon such contract of insurance by reason of acting in such representative capacity The right of any such political subdivision public or private corporation organized under the laws of this Commonwealth to participate as a member of any such mutual insurance company is hereby declared to be incidental to the purpose for which such corporation is organized and as much granted as the rights and powers expressly conferred

Section 14 Every policy holder shall be a member of the company and shall be entitled to one vote or to a number of votes based upon the insurance in force the number of policies held or the amount of premiums paid and such members may vote in person or by proxy as may be provided in the by-laws

Section 15 The "maximum premium" payable by any member shall be expressed in the policy or in the application for the insurance if attached to the policy Such maximum premium shall be a cash premium and an additional contingent premium not less than the cash premium or may be soley a cash premium No policy shall be issued for a cash premium without an additional contingent premium unless the company has a surplus which is not less in amount than the capital required of domestic stock insurance companies transacting the same kind of insurance Provided That this shall not require a surplus in excess of an amount equal to the unearned premiums on the policies without contingent premiums

Section 16 No such company shall invest any of its assets except in accordance with the laws of this Commonwealth relating to the investment of the assets of domestic stock insurance companies trnsacting the same kind of insurance

Section 17 Such company shall maintain unearned premium and other reserves separately for each kind of insurance upon the same basis as that required of domestic stock insurance companies transacting the same kind of insurance except that the Insurance Commissioner may by written order fix a different basis of reserve for losses and claims in workmen's compensation insurance Provided however That any reserve for losses or claims based upon the premium income shall be computed upon the net premium income after deducting any so called dividen or premium returned or credited to the number

Section 18 Such company not possessed of assets at least equal to the unearned premium reserve and other liabilities shall make an assessment upon its members liable to assessment to provide for such deficiency such assesment to be against each member in proportion to such liability as expressed in his policy Provided the Insurance Commissioner may by written order relieve the company from an assessment or other proceedings to restore such assets during the time fixed in such order Provided That any domestic company which shall be deficient in providing the unearned premium reserve required hereby may notwithstanding such deficieny come under this act on the condition that it shall each year thereafter reduce such deficiency at least fifteen per centum of the original amount thereof and in such case it may increase its assessments accordingly

Section 19 Any director officer or member of any such company or any other person may advance to such company any sum or sums of money necessary for the purpose of its business or to enable it to comply with any of the requirements of the law and such moneys and such interest thereon as may have been agreed upon not exceeding ten per centum per annum shall not be a liabilitiy or claim against the company or any of its assets except as herein provided and shall be repaid only out of the surplus earnings of such company No commission or promotion expenses shall be paid in connection with the arvance of any such money to the company and the amount of such advance shall be reported in each annual statement

Section 20 Such company may insert in any form of policy prescribed by the law of this Commonwealth any provisions or conditions required by its plan of insurance which are not inconsistent or in conflict with any law of this Commonwealth Such policy in lieu of conforming to the language and form prescribed by such law may conform thereto in substance if such policy includes a provision or endorsement reciting that the policy shall be construed as if in the language and form prescribed by such law and a copy of such policy and endorsements if any shall have been first filed with and shall not have been disapproved by the Insurance Commissioner

Section 21 Such company shall comply with the provisions of any law applicable to stock insurance companies effecting the same kind of insurance requiring that policies be countersigned and delivered through a resident agent provided that this requirement shall not apply to any policy of such company on which no commission shall be paid to any local agent

Section 22 Any mutual insurance company organized outside of this Commonwealth and authorized to transact the business of insurance on the mutual plan in any state district or territory may be admitted and granted a certificate of authority to transact the kinds of insurance authorized by its charter or articles of association to the extent and with the powers and privileges specified in this act when it shall be solvent under this act and shall have complied with the provisions of law applicable to the filing of papers and furnishing information by stock companies on application for authority to transact the same kind of insurance

If organized without the United States it shall make and maintain the deposit required of stock insurance companies formed without the United States transacting the same kind of insurance

Upon compliance by any such foreign company with the provisions of this section such company may be granted a certificate of authority to transact business in this Commonwealth subject to all the provisions of law relating to information to and examinations by the Insurance Commissioner annual reports taxes and the renewal of certificates of authority applicable to stock insurance companies transacting the same kinds of insurance except as otherwise provided in this act

Section 23 Hereafter no mutual insurance company other than life shall be formed or authorized to effect or transact insurance in this Commonwealth except under this act Provided That companies may hereafter be organized under the act approved the first day of May one thousand eight hundred and seventy-six entitled "A Supplement to an act entitled 'An Act to establish an Insurtance Department' approved the fourth day of April one thousand eight hundred and seventy-three providing for the incorporation and regulation of insurance companies and relating to insurance agents and brokers and to foreign insurance companies" to transact the business of fire insurance within any three adjoining counties or within any number of counties any part of which is within a radius not exceeding twenty-five miles from the place of location within this Commonwealth

Section one two three four five six seven eight nine ten twenty-one twenty-two twenty-three and twenty-four of the act approved the second day of June one thousand nine hundred and fifteen entitled "An Act to provide for the incorporation and regulation of employes' mutual liability insurance associations and for the licensing of foreign mutual liability companies and declaring the false oaths of officers thereof to be perjury" is repealed and in so far as in conflict with the provisions of this act all other acts or parts of acts inconsistent with this act are repealed provided that such repeals and the provisions of this act shall not apply to or affect any company or association of this Commonwealth now doing business Any such company or association may however by resolution of its board of directors duly approved by the majority of the members at á meeting specially called for that purpose and duly certified to by the president and secretary and filed with and approved by the Insurance Commissioner elect to adopt and become subject to the provisions of this act in lieu of any act or acts theretofore governing such company or association Any company or association so electing and fully complying with this act may thereafter effect such kinds of insurance as authorized by this act and specified in its articles of association then in force or as then or thereafter amended together with such additional kinds of insurance as are specified in such resolution and authorized by this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1135, as follows:

An Act placing the control and management of county jails and prisons in the several counties of the Commonwealth and the inmates thereof in boards of prison inspectors providing for the appointment of such boards in each of said counties and for the regulation and government of said jails and prisons and the inmates thereof providing for the payment of the necessary expenses for keeping furnishing and maintaining said jails and prisons by the several counties respectively and prescribing the duties of the commissioners and treasurers respectively of said counties relative to the payment of such expenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the thirty-first day of December one thousand nine hundred and seventeen the care management government and maintenance of the county jails and prisons of each of the several counties of this Commonwealth and the prisoners therein confined shall be vested in boards of prison inspectors the members of which boards shall be appointed in the manner herein prescribed provided that this act shall not apply to county jails and prisons the management of which is now by law vested in boards of prison inspectors or prison commissioners

Section 2 It shall be the duty of the judges of the courts of quarter sessions of each of the counties of this Commonwealth on or before the first Monday of December one thousand nine hundred and seventeen and annually thereafter to appoint five discreet intelligent citizens resident taxables of said counties respectively two of whom shall be members of the minority party of the two political parties polling the highest number of votes in said county at the last preceding general election as members of the board of prison inspectors of and for said counties to serve for the term of one year

Section 3 The said boards of prison inspectors shall have the powers and duties and be subject to the restriction and penalties contained in the following rules and regulations for the government and maintenance of county jails and prisons hereby prescribed and enacted

ARTICLE I

Inspectors and Their Duties

Section 1 Each of said boards of prison inspectors shall hold a meeting on the second Monday of December one thousand nine hundred and seventeen and annually thereafter and thereat select of their number a president a secretary and a treasurer They shall keep regular minutes of their proceedings hold stated meetings once a month and special meetings whenever necessary They shall appoint a warden a matron and a physician and shall fix their salaries and compensation as well as those of all other persons employed in and about the county jail or prison Provided That in counties where females are seldom imprisoned in the county jail or prison a matron shall be appointed in the manner above provided to serve only for periods during which one or more females shall be imprisoned Each of said boards of prison inspectors shall with the approbation of the court of quarter sessions of the county for which they are appointed make such rules for the internal government of said jail or prison as shall not be inconsistent with the Constitution and laws of this Commonwealth A majority of said inspectors shall constitute a quorum of the board and may do any of the acts required of said inspectors The said boards of inspectors shall direct the manner in which all bedding clothing provisions and all articles and supplies necessary for the support and employment of the persons confined in said prison shall be purchased and also the sale of all articles manufactured therein and shall prescribe the manner in which the convicts confined therein shall be employed They shall determine the quantity and kind of food that shall be furnished daily to each person confined in said prison the bedding of all convicts and prisoners and if they deem it advisable to prescribe a uniform for male convicts and a kind of a dress to be worn by female convicts fix the color and pattern of the same in summer and winter They shall by at least one of their number visit the jail or prison at least once a week and oftener if necessary to see that the duties of the several officers and attendants are correctly and strictly performed and to prevent all oppression peculation or other abuse or mismanagement of said prison They shall on their visits to the cells speak to each prisoner confined therein and shall not be attended by any of the officers of the prison unless they shall be so required They shall be furnished by the warden with a calendar of the persons confined in said prison and shall by actual inspection see whether all the persons named in the calendar are confined to the respective cells and apartments assigned to them and the convicts employed as directed They shall have power to examine any person under oath or affirmation relative to any abuse or oppression in said jail or prison or other matter within the purview of their office They shall have power with the approbation of the judges of the court of quarter sessions to dismiss the warden matron or physician and to supply vacancies thus or otherwise occurring They shall on or before the first Monday of the first term of the court of quarter sessions held in the year one thousand nine hundred and eighteen and annually thereafter make a report in writing to said court of the condition of said prison The report shall contain a statement of the number of prisoners in confinement during the year for which the report is made their age sex alleged place of nativity time of commitment and offense for which committed noticing those who escaped died were pardoned or discharged They shall also make such recommendations as they may see fit whereupon the said court may take such order as it shall deem proper and cause the same to be filed in the office of the clerk of the court

ARTICLE II

Warden and His Duties

Section 1 The warden shall reside in the jail or prison He shall visit every cell and apartment and see and inspect the condition of every person confined under his care at least twice every day and oftener if necessary and when visiting the department of females shall be attended by the matron He shall keep a journal in which shall be regularly entered the date of admission discharge death pardon or escape of any prisoner the complaints that are made and the punishment inflicted for breaches of prison discipline as they occur the visits of the inspectors and physicians and all other occurrences of note that concern the state of the prison He shall with the advice of the inspector appoint the underwardens if in the opinion of the inspectors any be necessary and dismiss them whenever he thinks proper or the inspectors direct him so to do He shall report all infractions of the rules to the inspectors and with the approbation of one of them punish the offender in such manner as shall be directed by the rules to be enacted by the inspectors as hereinbefore provided for He shall take charge of keep and preserve all moneys effects and clothes found on persons brought into prison to be confined as convicts or prisoners and shall deliver the same to them or to their order when discharged He shall see that all meals are regularly delivered to the prisoners according to the prison allowance and superintend the work of such prisoners as are employed He shall give immediate notice to the prison physician whenever any person confined shall complain of such illness as to require medical aid He shall obey all legal orders given him by the inspectors and all rules established for the government of said prison as herein provided for He shall not be present when the inspectors make their stated visits to the prisoners under his care unless thereto required by the inspectors

ARTICLE III

Matron and Her Duties

Section 1 The matron shall reside in the jail or prison during the term of her employment She shall visit every cell and apartment occupied by females and see and inspect the condition of every female prisoner at least twice every day She shall at all times keep the warden faithfully informed of everything of importance relative to the prisoners' cells and all other matters under her care She shall direct the labors and occupations of the female prisoners under the general direction of the warden and give such instructions as may tend to their reformation and to render them useful members of society

ARTICLE IV

Underwardens and Their Duties

Section 1 The underwardens shall see and inspect the condition of every person committed to their care at least three times in every day and oftener if directed They shall see that all meals are regularly delivered to the prisoners according to the prison allowance and superintend under the general direction of the warden the work of such as are employed They shall give immediate notice to the warden or in his absence to the physician whenever any person confined shall complain of such illness as to require medical aid There shall be assigned to the care of each underwarden a certain number of the prisoners confined and each underwarden shall made daily reports to the warden of the health and conduct of the prisoners assigned to him or her and shall not be present when any of the inspectors visit the persons confined under his or her particular care unless so required by said inspectors. The underwardens shall obey all legal orders given by the warden and all rules established for the government of the said jail or prison All orders to the male underwardens shall be given by or through the warden and to the female underwardens by or through the matron They shall not absent themselves from the prison during the hours of duty wihtout permission in writing from the warden

ARTICLE V

Physician and His Duties

Section 1 The Physiican shall visit every prisoner once in every fortnight and oftener if the state of his or her health requires it and report in writing once quarterly to the inspectors He shall attend immediately on notice from the warden that any prisoner is sick and prescribe and administer to the needs of such prisoner He shall on the admission of any person into the prison immediately examine the state of his or her health He shall direct the diet of those under his care as well as all other such matters as in his judgment will best promote the health convenience and comfort of the sick

ARTICLE VI
Treatment of Convicts

Section 1 On the admission of the convict he or she shall be examined by the warden in the presence of any of the inspectors who may be present and of the underwardens who can conveniently attend as to his or her name parentage alleged place of nativity profession trade or occupation and such other notes of his or her physical characteristics shall be made as may be prescribed by the board of prison inspectors all of which shall be entered of record in a book provided for that purpose which shall be kept preserved and delivered as herein provided for He or she shall then be examined by the physician as to his or her health and then stripped of all moneys and effects on his or her person He or she shall then be bathed cleansed and clothed in a uniform of the prison if any such be prescribed and conducted to a cell assigned him or her the female if practicable in a part of the jail or prison separate and apart from that occupied by the males and if the board of prison inspectors shall prescribe be designated by a number by which he or she shall thereafter be known during his or her imprisonment. No convict shall be allowed the use of spirituous vinous or malt liquors of any kind unless under the special direction of the attending physician or be permitted except in case of sickness to receive anything but the prison allowance and any person who shall supply or attempt to supply any convict with any spirituous vinous or malt liquors except as above provided shall on conviction be fined not less than twenty nor more than one hundred dollars and if the person so offending be an officer or warden he or she shall be dismissed No convict shall be discharged while laboring under a dangerous disease although entitled to discharge unless by his or her own desire

When a convict shall be discharged by the expiration of his or her term of imprisonment or by pardon the clothes belonging to the prison if any such be worn by the convict shall be taken off and those belonging to the convict restored together with any money or effects taken from him or her at the time of admission into prison as hereinbefore provided for If he or she shall not possess any money or suitable clothing the inspectors shall provide him or her with what in their judgment may be necessary not exceeding in money and clothing twenty-five dollars in amount and value

ARTICLE VII
Treatment of Prisoners

Section 1 On the admission of any person for imprisonment in the jail or prison committed to await his or her trial he or she shall be examined by the warden in the presence of the officer or other person delivering said prisoner and of the inspectors who may be present and the underwardens who can conveniently attend and deprived of all money or effects clothing excepted on his or her person a record of all which shall be entered in a book provided for that purpose which money and effects shall be kept preserved and delivered as herein provided for Said entry shall be signed by the warden and attested by the afore-named persons who may be present at the examination and deprivation of him and her as aforesaid He or she shall then be bathed and cleaned and conducted to the cell assigned him or her the females if practicable in a part of the jail or prison separate and remote from that occupied by the males Such prisoners shall when in the opinion of the inspectors it is necesary for their comfort be provided with suitable clothing to be worn while in prison They shall be subject to such rules as the inspectors shall adopt in the manner herein before provided for the preservation of cleanliness decorum and order in the cells and may be punished for an infraction of any such rules by closer confinmenet and deprivation of food until obedience is enforced No prisoner shall be discharged while laboring under a dangerous disease although entitled to discharge unless by his or her own desire At least two changes of linen shall be furnished to each prisoner each week in summer and one in winter When a prisoner shall be discharged from imprisonment the money and effects of which he or she was deprived when received into prison shall be restored as herein provided for No such person shall be compelled to labor unless at his or her own desire and should any desire it he or she shall as soon as practicable be put to such labor as may be in practice in said prison and in case of acquittal on trial he or she may in the discretion of the inspectors be paid for his or her labor out of the funds of the prison such sum as the said inspectors shall adjudge he or she in equity entitled to Provided That any such person shall at his or her expense have the privilege of using books and writing materials and the inspectors shall when practicable from time to time purchase or accept contributions of useful and instructive books the use of which shall be permitted to convicts and other prisoners subject to such restrictions as the inspectors may impose

ARTICLE VIII
Proceedings in Case of Death of Prisoner

Section 1 No inquest shall be held on the body of any person who may die during his or her confinement in any county jail or prison unless the coroner of the respective county be thereto required by the inspectors of said jail or prison except in cases of murder suicide manslaughter or death cause by casualties and it shall be the duty of the attending physician of said prison to certify to the inspectors thereof the name and age of every person who may die in said prison together with the disease or cause of death of such person so far as he can ascertain the same which certificate the inspectors of said jail or prison shall cause to be entered of record in a book to be by them kept for that purpose and tne original certificate shall be by them delivered to the clerk of the court of quarter sessions to be filed by him in his office for the inspection of those interested

Section 2 The boards of prison inspectors of the said county and prisons are hereby directed with the approval of a judge of the court which committed him upon such terms as the said judge shall direct to discharge from prison without the delay and expense of any proceeding under the insolvent laws of this Commonwealth every convict who shall have served out his term of imprisonment at labor to which such convict now has been or hereafter may be sentenced notwithstanding such convict shall not have paid the cost of prosecution or a fine to the Commonwealth or restored the property stolen or paid the value thereof if in the opinion of the said board and judge such convict is unable to restore or pay the same Provided always That such discharge shall in no way interfere with the right of the Commonwealth the public officers or any person interested in the payment or restitution aforesaid to proceed by action to recover the amount from the property of such convict but no such discharge shall be allowed or granted by said boards of inspectors until such convict shall have exhibited to them on oath or affirmation duplicate schedules of all his or her property real personal and mixed to which he or she is in any manner entitled as far as he or she can ascertain the same one of which schedules or lists of property shall be by said inspectors filed and preserved with the papers of the jail or prison and the other forthwith delivered to the clerk of the court of oyer and terminer or quarter sessions as the case may be of the respective county who shall file the same in his office with the other papers relating to the case

Section 3 No inspectors warden matron or other person appointed to execute any duty trust or employment in or about any county jail or prison shall sell any article of any kind to a prisoner or to or for the use of the prison aforesaid or be concerned in any contract connectd with such sale or derive any emolument from such sale or contract

Section 4 The boards of prison inspectors of the several county jails and prisons are hereby authorized to apply from time to time to the commissioners of their several counties respectively for the funds necessary for keeping furnishing and maintaining the said jails and prisons respectively in conformity with the provisions of this act whereupon the said commissioners shall forthwith draw an order on the treasurer of the county in favor of the treasurer of said prison or jail for the use thereof of such sum as shall be necessary to satisfy said demands which sum shall be held by said treasurer subject to the order of said board of prison inspectors

Section 5 The trustees of the several counties shall in addition to their other duties receive all moneys belonging to the jails and prisons of their respective counties and shall disburse the same on orders drawn on them by the board of prison inspectors of said jails and prisons respectively They shall keep a true and just account of all monies received and disbursed which account shall be at all times open to the inspection of the inspectors and each of them They shall once in every year state their accounts and produce their vonchers after examination by the boards of prison inspectors of the several counties respectively shall by them be laid before the county auditors or other officers auditing county accounts for settlement and be acted and reported upon as accounts of county officers are by law authorized to be settled and shall be subject to like appeal issue and judgment The said county treasurer shall give bond to the Commonwealth for the use of the proper county with such security and in such amount as the court of quarter sessions of said county shall approve and determine conditioned for the faithful discharge of all duties enjoined on them by this act and for a just account of all monies that may come into their hands in behalf of said jails and prisons for the delivery to their successors in office of all books papers documents and other things held in right of their office for said jails and prisons and for the payment to them of any balance of money belonging to said jails or prisons remaining in their hands The said treasurers shall receive such compensation for their services as shall be annually fixed by the inspectors with the approbation of the commissioners of the several counties respectively

Section 6 The wardens of county jails and prisons when qualified as aforesaid shall take charge of all persons lawfully committed by any court magistrate justice of the peace or other officer having power to commit to prison and shall be responsible for the safekeeping of all persons so committed in the same manner and to the same extent that sheriffs and jailers are now by law held liable Provided nevertheless that said warden shall and he is hereby bound to deliver unto the sheriff of said county all prisoners whom by virtue of any sentence order or decree of any court he shall be required and directed to receive and take charge of for the purpose of carrying into execution such sentence order or decree and shall deliver or discharge any inmate as may be directed by the proper court

Section 7 The wardens of the county jails and prisons shall before entering upon the duties of their appointments give bond to the Commonwealth of Pennsylvania

with such surety and in such amount as the court of quarter sessions of the proper county shall approve and determine conditioned for the faithful observance and performance of all duties enjoined on them by this act or which may be by any subsequent act that may be passed or by rules and regulations which may be made by the boards of prison inspectors of the several counties respectively in accordance therewith for a just and accurate account of all monies goods and chattels and effects of all kinds and description whatever that may come into their hands or be placed under their care in pursuance of their appointment on behalf of said prison or any person confined therein and for the delivery to their successors in office of al lbooks papers and documents also of all goods chattels and effects which they may have or hold in right of their appointments and for the payment of any balance of money belonging to said prisons or any person confined therein remaining in their hands and for the safe-keeping of all persons committed to their care which bond shall stand for the use of any person or persons injured by the acts or delinquents of said wardens and may be proceeded on by any person aggrieved in the same manner now directed as to sheriff's bonds The matrons and all other persons employed in and about county jails and prisons shall each if the board of inspectors require it give bond with surety in amount as aforesaid conditioned as nearly as practicable as those of the warden and in such other manner as the inspectors shall fix and determine

Section 8 All acts and parts of acts inconsistent with the provisions of this act except such acts and parts thereof as relate to the government and control of county prisons which are now by law managed governed and controlled by boards of prison inspectors or prison commissioners be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1240, as follows:

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania and of the counties therein having a population of two hundred and fifty thousand inhabitants or more and of such other counties and of such cities of the third class therein as may accept its provisions by a vote of the people of such counties or cities respectively making any violation of its provisions a misdemeanor and providing penalties for any violations thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall apply to the civil service of the Commonwealth of Pennsylvania and to the civil service of each county having a population of two hundred and fifty thousand inhabitants or more according to the most recent United States census and to the civil service of each county having a population of less than two hundred and fifty thousand inhabitants which has accepted its provisions in the manner provided in section thirty-one and to the civil service of each city of the third class which has accepted its provisions in the manner provided in section thirty-one

Section 2 All appointments transfers reinstatements promotions reductions suspensions removals and dismissals in the civil service of the Commonwealth and of any county or city to which this act applies shall be made in accordance with this act and the rules prescribed hereunder

Section 3 The term "civil service of the Commonwealth" shall include all offices positions and employments in which the officers or employes are paid from the State treasury and all offices positions or employments in or under institutions, departments boards or commissions where in the Commonwealth either directly or through any commission board official or officials has the right to appoint or select the officials or employes or which are constituted agencies for the performance of a function of this Commonwealth Provided however That this act shall not apply to offices employments or positions in the military or naval service of the Commonwealth

The term "civil service of any county" shall include for each county to which this act applies and each county which has accepted the provisions of this act in the manner provided in section thirty-one all offices positions and employments in which the officers or employes are paid from the county treasury and all offices positions or employments in or under institutions departments boards or commissions wherein the county either directly or through any commission board official or officials has the right to appoint or select the officials or employes

The term "civil service of any city" shall include for each city which has accepted the provisions of this act in the manner provided in section thirty-one all offices positions and employments in which the officers or employes are paid from the city treasury and all offices positions or employments in or under institutions departments boards or commissions wherein the city either directly or through any commission board official or officials has the right to appoint or select the officials or employes

The terms "any county" and "any city" and "every county" and "every city" unless a contrary meaning clearly appears from the context to be intended shall mean each and every county with a population of two hundred and fifty thousand inhabitants or more and each and every county or city which has accepted the provisions of this act in the manner provided in section thirty-one

The term "positions" shall include all offices and employments unless a contrary meaning clearly appears from the context to be intended

The term "appoint" shall include employ and the term "appointment" shall include employment

The term "Commonwealth" shall mean the Commonwealth of Pennsylvania and the term "State" shall mean the State of Pennsylvania

The terms "he" and "his" shall include it its she her they and their unless a contrary meaning clearly appears from the context to be intended

The term "oath" shall include affirmation and "swear" shall include affirm

Section 4 Upon the passage of this act the Governor shall appoint by and with the advice and consent of the Senate three persons to serve one until March first one thousand nine hundred and nineteen one until March first one thousand nine hundred and twenty-one and one until March first one thousand nine hundred and twenty-three as Civil Service Commissioners who shall constitute the State Civil Service Commission of Pennsylvania Upon the expiration of the term of office of each commissioner so appointed the Governor by and with the advice and consent of the Senate shall appoint a successor to serve for a term of six years from the date of his appointment and until his successor is appointed and has qualified The Governor may at any time remove a commissioner after he has furnished him with a written statement furnishing such specific reasons as if true would constitute a just cause for such action and after he has given him a reasonable time in which to make such written answer as the Commissioner may desire Ppon the receipt and consideration of such answer the Governor shall finally determine his action in the case The Governor shall fill any vacancy in the Commission by appointing a commissioner to serve the remainder of the unexpired term The commissioners shall hold no other lucrative office under the United States the Commonwealth or any county or city thereof except that of attorney at law notary public or offices in the military or naval service of the United States or of this Commonwealth Not more than two commissions shall be adherents of one political party The commission shall maintain its principal offices in Harrisburg and may establish branch offices in such other localities as it deems advisable

Section 5 The commissioner longest in continuous service shall be president He shall receive a salary of five thousand five hundred dollars ($5,500) annually The Governor shall designate the president on the first organization of the commission Each other commissioner shall receive a salary of five thousand dollars ($5,000) annually. The commission shall employ a chief examiner who shall act also as secretary and such other employes as it deems necessary and shall fix their salaries The Commonwealth shall pay the salaries of the commissioners and their employes and defray all other necessary expenses incurred by the commission in carrying out the purposes of this act but the commission shall not incur expenses in excess of its appropriation

The proper officials of the State and of any county or city to which this act applies shall provide the commission with suitable quarters and accommodations for carrying on its work permit the use of public buildings for examinations and other official purposes and otherwise assist without compensation in carrying out the purposes of this act

Section 6 The civil service of the Commonwealth and of each county and city to which this act applies shall be divided into the unclassified service and the classified service The unclassified service shall comprise

(a) All officers elected by the people

(b) All members of boards or commissions and all heads of departments whose appointment is subject to confirmation by the Senate

(c) All persons engaged directly in the service of either branch of the General Assembly and appointed by any officer or committee thereof

(d) All officers elected by the General Assembly

(e) All persons in judicial service or appointed by judges except probation officers and all assistants to the Attorney General

(f) All persons holdnig positions under any school district

(g) All registrars and clerks of election

(h) One secretary and one confidential clerk to the Governor and one confidential clerk to the head of each department created by the Constitution an act of Assembly

(i) Persons employed by contract to perform a special service for the Commonwealth or any county or city where such contract is certified by the commission to be for employment which cannot be performed by persons in the classified service

The classified service shall include all offices positions and employments to which this act applies and which are not specifically included in the unclassified service

Section 7 The classified service shall be arranged by the commission in three classes to be designated as the competitive class the exempt class and the labor class The commission shall have the power to reclassify positions from time to time as it may find necessary

Section 8 The exempt class shall include positions except unskilled laborers for the filling of which the commission shall have found competitive examinations to be

impracticable No position shall be deemed to be in the exempt class unless and until the commission after a public hearing of which suitable public notice has been given has determined that it is unable to obtain by competitive examinations persons possessing the usual and requisite qualifications for filling such office or position and has classified such office or position in the exempt class and the reasons for every such exemption shall be stated separately and at length in the annual reports of the commission Not more than one appointment shall be made to or under the title of any such office or position unless a different number is specifically authorized by the commission Appointments in the exempt class may be made without examination

Section 9 The labor class shall include ordinary unskilled laborers Vacancies in the labor class shall be filled by appointment from lists of applicants registered by the commission Preference in employment from such lists shall be according to rules and regulations to be promulgated by the commission

Section 10 The competitive class shall include all positions now existing or hereafter created in the classified service (including those in the Civil Service Commission) except such position as have been classified by the commission in the exempt class or the labor class

Section 11 The commission shall

1 Adopt enforce and amend rules providing for

(a) Open competitive examinations for positions in the competitive class and for ample notice of all examinations in the localities affected

(b) All appointments transfers reinstatements promotions reductions suspensions removals and dismissals in the classified service

(c) Maintaining a record of all examinations and of all appointments to and changes in the service

(d) The classification re-classification and grading of positions

(e) Temporary appointments in the absence of appropriate eligible lists

(f) Appropriate examinations and tests for positions in the labor class

(g) Other subjects necessary for carrying into effect the provisions of this act

2 Grant public headings upon all changes in the rules before adopting same and give reasonable public notice of such hearings

3 Keep minutes of its meetings and records of its proceedings All minutes examination papers eligible lists and other records of the commission except as hereinafter specifically provided as well as all recommendations and correspondence relating to applicants for office or employment received by the commission or by any officer having authority to make appointments shall be preserved and shall subject to reasonable regulations as to the manner of examination be open to public inspection during ordinary business hours Provided however That statements of former employers of applicants for office or employment shall be considered strictly confidential and not open to examination by any person not employed by the commission

4 Prescribe reasonable qualifications to be met by applicants for positions in the classified service

5 Investigate and report annually to the Governor concerning the administrative needs of the service the personnel and positions in the service and the compensation provided therefor the examinations held by the commission the appointments made efficiency ratings and removals in the service the operation of the rules of the commission and recommendations for promoting efficiency and economy in the service with details of expenditure and progress of work The Governor may require a report from the commission at any time respecting any matter within the scope of its duties hereunder

6 Make investigations either sitting as a body or through a single commissioner concerning all matters touching the operation and results of the provisions of this act and the rules and regulations prescribed thereunder and concerning the efficiency of all officers and employes and of all groups of officers and employes in the classified service and make reports to the officer board or other authority in charge of any institution office or department of its findings and recommendations relative to increasing the efficiency and economy therein

7 The commission and each commissioner shall have power to require by subpoena the attendance of witnesses and to compel testimony and the production of all books documents memoranda and other papers relating to any matter under investigation Each Commissioner and the Chief Examiner may administer oaths and affirmations Witness fees shall be the same as those for witnesses before the Court of Common Pleas and may be paid by the Commission from moneys appropriated to it

Section 12 On and after the first day of August one thousand nine hundred and seventeen every position in the competitive class unless filled by promotion transfer reinstatement or reduction shall be filled only in the following manner The appointing officer shall notify the Commission of any vacancy in the service which he deems it necessary to fill and shall request the certification of eligibles The Commission shall forthwith certify from the appropriate eligible list the names of the three persons thereon who received the highest averages at examinations held under the provisions of this act If a list consists of less than three names the Commission shall certify such name or names as appear upon the list The appointing officer shall fill the said vacancy from the names so certified In case the list consists of less than three names the appointing officer may at his option expressed in writing to the Commission at the time of the appointment treat such appointment as temporary and if he does so treat it the Commission shall proceed at once to hold an examination and to secure an eligible list as promptly as possible The appointing officer shall upon receipt of the eligible list from the Commission and with sole reference to the relative merit and fitness of the candidates make an appointment from the three names so certified

As each subsequent vacancy occurs in the same or a similar position the same procedure shall be followed Provided however That after any name has been three times rejected by any one appointing officer for the same or a similar position in favor of other name or names on the same eligible list the said name shall not again be certified to that appointing officer When there are a number of positions of the same kind to be filled at the same time each appointment must nevertheless be made separately and in accordance with the foregoing provisions

When an appointment is made under the provisions of this section it shall be in the first instance for a probationary period of three months If during that period the service of that other clerk or employe is unsatisfactory the appointing officer shall notify him in writing that he will not be retained in the public service after such three months period If not so notified his appointment becomes absolute at the end of the three months' probationary period

Section 13 Whenever there are urgent reasons for filling any position in the competitive class and there is no list of persons eligible for appointment after competitive examination any person may be appointed temporarily to said position for a period not exceeding three months In every such case the Commission shall at once proceed to hold an examination and secure an eligible list No temporary appointee shall hold office more than three months At the end of three months his office shall be deemed vacant and it shall be the duty of the fiscal officers of the Commonwealth city or county to prevent and decline to permit the payment of any compensation salary or wages to such temporary appointee for services rendered or claimed to be rendered after such three months period Successive temporary appointments shall not be made to the same position

During the first year of the operation of this act but not thereafter when the Commission shall find it impossible to hold an examination and secure an eligible list for a particular position within three months the Commission may in its discretion fix a longer period than the three months prescribed in the preceding paragraph for temporary appointments to such position In no case shall such extended period continue after the expiration of one year from the signing of this act

Section 14 The Commission shall ascertain and record the duties of each position in the service which this act provides shall be classified and graded and wherever it appears that two or more positions have duties which are substantially similar in respect to the authority responsiblity and character of work required in the performance thereof they shall be placed in the same grade which the Commission shall designate by a title indicative of such duties grades having duties of the same general nature and in the same line of promotion shall be placed in the same class and the lines of promotion definitely specified For each grade the Commission shall prescribe a standard maximum and minimum salary or rate of pay and shall report to the appropriation authorities the rate being paid for analogous service in both public and private employment together with other information pertaining to a proper rate of pay for the service over which the Commission has purisdiction The Commission shall by rule prescribe the minimum period of service in the grade required before a salary may be advanced or increased and a minimum standard of efficiency requisite for such salary advancement or increase The lowest salary or rate of pay provided for any position in the grade shall constitute the grade pay and no person in such grade shall receive pay in excess of the grade pay unless he is certified by the Commission as having served the period required my said rule with an efficiency rating given by the Commission equivalent to the minimum standard of efficiency required thereby No person shall be paid an amount greater than the maximum salary or rate of pay prescribed by the Commission for the grade in which he is classified and graded The action of the Commission establishing grades and standard salaries shall not operate to reduce the salary or rate of pay received on August first one thousand nine hundred and seventeen by a person holding a position in the classified service on that date Nothing in this act shall prevent the authorities charged by law with the duty of making appropriations for salaries from changing the pay of all positions in a grade

Salary advancement or increase shall be made within the several grades only in the order of highest efficiency combined with relative seniority as shown by the records of the Commission Where there are no records of efficiency covering a period of continuous service for six months or more a minimum standard of efficiency shall be presumed

Section 15 No treasure auditor controller or other officer of the State or of any of the counties or cities of the State shall approve the payment of or be in any manner concerned in paying auditing or approving any salary wage or other compensation for services to any public officer or employe in the classified service unless a pay-roll estimate or account for such salary wage or other compensation containing the names of the persons to be paid a statement of the amount to be paid each such person and the services on account of which the same is paid bearing the certificate

of the Commission that the persons named in such pay-roll estimate or account have been appointed or employed in pursuance of law and of the rules made by the Commission under the provisions of this act and have complied with the terms of this act and of the rules of the Commission when required so to do shall have been filed with him Before making any such certificate the Commission shall investigate the nature of each item of such pay-roll estimate or account and if it shall ascertain that the provisions of the law in respect to any such item have not been strictly complied with it shall refuse to certify such item

The Commission shall refuse to certify the pay of any public officer or employe who shall wilfully or through culpable negligence violate or fail to comply with the provisions of this act or of the rules of the Commission

Section 16 The Commission shall by rule prescribe standards of efficiency for each grade of the service and for examinations therefor and it shall make and keep a record of the relative efficiency of each person in the classified and graded service It shall provide by rule methods for ascertaining and verifying the facts from which such records of relative efficiency shall be made which shall be uniform for each grade

Section 17 (a) All original entrance examinations shall be public competitive and free to all persons who may be lawfully appointed to any position within the grade for which such examinations are held with limitations specified in the rules or regulations of the Commission as to residence age sex health habits moral character and pre-requisite qualifications to perform the duties of such positions Promotion examinations shall be public competitive and free only to all persons examined and certified under the provisions of this act and who have held a position for one year or more in a grade previously declared by the Commission to involve the performance of duties which tend to fit the incumbent for the performance of duty in the grade for which the promotion examination is held In promotion examinations efficiency and seniority in service shall form part of such examination but combined shall not receive a mark exceeding one-fourth of the whole mark attainable in such examination

(b) The Commission shall hold promotion examinations for each superior grade of service whenever there is an inferior grade in the same class the duties of which directly tend to fit the incumbents thereof for the performance of the duties of the superior grade A person who has served less than one year in a lower grade shall not be eligible for a promotion examination If less than two persons submit themselves for a promotion examination or if after such examination is held all applicants fail to attain a general average of not less than the minimum standing fixed by the rules of the Commission it shall forthwith hold an original entrance examination and may at any time within six months certify from the eligible list resulting therefrom Certification of eligibles and appointments by promotion shall be made in all other respects in the manner prescribed in section twelve for original appointments

(c) All examinations shall be appropriate in their character and shall consist only of subjects which will fairly determine the relative capacity of the persons examined to perform the duties of the position to which appointment is to be made and may include examinations of physical fitness and of manual skill In entrance and promotion examinations the oral part shall not receive a mark exceeding one-fourth of the whole mark attainable in such examination No credit shall be allowed for service rendered or experience gained under a temporary appointment. The Commission shall control all examinations and may designate special examiners to conduct and hold such examinations as the Commission may direct and to make return and report thereof to it The Commission may at any time substitute any other person in the place of any person so designated and may itself act as such examining authority without designating special examiners As many examinations shall be held as may be necessary to provide eligibles for each grade of the service and to meet all requisitions and to fill all positions held by temporary appointees From the return and report of the examiners or from the examinations made by the Commission it shall prepare a list of eligibles for each grade of the persons who shall attain such minimum mark as may be fixed by the Commission for the service parts of such examination and whose general average standing upon the examination for such grade is not less than the minimum fixed by the rules of the Commission and who may lawfully be appointed Such persons shall take rank upon the list in the order of their relative excellence as determined by the examination without reference to priority of time of examination The markings of all examinations shall be completed and the resulting eligible list posted within ninety days from the date of the examination The Commission shall cancel such portion of any list as has been in force for more than two years but not otherwise

(d) The markings and examination papers of each candidate shall be open to his own inspection and the markings and examination papers of all persons upon any list of eligibles shall be open to public inspection within ten days after an eligible list has been prepared An error in the marking of any examination other than an error of judgment if called to the attention of the Commission within one month after the posting of an eligible list resulting from such examination shall be corrected by it Provided however That such correction shall invalidate any certification or appointment previously made Notice of the time place and general scope of every examination and of the duties pay and experience advantageous or requisite for all positions in the grade for which the examination is to be held shall be given by the Commission by publication at least once a week for two weeks preceding the examination in a newspaper of general circulation published in the county or city in which the examination is to be held Such further notice shall be given as the Commission may prescribe

Section 18 Immediate report in writing shall be given to the Commission by the appointing authority and by such other persons as may be designated by the Commission of all appointments transfers reinstatements promotions reductions suspensions removals dismissal vacancies absences or other matter affecting the status of positions or the performance of duties of officers or employes classified under the provisions of this act and all such notices shall be prepared in the manner and form prescribed by the Commission

Section 19 The Commission may refuse to examine or may withdraw from an eligible list any applicant who after investigation is found to be unfit for public service The Commission shall spread upon its minutes the reasons for such action

Section 20 No inquiry in any application examination or investigation shall relate to the religious or political affiliations of any person nor shall any person in the classified service be dismissed nor shall his status in the service be changed for political or religious reasons

Section 21 No officer clerk or employee in the competitive class of the classified civil service of the Commonwealth of Pennsylvania or of any county or city who shall have been appointed under the provisions of this act except those appointed temporarily without competitive examination shall be removed discharged or reduced in pay or position except for a just cause Further no officer clerk or employee shall be removed discharged or reduced except as provided in section twelve of this act until he shall have been furnished with a written statement furnishing such specific reasons as if true would constitute a just cause for such action and until he shall have been allowed a reasonable time in which to give the removing officer such written answer as the person sought to be removed or reduced may desire Upon the receipt and consideration of such answer the removing officer shall finally determine his action in the case and if he has followed the procedure required by this section no appeal to any court shall lie from his decision An appeal to the Commission shall lie from his decision if presented within thirty days and if supported by affidavit that the removal or reduction was in contravention of this act or of the rules prescribed thereunder that it was not for just cause or that the real reason for the action was religious or political If such allegations are made the Commission may investigate the removal and if in its judgment the allegations are true it may order the reinstatement of the person removed No appeal to any court shall lie from any decision of the Commission in such cases In every case of a removal or reduction a copy of the statement of reasons therefor and of the written answer thereto shall be forthwith furnished to the Commission and entered upon its records

Section 22 If any applicant or employee under this act is aggrieved by any action of the Commission affecting him the Commission shall upon his request in writing grant him a public hearing

At any public hearing or session of the Commission any citizen shall have the right to be present in person and by counsel and subject to reasonable regulations of the Commission to interrogate any witness and to produce evidence and arguments either in favor of or against any proposed classification rule or other action Public notice of every proposed public hearing shall be given at least one week in advance thereof and shall state clearly the purpose of the hearing and the matters to be there and then considered A copy of every such notice shall be posted on a suitable public bulletin board at the office of the Commission

Section 23 All persons holding positions in the classified service as defined herein on the first day of August one thousand nine hundred seventeen shall be considered as having been appointed under the provisions of this act and shall hold their positions in accordance herewith

Section 24 Any false statement made under oath either in any application or other paper filed with the Commission or in any proceeding or in any proceeding before the Commission arising under this act shall be perjury and punishable as such

Section 25 Any person who shall be served with a subpoena to appear and testify or to produce books and papers issued in the course of an investigation conducted under the provisiosn of this act who shall disobey or neglect to obey any such subpoena or who shall wilfully make an appointment to any position contrary to the provisiosn of this act or of the rules made pursuant thereto who shall wilfully refuse or neglect to comply with or conform to the provisions of this or who shall wlfully violate any of its provisions shall be deemed guilty of a misdemeanor

Section 26 Any person who shall wilfully by himself or in co-operation with one or more persons defeat deceive or obstruct any person in respect to his or her right of examination appointment or employment according to this act to any rules or regulations prescribed pursuant thereto or who shall wilfully or corruptly falsely mark grade estimate or report upon the examination or proper standing of any person examined registered or certified pursuant to the provisions of this act or aid in so doing or who shall wilfully make any false representations concerning the same or concerning the person examined or who shall wilfully or corruptly furnish to any person any special or secret information for the purpose of either improving or

injuring the prospects or chances of any person so examined registered or certified or to be examined registered or certified or who shall personate any other person or permit or raid in any manner any other persons to personate him in connection with any examination or registration or appointment or application or request to be examined or registered or appointed or who shall furnish any false information about himself or about any other person in connection with any examination or registration or appointment or application or request to be examined or registered or appointed or who shall use or promise to use his influence or official or political authority to secure for any person any appointment or prospect of appointment to any position classified under this act as a reward or return for personal or partisan political service shall for each offense be deemed guilty of a misdemeanor

Section 27 No person holding a position classified under the provisions of this act shall be a member of or a delegate or alternate to any political convention nor shall he be present at such convention except in the performance of his official duty nor shall he serve as a members of or attend the meetings of any committee of any political party or take any active part in political management or in political campaigns or use his position to influence political movements or to influence the political action of any other person holding a position classified under the provisions of this act nor shall he in any manner participate in or interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while counting the vote or returning the election material to the place provided by law for that purpose save only for the purpose of marking and depositing his own ballot as speedily as it reasonably can be done nor shall he be within a polling place or within fifty feet thereof except for purposes of ordinary travel or residence from the time the polls open until the election officers shall have finished counting the votes and have left the polling place and removed the election material therefrom excepting only peace and police officers who may temporarily approach or enter the polling place in order to make any arrest permitted by law or for the purpose of preserving order nor shall he circulate or seek signatures to any nomination or other petition provided for by any primary or election law nor shall he permit the use of his name for nomination or election to any public office Any person who shall violate any of the provisions of this section shall for each offense be deemed guilty of a misdemeanor

Section 28 No person shall solicit pay give or receive in any public building belonging to the Commonwealth or to any county or city to which this act applies any money or valuable thing for any political purpose whatever No person shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing or any assessment subscription or contribution whether voluntary or involuntary from any person holding a position classified under the provisions of this act for any political purpose whatever No person holding a position classified under the provisions of this act shall orally or by written or printed communication directly or indiecrtly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing or any assessment subscription or contribution whether voluntary or involuntary for any political purpose whatever Any person who shall violate any of the provisions of this section shall for each offense be deemed guilty of a misdemeanor

Section 29 Misdemanors under the provisions of this act shall be punishable by a fine of not more than one thousand dollars by imprisonment for a term not exceeding one year or by both fine and imprisonment in the discretion of the court

Section 30 It shall be the duty of the Commission to begin and conduct all civil suits which may be necessary for the proper enforcement of this act and of the rules of the Commission and to defend all civil suits which may be brought against the Commission The Commission shall be represented in such suits by the chief legal officer of the State or of the appropriate county or city thereof but the Commission may in any cease be represented by special counsel appointed by it Any taxpayer may maintain an action in any court of record to enjoin any person or persons from making any payment of money from the public treasury contrary to the provisions of this act or of the rules prescribed thereunder or to enjoin the Commission from attaching its certificate to a pay-roll in violation of the provisions of this act or of the rules prescribed thereunder or to enjoin the payment of compensation to any person who has been employed or continued in employed in violation of the provisions of this act or of the rules prescribed thereunder

Section 31 Any county having a population of less than two hundred and fifty thousand inhabitants according to the most recent United States census or any city of the third class may accept this act in the following manner

Whenever a petition signed by five per centum of the duly qualified voters of any such county or of any such city shall have at least two months prior to any election been presented to the county commissioners of the county in which said such qualified voters reside requesting that an election be held to determine whether or not this act shall be accepted by such county or city the said county commissioners shall thereupon arrange for the submission of this question at the next succeeding election within the said county to the duly qualified voters of the said county if the petition shall relate to a county or at the next succeding election with the said city to the duly qualified voters of said city if the petition shall relate to a city The county commissioners and the sheriff of the county in which such petition is presented shall give such notice by publication or otherwise as may be required by the laws of the Commonwealth in the case of a general election that at the next succeeding election the question hereinafter set forth will be submitted to the duly qualified voters of the said county or of the city as the case may be The county commissioners of the said county shall further cause to be printed on the official ballot prepared for use at the next succeeding election within the county or the city in relation to which the said petition may have been presented in the form required by law for the submission of a constitutional amendment or other question required to be submitted to the vote of the people the question as to whether or not this act shall be accepted in the said locality in substantially the following form

Shall the Civil Service Act of (insert date of this act) be accepted by the county (or by the city) of (insert name of county or of city as the case may be) Yes..... No.....

It shall be the duty of the proper officers of the said county or of the said city to submit this question to the vote of the duly qualified electors of the said county or of the said city at such next succeeding election which shall be held at the places and by the officers provided by law for the holding of general elections It shall be the duty of the judges and inspectors of such elections to receive from the duly qualified electors ballots containing the aforesaid question and the vote of the electors thereon and to count the ballots and to make return thereof to the proper officials as required by law in the case of other ballots The return judges and other officers charged with the duty of certifying the result of the said election shall also certify to the county commissioners and in the case of a city to the mayor whether or not the majority of the electors of the county or of the city as the case may be who voted on the said question at the said election did vote in favor of accepting this act If such majority did so vote the county commissioners or the mayor shall make a public proclamation that the provisions of this act are effective in the county or city as the case may be Thereafter the provisions of this act shall be observed in the appointment transfer reinstatement promotion reduction suspension removal and dismissal of all officers clerks and employes in the civil service of such county or of such city and in all other matters provided for in this act

Section 32 All acts and parts of acts inconsistent herewith are hereby repealed It is intended by this act to furnish a complete comprehensive and exclusive system for the appointment transfer reinstatement promotion reduction suspension removal and dismissal of all persons holding positions in the civil service of the Commonwealth and in the civil service of all counties and cities to which this act applies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1541 (Senate Bill No. 837), entitled

An Act authorizing appeals from the courts of common pleas to the Supreme and Superior Courts from orders granting new trials.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1109 (Senate Bill No. 468), entitled

An Act to enable two or more boroughs that are contiguous or in close proximity to be united and to become one city, wherever each of said boroughs shall have heretofore voted or shall hereafter vote to become a city of the third class, under laws now enacted or which may hereafter be enacted and wherever each of said boroughs has duly received or shall hereafter duly receive letters patent constituting it a city of the third class, but where sufficient time shall not have elapsed after the granting of such letters patent for the holding of a municipal election; providing for the consequences of such consolidation the government of such consolidated city, the payment of the indebtedness of each of the united territories and the enforcement of debts and claims due to and from each; and fixing the jurisdiction over the said consolidated city in the courts of the county in which the majority of its inhabitants shall reside.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1233 (Senate Bill No. 540), entitled

An Act for the protection of the public health; by regulating the possession, control, receipt, administering, prescribing, dispensing, sale, delivering, and giving away of certain drugs and keeping records thereof; by regulating the administering, dispensing, prescribing and delivery of certain drugs to habitual users of said drugs and regulating the treatment and cure of said habitual users of said drugs; by providing for the revocation of the licenses of physicians, dentists, veterinarians, pharmacists and registered nurses for drug addiction and for violating the provisions of this act; and otherwise fixing penalties for the violation of the provisions of this act.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "drugs" as used in this act shall be construed to designate (a) opium or cocoa leaves or any compound manufacture salt derivative or preparation thereof or any preparation containing any compound salt or derivative of opium or cocoa leaves but shall not be construed to apply to (b) preparations that do not contain more than two grains of opium or more than one-fourth of a grain of morphine or more than one-eighth of a grain of heroin or more than one grain of codeine or any salt or derivative of any of them in one fluid ounce if the same is liquid or if a solid or semi-solid preparation in one avoirdupois ounce and shall not be construed to apply to (c) plasters liniments ointments and other preparations compounded solely and actually sold given away dispensed or possessed in good faith for external use only and not for the purpose of evading the intentions and provisions of this act unless said plasters liniments ointments and other preparations contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute for cocaine eucaine or their salts and shall not be construed to apply to (d) decocainized coca leaves or preparations made therefrom or to other preparations of coca leaves which do not contain cocaine

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. COX. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation.

Mr. GLASS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1443 (Senate Bill No. 749), entitled

An Act amending section three of an act, approved the first day of June, one thousand nine hundred and fifteen, entitled "An Act to amend section three of an act, entitled 'An Act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof' approved the twenty-fifth day of July, Anno Domini one thousand nine hundred and thirteen; by providing that the Industrial Board of the Department of Labor and Industry may subdivide the one day of rest in seven into two half days" by providing that the restrictions as to hours shall not apply to females engaged at State and charitable institutions, hotels and boarding houses.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and nine) entitled "An Act to amend section three of an act entitled 'An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof' approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen by providing that the Industrial Board of the Department of Labor and Industry may subdivide the one day of rest in seven into two half days" which reads as follows

"Section 3 (a) No female shall be employed or permitted to work in or in connection with any establishment for more than six days in any one week or more than fifty-four hours in any one week or more than ten hours in any one day Provided That during weeks in which a legal holiday occurs and is observed by an establishment any female may be employed by such establishment during three days of such week for a longer period of time than is allowed by this act but no female shall be permitted to work more than two hours overtime during any one of such three days nor more than the maximum hours per week specified in this act

"The employment of such persons at any other time than as stated herein shall be deemed a violation of the provisions of this section unless it appears that such employment was to make up time lost in the same week in consequence of the alteration repairs or accidents to machinery or plant upon which she was employed and dependent for employment but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment nor shall such overtime employment be legal unless a written report of the same is sent to the Commissioner of Labor and Industry but no female shall be permitted to work more than two hours overtime during any one day nor more than the maximum number of hours per week specified in this act Provided That aforesaid restrictions as to hours shall not apply to females engaged in the canning of fruit and vegetable products And provided further That the one day of holiday in seven may be subdivided into two days of twelve hours each for women employes in hotels boarding-houses and in charitable educational and religious institutions at the discretion of the Industrial Board of the Department of Labor and Industry Provided That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid such holding shall not be taken in any case to affect or impair the remaining provisions of this section

"(b) Whenever any female shall be employed or permitted to work in or in connection with more than one establishment in any one week or in any one day the aggregate number of hours during which she shall be employed or permitted to work in or in connection with such establishment shall not exceed the number of hours prescribed in this section for such females in any one week or any one day

"(c) The provisions of this section shall not apply to the work of nurses in hospitals" is hereby amended to read as follows

Section 3 (a) No female shall be employed or permitted to work in or in connection with any establishment for more than six days in any one week or more than fifty-four hours in any one week or more than ten hours in any one day Provided That during weeks in which a legal holiday occurs and is observed by an establishment any female may be employed by such establishment during three days of such week for a longer period of time than is allowed by this act but no female shall be permited to work more than two hours overtime during any one of such three days nor more than the maximum hours per week specified in this act

The employment of such persons at any other time than as stated herein shall be deemed a violation of the provision of this section unless it appears that such employment was to make up time lost in the same week in consequence of the alteration repairs or accidents to machinery or plant upon which she was employed and dependent for employment but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment nor shall such overtime employment be legal unless a written report of the same is sent to the Commissioner of Labor and Industry but no female shall be permitted to work more than two hours overtime during any one day nor more than the maximum number of hours per week specified in this act Provided That aforesaid restrictions as to hours shall not apply to females engaged in the canning of fruit and vegetable products And provided That aforesaid restrictions as to hours shall not apply to females engaged at State and charitable institutions and hotels and boarding-houses And provided further That the one day of holiday in seven may be subdivided into two days of twelve hours each for women employes in hotels boarding-houses and in charitable educational and religious institutions at the discretion of the Industrial Board of the Department of Labor and Industry Provided That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason in valid such holding shall not be taken in any case to affect or impair the remaining provisions of this section

(b) Whenever any female shall be employed or permitted to work in or in connection with more than one establishment in any one week or in any one day the aggregate number of hours during which she shall be employed or per-

mitted to work in or in connection with such establishment shall not exceed the number of hours prescribed in this section for such female in any one week or any one day

(c) The provisions of this section shall not apply to the work of nurses in hospitals

On the question,

Will the House agree to the section?

Mr. MAURER. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

Mr. ERDMAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. STERN. Mr. Speaker, I desire to interrogate the gentleman from Berks.

The SPEAKER. Will the gentleman from Berks, Mr. Maurer, permit himself to be interrogated?

Mr. MAURER. Mr. Speaker, yes sir.

Mr. STERN. Mr. Speaker, I desire to know if the gentleman has consulted with the sponsor of this bill with reference to the amendment he desires to make?

Mr. MAURER. Mr. Speaker, I have not. I have just discovered that it should be amended.

Mr. STERN. Mr. Speaker, I object to this bill being recommitted. This bill had a fair hearing in committee.

BILL RECOMMITTED.

On the question recurring,

Will the House agree to the motion to recommit the bill to the Committee on Public Health and Sanitation?

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1564 (Senate Bill No. 588), entitled

An Act to amend section fourteen of an act approved the second day of June, one thousand nine hundred fifteen, entitled "An Act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1566 (Senate Bill No. 770), as follows:

An Act to further amend an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven by providing for further instruction prior to examination for licensure by clarifying sections five (5) and twelve (12)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day June Anno Domini one thousand nine hundred and eleven which as amended by an act entitled "An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen reads as follows

"Section 5 Applicants for licensure under the provisions of this act shall furnish prior to any examination by the said bureau satisfactory proof that he or she is twenty-one years of age is of good moral character is not addicted to the intemperate use of alcohol or narcotic drugs and has a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and physics all of which have been received before admission to medical study and have attended four graded course of not less than thirty-two weeks of not less than thirty-five hours each of actual work in didactic laboratory and clinical study in different calendar years in some reputable and legally incorporated medical school or college or colleges recognized as such by the Bureau of Medical Education and Licensure of the State of Pennsylvania the dean or proper officer of which college having certified that the applicant has successfully passed each of said respective courses and shall have completed a year as intern in a hospital which shall have at least twenty-five beds to each intern devoted to the treatment of medical surgical gyneacological and special diseases shall maintain or establish co-operation with a maternity department or hospital in which each intern shall have not less than six weeks service or the equivalent thereof during which time he shall have attended or participated in the attendance upon not less than six confinements shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital and the records on file of the cases treated in said hospitals shall give evidence of the laboratory work so done by the intern shall maintain a department of anaesthesia consisting of one or more anaesthetists who shall have supervision over all the anaethesia given in the institution and whose duty it will be to instruct all interns in the administration of anaethetics Nothing in this act however shall be construed as applying to hospitals employing on salary graduate interns whose service is confined exclusively to the said institution A school or college to be reputable under the meaning of this act must conform to the standard required in section three of this act

Applicants from countries foreign to the territory of the United States who desire to be licensed by said bureau shall before examination furnish similar proof as to age moral character use of alcohol and narcotics and shall present a certificate or diploma indicating the completion of a preliminary and medical and surgical education equivalent to the above Each application to the said bureau for examination or licensure shall have attached thereto the affidavit or affirmation of the applicant as to its verity Any applicant stating any fact in his application which shall thereafter be proven to be false shall be deemed guilty of perjury and on conviction shall be subject to its penalties" is hereby amended to read as follows

Section 5 Applicants for licensure under the provisions of this act shall furnish prior to any examination by the said bureau satisfactory proof that he or she is twenty-one years of age is of good moral character is not addicted to the intemperate use of alcohol or narcotic drugs and has a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and physics all of which have been received before admission to medical study and have attended four graded course of not less than thirty-two weeks of not less than thirty-five hours each of actual work in didactic laboratory and clinical study in different calendar years in some reputable and legally incorporated medical school or college or colleges recognized as such by the Bureau of Medical Education and Licensure of the State of Pennsylvania the dean or proper officer of which college having certified that the applicant has successfully passed each of said respective courses and shall have completed not less than a year as an intern in an approved hospital which shall have at least

twenty-five beds to each intern devoted to the treatment of medical surgical gynaecological and special diseases shall maintain or establish cooperation with a maternity department or hospital in which each intern shall have not less than six weeks' service or the equivalent thereof during which time he shall have attended or participated in the attendance upon not less than six confinements shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital and the records on file of the cases treated in said hospitals shall give evidence of the laboratory work so done by the intern shall maintain a department of anaesthesia consisting of one or more anaesthetists who shall have supervision over all the anaesthesia given in the institution and whose duty it will be to instruct all interns in the administration of anaethetics and in the case of applicants of acceptable age and otherwise exceptable to the Federal Government shall have received an approved three months' field course and service in military medicine Nothing in this act however shall be construed as applying to hospitals employing on salary graduate interns whose service is confined exclusively to said institution A school or college to be reputable under the meaning of this act must conform to the standard required in section three of this act

Applicants from countries foreign to the territory of the United States who desire to be licensed by said bureau shall before examination furnish similar proof as to age moral character use of alcohol and narcotics and shall present a certificate or diploma indicating the completion of a preliminary and medical and surgical education equivalent to the above Each application to the said bureau for examination or licensure shall have attached thereto the affidavit or affirmation of the applicant as to its verity Any applicant stating any fact in his application which shall thereafter be proven to be false shall be deemed guilty of perjury and on conviction shall be subject to its penalties

Section 2 Section twelve of said act which reads as follows "The Bureau of Medical Education and Licensure shall refuse to grant a license to practice medicine or surgery to an applicant upon the presentation to said Bureau of Medical Education and Licensure of a court record showing the conviction in due course of law of said persons for producing or aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever and further the Bureau of Medical Education and Licensure upon such evidence and proof shall cause the name of such convicted person if a licentiate to be removed from the record in the office of the Superintendent of Public Instruction

The Bureau of Medical Education and Licensure may refuse revoke or suspend the right to practice medicine or surgery in this State for any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellect and judgment to such an extent as to incapacitate for the performance of professional duties

Any person who is a licentiate under this act or who is an applicant for examination for licensure to practice medicine or surgery in this State against whom are preferred any of the foregoing charges for causing the revocation or suspension of license or for causing refusal of the right to be examined for licensure shall be furnished by the Bureau of Medical Education and Licensure with a copy of the complaint and shall have a hearing before the Bureau or by attorney and witnesses may be examined by said bureau respecting the guilt or innocence of said accused The suspension of license of any licentiate under this act shall be removed when said narcotic or vicious habit herein before specified shall have been adjudged by the said bureau to be cured or overcome and said suspended licentiate deemed capable of practicing his or her profession" is hereby amended to read as follows

The Bureau of Medical Education and Licensure shall refuse to grant a license to practice medicine and surgery or any of its branches to an applicant upon the presentation to said Bureau of Medical Education and Licensure of a court record showing the conviction in due course of law of said person for producing or aiding or abetting in producing a crimnial abortion or miscarriage by any means whatsoever and further the Bureau of Medical Education and Licensure upon such evidence and proof shall cause the name of any physician licensed to practice medicine and surgery in the Commonwealth of Pennsylvania to be removed from the record in the office of the Superintendent of Public Instruction

The Bureau of Medical Education and Licensure may refuse revoke or suspend the right to practice medicine and surgery in this State for any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use or ardent spirits or stimulants narcotics or any other substance which impairs intellect and judgment to such an extent as to incapacitate for the performance of professional duties

Any person who is licensed to practice medicine and surgery or any of its branches in the Commonwealth of Pennsylvania or who is an applicant for examination for licensure to practice medicne and surgery in this State against whom are prefered any of the foregoing charges for causing the revocation or suspension of licens or for causing refusal of the right to be examined for licensure shall be furnished by the Bureau of Medical licensure with a copy of the complaint and shall have a hearing before the bureau or by attorney and witnesses may be examined by said bureau respecting the guilt or innocence of said accused. The suspension of license of any person licensed to practice medicine and surgery shall be removed when said narcotic or vicous habit hereinbefore specified shall have been adjudged by the said bureau to be cured or overcome and said suspended licentiate deemed capable of practicing his or her profession

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1095 (Senate Bill No. 249), entitled

An Act amending section one of an act, entitled "An Act to amend section one of an act ceding jurisdiction over real estate in the County of Philadelphia to be acquired by the United States," approved April fifteenth, Anno Domini one thousand nine hundred and three, increasing the limitation as to area of land the jurisdiction of which is ceded from twenty thousand square feet to forty thousand square feet, approved the twenty-fifth day of May, Anno Domini one thousand nine hundred and seven, by increasing the limitation as to area of land and the jurisdiction of which is ceded from forty thousand square feet to eighty thousand square feet.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1434 (Senate Bill No. 655), entitled

A Joint Resolution proposing an amendment to article three section six of the Constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1093 (Senate Bill No. 171), entitled

A Supplement to the act of April twenty-eighth, eighteen hundred ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class," providing for the election of a township solicitor in townships of the first class; fixing his term of office; prescribing his duties and qualifications and authorizing the board of township commissioners to fix his compensation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1463 (Senate Bill No. 692), entitled

An Act authorizing tenants in common and coparceners of land to pay their proportionate share of the taxes assessed against the land and providing that the sale thereof for unpaid taxes shall not impair or divest the titles of those who have paid their respective shares of such taxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 848, as follows:

An Act authorizing the attachment of wages or salary upon judgments obtained for necessaries limiting the amount of exemption to be claimed and providing for the payment of the costs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act whenever a judgment is obtained in any court of record or before an alderman magistrate or justice of the peace upon a contract for furnishing the necessaries of life and the defendant is a laborer or person engaged in public or private employment the wages of such laborer or the salary of such person shall be subject to attachment in the hands of the employer

Section 2 When an attachment execution is issued upon such judgment and wages or salary are attached in the hands of the employer if the amount in the hands of the employer shall be less than the amount of exemption allowed the defendant by law the debtor shall be entitled in his claim for an exemption to a sum amounting to ninety per centum and no more of the money so attached No deduction from the fund attached shall be permitted for costs but said costs shall be paid by the attaching creditor who shall not sell assign transfer or set over his or her claim to an attorney collecting agency or any person or persons whomsoever for the purpose of collecting the same

Section 3 No attachment shall issue or be levied under this act unless the debtor has been given thirty days previous notice by registered mail at his last known address of the intention to issue such writ and shall have failed within said period of thirty days to adjust such judgment to the satisfaction of his creditor

Section 4 The provisions of this act shall only apply to judgments secured upon contracts for the necessaries of life furnished after the passage of this act

Section 5 All acts or parts of act supplied hereby or inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING.

Mr. DUNN asked and obtained unanimous consent to call up from page 34 of to-day's calendar, bills on Third reading, House Bill No. 615, File Folio 3537, for the purpose of amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 615, as follows:

An Act to amend the act approved the twentieth day of May one thousand nine hundred and fifteen entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by extending the provisions thereof to public employes paid out of any public treasury within cities of the first class maintained from taxes collected within such cities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriations of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all cities of the first class shall create a pension fund for the pensioning of employes of said cities and of all county or other public employes if any paid by appropriation of the city councils thereof and out of the city treasury thereof in the manner and under the conditions and subject to the qualifications following" is hereby amended to read as follows

Section 1 That all cities of the first class shall create a pension fund for the pensioning of employes of said cities and of all county or other public employes if any paid out of the city treasury of such city or any other public treasury within such cities maintained from taxes collected within such cities in the manner and under the conditions and subject to the qualifications following

Section 2 That section two of said act which reads as follows

"Section 2 In every such city of the first class there shall be created a board to be known as the pension board consisting of the mayor the city treasurer the city controller one member of select council and one member of common council of said city to be selected annually by the respective bodies It shall be the duty of said board to register all persons employed by the said city and other public employes paid out of the treasury thereof as aforesaid if any and to administer the collection and distribution of the fund herein provided for and to do such acts and make such reasonable rules in the premises as such board may deem necessary to effectually carry into effect the provisions of this act" is hereby amended to read as follows

Section 2 In every such city of the first class there shall be created a board to be known as the pension board consisting of the mayor the city treasurer the city controller one member of select council and one member of common council of said city to be selected annually by the respective bodies It shall be the duty of said board to register all persons entitled to the benefits of this act and to administer the collection and distribution of the fund herein provided for and to do such acts and make such reasonable rules in the premises as such board may deem necessary to effectually carry into effect the provisions of this act

Section 3 That section three of said act which reads as follows

"Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury thereof as herein above provided if any of the age of sixty years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained" is hereby amended to read as follows

Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury or any other public treasury within such cities maintained from taxes collected within such cities as herein above provided if any of the age of sixty years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained Provided That if any person or persons had been in the employ of said cities of counties or paid out of the city treasurer or any other public treasury within such cities maintained from taxes collected within such cities for a period covering seventeen years or more prior to the passage of this act and shall thereafter be reemployed it shall be necessary that the period of their re-employment shall extend over a period of three years or more before such person or persons shall be entitled to receive the pension fixed by this act

Section 4 That section four of said act which reads as follows

"Section 4 During the lifetime of the said person he or she shall be entitled to receive as a pension annually from the fund set aside for the purpose fifty per centum of the amount which would constitute the average annual salary or wages which he or she received during the last five years of his employment by the said city or other public employment as aforesaid Said pension to be paid in monthly payments Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position of employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to the pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office The pension paid to any one employe shall not exceed one hundred dollars per month" be amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay unto the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled after twenty years of service and before attaining the age of sixty years he or she shall

be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disabel him or her from performing the duties or his or her position or office The pension paid to any one employe shall not exceed one hundred dollars per month

Section 5 That section five of said act which reads as follows

"Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages in no event however paying at a rate greater than four dollars a month which shall be applied to the purposes of this act Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full without interest Provided however If any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter such public employment said employe shall not be entitled to the pension designated until twenty years after the said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employe" is hereby amended to read as follows

Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages in no event however paying at a rate greater than four dollars a month which shall be applied to the purposes of this act Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary received the pension herein provided if such beneficiary has so contributed to the pension fund during a period of twenty years If at the time the beneficiary receives the pension herein provided he or she shall not have been a contributor to the pension fund during a period of twenty years such person shall be required to pay unto the board of pensions an amount equal to two per centum of his or her monthly pension until such time as his or her contribution shall have extended during a period of twenty years If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities or any other public treasury within such cities maintained from taxes collected within such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full without interest Provided however If any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter such public employment said employe shall not be entitled to the pension designated until twenty years after the said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employe

Section 6 That section six of said act which reads as follows

"Section 6 Should any person holding position in said cities of the first class or any county or other public employes if any paid out of the treasury of such cities as aforesaid be paid a per diem wage he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act" is hereby amended to read as follows

Section 6 Should any person entitled to the benefit of this act be paid a per diem wage or a salary at a rate of three hundred and sixty dollars each year or less he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act

Section 7 That section nine of said act which reads as follows

"Section 9 The public authorities of every city of the first class charged with the disbursements expenditures and appropriations shall annually set aside apportion and appropriate out of all taxes and income of the said cities unto the board of pensions a sum sufficient to maintain the pensions or compensations due under this act" is hereby amended to read as follows

Section 9 The several public authorities of every city of the first class charged with the disbursements expenditures and appropriations shall annually set aside apportion and appropriate out of all taxes and income paid unto the city treasury of the city or into any other public treasury maintained from taxes collected within such cities unto the board of pensions a sum sufficient to maintain the pensions or compensations due under this act The amount to be set aside apportioned and appropriated to the said board of pensions by the said several authorities and which is to be paid out of the said several treasuries shall be in proportion to the number of employes receiving the benefits of this act and whose salary or wages are payable from the said respective treasuries

Section 8 That section ten of said act which reads as follows

"Section 10 The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions or paid out of the treasury thereof as aforesaid Provided That this act shall not apply to employes of such departments bureaus or offices as are now protected by pension authorized by the laws of this State and in force at the time of the passage of this act" is hereby amended to read as follows

Section 10 The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions or paid out of the treasury thereof or our of any other public treasury within such cities maintained from taxes collected within such cities as aforesaid Provided That this act shall not apply to employes of such departments bureaus or offices as are now protected by pension authorized by the laws of this State and in force at the time of the passage of this act

Section 9 That section eleven of said act which reads as follows

"Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or both as aforesaid and need not be continuous Provided that in no case shall a period of more than seventeen years be credited to the record of any person or persons who shall be re-employed after the passage of this act and who had been in the employ of said cities or counties or paid out of the city treasury or any other public treasury within such cities maintained from taxes collected within such cities prior to the passage of this act No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen is hereby amended to read as follows

Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or out of any other public treasury within such cities maintained from taxes collected within such cities or both as aforesaid and need not be continuous No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen This section shall apply only to those employes of said cities and all county or other public employes who are paid out of the city treasury or out of any public treasury within such cities maintained from taxes collected within such cities at the time of the passage of this act

On the question,

Will the House agree to the bill on third reading ?

Mr. DUNN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 3, page 4, line 27, by striking out "of" before "counties" and inserting in lieu thereof "or."

Amend section 4, page 5, line 20, by striking out "of" before "employment" and inserting in lieu thereof "or."

Amend section 9, page 12, by striking out those words written in italics in lines 18 to 25 inclusive, and inserting the same on page 13, line 8, after the word "continuous."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 822, entitled

An Act making an appropriation to the trustees of the State Hospital for the Insane at Warren, Pennsylvania.

And said bill having been reading at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 841, entitled

An Act to amend an act approved the eighth day of May, one thousand nine hundred and nine, entitled "An Act to provide that admission now had or that may hereafter be had to practice as an attorney at law in the Supreme Court of this Commonwealth shall of itself, without more, operate as an admission of such attorney as an attorney at law in every other court of this Commonwealth; and to provide that disbarment or suspension of any attorney by the said Supreme Court shall of itself, without more, operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth.

And said bill having been reading at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1539, entitled

An Act appropriating and transferring to the Board of Commissioners of Public Grounds and Buildings the unexpended portions of money heretofore appropriated by the act of June sixteenth, one thousand nine hundred and eleven (Pamphlet Laws one thousand and twenty-seven), entitled "An Act to provide, within the following boundaries—namely: On the west, by the present eastern line of Capitol Park; on the north, by the southern line of North Street; on the east, by the western line of the right of way of the Pennsylvania Railroad company, and on the south, by the northern line of Walnut street—for the extension of Capitol Park in the City of Harrisburg; and for the acquiring, taking, and condemnation of the real estate in connection therewith and within said boundaries, and for the demolition of the buildings and structures thereon; and making an appropriation therefor, and also for the expenses and cost in connection therewith," and designating the purpose for which such money shall be used.

And said bill having been reading at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1159, entitled

An Act reappropriating and making available certain unexpended sums, appropriated by the General Assembly of one thousand nine hundred and fifteen for the support and maintenance of the National Guard and Naval Militia for improvements at the Permanent Camp Ground at Mount Gretna, Pennsylvania.

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1471, entitled

An Act to amend part of section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, (Pamphlet Laws 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commowealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships, or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking or property, or otherwise, in the improvement thereof; providing for purchase of acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 277, entitled

An Act to amend section twenty-one of an act approved the first day of June, one thousand eight hundred and eighty-nine, entitled "A further supplement to an act, entitled 'An Act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," as amended by an act approved the twenty-second day of July, one thousand nine hundred and thirteen (P. L. 903).

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 969, entitled

An Act to amend section one of an act approved the thirtieth day of May, one thousand eight hundred ninety-three, entitled "An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park, and making an appropriation therefor," as amended, by providing for the acquistiion of additional land by the Valley Forge Park Commission.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1381, entitled

An Act validating certain borough ordinances providing for certain street improvements and the liens and bonds imposed and issued in pursuance thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1458, entitled

An Act providing that public roads through Indian Reservations in the State of Pennsylvania shall be improved and maintained by the State Highway Department as a part of the system of State Highways.

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 819, entitled

An Act regulating the spreading upon the surface of the highways of the Commonwealth of Pennsylvania, of oil, tar, asphaltum, or any bituminous or similar material, or combinations containing any such materials. Restricting the spreading of same to one-half of such highway surface until the first portion spread shall become thoroughly dry, or is covered as specified. Providing that where certain materials so used must be covered with a top dressing as specified. Providing for exceptions to certain provisions under conditions specified, and further providing penalties for violations of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1459, entitled

An Act requiring all domestic corporations of this Commonwealth and all foreign corporations registered and doing business therein, to file annually with the Auditor General of this Commonwealth, a list of the stockholders of such corporations residing in the Commonwealth and the number of shares held by each of them, and requiring the Auditor General to transmit to the County Commissioners of the several counties, a list of such stockholders residing in the respective counties and the number of shares by each held, and imposing penalties upon all corporations refusing or neglecting to make such return.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1499, entitled

An Act granting power in certain cases to the Commonwealth of Pennsylvania or to any department thereof and to any municipal subdivision of the Commonwealth to purchase or condemn lands having thereon located road building material and to enter upon and across private property and to locate and erect necessary machinery thereon; and providing a method for the assessment of damages.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1456, entitled

An Act to provide for the repair and maintenance, or improvement by the proper township, city or borough, of turnpikes heretofore or hereafter appropriated or condemned; or when any turnpike company or association has heretofore abandoned or may hereafter abandon its turnpike or any part thereof; or when any turnpike company or association, owning any turnpike, has heretofore been dissolved or may hereafter be dissolved by proceedings under any existing laws of this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 790, entitled

An Act to amend section two of an act approved the fifteenth day of July, one thousand eight hundred and ninety-seven, entitled "An Act to provide revenue by taxation."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1425, entitled

An Act to amend the act approved the sixteenth day of July, one thousand nine hundred and thirteen, entitled "A Supplement to an act, entitled 'An Act providing for the incorporation and government of cities of the third class,' approved the twenty-third day of May, Anno Domini one thousand eight hundred eighty-nine, creating a City Planning Department; defining its jurisdiction; and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city, and for three miles beyond the city limits; and to regulate the making and use of certain public improvements until said plans are approved by said department, and authorizing the exercise of the powers herein provided by a park or other municipal commission," by extending the powers of the City Planning Commission; imposing duties on certain borough and township officers; extending the jurisdiction of the commission to six miles outside the city limits in certain cases; restricting certain conveyances of land; and imposing penalties for violation of certain provisions of the act.

And said bill having been reading at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 684, entitled

An Act creating a Bureau of Township Highways in the State Highway Department; conferring powers and imposing duties upon officers of the State Highway Department, requiring certain duties of clerks of the courts of quarter sessions, and providing penalties.

And said bill having been reading at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 76, entitled

An Act validating municipal liens filed by boroughs for paving and curbing the public highways thereof.

And said bill having been reading at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1565, (Senate Bill No. 216), entitled

An Act relating to the salaries and expenses of the examiners in the Department of Banking.

And said bill having been reading at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1562 (Senate Bill No. 670), entitled

An Act to increase the powers of courts in proceedings for desertion and non-support of wives, children or aged parents, and in proceedings for failure to comply with orders of court in fornication and bastardy proceedings or other proceedings for the support of illegitimate children; directing that imprisonment in such cases be at hard labor in such institution as the court shall name; providing for the payment by such institution, or in certain cases by the county from which the defendant was committed, of the sum of sixty-five cents per day, to be paid to the person designated by the order of the court; providing for the issuance of attachments and for the disbursement of moneys collected on forfeiture of bonds, bail bonds or recognizances; and providing for the payment by the county of the expenses incident to carrying out this act

And said bill having been reading at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1465 (Senate Bill No. 766), entitled

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the Township of Coal near Shamokin Northumberland County Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred and fifteen.

And said bill having been reading at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1296 (Senate Bill No. 282), entitled

An Act making an appropriation for the Dixmont Hospital for the Insane, to make good the deficit in operation of said hospital to January first one thousand nine hundred and seventeen.

And said bill having been reading at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1554 (Senate Bill No. 817), entitled

An Act to amend the second section of an act approved the thirteenth day of June, Anno Domini one thousand nine hundred and eleven, entitled "An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand, a Board for the Assessment and Revision of Taxes for State and County purposes, prescribing the method of their appointment, their

powers and duties; fixing their salary, to be paid by the proper county; and abolishing the office of ward, borough and township assessors, in so far as respects the assessment of State and county taxes;" by changing the pay of subordinate assessors from four to five dollars per day.

And said bill having been reading at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1543 (Senate Bill No. 812), entitled

An Act fixing the residence of the warden of the county jail or prison in counties of this Commonwealth where the government of such jail or prison is or may hereafter be vested in a prison board.

And said bill having been reading at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1557 (Senate Bill No. 792), entitled

An Act authorizing and empowering the several counties of this Commonwealth to locate, lay out, open, construct and maintain public bridges whether wholly or partly within any city, borough or township therein, across any river or stream dividing or separating any part of said county from any other part thereof, together with the necessary bridge approaches, viaduct or other approaches, to conveniently connect the same with existing streets or public roads in such cities, boroughs or townships; authorizing the cities and boroughs wherein such bridges are located, to share in the cost thereof and to provide approaches therefor; authorizing the taking and appropriation of property and rights of property, public or private, for such purposes; providing a method for making compensation for property taken, injured or destroyed thereby; authorizing the several counties to enter upon and over public streets or roads in cities, boroughs or townships for said purposes; authorizing the several counties to appropriate money, levy taxes and incur indebtedness therefor; and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street railway, telegraph, telephone or other corporations or persons making use thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use.

And said bill having been reading at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1297 (Senate Bill No. 333), entitled

An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations and the manner of appointments and the manner and power of removal of employes of said department, and providing a method for fixing compensation.

And said bill having been reading at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1544 (Senate Bill No. 796), entitled

An Act validating all acts done all contracts and expenditures made by virtue of and all obligations for money borrowed issued under the provisions of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and two) entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the amendments thereof and supplements thereto and making such acts contracts and obligations as valid and effective as if the said act had applied to each and every county within this Commonwealth and was constitutional and valid vesting title to any and all property purchased or condemned by any county for said schools under said act in the county which paid for the same

And said bill having been reading at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1545 (Senate Bill No. 789), entitled

An Act validating divorces granted on the ground of hopeless insanity of the respondent under the provisions of an act approved the eighteenth day of April, nineteen hundred and five, entitled "An Act to amend section eight of the act approved the thirteenth day of April, eighteen hundred and forty-three, entitled 'An Act to convey certain real estate and for other purposes,' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis, and to further regulate the procedure in action for divorce."

And said bill having been reading at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1227 (Senate Bill No. 513), entitled

An Act regulating the collection of county taxes in counties containing over one hundred thirty-five thousand and less than one hundred fifty thousand inhabitants creating the office of receiver of taxes in such counties and prescribing the powers and duties of said office.

And said bill having been reading at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1636 (Senate Bill No. 864), entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation.

And said bill having been reading at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1560 (Senate Bill No. 745), entitled

An Act to validate affidavits, acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act.

And said bill having been reading at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1556 (Senate Bill No. 797), entitled

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million five hundred thousand.

And said bill having been reading at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move this House do now adjourn.

The motion was agreed to, and (at 12.10 o'clock P. M.) the House adjourned until Monday evening, April 30th, 1917, at 9.00 o'clock.

ERRATA.

Page 1307, second column, second line of the remarks of Mr. Stern, the word "Governor's" should be "drugless."

Page 1348, second column, the words "Mr. Palmer" should be "Mr. Mitchell," the remarks being those of Mr. Mitchell.

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HOUSE OF REPRESENTATIVES.

MONDAY, April 30, 1917.

The House met at 9 o'clock P. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

Our Father, we beseech Thee to hear us to-night and bless us as we meet here in the capacity of a legislative body. May we honor Thee and Thy most holy name by our every action, yea, bless us in whatsoever way Thy divine wisdom may choose. We pray for spiritual good rather than for temporal favors.

We ask for wisdom, for goodness, for truth and Christian graces. Keep us from all harm and danger. May the night bring us rich blessing, sleep and renewal, calmness and quiet.

Spread over us Thy wings of love, and may grace, mercy and peace from God, the Father, Son and Holy Spirit be with us all forever. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, April 26, 1917.

The Clerk proceeded to read the Journal of the proceedings of Thursday, April 26, 1917, when, on motion of Mr. Bovee, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. MITCHELL. House Bill No. 1679.

An Act to prohibit during the period of the present war the manufacture, sale and gift of intoxicating liquor except for certain purposes and under certain conditions; providing penalties for its violation and repealing all laws or parts of laws in conflict with the same.

Referred to the Committee on Law and Order.

By Mr. BARNER. House Bill No. 1680.

An Act to amend route three hundred forty-two of section one of an act approved the twenty-second day of July, one thousand nine hundred thirteen, entitled "An Act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth."

Referred to the Committee on Public Roads.

By Mr. EBY. House Bill No. 1681.

An Act to provide that notice, whenever required by law in connection with the formation, amendment, increase or reduction of capital stock, conduct of business, merger, transfer of franchises, or dissolution of corporations, joint stock companies, limited partnerships or partnership associations; or required in connection with proceedings before the Public Service Commission of Water Supply Commission of the Commonwealth of Pennsylvania; or required to be given by any department, board, board of trustee, public official or commission of this Commonwealth, shall, in addition to the publication now or hereafter required, be also published in a periodical issued at the capital city of this Commonwealth; providing for the designation of such periodical and providing against the charging of excessive rates for the publication of such notices.

Referred to the Committee on Manufactures.

By Mr. STADTLANDER. House Bill No. 1682.

A Supplement to an act entitled "An Act for the government of cities of the second class" approved March 7, 1901, conferring upon said cities in cases of emergency additional powers to purchase and store the necessities of life, including food and coal, and sell the same to the residents of said city.

Referred to the Committee on Municipal Corporations.

By Mr. SCOTT. House Bill No. 1683.

An Act to further amend part of section three of an act approved the thirty-first day of May, one thousand nine hundred and seven, entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers; defining their powers and duties, and fixing their compensation; and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly, approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and ninety-five."

Referred to the Committee on Appropriations.

By Mr. STERN. House Bill No. 1684.

An Act to amend pragarph 2 of section 1 of Article XIV of an act approved the 1st day of June, A. D. 1885, entitled "To provide for the better government of cities of the first class in this Commonwealth;" to provide that estimates may be made for units or parts of an improvement in such cities, and contracts be made for and the work proceed upon such units or parts to the extent of the funds available for the purposes thereof.

Referred to the Committee on Judiciary Special.

By Mr. WOODWARD. House Bill No. 1685.

An Act making an appropriation to the Board of Commissioners of Public Grounds and Buildings for the cost of the work and materials necessary in the treatment of the Capitol Park Extension Zone.

Referred to the Committee on Appropriations.

By Mr. STERN. House Bill No. 1686.

An Act authorizing cities of the first class to lay out, build, erect and construct in any public park in such cities a convention hall, or stadium, or both; to choose the location thereof, together with a sufficient curtilage and approaches thereto; to supervise, manage and control the laying out and building of such approaches, curtilage, convention hall and stadium; and to control and manage the same after its or their completion; to make rules and regulations for the use, control, protection and repair thereof; and repealing all acts or parts of acts inconsistent therewith.

Referred to the Committee on Judiciary Special.

By Mr. CONRAD G. MILLER. House Bill No. 1687.

An Act to amend section one hundred and twelve of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to the Committee on Ways and Means.

By Mr. McCURDY. House Bill No. 1688.

An Act to provide that when a vacancy occurs in the head of chief of any department of the State Government and the duties of the head or chief devolve upon and are

discharged by his deputy, chief clerk, or other person in authority, for one month or more, the salary of such deputy, chief clerk, or other person next in authority, so serving, shall be equalized with the salary of the head or chief of the department while he so serves, and making this act applicable to all deputies, chief clerks, or other persons next in authority who have filled vacancies as herein prescribed in the year one thousand nine hundred and seventeen.

Referred to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. STITES, from the Committee on Judiciary Local, reported as amended House Bill No. 407, entitled

An Act relating to the issue of marriage licenses and the applications therefor.

Mr. STITES, from the Committee on Judiciary Local, reported as committed House Bill No. 1085, entitled

An Act authorizing the county controllers in counties containing population of less than two hundred and sixty thousand to designate and appoint a solicitor; prescribing the duties of said collector, and fixing the term of office and salary to be paid by the county.

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 867, entitled

An Act to prohibit the use of cannon, guns, revolvers or other explosives devices at wedding ceremonies or celebrations; and providing a penalty.

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 868, entitled

An Act to prohibit the display of certain fire-arms and other deadly weapons; and providing a penalty.

Mr. ZANDERS, from the Committee on Judiciary Special, reported as committed House Bill No. 717, entitled

An Act to amend section two of the act, approved the nineteenth day of May, one thousand eight hundred eighty-seven, entitled "An Act to preserve the purity of elections by declaring drunkenness on the part of election officers and assessors of poll taxes to be a misdemeanor, and by requiring elections to be held in rooms in which liquor is not sold, so far as possible," by absolutely prohibiting the holding of elections in rooms in which liquor is sold.

Mr. SPEICHER, from the Committee on Public Roads, reported as amended House Bill No. 1044 (Senate Bill No. 344), entitled

An Act to amend section fourteen of an act approved the seventh day of July, one thousand nine hundred thirteen, entitled "An Act relating to and regulating motor vehicles, and vehicles trailing after or propelled by motor vehicles; controlling their speed upon the public streets and highways in the Commonwealth of Pennsylvania; providing for their registration, and licensing of certain operators, by the State Highway Department; prohibiting the operation of any motor vehicle by any person when intoxicated, or without the consent of the owner; forbidding the passage of any law laying a tax upon or requiring the registration of motor vehicles, or licensing of any operator, or regulating the speed of motor vehicles, by any county, borough, city, incorporated town, or township; establishing the rights of motor vehicles upon the public highways, with relation to other vehicles; providing for their equipment and for the width of tires to be used upon motor vehicles, and vehicles trailing after or propelled by motor vehicles; regulating the service of process and proceedings in actions for damages arising therefrom; providing for arrest, and for service of process, and proceedings for violation of this act; prescribing the penalties therefor; and providing for the disposition of fines collected and fines imposed thereunder."

LEAVES OF ABSENCE.

Mr. JONES asked and obtained leave of absence for his colleague, Mr. Dawson.

Mr. JACK asked and obtained leave of absence for his colleague, Mr. Milliron.

Mr. McCURDY asked and obtained leave of absence for his colleague, Mr. Brumbaugh.

Mr. CANON asked and obtained leave of absence for his colleague, Mr. Drake.

RESOLUTION RELATIVE TO RETURNING ADDRESSES, PETITIONS AND RESOLUTIONS TO THE PENNSYLVANIA WOMAN SUFFRAGE ASSOCIATION.

Mr. MILNER presented a resolution which was read as follows and laid over under the rules:

Whereas The addresses to the Legislature signed by 445 widely known citizens of Pennsylvania, and 270 resolutions from labor unions throughout the State, and several rolls of petitions signed by more than 56,000 men and women of Pennsylvania introduced in the House of Representatives April 17th at the request of the Pennsylvania Woman Suffrage Association, are valuable to that organization and not necessarily of lasting use as part of the records of this branch of the Legislature.

Therefore, be it Resolved, That the said addresses, resolutions and petitions be returned to the Pennsylvania Woman Suffrage Association.

RESOLUTION NO. 15.

Mr. VICKERMAN. Mr. Speaker, I desire to call up Resolution No. 15.

The resolution was read as follows:

Whereas Food experts economists government and State officials view with alarm the approaching shortage of foodstuffs in the Nation and

Whereas The granaries of the world are empty and America is now called upon to supply food to our allies in the present great war and

Whereas The shortage of wheat has caused it to advance in price to two dollars and forty cents per bushel and

Whereas In this Nation each year six hundred million bushels of grain are diverted from legitimate channels that of making foodstuffs to feed the people to that of distilling liquors and

Whereas France England Russia Germany and other Nations in the progress of the war during the past two years have found it necessary to divert this great waste of their grains in order to feed their people now therefore be it

Resolved That in the interest of efficiency in the army and navy and for the sake of conserving the food supply by stopping the unnecessary waste of grain which goes to distilling liquors which grain would feed one-twelfth of the people in the United States for a year we respectfully petition the President of the United States and Congress to prohibit during the war the use of all grains for the manufacturing of intoxicating liquors

On the question,

Will the House agree to the resolution?

Mr. VICKERMAN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend on line 9, striking out the words "six hundred millions bushels" and substituting the words "large quantities."

On the question,

Will the House agree to the amendments?

They were agreed to.

Mr. BAKER. Mr. Speaker, I desire to have the resolution read again as amended.

The resolution as amended was read as follows:

Whereas Food experts economists government and State officials view with alarm the approaching shortage of foodstuffs in the Nation and

Whereas The granaries of the world are empty and America is now called upon to supply food to our allies in the present great war and

Whereas The shortage of wheat has caused it to advance in price to two dollars and forty cents per bushel and

Whereas In this Nation each year large quantities of grain are diverted from legitimate channels that of making foodstuffs to feed the people to that of distilling liquors and

Whereas France England Russia Germany and other Nations in the progress of the war during the past two years have found it necessary to divert this great waste of their grains in order to feed their people now therefore be it

Resolved That in the interest of efficiency in the army and navy and for the sake of conserving the food supply by stopping the unnecessary waste of grain which goes to distilling liquors which grain would feed one-twelfth of the people in the United States for a year we respectfully petition the President of the United States and Congress to prohibit during the war the use of all grains for the manufacturing of intoxicating liquors

On the question,

Will the House adopt the resolution as amended?

Mr. STERN. Mr. Speaker, this seems to be the first measure that has come up before the House this evening, and I hear the sponsor ask for a roll call. It therefore seems pertinent that the House should know something about the resolution that it is about to consider, and I would ask the sponsor to explain it.

Mr. VICKERMAN. Mr. Speaker and gentlemen of the House, this resolution has been on our files for five days and I am a little surprised that my friend from Philadelphia does not understand its contents. The reason why I suggested to amend the resolution was this. This resolution contains the words "six hundred millions bushels of grain being used for distilling liquor." I understand that this is not correct, and I for one should very much regret making any statement here that could not be verified, and for that reason I have asked the privilege to substitute the words "large quantities." Perhaps nobody else can exactly state just how much grain is used for this purpose. The reason for this resolution to-night is this: This entire nation at this time is endeavoring to conserve its food supplies and the President of the United States time after time has asked us to get busy in our gardens. A great deal of foodstuffs are needed for our army and navy and every effort is being put forth to conserve the food products of our country. It seems to those of us who desire to conserve the foodstuffs that the grain used for the distilling of liquor is a waste, next to a waste at least, and therefore we ask that the President of the United States and Congress shall declare it to be illegal to use these grains in this time of crisis in this country for the distilling of liquor.

Mr. RAMSEY. Mr. Speaker and gentlemen of the House, I hope that this House will not pass this resolution, for the simple reason that to my mind it is unnecessary for this House to petition the President of the United States upon this matter. If I understand the President of the United States, and if I understand Congress, it is not necessary for the Legislature here assembled in Pennsylvania to ask the President of the United States or Congress to act upon this measure.

When it becomes necessary,—and grant you, my friends, I do not believe it is necessary for such steps as this resolution prescribes to-night,—but when it becomes necessary, the Congress of the United States and the President of the United States will act as they think best for the entire country, and not only for the State of Pennsylvania. I say, my friends, that we are apt, if we are not careful, to be affected with some sort of hysteria on this line. I do not believe there is as much grain used as is supposed to be used in the manufacture of liquor to-day, or as quoted by those who to my mind are only attempting in another way to stop the sale of liquor in Pennsylvania. I trust, therefore, gentlemen, that this measure will not pass. I repeat, when the time comes, when we are at war, when the time comes that this matter should be taken care of, as Americans I believe the members of this House are satisfied to leave it up to the judgment of the President of the United States. I trust it will not pass.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Vickerman and Mr. McVicar and were as follows:

YEAS—54.

Barner,	Dell,	McCurdy,	Shaffer, C. A.,
Bell,	Dewey,	McKay,	Shattuck,
Benchoff,	Eby,	McVicar,	Siggins,
Bennett,	Glass,	Miller, Allan,	Smith, E. R.,
Black,	Gormley,	Mitchell,	Smith, L.,
Burnett,	Helt,	Morgan, T.,	Snyder,
Campbell, J. O.,	Hoffman,	Morgan, T. J.,	Stites,
Canon,	Isherwood,	Musser,	Vickerman,
Chestnut,	Jack,	Ogden,	Walker,
Coldsmith,	Kennedy,	Phillips,	Wallace,
Corbin,	Lanius,	Rhoads, H. L.,	Walter,
Cox,	Luppert,	Rich,	Williams, G. W.
Davis, D. F.,	Maurer,	Ross,	Williams, J. P.,
Dean,	McCullough,	Rudisill,	Wood,

NAYS—110.

Albee,	Goodnough,	Miller, G. J. A.,	Smith, O. W.,
Baker,	Graham,	Milner,	Snowden,
Baldi,	Gransback,	Palmer,	Somerman,
Bechtold,	Haldeman,	Patterson,	Sones,
Benninger,	Hecht,	Perry,	Spangler,
Beyer,	Heffernan,	Pickering,	Speicher,
Bovee,	Hess,	Powell,	Sprowls,
Boyd,	Heyburn,	Ramsey,	Stadtlander,
Brady,	Hibshman,	Reichenbacher,	Steedle,
Campbell, T.,	Hollern,	Reitzel,	Sterling,
Christman,	Horton,	Reynolds,	Stern,
Clements,	Hough,	Richards,	Stofflet,
Conner,	Jones,	Ringler,	Strauss,
Crosby,	Lafferty,	Rininger,	Sullivan,
Curry,	Lauler,	Rinn,	Swartz,
Davis, W.,	Leary,	Robertson,	Thomas,
Dithrich,	Luppert,	Rogers,	Ulsh,
Donneley,	Marvin,	Rothenberger,	Urich,
Drinkhouse,	McArdle,	Ruddy,	Vodges,
Dunn,	McCaig,	Sampsel,	Wagner,
Ehrhardt,	McKinney,	Sarig,	Wells,
Erdman,	McNichol,	Schaeffer, A. C.,	West,
Fackler,	McPeake,	Scott,	Wickman,
Flynn,	Mearkle,	Shunk,	Wobensmith,
Fowler,	Mehring,	Simpson,	Woodward,
Franklin,	Mervine,	Sinclair,	Zanders,
Gans,	Michel,	Smith, F. I.,	Baldwin,
Golder,	Miller, A. D., Miller, C. G.,	Smith, J. W.,	Speaker.

So the question was determined in the negative and the resolution was not adopted.

COMMUNICATION.

The SPEAKER laid before the House the following telegram:

Philadelphia, Pa., April 30, 1917.

To the Honorable the Members of the House of Representatives of Pennsylvania.

Hon. Richard Baldwin, Speaker.

Gentlemen: Philadelphia Electrical Contractor unanimously against House Bill No. 142 in its original and amended form.

Respectfully,

ALBERT GENTEL,

President Electrical Contractors' Association,
1503 Columbia Avenue, Philadelphia.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 494.

Mr. RININGER. Mr. Speaker, I move that the vote by which House Bill No. 494, File Folio 1751, entitled

An Act to further amend an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering purposes and imposing a tax of two mills on the capital stock of certain corporations limited partnerships and joint-stock associations organized for manufacturing purposes and appropriating the same for State and State-aid highway purposes.

was defeated on final passage on Wednesday, April 25, 1917, be reconsidered.

Mr. SCOTT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. RININGER. Mr. Speaker and gentlemen of the House, this is the bill that was defeated on final passage on last Wednesday. It provides for a tax on the capital stock of manufacturing corporations. At that time I voted against the bill for the reason that the Manufacturers' Association of Pennsylvania, which was interested in this bill, had asked for a hearing before the Committee on Ways and Means. In the absence of the chairman of the Committee on Ways and Means I made a motion that this bill be recommitted. The motion failed in passage and the bill afterwards was defeated on final passoge by a vote of 100 yeas to 25 or 30 nays. I now make this motion that the vote by which it was defeated be reconsidered, in order that the sponsor of the bill may have an opportunity of having the bill recommitted to the Committee on Ways and Means for the purposes of a public hearing.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. ALLAN D. MILLER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. JAMES O. CAMPBELL. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. ALLAN D. MILLER. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purposes of a public hearing.

Mr. JAMES O. CAMPBELL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. BEYER offered the following motion which was twice read, considered and agreed to:

Moved by Mr. Beyer, seconded by Mr. Baker, that House Bill No. 744, File Folio 2533, entitled

A Joint Resolution providing for the appointment of a committee of the Senate and the House of Representatives to investigate the operation of certain laws in cities of the first class.

on special order on third reading for Tuesday, May 1, 1917 at 11:30 o'clock, be recommitted to the Committee on Judiciary General for the purpose of amendment.

BILL RECOMMITTED.

Mr. RAMSEY offered the following motion which was twice read, considered and agreed to:

Moved by Mr. Ramsey, seconded by Mr. Heyburn, that House Bill No. 1405, File Folio 3817, entitled

An Act to amend an act entitled "An Act to amend an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth-day of April Anno Domini one thousand eight hundred and seventy-four providing for the incorporation and regulation of electric light heat and power companies" approved the eighth day of May one thousand eight hundred and eighty-nine by giving to electric light heat and power companies the right of eminent domain.

page 38 of to-day's calendar, bills on second reading, be recommitted to the Committee on Corporations for the purpose of amendment.

BILL RECOMMITTED.

Mr. WALKER offered the following motion which was twice read, considered and agreed to:

Moved by Mr. Walker, seconded by Mr. Allan D. Miller, that House Bill No. 1541 (Senate Bill No. 837), File Folio 2067, entitled

An Act authorizing appeals from the courts of common pleas to the Supreme and Superior Courts from orders granting new trials.

on page 30 of to-day's calendar, bills on third reading, be recommitted to the Committee on Judiciary General for the purpose of amendment.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing for the recall of House Bill No. 855.

MARTIN G. BRUMBAUGH.

RECONSIDERATION OF VOTE.

Mr. WOODWARD. Mr. Speaker, I move that the vote by which this bill (House Bill No. 855) passed finally be reconsidered.

Mr. VICKERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. WOODWARD. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. VICKERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WOODWARD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title by adding the following words at the end thereof: "And transferring certain cases undisposed of in the county court of Allegheny County to the court of quarter sessions of said county for the purpose of hearing and disposition."

Amend the bill by adding thereto the following section: "Section 2 All cases instituted in the county court of Allegheny County pursuant to the authority of the act hereby repealed, which cases are pending and undisposed of in said court, at the time this act takes effect, are hereby transferred to the court of quarter sessions of Allegheny County The said court of quarter sessions sitting as a juvenile court is hereby authorized to hear, determine and dispose of the cases hereby transferred with the same power and effect as if the act hereby repealed had never existed and as if such cases had been originally instituted in the said court of quarter sessions."

The SPEAKER. Will the House give unanimous concent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

RESOLUTION RELATIVE TO FINAL ADJOURNMENT.

Mr. DUNN offered a resolution which was twice read as follows:

Resolved (if the Senate concur), That the General Assembly adjourn sine die on Thursday, May 31, one thousand nine hundred and seventeen at 12 o'clock noon.

On the question,

Will the House agree to the resolution?

Mr. RAMSEY. Mr. Speaker, I move that the resolution be referred to the Committee on Rules.

Mr. BEYER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. DUNN. Mr. Speaker and gentlemen of the House, this is one of those resolutions that I think the entire House should act upon. It is a resolution which is privileged under Rule 66 and does not have to be referred to anything, but we can act on it to-night and I think it is one of those important resolutions that every member of this House is vitally interested in and this night when we are not taking an exception or advantage of anybody to bring a resolution like this up on the last day of the week but we are bringing it up here in the House to-night, when every member should be here, for the purpose of properly discussing and fixing a day for final adjournment. We have been here for four months. It appears, according to the press, that the work that we have done here in the past four months we could have done in less than two months and if we continue on the work that we are doing at the present time without fixing any final day for adjournment then we might last over into June, July or August, or into January next; but just as soon as we fix the day of adjournment the very committees which have over two hundred or three hundred bills in their hands will get busy, the calendars will get into such condition that we will work. We come here week after week and work an hour or two and adjourn and the next week we come back and work the same and the members from the far western part of the State and other parts of the State have to stay here while we go home, through no fault of ours. I have been here from the time the session opened until every week-day of adjournment. On Thursday, the day that we ought to pass bills, we are unable to do it, because looking over the House we find from seventy-five to eighty members present. The members are actually getting disgusted by being kept here in order to mark time. Let us fix the day of adjournment; let us get down to work and if necessary, let us work

until Friday, because the rules say we can work until Friday; but let us clean up the work, and then by May 31st or long before that if we get busy and transact the business of the Commonwealth the way we came here for that purpose, let us adjourn this House and go home and help in our own districts to perform the work of the nation, where we belong now.

I say this is one of those resolutions that ought to be acted upon by the members of this House and not put in what they call the "Graveyard Committee" where nothing comes out. Let us vote on this to-night finally and if you don't want to fix that day, then we have the members of this House placing themselves on record whether they want to adjourn or not.

Mr. WOODWARD. Mr. Speaker, I would like to call the attention of the gentlemen of the House that we have not so far passed any revenue measures. It is absolutely necessary at this session that we do something towards augmenting the revenues of the Commonwealth.

There are over one hundred and thirty million dollars worth of bills in the Appropriation Committee and about seventy-two and a half millions to meet those requests. There are a number of things that must be done by this session of the Legislature before we can adjourn and the most important among them is the question of revenue. Now if you gentlemen expect to get anything like what the requests in these bills call for you better postpone action on this resolution until we have done something in the way of raising revenue.

Mr. COX. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Woodward.

The SPEAKER. Will the gentleman from Allegheny, Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD. Mr. Speaker, yes sir.

Mr. COX. Mr. Speaker, I would like to ask the gentleman from Allegheny, how long does he think it would take to pass a revenue raising bill?

Mr. WOODWARD. Mr. Speaker, I don't see how we can pass a revenue measure inside of less than two weeks.

Mr. COX. Mr. Speaker, this motion says May 31st; that is four weeks.

Mr. WOODWARD. Why set the date for adjournment until you have done something?

Mr. COX. That is the trouble. We are going to wait all summer and we have not done anything.

Mr. WOODWARD. That is not my fault.

Mr. WALLACE. Mr. Speaker, I hope the House will pass this resolution and not refer it to the Rules Committee. I think there would be no trouble about passing revenue bills if we just had the bills to pass. We have had two revenue bills before this House and they have both been defeated. Now, Mr. Speaker, I don't know how we can pass any more revenue bills until they have been introduced and we certainly have abundance of time to pass all revenue bills that are needed if we just get them introduced and then go at it and pass them. We have been waiting a long time for these revenue bills and we have only had two and they have been defeated. Let us get down to business and see if we cannot finish up here and get through with it. We will never get through until we set a time to stop. The wisest thing the Republican organization ever did in Pennsylvania was at the session of 1909 when they met in caucus for the organization of the House and passed a resolution fixing the day of adjournment on April 15th and they did just as much work until April 15th as we will do if we stay here until the twenty-fifth of June. Let us get down to business and pass our laws and go home. A lot of us farmers want to farm, and a lot of us lawyers want to go to war. Let us do our business and then quit. Let us speed things up a little and get the measures in that are already introduced and pass them; than we can adjourn this Legislature and perhaps some of our beloved constituents will feel a little safer if we adjourn.

Mr. STERN. Mr. Speaker, I am opposed to this resolution setting May 31st as the day for final adjournment, for two reasons: In the first place, in 1909 when the Legislature assembled in caucus and decided that the sessions should end at that time on April 15th, we did not have the present existing national crisis. At this time, Mr. Speaker, this country is at war. Soon our troops will be marching and probably may go across the ocean. No man living and certainly none of us can just exactly tell what will be expected. The State of Pennsylvania is the Keystone State of this nation. The State of Pennsylvania produces, I believe, more than one-seventh of the revenue of the entire United States. The government of the United States will require funds; they may require great numbers of men and God knows what else may be wanted. I believe for that reason, in the first place, that it would be injurious to pass this resolution at this time. My second reason for opposing this resolution is this: I ask the members of the House to please bear in mind that I am speaking as a Pennsylvanian first and as a Republican second. That I am not speaking from any factional standpoint but am speaking merely with the interest of the Commonwealth as much at heart as any member who is now jeering. Mr. Speaker, the Legislature of Pennsylvania is one of the three co-ordinate branches of the government. Under our Constitution it is our province and comes within our purview to make certain appropriations. For years past it has been a stench to the nostrils of the citizens of this Commonwealth to learn that after the Legislature had adjourned the executive had to pare down appropriations. Now, speaking entirely from the standpoint of a man who is interested wholly and heartily in the Commonwealth of Pennsylvania and seeing that the Legislature does good work, I think it is unfair to burden the executive with such responsibility; not only unfair for the reason that the executive himself will have to take unto himself the duties of the Legislature, but because the Legislature does not see to it that its wish and mandate is carried out. Millions of dollars are appropriated in excess of our revenue, and it seems to me that when the time does come to finally act upon a resolution of this kind that the proper spirit for each to exhibit in approach that proposition would be to take a recess until such time as the Governor will have had an opportunity to act upon the appropriation bills that are before him and will send his messages with his opinions thereon back to this Assembly and this Assembly in its wisdom can then so act as to properly see that its wishes are carried out. It is unfair to the Executive and unfair to us to go home and say to our constituents, we have passed this or that appropriation for your institution. We go home and we say this and say that, and that we have done that, but we all know that the Executive has the last say and that the will of the Legislature can be subverted, and not maliciously, and I say that because the Executives has sometimes to do that as a matter of necessity. I think the time is ripe when the Legislature of Pennsylvania should so conduct its business as if it were a private enterprise and conduct its business as a board of directors would would conduct a corporation who would see to it after the president of that board of directors has had his say that the directors can again say: "Well, now we want to see that they are carried out, that you are right," and we would like to do that this way and we will pare down our appropriations accordingly. I hope the motion to put this resolution in the Rules Committee will prevail.

Mr. RAMSEY. Mr. Speaker, I was about to rise to speak on the motion before the House to refer this resolution to the Rules Committee until the gentleman from Philadelphia, Mr. Stern, just mentioned the Rules Committee and we would probably have lost sight of the motion. I want to take issue just for the moment with my friend and colleague from Philadelphia, Mr. Dunn. The Rules Committee of this House is not a graveyard committee. I honestly believe, gentlemen, that if this House had a graveyard committee, we would probably be in better shape to-night than we are—if we had such a committee. But we have not and this Rules Committee is not such a committee. As I understand the resolution and as we understand the Rules Committee this resolution, while it is one of the privileged resolutions and one that can receive consideration, yet I submit to the members of this House this thought: The Committee on Rules has had nothing to do this session so far, therefore no member of this House can question the integrity or honestry of purpose of the membership of that committee, and if this resolution was to-night referred to the Committee on Rules, it would not mean that the resolution would not be considered. It might, perhaps, mean that after that committee had conferred with all of the interests that the Appropriations

Committee has on hand and all the other various bills that the several committees have in hand, that the Rules Committee might come back to this House and recommend the date set. It might possibly be that it might recommend a date in the near future, a date possibly a week or two weeks later than the date set, but I contend, gentlemen, that the Rules Committee is the proper place for this resolution, because there it can get proper consideration, and every member who has anything of importance can come there and state his case and we can then decide to present to this House the thought as to when it is best to adjourn. I trust the motion to refer to the Rules Committee will prevail.

Mr. C. A. SHAFFER. Mr. Speaker, I should like to interrogate the gentleman from Philadelphia, Mr. Dunn.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Dunn, permit himself to be interrogated?

Mr. DUNN. Mr. Speaker, with pleasure.

Mr. C. A. SHAFFER. Mr. Speaker, does the gentleman take into consideration the fact that May 30th is Decoration Day, it comes on the date before the adjournment of this House, if it should pass?

Mr. DUNN. Mr. Speaker, I am aware of the fact.

Mr. C. A. SHAFFER. Mr. Speaker, is it the intention of the gentleman that we shall be here in session on May 30th?

Mr. DUNN. Mr. Speaker, if it is really necessary, yes, because Congress has met on Sunday when they thought it was necessary.

Mr. MCNICHOL. Mr. Speaker, in my judgment, and I believe in the judgment of the majority of the members of this House, there is no better place to consider this motion than here. There is absolutely no reason to refer this motion to any Rules Committee. The men of this House recognize that there must be a definite time fixed for an adjournment in order that the work may be spurred up and something accomplished, and when my friend from Delaware got up and expressed the wish that there was such a committee known as the "graveyard committeee," I thought he was going to follow that up by saying that some of the foolish legislation proposed in this House might have been referred there and met a natural death and not have consumed the time of this Legislature. Now I submit for the consideration of the gentlemen of this House that there must be a time set for adjournment and quickly, too, because there is not a man here, whether he be a farmer, a business man, or a professional man, that does not feel that his time is being wasted. We are all anxious to get back to our respective callings, and if there is a time when the agriculturist is needed it is the present time, because the output of his farm will be needed if we believe, and we do believe, what we read in the newspapers, give him an opportunity to go back and till the soil in order that the production thereof may be scattered among those in need of it. Give the business men an opportunity to go back and take up the reins of business, and the professional man also. I submit for the consideration of this House that it was with no surprise that I heard the cry "this war will keep us in session." There is no necessity for a recess. The people of the State of Pennsylvania have been told time and time again that this Legislature would not dare to adjourn, but would have to recess. That is ridiculous. We are the best judges of that which concerns us. Not one of us is tied to any man's chariot wheel, if we want to adjourn, we will adjourn, and not recess. He speaks of the necessity of a continuous session to meet the want that may suddenly arise. Why during the Spanish-American War no Legislature was in session, and yet Pennsylvania did its duty. We are not anything other than American citizens, willing to do our duty, but we will not be subjected to an imposition on the part of any man who says to us that we dare not adjourn, but will be compelled to recess. I ask the men of this House not to refer this motion to the Rules Committee, but vote on it and pass it fixing the date set in the resolution for the adjournment on the last of the coming month of May. Gentlemen, I ask you not to permit this to go back to Rules Committee, pass on it yourselves, you are the most competent judges because if this resolution concerns anybody, it concerns each and every member of this House.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, no member of this House is more anxious for an early adjournment than I mself, but I fully realize that as a member of this body, I have a responsibility to discharge and until that duty has been performed, I shall oppose any motion to an early adjournment. There is only one time for this Legislature to adjourn, and that is when it has performed and completed its duties, and until then it should continue at its work. The questions the people in the rural districts are the most anxious about are increases in appropriation to the common school, to an amount representing $18,000,000; and for increased appropriation for work on the public roads, and until there are revenues enough to take care of those two items, I am opposed to adjournment. Mr. Speaker, I would like at this time to interrogate the gentleman from Allegheny, the Chairman of the Appropriation Committee.

The SPEAKER. Will the gentleman from Allegheny, Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD. Mr. Speaker, I will.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I would like to ask the Chairman of the Appropriation Committee if in his judgment the revenues of this State in sight at this time are sufficient to warrant the Appropriation Committee in reporting out the common school appropriation bill carrying $18,000,000?

Mr. WOODWARD. Mr. Speaker, there are not.

Mr. GEORGE W. WILLIAMS. And further, Mr. Speaker, whether the revenues are sufficient to appropriate $20,000,000 for good roads?

Mr. WOODWARD. Mr. Speaker, there are not. And I would just like to say that there has been no highway bill introduced into this House yet. I have had the matter up with the Highway Department and they are now preparing a bill, and think they will be able to have it ready by to-morrow, covering the subject of improved roads. Mr. Speaker, I would just like to go a little further in answering that question and say that it will be absolutely necessary if there is to be an increase in the road appropriation, and school appriation, to pass some revenue measures. I have introduced a number, and I expect the Ways and Means Committee will give some consideration to those bills this week. I had a talk with the chairman of that committee and he expected to call a meeting some time to-morrow to act on it. I would advise the members of this House not to pass this resolution at this time.

Mr. GEORGE W. WILLIAMS. Then, Mr. Speaker, I will vote to refer this resolution to the Committee on Rules, and I shall also then vote, if that motion fails, against any adjournment on the 31st of May or until there are revenues enough in sight to take care of the increased appropriations on these subjects.

Mr. DUNN. Mr. Speaker, when you as Speaker of this House made your opening remarks to the members, advising them to use economy and efficiency in conducting the business of this House, and eventually work as we should work for the purpose of an early adjournment, I was in hopes that the words, falling on the minds of the members of this House would have made an impression. I thought that the word "economy" would be used to shorten the session of this House, which will save at least fourteen hundred dollars a day. I thought "efficiency" would be used in using the proper methods or regulations so that our work would be done and completed in as short a time as possible. On March the 11th, 1915, the following resolution was presented to this House: "Resolved (if the Senate concur), That the General Assembly adjourn sine die on Thursday, May the sixth, 1915, at 12 o'clock noon.

"The SPEAKER. The resolution will lie over for printing.

"Mr. BALDWIN. Mr. Speaker, That resolution does not lie over for printing. It comes up for immediate action under rule 66. It is one of the exempted resolutions.

"The SPEAKER. The Chair withdraws his decision.

"Mr. WHITAKER. Mr. Speaker, I move that the resolution be referred to the Committee on Rules.

"Mr. GIBSON. I second the motion.

"On the question,

"Will the House agree to the motion?

"Mr. BALDWIN. Mr. Speaker, it is specifically provided that under the rules of the House that this is not one of the resolutions to lie over and be printed."

The resolution was offered by the Honorable Speaker of the House, the gentleman from Delaware, and I am quoting from the records the remarks of the Honorable Speaker made at that time in regard to sustaining the resolution of which he was the sponsor.

"It is a resolution that is so simple that every member in this House comprehends just what it means. This resolution was introduced by the member from Delaware after a very careful canvass of the members of the House on this subject. I did not find in my inquiry through the House a single objection to this resolution. I did not want to say what I am going to say. I hoped the resolution would pass without my calling the House's attention to conditions that have existed here and that have been very much against my wishes. I realize that my party has pledged the people one thing over and above all others and I believe that the people of the State, irrespective of party, feel that we owe this matter to them, namely, that our legislative body, when it came to Harrisburg, would get down to business, get the business of this body carefully considered and disposed of and adjourn sine die and save the State every dollar that we could. I want to say to the members of this House who have not taken the trouble to examine into the proposition, that it costs about forty thousand dollars a month—and I am speaking conservatively too—every month that this legislative body is in session. Now that is the expense of running this legislature. If we can same one week for the State in performing these duties we will save ten thousand dollars. Now we have been in session over two months. I don't believe I can say that—at least within my memory—that any legislative body has given as few days and as few hours to the consideration of the business that has been presented to us. If this consideration continues we will have failed to keep one of the pledges to the people that every one of us know we should keep and can keep. After an experience of several years here I can say to the members of the House that the business atmosphere of this House will change in such a marked degree when you have decided on a day for adjournment sine die, that you will be surprised that some members of this House of experience had not taken this action earlier in the session."

That was offered on March the 11th.

"Now it, in my opinion, offers ample time to consider and dispose of the business that is in front of us. I want to say to the members that if this House were to stay in session for twelve months bills will be continually coming in, the most of them on trivial matters; so that there is no necessity, in my estimation, for additional time over the 6th of May to give consideration to the legislation that we will have to consider if we will only work as we used to work twenty years ago, every day, and never adjourn until Friday. When I came to this House twenty years ago there was no thought of adjourning this House until Friday; and if you will examine the rules of this House you will find in the rules a provision for the rule of order on Friday, and there is nobody here yet found any necessity for that rule for Thursday until this week; so that I do hope that the House will pass this resolution and save the State and from this on say we are willing to work five days in the week. It is an outrage and shame that men in this State will have come from two to three hundred miles and have to stay here five days out of every seven and wait to work two days."

Now, gentlemen of the House, this is quoted from the records, from the remarks of the gentleman from Delaware two years ago. Our Appropriations Committee in 1915 had all of the bills out of their hands on May 12th. Every bill was out of their hands, and on May 19th every bill had passed this House, every bill had passed this House in seven days after the Appropriation Committee had started to put the bills out. They talk about revenue. I am aware of the fact that this condition exists, but over two months ago we appointed a special committee at the suggestion of certain members of the House, heads of various committees to act in conjunction with the Ways and Means Committee, to get these revenue bill out. That was two months ago. I understand that the Attorney General has prepared bills on revenue, and why could not the Ways and Means Committee and this special committee get those bills out? Inside of two weeks the revenue bills could pass, and inside of two weeks from that time the other appropriation bills, and on the 31st day of May we can adjourn with all our work completed.

MR. RININGER IN THE CHAIR.

Speaker BALDWIN. Members of the House, at the beginning of the session I had my mind made up not to go on the floor during the session, but since the gentleman from Philadelphia has brought me so prominently into this question, I feel that it is my duty as a member of this House to express myself on the subject, and call the attention of the House to the vast difference between the situation when that speech was made (that my friend has so kindly quoted to you, and that I delivered here two years ago) and the present situation. There is absolutely no parallel.

I want to say that in my twenty years' experience here—and I don't like to say it—that I don't recall that there was ever such a disposition on the part of members to go home. My friend from Philadelphia refers to my opening statement when I was honored with the office of Speaker of this House. I meant everything that I said, namely, economy and efficiency. I have striven as best I knew how to meet that promise. I have so frequently urged the members on the necessity of staying here and legislating that I felt that I bordered on the point of being a pedagogue and czar; and yet, sometimes when I felt that I might overstep the bounds I have, in the interest of what I thought was my duty, still called the House's attention to the matter. I don't believe there is a member in the House who is willing to volunteer to work harder than he worked last week. I believe the House has fully awakened to the fact that we must work and give all the time that a reasonable man would expect any member of the legislature to give to the interests of the State pertaining to the offices which you fill. We have at the present time a grave duty before us that has not yet been performed. It has been so well put by my friend from Tioga that it is scarcely necessary for me to reiterate it. I do not believe there is a member of this House who is not anxious to do the work pertaining to his office and really perform the trust confided in him by his constituency in a proper manner and get home as soon as the interests of the State have been served and he has performed the duties of his office with credit to himself, with credit to his constituency and with credit to the State.

You all well remember that in the opening of this session, in addition to what they suggested, that your Speaker suggested the importance of Committees giving careful consideration to measures in their hands and to be able to explain, either them or the author, or someone, each and every bill that came from Committee. You will also remember that the Speaker called the attention of the House to the fact that the work of this House was not going to depend on the volume of bills that got on the statute books but the quality of legislation that went onto them.

Now, my judgment is that an empire of ten million people, under conditions that we are now operating under, namely, a nation at war, namely the public demanding—and they have a right to demand—a large appropriation for the public schools of this State and a larger appropriation for the improvement of the great highways. Taxation is a proposition that always meets the opposition. It is one of the classes of legislation which, unless carefully considered and wisely and well defended on the floor of the House, invariably fails. That duty has not yet been performed. Certainly, there is no member that sits in this House, who is a member of the Appropriations Committee, can say that they had not worked as diligently as members of this House can be asked to work in the interests of their State, and I don't believe there is a member of that committee will rise here and say to you that even those matters alone can be properly considered in the absence of revenue and adjourn, and do justice to the State, on the thirty-first of May. If the members of this House think it can be done I am perfectly satisfied, but I want to warn you that if you do that and are ready to adjourn you will have to thrust through this House a great volume of legislation that none of you will know what you have done. If you want to take that responsibility and go back to your people, why pass this resolution. Really, I do not quite agree with my friend from Tioga on the question of referring the matter to the Committee on Rules. I believe that it would be wiser, although I am not going to be technical by offering it, to send it to the Committee on Rules for

the reason it is the duty of the Committee on Rules to examine carefully all subjects such as this and make inquiry, as suggested by my friend and colleague from Delaware, as to what is probably the earliest day at which this House can wisely adjourn. I firmly believe the committee will make a report. I want to say here that we should urge that committee, and I believe that all the members of the House agree with me that we urge that committee to make a report inside of five days and state what they find as a result. Then all the members still disagreeing with the report of the committee can have the question put to a vote. More than that, I think it would be well for the House, after what has been said here to-night, to allow this subject to be well discussed, well thought out before you decide it. My own judgment is that you are going to act rashly and my own judgment is that you will have to extend the time. It is my personal judgment that under the present conditions of this great State of ours, in the great demands that are being made on this Legislature, to do justice to so many deserving institutions, to do justice to the educational department of the State and to the improvement of the public highways of our State that we, as members of this House, can afford to give all these subjects careful and full consideration and then act wisely and then vote on these paramount propositions. And you must not ignore the fact that you are living under conditions different from two years ago, namely, that your State may be called upon to aid in this great national movement, a war with one of the most powerful nations, a condition with all Europe on fire, and if we get up and say that we must adjourn and go home on the thirty-first day of May, in my judgment the well thinking and intelligent men will say that you have voted and acted rashly but if you have acted wisely it will be more than the result of mature judgment. I sincerely hope that you will not take this rash action; and it is only because of the fact that my friend from Philadelphia has brought my personality into this argument that I have felt constrained to take the floor.

Mr. McNICHOL. Mr. Speaker, I would like to ask if the gentleman would allow himself to be interrogated?

The SPEAKER. Will the gentleman from Delaware, Mr. Baldwin, permit himself to be interrogated?

Mr. BALDWIN. Mr. Speaker, sure.

Mr. McNICHOL. Mr. Speaker, in the event of the House passing this resolution to adjourn on May 31st would it stop the Rules Committee from making inquiry and coming back and saying we had make a mistake and giving us an opportunity to reverse ourselves? Couldn't we do that any time before the final day of adjournment?

Mr. BALDWIN. Mr. Speaker, why of course; every member of the House knows that you can reconsider a vote on a proposition without my answering the question. But it is certainly appropriate for me to suggest to the gentleman from Philadelphia that we don't want to put the cart before the horse. It does not show wisdom or mature judgment.

Mr. McNICHOL. It takes no power away from the Committee on Rules, does it?

Mr. BALDWIN. Of course, it takes no power away from the Committee on Rules but the Committee on Rules will not want to act on the subject unless the resolution is presented to them.

Mr. McNICHOL. If they feel that the House has made a mistake they can exercise their prerogative and if the House has made a mistake, call the House's attention to it, can they not?

Mr. BALDWIN. I am frank to say to my friend from Philadelphia that it would probably be obtrusion on the part of any committee to make a report on any matter that was not before them. I would not, as chairman of any committee, come in here and make a report on any subject that was not referred to it by the House and upon which the House have acted and used their own judgment.

Mr. McNICHOL. Mr. Speaker and gentlemen of the House, the distinguished gentleman who is the Speaker of this body has laid particular stress on the fact that the Rules Committee would make careful inquiry and if it was found in their judgment that this motion or resolution should not be adopted they would report within five days. But we know that the duty of the Rules Committee is to make careful and diligent inquiry in performing its duties for this House. I submit for the consideration of you gentlemen that in passing this resolution if we have made a mistake, it is within the powers of the Rules Committee to do everything that the Speaker has referred to without having this resolution in their custody. Now as to the conditions governing the Appropriation Committee in 1911. In the session of the Legislature of 1911, the same gentleman who so honorably presides over the Appropirations Committee now presided over that committee then. That committee discharged its duties so carefully and so well in 1911 that when they sent the appropriation bills to Governor Tener they had practical information concerning the revenue in hand to such an extent that Governor Tener was not called upon to reduce the appropriation bills and the gentleman who presided over that committee presides over our committee at the present time. This commotion started here is for the purpose of calling your attention away from the fact that we have absolutely wasted four months' time in petty factional party bickering. Had we devoted that time which has beeu wasted in a proper way we would have been further advanced now. If we vote down this resolution there is no assurance that it will not be continued along indefinitely in the same way and not to bring the measures to a focus and to call the attention of the various committees to the speedy performance of their duty, while if a day certain is fixed for adjournment, they will have to wake up and there will be no legislation go through this House, as the Speaker has said, without our knowing all about it and the business will be expedited and we will be able to go home and resume our respective occupations and business.

Mr. RININGER. Mr. Speaker, it has been brought out in the arguments pro and con that to my mind the House is not prepared at this time to act upon this resolution. A week or ten days ago a resolution was offered in this House setting May 1st as the last day for the introduction of bills. If I am correctly informed, after to-morrow it will require unanimous consent to introduce a bill in this body. Now, then, we are informed this evening that the bill providing an appropriation for the Highway Department has not yet been introduced but perhaps will be reached by to-morrow. Have you thought of the condition that might exist in your locality if you were to go back home after the Legislature adjourns, or in one week from to-morrow, discover that this bill had not been introduced—and there are members in this body whom I don't suppose that Good Roads Resolution affects very much,—but suppose that they would arbitrarily object to the introduction of this bill? Now, then, if you pass this resolution setting May 31st for the final day of adjournment perhaps at that time all the bills that you are interested in will not be reported at that time all the bills that you are interested in will not be reported from committee; perhaps they will die on the calendar. The responsibility will rest with the members who vote to pass this resolution.

Mr. STERN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. McNichol.

The SPEAKER. Will the gentleman from Philadelphia, Mr. McNichol, permit himself to be interrogated?

Mr. McNICHOL. Mr. Speaker, Yes, sir.

Mr. STERN. Mr. Speaker, does the gentleman from Philadelphia know that in 1913 Governor Tener had to cut his appropriations from fifteen to eighteen million dollars?

Mr. McNICHOL. Mr. Speaker, it was 1911, the year I referred to.

Mr. STERN. Mr. Speaker, I ask the gentleman to answer my question. Does the gentleman know that Governor Tener had to cut his appropriations fro mfifteen to eighteen million dollars in 1913? I ask the gentleman is it a fact or is it not a fact?

Mr. McNICHOL. Mr. Speaker, the gentleman's interrogation is not a proper one. My reference was to the session of 1911. If I am wrong in that statement there is no better qualified person than the former chairman of that committee, Mr. Woodward, who is present and can correct me.

Mr. STERN. I don't question the gentleman's statement in regard to 1911,—Did not Governor Tener cut his appropriations from fifteen to eighteen million dollars in 1913, and I ask the gentleman to answer that question?

Mr. McNICHOL. Mr. Speaker, I don't think I ought to be taken over the category of the various sessions.

The SPEAKER. Does the gentleman decline to answer the question?

Mr. McNICHOL. Mr. Speaker, my statement was in regard to 1911; the interrogation of the gentleman as to 1913 or 1915 or any other session is improper and nobody

knows that better than my friend from Philadelphia, Mr. Stern.

Mr. STERN. Mr. Speaker, I would like to further interrogate the gentleman from Philadelphia, Mr. McNichol.

The SPEAKER. Will the gentleman from Philadelphia, Mr. McNichol, permit himself to be further interrogated?

Mr. McNICHOL. Mr. Speaker, it is another waste of time and useless conversation.

The SPEAKER. The gentleman declines to be interrogated.

Mr. STERN. The gentleman declines to answer but I will ask him whether he knows that the present Governor had to cut his appropiration from one to three million dollars in 1915 because the Legislature did not do its work right.

Mr. McNICHOL. What has that to do with my remarks, inasmuch as the Appropriations Committee did its duty properly in 1911 and there is nothing to stop it doing it in 1917.

Mr. WOODWARD. We would do it if we had the time.

Mr. STERN. Will the gentleman answer my question?

The SPEAKER. The gentleman declines to answer.

Mr. STERN. If the gentleman declines to answer, I would like to state for the information of the House that Governor Tener in 1913 had to cut the appropriations from fifteen to eighteen million dollars.

Mr. EBY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. EBY. The gentleman is not confining himself to the resolution.

The SPEAKER. The Chair decides the point is not well taken.

Mr. STERN. In 1915 the present Executive found it necessary to cut the appropriations from two to three million dollars and I think it is contingent on the members of this House to attempt to prevent passing a resolution of this kind. Furthermore, I may suggest that if this resolution was referred to the Rules Committee of the House then that Rules Committee could take this question up with the proper committee of the Senate, because necessarily a resolution of this kind is a joint resolution and both branches have to concur in the day of adjournment. I think it is no more than right that it go to the Rules Committee; I understand that our Rules Committee confers with the proper parties in the Senate.

Mr. DUNN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Stern.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Stern, permit himself to be interrogated?

Mr. STERN. Mr. Speaker, yes, sir.

Mr. DUNN. Mr. Speaker, I would like to ask the gentleman how he voted on March 11th on a resolution similar to this resolution?

Mr. STERN. Mr. Speaker, I voted for the resolution.

Mr. DUNN. Mr. Speaker, I should like to interrogate the gentleman from Blair, Mr. Rininger.

The SPEAKER. Will the gentleman from Blair, Mr. Rininger, permit himself to be interrogated?

Mr. RININGER. Mr. Speaker, I will.

Mr. DUNN. Mr. Speaker, I would like to ask the gentleman from Blair how he voted on this resolution on March 11, 1917.

Mr. RININGER. Mr. Speaker, I voted for it.

Mr. WALLACE. Mr. Speaker, I should like to interrogate the gentleman from Philadelphia, Mr. Stern.

The SPEAKER. Will the gentleman from Philadelphia, Mr. STERN, permit himself to be interrogated?

Mr. STERN. Mr. Speaker, yes sir, and I promise to answer the question.

Mr. WALLACE. Mr. Speaker, I would like to ask the gentleman, if it is not a fact that about the fifth day of April, 1917, a resolution providing for an adjournment was introduced and referred to the Committee on Rules and it is patiently resting there yet?

Mr. STERN. Mr. Speaker, that is true.

Mr. RICH. Mr. Speaker, I would like to interrogate the House.

I would like to know if this House is aware that the Committee on Retrenchment and Reform has not met yet; we have not even organized. The importance of the business before this committee is so great that it would take at least six weeks' work, when we are once organized. Please bear that in mind.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Dunn and Mr. Bennett and were as follows:

YEAS—101.

Albee,	Gransback,	Michel,	Smith, L.,
Baker,	Haldeman,	Miller, A. D.,	Snowden,
Baldridge,	Heffernan,	Miller, C. G.,	Somerman,
Bechtold,	Hess,	Miller, G. J. A.,	Sones,
Benninger,	Heyburn,	Morgan, T.,	Spangler,
Beyer,	Hibshman,	Murdoch,	Speicher,
Bouton, V. B.,	Hoffman,	Perry,	Sprowls,
Bovee,	Hollern,	Pickering,	Stern,
Boyd,	Hollingsworth,	Powell,	Stofflet,
Brady,	Horton,	Ramsey,	Strauss,
Campbell, T.,	Hough,	Reitzel,	Sullivan,
Christman,	Jones,	Richards,	Swartz,
Clements,	Lafferty,	Rininger,	Thomas,
Crosby,	Lauler,	Robertson,	Ulsh,
Davis, W.,	Leary,	Rogers,	Vodges,
Dewey,	Lewis,	Ruddy,	Wagner,
Dithrich,	Luppert,	Scott,	Weimer,
Donneley,	Marvin,	Shaffer, C. A.,	West,
Ehrhardt,	McArdle,	Shattuck,	Wickman,
Flynn,	McCaig,	Shunk,	Williams, J. P.,
Fowler,	McCullough,	Siggins,	Wood,
Fretz,	McKinney,	Simpson,	Woodward,
Gans,	McPeake,	Sinclair,	Zanders,
Goodnough,	Mearkle,	Smith, E. R.,	Baldwin,
Graeff,	Mervine,	Smith, J. W.,	Speaker.
Graham,			

NAYS—78.

Aron,	Dell,	Laucks,	Ringler,
Arthur,	Drinkhouse,	Lohr,	Rinn,
Baldi,	Dunn,	Mauter,	Ross,
Barner,	Eby,	McCurdy,	Rothenberger,
Bell,	Erdman,	McNichol,	Rudisill,
Benchoff,	Fackler,	McVicar,	Sampsel,
Bennett,	Franklin,	Mehring,	Sarig,
Black,	Glass,	Miller, Allan,	Schaeffer, A. C.,
Burnett,	Golder,	Milner,	Snyder,
Campbell, J. O.,	Gormley,	Mitchell,	Sterling,
Canon,	Haight,	Morgan, T. J.,	Stites,
Chestnut,	Hecht,	Palmer,	Sweitzer,
Coldsmith,	Helt,	Patterson,	Vickerman,
Conner,	Horne,	Phillips,	Walker,
Corbin,	Howarth,	Reichenbacher,	Wallace,
Cox,	Isherwood,	Reynolds,	Walter,
Cummins,	Jack,	Rhoads, H. L.,	Wells,
Curry,	Kennedy,	Rhodes, W. M.,	Williams, G. W.
Davis, D. F.,	Lanius,	Rich,	Wobensmith,
Dean,			

So the question was determined in the affirmative, and the resolution was referred to the Committee on Rules.

BILL ON FINAL PASSAGE (RECALLED FROM THE GOVERNOR).

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 295, as follows

An Act to further amend section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four) entitled "A further supplement to the act entitled 'An Act concerning divorces'" as amended by omitting the proviso to clause three thereof providing for the allowance of support or alimony in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four) entitled "A further supplement to the act entitled 'An Act concerning divorces'" as amended by the act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred seventy-four) entitled "An Act amending the act entitled 'An Act amending the act entitled 'A further supplement to an act concerning divorces' approved May eighth one thousand eight hundred and fifty-four by providing that conviction for certain enumerated crimes only shall be cause for divorce and repealing the act of June first one thousand eight hundred and ninety-one relating to the same subject' approved the ninth day of March Anno Domini one thousand nine hundred and three so as to provide that conviction of the crime of assault with intent to kill shall be cause for divorce" which amended clause two of said section and as amended by an act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred eight) entitled "An Act amending section three of an act entitled 'An Act concerning divorces' approved the eighth day of May one thousand eight hundred and fifty-four enlarging the same so as to include indignities to the person of the husband" which amended the third clause of said section which section as thus amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the cases now provided for by law it shall be lawful for the courts of common pleas of this Commonwealth to grant divorces in the following cases

I Where an alleged marriage was procured by fraud force or coercion and has not been subsequently confirmed by the acts of the injured party

II Where either of the parties shall have been either within or without this State convicted as principal or as accessory either before or after the fact of the crime of arson burglary embezzlement forgery kidnapping larceny murder either in the first or second degrees assault with intent to kill voluntary manslaughter perjury rape robbery sodomy buggery treason or misprison of treason and be sentenced by a competent court having jurisdiction to imprisonment for any term exceeding two years Provided That such application for a divorce be made by the husband or wife of the party so convicted and sentenced

III Where a wife shall have by cruel and barbarous treatment or indignities to his person rendered the condition of her husband intolerable or life burdensome Provided That in case of divorce under this act if the application shall be made on the part of the husband the court granting such divorce may allow such support or alimony to the wife as her husband's circumstances may admit of and as said court may deem just and proper" be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the cases now provided for by law it shall be lawful for the courts of common pleas of this Commonwealth to grant divorces in the following cases

I Where an alleged marriage was procured by fraud force or coercion and has not been subsequently confirmed by the acts of the injured party

II Where either of the parties shall have been either within or without this State convicted as principal or as accessory either before or after the fact of the crime of arson burglary embezzlement forgery kidnapping larceny murder either in the first or sectnd degrees assaults with intent to kill voluntary manslaughter perjury rape robbery sodomy buggery treason or misprison of treason and be sentenced by a competent court having jurisdiction to imprisonment for any term exceeding two years Provided That such application for a divorce be made by the husband or wife of the party so convicted and sentenced

III Where a wife shall have by cruel and barbarous treatment or indignities to his person rendered the condition of her husband intolerable or life burdensome

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Albee,	Fretz,	McPeake,	Shattuck,
Aron,	Gans,	McVicar,	Shunk,
Arthur,	Geary,	Mearkle,	Siggins,
Baker,	Glass,	Mehring,	Simpson,
Baldi,	Golder,	Mervine,	Sinclair,
Baldridge,	Goodnough,	Michel,	Smith, F. L.,
Bechtold,	Graeff,	Miller, A. D.,	Smith, E. R.,
Bell,	Graham,	Miller, Allan,	Smith, J. W.,
Bennett,	Gransback,	Miller, C. G.,	Smith, L.,
Benninger,	Haight,	Miller, G. J. A.,	Smith, O. W.,
Beyer,	Hecht,	Milner,	Somerman,
Bidelspacher,	Heffernan,	Mitchell,	Sones,
Black,	Helt,	Morgan, T.,	Spangler,
Bouton, V. B.,	Hess,	Morgan, T. J.,	Speicher,
Bovee,	Heyburn,	Murdoch,	Sprowls,
Boyd,	Hibshman,	Musser,	Stadtlander,
Brady,	Hoffman,	Neary,	Steedle,
Campbell, J. O.,	Hollern,	Ogden,	Sterling,
Campbell, T.,	Hollingsworth,	Palmer,	Stern,
Canon,	Horne,	Patterson,	Stites,
Chestnut,	Horton,	Perry,	Stofflet,
Christman,	Hough,	Phillips,	Strauss,
Clements,	Howarth,	Pickering,	Sullivan,
Coldsmith,	Isherwood,	Powell,	Swartz,
Conner,	Jack,	Ramsey,	Sweitzer,
Corbin,	Jones,	Reichenbacker,	Thomas,
Cox,	Kennedy,	Reitzel,	Ulsh,
Crosby,	Lafferty,	Reynolds,	Vickerman,
Cummins,	Lanius,	Rhoads, H. L.,	Vodges,
Curry,	Laucks,	Rich,	Wagner,
Davis, D. F.,	Lauler,	Richards,	Walker,
Davis, W.,	Leary,	Ringler,	Wallace,
Dean,	Lewis,	Rininger,	Walter,
Dell,	Lohr,	Rinn,	Weimer,
Dewey,	Luppert,	Robertson,	Wells,
Dithrich,	Mangan,	Rogers,	West,
Donneley,	Marvin,	Ross,	Whitaker,
Drinkhouse,	Maurer,	Rothenberger,	Wickman,
Dunn,	McArdle,	Ruddy,	Williams, J. P.,
Eby,	McCaig,	Rudisill,	Williams, G. W.
Ehrhardt,	McCullough,	Sampsel,	Wobensmith,
Erdman,	McCurdy,	Sarig,	Wood,
Fackler,	McKay,	Schaeffer, A. C.,	Woodward,
Flynn,	McKinney,	Scott,	Wynne,
Fowler,	McNichol,	Shaffer, C. A.,	Zanders,
Franklin,			Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 196, entitled

An Act making an appropriation for the purpose of reimbursing counties for monies advanced to incorporated county agricultural associations and for reimbursing incorporated county agricultural associations for premiums paid on exhibits.

And said bill having been read at length the first time, Ordered, To be laid side for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1166, entitled

An Act to provide a method, upon petition of owner, with notice to wife of bankrupt, for ascertaining, determining and charging dower inchoate on lands of bankrupt sold under order of United States Court, by report of viewers and decree of court of common pleas; in certain cases freeing and discharging part of such lands from such dower inchoate and charging same upon a portion of lands formerly owned by bankrupt; in case of death of wife during life of bankrupt or after his death, to discharge the lands from such dower inchoate or dower fixed by decree of court; providing for service of rules and notices, and for appeal from final decree of such court.

And said bill having been read at length the first time, Ordered, To be laid side for second reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1237 (Senate Bill No. 573), as follows

An Act authorizing the Department of Forestry to purchase surface rights to lands for use as State Forests

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forestry is hereby authorized to purchase and receive conveyance of surface rights to any lands within this Commonwealth for forestry purposes and to hold such lands as State forests

Section 2 Where the title to any such land is subject to outstanding rights conveying waters minerals oil gas or other valuable deposits or any privileges or reservations whatsoever the Department of Forestry may in its discretion accept conveyance of the surface rights to such lands where the administration of scientific and practical forestry will not be interfered with or made impossible by such outstanding rights privileges or reservations

Section 3 All acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Shall the bill pass finally?

Mr. SIMPSON. Mr. Speaker, I would like to ask if there is any person in the House who can give an explanation of this bill, giving the Forestry Commission the right to purchase land.

Mr. ALBEE. Mr. Speaker, when this bill was before the Forestry Committee it seemed to be a pretty good sort of bill. The only thing it does is to allow the Forestry Department to purchase land subject to oil, gas and mineral rights. It was introduced by Senator Phipps for the reason that in some of the western counties of the State it is impossible at the present to purchase land on account of the oil and mineral rights, and this bill will allow the department to do that with the reservations.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Albee,	Glass,	McVicar,	Shattuck,
Arthur,	Golder,	Mearkle,	Shunk,
Baker,	Goodnough,	Mehring,	Siggins,
Barner,	Graeff,	Mervine,	Simpson,
Bechtold,	Graham,	Michel,	Sinclair,
Benchoff,	Gransback,	Miller, A. D.,	Smith, E. R.,
Bennett,	Haight,	Miller, Allan,	Smith, F. I.,
Beyer,	Haldeman,	Miller, C. G.,	Smith, J. W.,
Black,	Hecht,	Miller, G. J. A.,	Smith, L.,
Bouton, V. B.,	Heffernan,	Milner,	Smith, O. W.,
Bovee,	Helt,	Mitchell,	Snowden,
Burnett,	Hess,	Morgan, T.,	Somerman,
Campbell, J. O.,	Heyburn,	Morgan, T. J.,	Sprowls,
Campbell, T.,	Hibshman,	Murdoch,	Stadtlander,
Canon,	Hoffman,	Musser,	Steedle,
Chestnut,	Hollern,	Neary,	Sterling,
Christman,	Hollingsworth,	Ogden,	Stern,
Clements,	Horne,	Palmer,	Stites,
Coldsmith,	Horton,	Patterson,	Stofflet,
Conner,	Hough,	Perry,	Strauss,
Corbin,	Howarth,	Phillips,	Sullivan,
Cox,	Isherwood,	Pickering,	Swartz,
Crosby,	Jack,	Powell,	Sweitzer,
Cummins,	Jennings,	Ramsey,	Thomas,
Curry,	Jones,	Reichenbacher,	Ulsh,
Davis, D. F.,	Kennedy,	Reitzel,	Vickerman,
Davis, W.,	Lafferty,	Reynolds,	Vodges,
Dell,	Lanius,	Rhoads, H. L.,	Wagner,
Dewey,	Laucks,	Rich,	Walker,
Dithrich,	Leary,	Richards,	Wallace,
Donneley,	Lewis,	Ringler,	Walter,
Drinkhouse,	Lohr,	Rininger,	Wells,
Dunn,	Luppert,	Rinn,	West,
Eby,	Mangan,	Robertson,	Whitaker,
Ehrhardt,	Marvin,	Rogers,	Wickman,
Erdman,	Maurer,	Ross,	Williams, G. W.
Fackler,	McArdle,	Rothenberger,	Williams, J. P.,
Fitzgibbon,	McCaig,	Ruddy,	Wobensmith,
Flynn,	McCullough,	Rudisill,	Wood,
Fowler,	McCurdy,	Sampsel,	Woodward,
Franklin,	McKay,	Sarig,	Wynne,
Fretz,	McKinney,	Schaeffer, A. C.,	Zanders,
Gans,	McNichol,	Scott,	Baldwin,
Geary,	McPeake,	Shaffer, C. A.,	Speaker.

NAYS—1.

Sones,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 424 (Senate Bill No. 9), as follows

An Act to provide for the change of object of the corporate existence of volunteer fire companies and firemen's relief associations connected with volunteer fire departments and authorizing and providing a mode for the dissolution and surrender of the charter of said companies and associations

Whereas In and by the establishment of paid fire departments voluntary fire companies are superceded and as such their services as firemen dispensed with and consequently firemen's relief associations operated in connection with volunteer fire departments are no longer necessary for the relief and protection of said firemen

And whereas Many fire companies and firemen's relief association in the Commonwealth of Pennsylvania have been incorporated either by the Legislature or by the courts under authority given by law

And whereas Some of the fire companies and relief associations when such paid fire department is established may be desirous of continuing and maintaining their existence as corporations but for a different purpose than the object specified in their charter or act of incorporation whilst others are desirous of disbanding or dissolving and surrendering the powers vested in them by their charters or acts of incorporation and dividing amongst such of their members as may be entitled thereto whatever property or effects they may be seized possessed of or enjoy or the proceeds thereof

And whereas Doubts have arisen whether under any law usage or practice now in force or prevailing in this Commonwealth it is competent for any of the incorporated companies or relief associations to disband or dissolve and divide amongst their members the property effects or proceeds thereof belonging to such corporation or to change the object for which they have been incorporated for the purpose therefore of providing a mode whereby any of the said companies or relief associations may change the object for which they were or have been organized and incorporated or to disband dissolve and surrender the powers and authorities vested in them by virtue of their charter or acts of incorporation by whomsoever granted or allowed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any incorporated fire company (including therein engine hose or hook and ladder companies by whatever name called) or any firemen's relief association upon the establishment of a paid fire department by the municipality the domicile of said incorporated fire company or relief association that may be desirous of continuing or maintaining their corporate existence for literary charitable benevolent purpose whatever or as a hall association or society for the mutual benefit of its members may by a vote of the majority of its members present (who by the laws of the particular company or association are or may be entitled to vote) at a stated meeting after at least one month's notice has been given declare the purpose and object for which they desire to continue as aforesaid Such company or association shall within three months thereafter present their petition to the court of common pleas of said municipality and county praying that the purpose or object for which they may desire to continue their corporate existence as aforesaid may be approved by said court whereupon said petition shall be filed and if the object or purpose therein expressed and stated shall appear to the judges of the said court to be lawful and not injurious to the community and if no sufficient objection thereto be shown by any person or persons interested therein the said court shall on the first day of the next succeeding term not less than four weeks after the filing of the said petition enter their decree approving of the object or purpose for which such corporation shall thereafter continue a certified copy of which decree shall be recorded in the office of the recorder of deeds of said county and thereupon such object or purpose shall supersede the object or purpose named or expressed in the charter or act of incorporation of said company or association and shall be as valid and binding as if the same had been the original object or purpose for which such company or association had been incorporated And such company or association may also issue shares of stock not exceeding in amount the value of their property and effects and distribute the same to and amongst the members thereof entitled thereto said shares to be assignable and transferable in the usual manner the holder or holders of any share or shares to be entitled to one vote for each and every share held by him her or the such company or association may also by and with the assent and approval of the said count change the name of such corporation and provide for its management by such officers and board of directors or managers not exceeding seven in number exclusive of president and treasurer as to them may seem just and expedient

Section 2 That if any of the companies or relief associations named in the first section of this act shall be desirous of disbanding dissolving and surrendering their corporate existence it shall and may be lawful for them so to do and the property and effects or the proceeds thereof may be distributed and divided to and among the members entitled thereto "excepting however such property effects or equipment which have been granted conveyed donated or given to the said companies by the municipalities in which said companies are located said property effects or equipment shall revert back to and remain the property of said municipality under the following conditions to wit

First Such company or association shall give at least six months' notice of their intention to dissolve and surrender their corporate existence by advertisement in at least one daily newspaper published in said county to be designated by the court of common pleas upon application by the proper company or association said advertisement to be published at least once a week for four weeks or continuously for one week

Second Such company or association shall through its secretary or by a committee appointed for that purpose make a roll of all such members who are entitled to participate in the distribution of its property or the proceeds thereof who may apply to him or them personally or otherwise said roll shall be kept open during the whole of the said aforesaid six months and it shall be the duty of such secretary or committee to enter upon such roll the name or names of any and all members who may apply as aforesaid who are known to him or them or if unknown who shall produce satisfactory evidence that he or they is or are entitled to have his or their name or names placed on said roll and said roll shall at the expiration of said six months be verified by the oath or affirmation of said secretary or committee

Third Such company or association shall immediately after the expiration of said six months appoint a committee of not less than three members which committee in conjunction with the president and treasurer of said company or association shall make out and sign a schedule of the description amount and value of all the property and effects of such company or association the names of all persons who are included within the provisions of clause second of this section and the description amount and value of the property effects or moneys allotted to each of such persons respectively and which shall be as nearly equal as may be and which schedule shall be verified by oath or affirmation of a majority of such committee one of whom shall be the president or treasurer and said schedule shall be submitted at a stated meeting of said company or association and if approved by a vote of the majority of such members present as are included in the second clause hereof shall be final and conclusive

Fourth As soon as all steps and proceedings provided for in this section shall have been completed a certified copy thereof shall be made out attested by the signatures of the officers of such company or association and by the seal of the corporation and shall be duly acknowledged as in the case of a deed made by a corporation and recorded in the office for recording deeds et cetera for said municipality and county and thereafter such corporation shall be dis-

solved and cease to exist and all the powers and authorities thereto belonging shall become and be null and void and of no effect except such as are necessary to carry this act into effect the distribution of the property and effects of such company or association shall be made as soon after the approval of the schedule mentioned in clause third as may be convenient Provided That nothing herein contained shall be construed as to prevent any person who may deem himself aggrieved by the action of any company or association in his case applying to the proper court for redress by bill in equity or upon or for a mandamus upon his giving such security as the court may determine to pay all damages that may be incurred and all costs that may accrue if the decree of the court upon final hearing shall be against him and a part of such costs shall be a reasonable counsel fee to be allowed by the court in the particular case and fixed by the decree

Section 3 That in the event of any of the companies or relief associations included within the provisions of this act changing by virtue of the proviison hereof into stock companies the shares into which the capital stock of such corporation may be divided shall be issued to such of the members of said company or association as were required to perform active services as a condition of membership or who may have been transferred from the active roll to the roll of honorary members as a reward or token of recognition for previous active services and to those only who may have signed the constitution or by-laws of such company or association and in case of a total dissolution of such company under the provision of the secand section of this act those members only who are designated in this section shall be entitled to a distributive share of the proceeds of the property of such company or association

Section 4 If in any case any number of the amtive and honorary members either or both of any company or relief association not less than ten in number may desire to perpetuate the corporate existence of any company or association either for social purposes or for any of the purposes mentioned in the first section of this act and a majority of such company or association may desire to dissolve as aforesaid it shall and may be lawful for such members by signing and presenting to such company or association an agreement in writing to perpetuate the existence of such corporation to take unto themselves the liabilities and responsibilities imposed and to enjoy the privileges granted in and by the charter of such company or association and in such case the proceedings directed in and by the second section of this act shall be pursued except as to the division of their property and the recording the proceedings in lieu of which after the amount of dividend shall have been ascertained and approved as aforesaid the receipt of such dividend by any member shall be construed to be a resignation and shall be so entered upon the books of such company or association and the members so receiving a dividend shall thenceforth cease to be a member of such company or association Provided That it shall and may be lawful for any company or association to purchase the right of any member upon the payment of the egreed price the membership of such person shall thereupon terminate

Section 5 That the sales by any company or relief association included in the first section of this act hereafter made shall be deemed and taken to have been made pursuant to the provisions of this act and are hereby declared to be valid and to vest the title to such property in the purchasers of such property

Section 6 It shall and may be lawful for any of the companies or relief association mentioned in the first section of this act to accept the provisions of this act as a supplement to the charter or act of incorporation of such ocmpany or association by the vote of a majority of the members entitled to vote who may be present at any stated meeting of such company or association and if so accepted the provisions hereof shall be deemed and taken to be a part of the charter or act of incorporation of such accepting company or association except where a particular number have a right to continue Provided That nothing contained in this act shall be held to affect the right of any member or companies or associations as the same have been heretofore adjudicated by any court and the same are hereby confirmed

Provided That this act shall not repeal or affect the provisions of any special law relating to the same subject in any county township borough or city in this Commonwealth

On the question,

Shall the bill pass finally?

Mr. WALTER. Mr. Speaker and gentlemen of the House, this bill has been amended, but it still contains the clause which would permit volunteer fire companies to dissolve and divide their property among the individual members. I regret to call the attention of the House to a piece of legislation which has so many good features. It permits fire companies to continue as a club or an association, but when they determine so to do, the members may take the money, or property of the association and sell it, and put the proceeds in their pockets. Now, Mr. Speaker, coming as I do from a town of ten or twelve thousand people which has a volunteed fire department, I know, and I do not think the case is exceptional at all, that all of these contributions come from the public either in the shape of fairs or festivals or donations, or in many other ways, and I also know that the fire companies as a rule have rather strict by-laws and can get rid of members automatically who do not pay their dues. The property contributed to a fire company is virtually contributed for a charitable purpose and ought not to be permitted to be devoted to a private purpose, and that is what this bill would enable them to do.

Mr. WICKMAN. Mr. Speaker, I would like to interrogate the gentleman from Franklin.

The SPEAKER. Will the gentleman from Franklin, Mr. Walter, permit himself to be interrogated?

Mr. WALTER. Mr. Speaker, I would like to ask if it is not a fact that those volunteer fire companies render services for those contributions that they get from the public.

Mr. WALTER. Mr. Speaker, that is quite true, that they render services, but they render the service because they like it, and the probabilities are that those who render the service would not be those who would participate in the distribution. The public-spirited ones would not dissolve the corporation and put the money in their pockets. It would be those who look upon the fire companies as a means of revenue.

Mr. DITHRICH. Mr. Speaker, this bill was before the House some few weeks ago and objection was raised at that time. The bill has been amended to meet most of those objections. It has been amended so that any property or any of the apparatus of a volunteer fire company that has been purchased or given to that company by a borough or municipality remains the property of that borough or municipality, and it is only property and apparatus that has been obtained solely through the efforts of the members of the volunteer company that remains their property. Now there are a great many cases in the State where the members of the company have by their own contributions provided not only the apparatus but have purchased property and erected a building. In addition to that they have devoted their time and services. This bill simply provides that when they are superseded by a paid organization they can continue their corporate existence but for a different purpose; and if they find it is to the best interest to dissolve and distribute the assets of the organization, they must give notice once a week in a paper of general circulation for a period of at least six months, and in the event of any one disagreeing, he has the right of appeal to the court and by mandamus have a proper accounting. It has been amended as I have said to meet the objectionable features put there in the beginning through lack of foresight. If it were possible that property donated by the people of the town could revert back to them, that would be done, but it is impossible to do that and still carry out the purpose of the act, which is to allow these men to have that for which they have worked.

Mr. STRAUSS. Mr. Speaker, with the consent of the gentleman from Allegheny, Mr. Dithrich, I had some amendments inserted in regard to firemen's relief associations. Reading will become a city of the second class soon and the volunteer fire department will be a thing of the past. Now in Reading they have in addition, or rather subsidiary to it,—to the volunteer fire department—a relief association in which the members pay their regular assessments and raise the money in other ways, and if a death occurs they pay a dollar apiece for the relief of the family of the member that has died. As to the other objection of my friend from Franklin, Mr. Walter, I want to say that the volunteer fire department of the City of Reading or of any other city in the State has peformed services and amply paid the citizens of Reading or of any other city for the charitable donations made by the citizens of such city to their volunteer fire association, and the citizens are perfectly satisfied that it shoul dbe distributed to the members who remain in good standing, and certainly it is true that this property ought to go to somebody and somebody ought to have possession of it. I hope that my friend from Frankiln, Mr. Walter, will not further press his objections.

RECONSIDERATION OF VOTE.

Mr. DITHRICH. Mr. Speaker, my attention has been called to a typographical error on page four of the bill, and I desire to amend it. I therefore move that the vote by which this vote passed third reading be reconsidered.

Mr. STADTLANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. DITHRICH. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

On page 4, line 14, strike out the word "count" and insert the word "court."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended.

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 615, as follows:

An Act to amend the act approved the twentieth day of May one thousand nine hundred and fifteen entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by extending the provisions thereof to public employes paid out of any public treasury within cities of the first class maintained from taxes collected within such cities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriations of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all cities of the first class shall create a pension fund for the pensioning of employes of said cities and of all county or other public employes if any paid by appropriation of the city councils thereof and out of the city treasury thereof in the manner and under the conditions and subject to the qualifications following" is hereby amended to read as follows

Section 1 That all cities of the first class shall create a pension fund for the pensioning of employes of said cities and of all county or other public employes if any paid out of the city treasury of such city or any other public treasury within such cities maintained from taxes collected within such cities in the manner and under the conditions and subject to the qualifications following

Section 2 That section two of said act which reads as follows

"Section 2 In every such city of the first class there shall be created a board to be known as the pension board consisting of the mayor the city treasurer the city controller one member of select council and one member of common council of said city to be selected annually by the respective bodies It shall be the duty of said board to register all persons employed by the said city and other public employes paid out of the treasury thereof as aforesaid if any and to administer the collection and distribution of the fund herein provided for and to do such acts and make such reasonable rules in the premises as such board may deem necessary to effectually carry into effect the provisions of this act" is hereby amended to read as follows

Section 2 In every such city of the first class there shall be created a board to be known as the pension board consisting of the mayor the city treasurer the city controller one member of select council and one member of common council of said city to be selected annually by the respective bodies It shall be the duty of said board to register all persons entitled to the benefits of this act and to administer the collection and distribution of the fund herein provided for and to do such acts and make such reasonable rules in the premises as such board may deem necessary to effectually carry into effect the provisions of this act

Section 3 That section three of said act which reads as follows

"Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury thereof as herein above provided if any of the age of sixty years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained" is hereby amended to read as follows

Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury or any other public treasury within such cities maintained from taxes collected within such cities as herein above provided if any of the age of sixty years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained Provided That if any person or persons had been in the employ of said cities of counties or paid out of the city treasurer or any other public treasury within such cities maintained from taxes collected within such cities for a period covering seventeen years or more prior to the passage of this act and shall thereafter be re-employed it shall be necessary that the period of their re-employment shall extend over a period of three years or more before such person or persons shall be entitled to receive the pension fixed by this act

Section 4 That section four of said act which reads as follows

"Section 4 During the lifetime of the said person he or she shall be entitled to receive as a pension annually from the fund set aside for the purpose fifty per centum of the amount which would constitute the average annual salary or wages which he or she received during the last five years of his employment by the said city or other public employment as aforesaid Said pension to be paid in monthly payments Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position of employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to the pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office The pension paid to any one employe shall not exceed one hundred dollars per month" be amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay unto the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disabel him or her from performing the duties or his or her position or office The pension paid to any one employe shall not exceed one hundred dollars per month

Section 5 That section five of said act which reads as follows

"Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages in no event however paying at a rate greater than four dollars a month which shall be applied to the purposes of this act Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full without interest Provided however If any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter such public employment said employe shall not be

entitled to the pension designated until twenty years after the said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employe" is hereby amended to read as follows

Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages in no event however paying at a rate greater than four dollars a month which shall be applied to the purposes of this act Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary received the pension herein provided if such beneficiary has so contributed to the pension fund during a period of twenty years If at the time the beneficiary receives the pension herein provided he or she shall not have been a contributor to the pension fund during a period of twenty years such person shall be required to pay unto the board of pensions an amount equal to two per centum of his or her monthly pension until such time as his or her contribution shall have extended during a period of twenty years If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities or any other public treasury within such cities maintained from taxes collected within such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full without interest Provided however If any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter such public employment said employe shall not be entitled to the pension designated until twenty years after the said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employe

Section 6 That section six of said act which reads as follows

"Section 6 Should any person holding position in said cities of the first class or any county or other public employes if any paid out of the treasury of such cities as aforesaid be paid a per diem wage he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act" is hereby amended to read as follows

Section 6 Should any person entitled to the benefit of this act be paid a per diem wage or a salary at a rate of three hundred and sixty dollars each year or less he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act

Section 7 That section nine of said act which reads as follows

"Section 9 The public authorities of every city of the first class charged with the disbursements expenditures and appropriations shall annually set aside apportion and appropriate out of all taxes and income of the said cities unto the board of pensions a sum sufficient to maintain the pensions or compensations due under this act" is hereby amended to read as follows

Section 9 The several public authorities of every city of the first class charged with the disbursements expenditures and appropriations shall annually set aside apportion and appropriate out of all taxes and income paid unto the city treasury of the city or into any other public treasury maintained from taxes collected within such cities unto the board of pensions a sum sufficient to maintain the pensions or compensations due under this act The amount to be set aside apportioned and appropriated to the said board of pensions by the said several authorities and which is to be paid out of the said several treasuries shall be in proportion to the number of employes receiving the benefits of this act and whose salary or wages are payable from the said respective treasuries

Section 8 That section ten of said act which reads as follows

"Section 10 The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions or paid out of the treasury thereof as aforesaid Provided That this act shall not apply to employes of such departments bureaus or offices as are now protected by pension authorized by the laws of this State and in force at the time of the passage of this act" is hereby amended to read as follows

Section 10 The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions or paid out of the treasury thereof or out of any other public treasury within such cities maintained from taxes collected within such cities as aforesaid Provided That this act shall not apply to employes of such departments bureaus or offices as are now protected by pension authorized by the laws of this State and in force at the time of the passage of this act

Section 9 That section eleven of said act which reads as follows

"Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or both as aforesaid and need not be continuous No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen is hereby amended to read as follows

Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or out of any other public treasury within such cities maintained from taxes collected within such cities or both as aforesaid and need not be continuous Provided that in no case shall a period of more than seventeen years be credited to the record of any person or persons who shall be re-employed after the passage of this act and who had been in the employ of said cities or counties or paid out of the city treasury or any other public treasury within such cities maintained from taxes collected within such cities prior to the passage of this act No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen This section shall apply only to those employes of said cities and all county or other public employes who are paid out of the city treasury or out of any public treasury within such cities maintained from taxes collected within such cities at the time of the passage of this act

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. DUNN. Mr. Speaker, we have had a satisfactory conference on this bill, and I desire at this time to make a motion to reconsider the vote by which this bill passed on third reading.

Mr. RAMSEY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. DUNN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciaray General.

Mr. RAMSEY. Mr. Speaker, I second the motion.

The motion was agreed to.

SPEAKER BALDWIN IN THE CHAIR.

BILL ON FINAL PASSAGE.

Mr. BRADY. Mr. Speaker, I desire to call up at this time House Bill No. 40, File Folio 2263, from page 3 of to-day's calendar, bills on final passage postponed.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 40, entitled

An Act amending an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act establishing a court for the County of Philadelphia prescribing the jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof"

On the question,

Shall the bill pass finally?

Mr. COX. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Brady.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Brady, permit himself to be interrogated?

Mr. BRADY. I will, Mr. Speaker.

Mr. COX. Mr. Speaker, I desire to ask the gentleman what is the intent of this bill?

Mr. BRADY. Mr. Speaker and gentlemen of the House, this bill raises the salary of the judges of the Municipal Court in Philadelphia from six thousand dollars to eight thousand dollars a year.

Mr. COX. Mr. Speaker, I desire to further interrogate the gentleman from Philadelphia, Mr. Brady.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Brady, permit himself to be interrogated?

Mr. BRADY. Mr. Speaker, I will.

Mr. COX. Mr Speaker, I desire to ask the gentleman if the judges of that court have made a request for an increase of salary?

Mr. BRADY. Mr. Speaker, the judges of that court, as far as I know, had the bill prepared, increasing their salaries. The exact amount I would not be able to state but it was considered that a fair amount was from six thousand dollars to eight thousand dollars.

Mr. COX. Mr. Speaker, I desire to ask the gentleman further if he is not aware that many of the judges of the Court of Common Pleas do not get more than six thousand dollars in the country districts, get less than six thousand dollars?

Mr. BRADY. That may be true in some counties of the State. In adding to my answer to the gentleman from Philadelphia I would like to say that the judges of the Municipal Court of Philadelphia are paid a lower salary than the judges of any Municipal Court of the United States. In the city of Chicago the Municipal Court has seventeen judges; those judges are paid ten thousand dollars a year and the President Judge receives eleven thousand dollars a year.

Now, I think it is considered fair by the people of the City of Philadelphia that a court like the Municipal Court, which has done so much work for the city—it is but fair that the salary of those judges should be commensurate with the work that is done by that court and since Philadelphia is the third largest city in this country I think it but fair that the salary of these judges be almost as high as the salaries of judges of other municipal courts in the country.

Mr. COX. Mr. Speaker, I desire to further ask the gentleman what salary the judges of the United States District Court get.

Mr. BRADY. Mr. Speaker, in answer to that I would ask the gentleman if he knows what salary they get?

Mr. COX. Mr. Speaker, yes, sir, they get six thousand dollars.

Mr. SPEAKER, I want to call the House's attention to this particular bill. I remember when this bill was introduced creating this municipal court, they claimed then that this would be a poor man's court, but it costs as much in the City of Philadelphia to institute a suit in the Municipal Court as it does in the Court of Common Pleas and I am just now informed four dollars more. To my mind this court is nothing more than a magistrate's court, and to my mind the judges of this court, while learned in the law, are nothing but refined magistrates in every action that they have had to do with and I do not believe that they are entitled to this increase.

Mr. WALLACE. Mr. Speaker, I would like to ask the sponsor of this bill a question.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Brady, permit himself to be interrogated?

Mr. BRADY. Mr. Speaker, yes, sir.

Mr. WALLACE. Mr. Speaker, I would like to ask the gentleman from Philadelphti if it is not a fact that under the provisions of this bill the State of Pennsylvania pays these judges?

Mr. BRADY. Mr. Speaker, yes, sir.

Mr. WALLACE. Mr. Speaker, this is a matter that concerns the whole State. In the County of Allegheny a similar court, the county court, is paid by the county and the court in the City of Philadelphia is paid by the State. It is a fact that many of the judges in this Commonwealth are now receiving but six thousand dollars annually, judges of the Court of Common Pleas; some of them have a tremendous volume of work to do. I do not believe that this House should raise the salary of the judges of this court in Philadelphia. There is no more reason why we should raise their salary than we should raise the salaries of all the rest of the judges in this State and it has only been a few years since we gave them a very substantial raise, the judges of the Court of Common Pleas. It seems to me there is an inequality here that ought not to be recognized by this Legislature. When Allegheny County pays their own judges why should the State that is now paying these judges raise their salaries. I would be against this bill unless shown that there is a demand and a necessity for the raising of their salaries at this time and I think this House should be against the bill.

Mr. BEYER. Mr. Speaker, I believe we are fortunate in the consideration of this bill because of the absence of any real agrument that could be made upon the basis of any factional politics. The Municipal Court of Philadelphia is composed of judges who, if they may be regarded as taking any part in politics at all, have been affiliated with both sides of the political factions in the Republican party and also several of them that have been actively identified with the Democratic party, so that I say fortunately we may discuss this matter without feeling in the off-start that we have anything to apologize for.

The statement has been made by my distinguished friend from Philadelphia that the Municipal Court is nothing more or less than a magistrate's court. That is absolutely an unjust criticism upon the able body of men who comprise that court. These men are learned in the law, to begin with, and they sit from ten o'clock in the morning ofttimes until late in the afternoon, not hearing one or two cases as is frequently the case in the Courts of Common Pleas where the amount involved is of greater consequence, but hearing as high as eight, nine and ten cases a day, and by their manner of treatment ofttimes able to bring about settlements and adjustments of these claims between litigants.

Something has been said with regard to the salaries of judges in other parts of the State. I do not know that I can state with any degree of authority concerning the amount of work done by judges in other parts of the State but I am told and I believe I am reliably informed that many of the judges that get less salaries than our Common Pleas judges have not near the work to do that is to be done by a judge of a city or county like Philadelphia.

Now, when reference was made some years ago to the establishment of what is called a poor man's court it had no reference to the salary of the court. The reference that was made to the poor man's court was this: that little cases that often were misjudged in the magistrate's court and that died there were given a chance to have an expeditions trial in a tribunal where the judges understood the law and where they had twelve men in the jury box to pass upon the issue and determine it. For the further reason that the procedure was made so plain and simple that even a layman with a little reading of the rules of this court might be able to go into court and plead his own case if he did not have the means to employ a lawyer. That is the reason the court is referred to as the poor man's court.

I have not the figures here but this court has passed upon thousands of cases since it has come into existence and while the amounts involved are not as great as the cases which arise in the Courts of Common Pleas, yet, nevertheless, the cases are of as much interest to the people who come there and those small cases require more work and require more time to dispose of the amount and volume of business that goes to that court than the Courts of Common Pleas.

Only a week ago you raised the salaries of the deferees from twenty-five hundred to five thousand dollars. If you are able to do that for referees who pass upon matters of the character that they do, why cannot you with equal justice and fairness raise this two thousand and make it eight thousand dollars and make the amount of salary in accord with the amount of work they actually do?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia who is the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Brady, permit himself to the interrogated?

Mr. BRADY. Mr. Speaker, I will.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, will the gentleman from Philadelphia kindly inform the House how many judges constitute the Municipal Court in Philadelphia?

Mr. BRADY. Mr. Speaker, we have nine.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I was a member of the House in 1913 when the bill passed, creating this court. I justified my support of this measure on the statement of the sponsor of the bill at that time that it was to supersede the Municipal Court. Further, if that bill was to supersede and do away with the magistrates of Philadelphia, instead of doing away with the magistraes, we still have them and a bill has passed this session increasing their salaries to four thousand dollars a year, and now comes along this bill increasing the salary of the Municipal Court judges to eight thousand dollars. Instead of wiping out the magistrates it seems to have increased their importance.

Mr. DUNN. Mr. Speaker, as a member of this House I would be the last man to talk on lowering the salary of any man or talk against the increase of the salary of any man when I thought that we were justified in doing it. The members of this House are going to saddle on the City of Philadelphia, by the passage of this bill, an increase of about twenty thou-

sand dollars in increasing the salary of these judges. Only the first of this year the City of Philadelphia increased their taxes on every property owner in that city, to meet current expenses, twenty-five cents on the dollar.

They could not find funds enough to increase the salaries of the common laborers to two dollars a day, or to increase the wages of mechanics until almost three months afterwards when we scraped around and raised the wages of common laborers or mechanics so that they could get along with the high cost of living as it is today. These judges are drawing a salary of six thousand dollars. I have been in the Municipal Courts of Philadelphia and I have seen their work as well as my good friend from Philadelphia. I went last Friday out in the Juvenile Court to see about a case and while I was there there was no judge in the court at all and I inquired why there was no judge there and I understood that the judge of that particular court went to Florida for a couple of weeks and neglected the court over which he presided. We are all reasonable and I think this six thousand dollars at the present time is ample, especially when the City of Philadelphia cannot find funds enough to increase the salaries of their mechanics and laboring men which will require an additional increase in the tax rate.

Mr. PERRY. I would like to interrogate the gentleman from Philadelphia.

Mr. DUNN. Mr. Speaker, when I get through. Gentlemen, I only wanted to say, in conclusion, that I don't think it is right for the members of this House to vote an increase of the judges' salaries or anybody else when they have not money to pay their laborers at the present time, and I understand that next year in order to meet the current expenses, they must increase the tax rate again on the property owners, and they are the ones who must suffer. I am willing at any time when the money is there to increase a man's salary who is honestly entitled to it. But it is unfair at this time to increase a man's salary who is getting six thousand to eight thousand dollars. I undersand that many of the judges throughout the State are not getting any more than that. They are no better, in Philadelphia, than your judges in the country who do just as much work, or more, than the gentlemen who sit on the bench in the City of Philadelphia and this additional cost is unnecessary.

Mr. PERRY. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Dunn.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. DUNN. Mr. Speaker, yes, sir.

Mr. PERRY. Mr. Speaker, I desire to ask the gentleman what the tax rate of Philadelphia has to do with the Municipal Court Judges of Philadelphia, who are paid by the State?

Mr. DUNN. Mr. Speaker, I think the City of Philadelphia pays their salary. Let him go down and study the law.

Mr. DITHRICH. Mr. Speaker, I rise to correct an error by Mr. Wallace, that the County Court Judges of Allegheny County which correspond to the Municipal Court Judges of Philadelphia, are paid by the County of Allegheny. They are paid by the State of Pennsylvania, the same as the Municipal Court Judges of Philadelphia.

Mr. BRADY. Mr. Speaker, I have listened to some statements regarding the Municipal Court Judges of Philadelphia in reference to their conduct, which I venture to say are without much foundation, but to give you an idea of what an eminent citizen of this Republic thinks of the Municipal Court of Philadelphia after he spent a day or two in them, I will quote to you the words of Colonel Roosevelt. He said: "I have been immensely impressed by what I have seen in this court. I hope to be able to translate some things I have seen here today so as to make the people understand that if there are some things we have reason to be discontented with in this country, there are also many things we have every reason to be more than proud of and one of them is the kind of work being done here." In other words, the opinion of almost every authority in the United States is that the work done by the Municipal Court of Philadelphia is second to none. In other words, it is a model, especially with regards to this misdemianants court and especially as to its treatment of orphan children and misdirected children and compares favorably to any other court in this land.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—116.

Albee,	Gransback,	Morgan, T. J.,	Smith, L.,
Arthur,	Haight,	Murdoch,	Snowden,
Baker,	Haldeman,	Murphy,	Sones,
Baldridge,	Hecht,	Ogden,	Sprowls,
Bechtold,	Heffernan,	Patterson,	Stadtlander,
Benninger,	Heyburn,	Perry,	Steedle,
Beyer,	Hollern,	Pickering,	Sterling,
Bovee,	Hollingsworth,	Powell,	Stern,
Boyd,	Horton,	Ramsey,	Stites,
Brady,	Hough,	Reichenbacker,	Stofflet,
Campbell, T.,	Jones,	Reitzel,	Strauss,
Christman,	Lafferty,	Reynolds,	Sullivan,
Clements,	Lauler,	Rhodes, W. M.,	Swartz,
Conner,	Leary,	Richards,	Thomas,
Crosby,	Lewis,	Ripinger,	Vickerman,
Curry,	Luppert,	Rinn,	Vodges,
Dewey,	McArdle,	Robertson,	Wagner,
Dithrich,	McCaig,	Rogers,	Walker,
Donneley,	McCullough,	Ruddy,	Weimer,
Erdman,	McKinney,	Sampsel,	Wells,
Flynn,	McNichol,	Scott,	West,
Franklin,	McPeake,	Shattuck,	Wickman,
Fretz,	Mearkle,	Shunk,	Williams, J. P.,
Gans,	Mervine,	Siggins,	Wobensmith,
Glass,	Michel,	Simpson,	Woodward,
Golder,	Miller, A. D.,	Sinclair,	Wynne,
Goodnough,	Miller, Allan,	Smith, E. R.,	Zanders,
Gormley,	Miller, C. G.,	Smith, F. I.,	Baldwin,
Graeff,	Miller, G. J. A.,	Smith, J. W.,	Speaker.
Graham,	Milner,		

NAYS—44.

Aldi,	Cox,	Jack,	Ringler,
Barner,	Davis, W.,	Lanius,	Rothenberger,
Bell,	Dean,	Lohr,	Rudisill,
Benchoff,	Drinkhouse,	Marvin,	Sarig,
Bennett,	Dunn,	Maurer,	Spangler,
Black,	Ehrhardt,	McCurdy,	Speicher,
Campbell, J. O.,	Fackler,	Mehring,	Sweitzer,
Canon,	Hibshman,	Mitchell,	Wallace,
Chestnut,	Horne,	Musser,	Walter,
Coldsmith,	Howarth,	Phillips,	Williams, G. W.
Corbin,	Isherwood,	Rhoads, H. L.,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. RAMSEY. Mr. Speaker, I move that this House do now adjourn until to-morrow morning at 10 o'clock.

The motion was agreed to and (at 11.45 P. M.) the House adjourned until to-morrow morning at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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SENATE.

TUESDAY, May 1, 1917.

The Senate met at 11.45 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Frank B. McClain) in the Chair.

PRAYER.

The Chaplain, Rev. Thomas W. Davis, offered the following prayer:

Almighty God, we thank Thee for the splendid type of manhood represented in this legislative body. We regret very much that one of our most efficient Senators, one of the broadest minded, kindest hearted and most deeply interested in the welfare of the people of this great State, leaves this distinguished body to assume the important office of Auditor General of this Commonwealth. We pray that Senator Charles A. Snyder may make a record in his new office that will be a credit to himself and family, and a great honor to our Commonwealth. We also ask Thy blessing upon our dearly beloved Senator William W. Smith, who just passed through a successful operation in one of our Philadelphia hospitals. We pray for his complete restoration to health. These blessings we ask in our Saviour's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. J. FRANK GRAFF, the further reading was dispensed with, and the Journal was approved.

PETITIONS

FAVORING PASSAGE OF HOUSE BILL NO. 98.

The Chair presented petition of the Philadelphia Board of Trade favoring the passage of House Bill No. 98.

Which was referred to the Committee on Judiciary General.

FAVORING PASSAGE OF SENATE BILL NO. 833.

He also presented petition of the Philadelphia Board of Trade favoring the passage of Senate Bill No. 833.

Which was referred to the Committee on Railroads.

PROTESTING AGAINST THE PASSAGE OF SENATE BILL NO. 370 AND HOUSE BILL NO. 1155.

He also presented petition of the Town Council of the Borough of Rochester, protesting against the passage of Senate Bill No. 370 and House Bill No. 1155.

Which was referred to the Committee on Public Roads and Highways.

OATH OF OFFICE ADMINISTERED TO AUDITOR GENERAL-ELECT SNYDER.

Mr. SPROUL. Mr. President, the Senate having invited the Secretary of the Commonwealth to give the obligation to the Auditor General-elect, a former member of this body, in the Senate Chamber to-day, and the Auditor General-elect being here prepared to take the oath, I move that a committee of two members of the Senate be appointed by the President to conduct the newly elected Auditor General into the Senate Chamber to take the oath.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair appoints the Senator from Delaware, Mr. Sproul, and the Senator from Lycoming, Mr. Sones, a committee to escort the newly elected Auditor General to the bar of the Senate.

Mr. SPROUL. Mr. President, I have the honor to present to the Senate and to you, sir, as President of the Senate, the Honorable Charles A. Snyder, former Senator from Schuylkill County, who is now prepared to take the oath of office as Auditor General of the Commonwealth.

The PRESIDENT. The Secretary of the Commonwealth will now administer the oath of office to the Honorable Charles A. Snyder, Auditor General-elect.

The oath of office was then administered to the Auditor General-elect by the Secretary of the Commonwealth.

RECESS.

Mr. VARE. Mr. President, I move that the Senate do now take a recess for fifteen minutes for the purpose of allowing the members to congratulate the new Auditor General.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE.

HOUSE CONCURS IN SENATE BILL NO. 109.

The Clerk of the House of Representatives, being introduced, returned to the Senate Senate Bill No. 109, entitled

An Act for the better protection of wild animals and birds and game within this Commonwealth; requiring nonresidents to procure a license before hunting in this Commonwealth; providing penalties for violation of any of its several provisions and prescribing the disposition of license fees and penalties received.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 144.

He also returned to the Senate Senate Bill No. 144, entitled

An Act to amend section fourteen of an act approved the twelfth day of July, one thousand nine hundred thirteen (Pamphlet Laws seven hundred eleven), entitled "An Act establishing a court for the County of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein and appeals therefrom and providing for the expenses thereof."

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 180.

He also returned to the Senate Senate Bill No. 180, entitled

An Act granting compensation as provided for in the Workmen's Compensation Act of one thousand nine hundred fifteen to the family of the late Joseph McHugh of Weatherly, employed as a Game Warden and killed while in the performance of his duties.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 263.

He also returned to the Senate Senate Bill No. 263, entitled

An Act to amend section one of the act approved the twenty-eighth day of April, one thousand eight hundred and eighty-seven, entitled "An Act to authorize the courts of common pleas to decree the sale of real estate held for poor purposes in the several counties, boroughs, townships and poor districts in this Commonwealth and the reinvestment of the proceeds thereof," by extending the provisions of the act to include the sale of real property of the Commonwealth reserved for the use of a poor district.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 276.

He also returned to the Senate Senate Bill No. 276, entitled

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred fifteen, entitled "An Act providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs."

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 320.

He also returned to the Senate Senate Bill No. 320, entitled

An Act amending sections one, three, four, seven, ten, eleven and repealing section eight of an act entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be collector of the said several taxes prescribing his duties and fixing his compensation," approved the twentieth day of June, Anno Domini one thousand nine hundred one.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 347.

He also returned to the Senate Senate Bill No. 347, entitled

An Act to amend section one of an act approved the 21st day of May, 1901, entitled "An Act amending an act, entitled 'An Act to authorize the councils of the cities of the first class of the Commonwealth to appropriate annually a sum, not exceeding five hundred dollars, for the support and maintenance of each company of the National Guard using and occupying an armory. building, rooms, or quarters within said cities, in addition to the annual appropriation by the Legislature,' approved the 24th day of May, A. D. 1887, by extending the provisions of said act to cities of the second and third class," by authorizing appropriations to batteries of artillery and regimental sanitary detachments.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 474.

He also returned to the Senate Senate Bill No. 492, entitled

An Act to validate tax liens filed since the twenty-first day of May, one thousand nine hundred and thirteen, under the provisions of an act approved the fourth day of June, one thousand nine hundred and one, entitled "An Act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances, the procedure upon claims filed therefor, the methods for preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales."

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 491.

He also returned to the Senate Senate Bill No. 491, entitled

An Act to amend section two of an act approved the twelfth day of June one thousand nine hundred and seven entitled "An Act to provide for the election of three directors of the poor for the County of Schuylkill at the general election of one thousand nine hundred and eight and every third year thereafter and fixing the salary of the three said directors to be paid out of the treasury of the County of Schuylkill and providing for the continuance of the service of the directors now serving."

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 492.

He also returned to the Senate Senate Bill No. 492, entitled

An Act making an emergency appropriation to the Trustees of the State Institution for Feeble-Minded of Western Pennsylvania at Polk, Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 503.

He also returned to the Senate Senate Bill No. 503, entitled

An Act to repeal an act entitled "A Supplement to an act, entitled 'An Act relating to the fees, salaries and duties of certain county officers in Allegheny County,' approved April sixth, Anno Domini one thousand eight hundred seventy-one, approved the sixth day of March, Anno Domini one thousand eight hundred seventy-two.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 525.

He also returned to the Senate Senate Bill No. 525, entitled

A Act to repeal section twelve of an act, entitled "A Supplement to an act approved the first day of May, Anno Domini one thousand eight hundred sixty-one, entitled 'An Act relating to Allegheny County,' " approved the eighth day of April, Anno Domini one thousand eight hundred sixty-two, which said section relates to the furnishing of supplies for the Allegheny County jail.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 535.

He also returned to the Senate Senate Bill No. 535, entitled

An Act to repeal an act, entitled "An Act to authorize the controller and commissioners of Allegheny County to compromise with the holders of bonds of said county, issued in payment of subscriptions to the capital stock of certain railroad companies" approved the twenty-ninth day of January, Anno Domini one thousand eight hundred sixty-three.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 536.

He also returned to the Senate Senate Bill No. 536, entitled

An Act to repeal an act, entitled "An Act relating to the sinking fund of Allegheny County," approved the twelfth day of March, Anno Domini one thousand eight hundred seventy-three.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 537.

He also returned to the Senate Senate Bill No. 537, entitled

An Act to repeal sections one, two, three and four of the act, entitled "An Act fixing the terms of the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace and orphans' court in the County of Allegheny and regulating proceedings therein," approved the twenty-second day of March, Anno Domini one thousand eight hundred sixty-six.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 538.

He also returned to the Senate Senate Bill No. 538, entitled

An Act to repeal an act, entitled "An Act relative to the service of summons on jurors in Allegheny County and regulating compensation," approved the fifth day of April, Anno Domini one thousand eight hundred and sixty-six.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 541.

He also returned to the Senate Senate Bill No. 541, entitled

An Act to repeal an act, entitled "An Act to authorize the appointment of two magistrates in the boroughs south of the Monongahela and Ohio in Allegheny County to hear and determine cases of drunkenness and disorderly conduct and to regulate the compensation therefor," approved the thirteenth day of April, Anno Domini one thousand eight hundred sixty-eight.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 572.

He also returned to the Senate Senate Bill No. 572, entitled

An Act making an appropriation to cover the deficiency to the trustees of the State Hospital for the Criminal Insane at Farview Pennsylvania.

with the information that the House has passed the same without amendment.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence, bills of the House of Representatives, as follows:

House Bill No. 410 (Senate Bill No. 962), entitled

An Act to locate and establish a certain section of State Highway in the County of Lebanon and providing for the construction improvement and maintenance thereof.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 429 (Senate Bill No. 963), entitled

An Act making an appropriation to the Lebanon Sanitorium of Lebanon Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 591 (Senate Bill No. 964), entitled

An Act authorizing the court of quarter sessions to make orders and decrees for the removal of bodies interred in burial grounds or cemeteries in or adjacent to cities belonging to any person partnership association or corporation and providing for the cost of the removal of such bodies.

Which was committed to the Committee on Judiciary Special.

House Bill No. 682 (Senate Bill No. 965), entitled

An Act concerning townships and revising amending and consolidating the law relating thereto.

Which was committed to the Committee on Judiciary General.

House Bill No. 736 (Senate Bill No. 966), entitled

An Act to amend the third section of an act entitled "An Act providing for monthly returns and payments by county and city officers and prothonotaries of the Supreme Court of moneys received by them for the use of the Commonwealth" approved the twenty-fourth day of May one thousand eight hundred and ninety-three providing for proceeding in quo warranto against such officers for failure to file returns.

Which was committed to the Committee on Judiciary General.

House Bill No. 879 (Senate Bill No. 967), entitled

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to townships supervisors of townships and requiring townships to pay the expenses in connection therewith.

Which was committed to the Committee on Judiciary General.

House Bill No. 892 (Senate Bill No. 968), entitled

An Act to amend an act approved the twentieth day of May, one thousand nine hundred fifteen, entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions;" including also city and other public employes paid out of the funds of any public commission or private funds.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 902 (Senate Bill No. 969), entitled

An Act to amend section one of an act approved the third day of May one thousand nine hundred nine entitled "An Act amending an act entitled 'An Act fixing salaries of county poor directors in counties of over one hundred and fifty thousand population' approved the eighth day of June one thousand nine hundred and seven by providing for compensation according to population and granting power to employ counsel."

Which was committed to the Committee on Judiciary General.

House Bill No. 903 (Senate Bill No. 970), entitled

An Act authorizing prothonotaries in counties containing over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants to appoint deputy prothonotaries fixing their salary and prescribing their duties.

Which was committed to the Committee on Judiciary General.

House Bill No. 913 (Senate Bill No. 971), entitled

An Act authorizing Mildred J. Barclay a resident of the City of Pittsburgh in the County of Allegheny in her own right as well as for the benefit of her minor daughter Mildred J. Barclay to bring suit in the court of common pleas of Allegheny County against the Commonwealth of Pennsylvania.

Which was committed to the Committee on Judiciary General.

House Bill No. 923 (Senate Bill No. 972), entitled

An Act authorizing Edward J. Woods of Edgewood Borough Allegheny County Pennsylvania to bring suit in the court of common pleas of Allegheny County against the Commonwealth of Pennsylvania.

Which was committed to the Committee on Judiciary General.

House Bill No. 946 (Senate Bill No. 973), entitled

An Act authorizing county commissioners to repay moneys collected on forfeited recognizances in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 986 (Senate Bill No. 974), entitled

An Act making a deficiency appropriation to the Department of Agriculture.

Which was committed to the Committee on Appropriations.

House Bill No. 1001 (Senate Bill No. 975), entitled

An Act to amend part of section two of an act approved the fifth day of March one thousand seven hundred and ninety-one entitled "An Act to enable the Governor to appoint notaries public and for other purposes therein mentioned."

Which was committed to the Committee on Judiciary General.

House Bill No. 1008 (Senate Bill No. 976), entitled

An Act to amend an act approved the eighth day of May one thousand nine hundred and nine entitled "An Act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement."

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1020 (Senate Bill No. 977), entitled

An Act relating to tax assessment returns in certain counties.

Which was committed to the Committee on Finance.

House Bill No. 1028 (Senate Bill No. 978), entitled

An Act authorizing James L. Baker and Mary A. Baker his wife of Harrisburg Dauphin County Pennsylvania to bring suit against the Commonwealth of Pennsylvania in the Court of Common Pleas of Dauphin County.

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1080 (Senate Bill No. 979), entitled

An Act to amend the first section of an act approved the twenty-first day of April Anno Domini one thousand nine hundred and fifteen entitled "An Act extending the powers and duties of foresters forest rangers game protectors deputy game protectors special deputy game protectors fish wardens and deputy fish wardens of this Commonwealth."

Which was committed to the Committee on Forestry.

House Bill No. 1084 (Senate Bill No. 980), entitled

An Act authorizing J. A. Croup of Concord Township Butler County Pennsylvania to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Butler County.

Which was committed to the Committee on Judiciary General.

House Bill No. 1121 (Senate Bill No. 981), entitled

An Act to amend section fourteen hundred twelve of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

Which was committed to the Committee on Education.

House Bill No. 1123 (Senate Bill No. 982), entitled

An Act to further amend section five of an act approved the twenty-ninth day of April, one thousand nine hundred and thirteen, entitled "An Act applicable to all counties of this Commonwealth, to provide monthly payments, as approved by the trustees, to indigent widows, or abandoned mothers, for partial support of their children in their own homes; the manner of appointment of the trustees; the administration of the trust; amount of appropriations, proportioning appropriations, co-ordinate appropriations; amounts to be paid, form of records, eligibility, penalties, and reports, as set forth," as amended.

Which was committed to the Committee on Judiciary General.

House Bill No. 1139 (Senate Bill No. 983), entitled

An Act authorizing boroughs with the assent of the electors duly obtained at an election to use moneys borrowed for purposes which have proved impracticable or impossible for any other lawful municipal purposes.

Which was committed to the Committee on Judiciary Special.

House Bill No. 1144 (Senate Bill No. 984), entitled

An Act to amend section one of an act approved the twenty-first day of March, one thousand nine hundred and seven, entitled "An Act authorizing the county commissioners of the several counties, or the town councils of the several boroughs, of this Commonwealth, or both, to appropriate annually a sufficient sum of money to each Post of the Grand Army of the Republic, in their respective counties or boroughs, to aid in defraying the expenses of Memorial Day," as amended; by requiring the commissioners to make appropriations where there was heretofore an established post.

Which was committed to the Committee on Judiciary General.

House Bill No. 1146 (Senate Bill No. 985), entitled

An Act authorizing William R. Shellenberger and Emma L. Shellenberger, his wife, of the Township of Athens, Bradford County, Pennsylvania, to bring suit against the Commonwealth.

Which was committed to the Committee on Judiciary General.

House Bill No. 1151 (Senate Bill No. 986), entitled

An Act authorizing Frederick E. Windsor, of the Borough of Warren, County of Warren, to sue the Commonwealth.

Which was committed to the Committee on Judiciary General.

House Bill No. 1170 (Senate Bill No. 987), entitled

An Act authorizing R. B. Taylor, of Bellefonte, Centre County, to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

Which was committed to the Committee on Judiciary General.

House Bill No. 1176 (Senate Bill No. 988), entitled

An Act providing for the establishment in cities of the first class of a house or houses of detention for witnesses and untried prisoners for the commitment of such prisoners and witnesses thereto and for the payment of the cost of establishing and maintaining the same by the county wherein said cities are situated.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1261 (Senate Bill No. 989), entitled

An Act to amend section one of an act, entitled "An Act to provide for the removal of judges of the supreme, superior, common pleas, and orphans' courts, permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties, with half pay for their unexpired terms, and the filling of vacancies caused by such removal," approved the eleventh day of May, one thousand nine hundred and one, as amended by an act, entitled "An Act to amend section one of an act, entitled 'An Act to provide for the removal of judges of the supreme, superior, common pleas, and orphans' courts, permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties, with half pay for their unexpired terms, and the filling of vancancies caused by such removal,' approved May eleventh, one thousand nine hundred and one, so as to allow them full pay during the balance of their terms of office, and, under certain conditions, half pay during the remainder of their lives," approved the twenty-third day of June, one thousand nine hundred and eleven, so as to provide that any judges of the supreme or superior court who has served in judicial office for twenty or more years shall be entitled to receive the benefits of said act immediately after his honorable retirement from office by expiration of term, resignation or otherwise, whether said service be continuous or not.

Which was committed to the Committee on Judiciary General.

House Bill No. 1288 (Senate Bill No. 990), entitled

An Act to reimburse certain counties for rewards and bounties heretofore paid by such counties in good faith for the destruction of noxious animals and birds and directing the Auditor General to draw his warrant for the payment of the same.

Which was committed to the Committee on Appropriations.

House Bill No. 1310 (Senate Bill No. 991), entitled

An Act to confer additional powers upon fire insurance companies.

Which was committed to the Committee on Insurance.

House Bill No. 1573 (Senate Bill No. 992), entitled

An Act to carry into effect the amendment to section eight of article nine of the Constitution adopted by the people at an election held on the second day of November, one thousand nine hundred and fifteen; to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum in excess of seven per centum upon the assessed valuation of taxable property in said city, for the specific purposes authorized by said amendment; regulating the manner of making such increase of indebtedness, and providing for the redemption of the same; validating elections held in said city since the adoption of said amendment in the manner provided by this act, or by the act of the General Assembly approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the supplements and amendments thereto; and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued, pursuant to authority conferred by the electors at any such election.

Which was committed to the Committee on Judiciary Special.

House Bill No. 40 (Senate Bill No. 993) entitled

An Act amending an act approved the twelfth day of July, Anno Domini one thousand nine hundred and thirteen, entitled "An Act establishing a court for the County of Philadelphia; prescribing the jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein and appeals therefrom and providing for the expenses thereof."

Which was committed to the Committee on Judiciary Special.

SENATE BILL NO. 573 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 573, entitled

An Act authorizing the Department of Forestry to purchase surface rights to lands for use as State Forests.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. PHIPPS. Mr. President, I move that Rule 21, which requires that amended bills be noted on the calendar, be in this case dispensed with and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. McCONNELL. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 2, page 1, line 8, by inserting after the word "to" the words "any such;" also by striking out after the word "land" the words "the surface rights of which are hereby authorized to be acquired are" and inserting in lieu thereof the word "is;" also line 13, by striking out the word "for;" also by striking out the words "under this act" and inserting in lieu thereof the word "of."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, J. F.,	McConnell,	Smith, R. E.,
Beales,	Graff, W. P.,	McKee,	Snyder, P. W.,
Beidleman,	Hackett,	McNichol,	Sones,
Buckman,	Haldeman,	Miller,	Sproul,
Burke,	Homsher,	Nason,	Stewart,
Catlin,	Jenkins,	Patton,	Tompkins,
Craig,	Jones,	Phipps,	Vare,
Crow,	Kline,	Salus,	Warner,
Daix,	Leiby,	Sassaman,	Wasbers,
DeWitt,	Lynch,	Schantz,	Weaver,
Endsley,	Martin,	Semmens,	Whitten,
Eyre,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 490 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 490, entitled

An Act authorizing cities and boroughs to refund moneys paid by property owners into their treasuries when a court of competent jurisdiction shall have determined that there is no liability for such payment.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. McCONNELL. Mr. President, I move that Rule 21, which requires that amended bills be noted on the calendar, be in this case dispensed with and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 1, line 6, by inserting after the word "them" the words "or has opened or graded or acquired or condemned property in or along its highways or any of them;" also page 2, line 1, by inserting after the word "borough" the words "or by viewers."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, J. F.,	McKee,	Snyder, P. W.,
Beidleman,	Graff, W. P.,	McNichol,	Sones,
Buckman,	Hackett,	Miller,	Sproul,
Burke,	Haldeman,	Nason,	Stewart,
Catlin,	Homsher,	Patton,	Tompkins,
Craig,	Jenkins,	Phipps,	Vare,
Croft,	Jones,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,	Smith, R. E.,	
Eyre,	McConnell,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 489 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 489, entitled

An Act to amend part of section one of an act approved the first day of May, one thousand nine hundred and nine, entitled "An Act regulating, requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines; regulating, requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes."

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. McCONNELL. Mr. President, I move that Rule 21, which requires that amended bills be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend the title by striking out after the word "Act" the following:

To amend part of section one of an act approved the first day of May one thousand nine hundred and nine entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regualting requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes."

And insert in lieu thereof the following:

To amend an act approved May first one thousand nine hundred and nine entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operation therein moving picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes providing for the promulgation of rulings by the Industrial Board of the Department of Labor and Industry and providing for appeal to the said Industrial Board and providing for the supervision and inspection of the said booths or enclosures by the Department of Labor and Industry of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes.

Also section 1, page 2, line 3, by striking out all after the word "That" and inserting in lieu thereof the following: So much of section one of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred forty-six) entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any permanent booth or enclosure for the purpose of operating therein moving picture machines unless they are built erected and constructed as follows "That it shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any permanent booth or enclosure for the purpose of operating therein moving picture machines unless they are built erected and constructed as follows

Size

"All permanent booths or enclosures to be at least seven feet high the floor space to vary according to the number of machines in booths or enclosures as follows

One picture machine six feet by eight feet

One picture machine and one stereopticon nine feet by eight feet

Two picture machines and one stereopticon twelve feet by eight feet

The same to be made of structural steel as follows

Four outside horizontal members at top and bottom

Four corner uprights and members supporting roof to be made of one and one-half inch by one and one-half by one-fourth inch angle-irons

Intermediate uprights to be spaced every two feet and to be made of either one and one-half inch by one and one-half inch by one-fourth inch angle-iron or two inch by two inch by one-fourth inch tee-irons

Tee-irons to which roof is attached to be made of one and one-half inch by one and one-half inch by three-sixteenth inch tee-irons

All joints to be made with a three-sixteenth inch steel plate to which each angle-iron or tee-iron shall be riveted or bolted by the use of at least two (2) one-fourth inch bolts or rivets

All bolts or rivets in frame to have flat heads said heads always to be placed on exterior side of booth all angle or tee-irons being so countersunk as to accomplish this result

Frame to be built with a six-foot by two-foot doorway frame of said doorway to be built of one inch by one inch by three-sixteenth inch angle-irons which are to be joined together by the use of a three-sixteenth inch steel plate

Covering of Booth

"Sides and top of booth to be covered with asbestos boards of at least one-fourth inch in thickness said boards to be cut and arranged that vertical joints between boards shall always come over an angle or tee-iron so that both boards may be securely fastened to the same

After booth is complete all openings where combustible material is exposed must be plugged with asbestos cement or other equally satisfactory material When joints of asbestos boards on outside of booth do not come over angles of tee-irons the cracks between the boards shall be covered by a strip of asbestos board at least one-eighth inch thick and two inches wide said strips to be securely fastened to both boards in such manner as to cover the exposed joints The above-mentioned strips and all asbestos boards shall be secured in the proper place by the means of proper bolts and nuts said bolts and nuts to be spaced not more than six inches apart

Flooring

"Floor shall be made of two parts an upper and a lower floor Lower floor shall be made of boards seven-eighths inches minimum thickness supported on lower leg of horizontal angle-iron Resting on this floor shall be a floor made of asbestos boards of three-eight inch minimum thickness or an equally good material

Windows

"There shall not be more than two windows per machine in the booth—one for the operator and one for the machine Window for machine shall not be more than six inches high and twelve inches long and shall be located and cut after machine is set up Operator's window shall not be more than four inches wide or more than twelve inches high

All windows shall be provided with gravity-doors which when closed shall overlap the window opening at least one inch on all sides said doors to be held open normally by use of a fine combustible cord in series with a fusible link so arranged that the doors may easily be released by hand

Main Door

"Outside of door to be provided with a substantial spring sufficient to keep door closed Door to be provided with stop to prevent it from swinging into booth or injuring the hinges

Shelves

"To be made up of slate slabs or board not less than seven-eighth inches thick not exceeding four feet in length or twelve inches in width Said shelves if of board to be painted with at least three coats of asbestos paint and supported by means of angle-irons Upper shelf to be used for the rewinding and the repairing of films the lower shelf to be used for the storage of films A separate metal case made without solder shall be provided for each film when the same is not in the magazine or in the process of winding said films to be kept in these cases

Ventilation

"Booths to be provided with an inlet in each of four sides said inlets to be fifteen inches long three inches high the lower side of the same not to be more than three inches above floor level Said inlets to be covered on the inside by a wire net of not greater than one-eighth inch mesh netting to be firmly secured to the asbestos boards by means of iron strips and screws

Near the center of the top of the booth shall be a circular opening of not less than ten inches in diameter the upper side of said opening to be provided with an iron flange which flange is to be securely fastened to the tee-irons supporting the roof Securely fastened to this flange shall be a vent-pipe not less than ten inches in diameter said pipe leading to the outside of the building or to a special incombustible vent-flue In this vent-pipe shall be placed a box containing a twelve-inch electric fan said box to be provided with a door of sufficient size to permit of the examination or removal of this fan this door to be made tight and provided with proper fastenings Box and vent-pipes to be made of galvanized iron or other non-combustible material fan to be so connected that it can be controlled from within the booth

Wiring

"If house lights are controlled from within the booth an additional emergency control must be provided near the main exit and kept at all times in good condition

All electric wires to be brought in to the booth and carried to all machines lights et cetera in conduits one light will be allowed for each machine and one for the rewinding-bench but all such lights shall be provided with wire guards

Rheostats

"All rheostats to be mounted on slate insulator properly supported said supports to be made of iron and securely fastened to the floor rheostats to be securely fastened to slate insulator

Machines

"Must be securely fastened to the floor to prevent accidental overturning of the same Provided That this section shall not apply to cities of the first and second classes" be amended to read as follows

Section 1 That in all theatres and opera houses where moving pictures are exhibited and in all other buildings

where moving pictures are usually or regularly exhibited or where a moving picture machine is regularly housed and held in readiness for the purpose of exhibiting moving pictures there shall be provided a permanent booth or enclosure of fireproof construction and all moving picture machines and stereopticons operated or used in connection therewith shall be installed maintained and kept within the said booth or encluosure at all times and all moving picture films exhibited stored held or used in connection therewith shall be stored and kept within the said booth or enclosure at all times and in such manner as is hereinafter provided

It shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any permanent booth or enclosure for the purpose of operating therein moving picture machines unless such booth or enclosure is built erected constructed and maintained as follows

Size

All permanent booths or enclosures shall be at least seven feet high and the floor space shall vary according to the number of machines in such booths or enclosures as follows

One picture machine six feet by eight feet

Two picture machines or one picture machine and the stereopticon nine feet by eight feet

Three picture machines or two picture machines and one stereopticon twelve feet by eight feet

Such booths or enclosures shall be made of structural steel as follows

Four outside horizontal members at top and bottom

Four corner uprights and members supporting roof to be made of one-and-one-half inch by one-and-one-half inch by one-fourth inch angle-irons

Intermediate uprights shall be spaced every two feet and shall be made either of one-and-one-half inch by one-and-one-half inch by one-fourth inch-angle-irons or of two inch by two inch by one-fourth inch tee-irons

Tee-irons to which roof is attached shall be made of one-and-one-half inch by one-and-one-half inch by three sixteenth inch tee-irons

All joints shall be made with a three sixteenth inch steel plate to which each angle-iron or tee-iron shall be rivited or bolted by the use of at least two (2) one-fourth inch bolts or rivets

All bolts or rivets in frame shall have flat heads and said heads shall always be placed on the exterior side of the booth or enclosure and all angle-irons and tee-irons shall be so countersunk as to accomplish this result

The frame of the booth or enclosure shall be provided with a doorway six feet high by two feet wide The frame of the doorway shall be bulit of one inch by one inch by three-sixteenth inch angle-irons which shall be joined together by the use of a three-sixteenth inch steel plate

Covering of Booth

The sides and top of booth shall be covered with asbestos boards of at least one-fourth inch in thickness and said boards shall be cut and arranged in such manner that all vertical joints between boards shall always come over an angle-iron or tee-iron so that both boards may be securely fastened to such angle-irons or tee-irons

After the booth is complete all openings where combustible material is exposed must be plugged with asbestos cement or with other equally satisfactory material Where joints of asbestos boards on the outside of the booth do not come over angle-irons or tee-irons the cracks between the boards shall be covered by a strip of asbestos board at least one-eighth inch thick and two inches wide Such strips shall be securely fastened to both boards in such manner as to cover the exposed joints The above mentioned strips and all other asbestos boards shall be secured in the proper place by means of proper bolts and nuts and all such bolts and nuts shall be spaced not more than six inches apart

Flooring

The floor of the booth shall be made of two parts an upper and a lower floor The lower floor shall be made of boards of seven-eights inch minimum thickness supported on the lower legs of the horizontal angle-irons Resting on this floor there shall be a floor made of asbestos boards of three-eighth inch minimum thickness or an equally good fireproof material

Provided That such permanent booths or enclosures may be constructed of concrete brick or hollow tile in a substantial manner provided the herein prescribed regulations as to size windows door shelves ventilation wiring rheostats machines and all other structural features and equipment are fully met observed and furnished and that no wood or other conbustible material shall be used in the construction of such booths

Windows

There shall be not more than two windows per machine in the booth one for the operator and one for the machine The window for the machine shall be not more than six inches high and twelve inches long and shall be located and cut after the machine is set up The operators window shall be not more than four inches wide or more than twelve inches high

All windows in the booth shall be provided with gravity-doors which when closed shall overlap the window opening at least one inch on all sides Such gravity-doors shall be held open normally by use of a fine combustible cord in series with a fusible link directly over each machine and so arranged that the doors may easily be released by hand

Main Door

The main door of the booth shall be provided with substantial spring hinges and heavy steel spring or springs sufficient to keep door closed and said door shall be kept closed at all times The door frame shall be provided with a stop to prevent the door from swinging into the booth or injuring the hinges

Shelves

Two shelves shall be permitted in the booth each of which shall not exceed four feet in length or twelve inches in width Such shelves shall be made up of slate slabs or boards of not less than seven-eighth inch thickness and shall be substantially supported by means of angle-irons If such shelves are made of boards they shall be painted with at least three coats of asbestos paint Additional wooden shelves or cupboards shall not be installed

Film Cases

A separate fireproof metal case made without solder shall be provided for each individual film and such film cases shall be tightly closed at all times Each film shall be kept in one of such cases at all times when the same is not in the magazine of the machine or in the process of re-winding

Ventilation

Each booth shall be provided with an inlet in each of four sides Such inlets shall be fifteen inches long and three inches high and the lower side of each shall be not more than three inches above the floor level Such inlets shall be covered on the inside by a wire net of not greater than one-eighth inch mesh netting and the wire net shall be firmly secured to the asbestos boards or walls of the booth by means of iron strips and screws

Near the centre of the top of the booth there shall be a circular opening of not less than ten inches or more than twelve inches in diameter The upper side of said opening shall be provided with an iron flange which flange shall be securely fastened to the tee-irons supporting the roof Securely fastened to this flange shall be a vent-pipe of not less than ten inches or more than twelve inches in diameter Such vent-pipe shall lead directly to the outside of the building or to a special incombustible vent-flue and shall be provided with asbestos or other approved non-combustible fireproof material wherever such pipe shall pass through the roof of the building or wherever such pipe shall pass through or come within six inches of any combustible material Into this vent-pipe shall project by means of an elbow pipe a secondary metal pipe which shall be four inches in diameter and which shall enter the main vent-pipe from outside the booth and where such secondary pipe passes into the main pipe a metal flange shall be provided To the outside end of the four inch pipe there shall be connected a motor driven blower with a capacity for exhausting fifty cubic feet of air per minute Leading to this motor driven blower there shall be an air inlet pipe of five inches in diameter and such air inlet pipe shall be so arranged that the air shall be taken from without the booth All vent-pipes shall be made of galvanized iron or other non-combustible material and shall be connected without the use of solder The motor of the motor driven blower shall be connected to the electric circuit which controls the exit lights and such electric circuit shall be independent of the main electric circuit which controls the house lights and the said motor shall be so connected that it shall be controlled only from the switch controlling the said exit lights

Provided That nothing in this section shall interfere with vent-pipes and electric fans installed prior to the enactment of this act and in strict accordance with the regulations and specifications prescribed by the provisions of the act of May first one thousand nine hundred and nine and approved by the proper authorities

Wiring

Where the house lights are controlled from within the booth an additional emergency control shall be provided near the main exit and maintained at all times in good condition

All electric wires shall be brought into the booth and carried to all machines lights et cetera in conduits There shall be permitted one electric lamp for each machine and one electric lamp for the re-winding bench and all such lamps shall be provided with wire guards All electric wiring and electric equipment shall conform with the rules and regulations of the National Board of Fire Underwriters

Rheostats

All rheostats shall be mounted on and securely fastened to slate insulators Such insulators shall be rigidly supported by means of angle-rion supports which shall be securely fastened to the angle-irons or tee-irons in the roof or side of the booth in such a manner that the rheostats shall be as near as practical to the ceiling of the booth

Provided That wherever practical rheostats may be put up outside of the booth Where rheostats are placed outside of the booth they shall be properly enclosed and mounted on slate insulators in a manner approved by the Department of Labor and Industry

Machines

All moving picture machines and stereopticons shall be securely fastened to the floor and all moving picture machines shall be provided with automatic shutters

Fire Protection

Every moving picture booth shall be provided with not less than one approved one-quart fire extinguisher of the pump type There shall be provided also one twelve quart bucket of sand for each machine in the booth and one

small metal fireproof can with self-closing cover The booth shall be kept free of loose ends or strips of film paper oils rags and all other rubbish It shall be unlawful for any person to smoke or strike matches within the booth

It shall be unlawful for any operator to leave the booth while a moving picture machine under his control is in operation

Provided That this section shall not apply to cities of the first and second classes

Also by adding a new section, to be known as Section 2, as follows:

Section 2 That section two of said act which reads as follows

Section 2 "That it shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any portable booth or enclosure for the purpose of operating therein moving picture machines unless they are built erected and constructed as follows

Size

"Portable booths or enclosures are to be at least six and one-half feet high and five feet square and are permitted for the use of one picture machine only

Frame

"The frame is to be made of standard pipe angle-iron ventilator trap and suitable fittings The pipe frame and angle-iron trap are to conform strictly to specifications hereinafter set forth and the fittings and details of construction must be approved by the Department of Factory Inspection of the Commonwealth of Pennsylvania

Skeleton Frame

"Four corner uprights to be made of three-quarter inch standard pipe

Eight horizontal members to be made of three-quarter inch standard pipe

Eight corner fittings to be made of iron or bronze castings

Ventilator Trap

"Ventilator trap to be made of one inch by one-eighth inch angle-iron shall extend full width of the top and two inches beyond the front of the top pipe shall be suitably hinged not less than two feet from the edge of the front angle corners and joints to be made with one-eighth inch steel plates riveted or bolted to each angle-iron by the use of at least two three-sixteenths inch rivets or bolts

Covering of Booth

"The side and top covering of the booth shall be made of an approved pure asbestos cloth same as used for asbestos curtains weighing not less than two pounds to the square yard Seams and hems in the asbestos cloth shall lap at least one inch and be stitched on each edge with asbestos sewing twine The top covering shall be made separate from the side covering It shall completely cover the top and have the outside flap hang down all around the sides not less than six inches deep It shall be fastened tightly and secured to the top pipes and ventilator trap by means of asbestos cords The side covering shall be made in one piece extending around all four sides and overlapping at the rear of the booth not less than eighteen inches so as to form a flap doorway The side covering shall extend from top pipes to which it shall be suspended by approved metal hooks or rings spaced not more than twelve inches apart to the floor with a flap of not less than three inches all around resting on the floor The metal hooks or rings for suspending the side covering shall be attached to the hem of the cloth by means of a metal strap and two rivets The side covering shall be drawn down tight and secured to the bottom pipe frame by means of asbestos tie cords The cloth covering for top and sides must at all times be kept free from rents or holes and be maintained in good condition

Door

"The side covering shall overlap eighteen inches in the rear of the booth This oerlap shall extend from top to bottom and shall be so arranged as to form a means of entrance and egress

Flooring

"The frame shall be placed on a mat or carpet made of approved asbestos cloth not less than seven feet square This mat must be spread out smoothly on a substantial floor or platform so that it shall extend one foot from the frame on all sides This mat must at all times be kept free from rents or holes and in good condition

Ventilation

"The top of the frame shall be fitted at the rear with a hinged ventilator trap as described in foregoing section of frame The asbestos cloth top covering shall be so arranged and so attached to the frame that when the hinged trap is raised the asbestos covering shall be raised also in the rear Suitable devices shall be supplied for maintaining this ventilator trap in a lifted position so as to form a clear ventilating space at the rear of not less than six inches high extending across the full width of the booth

Windows

"The look-out window for the operator shall be not more than four inches wide and twelve inches high The windows for the machine shall not be more than six inches high and twelve inches long All windows shall be located and cut after machine is set up

The opening shall be cut in the cloth with care and the edges reinforced by stitched hem of asbestos cloth they shall be provided with asbestos flaps securely stitched at the top of the openings These flaps when closed shall overlap the window opening at least two inches on the bottom and sides and shall be weighted across the bottom edge by a piece of three-eighth inch pipe or equal weight of metal securely sewed in the pocket in the cloth

Window Shutters and Ventilator Trap

"The window flaps or shutters are to be held open normally by the use of a fine combustible cord The hinged ventilator trap is to be raised for ventilation not more than six inches at the rear and shall be held open by a collapsible prop sustained by fine combustible cord The cord from the window shutters and the ventilator prop shall be in series with a fusible link and also approved tension clip so arranged that the automatic opening of the link or release of the tension clip by the operator will insure the immediate closing of all openings by the dropping of the flaps and the ventilator trap This fusible link and tension clip shall be arranged in a position directly over the machine within reach of the operator

Provided however That portable booths or enclosures shall not be permitted to be used in any theatre or public hall in which permanent booths or enclosures have been installed it being the intention of this section that portable booths or enclosures shall be used only for temporary exhibitions of moving-pictures in places of assemblage such as schools churches association halls lodge rooms theatres without permanent booths Provided That this section shall not apply to cities of the first and second classes" be amended to read as follows

Section 2 That in all buildings where moving pictures are exhibited and where a permanent booth or enclosure is not required by section one of this act there shall be provided a portable booth or enclosure of fireproof material

It shall be unlawful for any person firm association or corporation to erect set up construct maintain or use any portable booth or enclosure for the purpose of operating therein a moving picture machine unless said portable booth or enclosure is built erected and constructed as follows

Size

Portable booths or enclosures shall be at least six and one-half feet high and five feet square and shall be permitted for the use of one picture machine only

Frame

The frame shall be made of standard pipe angle-iron ventilator trap and suitable fittings The pipe frame and angle-iron trap shall conform strictly to specifications hereinafter set forth and the fittings and details of construction shall be approved by the Department of Labor and Industry of the Commonwealth of Pennsylvania

Skeleton Frame

There shall be four corner uprights to be made of three-quarter inch standard pipe

Eight horizontal members to be made of three-quarter inch standard pipe

Eight corner fittings to be made of iron or bronze castings

Ventilator Trap

The ventilator trap shall be made of one inch by one-eighth inch angle-iron shall extend full width of the top and two inches beyond the front of the top pipe shall be suitably hinged and not less than two feet from the edge of the front angle corners and joints shall be made with one-eighth inch steel plates riveted or bolted to each angle-iron by the use of at least two three-sixteenths inch rivets or bolts

Covering of Booth

The side and top covering of the booth shall be made of an approved pure asbestos cloth same as used for asbestos curtains weighing not less than two pounds to the square yard Seams and hems in the asbestos cloth shall lap at least one inch and be stitched on each edge with asbestos sewing twine The top covering shall be made separate from the side covering It shall completely cover the top and have the outside flap hang down all around the sides not less than six inches deep It shall be fastened tightly and secured to the top pipes and ventilator trap by means of asbestos cord The side covering shall be made in one piece extending around all four sides and overlapping at the rear of the booth not less than eighteen inches so as to form a flap doorway The side covering shall extend from top pipes to which it shall be suspended by approved metal hooks or rings spaced not more than twelve inches apart to the floor with a flap of not less than three inches all around resting on the floor The metal hooks or rings for suspending the side covering shall be attached to the hem of the cloth by means of a metal strap and two rivets The side covering shall be drawn down tight and secured to the bottom pipe frame by means of asbestos tie cords The cloth covering for top and sides must at all times be kept free from rents or holes and be maintained in good condition

Door

The side covering shall overlap eighteen inches in the rear of the booth This overlap shall extend from top to bottom and shall be so arranged as to form a means of entrance and egress

Flooring

The frame shall be placed on a mat or carpet made of approved asbestos cloth not less than seven feet square The mat must be spread out smoothly on a substantial

floor or platform so that it shall extend one foot from the frame on all sides This mat must at all times be kept free from rents or holes and in good condition

Ventilation

The top of the frame shall be fitted at the rear with a hinged ventilator trap as described in foregoing section of frame The asbestos cloth top covering shall be so arranged and so attached to the frame that when the hinged trap is raised the asbestos covering shall be raised also in the rear Suitable devices shall be supplied for maintaining this ventilator trap in a lifted position so as to form a clear ventilating space at the rear of not less than six inches high extending across the full width of the booth

Windows

The look-out window for the operator shall be not more than four inches wide and twelve inches high The windows for the machine shall not be more than six inches high and twelve inches long All windows shall be located and cut after machine is set up

The opening shall be cut in the cloth with care and the edges reinforced by stitched hem of asbestos cloth they shall be provided with asbestos flaps securely stitched at the top of the openings These flaps when closed shall overlap the window opening at least two inches on the bottom and sides and shall be weighted across the bottom edge by a piece of three-eighth inch pipe or equal weight of metal securely sewed in the pocket in the cloth

Window Shutters and Ventilator Trap

The window flaps or shutters shall be held open normally by the use of a fine combustible cord The hinged ventilator trap shall be raised for ventilation not more than six inches at the rear and shall be held open by a collapsible prop sustained by fine combustible cord The cord from the window shutters and the ventilator prop shall be in series with a fusible link and also approved tension-clip so arranged that the automatic opening of the link or release of the tension clip by the operator will insure the immediate closing of all openings by the dropping of the flaps and the ventilator trap This fusible link and tension clip shall be arranged in a position directly over the machine within reach of the operator

Provided however That portable booths or enclosures shall not be permitted to be used in any theatre or public hall in which permanent booths or enclosures have been installed it being the intention of this section that portable booths or enclosures shall be used only for temporary exhibitions of moving-pictures in places of assemblage such as schools churches association halls or lodge-rooms without permanent booths And provided That no licensed operator or booth shall be required for any moving-picture exhibition in which the apparatus for projecting such moving-picture uses only an enclosed incandescent lamp and only vellulose acetate or other slow-burning films of a size and perforation differing from the standard as used in regular licensed theaters moving-picture theaters or other similar establishments providing such exhibition is approved by the State or municipal authorities having jurisdiction and Provided further That this section shall not apply to cities of the first and second classes

Also by adding a new section, to be known as Section 3, as follows:

Section 3 That section three of said act which reads as follows

Section 3 "It shall be the duty of the Department of Factory Inspection by and through its Chief Factory Inspector his deputy or deputies to take such means as it may deem necessary to enforce the provisions of this statute It shall be the duty of said Chief Factory Inspector his deputy or deputies within a reasonable time after the approval of this act to inspect all booths or enclosures in which moving pictures are now being operated and should any be found in a dangerous condition in that they lack adequate fire protection he or they shall immediately order the abatement and discontinuance of such use of such booth and enclosure The owner agent superintendent person or persons in charge and control of said booth or enclosure shall abate and discontinue the use of same within ten days after the service of the notice of abatement or discontinuance Any such person or persons who shall fail to comply with the said order of abatement or discontinuance so issued as aforesaid shall be deemed guilty of a misdemeanor and on conviction shall be punished by a fine of not less than twenty-five dollars and not more than five hundred dollars or an imprisonment in the county jail for a term of not less than ten days nor more than ninety days within the discretion of the court for each and every such violation" be amended to read as follows

Section 3 Any person who shall believe the specifications set forth in section one and two of this act will work unnecessary hardship upon him or do not in the best manner provide for the safety and health of the operators of the moving picture machines or users of a building as described in the foregoing sections of this act may appeal to the Industrial Board of the Department of Labor and Industry for relief The said Industrial Board may after due investigation of the ground for such appeal and not less than one public hearing order such modifications as will best accomplish the intent and purposes of this act And the said Industrial Board may make modify and repeal rulings related to the safety and health of employes and users of such buildings where nothing hereinbefore provided covers or where the intent and purposes of this act can be better obtained by methods other than those hereinbefore specified provided that no ruling shall be made which does not in the judgment of the Industrial Board after public hearing and investigation maintain a condition of safety and health for the employes and users of such buildings as herein described as is intended by this act

It shall be the duty of the Commissioner of Labor and Industry by and through its Chief Inspector and its authorized inspectors to take such means as may be deemed necessary to enforce the provisions of this act It shall be the duty of the Chief Inspector or authorized inspectors of the Department of Labor and Industry to inspect from time to time all booths or enclosures in which moving picture machines or stereopticons are operated and should any such booth or enclosure be found which does not comply in all respects with the specifications and requirements of sections one or two of this act the said inspectors shall immediately order the correction of all existing deficiencies or the discontnuance of the use of such booth or enclosure The owner agent superintendent person or persons in charge and control of such booth or enclosure shall correct all such deficiencies or shall discontiue the use of such booth or enclosure within ten (10) days after the service of such order or notice by the said inspector

Also by adding a new section, to be known as Section 4, as follows:

Section 4 That section four of said act which reads as follows

Section 4 "Any person or persons who violate or ignore any of the provisions of sections one and two of this act shall be deemed guilty of misdemeanor and on conviction thereof shall be punished by a fine of not less than fifty dollars and not more than five hundred dollars or an imprisonment in the county jail for a term of not less than ten days nor more than ninety days for each and every violation In all cases of violation of sections one and two of this act the prosecutions shall be instituted in the name of the Commonwealth by the Chief Factory Inspector or his deputy or deputies and hearings shall be conducted by the alderman justice of the peace or other committing magistrate before whom the information is lodged after full hearing of the parties in interest the alderman justice of the peace or other committing magistrate shall if the evidence warrants it impose the penalty herein provided which shall be final to the party against whom the penalty is imposed unless the said party shall furnish good and sufficient bail for his or her appearance at the next term of the court of quarter sessions of the county wherein the offense is alleged to have been committed" be amended to read as follows

Section 4 Any person firm association corporation owner agent or superintendent who shall fail to comply with the aforesaid order for the correction of existing deficiencies or for the discontinuance of the use of such booth or enclosure or who shall violate or ignore any of the provisions of this act shall upon conviction thereof before an alderman magistrate or justice of the peace be punished by a fine of not less than twenty-five dollars or not more than two hundred dollars or an imprisonment in the county jail for a term of not less than ten days or more than sixty days for each and every such violation

Prosecutions for violations of this act may be instituted by any inspector of the Department of Labor and Industry upon oath or affirmation All prosecutions for violations of this act shall be in the form of summary criminal proceedings instituted before an alderman magistrate or justice of the peace Upon conviction after a hearing the sentences provided for in this act shall be imposed

Also by adding a new section, to be known as Section 5, as follows:

Section 5 That section five of said act which reads as follows

Section 5 "All fines imposed and collected for any violation of this act shall be forwarded to the Chief Factory Inspector who shall pay the same into the office of the State Treasurer for the use of the Commonwealth of Pennsylvania" be amended to read as follows

Section 5 All fines imposed and collected for any violation of this act shall be forwarded to the Commissioner of Labor and Industry who shall pay the same into the office of the State Treasurer for the use of the Commonwealth of Pennsylvania

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Eyre,	McConnell,	Smith, R. E.,
Beidleman,	Graff, J. F.,	McKee,	Snyder, P. W.,
Buckman,	Graff, W. P.,	McNichol,	Sones,
Burke,	Hackett,	Miller,	Sproul,
Catlin,	Haldeman,	Nason,	Stewart,
Craig,	Homsher,	Patton,	Tompkins,
Croft,	Jenkins,	Phipps,	Vare,
Crow,	Jones,	Salus,	Warner,
Daix,	Kline,	Sassaman,	Wasbers,
DeWitt,	Lynch,	Schantz,	Weaver,
Endsley,	Martin,	Semmens,	Whitten,

NAYS—1.

Leiby,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 265 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 265, entitled

An Act authorizing Ida Collins a resident of Somerset County in her own right and in the right of her minor children to bring suit in the court of common pleas of Somerset County against the Commonwealth of Pennsylvania

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. ENDSLEY. Mr. President, I move that Rule 21, which requires that amended bills be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 2, page 2, line 4, by striking out the words "The said" and inserting in lieu thereof the word "such;" also line 5, by striking out the word "pleadings" and inserting in lieu thereof the words "practice pleading;" also in line 6, by striking out after the word "individuals" the following: "The right to bring suit hereby given shall not preclude the Commonwealth from raising any defense available to it in the suit hereby authorized," and inserting in lieu thereof the following: "and the defenses open to the Commonwealth shall be such as would be available to an individual if sued upon like facts."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, J. F.,	McConnell,	Smith, R. E.,
Beidleman,	Graff, W. P.,	McKee,	Snyder, P. W.,
Buckman,	Hackett,	McNichol,	Sones,
Burke,	Haldeman,	Miller,	Sproul,
Catlin,	Homsher,	Nason,	Stewart,
Craig,	Jenkins,	Patton,	Tompkins,
Croft,	Jones,	Phipps,	Vare,
Crow,	Kline,	Salus,	Warner,
Daix,	Leiby,	Sassaman,	Wasbers,
DeWitt,	Lynch,	Schantz,	Weaver,
Endsley,	Martin,	Semmens,	Whitten,
Eyre,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 259 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 259, entitled

An Act authorizing Lee Greenleaf a resident of the Borough of Canton Bradford County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. JONES. Mr. President, I move that Rule 21, which requires that amended bills be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. McKEE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 2, page 2, line 5, by striking out after the word "of" the word "pleadings" and inserting in lieu thereof the words "practice pleading;" also line 6, by inserting after the word "other" the words "and similar;" also by striking out after the word "individuals" the words "The right to bring suit hereby given shall not preclude the Commonwealth from raising any defense available to it in the suit hereby authorized" and inserting in lieu thereof the following: "and the defences open to the Commonwealth shall be such as would be available to an individual if sued upon like facts."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, J. F.,	McConnell,	Smith, R. E.,
Beidleman,	Graff, W. P.,	McKee,	Snyder, P. W.,
Buckman,	Hackett,	McNichol,	Sones,
Burke,	Haldeman,	Miller,	Sproul,
Catlin,	Homsher,	Nason,	Stewart,
Craig,	Jenkins,	Patton,	Tompkins,
Croft,	Jones,	Phipps,	Vare,
Crow,	Kline,	Salus,	Warner,
Daix,	Leiby,	Sassaman,	Wasbers,
DeWitt,	Lynch,	Schantz,	Weaver,
Endsley,	Martin,	Semmens,	Whitten,
Eyre,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 121 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 121, entitled

An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. McCONNELL. Mr. President, I move that Rule 21, which requires that amended bills be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

Said amendments, having been printed as required by the Constitution, were twice read as follows:

Section 1, page 1, line 7, by striking out the word "ten" and inserting in lieu thereof the word "eight."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, J. F.,	McConnell,	Smith, R. E.,
Beidleman,	Graff, W. P.,	McKee,	Snyder, P. W.,
Buckman,	Hackett,	McNichol,	Sones,
Burke,	Haldeman,	Miller,	Sproul,
Catlin,	Homsher,	Nason,	Stewart,
Craig,	Jenkins,	Patton,	Tompkins,
Croft,	Jones,	Phipps,	Vare,
Crow,	Kline,	Salus,	Warner,
Daix,	Leiby,	Sassaman,	Wasbers,
DeWitt,	Lynch,	Schantz,	Weaver,
Endsley,	Martin,	Semmens,	Whitten,
Eyre,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 681 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 681, entitled

An Act to increase the pay of election officers from five dollars per day to ten dollars per day.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. KLINE. Mr. President, I move that Rule, 21, which requires that amended bills be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments, having been printed as required by the Constitution, were twice read as follows:

Amend the title by striking out after the word "To" the words "increase the pay of election officers from five dollars ($5.00) per day to ten dollars ($10.00) per day" and inserting in lieu thereof the words "fix the pay of election officers in cities of the first and second class;" also section 1, line 4, by striking out the words "on and after the passage of this act the pay of election officers shall be ten dollars ($10.00) per day instead of five dollars ($5.00) per day as now provided by law," and inserting in lieu thereof the words "the pay of all election officers in cities of the first and second class is hereby fixed at ten dollars ($10.00) per day."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Baldwin,	Eyre,	McConnell,	Snyder, P. W.,
Beidleman,	Graff, J. F.,	McKee,	Sones,
Buckman,	Graff, W. P.,	McNichol,	Sproul,
Burke,	Hackett,	Miller,	Stewart,
Catlin,	Haldeman,	Nason,	Tompkins,
Craig,	Homsher,	Patton,	Vare,
Croft,	Jenkins,	Phipps,	Warner,
Crow,	Jones,	Salus,	Wasbers,
Daix,	Kline,	Sassaman,	Weaver,
DeWitt,	Lynch,	Schantz,	Whitten,
Endsley,	Martin,	Semmens,	

NAYS—1.

Leiby,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENTS TO HOUSE BILL NO. 855 RECALLED FROM THE GOVERNOR.

He also laid before the Senate for concurrence bill of the House of Representatives as follows:

House Bill No. 855, entitled

An Act to repeal an act approved the nineteenth day of March, one thousand nine hundred fifteen, entitled "A Further Supplement to an act, entitled 'An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof,' approved the fifth day of May, one thousand nine hundred and eleven; constituting the said court the juvenile court of said county, and prescribing its organization, jurisdiction, and powers therein and otherwise."

said bill having been recalled from the Governor for amendment.

The vote had on final passage and third reading on said bill were reconsidered in the House of Representatives, and the bill amended, in which amendments the concurrence of the Senate is requested.

Mr. KLINE. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments, having been printed as required by the Constitution, were twice read as follows:

Amend the title by adding at the end thereof the following: "and transferring certain cases undisposed of in the county court of Allegheny County to the court of quarter sessions of said county for the purpose of hearing and disposition;" also section 1, by adding at the end thereof a new section to be known as section 2, as follows:

Section 2 All cases instituted in the county court of Allegheny County pursuant to the authority of the act hereby repealed which cases are pending and undisposed of in said court at the time this act takes effect are hereby transferred to the court of quarter sessions of Allegheny County The said court of quarter sessions sitting as a juvenile court is hereby authorized to hear determine and dispose of the cases hereby transferred with the same power and effect as if the act hereby repealed had never existed and as if such cases had been originally instituted in the said court of quarter sessions.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Eyre,	Martin,	Semmens,
Beidleman,	Graff, J. F.,	McConnell,	Snyder, P. W.,
Buckman,	Graff, W. P.,	McKee,	Sones,
Burke,	Hackett,	McNichol,	Sproul,
Catlin,	Haldeman,	Miller,	Stewart,
Craig,	Homsher,	Nason,	Tompkins,
Croft,	Jenkins,	Patton,	Vare,
Crow,	Jones,	Phipps,	Warner,
Daix,	Kline,	Salus,	Wasbers,
DeWitt,	Leiby,	Sassaman,	Weaver,
Endsley,	Lynch,	Schantz,	Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL NO. 632.

He also returned to the Senate Senate Bill No. 632, entitled

An Act to further amend section nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein; providing for work of imporvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Depart-

ment and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act," as amended.

with the information that the House has passed the same without amendment.

AMENDMENTS TO HOUSE BILL NO. 295 RECALLED FROM THE GOVERNOR.

He also laid before the Senate for concurrence bill of the House of Representatives as follows:

House Bill No. 295, entitled

An Act to further amend clause three of section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (P. L. 644), entitled "A further supplement to the act entitled 'An Act concerning divorces'" as amended by omitting the proviso providing for the allowance of support or alimony in certain cases.

said bill having been recalled from the Governor for amendment.

The vote had on final passage and third reading on said bill were reconsidered in the House of Representatives, and the bill amended, in which amendments the concurrence of the Senate is requested.

Mr. McCONNELL. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend the title, line 1, by striking out after the word "amend" the words "clause three of;" also section 1, page 1, line 4, by striking out before the word "section" the words "clause three of;" also line 8, by inserting after the word "divorces" the following: as amended by the act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred seventy-four) entitled "An Act amending the act entitled 'An Act amending the act entitled "A further supplement to an act concerning divorces" approved May eighth one thousand eight hundred and fifty-four by providing that conviction for certain enumerated crimes only shall be cause for divorce and repealing the act of June first one thousand eight hundred and ninety-one relating to the same subject' approved the ninth day of March Anno Domini one thousand nine hundred and three so as to provide that conviction of the crime of assault with intent to kill shall be cause for divorce" which amended clause two of said section; and also page 2, line 4, by inserting after the word "which" the words "amended the third;" also by striking out after the word "clause" the words "as amended" and inserting in lieu thereof the words "of said section which section as thus amended;" also page 2, line 4, by striking out after the word "follows" the following: "Where a wife shall have by cruel and barbarous treatment or indignities to his person rendered the condition of her husband intolerable or life burdensome (Provided That in case of divorce under this act if the application shall be made on the part of the husband the court granting such divorce may allow such support or alimony to the wife as her husband's circumstances may admit of and as said court may deem just and proper) is hereby further amended so as to read as follows

Where a wife shall have by cruel and barbarous treatment or indignities to his person rendered the condition of her husband intolerable or life burdensome.

and inserting in lieu thereof the following:

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the cases now provided for by law it shall be lawful for the courts of common pleas of this Commonwealth to grant divorces in the following cases

I Where an alleged marriage was procured by fraud force or coercion and has not been subsequently confirmed by the acts of the injured party

II Where either of the parties shall have been either within or without this State convicted as principal or as accessory either before or after the fact of the crime of arson burglary embezzlement forgery kidnapping larceny murder either in the first or second degrees assault with intent to kill voluntary manslaughter perjury rape robbery sodomy buggery treason or misprison of treason and be sentenced by a competent court having jurisdiction to imprisonment for any term exceeding two years Provided That such application for a divorce be made by the husband or wife of the party so convicted and sentenced

III Where a wife shall have by cruel and barbarous treatment or indignities to his person rendered the condition of her husband intolerable or life burdensome Provided That in case of divorce under this act if the application shall be made on the part of the husband the court granting such divorce may allow such support or alimony to the wife as her husband's circumstances may admit of and as said court may deem just and proper" be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the cases now provided for by law it shall be lawful for the courts of common pleas of this Commonwealth to grant divorces in the following cases

I Where an alleged marriage was procured by fraud force or coercion and has not been subsequently confirmed by the acts of the injured party

II Where either of the parties shall have been either within or without this State convicted as principal or as accessory either before or after the fact of the crime of arson burglary embezzlement forgery kidnapping larceny murder either in the first or second degrees assaults with intent to kill voluntary manslaughter perjury rape robbery sodomy buggery treason or misprison of treason and be sentenced by a competent court having jurisdiction to imprisonment for any term exceeding two years Provided That such application for a divorce be made by the husband or wife of the party so convicted and sentenced

III Where a wife shall have by cruel and barbarous treatment or indignities to his person rendered the condition of her husband intolerable or life burdensome

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, J. F.,	McConnell,	Smith, R. E.,
Beidleman,	Graff, W. P.,	McKee,	Snyder, P. W.,
Buckman,	Hackett,	McNichol,	Sones,
Burke,	Haldeman,	Miller,	Sproul,
Catlin,	Homsher,	Nason,	Stewart,
Craig,	Jenkins,	Patton,	Tompkins,
Croft,	Jones,	Phipps,	Vare,
Crow,	Kline,	Salus,	Warner,
Daix,	Leiby,	Sassaman,	Wasbers,
DeWitt,	Lynch,	Schantz,	Weaver,
Endsley,	Martin,	Semmens,	Whitten,
Eyre,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 1, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Hugh A. McMaster, Sewickley.

BERKS COUNTY.

James E. Dalton, Reading.
A. L. Crouse, Sinking Spring.

CUMBERLAND COUNTY.

Andrew Oiler, Carlisle.

DELAWARE COUNTY.

Emory E. Fenner, Chester.

GREENE COUNTY.

John T. McMinn, Jefferson.

LEHIGH COUNTY.

Miss Beatrice A. Boyle, Slatington.
Miss Emma Lorsbach, Allentown.

NORTHAMPTON COUNTY.

E. G. Godshalk, Pen Argyl.

PHILADELPHIA COUNTY.

George L. Barnes, Philadelphia.
Mrs. P. R. Lamb, Philadelphia.
Robert S. McElroy, Philadelphia.
Matteo Moffa, Philadelphia.

SCHUYLKILL COUNTY.

John Thomas Moore, Cass Twp.

WASHINGTON COUNTY.

J. R. Irwin Knox, Washington.

YORK COUNTY.

W. H. Sheffer, York.

MARTIN G. BRUMBAUGH.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. VARE,

That Rule 38, which requires nominations made by the Governor to be referred to proper committees, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. VARE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, J. F.,	McConnell,	Smith, R. E.,
Beidleman,	Graff, W. P.,	McKee,	Snyder, P. W.,
Buckman,	Hackett,	McNichol,	Sones,
Burke,	Haldeman,	Miller,	Sproul,
Catlin,	Homsher,	Nason,	Stewart,
Craig,	Jenkins,	Patton,	Tompkins,
Croft,	Jones,	Phipps,	Vare,
Crow,	Kline,	Salus,	Warner,
Daix,	Leiby,	Sassaman,	Washers,
DeWitt,	Lynch,	Schantz,	Weaver,
Endsley,	Martin,	Semmens,	Whitten,
Eyre,			

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE BILL NO. 375 RECALLED FROM THE SENATE.

He also laid before the Senate extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 25, 1917.

Resolved (if the Senate concur), That House Bill No. 375, entitled An Act to amend section one thousand two hundred and ten and to repeal sections one thousand two hundred and eleven one thousand two hundred and thirteen and two thousand eight hundred and five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" be recalled from the Senate for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL SIGNED.

The PRESIDENT (Lieutenant Governor Frank B. McClain) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 363, entitled

An Act fixing the fee jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than fourteen hundred thousand for service in the courts of common pleas courts of quarter sessions and courts of oyer and terminer.

Whereupon,

The PRESIDENT (Lieutenant Governor Frank B. McClain) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 856 (House Bill No. 398), entitled

An Act relating to the collection of county taxes in cities of the third class; providing for a notice of taxes due and providing for rebates and penalties on such taxes in certain cases.

Mr. BUCKMAN, from the Committee on Appropriations, reported as committed Senate Bill No. 107, entitled

An Act fixing the salary of the Governor of the Commonwealth.

Also from the Committee on Appropriations, re-reported as amended Senate Bill No. 614, entitled

An Act concerning vocational education and providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved February twenty-third, one thousand nine hundred seventeen, entitled "An Act to provide for the promotion of vocational education; to provide for co-operation with the States in the promotion of such education in agriculture and the trades and industries; to provide for co-operation with the States in the preparation of teachers of vocational subjects and to appropriate money and regulate its expenditures," and conferring certain powers upon the State Board of Education.

Also from the Committee on Appropriations, re-reported as committed Senate Bill No. 199, entitled

An Act prohibiting certain institutions receiving State aid from restricting pay patients in the selection of physicians and surgeons not connected with the institution.

Also from the Committee on Appropriations, reported as committed Senate Bill No. 860 (House Bill No. 891), entitled

An Act authorizing the Committee on Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to other such hospitals, and providing for maintenance of patients after transfer.

Mr. SEMMENS, from the Committee on Education, reported as committed Senate Bill No. 811, entitled

An Act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children under the jurisdiction of the Courts of Quarter Session of the Peace or other courts sitting as Juvenile Courts, and to acquire land there for by purchase or by condemnation, defining the scope and character of such schools, regulating the proceedings for the establishment, maintenance and management thereof, authorizing the County Commissioners to make appropriations, levy taxes and to incur indebtedness therefor, and providing that all such schools heretofore established by any county shall be continued and maintained under the authority of this act, removing the persons in charge thereof and providing that any property heretofore acquired for any such schools shall be held and used for the schools provided for in this act.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 809, entitled

An Act to provide for the regulation of rag shops, second hand paper shops and junk shops in cities of the first class and providing a penalty for the violation of this act.

BILLS INTRODUCED.

Mr. McKEE read in his place and presented to the Chair Senate Bill No. 994, entitled

An Act requiring all street railway, transportation or other companies or corporations occupying any portion of any public road or public highway to pave, keep in permanent repair, and maintain that portion of such public road or public highway between its tracks, the rails of its tracks, and one foot in width outside of its tracks, and providing a method of procedure to compel the performance of this duty, and for the recovery of money spent by the local public authorities in performing this duty upon the failure of such companies or corporations so to do.

Which was committed to the Committee on Public Roads and Highways.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 995, entitled

An Act regulating the licensing of persons and institutions in the business of receiving, boarding or keeping children under the age of fourteen years for hire or reward; providing that such licenses shall be obtained annually from the director or president of the board of health in all cities of the second and third classes, boroughs, towns, and all townships of the first class, and in the case of township of the second class, from the Commissioner of the State Department of Health; authorizing the making of rules and regulations for the issuing and registering of such licenses, for the conduct of such business and for the inspection of the premises in which said business is conducted; making the violation of the act and the rules and regulations made thereunder a misdemeanor, and prescribing the penalty therefor.

Which was committed to the Committee on Judiciary General.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 996, entitled

A further supplement to an act approved June 14, 1911, P. L. 925 entitled "An Act providing for the erection, by the Commonwealth of Pennsylvania, of a statute in memory of General George Gordon Meade in the City of Washington and making an appropriation therefor."

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 997, entitled

An Act to amend section 23 of an act, entitled "An Act to provide for the incorporation and regulation of certain corporations," approved April 29th, 1874, as amended by the 5th section of an act, entitled "A Supplement to an act, approved April 29th, 1874, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' providing for the further regulation of such corporations, and for the incorporation and regulation of certain additional corporations," approved April 17th, 1876, as amended by section 1 of an act, entitled "An Act to amend section 23 of an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved April 29th, 1874, as amended by the 5th section of an act, entitled 'A Supplement to an act, approved April 29th, 1874, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' providing for the further regulation of such corporations, and for the incorporation and regulation of certain additional corporations,' approved April 17th, 1876; requiring the filing of all reports required by the Auditor General of the Commonwealth of Pennsylvania, by certain corporations, up to and including the date of the proposed sale, assignment, disposition and conveyance of the franchises and property of such corporations before the return authorizing such sale, assignment, disposition, and conveyance shall be filed in the office of the Secretary of the Commonwealth;" approved June 2d, 1915 (P. L. 724), providing for the time of filing of returns in the office of the Secretary of the Commonwealth, by certain corporations selling, assigning, disposing of, and conveying their franchises and property, and requiring the filing of all the reports required by the Auditor General of the Commonwealth, and the payment of all taxes due the Commonwealth of Pennsylvania by said corporations up to and including the date of proposed sale, assignment, disposition of and conveyance of the franchises and property of said corporations and certification thereof, before one of said returns shall be so filed.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 998, entitled

An Act making an appropriation to the Public Service Commission of the Commonwealth of Pennsylvania to be used by said Commission in the payment of the cost of the elimination of existing crossings at grade of the tracks of steam railroads and other public service companies over public highways, including compensation for the taking of or damages to adjacent property, and in the payment of the cost of the construction of crossings either above or below the grade of such public highways including compensation for the taking of or damage to adjacent property, and regulating the expenditure of the amount hereby appropriated by the Public Service Commission of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 999, entitled

An Act to provide for the settlement, registrations, transfer and assurance of titles to land lying in the several counties of the Commonwealth of Pennsylvania and to establish a court of land registration for said purpose.

Which was committed to the Committee on Judiciary General.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 1000, entitled

An Act to provide for the selection of a site and the erection of buildings for a State hospital for the insane to be erected east of the Allegheny Mountains and to be known as the Eastern State Hospital for the Insane; providing for the management of the same and making an appropriaton for the purchase of said site, and the preparation of plans for the construction of buildings for the said hospital.

Which was committed to the Committee on Appropriations.

Mr. HALDEMAN read in his place and presented to the Chair Senate Bill No. 1001, entitled

An Act regulating the number, grade, appointment, and assignment of employes in the Adjutant-General's Department and State Arsenal, and fixing the salaries of each.

Which was committed to the Committee on Appropriations.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 1002, entitled

An Act to exempt playgrounds not used for private or corporate profit from taxation where the entire revenue is applied to support said playgrounds and to increase the efficiency and improvement thereof.

Which was committed to the Committee on Public Health and Sanitation.

Mr. SEMMENS read in his place and presented to the Chair Senate Bill No. 1003, entitled

An Act making an appropriation for the administration of the State Workmen's Insurance Fund, and the payment of salaries, compensation and expenses of the officers and employes of the State Workman's Insurance Board, and for incidental expenses.

Which was committed to the Committee on Appropriations.

Mr. HACKETT read in his place and presented to the Chair Senate Bill No. 1004, entitled

An Act to amend sections one hundred six and one hundred seven of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Which was committed to the Committee on Education.

Mr. LEIBY read in his place and presented to the Chair Senate Bill No. 1005, entitled

An Act to prevent the Commissioner of Health individually or with the advice, consent or under the direction of the State Board of Health to enforce, during epidemics of contagious disease, any quarantine within counties where

such disease does not exist; except in certain cases where such disease may exist within one mile of the line of any such county.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 1006, entitled

An Act authorizing registers of wills to deputize the register of wills of another county to take the affidavit of witnesses to wills for the proof of such wills.

Which was committed to the Committee on Judiciary General.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 1007, entitled

An Act to validate certain sales and leases of real estate situate in this Commonwealth heretofore made by corporations incorporated in this Commonwealth for the carrying on of any mechanical, mining, quarrying, manufacturing or other business.

Which was committed to the Committee on Corporations.

TIME OF NEXT MEETING.

Mr. KLINE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 1, 1917.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May seventh, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, May seventh, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION FAVORING CONSCRIPTION.

The Chair cleared his table and laid before the Senate resolution reported from Committee on Military Affairs at last Wednesday's session, which was twice read as follows:

Whereas, The Congress of the United States has declared a state of war to exist between the Imperial Government of Germany and the United States, and

Whereas, It is necessary for the United States to immediately raise a large army in order to meet the exigencies of the occasion,

Therefore be it Resolved, That the Senate of the Commonwealth of Pennsylvania hereby endorses the policy of President Wilson in urging a selective service as the most efficient means of raising the army required under present conditions, and the Clerk of the Senate is hereby directed to send a copy of this resolution to the President of the United States and to each Member of Congress from Pennsylvania.

On the question,

Will the Senate agree to the resolution?

Mr. McNICHOL. Mr. President, I move that this resolution be recommitted to the Committee on Judiciary Special.

Mr. SCHANTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. McNICHOL. Mr. President, I do this for the simple reason that what is contained in the resolution has already been adopted at Washington. I do not see any use in this Senate going on record as suggesting something that has already been enacted into law.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 391 (House Bill No. 260), as follows:

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That councils in cities of the first class are hereby empowered to authorize the director of supplies in such cities to purchase or procure without public advertisement for bids and without entering into written contracts materials or commodities to the value of one thousand dollars ($1,000.00) provided that written bids therefor be first invited from at least three persons firms or corporations regularly engaged in the business of manufacturing dealing in furnishing or supplying the same and provided further That when a patented or proprietary article is to be purchased or procured the director of supplies in said cities of the first class may be permitted to accept one bid from the patentee or the person firm or corporation controlling the patented or proprietary article required which bid shall be accompanied with an affidavit stating that the prices quoted are the lowest at which said articles are sold to any one in the open market

Section 2 Whenever advertised bids are received for furnishing materials or commodities for a stated period and the amount or amounts appropriated and available are not sufficient to cover the requirements for the period stated in the advertisement said councils in cities of the first class may authorize the director of supplies to continue said contract or contracts when further appropriations are made and become available for that purpose or when further requirements become necessary for the period stated and this authorization shall set forth in the said contract or contracts and shall be binding upon the parties affixing their signatures thereto

Section 3 Whenever a state of war exists between the United States and any other nation or nations and prospective or actual hostilities bring about commercial condtiions which make it practically impossible because of continually changing prices to obtain contracts for the furnishing of certain commodities necessary for the government of cities of the first class in this Commonwealth the councils of each city of the first class are hereby empowered to authorize the director of supplies thereof to purchase in the open market at the lowest and most advantageous prices coal fresh meats provisions groceries and other edibles and drugs and hospital supplies for the use of said city without advertising or entering into contracts for the same until such time as hostilities shall cease and normal market conditions shall be restored.

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,	Hackett,	Miller,	Stewart,
Buckman,	Haldeman,	Nason,	Tompkins,
Catlin,	Homsher,	Patton,	Vare,
Craig,	Jenkins,	Phipps,	Warner,
Crow,	Kline,	Salus,	Wasbers,
Daix,	Leiby,	Sassaman,	Weaver,
DeWitt,	Martin,	Schantz,	Whitten,
Eyre,	McConnell,	Semmens,	Beidleman,
Graff, J. F.,	McKee,	Smith, R. E.,	Pres. pro tem.
Graff, W. P.,	McNichol,	Sones,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

BILL RECOMMITTED.

Mr. EYRE. Mr. President, I move that Senate Bill No. 599 (House Bill No. 445), on third reading, entitled

An Act to amend section four of an act, entitled "A Supplement to an act, entitled 'An Act to establish a health office and to secure the City and Port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes,' approved the twenty-ninth day of January, one thousand eight hundred and eighteen (1818), empowering the Governor to suspend the State Quarantine creating a Quarantine Board, authorizing the Governor to appoint a Quarantine Physician, and to purchase or lease or acquire land for a State Quarantine Station, and thereupon to abandon the present Lazaretto," approved the fifth day of June one thousand eight hundred and ninety-three.

be recommitted to the Committee on Appropriations.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. McNICHOL. Mr. President, in the absence of the Senator from Philadelphia, Mr. Vare, I ask that Senate Bill No. 606, on third reading, entitled

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania so as to consolidate the courts of common pleas of Philadelphia County.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 637 (House Bill No. 488), entitled

An Act providing for leave to pay fines and costs in criminal proceedings by installments.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Baldwin,	Haldeman,	McNichol,	Semmens,
Buckman,	Jenkins,	Miller,	Sones,
Catlin,	Jones,	Nason,	Sproul,
Craig,	Kline,	Patton,	Stewart,
Crow,	Leiby,	Phipps,	Weaver,
Daix,	Martin,	Salus,	Beidleman,
Graff, W. P.,	McConnell,	Sassaman,	Pres. pro tem.
Hackett,	McKee,		

NAYS—3.

DeWitt,	Smith, R. E.,	Tompkins,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 642 (House Bill No. 843), as follows:

An Act authorizing Edward Fay and Son a corporation of the State of Pennsylvania to bring suit in the court of common pleas of Philadelphia County against the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Edward Fay and Son a corporation duly incorporated under the laws of the Commonwealth of Pennsylvania is hereby authorized to bring suit in the court of common pleas of Philadelphia County against the Commonwealth of Pennsylvania for any sum or sums of money that may be legally or justly due the said Edward Fay and Son incorporated arising out of a contract entered into between the said Edward Fay and Son incorporated and the Commonwealth of Pennsylvania as represented by the Board of Managers of the Pennsylvania State Village for Feeble Minded Women at Laurelton near Glen Iron Union County for the erection of a building at Laurelton Union County Pennsylvania

This suit shall be subject to the same rules of pleadings and evidence as in cases between individuals The right to bring suit hereby given shall not preclude the Commonwealth from raising any defense available to it in the suit hereby authorized

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, W. P.,	McNichol,	Sones,
Buckman,	Hackett,	Miller,	Sproul,
Burke,	Haldeman,	Nason,	Stewart,
Catlin,	Homsher,	Patton,	Tompkins,
Craig,	Jenkins,	Phipps,	Vare,
Croft,	Jones,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,	Smith, R. E.,	Beidleman,
Eyre,	McConnell,	Snyder, P. W.,	Pres. pro tem.
Graff, J. F.,	McKee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 644 (House Bill No. 482), entitled

An Act to repeal an act entitled "An Act creating a sinking fund commission in any county now or hereafter containing not less than two hundred and fifty thousand nor more than one million two hundred thousand inhabitants prescribing its powers and duties and repealing acts inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, W. P.,	McNichol,	Sones,
Buckman,	Hackett,	Milier,	Sproul,
Burke,	Haldeman,	Nason,	Stewart,
Catlin,	Homsher,	Patton,	Tompkins,
Craig,	Jenkins,	Phipps,	Vare,
Croft,	Jones,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,	Smith, R. E.,	Beidleman,
Eyre,	McConnell,	Snyder, P. W.,	Pres. pro tem.
Graff, J. F.,	McKee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 646 (House Bill No. 854), entitled

An Act providing for the appointment of probation officers in certain counties fixing their powers duties and salaries.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Baldwin,	Haldeman,	Miller,	Sproul,
Buckman,	Homsher,	Nason,	Stewart,
Catlin,	Jenkins,	Patton,	Tompkins,
Craig,	Jones,	Phipps,	Vare,
Crow,	Kline,	Salus,	Wasbers,
Daix,	Leiby,	Sassaman,	Warner,
DeWitt,	Lynch,	Schantz,	Weaver,
Eyre,	Martin,	Semmens,	Whitten,
Graff, J. F.,	McConnell,	Snyder, P. W.,	Beidleman,
Graff, W. P.,	McKee,	Sones,	Pres. pro tem.
Hackett,	McNichol,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. BURKE. Mr. President, I ask that Senate Bill No. 649 (House Bill No. 951), on third reading, entitled

An Act amending section two of an act, entitled "An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk to the county commissioners of each county to organize themselves into a state association for the purpose of holding annual meetings and providing for the payment of the expenses thereof" approved the 10th day of May, A. D. 1913, by providing that the necessary expenses of the convention shall not be more than twenty-five dollars to any county per annum.

Mr. NASON. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Burke.

The PRESIDENT. Will the Senator from Allegheny, Mr. Burke, permit himself to be interrogated?

Mr. BURKE. Mr. President, I will.

Mr. NASON. Mr. President, I would like to know the reason why he asks that this bill go over in its order.

Mr. BURKE. Mr. President, to familiarize myself more with the bill between now and to-morrow.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 652, entitled

An Act to amend the first and second sections of "An Act to further amend an act approved April ninth one thousand eight hundred and seventy 'requiring railroad canal navigation and telegraph companies to make uniform reports to the Auditor-General' which act as amended by the Act of April thirteenth one thousand eight hundred and eighty-nine extended its provisions to telephone companies and conforming to the requirements of the Constitution provided for the filing of such reports with the Secretary of Internal Affairs and regulating the time for the filing of the same which said act is now further amended as to the time of forwarding blanks for such reports and the provisions of said act are extended to include all corporations owning or operating lines of railways canals transportation telegraphs or telephones located in whole or in part in Pennsylvania" approved the nineteenth day of April Anno Domini one thousand eight hundred and ninety-seven by changing the time of the forwarding of blanks and the filing and transmitting of annual reports.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SPROUL. Mr. President, I ask unanimous consent to amend the title, page 1, line 16, by striking out the word "telegraph" and inserting in lieu thereof the word "telegraphs;" also section 1, page 2, by striking out whole line of 25; also section 2, page 5, line 1, by striking out the word "file" and inserting in lieu thereof the words "be filed."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 666, as follows:

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven article four of chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which reads as follows

"Section 7 Any person interested may order the appeal upon the argument list and evidence may be taken before any person authorized to administer oaths upon rule for that purpose served upon the opposite party" is hereby amended to read as follows

Section 7 Any person interested may order the appeal upon the argument list and evidence may be taken before any person authorized to administer oaths upon rule for that purpose served upon the opposite party

In any proceeding upon an appeal from a report of auditors of any borough the accounts of the officer or officers in question may be investigated do novo In any appeal from such settlement audit or report the burden shall be upon each officers whose acts are involved in the appeal of establishing by evidence from original sources his rights to credits claimed by him but the opposing party in such appeal may offer any facts figures or findings of the report of audit in evidence and in such case the same shall be taken as prima facie correct

When more than one appeal from a report of such auditors shall have been taken whether by the borough or an officer thereof or by a taxpayer or any or all of them the court shall upon petition of any party interested direct the several appeals to be disposed of in a single proceeding

Section 2 That section three article five of chapter seven of said act which reads as follows

"Section 3 The borough controller shall superintend the fiscal concerns of the borough He shall examine audit and settle all accounts whatsoever in which the borough is concerned either as debtor or creditor where provision for the settlement thereof is made by law and where no such provision or an insufficient provision has been made he shall examine such accounts and report to the borough council the facts relating thereto with his opinion thereon" is hereby amended to read as follows

Section 3 The borough controller shall superintend the fiscal concerns of the borough He shall examine audit and settle all accounts whatsoever in which the borough is concerned either as debtor or creditor where proviison for the settlement thereof is made by law and where no such provision or an insucient provision has been made he shall examine such accounts and report to the borough council the facts relating thereto with his opinion thereon

The controller in addition to the above audits shall annually audit settle and adjust the accounts for the immediately preceding fiscal year in which the borough is concerned and for any preceding fiscal year of any officer which have not previously been audited settled and adjusted He shall finish said audit settlement and adjustment and file in the office of the prothonotary of the county in which such borough may be situated a report thereof within sixty days after the beginning of the current fiscal year setting forth an itemied statement of the charges against and credits of said officers and any balance or surcharge against them The amount of any expenditure of a kind or made in a manner not authorized by law or which causes a financial loss to the borough shall be surcharged in the report of such settlement and audit against any officers who by vote act or neglect has approved or permitted such expenditure Any balance or surcharge against any such officer shall be entered by the prothonotary as a judgment against him unless he shall appeal from said report as hereinafter provided

Section 3 Article five of chapter seven of said act is hereby amended by adding thereto the following sections

Section 13 That it shall be lawful for the borough or any taxpayer thereof on its behalf or any officer against whom any sum shall be charged in the report of audit as filed in the office of the prothonotary to appeal therefrom to the court of common pleas within thirty days after the same shall be filed in the prothonotary's office The appeal shall be filed to the same number and term in which the report has been filed If the appellant is a taxpayer or any officer charged as aforesaid he shall file a bond with one or more sufficient sureties conditioned to pay all costs thereafter accruing in case a decision more favorable to the party on whose behalf the appeal shall be taken than that contained in the report of audit shall not be obtained

Section 14 In case any appeal shall be taken as aforesaid the same may be placed upon the argument list of said court by either party Testimony and evidence as to the accounts of any such officer may be taken before the said court or by depositions as the court may direct in the course of which the said accounts may be investigated do novo but in any appeal from such settlement audit or report the burden shall be upon each officer whose acts are involved in the appeal of establishing by evidence from original sources his rights to credits claimed by him but the opposing party in such appeal may offer any facts figures or findings of the report of audit in evidence and in such case the same shall be taken as prima facie correct

Section 15 After argrument of said appeal the court shall file its conclusions of fact and law and answers to any requests and enter judgment in accordance therewith in favor of and against the proper parties After argument the court may direct an issue to be tried by a jury as to any specific disputed questions of fact Appeals may be taken by any person interested to the Superior or Supreme Court from any such judgment of the court of common pleas in the same way that appeals are now authorized by law to be taken

Section 16 When any appeal to the court of common pleas shall be taken as aforesaid by the borough or any officer charged in said report with any sum of money any taxpayer may come into court and intervene in said appeal and on behalf of the borough may cause the same to be prosecuted to final judgment in the same manner and with the same effect as the borough authorities could do Such taxpayer shall at the time of intervening file in said court a bond with one or more sufficient sureties conditioned to indemnify the borough from all costs that may accrue by reason of such intervention subsequently thereto

Collection of any judgment against any borough officer entered by virtue of a controller's report of audit or in the course of an appeal therefrom may be enforced against such officer and his sureties by the borough or any taxpayer thereof on its behalf by any appropriate proceeding executionary or otherwise

Section 17 When more than one appeal from a controller's report of audit shall have been taken whether by the borough a borough officer or officers or a taxpayer or any or all of them the court of common pleas shall upon petition of any party interested direct the several appeals to be disposed of in a single proceeding

Section 18 Every borough controller shall retain in his possession during the thirty day's period elapsing between the date of filing his report and the expiration of the time for filing the appeal therefrom all books documents vouchers checks and other papers which have been produced before him in the course of his audit of the accounts of borough officers and if any appeal shall be taken shall continue to hold the same for production in the proceeding to determine the appeal

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Baldwin,	DeWitt,	McKee,	Sones,
Buckman,	Eyre,	Nason,	Sproul,
Burke,	Jenkins,	Patton,	Wasbers,
Catlin,	Kline,	Salus,	Weaver,
Craig,	Leiby,	Schantz,	Beidleman,
Croft,	Martin,	Smith, R. E.,	Pres. pro tem.
Daix,	McConnell,	Snyder, P. W.,	

NAYS—2.

Graff, J. F., Stewart,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 716, as follows:

An Act prohibiting holders of brewers licenses from having offices or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person partnership association or corporation holding a license to conduct a brewery to maintain an office or offices or to have a fixed designated and resident agent or agents soliciting business in any county except the county in which such brewer is located unless there is in such other county an agency license for the sale of the products of such brewery

Section 2 Any person partnership association or corporation violating the provisions of this act shall upon proof to the court of quarter sessions have his or its license to conduct such brewery revoked

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

Mr. McCONNELL. Mr. President, I ask unanimous consent to amend Section 1, page 1, line 10, by striking out the word "brewer" and inserting in lieu thereof the word "brewery."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 720 (House Bill No. 135), entitled

An Act to fix the salaries of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. PATTON. Mr. President, I ask unanimous consent to amend Section 1, line 9, by inserting after the word "follows" the following: "Chief Clerk thirty-five hundred ($3500.00) dollars per annum."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. EYRE. Mr. President, I move that Senate Bill No. 720 (House Bill No. 135), the bill just read, be recommitted to the Committee on Appropriations.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 723 (House Bill No. 815), entitled

An Act authorizing Wilbur Kay Fanny Kay his wife Ellingwood Kay Dorothy Kay and Hubert Kay their children residents of the Borough of East Washington and Mabel Mason resident of the Borough of Washington all of Washington County Pennsylvania to bring suit in the court of common pleas of Washington County against the Commonwealth of Pennsylvania jointly or severally.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Graff, W. P.,	McNichol,	Sproul,
Buckman,	Hackett,	Miller,	Stewart,
Burke,	Haldeman,	Nason,	Tompkins,
Catlin,	Homsher,	Patton,	Vare,
Craig,	Jenkins,	Phipps,	Warner,
Croft,	Jones,	Salus,	Wasbers,
Crow,	Kline,	Sassaman,	Weaver,
Daix,	Leiby,	Schantz,	Whitten,
DeWitt,	Lynch,	Semmens,	Beidleman,
Endsley,	Martin,	Snyder, P. W.,	Pres. pro tem.
Eyre,	McConnell,	Sones,	
Graff, J. F.,	McKee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, this is a bill involving a considerable amount of money, and I move that Senate Bill No. 724, on third reading, entitled

An Act authorizing the board of public accounts to consider petitions for the return of moneys erroneously or in-

advertently paid or covered into the State Treasury and to make such order thereupon as shall seem just and proper providing for the payment by the Commonwealth of such claims and claims heretofore adjusted and making an appropriation.

be recommitted to the Committee on Appropriations.

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. JONES. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. McNichol.

The PRESIDENT. Will the Senator from Philadelphia, Mr. McNichol, permit himself to be interrogated?

Mr. McNICHOL. Mr. President, I will.

Mr. JONES. Mr. President, I would like to ask what is the purpose of recommitting this bill to the Committee on Appropriations?

Mr. McNICHOL. Mr. President, it is the desire, as I understand it, of not only the Senate, but also the House, that inasmuch as this bill involves a considerable amount of money for expenses by the State, that we know as to whether our credit balances are going to be sufficient to justify the embarking the State in any more enterprises that would involve an amount of money. I do not think it is going to hurt the bill any to recommit this week and possibly report it back again on Monday or Tuesday of next week.

Mr. JONES. Mr. President, I have no objection to this being done and I would be very glad to second the motion of the Senator from Philadelphia.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 732, as follows

An Act to amend sections two and three of the act entitled "An Act to provide for the creation and maintenance of a reserve fund in all banks banking companies savings banks savings institutions companies authorized to execute trusts of any description and to receive deposits of money which are now or which may hereafter be incorporated under the laws of this Commonwealth and in all trust companies or other companies receiving deposits of money which may have been heretofore or which may hereafter be incorporated under section twenty-nine of the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act for the creation and regulation of corporations' and the supplements thereto" approved the eighth day of May Anno Domini one thousand nine hundred and seven by providing that such reserve fund may consist in part of gold or silver certificates note or bills issued by a Federal Reserve Bank and authorizing a portion of such reserve fund to be deposited in any bank or trust company located in any state other than Pennsylvania which shall have been approved by the Commissioner of Banking of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act entitled "An Act to provide for the creation and maintenance of a reserve fund in all banks banking companies savings banks savings institutions companies authorized to execute trusts of any description and to receive deposits of money which are now or which may hereafter be incorporated under the laws of this Commonwealth and in all trust companies or other companies receiving deposits of money which may have been heretofore or which may hereafter be incorporated under section twenty-nine of the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act for the creation and regulation of corporations' and the supplements thereto" approved the eighth day of May Anno Domini one thousand nine hundred and seven which reads as follows

"Section 2 Every such corporation receiving deposits of money subject to check or payable on demand shall at all times have on hand a reserve fund of a least fifteen per centum of the aggregate of all its immediate demand liabilities The whole of such reserve fund may and at least one-third thereof must consist of either lawful money of the United States gold certificates silver certificates notes or bills issued by any lawfully organized National Banking Association or clearing-house certificates representing specie or lawful money specially deposited for the purpose of any clearing-house association held and owned by any such corporation as a member of a clearing-house association One-third or any part thereof may consist of bonds of the United States bonds of the Commonwealth of Pennsylvania and bonds issued in compliance with law by any city county or borough of the Commonwealth of Pennsylvania and bonds which now or hereafter may be authorized by law as legal investments for savings banks or savings institutions in Pennsylvania computed at their par value and which bonds are the absolute property of such corporation The balance of said reserve fund over and above the part consisting of lawful money of the United States gold certificates silver certificates notes and bills issued by any lawfully organized National Banking Association or clearing-house certificates representing specie or lawful money specially deposited for the purpose of any clearing-house association held and owned by any such corporation as a member of a clearing-house association and the part thereof consisting of bonds not exceeding the limit above provided may consist of moneys on deposit subject to call in any bank or trust company in the State of Pennsylvania which shall have been approved by the Commissioner of Banking or in any bank or trust company in any other State located in any city designated as a reserve city by or by virtue of the authority of the revised statutes of the United States and the amendments thereto which shall have been approved by the Commissioner of Banking" be and the same is hereby amended to read as follows

Section 2 Every such corporation receiving deposits of money subject to check or payable on demand shall at all times have on hand a reserve fund of at least fifteen per centum of the aggregate of all its immediate demand liabilities The whole of such reserve fund may and at least one-third thereof must consist of either lawful money of the United States gold certificates silver certificates notes or bills issued by any lawfully organized National Banking Association or Federal Reserve Bank or clearing-house certificates representing specie or lawful money specially deposited for the purpose of any clearing-house association held and owned by any such corporation as a member of a clearing-house association One-third or any part thereof may consist of bonds of the United States bonds of the Commonwealth of Pennsylvania and bonds issued in compliance with law by any city county or borough of the Commonwealth of Pennsylvania and bonds which now are or hereafter may be authorized by law as legal investments for savings banks or savings institutions in Pennsylvania computed at their par value and which bonds are the absolute property of such corporation The balance of said reserve fund over and above the part consisting of lawful money of the United States gold certificates silver certificates notes and bills issued by any lawfully organized National Banking Association or clearing-house certificates representing specie or lawful money specially deposited for the purpose of any clearing-house association held and owned by any such corporation as a member of a clearing-house association and the part thereof consisting of bonds not exceeding the limit above provided may consist of moneys on deposit subject to call in any bank or trust company in the State of Pennsylvania or in any other State which shall have been approved by the Commissioner of Banking

Section 2 Section three of the said act which reads as follows

"Section 3 Every such corporation receiving deposits of money payable at some future time shall at all times have on hand a reserve fund equal to at least seven and one-half per centum of all its time deposits Such reserve fund may consist in part of lawful money of the United States gold certificates silver certificates notes or bills issued by any lawfully organized National Banking Association or of clearing-house certificates representing specie or lawful money specially deposited for the purpose of any clearing-house association held and owned by any such corporation as a member of a clearing-house association and in part of bonds of the United States bonds of the Commonwealth of Pennsylvania bonds issued in compliance with law by any city county or borough of the Commonwealth of Pennsylvania or of bonds which are now or hereafter may be authorized by law as legal investments for savings banks or savings institutions of Pennsylvania computed at their par value and which bonds are the absolute property of such corporation or it may consist of moneys on deposit subject to call in any bank or trust company in the State of Pennsylvania which shall have been approved by the Commissioner of Banking or in any bank or trust company in any other State located in any city designated as a reserve city by or by virtue of the authority of the revised statutes of the United States and the amendments thereto which shall have been approved by the Commissioner of Banking Provided however That not more than one-third of said reserve fund shall consist of bonds as aforesaid" be and the same is hereby amended to read as follows

Section 3 Every such corporation receiving deposits of money payable at some future time shall at all times have on hand a reserve fund equal to at least seven and one-half per centum of all its time deposits Such reserve fund may consist in part of lawful money of the United States gold certificates silver certificates notes or bills issued by any lawfully organized National Banking Association or Federal Reserve Bank or of clearing-house certificates representing specie or lawful money specially deposited for the purpose of any clearing-house association held and owned by any such corporation as a member of a clearing-house association and in part of bonds of the United States bonds of the Commonwealth of Pennsylvania bonds issued in compliance with law by any city county or borough of the Commonwealth of Pennsylvania or of bonds which are now or hereafter may be authorized by law as legal investments for savings banks or savings institutions of Pennsylvania computed at their par value and which bonds are the absolute property of such corporation or it may consist of moneys on

deposit subject to call in any bank or trust company in the State of Pennsylvania or in any other State which shall have been approved by the Commissioner of Banking Provided however That not more than one-third of said reserve fund shall consist of bonds as aforesaid

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Baldwin,	Graff, W. P.,	McNichol,	Sproul,
Buckman,	Hackett,	Miller,	Stewart,
Burke,	Haldeman,	Nason,	Tompkins,
Catlin,	Jenkins,	Patton,	Vare,
Craig,	Jones,	Phipps,	Warner,
Croft,	Kline,	Salus,	Wasbers,
Crow,	Leiby,	Sassaman,	Weaver,
Daix,	Lynch,	Schantz,	Whitten,
DeWitt,	Martin,	Semmens,	Beidleman,
Eyre,	McConnell,	Snyder, P. W.,	Pres. pro tem.
Graff, J. F.,	McKee,	Sones,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 777, entitled

An Act making an appropriation for the purpose of placing caring for and removal of the exhibits of the institution of Pennsylvania at the forty-fourth annual meeting of the National Conference of Charities and Correction to be held in the City of Pittsburgh Pennsylvania from the sixth to the thirteenth days of June one thousand nine hundred and seventeen

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,	Graff, W. P.,	McNichol,	Sones,
Buckman,	Hackett,	Miller,	Sproul,
Burke,	Haldeman,	Nason,	Stewart,
Catlin,	Homsher,	Patton,	Tompkins,
Craig,	Jenkins,	Phipps,	Vare,
Croft,	Jones,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,	Smith, R. E.,	Beidleman,
Eyre,	McConnell,	Snyder, P. W.,	Pres. pro tem.
Graff, J. F.,	McKee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 793, entitled

An Act extending to the County of York the provisions of an act entitled "An Act granting the courts of this Commonwealth the power to appoint viewers to view certain streets and alleys in this Commonwealth" approved the fifteenth day of April one thousand eight hundred and forty-five and repealing so much of the provisions to the third section of said act as excludes from the operation of said act the County of York.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Graff, W. P.,	McKee,	Snyder, P. W.,
Buckman,	Hackett,	McNichol,	Sones,
Burke,	Haldeman,	Miller,	Sproul,
Catlin,	Homsher,	Nason,	Stewart,
Craig,	Jenkins,	Patton,	Tompkins,
Croft,	Jones,	Phipps,	Vare,
Crow,	Kline,	Salus,	Wasbers,
Daix,	Leiby,	Sassaman,	Weaver,
DeWitt,	Lynch,	Schantz,	Whitten,
Endsley,	Martin,	Semmens,	Beidleman,
Eyre,	McConnell,	Smith, R. E.,	Pres. pro tem.
Graff, J. F.,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 795, entitled

An Act making it a misdemeanor for any person to deface mutilate or destroy any sign board or sign post or any markings directings or lettering thereon placed by the public authorities upon any State county or township road or upon any other street or public highway and prescribing the punishment for violations thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Haldeman,	Nason,	Tompkins,
Catlin,	Hindman,	Patton,	Vare,
Craig,	Jenkins,	Phipps,	Warner,
Croft,	Jones,	Salus,	Wasbers,
Crow,	Kline,	Sassaman,	Weaver,
Daix,	Leiby,	Semmens,	Whitten,
DeWitt,	Martin,	Smith, R. E.,	Beidleman,
Eyre,	McConnell,	Snyder, P. W.,	Pres. pro tem
Graff, J. F.,	McKee,	Sproul,	
Graff, W. P.,	Miller,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. JONES. Mr. President, I move that Senate Bill No. 806 on third reading, entitled

An Act to amend an act approved May third one thousand nine hundred and nine entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire escapes fire extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same."

be recommitted to the Committee on Judiciary Special.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 814, entitled

An Act relating to motion picture films reels or stereopticon views or slides providing a system of examination approval and regulation thereof and of the banners posters and other like advertising matter used in connection therewith creating in the Auditor General's Department a Commissioner of Amusements and providing penalties for the violations of this act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Baldwin,	Hackett,	Miller,	Sproul,
Buckman,	Haldeman,	Nason,	Stewart,
Catlin,	Homsher,	Patton,	Tompkins,
Craig,	Jenkins,	Phipps,	Vare,
Croft,	Jones,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Martin,	Semmens,	Whitten,
Eyre,	McConnell,	Smith, R. E.,	Beidleman,
Graff, J. F.,	McKee,	Snyder, P. W.,	Pres. pro tem.
Graff, W. P.,	McNichol,	Sones,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 816, entitled

An Act providing for the formation and regulation of stock corporations having either or both preferred or common shares without nominal or par value and authorizing such corporations to issue shares without par value upon formation, reorganization merger or consolidation.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. DAIX. Mr. President, I ask unanimous consent to amend section 1, page 1, line 7, by striking out "corporatoins" and inserting in lieu thereof the word "corporations;" also section 8, page 5, line 2, by inserting after the word "meeting" the word "rectors;" also section 8, page 5, line 8, by striking out "divdiend" and inserting in lieu thereof the word "dividend."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 825 (House Bill No. 386), entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Baldwin,	Hackett,	Miller,	Sproul,
Buckman,	Haldeman,	Nason,	Stewart,
Burke,	Homsher,	Patton,	Tompkins,
Catlin,	Jenkins,	Phipps,	Vare,
Craig,	Jones,	Salus,	Warner,
Daix,	Kline,	Sassaman,	Wasbers,
DeWitt,	Leiby,	Schantz,	Weaver,
Endsley,	Martin,	Semmens,	Whitten,
Eyre,	McConnell,	Smith, R. E.,	Beidleman,
Graff, J. F.,	McKee,	Snyder, P. W.,	Pres. pro tem.
Graff, W. P.,	McNichol,	Sones,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 827 (House Bill No. 866), entitled

An Act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof, defining the words "Drug" and "Poisons" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McNICHOL. Mr. President, I ask unanimous consent to amend section 13, page 9, line 23, by striking out after the word "drugs" the words "in bulk or."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 828 (House Bill No. 889), entitled

An Act providing for the payment by State Hospitals for the Insane of the traveling expenses from said hospitals to their homes respectively of indigent inmates of said hospitals discharged by order of the Committee on Lunacy of the Board of Public Charities and for the reimbursement to such hospitals of the amounts so paid.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Baldwin,	Graff, W. P.,	McKee,	Snyder, P. W.,
Buckman,	Hackett,	McNichol,	Sones,
Burke,	Haldeman,	Miller,	Sproul,
Catlin,	Homsher,	Nason,	Stewart,
Craig,	Jenkins,	Patton,	Tompkins,
Croft,	Jones,	Phipps,	Wasbers,
Daix,	Kline,	Salus,	Weaver,
DeWitt,	Leiby,	Sassaman,	Whitten,
Endsley,	Lynch,	Schantz,	Beidleman,
Eyre,	Martin,	Semmens,	Pres. pro tem.
Graff, J. F.,	McConnell,	Smith, R. E.,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 834, entitled

An Act making it a misdemeanor for a parent wilfully to neglect to support a child born out of lawful wedlock whether such child shall have been begotten or shall have been born within or without this Commonwealth (or whether such child shall have been begotten before or after the taking effect of this act) providing punishment therefor

and empowering the court to make an order and to enforce the same and making it a misdemeanor to make false declarations as to who is the parent of the child and providing punishment therefor.

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

Mr. McNICHOL. Mr. President, I would like to have an explanation of the purport of this bill before I record my vote for it.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Martin, permit himself to be interrogated?

Mr. MARTIN. Mr. President, I will.

Mr. McNICHOL. Mr. President, I would like to have an explanation as to the purport and desire for such a bill as this to be passed in the Senate of Pennsylvania?

Mr. MARTIN. Mr. President, this bill was given to me by the President Judge of the Municipal Court. The bill provides for the support of illegitimate children and I think is a proper bill and should be passed at this time. I think the Senator from Philadelphia knows as much about it, if not more, than I do myself.

Mr. McNICHOL. Mr. President, no, I do not.

Mr. MARTIN. Mr. President, Mr. Brown told me he had spoken to you. I am not at all interested, but I think it is for the benefit of the children.

Mr. McNICHOL. Mr. President, I certainly have all the respect and regard for the welfare of the unfortunate children, but the limit and the extent to which such a bill as this might be incorporated upon the citizenship of this State is so far reaching I think it is time this Senate will at least consider just how far reaching this bill is and I therefore ask that the bill be postponed for the present, if it is satisfactory to the Senator from Philadelphia.

Mr. MARTIN. Mr. President, I have no objection.

And the question recurring,
Will the Senate agree to the bill?

BILL POSTPONED.

Mr. McNICHOL. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. MARTIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 838, entitled

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Baldwin,	Hackett,	Miller,	Sproul,
Buckman,	Haldeman,	Nason,	Stewart,
Burke,	Homsher,	Patton,	Tompkins,
Catlin,	Jenkins,	Phipps,	Vare,
Craig,	Jones,	Salus,	Warner,
Daix,	Kline,	Sassaman,	Wasbers,
DeWitt,	Leiby,	Schantz,	Weaver,
Endsley,	Martin,	Semmens,	Whitten,
Eyre,	McConnell,	Snyder, P. W.,	Beidleman,
Graff, J. F.,	McKee,	Sones,	Pres. pro tem.
Graff, W. P.,	McNichol,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 843, entitled

An Act making an appropriation for the payment of the judgments and costs recovered in the court of common pleas of Dauphin County in the suits of the Western Saving Fund Society of Philadelphia vs. Robert K. Young Treasurer of the State of Pennsylvania.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Graff, W. P.,	Miller,	Sproul,
Buckman,	Hackett,	Nason,	Stewart,
Burke,	Haldeman,	Patton,	Tompkins,
Catlin,	Homsher,	Phipps,	Vare,
Craig,	Jenkins,	Salus,	Warner,
Croft,	Jones,	Sassaman,	Wasbers,
Crow,	Kline,	Schantz,	Weaver,
Daix,	Leiby,	Semmens,	Whitten,
DeWitt,	Martin,	Smith, R. E.,	Beidleman,
Endsley,	McConnell,	Snyder, P. W.,	Pres. pro tem.
Eyre,	McKee,	Sones,	
Graff, J. F.,	McNichol,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 849, entitled

A Joint Resolution proposing an amendment to section eleven of article sixteen of the Constitution of Pennsylvania.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Delaware, Mr. Sproul, what this bill is?

The PRESIDENT. Will the Senator from Delaware, Mr. Sproul, permit himself to be interrogated?

Mr. SPROUL. Mr. President, I will. I would say in answer to the question of the Senator from Bucks, Mr. Buckman, that the Constitution with regard to banking institutions imposes certain restrictions respecting the chartering of banks. This amendment to the Constitution proposes in a very brief way that the General Assembly can from time to time, in view of changed conditions, pass laws for the purpose of chartering or organizing banks, such changes being necessary if banks chartered by the Commonwealth are to be able to compete with those chartered by the Federal Reserve Act of the Federal government. It simply makes the banking laws of the Commonwealth more broad than they are and allows the Legislature itself to fix the conditions under which banks may be chartered.

And the question recurring,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Baldwin,	Haldeman,	Nason,	Sproul,
Burke,	Homsher,	Patton,	Stewart,
Catlin,	Jenkins,	Phipps,	Tompkins,
Craig,	Jones,	Salus,	Vare,
Crow,	Kline,	Sassaman,	Warner,

Daix,	Leiby,	Schantz,	Wasbers,
DeWitt,	Martin,	Semmens,	Whitten,
Endsley,	McConnell,	Smith, R. E.,	Beidleman,
Eyre,	McKee,	Snyder, P. W.,	Pres. pro tem.
Graff, J. F.,	McNichol,	Sones,	
Graff, W. P.,	Miller,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 852, entitled

An Act to amend section sixteen hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Baldwin,	Endsley,	Jones,	Sproul,
Buckman,	Eyre,	Kline,	Vare,
Burke,	Graff, J. F.,	McNichol,	Warner,
Catlin,	Graff, W. P.,	Miller,	Weaver,
Craig,	Hackett,	Patton,	Whitten,
Croft,	Haldeman,	Salus,	Beidleman,
Daix,	Homsher,	Semmens,	Pres. pro tem.
DeWitt,	Jenkins,	Snyder, P. W.,	

NAYS—1.

Leiby,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 870, entitled

An Act to prohibit the appointment of non-residents to any office position or place or as an employe under the Commonwealth.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. BUCKMAN. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 878, entitled

An Act fixing the fee for services of jurors summonded by the sheriff of any county having a population of over five hundred thousand and not more than one million four hundred thousand inhabitants under writs of inquisition condemnation inquiry of damages lunacy and habitual drunkard proceedings or under writs of process issued directing inquests.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. KLINE. Mr. President, I ask unanimous consent to amend section 1, page 1, line 11, by striking out after the word "writ" the word "of" and inserting in lieu thereof the word "or".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 902, entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Graff, W. P.,	McNichol,	Sones,
Buckman,	Hackett,	Miller,	Sproul,
Burke,	Haldeman,	Nason,	Stewart,
Catlin,	Homsher,	Patton,	Tompkins,
Craig,	Jenkins,	Phipps,	Vare,
Croft,	Jones,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Martin,	Semmens,	Whitten,
Endsley,	McConnell,	Smith, R. E.,	Beidleman,
Eyre,	McKee,	Snyder, P. W.,	Pres. pro tem.
Graff, J. F.,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 909, entitled

An Act making a deficiency appropriation to the Department of State Police for the payment of the salaries of the Superintendent and Deputy Superintendent of the Department and the salaries of the officers and the enlisted men of the State Police force.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Graff, W. P.,	McNichol,	Sones,
Buckman,	Hackett,	Miller,	Sproul,
Burke,	Haldeman,	Nason,	Stewart,
Catlin,	Homsher,	Patton,	Tompkins,
Craig,	Jenkins,	Phipps,	Vare,
Croft,	Jones,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Martin,	Semmens,	Whitten,
Endsley,	McConnell,	Smith, R. E.,	Beidleman,
Eyre,	McKee,	Snyder, P. W.,	Pres. pro tem.
Graff, J. F.,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 910, as follows:

An Act to repeal section five of an act entitled "Supplement to the act incorporating the Borough of Doylestown entitled 'An Act authorizing the Governor to incorporate the Bristol Steam Tow Boat and Transportation Company and for other purposes'" approved the thirteenth day of March one thousand eight hundred and sixty-seven (Pamphlet Laws four hundred and fourteen)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act entitled "Supplement to the act incorporating the borough of Doylestown entitled 'An Act authorizing the Governor to incorporate the Bristol Steam Tow Boat and Transportation Company and for other purposes'" approved the thirteenth day of March one thousand eight hundred and sixty-seven (Pamphlet Laws four hundred and fourteen) which reads as follows

"Section 5 That any person, or persons, aggrieved by any regulation, under the provisions of this act, in relation to the laying out, widening, or straightening, any streets, roads, lanes, alleys, or other highways, within said borough, may apply, by petition, to the court of court of quarter sessions of the County of Bucks, upon which the said court shall appoint viewers, who shall proceed in the same manner as provided in the seventh, eighth and ninth sections of the act of fifteenth of June, one thousand eight hundred and thirty-six, entitled 'An Act relating to roads, highways and bridges,' and the same proceedings shall be had, in said court, and the same remedies, within the same time, by the parties, so aggrieved, as are provided in the said above recited sections of said act" be and the same is hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Graff, W. P.,	Miller,	Sproul,
Buckman,	Hackett,	Nason,	Stewart,
Burke,	Haldeman,	Patton,	Tompkins,
Catlin,	Homsher,	Phipps,	Vare,
Craig,	Jenkins,	Salus,	Warner,
Croft,	Jones,	Sassaman,	Wasbers,
Crow,	Kline,	Schantz,	Weaver,
Daix,	Leiby,	Semmens,	Whitten,
DeWitt,	Martin,	Smith, R. E.,	Beidleman,
Endsley,	McConnell,	Snyder, P. W.,	Pres. pro tem.
Eyre,	McKee,	Sones,	
Graff, J. F.,	McNichol,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 911, entitled

An Act providing for the ascertainment and assessment of damages and benefits in proceedings to lay out open widen vacate extend grade or changing the grade or lines of streets lanes and alleys in boroughs providing that this act shall apply to all proceedings when the damages shall not have been actually and finaly ascertained and repealing all acts general local or special conflicting therewith.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Graff, W. P.,	Miller,	Sproul,
Buckman,	Hackett,	Nason,	Stewart,
Burke,	Haldeman,	Patton,	Tompkins,
Catlin,	Homsher,	Phipps,	Vare,
Craig,	Jenkins,	Salus,	Warner,
Croft,	Jones,	Sassaman,	Wasbers,
Crow,	Kline,	Schantz,	Weaver,
Daix,	Leiby,	Semmens,	Whitten,
DeWitt,	Martin,	Smith, R. E.,	Beidleman,
Endsley,	McConnell,	Snyder, P. W.,	Pres. pro tem.
Eyre,	McKee,	Sones,	
Graff, J. F.,	McNichol,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 916, entitled

An Act providing for the organization government discipline maintenance and regulation of an additional armed land force for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McKEE. Mr. President, I ask unanimous consent to amend Section 17, page 8, line 2, by striking out "dallars" and inserting in lieu thereof the word "dollars;" also Section 19, page 9, line 9, by striking out the word "made" and inserting in lieu thereof the word "make;" also Section 19, page 9, line 12, by striking out "preciously" and inserting in lieu thereof the word "previously."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. McKee.

The PRESIDENT. Will the Senator from Allegheny, Mr. McKee, permit himself to be interrogated?

Mr. McKEE. Mr. President, I will.

Mr. McNICHOL. Mr. President, in view of the importance of the bill just read, I would like to know whether the Appropriation Committee has been consulted as to just what amount of money the State of Pennsylvauia will be called upon to pay in case of this emergency.

Mr. McKEE. Mr. President, I refer the Senator from Philadelphia, Mr. McNichol, to the bill itself, which will give him the information he desires.

Mr. McNICHOL. Mr. President, in view of the explanation, and in view of the fact that we have already appropriated two million dollars for such emergency as this would be, and also a loan of nine million dollars asked for, I move that this bill be recommitted to the Committee on Appropriations for the purpose of ascertaining more fully just what this is going to inflict upon the State of Pennsylvania. I am entirely in sympathy with the purpose of the bill. For any emergency increase this Senate should know just what we are going into, and after we have given emergency money we should not be asked for an additional appropriation in the shape of this bill.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. TOMPKINS. Mr. President, I move that Senate Bill No. 920, on third reading, entitled

An Act providing additional employes in the Insurance Department and fixing their salaries.

be recommitted to the Committee on Appropriations.

Mr. LEIBY. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Judiciary General, reported as committed Senate Bill No. 869, entitled

An Act providing for the admission of soldiers to practice in the several courts of the common pleas of Pennsylvania.

Mr. KLINE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Corporations, reported as committed, Senate Bill No. 1007, entitled

An Act to validate certain sales and leases of real estate situate in this Commonwealth heretofore made by corporations incorporated in this Commonwealth for the carrying on of any mechanical, mining, quarrying, manufacturing or other business.

Mr. SEMMENS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SEMMENS, from the Committee on Education, reported as committed, Senate Bill No. 873, entitled

An Act to amend section two hundred and twenty-six of an act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. McNICHOL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 992 (House Bill No. 1573), entitled

An Act to carry into effect the amendment to section eight of article nine of the Constitution of Pennsylvania adopted by the people at an election held on the second day of November one thousand nine hundred and fifteen to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum upon the assessed valuation of taxable property in said city for the specific purposes authorized by said amendment regulating the manner of making such increase of indebtedness and providing for the redemption of the same validating elections held in said city since the adoption of said amendment in the manner provided by this act or by the Act of the General Assembly approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the supplements and amendments thereto and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued pursuant to authority conferred by the electors at any such election.

BILL ON FIRST READING

Mr. McNICHOL. Mr. President, I ask unanimous consent that Senate Bill No. 992 (House Bill No. 1573), entitled

An Act to carry into effect the amendment to section eight of article nine of the Constitution of Pennsylvania adopted by the people at an election held on the second day of November, one thousand nine hundred and fifteen, to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum upon the assessed valuation of taxable property in said city for the specific purposes authorized by said amendment, regulating the manner of making such increase of indebtedness and providing for the redemption of the same, validating elections held in said city since the adoption of said amendment in the manner provided by this act or by the act of the General Assembly approved the twentieth day of April, one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the supplements and amendments thereto and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued pursuant to authority conferred by the electors at any such election.

be read the first time.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 992 (House Bill No. 1573), entitled

An Act to carry into effect the amendment to section eight of article nine of the Constitution of Pennsylvania adopted by the people at an election held on the second day of November, one thousand nine hundred and fifteen, to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum upon the assessed valuation of taxable property in said city for the specific purposes authorized by said amendment, regulating the manner of making such increase of indebtedness and providing for the redemption of the same, validating elections held in said city since the adoption of said amendment in the manner provided by this act or by the act of the General Assembly approved the twentieth day of April, one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the supplements and amendments thereto and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued pursuant to authority conferred by the electors at any such election.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 574, as follows

An Act requiring borough councils township commissioners township supervisors and school directors to file auditors' reports in the office of the clerk of quarter sessions requiring the county commissioners to furnish books for that purpose imposing certain duties on auditors fixing the fee of the clerk of the court and providing for removal from office in case of failure to comply herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all auditors whose duty it is to audit the accounts of the officers of any borough township of the first or second class or school district of the second third or fourth class shall file a copy of their report in duplicate with the borough council township commissioners in townships of the first class township supervisors in townships of the second class and the school directors in districts of the second third and fourth class immediately upon the completion of such audit Such borough council township commissioners township supervisors and school directors thereupon shall file one copy of such auditor's report within ten days in the office of the clerk of the court of quarter sessions of the county in which such borough township or school district is located

Section 2 The clerk of the court of quarter sessions shall enter such auditors' reports in a book which shall be furnished by the county commissioners at the expense of the county as soon as such borough council township commissioners township supervisors and school directors shall file the same and such books shall at all times thereafter be open to public inspection Such clerk of the court shall receive a fee of two dollars for each entry to be paid by the borough township or school district

Section 3 All members of borough councils townships commissioners township supervisors and school directors who shall fail to file such auditor's report may be removed from office by the court of quarter sessions of the county in which such borough township or school district is located after hearing had upon the petition of any resident of such borough township or school district setting forth the fact that the report has not been filed in the manner hereinbefore provided

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideratian of Senate Bill No. 610 (House Bill No. 648), entitled

An Act to amend section one thousand four hundred thirty-nine of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to

establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith," as amended by adding thereto section one thousand four hundred forty.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 711, as follows

An Act authorizing Rocario Fantino of Philadelphia to bring suit in the court of common pleas of Philadelphia county against the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Rosario Fantino of the city of Philadelphia State of Pennsylvania is authorized to bring suit in the court of common pleas of the county of Philadelphia against the Commonwealth of Pennsylvania for any sum or sums of money that may be legally or justly due him from the Commonwealth on account of injuries received while in the service of the Commonwealth in and about the construction and erection of the new Western Penitentiary in Center county

This suit shall be subject to the same rules of practice pleading and evidence as in other cases between individuals and the defenses open to the Commonwealth shall be such as would be available to an individual if sued upon like facts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 750, entitled

An Act to repeal an act approved the twenty-third day of April Anno Domini one thousand nine hundred and three entitled "An Act to designate a uniform date when the Commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessment between the periods of the triennial assessment of property and fixing the time for the return thereof."

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one and two of an act approved the twenty-third day of April Anno Domini one thousand nine hundred and three entitled "An act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessment between the periods of the triennial assessment of property and fixing the time for the return thereof are hereby repealed

The title of the bill was read as follows:

An Act to repeal an act approved the twenty-third day of April Anno Domini one thousand nine hundred and three entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessments between the periods of the triennial assessment of property and fixing the time for the return thereof."

On the question,

Will the Senate agree to the title?

Mr. SPROUL. Mr. President, I move to amend the title, line 1, by inserting after the word "repeal" the words "sections one and two of."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 788, as follows

An Act regulating the recovery of personal property leased or sold under a conditional sale and the collection of balances arising from such lease or sale

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any bailor lessor or conditional vendor of any personal property shall institute an action of replevin or any other action in law or equity to recover the possession of or to collect the balance claimed to be due to such bailor lessor or conditional vendor for any goods or chattels in the possession of any bailee lessee or conditional vendee under a bailment contract lease or conditional sale of such goods and chattels by reason of a default in any payment whatsoever claimed to be due under the provisions of such contract lease or conditional sale such action shall be discontinued of record upon the payment or tender of the balance so alleged to be due within seventy-two hours after the service of the writ together with the lawful costs of such suit and an attorney's fee as hereinafter provided and thereupon such bailor lessor or conditional vendor shall execute and deliver a lawful bill of sale of such property to the bailee lessee or conditional vendee

Section 2 Should the bailee lessee or conditional vandee fail to pay the balance alleged to be due or fail to file an approved counter bond as now required by law in any suit to recover possession of such goods or chattels the bailor lessor or conditional vendor after obtaining possession thereof need not continue with such suit but may file an election to retain the possession of such goods or chattels and such election shall be in full satisfaction of the balance due and shall relieve the bailee lessee or conditional vendee from any further payments upon such suit and such suit shall be discontinued by the lessor or conditional vendor who shall pay the costs of such suit together with an attorneys fee as hereinafter provided

Section 3 In case the bailee lessee or conditional lessee has paid more than fifty per centum of the amount mentioned in the bailment contract or lease or of the consideration of the said conditional sale before the institution of such suit and such bailee lessee or conditional vendee shall fail to file a counter-bond the bailor lessor or conditional vendor shall cause such goods and chattels to be exposed at public sale after seventy-two hours notice to the bailee lessee or conditional vendee of the time and place of such sale and shall sell the same The proceeds of the sale shall be distributed first to the payment of the costs which shall include an attorney's fee as hereinafter provided and the expenses incident to the sale second to the payment of the balance due the bailor lessor or conditional vendor and the surplus if any remaining shall be paid over to the bailee lessee or conditional vendee

Section 4 In all suits for the recovery of possession of goods or chattels where a counter-bond has been given by the bailee lessee or conditional vendee any verdict that may be obtained by the lessor bailor or conditional vendor shall be in full satisfaction of the claim of such bailor lessor or conditional vendor and shall be recoverable as now provided by law or against the counter-bond

Should the bailor lessor or conditional vendor obtain the goods by reason of the failure of the bailee lessee or conditional vendee filing a counter-bond then any verdict that may be obtained by the bailor lessor or conditional vendor shall at the option of the said bailor lessor or conditional vendor be retained if he so elects in which case the goods or chattels must be redelivered to the bailee lessee or conditional vendee The said bailor lessor or conditional vendor shall determine his election within seventy-two hours of the awarding of the said verdict and shall give notice to the bailee lessee or conditional vendee of his intention either to elect to keep the goods or chattels as full payment or his desire to return the same to the lessee bailee or conditional vendee and proceed to collect his judgment as now provided by law

Section 5 The attorney's fee shall be five per centum on the balance found to be due but it shall not be less than five dollars nor more than twenty-five dollars in any one case

Section 6 All acts or parts of act inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 819, as follows

An Act to amend an act approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act providing for the establishment of the Pennsylvania Historical Commission defining its powers and duties and making an appropriation for its work" by enlarging its powers and duties and providing for publishing its report et cetera

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act providing for the establishment of the Pennsylvania Historical Commission defining its powers and duties and making an appropriation for its work" approved the twenty-fifth day of July Anno Domini one thousand nine hundred thirteen which reads as follows

"Section 2 Two of the members of said commission shall be appointed for two years and three members for four years and each thereafter shall be appointed for a term of four years They shall receive no compensation for their services but shall be allowed their actual expenses while engaged upon the business of the commission" be and the same is hereby amended to read as follows

Section 2 Two of the members of said commission shall be appointed for two years and three members for four years and each thereafter shall be appointed for a term of four years They shall receive no compensation for their services but shall be allowed their actual expenses while engaged upon the business of the commission Provided however that the secretary of said commission may be paid a salary to be fixed by the commission in an amount not to exceed the sum of eighteen hundred dollars ($1,800) per annum and that section four of said act which reads as follows

"Section 4 The Pennsylvania Historical Commission may upon its own initiative or upon the petitions of municipalities or historical societies mark by proper monuments tablets or markers places or buildings within this Commonwealth where historical events have transpired and may arrange for the care and maintenance of such markers or monuments It may also undertake within the means at its command the preservation or restoration of ancient or historic public buildings military works or monuments connected with the history of Pennsylvania and to this end it may contract with cities boroughs and townships for and on behalf of the Commonwealth or with historical societies or other associations with proper bond or security for the maintenance of such buildings works and monuments as a consideration for assistance in their erection restoration preservation or marking by said commission" be and the same is hereby amended so as to read as follows

Section 4 The Pennsylvania Historical Commission may upon its own initiative or upon petition of municipalities or historical societies mark by proper monuments tablets or markers places or buildings within this Commonwealth where historical events have transpired and may arrange for the care and maintenance of such markers or monuments It may also undertake within the means at its command the preservation or restoration of ancient or historic public buildings military works or monuments connected with the history of Pennsylvania and to this end it may contract with cities boroughs and townships for and on behalf of the Commonwealth or with historical societies or other associations with proper bond or security for the maintenance of such buildings works and monuments as a consideration for assistance in their erection restoration preservation or marking by said commission and it may also publish or republish other matters of historical or archaeological interest and may arrange for the compiling editing printing and distribution of such publications The commission may also upon its own initiative or in co-operation with reputable persons societies or organizations conduct investigations or historical or archaeological matters relative to Pennsylvania and report the same for public information The commission may also assume the care and maintenance of historic buildings monuments objects or antiquities committed to its custody

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 847, as follows

An Act relating to Commissioners of Public Parks

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commissioners of public parks created under any general or special law may be chosen from the residents of any county or counties in which they may be authorized to lay out or maintain a public park and all acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 848, as follows

A Joint Resolution proposing an amendment to section twenty-two article three of the Constitution of Pennsylvania

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section twenty-two of article three which reads as follows

"Section 22 No act of the General assembly Shall authorize the investment of trust funds by executors administrators guardians or other trustees in the bonds or stocks of any private corporation and such acts now existing are avoided saving investments heretofore made" be amended so that it shall read as follows

Section 22 No special act of the general assembly shall authorize the investment of trust funds by executors administrators guardians or other trustees in the bonds or stocks of any private corporation and such acts now existing are avoided saving investments heretofore made but the General Assembly shall have power to pass general laws regulating the character of investments in which trust funds may be invested by executors administrators guardians or other trustees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 858 (House Bill No. 842), entitled

An Act authorizing Robert J. McAllister and Ruth McAllister his wife residents of the Dunstable Townships Clinton County Pennsylvania to bring suit in the court of common pleas of Clinton County against the Commonwealth of Pennsylvania jointly or severally.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 859 (House Bill No. 846), as follows:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wherever heretofore the council of any incorporated borough of this Commonwealth has required by ordinance and caused to be graded paved curbed or macadamized with brick stone or other suitable material or otherwise improved any public street or thoroughfare or part thereof either cartway or footwalk or has caused sewers to be constructed therein or both pursuant to such ordinance but owing to some defect in the petition action of council notice publication or other proceeding necessary under existing law and ordinance to give jurisdiction to such council or owing to want of jurisdiction of such council because of non compliance with existing law as to publication of copies of ordinance and posting of handbills prior to final passage of such ordinance or owing to some defect in the ordinance or for any other reason the cost of such improvement or a portion thereof can not be legally assessed upon the property bounding or abutting upon the street or part thereof improved or owing to some defect in the statement of claim filed to secure the lien or of the failure of the borough solicitor to sign the same for the cost of such improvement payment thereof can not be enforced as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made and statement of claim filed now by this act such improvements are made valid and binding and the council of such incorporated borough may cause the property bounding or abutting upon the street or part thereof upon which the improvement has been made or is now being made to be assessed in the manner now provided by law with such a portion of the cost of such improvement as is contemplated by the law under which the improvement was made or attempted to be made or is now being made Such assessment shall be a lien upon the property assessed The lien shall date from the completion of

the improvement for which the assessment is made and shall remain a lien until fully paid and satisfied Provided That a writ of scire facias is issued to revive the same during every period of five years after a lien is filed as hereinafter provided

Section 2 The council of any incorporated borough of this Commonwealth entitled to a lien under this act shall file a lien therefore in the office of the prothonotary of the county within which the property lies within six months after the completion of the work where the improvement is now in progress or within six months after the approval of this act where the improvement is now completed and the same shall be entered upon record as other municipal claims Such lien shall state the name of the party claimant which shall be the corporate name of the borough making the improvement the name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest on the assessment from the completion of the improvement for what improvement the claim is made the date of its completion the date of the assessment for which the lien is filed Such lien when so filed shall be prima facie evidence of all matters therein set forth and of the right of the borough to recover the amount therein claimed to be due together with interest from the date of the lien or completion of the improvement costs and an attorney's commission of five per centum for collecting

Section 3 The claim when so filed shall be proceeded upon for collection by writ of scire facies Provided that this act shall not apply to any proceeding suit or lien wherein a final order or judgment of any court of record has already been made or entered

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 861, entitled

An Act authorizing John F. Stone of Coudersport Pennsylvania to sue the Commonwealth in the court of common pleas of Dauphin County for loss and damage incident to a shipment of cattle to Lancaster delivery of which was not permitted by the State Livestock Sanitary Board.

Te first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That John F. Stone of Coudersport Pennsylvania is hereby authorized to sue the Commonwealth of Pennsylvania in the court of common pleas of Dauphin county for such sum or sums of money as may be legally and justly due the said John F. Stone by the Commonwealth due to loss on a shipment of cattle to the city of Lancaster on November twenty-first one thousand nine hundred and fourteen of which delivery to the purchaser was not permitted by the State Livestock Sanitary Board and which the said John F. Stone was compelled to sell in small lots at a less price also for such sums as may have been expended for hay for keeping such cattle excess charges for yardage and excess commission This suit shall be subject to the same rules of evidence pleading and practice as other and similar cases between individuals and the defences open to the Commonwealth shall be such as would be available to an individual if sued upon like facts

Mr. BALDWIN. Mr. President, I move to amend section 1, page 2, line 6, by inserting before the word "other" the word "in"; also line 7, by striking out the word "defences" and inserting in lieu thereof the word "defenses"

Mr. SCHANTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act authorizing John F. Stone of Coudersport Pennsylvania to sue the Commonwealth in the court of common pleas of Dauphin County for loss and damage incident to a shipment of cattle to Lancaster delivery of which was not permitted by the State Livestock Sanitary Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 863, as follows:

An Act to amend an act approved the fourteenth day of June one thousand eight hundred and eighty-seven entitled "An Act to provide for the incorporation and regulation of companies not for profit organized for the encouragement of the arts and sciences and of agriculture and horticulture and to confer upon such companies the right of eminent domain" as amended enabling said corporations to increase their bonded indebtedness from five hundred thousand dollars to one million dollars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the fourteenth day of June one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred eighty-three) entitled "An Act to provide for the incorporation and regulation of companies not for profit organized for the encouragement of the arts and sciences and of agriculture and horticulture and to confer upon such companies the right of eminent domain" as amended by an act approved the twenty-fifth day of June one thousand nine hundred and one (Pamphlet Laws five hundred ninety-nine) entitled "An Act amending section three of 'An Act to provide for the incorporation and regulation of companies not for profit organized for the encouragement of the arts and sciences and of agriculture and horticulture and to confer on such companies the right of eminent domain' approved the fourteenth day of June one thousand eight hundred and eighty-seven enabling said corporations to increase their bonded indebtedness from two hundred thousand dollars to five hundred thousand dollars" which reads as follows

"Section 3 It shall be lawful for any corporation named in this act to borrow money and secure any indebtedness created by it by issuing bonds not to exceed the sum of five hundred thousand dollars with or without interest coupons attached thereto and to secure the same by a mortgage or mortgages for the use of its bondholders upon its property real and personal and its franchises but no such bond or indebtedness shall bear a rate of interest exceeding six per centum per annum" is hereby further amended to read as follows

Section 3 It shall be lawful for any corporation named in this act to borrow money and secure any indebtedness created by it by issuing bonds not to exceed the sum of one million dollars with or without interest coupons attached thereto and to secure the same by a mortgage or mortgages for the use of its bondholders upon its property real and personal and its franchises but no such bond or indebtedness shall bear a rate of interest exceeding six per centum per annum

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 867, as follows:

An Act authorizing George F. Pawling Company a corporation incorporated under the laws of the State of Pennsylvania with its principal place of business in the City of Philadelphia Pennsylvania successor to Bergdoll and Pawling to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That George F. Pawling Company a corporation incorporated under the laws of the State of Pennsylvania with its principal place of business in the city of Philadelphia Pennsylvania successor to Bergdoll and Pawling formerly Louis J. Bergdoll and George F. Pawling doing business as Bergdoll and Pawling is authorized to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania for any sum or sums of money that may be legally or justly due the said George F. Pawling Company in its own right or as successor to Bergdoll and Pawling arising out of a contract for the erection of a sun-parlor for the Pennsylvania State Lunatic Hospital at Harrisburg Such suit or suits shall be subject to the same rules of practice pleading and evidence as in other and similar cases between individuals and the defense open to the Commonwealth shall be such as would be available to an individual if sued upon like facts

And said bill having been read at length the second time, and agreed to,

Ordered, To be laid aside for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 889 (House Bill No. 912), entitled

An Act validating certain foreclosure proceedings instituted by foreign executors administrators and guardians sheriff's sales had thereon and the title acquired thereby.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 895 (House Bill No. 1028), entitled

An Act authorizing James L. Baker and Mary A. Baker his wife of Harrisburg Dauphin County Pennsylvania in the court of common pleas of Dauphin County.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 897 (House Bill No. 1090), entitled

An Act supplementing and amending section ten (10) of an act, entitled "An Act establishing a court for the County of Philadelphia, prescribing its jurisdiction and powers, providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," approved the twelfth day of July, one thousand nine hundred and thirteen, by adding the words "and injuries to property" following the words "personal injuries," so that the exception in the said section shall read: "except that in actions for damages for personal injuries and injuries to property it shall have jurisdiction where the sum demanded by the plaintiff does not exceed one thousand five hundred dollars ($1,500.00)."

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 897 (House Bill No. 1090), the bill just read, be recommitted to the Committee on Judiicary General.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 898 (House Bill No. 1117), entitled

An Act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania or by any county or municipality thereof in its civil service, who have a wife children or parents dependents upon them for support, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment in the army or navy of the United States in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the army or navy; directing that one half of the salaries or wages of such officers or employes not exceeding two thousand dollars per annum, be paid during the term of their service in the army or navy to such dependents thereof; authorizing the employment, during said term, of substitutes to perform the duties theretofore performed by such officers or employes respectively, and providing for the compensation of such substitutes.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. WHITTEN. Mr. President, I move that Senate Bill No. 898 (House Bill No. 1117), the bill just read, be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 900 (House Bill No. 1253), entitled

A Joint Resolution petitioning the Government of the United States and the Secretary of War to rescind or modify the order of the Department of War requiring the raising of certain bridges over the Allegheny River.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 905, as follows

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all elections heretofore held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the provisions of an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four and under the acts amendatory thereof where the majority of votes cast at such election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or incorporated district did not by separate and independent action prior to the ordinance or vote in pursuance of which notice of the election was given to the electors signify their desire for such increase of indebtedness or did not in the words of the act and supplements aforesaid authorizing such increase signify their desire for such increase of indebtedness or where the ballots were not certified or signed by the county commissioners or were not printed on the official ballot after the list of candidates but were printed on separate ballots or where full complete and proper return of the votes was not made to the proper court or counted by the court and notwithstanding any defect or informality in the manner of giving notice of such election and notwithstanding any mistake in stating the amount or percentage of the existing debt or the percentage of the proposed increase All bonds issued or to be issued in pursuance of every such election are hereby made valid binding obligations of every such county city borough township school district or incorporated district Provided All the other requirements of the law concerning such election and issue of bonds have been complied with

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 906, as follows

An Act to empower certain county poor districts to purchase poor farms providing the manner in which such purchases shall be made and providing for the mortgaging of such poor farms to secure any part of the purchase price thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every county poor district in counties having a population of more than one hundred thousand and less than one hundred and fifty thousand inhabitants shall have power through the directors of the poor to purchase for the use of the poor district any poor farm

or farms not exceeding in all however more than four hundred acres The title to any such farm shall be taken in the name of the poor district

Section 2 No such farm shall be purchased except upon the recommendation of two successive grand juries and after the consent of the court of quarter session first duly had and obtained and all such purchases shall be made in such manner as the court may direct

Section 3 The directors of the poor of any such poor district are authorized under the direction of the court to mortgage any part or all of any such poor farm to secure the payment of any part of the purchase price thereof and to make provision for the ultimate payment of such mortgage.

Section 4 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 907, as follows

An Act to validate certain deeds and conveyances made by trustees without setting forth their authority to convey

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore real property has been conveyed to any person as "Trustee" without naming the cestuis que trustent and without declaring the purpose of the trust and such trustee has thereafter in good faith made a conveyance of such property to a third person in his own name as "Trustee" without disclosing the cestuis que trustent or without showing his right to make such conveyance when such conveyance was made with the consent and for the benefit of the parties for whom the property was held and the purchaser or purchasers in good faith have entered into possession of such property and have made improvements on the same or have conveyed it to others and if the deed given by such trustee is otherwise in proper form and capable of conveying the estate intended such deed and conveyance are hereby made good and valid and effectual to transfer pass and convey the estate right title and interest of the cestuis que trustent for whom the trustee held in and to such real property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 918, as follows

A Supplement to an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State air in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" providing that the State Highway Commissioner may take over as a part of the system of State highways any public road leading from a State highway to a State reservation or other State property

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Commissioner is hereby authorized to take over for construction reconstruction improvement and maintenance and thereafter to construct reconstruct improve and maintain at the expense of the Commonwealthh as a part of its system of State highways any public road leading from a State highway as designated or described in the act to which this is a supplement or any amendment or supplement of the same to any State reservation or other State property provided that the State Highway Commissioner shall first submit a plan of such road to the Governor and that the same shall be approved by him and after being approved shall be filed as a public record in the office of the State Highway Department

Section 2 Before the State Highway Commissioner shall take over any such road for construction reconstruction improvement or maintenance he shall give notice in writing to the proper officers of the county or township in which said public road shall lie of his intention to take over the same as a part of the system of State highways and of the date when the State Highway Department will assume the care and maintenance thereof

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 924, as follows

An Act fixing the compensation of election assessors and constables in boroughs and townships for attendance at primary elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each register assessor and each constable in boroughs and townships attending at the place of holding a primary election shall receive the sum of five dollars per day to be paid as now provided by law

Section 2 The act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and twenty-four entitled "An Act fixing the compensation of election assessors in boroughs and townships at primary elections" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. PATTON. Mr. President, I ask that Senate Bill No. 958, on second reading, entitled

An Act authorizing the County of Philadelphia to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County for moneys advanced for the payment of expenses incident to the conduct of primary elections.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Judiciary General, reported as committed Senate Bill No. 941 (House Bill No. 1181), entitled

An Act making the fraudulent conversion of property or the proceeds of property a misdemeanor prescribing the penalties therefor, and regulating the procedure therein.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 651, entitled

An Act to regulate the importation into the State of Pennsylvania of dependent delinquent or defective children and providing a penalty for the violation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 689 (House Bill No. 447), entitled

An Act to amend the first section of "An Act approved the eighteenth day of April Anno Domini one thousand nine hundred and five entitled 'An Act for the better regulation of public pool rooms billiard rooms bowling saloons and tenpin alleys in the Commonwealth of Pennsylvania'" and to regulate the time for closing same.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 781 (House Bill No. 119), entitled

An Act authorizing a State Association of Township Supervisors and providing for the payment of the expenses thereof by the respective counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 824 (House Bill No. 221), entitled

An Act to further amend an act approved the eleventh day of May, one thousand nine hundred and eleven, entitled "An Act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof," by including instruments and devices for weighing at coal mines.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BALDWIN. Mr. President, I move that Senate Bill No. 824 (House Bill No. 221), the bill just read, be recommitted to the Committee on Mines and Mining.

Mr. McNICHOL. Mr. President, I second the motion.

On the question,
Will the Senate agree to the motion?

Mr. BURKE. Mr. President, I desire to interrogate the Senator from Potter, Mr. Baldwin.

The PRESIDENT. Will the Senator from Potter, Mr. Baldwin, permit himself to be interrogated?

Mr. BALDWIN. Mr. President, I will.

Mr. BURKE. Mr. President, has this bill been before the Committee on Mines and Mining?

Mr. BALDWIN. Mr. President, it has not, it was reported out of Judiciary Special.

Mr. BURKE. Mr. President, was it in Judiciary Special, not in Mines and Mining?

Mr. BALDWIN. Mr. President, yes, sir.

Mr. BURKE. Mr. President, I would like to ask another question, what is the purpose of sending it into Mines and Mining?

Mr. BALDWIN. Mr. President, they are several requests to have a hearing on it.

Mr. BURKE. Mr. President, there will be a hearing on it?

Mr. BALDWIN. Mr. President, yes, sir.

And the question recurring,
Will the Senate agree to the motion?
It was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 883 (House Bill No. 224), entitled

An Act to amend clause eighteen of section nineteen of an act approved the twenty-eighth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred seventy-eight) entitled "An Act creating a Division of Distribution of Documents defining its powers and duties regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 887 (House Bill No. 832), entitled

An Act to require that every future act of the General Assembly be given a short title for convenience of citation and to require the Legislative Reference Bureau to report to the next session of the General Assembly a list of short titles for certain acts now in force.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 901, entitled

An Act authorizing the several courts of common pleas to appoint volunteer police officers during the present war with Germany or in any war in which this nation may become involved providing for the organization and discipline of such police officers and enumerating their powers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 927, entitled

An Act empowering express companies to employ policemen commissioned by the Governor with authority to act in all counties in the State wherein such companies carry on their business.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 930, entitled

An Act relieving the Governor of the duty of examining and approving warrants vouchers claims contracts or other instruments providing for the expenditure or collection of public moneys by the several departments of the executive branch of the State Government.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 931, entitled

An Act to define the purposes for which a contingent fund appropriated to a department board commission bureau or other division of the State Government may be used and providing penalties for the violation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 932, entitled

An Act creating a Board of Finance and Revenue transferring to it all the powers and duties of the Board of Public Accounts the Board of Revenue Commissioners the Sinking Fund Commissioners and the Board to License

Private Bankers and fixing the number and salaries of members and employes thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 933, entitled

A Joint Resolution proposing an amendment to section sixteen of article three of the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 934, entitled

An Act to amend an act approved the fourteenth day of June, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-three), entitled "An Act to provide for retirement of state employes, permanently disqualified by reason of physical or mental disability to perform their official functions and duties, with half pay, under certain conditions, during the remainder of their lives, except state employes whose retirement has been or shall be otherwise provided for, and the filling of vacancies caused by such retirement," by changing the number of years service required of the aforesaid employes and providing for the retirement of all employes who have reached the age of seventy years and have been in the service of the state for twenty-five years or more.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 935, entitled

A Supplement to an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and seventy-eight), entitled "An Act to provide for the administration of the Workmen's Compensation Act of 1915 by creating the Bureau of Workmen's Compensation of the Department of Labor and Industry; providing for the establishment of the Workmen's Compensation Board to have charge of such Bureau; authorizing the division of the Commonwealth into Workmen's Compensation Districts, and the appointment of Workmen's Compensation Referees; defining the powers and duties of the Commissioner of Labor and Industry, the Bureau of Workmen's Compensation, the Workmen's Compensation Board, the Workmen's Compensation Referees, and the factory inspectors of the Department of Labor and Industry, in enforcing the said act; and fixing the salaries of the members of the Workmen's Compensation Board, the Workmen's Compensation Referees, and certain of their employes and assistants."

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 960, entitled

An Act prohibiting the manufacture sale keeping for sale exchange bartering disposing of or giving away of cigarettes cigarette papers or cigarette wrappers or of cigarette papers and wrappers made or prepared for the purpose of being filled with tobacco for smoking.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 961, entitled

An Act to amend article seven of the act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by adding thereto sections seven hundred and twelve to seven hundred and twenty-eight, both inclusive.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE BILL NO. 502 RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced, laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 502, entitled

An Act entitled "An Act requiring the court committing any insane person to an institution of this Commonwealth to certify the proceedings upon which commitment was made to the superintendent of the said institution.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. SALUS. Mr. President, I move that Rule 21, which requires that amended bills be noted on the Calendar, be in this case dispensed with and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read as follows:

Amend section 3, page 2, line 10, by striking out the word "indigent."

On the question,
Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,	Graff, W. P.,	Miller,	Sproul,
Buckman,	Hackett,	Nason,	Stewart,
Burke,	Haldeman,	Patton,	Tompkins,
Catlin,	Homsher,	Phipps,	Vare,
Craig,	Jenkins,	Salus,	Warner,
Croft,	Jones,	Sassaman,	Wasbers,
Crow,	Kline,	Schantz,	Weaver,
Daix,	Leiby,	Semmens,	Whitten,
DeWitt,	Martin,	Smith, R. E.,	Beidleman,
Endsley,	McConnell,	Snyder, P. W.,	Pres. pro tem.
Eyre,	McKee,	Sones,	
Graff, J. F.,	McNichol,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL NO. 255.

He also returned to the Senate Senate Bill No. 255, entitled

An Act to fix the time for filing nomination papers for State and municipal officers and for the determination by the courts of contested papers.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 650.

He also returned to the Senate, Senate Bill No. 650, entitled

An Act making an appropriation to A. K. Cassel for services rendered as Deputy Commissioner in the Dairy and Food Division of the Department of Agriculture.

with the information that the House has passed the same without amendment.

RECESS.

Mr. SALUS. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

RECONSIDERATION OF SENATE BILL NO. 751.

Mr. MILLER. Mr. President, I move to reconsider the vote by which Senate Bill No. 751, entitled

An Act relating to motion-picture films reels or stereopticon views or slides providing a system of examination approval and regulation thereof and of the banners posters and other like advertising matter used in connection therewith creating in the Auditor General's Department a Commissioner of Amusements and providing penalties for the violation of this act.

was defeated on final passage.

The PRESIDENT. How did the Senator vote?
Mr. MILLER. Mr. President, I voted "no."
Mr. HALDEMAN. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. HALDEMAN. Mr. President, I voted "no."
The motion was agreed to.
And the question recurring,
Shall the bill pass finally?

BILL POSTPONED.

Mr. MILLER. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.
Mr. HALDEMAN. Mr. President, I second the motion.
It was agreed to.

BILLS RECOMMITTED.

Mr. KLINE. Mr. President, I move that Senate Bill No. 689 (House Bill No. 447), entitled

An Act to amend the first section of "An Act approved the eighteenth day of April Anno Domini one thousand nine hundred and five entitled 'An Act for the better regulation of public pool rooms billiard rooms bowling saloons and tenpin alleys in the Commonwealth of Pennsylvania'" and to regulate the time for closing same

be recommitted to the Committee on Judiciary General.

Mr. McNICHOL. Mr. President, I second the motion.
The motion was agreed to.

Mr. KLINE. Mr. President, I move that Senate Bill No. 960, entitled

An Act prohibiting the manufacture sale keeping for sale exchange bartering disposing of or giving away of cigarettes cigarette papers or cigarette wrappers or of cigarette papers and wrappers made or prepared for the purpose of being filled with tobacco for smoking.

be recommitted to the Committee on Judiciary General.

Mr. McNICHOL. Mr. President, I second the motion.
The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVAL OF RESOLUTION RECALLING SENATE BILL NO. 52 FROM THE GOVERNOR.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing for the recall of Senate Bill No. 52.

MARTIN G. BRUMBAUGH.

RECONSIDERATION OF SENATE BILL NO. 52.

Mr. PHIPPS. Mr. President, I move to reconsider the vote by which Senate Bill No. 52, entitled

An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products and prescribing penalties.

passed finally.

The PRESIDENT. How did the Senator vote?
Mr. PHIPPS. Mr. President, I voted "aye."
Mr. DAIX. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. DAIX. Mr. President, I voted "aye."
The motion was agreed to.
And the question recurring,
Shall the bill pass finally?
Mr. PHIPPS. Mr. President, I move to reconsider the vote by which the bill passed third reading.
The PRESIDENT. How did the Senator vote?
Mr. PHIPPS. Mr. President, I voted "aye."
Mr. DAIX. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. DAIX. Mr. President, I voted "aye."
The motion was agreed to.
And the question recurring,
Will the Senate agree to the bill on third reading?
Mr. PHIPPS. Mr. President, I ask unanimous consent to amend section 2, line 23, by striking out "The words "before and magistrate;" also in section 2, line 24, by striking out the words "alderman or justice of the peace;" also in section 2, line 25, by striking out "exceding" and inserting in lieu thereof the word "exceeding;" also in section 2, line 28, by striking out the words "magistrate alderman or justice of the peace" and inserting in lieu thereof the word "court;" also in section 3, line 2, by striking out the word "to."
The PRESIDENT. Is there objection? The Chair hears none.
The amendments were agreed to.
On the question,
Will the Senate agree to the bill on third reading as amended?
It was agreed to.
Ordered, That the bill as amended be printed for the use of the Senate.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 1, 1917.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May seventh, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, May seventh, at nine o'clock.

HOUSE CONCURS IN SENATE BILL NO. 581.

He also returned to the Senate, Senate Bill No. 581, entitled

An Act empowering certain corporations societies and voluntary associations having subordinate lodges or branches within this Commonwealth to change the location of their principal office or place of business and providing for the approval by the Court of Common Pleas and the filing of notice of such changes.

with the information that the House has passed the same without amendment.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 904 (Senate Bill No. 1008), entitled

An Act to provide for the re-incorporation as a stock company of certain corporations organized under the laws of Pennsylvania for the maintenance of a society for beneficial or protective purposes to its members from funds collected therein.

Which was committed to the Committee on Judiciary General.

House Bill No. 961 (Senate Bill No. 1009), entitled

A Supplement to an act approved the second day of May one thousand eight hundred and ninety-nine entitled "An Act requiring written notice to be served upon supervisors of the proposed opening and construction of new roads for public use and of views reviews and reviews in connection with such proposed new roads" as amended by an act ap-

proved the twenty-nine day of March one thousand nine hundred and five entitled "An Act to amend section one of on act entitled 'An Act requiring written notice to be served upon supervisors of the proposed opening and construction of new roads for public use and of views reviews and re-reviews in connection with such proposed new roads' approved the second day of May Anno Domini one thousand eight hundred and ninety-nine so as to require notice to be served on the supervisors of the territory through which the proposed public road is to pass of the time and place of the appointment of viewers reviewers and re-reviewers to lay out the same and of the time and place of their meetings" requiring petitioners for roads to give bond for the payment of costs.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1026 (Senate Bill No. 1010), entitled

An Act to amend the second section of an act approved the twenty-third day of April one thousand nine hundred and nine entitled "An Act making it a misdemeanor for any president vice-president cashier treasurer secretary teller bookkeeper clerk employe or agent of any mutual savings bank savings bank bank or discount and deposit trust company title insurance company surety company or safe deposit company incorporated under the laws of this Commonwealth or of any private bank or unincorporated association receiving deposits of money or of any building and loan association incorporated under the laws of this Commonwealth or authorized to do business therein his or their aiders and abettors to embezzle abstract or wilfully misapply any of the moneys funds credits of such institution or to issue certificates of deposit draw any order or bill of exchange make any acceptance assign any note bond draft bill or exchange mortgage judgment or other instrument in writing without authority from the directors of such institution with intent to deceive or defraud or to make a false entry in the books reports or statements thereof with like intent prescribing penalties and authorizing the Banking Commissioner to institute prosecutions."

Which was committed to the Committee on Banks and Building and Loan Associations.

House Bill No. 1193 (Senate Bill No. 1011), entitled

An Act to amend section one of an act approved the twenty-eighth day of April one thousand nine hundred and fifteen entitled "An Act regulating the manner and time of payment of employes of cities of the first class" including employes of school districts.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1344 (Senate Bill No. 1012), entitled

An Act regulating the conduct and prescribing the duties of drivers or operators of automobiles motor cycles or other vehicles on public highways who shall injure any person or persons while so driving on said highways and providing penalties for violations of this act.

Which was committed to the Committee on Judiciary General.

House Bill No. 882 (Senate Bill No. 1013), entitled

An Act providing for a statistician in the Department of Mines and fixing the salary.

Which was committed to the Committee on Appropriations.

House Bill No. 1375 (Senate Bill No. 1014), entitled

An Act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth.

Which was committed to the Committee on Judiciary Special.

House Bill No. 1340 (Senate Bill No. 1015), entitled

An Act to amend part of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid Highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repair providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act."

Which was committed to the committee on Public Roads and Highways.

House Bill No. 954 (Senate Bill No. 1016), entitled

An Act regulating hunting trapping and fishing on unseated and auxiliary forest reserve lands providing for the propagation of game and fish on such lands and providing penalties for violations.

Which was committed to the Committee of Game and Fisheries.

House Bill No. 962 (Senate Bill No. 1017), entitled

An Act to prohibit the letting of prison labor by contract to regulate the employment of prisoners in all county prisons and reformatories regulating the disposition of the products of prison labor and providing penalty for its violations.

Which was committed to the Committee on Judiciary General.

House Bill No. 1030 (Senate Bill No. 1018), entitled

An Act constituting the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania a commission to act as a joint commission with similar commissions of any other contiguous state or states or as an independent commission for the purpose of planting and accomplishing the erection or building of one or more bridges or tunnels as may be suitable and necessary over or under any navigable stream or river which is one of the boundaries of this Commonwealth and providing for the acquisition of ground for the site and approaches of said bridge or tunnel and for the maintenance of the same by the county or counties wherein it is located.

Which was committed to the Committee on Municipal Affairs.

REPORT FROM COMMITTEE.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 988 (House Bill No. 1176), entitled

An Act providing for the establishment in cities of the first class of a house or houses of detention for witnesses and untried prisoners for the commitment of such prisoners and witnesses thereto, and for the payment of the cost of establishing and maintaining the same by the county wherein said cities are situated.

BILL ON FIRST READING.

Mr. VARE. Mr. President, I move that Senate Bill No. 988 (House Bill No. 1176), entitled

An Act providing for the establishment in cities of the first class of a house or houses of detention for witnesses and untried prisoners for the commitment of such prisoners and witnesses thereto, and for the payment of the cost of establishing and maintaining the same by the county where-said cities are situated.

be read the first time.

Mr. PATTON. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 988 (House Bill No. 1176), entitled

An Act providing for the establishment in cities of the first class of a house or houses of detention for witnesses and untried prisoners for the commitment of such prisoners and witnesses thereto, and for the payment of the cost of establishing and maintaining the same by the county where-said cities are situated.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. HOMSHER. Mr. President, I move that the Senate do now adjourn until 10 o'clock to-morrow morning.
Mr. J. FRANK GRAFF. Mr. President, I second the motion.
The motion was agreed to.
The Senate adjourned at 2.45 o'clock P. M. until Wednesday morning, May 2, 1917, at 10 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, May 1, 1917.

The House met at 10 o'clock A. M.
The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

Our Father in Heaven, we want to learn the lesson of trust and ought never be afraid. Thou carest for the birds, feeding them surely. Thou more surely feed Thy children. Thou dost clothe the flowers in all their wondrous beauty; Thou wilt more surely clothe us; yea, Thou knowest what we need. Always Thine eye is upon us. Yet we do not always trust Thee. Again and again little things worry and vex us. We are fearful in the presence of human needs, being afraid of sickness, of sorrows, of temptations. We should not be disturbed in our confidence. We want to learn to confide in Thee. Teach us how to do it and make known all our anxieties to Thee. Give us Thy peace, Thy deep and holy peace, which nothing can break, and may it abide in us forever. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.
The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Gransback, the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. BAKER. House Bill No. 1689.

A Supplement to the act approved the first day of May, one thousand nine hundred and thirteen, entitled "An Act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State-aid in the maintenance thereof; and for the payment of tuition by certain school districts, and reimbursement thereof by the State;" providing for a course of study in agriculture in the public schools in rural districts; and providing State-aid therefor.

Referred to the Committee on Education.

By Mr. DELL. House Bill No. 1690.

An Act to prohibit the furnishing or offering to furnish by gift, sale or otherwise any spirituous, vinous, malt or brewed liquors, lotion, compound or any liquid containing more than twelve per cent. of alcohol by volume, except for certain purposes and under certain conditions and providing penalties for violations.

Referred to the Committee on Law and Order.

By Mr. SPANGLER. House Bill No. 1691.

An Act providing for the appointment by the Governor of police for certain public service corporations, and prescribing the powers, providing for the compensation and for the revocation of the powers of such police.

Referred to the Committee on Judiciary General.

By Mr. POWELL. House Bill No. 1692.

An Act relating to the appointment of persons as building inspectors in cities of the third class; constituting a civil service board in relation thereto; and providing for and regulating examinations, the manner of appointments, and the manner and power of removal of building inspectors.

Referred to the Committee on Municipal Corporations.

By Mr. POWELL. House Bill No. 1693.

An Act to amend sections three and nine of an act, entitled "An Act to restrain and regulate the sale of vinous, and spirituous, malt or brewed liquors, or any admixture thereof," approved the thirteenth day of May, one thousand eight hundred and eighty-seven.

Referred to the Committee on Law and Order.

By Mr. SIGGINS. House Bill No. 1694.

An Act regulating the collection of taxes in counties containing less than one hundred fifty thousand inhabitants, creating the office of receiver of taxes in such counties; prescribing the powers and duties of said office, and creating a salary board to fix salaries for such purposes and to designate the number of deputies and clerks and providing a method of reimbursement for expenses of carrying out the provisions of this act.

Referred to the Committee on Counties and Townships.

By Mr. SIGGINS. House Bill No. 1695.

An Act to amend section three of an act approved the thirteenth day of June, one thousand eight hundred and eighty-three, entitled "An Act to prohibit the receiving and detaining of children in almshouses and poorhouses, and to provide for the care and education of such children," by providing that such industrial homes for the care and training of children may be located adjacent to alms or poor houses with the consent of the Board of Public Charities.

Referred to the Committee on Counties and Townships.

By Mr. STADTLANDER. House Bill No. 1696.

An Act making an appropriation to the State Livestock Sanitary Board to be used in reimbursing certain owners whose livestock was destroyed in the year one thousand nine hundred and fifteen, in controlling and eradicating the foot and mouth disease.

Referred to the Committee on Appropriations.

By Mr. DUNN. House Bill No. 1697.

An Act requiring the display of the American Flag on certain occasions and fixing a penalty.

Referred to the Committee on Labor and Industry.

By Mr. DUNN. House Bill No. 1698.

An Act making an appropriation to the Independence Day Celebration Commission to celebrate Independence Day at Independence Hall, Philadelphia and at Valley Forge, Chester County.

Referred to the Committee on Appropriations.

By Mr. PALMER. House Bill No. 1699.

An Act to exempt stoves used in homes and residences from levy or sale on execution or distress for rent.

Referred to the Committee on Judicairy Local.

By Mr. SONES. House Bill No. 1700.

An Act to amend the third section of an act approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" in relation to the method of incorporation—pertaining to notice of applications for charters, the contents of certificates for corporations of the second class, relieving the Governor from duties in relation thereto by delegating the same to the Secretary of the Commonwealth and increasng fees and charges.

Referred to the Committee on Corporations.

By Mr. WALKER. House Bill No. 1701.

An Act to authorize and permit any person who for any reason whatsoever is or may be in the position of sustaining a loss of money, property, profit or any valuable thing by reason of the death of any other person, to effect insurance upon the life of such other person and to take assignments thereof; validating all such assignments heretofore made; declaring that all persons who for any reason whatsoever are or may be in the position of sustaining any loss of money, property, profit or any valuable thing by reason of the death of any person, have and insurable interest in the life of the person whose death is or may be the cause of such loss as aforesaid.

Referred to the Committee on Insurance.

By Mr. WALKER. House Bill No. 1702.

An Act defining and apportioning into principal and income items received and charged, paid and credited, by fiduciaries in the administration, accounting, and management of trust estates whether they be created by deed, agreement, will, law, equity, decree of court or by whatever source or in whatsoever manner created.

Referred to the Committee on Judiciary General.

By Mr. STERN. House Bill No. 1703.

An Act to prohibit the possession, sale or gift of nitroglycerin, dynamite, gun powder, blasting powder, or other explosives, by unlicensed persons; regulating the issuing of licenses therefor; and providing penalties for the violation hereof.

Referred to the Committee on Judiciary Special.

By Mr. RAMSEY. House Bill No. 1704.

An Act fixing the pay of assessors for State and county purposes in the several cities of the third class.

Referred to the Committee on Municipal Corporations.

By Mr. McPEAKE. House Bill No. 1705.

An Act authorizing and empowering township supervisors in townships of the second class to enter into a contract with certain adjoining municipalities for connecting with their sewer systems, the sewer systems of the towship, and of the private individuals; and to provide for a collection of funds for that purpose by levying taxes upon the owners of property in the district benefited.

Referred to the Committee on Counties and Townships.

By Mr. MAURER. House Bill No. 1706.

A Resolution providing for amendments to the Constitution of Pennsylvania and the abolition of the State Senate.

Referred to the Committee on Constitutional Reform.

By Mr. WALLACE, House Bill No. 1707.

An Act to provide that in every case where a bond has been or shall hereafter be filed in any court of record in this Commonwealth whether under the provisions of any law or the order or decree of any court it shall be lawful for the principal surety or sureties or all of them jointly to present their petition to the said court at any time after the expiration of one year from the time a right of action shall have accrued upon such bond and provided that after notice to the parties in interest the court may enter an exoneretur upon the said bond unless action be brought within the time specified in this act.

Referred to the Committee on Judiciary Local.

By Mr. WILLIAM DAVIS. House Bill No. 1708.

An Act authorizing the judges learned in the law of the courts of common pleas and orphans courts of the counties having a population of more than one hundred and fifty thousand and less than two hundred fifty thousad inhabitants to employ suitable clerical assistance; and providing for the payment of such clerical assistance by the several counties.

Referred to the Committee on Judiciary General.

By Mr. BALDRIDGE. House Bill No. 1709.

An Act authorizing the recording of all instruments of writing affecting title to real estate, and validating all such records made prior to the passage of this act.

Referred to the Committee on Judiciary Special.

By Mr. BALDRIGE. House Bill No. 1710.

An Act providing for the entry upon the margin of the record of any mortgage, of all assignments, releases, extension of time of payment, changes in the terms thereof or other agreements affecting same, and validating all such entries heretofore made.

Referred to the Committee on Judiciary Special.

By Mr. RUDISILL. House Bill No. 1711.

An Act for the protection of owners and tenants of cultivated lands from damage by deer; and permitting the killing of such deer and the use of the carcass thereof under certain restrictions.

Referred to the Committee on Game.

By Mr. McKAY. House Bill No. 1712.

An Act prohibiting the purchase, receiving, sale, offering for sale or giving away of liquors in places licensed to sell at retail except for consumption upon the premises; providing penalties, and for the revocation of licenses of offending retail dealers.

Referred to the Committee on Law and order.

By Mr. MAURER. House Bill No. 1713.

An Act to promote the public health by providing for one day in seven for employes in certain employments.

Referred to the Committee on Public Health and Sanitation.

By Mr. MAURER. House Bill No. 1714.

An Act to amend part of section three hundred six of article three of an act approved the second day of June, one thousand nine hundred fifteen, entitled "An Act defining the liability of an employer to pay damage for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder."

Referred to the Committee on Manufactures.

By Mr. BENNETT. House Bill No. 1715.

An Act to provide for the method of granting, transferring and revoking of liquor licenses; creating and establishing county liquor license commissions; prescribing and defining the powers and duties of liquor license commissioners; prescribing and defining the powers and duties of other officers necessary for the transaction and dispatch of business of the commissions; providing for the appointing, term of office, duties, compensation and removal of the members of the commissions; providing for the payment of fees of applicants before the said commissions; prescribing and regulating the practice and procedure before such commissions and upon appeal and judicial review of its orders and determinations by courts of quarter sessions; prescribing penalties, fines and imprisonment for the violation of the provisions of this act.

Referred to the Committee on Law and Order.

By Mr. BENNETT. House Bill No. 1716.

An Act requiring owners, drivers and operators of motor vehicles to file a bond with the State Highway Department to protect persons injured or damaged by the negligent or reckless operation of motor vehicles, and defining the duties and powers of the Highway Commissioner and prothonotaries in connection therewith in relation thereto.

Referred to the Committee on Public Roads.

By Mr. EDGAR R. SMITH. House Bill No. 1717.

An Act to amend part of section one of an act approved the twenty-second day of July, one thousand nine hundred and thirteen, entitled "An Act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth."

Referred to the Committee on Public Roads.

By Mr. DITHRICH. House Bill No. 1718.

An Act authorizing the Commissioner of Banking to proceed against any person, firm, association or corporation now or hereafter under the supervision of the Banking Department, and to take possession of the business or property thereof, and prescribing a method by which such business shall be liquidated and a corporation dissolved.

Referred to the Committee on Banks and Banking.

By Mr. COLDSMITH. House Bill No. 1719.

An Act regulating the use of headlights on motor vehicles upon the public streets and highways in the Commonwealth of Pennsylvania.

Referred to the Committee on Public Roads.

By Mr. SNYDER. House Bill No. 1720.

An Act to amend an act approved the twelfth day of July, one thousand nine hundred and thirteen, entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation."

Referred to the Committee on Judiciary Special.

By Mr. MITCHELL. House Bill No. 1721.

An Act granting female citizens the right to vote for presidential electors, prescribing the qualifications of female voters, providing for their assessment and registration and for supplying special ballots and for canvassing the ballots cast by female voters, and directing county commissioners, assessors, registration and election officers to carry out the provisions of this act.

Referred to the Committee on Judiciary Special.

By Mr. DITHRICH (By request). House Bill No. 1722.

An Act relating to feathered animals, forbidding the unjustifiable or criel killing or treatment of the same, and providing penalties for violation of the provisions thereof.

Referred to the Committee on Game.

By Mr. DITHRICH (By request). House Bill No. 1723.

An Act to amend an act approved the eighth day of April, one thousand nine hundred and thirteen, entitled "An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association, society, person, or family by the courts of this Commonwealth."

Referred to the Committee on Law and Order.

By Mr. SWARTZ. House Bill No. 1724.

An Act to quiet the title to real estate; and to enable citizens of the United States, and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which had been held by or for any foreign corporation, either with or without the right to hold the same, and conveyed either with or without the consent of the stockholders thereof.

Referred to the Committee on Judiciary General.

By Mr. HECHT. House Bill No. 1725.

An Act to amend sections one, four and five of an act entitled "An Act empowering cities of the first class to purchase, lease, locate, construct, and equip, or otherwise acquire, transit facilities and to own, maintain, use and operate the same within their corporate limits; and within the limits of adjacent cities, boroughs and townships; to exercise the right of eminent domain in connection therewith, and prescribing the manner of ascertaining the damages sustained in connection with such exercise; to sell, pledge, or lease transit facilities; to grant licenses for the use of the same; to enter into agreements for the construction and operation of the same; to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter; and empowering railroad, railway, and motor power companies to sell, purchase, and lease transit facilities to and from said cities, and to contract with said cities respecting the acquisition, construction, operation, and use of transit facilities," approved the seventeenth day of June, one thousand nine hundred and thirteen, so as to extend the provisions of the said act to railroads in said cities operated or organized to be operated on the principle generally known as the "Belt Line" principle.

Referred to the Committee on Electric Railways.

By Mr. GEORGE J. A. MILLER. House Bill No. 1726.

An Act making an appropriation to the State Highway Department and providing for the construction and improvement of part of a certain State Highway located in the County of Leihgh.

Referred to the Committee on Appropriations.

By Mr. GEORGE J. A. MILLER. House Bill No. 1727.

An Act providing for the pensioning of certain soldiers, sailors and marines and the widows of certain soldiers, sailors and marines, who served in the civil war, and making an appropriation for the payment thereof.

Referred to the Committee on Pensions and Gratuities.

By Mr. GEORGE J. A. MILLER. House Bill No. 1728.

An Act prohibiting the killing or slaughtering of calves or heifers under the age of two years and the selling or offering for sale of the carcass or meat of calves or heifers under the age of two years, and providing a penalty for the violation of the provisions hereof.

Referred to the Committee on Agriculture.

By Mr. GEORGE J. A. MILLER. House Bill No. 1729.

An Act to repeal the act of Assembly approved the third day of June, Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-one), the act of Assembly approved the fifteen day of June, Anno Domini one thousand nine hundred and eleven (Pamphlet Laws nine hundred sixty-eight), and the act of Assembly approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws one hundred thirty-six).

Referred to the Committee on Counties and Townships.

By Mr. GEORGE J. A. MILLER. House Bill No. 1730.

An Act defining the liability of husband and wife for crimes and torts committed by married women.

Referred to the Committee on Judiciary Special.

By Mr. LOHR. House Bill No. 1731.

A Supplement to an act, entitled "An Act to preserve the purity of the waters of the State, for the protection of the public health," approved the twenty-second day of April, one thousand nine hundred and five (Pamphlet Laws two hundred sixty); extending the provisions of said act to prvide for compensation to the owners or tenants of agricultural or grazing lands who may be injured by the operation of said act and prescribing the manner by which said compensation shall be determined.

Referred to the Committee on Public Health and Sanitation.

By. Mr. McVICAR. House Bill No. 1732.

An Act concerning life insurance agents, licensing by the Insurance Commissioner; prohibiting the said Commissioner from licensing certain persons; prohibiting the licensing of persons as life insurance agents except those who intend, bona fide, to engage in the business, empowering the Insurance Commissioner to refuse, suspend or revoke licenses of those not bona fide engaged in the business; requiring the Life Insurance Commissioner to keep a list of all licensed life insurance agents in the offices of the Department maintained in Harrisburg, Philadelphia, Pittsbugrh, and any other public offices hereafter maintained by the Insurance Department in the State, accessible for public inspection.

Referred to the Committee on Insurance.

By Mr. GANS. House Bill No. 1733.

An Act making an appropriation to the Bank of Commerce of Philadelphia for the purpose of reimbursing said bank for moneys advanced to Daniel T. McCool, owner and proprietor of the Young Republican, for the publishing of certain constitutional amendments, on a claim against the Commonwealth assigned to said Bank of Commerce.

Referred to the Committee on Appropriations.

By Mr. STITES. House Bill No. 1734.

An Act regulating assessment in boroughs, wards, districts and townships of the second class in this Commonwealth; prescribing the time when the county commissioners shall issue their precepts to assessors in the said boroughs, wards, districts and townships of the second class, for the performance of the duties of their office other than those connected with the triennial assessment; prescribing the time for the return of the said precepts; regulating the time allowed the said assessors for the performance of the said duties; fixing the compensation of the said assessors for the performance of the said duties; removing the existing limitation as to the number of days for which the said compensation shall be allowed; providing that the said assessors shall receive compensation for each and every day actually employed by them in the performance of the said duties, without limitation as to time, until the date fixed for the return of the said precepts; and providing that the said assessors shall receive the regular rate of compensation for official duties performed by them prior to the receipt of the said precepts, of the said precepts are not issued at the time fixed by law.

Referred to the Committee on Counties and Townships.

By Mr. STITES. House Bill No. 1735.

An Act to further amend an act, entitled "An Act to amend the first section of an act, entitled 'An Act to provide for the repair and maintenance or improvement, by the proper county, city or borough of turnpikes heretofore or hereafter appropriated or condemned, or any part thereof, for public use free of tolls' " approved the twentieth day of April, Anno Domini one thousand nine hundred and five, and amendment thereto, approved the twenty-fifth day of April, Anno Domini one thousand nine hundred and seven; by allowing such repair and maintenance to be made and attended to without first inviting proposals or requiring competitive bidding therefor.

Referred to the Committee on Public Roads.

By Mr. STITES. House Bill No. 1736.

An Act authorizing companies incorporated under the laws of any other state of the United States for certain purposes to erect and maintain buildings and manufacturing establishments and to take, have and hold real-estate necessary and proper for such purposes.

Referred to the Committee on Manufactures.

By Mr. STITES. House Bill No. 1737.

An Act establishing a Board for Mental Hygiene; defining its powers and duties; and taking away the jurisdiction of the Board of Public Charities and the Committee on Lunacy relative to the insane, feeble-minded, epileptics, and inebriates, and over institutions for the same.

Referred to the Committee on Public Health and Sanitation.

By Mr. STITES. House Bill No. 1738.

An Act regulating assessments in townships of the first class in this Commonwealth; providing that the county commissioners shall issue their precepts to assessors in township of the first class, for the performance of their duties other than those connected with the treinnial assessment. On the first day of January in each year, including the year of the triennial assessment; prescribing the time for the return of the said precepts; extending and regulating the time allowed assessors in townships of the first class for the performance of the said duties; fixing the compensation of the said assessors for the performance of the said duties; providing that the said assessor shall receive compensation for each and every day actually employed by them in the performance of the said duties, without limitation as to time, until the date fixed for the return of the said precepts; providing that the said assessors shall receive the regular rate of compensation for official duties performed by them prior to the receipt of the said precepts, if the said precepts are not issued at the time fixed by law; and providing that the certificate of the township commissioners shall be conclusive upon the county commissioners and county controlled as to the time actually employed by the said assessors in the performance of their duties, including the making of the triennial assessment.

Referred to the Committee on Counties and Townships.

By Mr. STITES. House Bill No. 1739.

An Act fixing the compensation of assistant assessors in townships of the first class in this Commonwealth; and providing that the certificate of the township commissioners shall be conclusive upon the county commissioners and county controller as to the time actually employed in the performance of their duties by assistant assessors in townships of the first class.

Referred to the Committee on Counties and Townships.

By Mr. STITES. House Bill No. 1740.

An Act making an appropriation for the purchase of the manuscript of an annotated edition of the school code of May 18, 1911, P. L. 309, prepared by Ardemus Stewart, Esq., of the Philadelphia bar, and for the editing, publication and distribution of the same.

Referred to the Committee on Appropriations.

By Mr. STITES. House Bill No. 1741.

An Act relating to the repair of sidewalks and the removal of snow, ice, weeds and other obstructions from sidewalks in villages in townships of the first class; and providing for the filing and collection of municipal liens.

Referred to the Committee on Municipal Corporations.

By Mr. DRAKE. House Bill No. 1742.

An Act relating to the repair of roads in townships of the second class; imposing duties upon constables; fixing the fees of the constable for viewing roads and serving notices upon township supervisors and providing for the payment of such fees by the township; and providing penalties.

Referred to the Committee on Public Roads.

By Mr. WELLS. House Bill No. 1743.

An Act to amend section five of an act approved the fifth day of February, one thousand eight hundred and seventy-five, entitled "An Act relative to the establishment and jurisdiction of magitsrates courts in the City of Philadelphia."

Referred to the Committee on Judiciary Special.

By Mr. LOHR. House Bill No. 1744.

An Act to amend an act approved the sixth day of May, nine thousand nine hundred and fifteen, entitled "An Act creating the Bureau of Vocational Education of the Department of Public Instruction, creating the divisions of the same, providing for the appointment of its officers and other employes by the Superintendent of Public Instruction; defining the duties of the same, and fixing the compenastion of its employes."

Referred to the Committee on Education.

REPORT FROM COMMITTEE.

Mr. McCAIG, from the Committee on Muniicpal Corporations, reported as amended House Bill No. 1534, entitled

An Act to amend section five of an act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, entitled "An Act to provide for the personal registration of electors, and their enrollment as members of political parties, in cities of the first and second classes of this Commonwealth; to make such registration a condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities; and providing for the payment of witness fees for persons summoned before the commissioners; to provide for penalties for the violations of its provisions; and to repeal acts inconsistent herewith."

BILL ON FINAL PASSAGE (RECALLED FROM THE GOVERNOR).

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 855, as follows:

An Act to repeal an act approved the nineteenth day of March one thousand nine hundred fifteen entitled "A further supplement to an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" and transferring certain cases undisposed of in the county court of Allegheny County to the court of quarter sessions of said county for the purpose of hearing and disposition

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the nineteenth day of March one thousand nine hundred fifteen entitled "A further supplement to an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" is hereby repealed

Section 2 All cases instituted in the county court of Allegheny County pursuant to the authority of the act hereby repealed which cases are pending and undisposed of in said court at the time this act takes effect are hereby transferred to the court of quarter sessions of Allegheny County The said court of quarter sessions sitting as a juvenile court is hereby authorized to hear determine and dispose of the cases hereby transferred with the same power and effect as if the act hereby repealed had never existed and as if such cases had been originally instituted in the said court of quarter sessions

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—104.

Albee,	Drake,	Miller, C. G.,	Stadtlander,
Aron,	Dunn,	Morgan, T.,	Steedle,
Arthur,	Fackler,	Musser,	Stern,
Baker,	Fitzgibbon,	Ogden,	Stites,
Baldridge,	Flynn,	Phillips,	Stofflet,
Barner,	Gans,	Pickering,	Strauss,
Bechtold,	Golder,	Powell,	Swartz,
Bell,	Gormley,	Ramsey,	Sweitzer,
Benchoff,	Graham,	Reitzel,	Ulsh,
Bennett,	Gransback,	Rich,	Urich,
Benninger,	Heffernan,	Richards,	Vickerman,
Beyer,	Helt,	Ringler,	Wagner,
Black,	Heyburn,	Rininger,	Wallace,
Bovee,	Hibshman,	Robertson,	Walter,
Brumbaugh,	Hollern,	Rothenberger,	Weimer,
Canon,	Hough,	Ruddy,	Wells,
Chestnut,	Howarth,	Sampsel,	West,
Christman,	Jones,	Sarig,	Wickman,
Clements,	Lanius,	Showalter,	Whitaker,
Coldsmith,	Leary,	Sinclair,	Williams, G. W.
Conner,	Lewis,	Smith, E. R.,	Williams, J. P.,
Corbin,	Lohr,	Smith, J. W.,	Wobensmith,
Crosby,	McCullough,	Smith, L.,	Wood,
Curry,	McCurdy,	Somerman,	Woodward,
Dell,	McKay,	Speicher,	Zanders,
Dewey,	Mervine,	Sprowls,	Baldwin,
Dithrich,			Speaker.

NAYS—2.

Cox, Mehring,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1037, entitled

An Act to facilitate the collection of taxes assessed upon occupations authorizing and requiring employers to furnish certain information to tax collectors and to deduct from the wages of employes in certain cases sums sufficient to pay delinquent taxes assessed on occupation owing by such employes and providing penalties.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—43.

Albee,	Corbin,	Jones,	Powell,
Aron,	Crosby,	Kennedy,	Rich,
Arthur,	Curry,	Lewis,	Shaffer, C. A.,
Baldi,	Dell,	Marvin,	Shattuck,
Bennett,	Dewey,	McCullough,	Shunk,
Beyer,	Donneley,	McCurdy,	Smith, F. I.,
Bidelspacher,	Ehrhardt,	McKay,	Smith, L.,
Black,	Gans,	Miller, C. G.,	Speicher,
Brumbaugh,	Graham,	Murphy,	Wallace,
Canon,	Hollern,	Musser,	Wood,
Christman,	Hollingsworth,	Phillips,	

NAYS—63.

Baldridge,	Heffernan,	Reichenbacker,	Sterling,
Barner,	Heyburn,	Reitzel,	Stites,
Bechtold,	Hough,	Ringler,	Stofflet,
Benchoff,	Howarth,	Rininger,	Strauss,
Campbell, T.,	Lanius,	Ross,	Swartz,
Conner,	Luppert,	Rothenberger,	Thomas,
Cox,	Mangan,	Sampsel,	Ulsh,
Dithrich,	Mearkle,	Sarig,	Urich,
Drinkhouse,	Mehring,	Schaeffer, A. C.,	Vickerman,
Fackler,	Mervine,	Siggins,	Wagner,
Fitzgibbon,	Mitchell,	Sinclair,	Weimer,
Flynn,	Morgan, T.,	Smith, E. R.,	West,
Glass,	Murdoch,	Smith, O. W.,	Wickman,
Golder,	Ogden,	Snyder,	Williams, G. W.
Goodnough,	Palmer,	Sones,	Wobensmith,
Gormley,	Ramsey,	Stadtlander,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing for the recall of House Bill No. 775.

MARTIN G. BRUMBAUGH.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 775.

Mr. BEYER. Mr. Speaker, I move that the vote by which House Bill No. 775, File Folio 2779, entitled

An Act to fix and determine the salary of the several clerks of the courts of record of the County of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth.

passed finally be reconsidered.

Mr. CURRY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. BEYER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. CURRY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BEYER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend the title by striking out the word "record" on line 2, and insert the word "common pleas."

Amend section 1, line 5, by striking out the word "record" and insert the word "common pleas."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

MR. RAMSEY IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1193, entitled

An Act to amend section one of an act approved the twenty-eighth day of April one thousand nine hundred and fif-

teen entitled "An Act regulating the manner and time of payment of employes of cities of the first class" including employes of school districts.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Albee,	Franklin,	Miller, G. J. A.,	Snowden,
Arthur,	Gans,	Morgan, T.,	Somerman,
Baker,	Glass,	Musser,	Sones,
Baldi,	Golder,	Ogden,	Speicher,
Baldridge,	Goodnough,	Palmer,	Sprowls,
Barner,	Graham,	Pickering,	Stadtlander,
Bechtold,	Gransback,	Powell,	Steedle,
Bell,	Haldeman,	Ramsey,	Sterling,
Bennett,	Heffernan,	Reichenbacker,	Stern,
Bidelspacher,	Helt,	Reitzel,	Stites,
Black,	Hess,	Reynolds,	Stoffiet,
Bovee,	Heyburn,	Rhoads, H. L.,	Strauss,
Brumbaugh,	Hibshman,	Rich,	Sullivan,
Campbell, J. O.,	Hoffman,	Richards,	Sweitzer,
Campbell, T.,	Hollern,	Ringler,	Taylor,
Canon,	Hollingsworth,	Rininger,	Thomas,
Chestnut,	Horne,	Rinn,	Ulsh,
Christman,	Hough,	Robertson,	Urich,
Clements,	Howarth,	Ross,	Vickerman,
Coldsmith,	Isherwood,	Reichenbacher,	Vogdes,
Conner,	Jones,	Ruddy,	Wagner,
Crosby,	Kennedy,	Rudisill,	Walker,
Cummins,	Lanius,	Sampsel,	Wallace,
Curry,	Lauler,	Sarig,	Walter,
Davis, W.,	Lewis,	Schaeffer, A. C.,	Wells,
Dean,	Lohr,	Scott,	West,
Dell,	Luppert,	Shaffer, C. A.,	Whitaker,
Dewey,	Mangan,	Shattuck,	Wickman,
Dithrich,	Marvin,	Showalter,	Williams, G. W.
Donneley,	McCullough,	Shunk,	Williams, J. P.,
Drake,	McCurdy,	Siggins,	Wobensmith,
Drinkhouse,	McKay,	Simpson,	Wood.
Dunn,	McKinney,	Sinclair,	Woodward,
Eby,	McPeake,	Smith, E. R.,	Wylie,
Ehrhardt,	Mearkle,	Smith, F. L.,	Wynne,
Erdman,	Mehring,	Smith, J. W.,	Zanders,
Fackler,	Miller, A. D.,	Smith, L.,	Baldwin,
Fitzgibbon,	Miller, C. G.,	Smith, O. W.,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1026, entitled

An Act to amend the second section of an act approved the twenty-third day of April, one thousand nine hundred and nine, entitled "An Act making it a misdemeanor for any president, vice-president, cashier, treasurer, secretary, teller, bookkeeper, clerk, employe, or agent of any mutual savings bank, savings bank, bank of discount and deposit, trust company, title insurance company, surety company, or safe deposit company, incorporated under the laws of this Commonwealth; or of any private bank or unincorporated association, receiving deposits of money; or of any building and loan association, incorporated under the laws of this Commonwealth, or authorized to do business therein; his or their aiders and abettors, to embezzle, abstract or wilfully misapply any of the moneys, funds, or credits of such institution; or to issue certificates of deposit, draw any order or bill of exchange, make any acceptance, assign any note, bond, draft, bill of exchange, mortgage, judgment, or other instrument in writing, without authority from the directors of such institution, with intent to deceive or defraud; or to make a false entry in the books, reports or statements thereof, with like intent; prescribing penalties, and authorizing the Banking Commissioner to institute prosecutions."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STITES. Mr. Speaker, I wonder if the proponent of this bill will be good enough to explain it. Under the old act which it is proposed to amend the Banking Commissioner was required to institute prosecutions for violations of the act. Under the new bill, the Banking Commissioner "may," if he so desires, institute proceedings. I would like an explanation of this bill if the proponent pleases.

Mr. SWARTZ. Mr. Speaker, in answer to my friend from Montgomery, I desire to say that this request came from the Banking Department. Under the law as it now exists, the Banking Commissioner is required to institute proceedings against any person employed by a bank, trust company or savings institution in case of false entry, be it intentional or not. The act provides that it must be intentional in order that the Commissioner of Banking shall institute proceedings. It makes him the judge and the jury. It was thought by the Commissioner of Banking that the word "may" should be substituted so as to give him the right to exercise discretion in certain cases.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Albee,	Fitzgibbon,	Mearkle,	Sinclair,
Aron,	Flynn,	Mehring,	Smith, E. R.,
Arthur,	Fowler,	Mervine,	Smith, F. L.,
Baker,	Franklin,	Miller, A. D.,	Smith, J. W.,
Baldi,	Fretz,	Miller, Allan,	Smith, L.,
Baldridge,	Gans,	Miller, C. G.,	Smith, O. W.,
Bechtold,	Geary,	Miller, G. J. A.,	Snowden,
Bell,	Glass,	Mitchell,	Somerman,
Benchoff,	Golder,	Morgan, T.,	Sones,
Bennett,	Goodnough,	Morgan, T. J.,	Speicher,
Benninger,	Gormley,	Murdoch,	Sprowls,
Beyer,	Graeff,	Murphy,	Stadtlander,
Bidelspacher,	Graham,	Musser,	Steedle,
Black,	Gransback,	Neary,	Sterling,
Bovee,	Haight,	Palmer,	Stern,
Boyd,	Haldeman,	Patterson,	Stites,
Brady,	Hecht,	Perry,	Stoffiet,
Brumbaugh,	Heffernan,	Phillips,	Strauss,
Burnett,	Helt,	Pickering,	Sullivan,
Campbell, J. O.,	Hess,	Powell,	Swartz,
Campbell, T.,	Heyburn,	Ramsey,	Sweitzer,
Canon,	Hibshman,	Reichenbacker,	Taylor,
Chestnut,	Hoffman,	Reitzel,	Thomas,
Christman,	Hollern,	Rich,	Ulsh,
Clements,	Hollingsworth,	Richards,	Urich,
Coldsmith,	Horton,	Rininger,	Vodges,
Conner,	Howarth,	Ringler,	Wagner,
Corbin,	Jack,	Rinn,	Walker,
Crosby,	Jones,	Robertson,	Wallace,
Cummins,	Kennedy,	Rogers,	Weimer,
Curry,	Lafferty,	Ross,	Wells,
Davis, W.,	Lanius,	Rothenberger,	West,
Dell,	Laucks,	Ruddy,	Whitaker,
Dewey,	Lauler,	Rudisill,	Wickman,
Dithrich,	Leary,	Sampsel,	Williams, G. W.
Donneley,	Lewis,	Schaeffer, A. C.,	Williams, J. P.,
Drake,	Lohr,	Scott,	Wobensmith,
Drinkhouse,	Luppert,	Shaffer, C. A.,	Wood,
Dunn,	Mangan,	Shattuck,	Woodward,
Eby,	Marvin,	Showalter,	Zanders,
Ehrhardt,	McCullough,	Shunk,	Baldwin,
Erdman,	McCurdy,	Siggins,	Speaker.
Fackler,	McKay,	Simpson,	

NAYS—3.

Dean,	Horne,	McKinney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreably to order,

The House proceeded to the third reading and consideration of House Bill No. 1251, as follows:

An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of encouraging agriculture and the holding of agricultural exhibitions of farm products an incorporated agricultural association conforming to the requirements of this act is entitled to receive from the Commonwealth an annual sum not exceeding one thousand dollars equal to the amount paid by such association as premiums for exhibits at its annual exhibition exclusive of premiums paid on trials of speed Such premiums shall be paid only upon products of this Commonwealth

Section 2 In case there is more than one association holding such annual exhibitions in a county such associations shall be entitled to receive from the Commonwealth a sum not exceeding in the aggregate the sum of two thousand dollars to be apportioned by the Auditor General among such associations according to the amount of premiums paid for the exhibits at the last exhibition of each of such associations exclusive of premiums for trials of speed

No association shall receive from the Commonwealth a greater sum than that paid by the association as premiums on exhibits exclusive of premiums paid for trials of speed

Section 3 No incorporated county agricultural association shall be entitled to the benefits of this act unless it shall hold an annual exhibition in the interest of stock-raising grain poultry handiwork dairy products and the like Such exhibitions shall continue at least three consecutive days

Section 4 No county agricultural association hereafter incorporated shall be entitled to the benefits of this act until such association shall have held two consecutive annual exhibitions of the character designated in the preceding section nor shall such association receive any appropriation for their third and fourth years respectively in excess of the amount it paid in premiums in the State exclusive of premiums for trials of speed during its second year and such association upon its incorporation shall file with the Auditor General a declaration of its intention to apply for said premium money for its third year Such association must also file its report during its first two years the same as any other association This section shall not apply to a county agricultural association heretofore incorporated owning their own buildings and grounds which shall hold annual exhibitions of the character designated in section three Nor shall this section apply to a county agricultural association heretofore or hereafter incorporated which shall resume the holding of annual exhibitions of the character designated in section three of this act which exhibitions have been for a period of not more than two years temporarily discontinued

Section 5 Annually on or before the fifteenth day of November an association applying for the benefits of this act shall file with the Auditor General a statement sworn to by its president attested by its secretary with corporate seal attached setting forth the name of the association the time and place of the exhibition and the amount of premiums actually paid giving the names and addresses of the persons to whom such premiums were paid and in what class kind or department

Section 6 Payments to incorporated agricultural associations under the provisions of this act shall be made by the State Treasurer upon warrant of the Auditor General issued on or before the fifteenth day of December of the year in which the exhibition is held

Section 7 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred and seventeen to carry out the provisions of this act

Section 8 The following acts or parts of acts are hereby repealed

An Act entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agriculture exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibitions and providing for the repayment to the county by the State of the sum so paid" approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws seven hundred and two)

An Act entitled "An Act amending the first section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled 'An Act to authorize county commissioners for the purpose of encuraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid' by changing from four to three the required number of days for holding such exhibitions" approved the thirteenth day of April one thousand nine hundred eleven (Pamphlet Laws fifty-eight)

An Act entitled "An Act to amend section one of the act approved the thirteenth day of June one thousand nine hundred and seven entitled 'An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by State of the sum so paid' as amended" approved the twelfth day of June one thousand nine hundred thirteen (Pamphlet Laws four hundred and eighty-six)

An Act entitled "An Act amending the second section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled 'An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid' by changing the date for filing by the association with the county commissioners the statement required from November fifteenth to December tenth in each year" approved the fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and twenty)

An Act entitled "An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand and thirty-five)

Section 9 All acts or parts of acts inconsistent with this act are hereby repealed

Section 10 This act shall take effect on the first day of July one thousand nine hundred and seventeen

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HESS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. REITZEL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 961, entitled

A Supplement to an act approved the second day of May, one thousand eight hundred and ninety-nine, entitled "An Act requiring written notice to be served upon supervisors of the proposed opening and construction of new roads for public use, and of views, reviews and re-reviews in connection with such proposed new roads," as amended by an act approved the twenty-ninth day of March, one thousand nine hundred and five, entitled "An Act to amend section one of an act, entitled 'An Act requiring written notice to be served upon supervisors, of the proposed opening and construction of new roads for public use, and of views, reviews and re-reviews in connection with such proposed new roads,' approved the second day of May, Anno Domini one thousand eight hundred and ninety-nine, so as to require notice to be served on the supervisors of the territory through which the proposed public road is to pass, of the time and place of the appointment of viewers, reviewers, and re-reviewers to lay out the same, and of the time and place of their meetings," requiring petitioners for roads to give bond for the payment of costs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Albee,	Fitzgibbon,	Milner,	Smith, J. W.,
Aron,	Flynn,	Mitchell,	Smith, L.,
Arthur,	Franklin,	Morgan, T.,	Smith, O. W.,
Baker,	Glass,	Murdoch,	Snowden,
Baldi,	Golder,	Murphy,	Somerman,
Baldridge,	Gransback,	Musser,	Speicher,
Barner,	Haight,	Ogden,	Sprowls,
Bechtold,	Hecht,	Palmer,	Stadtlander,
Bell,	Heffernan,	Patterson,	Steedle,
Benchoff,	Hess,	Perry,	Sterling,
Bennett,	Heyburn,	Phillips,	Stern,
Benninger,	Hibshman,	Pickering,	Stites,
Beyer,	Hoffman,	Powell,	Stofflet,
Bidelspacher,	Hollern,	Ramsey,	Strauss,
Black,	Horne,	Reichenbacher,	Sullivan,
Bovee,	Howarth,	Reitzel,	Swartz,
Brumbaugh,	Jones,	Reynolds,	Sweitzer,
Campbell, J. O.,	Kennedy,	Rich,	Thomas.
Campbell, T.,	Lanius,	Richards,	Ulsh,
Canon,	Laucks,	Ringler,	Urich,
Chestnut,	Lauler,	Rininger,	Vickerman,
Christman,	Leary,	Robertson,	Vodges,
Clements,	Lewis,	Rogers,	Wagner,
Coldsmith,	Luppert,	Ross,	Walker,
Conner,	Mangan,	Rothenberger,	Wallace,
Corbin,	Marvin,	Rudisill,	Weimer,
Cox,	McCaig,	Sampsel,	Wells,
Curry,	McCullough,	Sarig,	West,
Davis, W.,	McCurdy,	Shaffer, C. A.,	Wickman,
Dean,	McKay,	Shattuck,	Williams, G. W.
Dell,	Mearkle,	Shunk,	Williams, J. P.,
Dewey,	Mehring,	Siggins,	Wobensmith,
Dithrich,	Mervine,	Sinclair,	Wood,
Donneley,	Miller, C. G.,	Smith, E. R.,	Wynne,
Drake,	Miller, G. J. A.,	Smith, F. I.,	Zanders,

NAYS—11.

Crosby,	Goodnough,	Hollingsworth,
Cummins,	Graham,	Lohr,
Ehrhardt,	Haldeman,	McKinney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1344, as follows

An Act regulating the conduct and prescribing the duties of drivers or operators of automobiles motor cycles or other vehicles on public highways who shall injure any person or persons while so driving on said highways and providing penalties for violations of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the driver or operator of any automobile motor cycle or other vehicle which shall have run into over collided with or in any way injured any person or persons upon the public highways of this Commonwealth while being driven or operated thereon forthwith to stop said automobile motorcycle or other vehicle and return to the place of said accident and to render such aid and assistance to the person or persons so run into over or otherwise injured as aforesaid as may be necessary and possible under the circumstances

Section 2 Any person being the driver or operator of any automobile motorcycle or other vehicle upon the public highways of this Commonwealth as aforesaid who shall knowingly violate the provisions of sections one of this act or who after having run into over collided with or otherwise injured any person or persons on said public highways in the manner aforesaid shall knowingly drive or run away from or leave the place of such accident and abandon the person or persons so injured as aforesaid shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars and shall undergo an imprisonment for a perod of not more than one year or either or both in the discretion of the court

Section 3 All acts or parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194.

Albee,	Fowler,	McVicar,	Simpson,
Aron,	Franklin,	Mearkle,	Sinclair,
Arthur,	Fretz,	Mehring,	Smith, E. R.,
Aston,	Gans,	Mervine,	Smith, F. I.,
Baker,	Geary,	Michel,	Smith, J. W.,
Baldi,	Glass,	Miller, A. D.,	Smith, L.,
Barner,	Golder,	Miller, Allan,	Smith, O. W.,
Barner,	Goodnough,	Miller, C. G.,	Snowden,
Bechtold,	Goodwin,	Miller, G. J. A.,	Snyder,
Bell,	Gormley,	Milner,	Somerman,
Benchoff,	Graeff,	Mitchell,	Sones,
Bennett,	Graham,	Morgan, T.,	Spangler,
Benninger,	Gransback,	Murdoch,	Speicher,
Beyer,	Haight,	Murphy,	Sprowls,
Bidelspacher,	Haldeman,	Musser,	Stadtlander,
Black,	Hecht,	Neary,	Steedle,
Boulton, H.,	Heffernan,	Ogden,	Sterling,
Bovee,	Helt,	Palmer,	Stern,
Boyd,	Hess,	Patterson,	Stites,
Brady,	Heyburn,	Perry,	Stofflet,
Burnett,	Hibshman,	Phillips,	Strauss,
Campbell, J. O.,	Hoffman,	Pickering,	Swartz,
Campbell, T.,	Hollern,	Powell,	Sweitzer,
Canon,	Hollingsworth,	Ramsey,	Taylor,
Chestnut,	Horne,	Reichenbacher,	Thomas,
Christman,	Horton,	Reitzel,	Ulsh,
Clements,	Hough,	Reynolds,	Urich,
Coldsmith,	Howarth,	Rhoads, H. L.,	Vickerman,
Conner,	Isherwood,	Rhodes, W. M.,	Vodges,
Co ɔin,	Jack,	Rich,	Wagner,
Cox.	Jones,	Richards,	Walker.
Crosby,	Kennedy,	Ringler,	Wallace,
Cummins,	Lafferty,	Rininger,	Walter,
Curry,	Lanius,	Rinn,	Wēimer,
Davis, D. F.,	Lauler,	Robertson,	Wells,
Davis, W.,	Leary,	Rogers,	West,
Dean,	Lewis,	Ross,	Whitaker,
Dell,	Lohr,	Rothenberger,	Wickman,
Dewey,	Luppert,	Ruddy,	Williams, G. W.
Dithrich,	Mangan,	Rudisill,	Williams, J. P.,
Donneley,	Marvin,	Sampsel,	Wobensmith,
Drake,	McArdle,	Sarig,	Wood,
Drinkhouse,	McCaig,	Schaeffer, A. C.,	Woodward,
Dunn,	McCullough,	Scott,	Wylie,
Ehrhardt,	McCurdy,	Shaffer, C. A.,	Wynne,
Erdman,	McKay,	Shattuck,	Zanders,
Fackler,	McKinney,	Showalter,	Baldwin,
Fitzgibbon,	McNichol,	Shunk,	Speaker.
Flynn,	McPeake,	Siggins,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 393, as follows:

An Act to provide for the establishment and government of six correctional institutions to be known as the Pennsylvania State Farm of the first second third fourth fifth and sixth districts respectively providing for the care and confinment of prisoners therein and the transfer of prisoners thereto and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there are hereby established under the provisions of this act six correctional institutions for violators of the law to be known as the Pennsylvania State Farm of the First District the Pennsylvania State Farm of the Second District the Pennsylvania State Farm of the Third District the Pensylvania State Farm of the Fourth District the Pennsylvania State Farm of the Fifth District and the Pennsylvania State Farm of the Sixth District

Section 2 The first district shall comprise the county of Philadelphia

The second district shall comprise the county of Allegheny

The third district shall comprise the Counties of Berks Bucks Chester Dauphin Delaware Lancaster Lebanon Lehigh Montgomery Northampton and Schuylkill

The fourth district shall comprise the Counties of Bradford Carbon Columbia Lackawanna Luzerne Lycoming Monroe Montour Northumberland Pike Sullivan Susquehanna Tioga Wayne and Wyoming

The fifth district shall comprise the Counties of Adams Bedford Blair Cambria Cameron Centre Clearfield Clinton Cumberland Elk Franklin Fulton Huntingdon Juniata McKean Mifflin Perry Potter Snyder Somerset Union and York

The sixth district shall comprise the Counties of Armstrong Beaver Butler Clarion Crawford Erie Fayette Forest Greene Indiana Jefferson Lawrence Mercer Venango Warren Washington and Westmoreland

Section 3 Upon the approval of this act a commission shall be created which shall be composed of five reputable citizens of the Commonwealth to be appointed by the Governor not more than three of whom shall be members of the same political party and such Commission is hereby authorized by a majority vote to select suitable sites for the state farm In the selection of the sites for the state farms for the first or second district the commission shall not be restricted in locating the same within the said district The Commission shall serve without compensation but all of their expenses actually and necessarily incurred shall be paid The Commission shall purchase six tracts of not more than five hundred acres of land in each tract the title to which shall be good and sufficient and approved by the Attorney General and such title shall be taken in the name of the Commonwealth of Pennsylvania

Section 4 In the selection of sites the commission shall take into consideration the objects and purposes of the institutions and all or as many as practicable of the following enumerated advantages and resources the land selected and purchased shall be varied topography with natural resources and advantages for varied forms of husbandry fruit growing and stock raising for brick making and for the preparation of road and paving material and shall have good railroad drainage sewage and water facilities

Section 5 Upon the selection of loction and sites and the purchase of land for the State farms the Governor shall appoint a Board of Trustees for each of said institutions to consist of five members who shall be reputable citizens of Pennsylvania not more than three of whom shall belong to the same political party Such trustees shall serve without compensation but their expenses actually and necessarily incurred shall be paid One member of each board shall be appointed for one year one for two years one for three years and one for four years and one for five years Thereafter all appointments shall be for a term of five years respectively In case of a vacancy from any cause the appointment to fill such vacancy shall be made by the Governor for the unexpired term The Governor may remove any of the trustees for misconduct incompetency or neglect of duty after opportunity shall be given him or them to be heard upon written charges

Section 6 All buildings constructed in pursuance of this act shall be plain and inexpensive in character and the labor in constructing such buildings improvements and facilities shall be supplied by the persons committed to the institution or confined in the State penal and reformatory institutions so far as found practicable

The board of trustees shall procure all necessary materials erect and equip such buildings employ such skilled labor as cannot be furnished by the prisoners committed thereto or by prisoners in the Seate penitentiaries or the Pennsylvania Industrial Reformatory at Huntingdon and, provide all proper facilities for their use and for the practical use of the institution

When the board of trustees of the State farms shall have made all preliminary arrangements for the construction of the buildings and equipment they shall notify the Gov-

ernor who shall issue a proclamation thereon and thereafter prisoners having more than thirty days to serve may be transferred to the State farm from any jail or workhouse in that district on the order of the Governor

Section 7 The boards of inspectors of the Pennsylvania State Penitentiaries and of the Pennsylvania Industrial Reformatory at Huntingdon on request from a board of trustees of a State farm are authorized to tranfser to a State farm from their respective institutions any prisoners of special or mechanical ability therein who may be found in the judgment of such board and the board of trustees of the State farm suitable for the purpose and provide transportation and proper guards therefor and while such prisoners remain at State farm they shall be subject to the orders of the managers or inspectors of the institution from which they were transferred as to their return and in all other respects except as to discipline and government While at such State farm they shall be under the control discipline and government and subject to the orders of the board of trustees of the State farm and its executive officers

The prisoners transferred for the purpose of supplying labor as aforesaid from the State penitentiaries and the Pennsylvania Industrial Reformatory at Huntingdon shall be apportioned as to number by agreement of the managers or inspectors of said institutions respectively and in case they cannot agree thereon the Governor is authorized to determine the number and kind of mechanics or prisoners of special ability to be transferred from each of said institutions and cause the same to be transferred

The expense of transportation and transfer of the prisoners used in the construction of building and equipment to and from the State farms shall be paid on bills rendered to the Auditor General out of the fund provided for the establishment of the State farms

The maintenance of such prisoners as are transferred from the State penitentiary or reformatory shall be paid by the institution from which they are transferred but the cost of such maintenance in excess of the average per capita cost of the prisoners at the institution from which they are transferred shall be refunded to the said institution from the fund appropriated for the State farm

Section 8 When any State farm shall be equipped with buildings and other facilities sufficient in the opinion of its Board of Trustees to receive prisoners such Board of Trustees shall notify the Governor and upon such notification the Governor shall by proclamation declare the State farm ready to receive prisoners and thereafter it shall be the duty of all judges of Courts of Record of that district to commit thereto all persons convicted of the violation of any law of this State the punishment for which now consists of imprisonment in any county jail or workhouse whose term of imprisonment shall be for a period of not less than thirty days All such commitments shall be to the State farm of the respective district

Section 9 The cost of transportation of persons committed to the State farm shall be paid by the counties respectively from which the prisoner is committed and the sheriff of the county shall receive the same mileage and fees for prisoners committed to the State farm as are now allowed by law for transporting prisoners committed to the State penitentiaries and reformatory When any prisoner is discharged from a State farm the superintendent or warden thereof shall procure for him a railroad ticket to any point to which said prisoner may desire to go not farther from said State farm than the point from which he was sentenced and it shall be the duty of the superintendent or warden or his duly authorized agent to accompany the prisoner to the railroad station deliver the ticket to the proper railroad conductor and formally release the prisoner on the train which he takes for his destination

Section 10 In case at any time it shall be found that any State farm can accommodate and care for more prisoners than are of the class above designated the Governor may order to be transferred to such a State farm from the State penitentiary the Pennsylvania Industrial Reformatory at Huntingdon or any other State farm such prisoners as he and the boards of any such institutions shall find can be better cared for at such State farm Such prisoners so transferred may be returned to the institution from which they were transferred whenever the Governor and the Board of Trustees of the State farm shall find such return necessary and expedient

Section 11 It shall be the purpose of the State farm to employ the prisoners committed or transferred thereto in work on or about the buildings and farm and in growing produce the supplies for its own use or for the Commonwealth or for any political division thereof or for any public or charitable institution owned or managed and controlled by the Commonwealth or any political division thereof in preparation of road material and in making brick tile paving material and the manufacture of other products or material as may be found practicable for the use of the State or any political subdivision therein and for the proper and healthful employment of such prisoners

Section 12 For the purpose of the land contemplated in this act there is hereby appropriated for the use of the Commission and Board of Trustees created by this act the sum of two hundred thousand dollars ($200,000.00) or so much thereof as may be necessary twenty thousand dollars ($20,000.00) of which shall be made available June first one thousand nine hundred seventeen for the taking of options and the balance January first one thousand nine hundred eighteen For the erection of buildings and other construction and development contemplated by this act and the running expenses of the commission and the boards and the salaries and expenses of executive officers of the institution the sum of eighty thousand dollars ($80,000.00) or so much thereof as may be necessary is hereby appropriated to be available June first one thousand nine hundred seventeen Any part of the appropriation for the purchase of land which shall not be needed therefor shall be placed in the fund for the erection of buildings and other construction and development Payment of such moneys shall be on requisition of the commission and on warrant of the Auditor General

Section 13 The six Boards of Trustees shall each select one representative who shall meet monthly and acting as a body shall adopt and amend or revoke or add to at any time rules governing the State farms Such rules shall be subject to the approval of the Governor and shall not be inconsistent with the Constitution or laws of the Commonwealth or of the United States

Section 14 Each Board of Trustees shall appoint a superintendent of the farm and such other employes as the board may deem proper all of whom shall be bona fide citizens of Pennsylvania The compensation and duties of the superintendent and employes shall be fixed by the board

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. HESS. Mr. Speaker, inasmuch as this bill carries a large appropriation, I move that it be referred to the Appropriation Committee.

Mr. REITZEL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 904, entitled

An Act to provide for the re-incorporation as a stock company of certain corporations organized under the laws of Pennsylvania for the maintenance of a society for beneficial or protective purposes to its members from funds collected therein.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190.

Albee,	Flynn,	Mearkle,	Sinclair,
Aron,	Fowler,	Mehring,	Smith, E. R.,
Arthur,	Franklin,	Mervine,	Smith, F. I.,
Aston,	Fretz,	Michel,	Smith, J. W.,
Baker,	Gans,	Miller, A. D.,	Smith, L.,
Baldi,	Geary,	Miller, Allan,	Smith, O. W.,
Baldridge,	Glass,	Miller, C. G.,	Snowden,
Barner,	Golder,	Miller, G. J. A.,	Snyder,
Bechtold,	Goodnough,	Milner,	Somerman,
Bell,	Gormley,	Mitchell,	Sones,
Benchoff,	Graham,	Morgan, T.,	Spangler,
Bennett,	Gransback,	Murdoch,	Speicher,
Benninger,	Haldeman,	Murphy,	Sprowls,
Beyer,	Hecht,	Musser,	Stadtlander,
Bidelspacher,	Heffernan,	Neary,	Steedle,
Black,	Helt,	Ogden,	Sterling,
Boulton, H.,	Hess,	Palmer,	Stern,
Bovee,	Heyburn,	Patterson,	Stites,
Boyd,	Hibshman,	Perry,	Stoffiet,
Brady,	Hoffman,	Phillips,	Strauss,
Brumbaugh,	Hollern,	Pickering,	Sullivan,
Burnett,	Hollingsworth,	Powell,	Swartz,
Campbell, J. O.,	Horne,	Ramsey,	Sweitzer,
Campbell, T.,	Horton,	Reichenbacker,	Taylor,
Canon,	Howarth,	Reitzel,	Thomas,
Chestnut,	Isherwood,	Reynolds,	Ulsh,
Christman,	Jack,	Rhoads, H. L.,	**Urich,**
Clements,	Jones,	Rhodes, W. M.,	Vickerman,
Coldsmith,	Kennedy,	Rich,	Vogdes,
Conner,	Lafferty,	Richards,	Wagner,
Corbin,	Lanius,	Ringler,	Walker,
Cox,	Laucks,	Rininger,	Wallace,
Crosby,	Lauler,	Rinn,	Weimer,
Cummins,	Leary,	Robertson,	Wells,
Curry,	Lewis,	Rogers,	West,
Davis, W.,	Lohr,	Ross,	Whitaker,
Dean,	Luppert,	Rothenberger,	Wickman,
Dell,	Mangan,	Rudisill,	Williams, G. W.
Dewey,	Marvin,	Sampsel,	Williams, J. P.,
Dithrich,	McArdle,	Sarig,	Wobensmith,
Donneley,	McCaig,	Schaeffer, A. C.,	Wood,
Drake,	McCullough,	Scott,	Woodward,
Drinkhouse,	McCurdy,	Shaffer, C. A.,	Wylie,
Dunn,	McKay,	Shattuck,	Wynne,
Eby,	McKinney,	Showalter,	Zanders,
Ehrhardt,	McNichol,	Shunk,	**Baldwin,**
Fackler,	McPeake,	Siggins,	Speaker.
Fitzgibbon,	McVicar,	Simpson,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1269, entitled

An Act relating to the jurisdiction, powers and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate and for the sale of real estate for the purposes of distribution and the fees, costs and expenses therein.

On the question,

Will the House agree to the bill on third reading?

Mr. SWARTZ. Mr. Speaker, there are a number of typographical errors in this bill as well as in the next five bills which are companion bills, and I desire to offer amendments to each of them to correct these typographical errors. I therefore ask the unanimous consent to offer amendments to this bill at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend page 1 by inserting after the title the following: "Table of Contents."

Amend page 3, line 1, by striking out "trustees" and inserting in lieu thereof "trustee."

Amend page 3, line 13, by striking out "decree of sale" and inserting the same in line 12 after the word "made."

Amend section 1, page 5, line 6, by striking out "or" and inserting in lieu thereof "of."

Amend section 1, page 6, line 6, by striking out "lands" at beginning of line and inserting in lieu thereof "land."

Amend section 3, page 6, line 28, by striking out "firamtion" and inserting in lieu thereof "firmation."

Amend section 7, page 8, line 14, by striking out "such" and inserting in lieu thereof "said."

Amend section 9, page 9, line 10, by striking out "17" and inserting in lieu thereof "seventeen."

Amend section 10, page 9, line 21, by striking out "decendent" and inserting in lieu thereof "decedent."

Amend section 10, page 9, line 22, by striking out "possessed" and inserting in lieu thereof "possessed."

Amend section 12, page 10, line 19, by striking out "pans" and inserting in lieu thereof "phans."

Amend section 13, page 11, line 8, by striking out "interstate" and inserting in lieu thereof "intestate."

Amend section 13, page 11, line 26, by striking out "refusal" and inserting in lieu thereof "refused."

Amend section 17, page 14, line 5, by striking out "aforsaid" and inserting in lieu thereof "aforesaid."

Amend section 17, page 14, line 7, by striking out "than" and inserting in lieu thereof "that."

Amend section 20, page 17, line 11, by striking out "posession" and inserting in lieu thereof "possession."

Amend section 30, page 22, line 24, by striking out "decendent" and inserting in lieu thereof "decedent."

Amend section 31, page 23, line 14, by striking out "the" before "petition."

Amend section 32, page 24, line 7, by striking out "affected" and inserting in lieu thereof "effected."

Amend section 32, page 24, line 8, by striking out "conveyance" and inserting in lieu thereof "conveyance."

Amend section 34, page 25, line 10, by striking out "on" and inserting in lieu thereof "an."

Amend section 35, page 25, line 14, by striking out "partitioners" and inserting in lieu thereof "petitioners."

Amend section 37, page 28, line 10, by striking out "situate" and inserting in lieu thereof "situated."

Amend section 38, page 28, line 13, by striking out "of" and inserting in lieu thereof "or."

Amend section 38, page 28, line 15, by striking out "situate" and inserting in lieu thereof "situated."

Amend section 38, page 29, line 6, by striking out "situate" and inserting in lieu thereof "situated."

Amend section 39, page 31, line 7, by inserting "of" after "or."

Amend section 39, page 31, line 8, by striking out "representative" and inserting in lieu thereof "representatives."

Amend section 41, page 32, line 2, by striking out "court" and inserting in lieu thereof "courts."

Amend section 44, page 32, lines 28 and 29, by striking out the words "one thousand nine hundred and seventeen" and inserting in lieu thereof "1917."

Amend section 45, page 33, line 2, by inserting "are" after "Assembly."

Amend section 45, page 33, line 27, by striking out the word "one" following "April" and inserting in lieu thereof "first."

Amend section 45, page 35, line 12, by striking out "twnety-ninth" and inserting in lieu thereof "twenty-ninth."

Amend section 45, page 35, line 14, by strikig out the word "day."

Amend section 45, page 35, line 24, by striking out the word "court" and inserting in lieu thereof "courts."

Amend section 45, page 35, line 28, by striking out the words "day of."

Amend section 45, page 36, line 6, by striking out "twenty-one" and inserting "twenty-first."

Amend section 45, page 36, line 25, by striking out the comma after "also."

Amend section 45, page 38, line 7, by striking out the word "twenty" and inserting in lieu thereof "twentieth."

Amend section 45, page 38, line 12, by striking out the word "court" and inserting in lieu thereof "courts."

Amend section 45, page 39, line 10, by striking out the word "of" following "administration" and inserting in lieu thereof "or."

Amend section 45, page 42, line 13, by striking out the word "one" after "May" and inserting in lieu thereof "first."

Amend section 45, page 42, line 22, by striking out the word "court" and inserting in lieu thereof "courts."

Amend section 45, page 43, line 9, by striking out "of" after "possession" and inserting "to."

Amend section 45, page 44, line 16, by striking out the word "one" following "June" and inserting "first."

Amend section 45, page 42, line 3, by striking out the word "estate" and inserting in lieu thereof "estates."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1270, entitled

An Act relating to the organization, jurisdiction and procedure of the orphans' courts, the powers and duties of the judges thereof and appeals therefrom.

On the question,

Will the House agree to the bill on third reading?

Mr. SWARTZ. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend table of contents, page 3, line 7, by striking out "wrante" and inserting in lieu thereof "durante."

Amend table of contents, page 4, line 4, by striking out "Injunction" and inserting in lieu thereof "Injunctions."

Amend table of contents, page 5, line 7, by striking out "abscends" and inserting in lieu thereof "absconds."

Amend table of contents, page 6, last line, by striking out "pendents" and inserting in lieu thereof "pendente."

Amend section 1, page 7, line 22, by inserting "and" after "term."

Amend section 3, page 10, line 3, by striking out "able" and inserting in lieu thereof "unable."

Amend section 3, page 10, line 15, by striking out "caluse" and inserting in lieu thereof "clause."

Amend section 4, page 11, line 9, by inserting "the" before "said."

Amend section 5, page 12, line 17, by striking out "Court" and inserting in lieu thereof "courts."

Amend section 5, page 13, line 1, by inserting "one" before "oldest."

Amend section 5, page 13, line 3, by striking out "certificate" and inserting in lieu thereof "certificates."

Amend section 7, page 13, line 23, by striking out "court" and inserting in lieu thereof "courts."

Amend section 8, page 15, line 22, by striking out "sepaate" and inserting in lieu thereof "separate."

Amend section 9, page 16, line 8, by striking out "apointed" and inserting in lieu thereof "appointed."

Amend section 9, page 17, line 1, by striking out "decedent" and inserting in lieu thereof "decedents."

Amend section 9, page 17, line 11, by striking out "(1)" and inserting in lieu thereof "(1)."

Amend section 9, page 17, line 15, by striking out "and" and inserting in lieu thereof "or."

Amend section 9, page 17, line 18, by inserting "other" before "powers."

Amend section 12, page 18, line 25, by striking out "such" and inserting in lieu thereof "said."

Amend section 15, page 19, line 12, by striking out "such" and inserting in lieu thereof "said."

Amend section 17, page 20, line 13, by striking out the word "the" before "property."

Amend section 18, page 24, line 10, by striking out "correct" and inserting in lieu thereof "collect."

Amend section 18, page 24, line 21, by inserting open space before "day."

Amend section 18, page 24, line 27, by striking out "or" and inserting "of."

Amend section 18, page 26, line 4, by striking out "it" and inserting in lieu thereof "if."

Amend section 18, page 28, line 11, by inserting "the" befor "entry."

Amend section 18, page 29, line 10, by striking out "the" before "docket" and inserting in lieu thereof "and."

Amend section 18, page 29, line 12, by striking out "definite" and inserting in lieu thereof "definitive."

Amend section 20, page 33, line 11, by inserting "as" after "mutandis."

Amend section 21, page 34, line 7, by inserting "to" before "send" "to" after "issue" and "of" after "pleas."

Amend section 21, page 35, line 18, by inserting "therein" after "issue."

Amend section 21, page 35, line 25, by striking out "a" before "party."

Amend section 21, page 35, line 29, by inserting "the" before "said."

Amend section 22, page 37, line 8, by striking out "has" and inserting in lieu thereof "had."

Amend section 23, page 37, lines 17 and 18, by striking out the words "mineteen hundred and seventeen" and inserting in lieu thereof "1917."

Amend section 24, page 37, line 25, by striking out "seven" and inserting "seventh."

Amend section 24, page 38, line 16, by striking out "twenty-nine" and inserting in lieu thereof "twenty-ninth."

Amend section 24, page 39, line 2, by striking out "arious" and inserting in lieu thereof "various."

Amend section 24, page 39, line 8, by striking out "jurisdiction" and inserting in lieu thereof "jurisdictions."

Amend section 24, page 39, line 9, by striking out "sixteen" and inserting in lieu thereof "sixteenth."

Amend section 24, page 39, line 21, by striking out "twenty" and inserting in lieu thereof "twentieth."

Amend section 24, page 40, line 15, by inserting "which" after "Commonwealth."

Amend section 24, page 40, line 16, by striking out "Goernor's" and inserting in lieu thereof "Governor's.

Amend section 24, page 43, line 20, by striking out "Courts" and inserting in lieu thereof "Court."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1271, entitled

An Act relating to the jurisdiction, powers and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground rent, leases, extinguishment of ground rents, partitions, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the subdivision of premises so as to command the highest price or greatest rents, and, for such purpose, the laying out or dedication of roads, streets, and alleys or the vacation of such as have not been accepted by the public authorities, where the court shall be of the opinion that such decree will be to the interest and advantage of all those interested, and where the legal title is held by minors, lunatics, habitual drunkards or weak-minded persons, a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years, by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial or charitable society or association incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law, by a corporation or individual or individuals and is subject to a trust of any description whatever, by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory device, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the state, have died, refuse to act, unreasonably withhold consent or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor, devisee or appointee to make sale and conveyance; where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decrees.

On the question,

Will the House agree to the bill on third reading?

Mr. SWARTZ. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend table of contents, page 4, line 5, by striking out "acknowledgement" and inserting in lieu thereof "acknowledgment."

Amend table of contents, page 4, line 13, by striking out "mortagee" and inserting in lieu thereof "mortgagee."

Amend table of contents, page 4, line 17, by striking out "effect" and inserting in lieu thereof "affect."

Amend section 1, page 5, line 13, by striking out "or" and inserting in lieu thereof "on."

Amend section 1, page 6, line 3, by striking out "interest" and inserting in lieu thereof "interests."

Amend esction 1, page 6, line 11, by striking out "or" after "vacating" and inserting "of."

Amend section 2, page 7, line 13, by striking out the "(7)" and inserting in lieu thereof "seven."

Amend section 2, page 7, line 27, by striking out the "(4)" and inserting in lieu thereof "four."

Amend section 3, page 8, line 19, by striking out "persons" and inserting in leiu thereof "person."

Amend section 3, page 8, line 20, by striking out "act" and inserting in lieu thereof "acts."

Amend section 7, page 10, line 27, by striking out "too" and inserting in lieu thereof "to."

Amend section 8, page 11, line 23, by striking out "of" after "liable."

Amend section 8, page 11, line 24, by striking out "debts" before "for."

Amend section 9, page 12, line 11, by striking out "motrgage" and inserting in lieu thereof "mortgage."

Amend section 10, page 13, line 17, by striking out "nevetheless" and inserting in lieu thereof "nevertheless.'

Amend section 16, page 16, line 1, by striking out "acknowledge" and inserting in lieu thereof "acknowledged."

Amend section 17, page 16, line 22, by inserting "such" before "successor."

Amend section 17, page 18, line 12, by striking out "deliver" and inserting in lieu thereof "delivered."

Amend section 17, page 18, line 20, by striking out "mortgages" and inserting in lieu thereof "mortgagee."

Amend section 23, page 22, line 6, by striking out "discharge" and inserting in lieu thereof "discharged."

Amend section 24, page 22, line 15, by striking out "mortgage" and inserting in lieu thereof "mortgagee."

Amend section 24, page 22, line 18, by striking out "to" and inserting in lieu thereof "or."

Amend section 26, page 24, line 25, by striking out "or" and inserting in lieu thereof "of."

Amend section 26, page 25, line 19, by striking out "art" and inserting in lieu thereof "act."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1272, entitled

An Act relating to the form, execution revocation and interpretation of wills, to nuncupative wills, to the appointment of testamentary guardians, to spendthrift trusts, to forfeiture of devise or legacy in case of murder of testator, to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor.

On the question,

Will the House agree to the bill on third reading?

Mr. SWARTZ. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend table of contents, page 1, line 7, by striking out "Requisities" and inserting in lieu thereof "Requisites."

Amend table of contents, page 2, line 4, by striking out "periodicals" and inserting in lieu thereof "periodical."

Amend tabe of contents, page 2, line 12, by striking out "mediaately" and inserting in lieu thereof "mediately."

Amend table of contents, page 3, line 20, by striking out "devise" and inserting in lieu thereof "devisee."

Amend section 6, page 6, line 10, by striking out "use" and inserting in lieu thereof "uses."

Amend section 15, page 9, line 25, by inserting "a" before "class."

Amend section 16, page 11, line 8, by inserting "the" after "Of."

Amend section 27, page 17, line 7, by striking out "nineteen" and inserting in lieu thereof "nineteenth."

Amend section 27, page 17, line 13, by striking out "four" and inserting in lieu thereof "fourth."

Amend section 27, page 17, line 19, by striking out "seven" after "April" and inserting in lieu thereof "seventh."

Amend section 27, page 17, line 22, by striking out "nineteen" and inserting in lieu thereof "nineteenth."

Amend section 27, page 17, line 25, by striking out "one" and inserting in lieu thereof "first."

Amend section 27, page 18, line 2, by striking out "fifteen" and inserting in lieu thereof "fifteenth."

Amend section 27, page 19, line 21, by striking out "twenty" and inserting in lieu thereof "twentieth."

Amend section 27, page 20, line 6, by striking out "ten" and inserting in lieu thereof "tenth" and inserting after "hundred" the word "and."

Amend section 27, page 21, line 19, by striking out "election" and inserting in lieu thereof "elections."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1273, entitled

An Act relating to the qualification, jurisdiction, powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom.

On the question,

Will the House agree to the bill on third reading?

Mr. SWARTZ. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 4, line 13, by striking out "securities" and inserting in lieu thereof "sureties."

Amend section 12, page 10, line 11, by striking out the word "at" following "both."

Amend section 12, page 10, line 15, by striking out "tranlation" and inserting in lieu thereof "translation."

Amend section 13, page 10, line 27, by inserting "such" after "any."

Amend section 14, page 11, line 19, by striking out the word "awful" and inserting in lieu thereof "lawful."

Amend section 14, page 11, line 24, by striking out "aforesad" and inserting in lieu thereof "aforesaid."

Amend section 17, page 14, line 8, by striking out "Commend" and inserting in lieu thereof "command."

Amend section 21, page 18, line 12, by striking out "withing" and inserting in lieu thereof "within."

Amend section 25, page 19, lines 27 and 28, by striking out the words "one thousand nine hundred and seventeen" and inserting in lieu thereof "1917."

Amend section 26, page 20, line 1, by striking out the word "Secton" and inserting in lieu thereof "Section."

Amend section 26, page 21, line 20, by striking out "three" and inserting in lieu thereof "third."

Amend section 26, page 21, line 25, by striking out "nineteen" and inserting in lieu thereof "nineteenth."

Amend section 26, page 22, line 1, by striking out the figure "7" and inserting in lieu thereof "seven."

Amend section 26, page 22, line 27, by striking out the word "of" and inserting in lieu thereof "or."

Amend section 26, page 23, line 6, by striking out "ninety-five" and inserting in lieu thereof "ninety-three."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1274, entitled

An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor.

On the question,

Will the House agree to the bill on third reading?

Mr. SWARTZ. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend table of contents, page 1, line 3, from bottom of page by striking out the word "the."

Amend section 1, page 5, line 7, by striking out "desecendants" and inserting in lieu thereof "descendants."

Amend section 2, page 8, line 12, by striking out "sectoin" and inserting in lieu thereof "section."

Amend section 2, page 8, line 26, by striking out the words "staisfied" and "property" and inserting in lieu thereof respectively the words "satisfied" and "propriety."

Amend section 2, page 9, line 14, by striking out "cluases" and inserting in lieu thereof "clauses."

Amend section 9, page 13, line 24, by striking out "chlid" and inserting in lieu thereof "child."

Amend section 10, page 15, line 5, by inserting "and among" before the words "the next."

Amend section 12, page 16, line 1, by striking out the word "granchildren" and inserting in lieu thereof "grandchildren."

Amend section 13, page 17, line 5, by striking out the word "such."

Amend section 16, page 18, line 24, by striking out "resepectively" and inserting in lieu thereof "respectively."

Amend section 26, page 24, line 4, by striking out the words "nineteen hundred and seventee" and inserting in lieu thereof "1917."

Amend section 27, page 25, line 6, by inserting at the end of the line the word "absolutely."

Amend section 27, page 26, line 16, by striking out "mourteen" and inserting in lieu thereof "fourteenth."

Amend section 27, page 26, line 22, by striking out "asbolutely" and inserting in lieu thereof "absolutely."

Amend section 27, page 27, line 2, by striking out "thirty" and inserting in lieu thereof "thirtieth."

Amend section 27, page 27, line 11, by striking out "eighty-sevn" and inserting in lieu thereof "eighty-seven."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1275, entitled

An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees, herein designates as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents.

On the question,

Will the House agree to the bill on third reading?

Mr. SWARTZ. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title page 1, line 10, by inserting after "thereof" the following: "judgments and executions therefor."

Amend table of contents, page 3, line 8, by striking out the word "inpeached" and inserting in lieu thereof "impeached."

Amend table of contents, page 3, line 18, by striking out the word "vocation" and inserting in lieu thereof "vacation."

Amend table of contents, page 5, line 6, by striking out the words "rent-charges" and inserting in lieu thereof "rent-charge."

Amend table of contents, page 10, line 2, from bottom of page, by inserting "of" before "so."

Amend table of contents, page 12, line 15 by striking out "Lease" and inserting in lieu thereof "Leases."

Amend table of contents, page 12, line 7, from bottom of page, by striking out "Validations" and inserting in lieu thereof "Validation."

Amend table of contents, page 13, line 13, by striking out "prceedings" and inserting in lieu thereof "proceedings."

Amend table of contents, page 15, line 1, by striking out "Revisal" and inserting in lieu thereof "Revival."

Amend table of contents, page 15, line 3, by strking out "claim" and inserting in lieu thereof "claims."

Amend table of contents, page 18, line 7, by striking out "bonds" and inserting in lieu thereof "bond."

Amend table of contents, page 18, line 18, by striking out "of" after "more."

Amend table of contents, page 19, line 5, by striking out "educationl" and inserting in lieu thereof "educational."

Amend table of contents page 20, line 4, from bottom of page by striking out "judgements" and inserting "judgments."

Amend table of contents, page 22, line 21, by striking out "trustees" and inserting in lieu thereof "trustee."

Amend section 3, page 26, line 6, by striking out "appeal" and inserting in lieu thereof "appeals."

Amend section 3, page 26, line 9, by striking out "exutors" and inserting in lieu thereof "executors."

Amend section 6, page 27, line 21, by striking out "escheater" and inserting in lieu thereof "escheator."

Amend section 6, page 29, line 21, by striking out "presumtion" and inserting in lieu thereof "presumption."

Amend section 6, page 34, line 25, by striking out "decrees" and inserting in lieu thereof "decree."

Amend section 6, page 36, line 9, by striking out "satsfied" and inserting in lieu thereof "satisfied."

Amend section 8, page 38, line 3, by striking out "secruity" and inserting in lieu thereof "security."

Amend section 8, page 38, line 14, by striking out "decedent" and inserting in lieu thereof "deceased."

Amend section 8, page 38, line 16, by inserting "the" before "said."

Amend section 8, page 38, line 23, by striking out "into" and inserting in lieu thereof "to."

Amend section 8, page 39, line 5, by striking out "into" and inserting in lieu thereof "unto."

Amend section 8, page 42, line 6, by striking out "exceding" and inserting in lieu thereof "exceeding."

Amend section 11, page 47, line 11, by striking out "pesession" and inserting in lieu thereof "possession."

Amend section 15, page 57, line 13, by inserting "the" before "passage."

Amend section 15, page 58, line 10, by striking out "guardian" and inserting in lieu thereof "guardians."

Amend section 15, page 61, line 5, by striking out "(1)" and inserting in lieu thereof "(1)."

Amend section 16, page 64, line 21, by striking out "acknowledgement" and inserting in lieu thereof "acknowledgment."

Amend section 16, page 66, line 25, by striking out "affected" and inserting in lieu thereof "effected."

Amend section 16, page 67, line 6, by striking out "mortgage" and inserting in lieu thereof "mortgagee."

Amend section 16, page 71, line 26, by striking out "the" after "direct" and inserting "such."

Amend section 18, page 76, line 3, by striking out "provisions" and inserting in lieu thereof "provision."

Amend section 26, page 85, line 11, by striking out "trustees" and inserting in lieu thereof "trustee."

Amend section 27, page 88, line 22, by striking out "degree" and inserting in lieu thereof "decree."

Amend section 27, page 89, line 18, by striking out "wherein" and inserting in lieu thereof "where."

Amend section 27, page 93, line 24, by striking out "adminsitrator" and inserting in lieu thereof "administrator."

Amend section 32, page 97, line 25, by striking out "of" and inserting in lieu thereof "if."

Amend section 33, page 100, line 22, by striking out "provisions" and inserting in lieu thereof "provision."

Amend section 34, page 102, line 28, by striking out "dwellings-house" and inserting in lieu thereof "dwelling-house."

Amend section 37, page 109, line 10, by inserting "other" after "such."

Amend section 38, page 109, line 19, by striking out "equpitable" and inserting in lieu thereof "equitable."

Amend section 41, page 111, line 2, by striking out "decendent" and inserting in lieu thereof "decedent."

Amend section 44, page 115, line 1, by striking out "and" and inserting in lieu thereof "or."

Amend section 46, page 117, line 1, by striking out "execution" and inserting in lieu thereof "executor."

Amend section 46, page 118, line 27, by striking out "confromly" and inserting "conformably."

Amend section 46, page 119, line 9, by striking out "virtue" and inserting in lieu thereof "virtute."

Amend section 49, page 123, line 7, by striking out "adminstrator" and inserting in lieu thereof "administrator."

Amend section 49, page 123, line 20, by striking out "granting" and inserting in lieu thereof "grant."

Amend section 49, page 125, line 2, by striking out "and" after "his" and inserting in lieu thereof "or."

Amend section 51, page 126, line 22, by striking out "on" and inserting in lieu thereof "to."

Amend section 53, page 129, line 6, by striking out "like" and inserting in lieu thereof "likely."

Amend section 53, page 130, line 10, by striking out "renewal" and inserting in lieu thereof "removal."

Amend section 53, page 130, line 17, by striking out "effect" and inserting in lieu thereof "affect."

Amend section 56, page 137, line 12, by striking out "executor" and inserting in lieu thereof "executors."

Amend section 58, page 140, line 7 by striking out "purorting" and inserting in lieu thereof "purporting."

Amend section 58, page 142, line 12, by striking out "trustees" and inserting in lieu thereof "trustee."

Amend section 58, page 142, line 16, by striking out "decendent" and inserting in lieu thereof "decedent."

Amend section 58, page 143, line 14, by striking out "inheritance" and inserting in lieu thereof "inheritances."

Amend section 58, page 143, line 17, by striking out "facies" and inserting in lieu thereof "facias."

Amend section 58, page 144, line 18, by striking out "of" and inserting in lieu thereof "and."

Amend section 59, page 152, line 6, by striking out "to."

Amend section 59, page 153, line 6, by striking out "courts" and inserting in lieu thereof "costs."

Amend section 59, page 153, lines 27 and 28, by striking out the following: "including the audit of accounts."

Amend section 60, page 154, line 25, by striking out "person" and inserting in lieu thereof "persons."

Amend section 63, page 156, line 27, by striking out "twelve" and inserting in lieu thereof "twelfth."

Amend section 63, page 157, line 3, by striking out "section" and inserting in lieu thereof "Sections."

Amend section 63, page 157, line 5, by striking out "twenty-seven" and inserting in lieu thereof "twenty-seventh."

Amend section 63, page 157, line 9, by striking out "twenty-one" and inserting in lieu thereof "twenty-first."

Amend section 63, page 157, line 13, by striking out "twenty-one" and inserting in lieu thereof "twenty-first."

Amend section 63, page 157, line 18, by striking out "nine" and inserting in lieu thereof "ninth."

Amend section 63, page 157, line 21, by striking out "comformity" and inserting in lieu thereof "conformity."

Amend section 63, page 157, line 23, by striking out "thirteen" and inserting in lieu thereof "thirteenth."

Amend section 63, page 157, line 28, by striking out "thirty-one" and inserting in lieu thereof "thirty-first."

Amend section 63, page 158, line 22, by striking out "twelve" and inserting in lieu thereof "twelfth."

Amend section 63, page 161, line 13, by striking out "eighteen" and inserting in lieu thereof "eighteenth."

Amend section 63, page 163, line 19, by striking out "assignee" and inserting in lieu thereof "assignee."

Amend section 63, page 163, line 27, by striking out "sixteen" and inserting in lieu thereof "sixteenth."

Amend section 63, page 164, line 8, by striking out "section" and inserting in lieu thereof "Sections."

Amend section 63, page 164, line 14, by striking out "thirteen" and inserting in lieu thereof "thirteenth."

Amend section 63, page 166, line 19, by striking out "cendors" and "venders."

Amend section 63, page 167, line 3, by striking out "ten" and inserting in lieu thereof "tenth."

Amend section 63, page 167, line 6, by striking out "fourteen" and inserting in lieu thereof "fourteenth."

Amend section 63, page 167, line 25, by striking out "five" and inserting in lieu thereof "fifth."

Amend section 63, page 168, line 5, by striking out "twenty-six" and inserting in lieu thereof "twenty-sixth."

Amend section 63, page 168, line 114, by inserting "certain" after "sell."

Amend section 63, page 171, line 17, by striking out "twenty-two" and inserting in lieu thereof "twenty-second."

Amend section 63, page 171, line 20, by striking out "thirteen" and inserting in lieu thereof "thirteenth."

Amend section 63, page 171, line 22, by striking out "relating" and inserting in lieu thereof "relative."

Amend section 63, page 171, line 23, by striking out "twenty-two" and inserting in lieu thereof "twenty-second."

Amend section 63, page 171, line 29, by striking out "six" and inserting in lieu thereof "sixth."

Amend section 63, page 172, line 5, by striking out "seven" and inserting in lieu thereof "seventh."

Amend section 63, page 172, line 9, by striking out "eight" following "April" and inserting in lieu thereof "eighth."

Amend section 63, page 172, line 14, by striking out "thirteen" and inserting in lieu thereof "thirteenth,"

Amend section 63, page 172, line 18, by striking out "one" following "May" and inserting in lieu thereof "first."

Amend section 63, page 172, line 23, by striking out "one" following "May" and inserting in lieu thereof "first."

Amend section 63, page 172, line 28, by striking out "one" following "May" and inserting in lieu thereof "first."

Amend section 63, page 173, line 4, by striking out "seventeen" and inserting in lieu thereof "seventeenth."

Amend section 63, page 173, line 12, by striking out "twenty-three" and inserting in lieu thereof "twenty-third."

Amend section 63, page 174, line 10, by striking out "seventeen" and inserting in lieu thereof "seventeenth."

Amend section 63, page 174, line 16, by striking out "seventeen" and inserting in lieu thereof "seventeenth."

Amend section 63, page 174, line 21, by striking out "fifteen" and inserting in lieu thereof "fifteenth."

Amend section 63, page 175, line 1, by striking out "court" and inserting in lieu thereof "courts."

Amend section 63, page 175, line 16, by striking out "seventeen" and inserting in lieu thereof "seventeenth."

Amend section 63, page 176, line 14, by striking out "twenty-five" and inserting in lieu thereof "twenty-fifth."

Amend section 63, page 176, line 24, by striking out "decedants" and inserting in lieu thereof "decedents."

Amend section 63, page 178, line 18, by inserting "to" before "validate."

Amend section 63, page 179, line 26, by striking out "thirteenth" and inserting in lieu thereof "thirteen."

Amend section 63, page 184, line 8, by striking out "twenty-three" and inserting in lieu thereof "twenty-third."

Amend section 63, page 185, line 21, by striking out "twenty-one" and inserting in lieu thereof "twenty-first."

Amend section 63, page 186, line 7, by inserting "Section one of" at the beginning of the line before the first "An act,"

Amend section 63, page 188, line 19, by striking out "twenty-eight" and inserting in lieu thereof "twenty-eighth."

Amend section 63, page 193, line 27, by inserting "Section one of" at the beginning of the line before the first "An act,"

Amend section 63, page 194, line 27, by striking out "ments" at beginning of line and inserting in lieu thereof "ment."

Amend section 63, page 195, line 17, by striking out "acknowledgment" and inserting in lieu thereof "acknowledgments"

Amend section 63, page 196, line 13, by striking out "form" and inserting in lieu thereof "from."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. REYNOLDS. Mr. Speaker, as the bills which have just been passed upon, sponsored by the gentleman from Dauphin, Mr. Swartz, concern the Orphans Court and its procedure and as all of these bills have been amended by the gentleman I would ask him now that he look over these bills before they come up for final passage and see if there are not some of them that are somewhat similar, if not exactly similar to the code that we now have upon our desks, and if they are to see that they are withdrawn and the code is passed.

Mr. SWARTZ. Mr. Speaker, for the information of the gentleman from Philadelphia, I desire to state that these bills constitute the code.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1259 (Senate Bill No. 632), entitled

An Act to further amend section nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns, and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of towuship or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns, with Commonwealth governing same, providing for the minimum width of State highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provision of this act" as amended.

And said bill having been read at length the third time, considered and agreed to,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Albee,	Franklin,	McVicar,	Shunk,
Aron,	Fretz,	Mearkle,	Siggins,
Arthur,	Gans,	Mehring,	Simpson,
Baker,	Geary,	Mervine,	Sinclair,
Baldi,	Glass,	Michel,	Smith, E. R.,
Baldridge,	Golder,	Miller, A. D.,	Smith, F. I.,
Barner,	Goodnough,	Miller, Allan,	Smith, J. W.,
Bechtold,	Gormley,	Miller, C. G.,	Smith, L.,
Bell,	Graeff,	Miller, G. J. A.,	Smith, O. W.,
Benninger,	Graham,	Milner,	Snowden,
Beyer,	Gransback,	Mitchell,	Snyder,
Bidelspacher,	Haight,	Morgan, T.,	Somerman,
Black,	Haldeman,	Morgan, T. J.,	Sones,
Boulton, H.,	Hecht,	Murdoch,	Spangler,
Bovee,	Heffernan,	Musser,	Speicher,
Boyd,	Helt,	Neary,	Sprowls,
Brady,	Hess,	Ogden,	Stadtlander,
Brumbaugh,	Heyburn,	Palmer,	Steedle,
Campbell, J. O.,	Hibshman,	Patterson,	Stern,
Campbell, T.,	Hoffman,	Perry,	Stites,
Canon,	Hollern,	Phillips,	Stoffiet,
Chestnut,	Hollingsworth,	Pickering,	Strauss,
Christman,	Horne,	Powell,	Sullivan,
Clements,	Horton,	Ramsey,	Swartz,
Coldsmith,	Howarth,	Reichenbacher,	Taylor,
Conner,	Isherwood,	Reitzel,	Thomas,
Corbin,	Jack,	Reynolds,	Ulsh,
Cox,	Jones,	Rhoads, H. L.,	Urich,
Crosby,	Kennedy,	Rhodes, W. M.,	Vickerman,
Cummins,	Lafferty,	Rich,	Vodges,
Curry,	Lanius,	Richards,	Wagner,
Davis, W.,	Laucks,	Ringler,	Walker,
Dean,	Lauler,	Rininger,	Wallace,
Dell,	Leary,	Rinn,	Walter,
Dewey,	Lewis,	Robertson,	Weimer,
Dithrich,	Lohr,	Rogers,	Wells,
Donneley,	Luppert,	Ross,	West,
Drake,	Mangan,	Rothenberger,	Whitaker,
Drinkhouse,	Marvin,	Ruddy,	Wickman,
Dunn,	McArdle,	Rudisill,	Williams, G. W.
Eby,	McCaig,	Sampsel,	Williams, J. P.,
Ehrhardt,	McCullough,	Sarig,	Wobensmith,
Erdman,	McCurdy,	Schaeffer, A. C.	Wood,
Fackler,	McKay,	Scott,	Woodward,
Fitzgibbon,	McKinney,	Shaffer, C. A.,	Wylie,
Flynn,	McNichol,	Shattuck,	Zanders,
Fowler,	McPeake,	Showalter,	Baldwin, Speaker.

NAYS—1.

Benchoff,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1339 (Senate Bill No. 681), as follows:

An Act to fix the pay of election officers in cities of the first and second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the pay of all election officers in cities of the first and second class is hereby fixed at ten dollars ($10.00) per day

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129.

Albee,	Fowler,	Mangan,	Showalter,
Aron,	Franklin,	McArdle,	Siggins,
Baker,	Fretz,	McCaig,	Simpson,
Baldi,	Gans,	McNichol,	Sinclair,
Baldridge,	Geary,	McVicar,	Smith, E. R.,
Bechtold,	Glass,	Mearkle,	Smith, J. W.,
Bennett,	Golder,	Mehring,	Smith, O. W.,
Benninger,	Goodnough,	Michel,	Somerman,
Beyer,	Gormley,	Miller, A. D.,	Sprowls,
Bidelspacher,	Graeff,	Miller, C. G.,	Stadtlander,
Boulton, H.,	Graham,	Miller, G. J. A.,	Steedle,
Bovee,	Gransback,	Mitchell,	Sterling,
Boyd,	Haight,	Murphy,	Stern,
Brady,	Haldeman,	Palmer,	Stoffiet,
Brumbaugh,	Hecht,	Patterson,	Strauss,
Campbell, J. O.,	Heffernan,	Perry,	Sullivan,
Campbell, T.,	Helt,	Pickering,	Swartz,
Christman,	Hess,	Powell,	Thomas,
Clements,	Heyburn,	Ramsey,	Ulsh,
Coldsmith,	Hibshman,	Reichenbacker,	Vickerman,
Cox,	Hoffman,	Reynolds,	Vogdes,
Crosby,	Hollern,	Rhodes, W. M.,	Walker,
Davis, W.,	Hollingsworth,	Richards,	Weimer,
Dewey,	Horne,	Ringler,	Wells,
Dithrich,	Horton,	Robertson,	West,
Drake,	Howarth,	Rogers,	Wickman,
Drinkhouse,	Isherwood,	Ross,	Wobensmith,
Dunn,	Jones,	Ruddy,	Wood,
Eby,	Lafferty,	Sarig,	Woodward,
Ehrhardt,	Lanius,	Schaeffer, A. C.,	Zanders,
Fackler,	Leary,	Scott,	Baldwin,
Fitzgibbon,	Luppert,	Shattuck,	Speaker.
Flynn,			

NAYS—21.

Barner,	Jack,	Ogden,	Shunk,
Bell,	Lewis,	Rich,	Sones,
Chestnut,	McKinney,	Rothenberger,	Sweitzer,
Corbin,	Morgan, T.,	Rudisill,	Wallace,
Dean,	Musser,	Sampsel,	Williams, G. W.
Dell,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1235 (Senate Bill No. 562), entitled

An Act authorizing boroughs to assess the cost of the improvement or reconstruction of certain state highways in certain cases upon the property abutting the line of improvement and providing for the collection of such assessments.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WILLIAM DAVIS: Mr. Speaker, I object to a clause in this bill which states, on page 1, File Folio 929, on line 7, "such borough may in its discretion by ordinance duly passed and published before the work is commenced assess all or any part of the borough's share of such joint expense on the owners of the property abutting." I think this is a very unjust measure. I just issued my check a short time ago for $480 for one-third portion of a street abutting upon my property. To pass a measure right here stating that I must add to it one-half of the other one-third is absurd and unreasonable. This is a very unjust measure and should not receive the support of this House. It is not fair, it is not just.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—35.

Aron,	Dunn,	Mehring,	Siggins,
Baker,	Ehrhardt,	Patterson,	Smith, J. W.,
Baldi,	Gans,	Pickering,	Snowden,
Bennett,	Graham,	Powell,	Sprowls,
Brumbaugh,	Lafferty,	Ramsey,	Stadtlander,
Campbell, J. O.,	McArdle,	Rich,	Stern,
Campbell, T.,	McCullough,	Richards,	Strauss,
Conner,	McKinney,	Rininger,	Ulsh,
Cox,	McNichol,	Shunk,	Wells,

NAYS—77.

Albee,	Heyburn,	Miller, C. G.,	Schaeffer, A. C.,
Aston,	Hibshman,	Miller, G. J. A.,	Simpson,
Baldridge,	Hoffman,	Morgan, T.,	Sinclair,
Barner,	Horne,	Morgan, T. J.,	Smith, E. R.,
Bell,	Horton,	Musser,	Smith, L.,
Bouton, V. B.,	Howarth,	Ogden,	Smith, O. W.,
Canon,	Isherwood,	Palmer,	Sones,
Chestnut,	Jack,	Phillips,	Steedle,
Christman,	Jones,	Rothenberger,	Stites,
Clements,	Lanius,	Reitzel,	Sullivan,
Davis, W.,	Laucks,	Reynolds,	Sweitzer,
Dithrich,	Lauler,	Rhodes, W. M.,	Urich,
Donneley,	Leary,	Ringler,	Wagner,
Drake,	Lewis,	Robertson,	Walker,
Erdman,	Lohr,	Rothenberger,	Weimer,
Fitzgibbon,	Luppert,	Ruddy,	West,
Glass,	Mangan,	Rudisill,	Wickman,
Goodnough,	Marvin,	Sampsel,	Wobensmith,
Gormley,	McCurdy,	Sarig,	Wood,
Haldeman,	Mearkle,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1255 (Senate Bill No. 255), entitled

An Act to fix the time for filing nomination papers for State and municipal officers and for determination by the courts of contested papers.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Albee,	Gormley,	Mearkle,	Smith, F. I.,
Baker,	Graeff,	Mehring,	Smith, J. W.,
Baldi,	Graham,	Mervine,	Smith, L.,
Baldridge,	Gransback,	Miller, A. D.,	Smith, O. W.,
Bechtold,	Haight,	Miller, C. G.,	Snowden,
Benchoff,	Haldeman,	Miller, G. J. A.,	Snyder,
Bennett,	Hecht,	Milner,	Somerman,
Benninger,	Heffernan,	Morgan, T.,	Sones,
Beyer,	Helt,	Morgan, T. J.,	Speicher,
Bidelspacher,	Hess,	Ogden,	Sprowls,
Bouton, V. B.,	Heyburn,	Palmer,	Stadtlander,
Bovee,	Hibshman,	Patterson,	Steedle,
Brumbaugh,	Hoffman,	Perry,	Sterling,
Campbell, J. O.,	Hollern,	Pickering,	Stern,
Christman,	Hollingsworth,	Powell,	Stites,
Clements,	Horne,	Ramsey,	Stoffiet,
Coldsmith,	Horton,	Reichenbacker,	Strauss,
Conner,	Hough,	Reitzel,	Sullivan,
Cox,	Howarth,	Reynolds,	Swartz,
Crosby,	Jack,	Rhoads, H. L.,	Thomas,
Curry,	Jones,	Richards,	Ulsh,
Davis, W.,	Kennedy,	Ringler,	Urich,
Dell,	Lafferty,	Rininger,	Vickerman,
Dewey,	Lanius,	Rinn,	Vogdes,
Dithrich,	Lauler,	Robertson,	Wagner,
Drake,	Lewis,	Rogers,	Walker,
Drinkhouse,	Lohr,	Ross,	Weimer,
Dunn,	Luppert,	Rothenberger,	Wells,
Ehrhardt,	Mangan,	Sampsel,	West,
Erdman,	Marvin,	Schaeffer, A. C.,	Wickman,
Fackler,	Maurer,	Scott,	Williams, G. W.
Fitzgibbon,	McArdle,	Shaffer, C. A.,	Williams, J. P.,
Flynn,	McCaig,	Shattuck,	Wobensmith,
Franklin,	McCullough,	Showalter,	Wood,
Fretz,	McCurdy,	Shunk,	Woodward,
Gans,	McKay,	Siggins,	Wynne,
Glass,	McKinney,	Simpson,	Zanders,
Golder,	McNichol,	Sinclair,	Baldwin,
Goodnough,	McPeake,	Smith, E. R.,	Speaker.

NAYS—7.

Bell,	Canon,	Isherwood,	Musser,
Black,	Chestnut,	Mitchell,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House has passed it without amendments.

Mr. SIGGINS. Mr. Speaker, I desire to call up at this time from page 33 of to-day's calendar, bills on third reading postponed, House Bill No. 1375, File Folio 2333.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1375, entitled

An Act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Albee,	Fowler,	McKinney,	Simpson,
Aron,	Franklin,	McNichol,	Sinclair,
Aston,	Fretz,	McPeake,	Smith, E. R.,
Baker,	Gans,	Mearkle,	Smith, F. I.,
Baldi,	Geary,	Mervine,	Smith, J. W.,
Baldridge,	Glass,	Michel,	Smith, L.,
Barner,	Golder,	Miller, A. D.,	Smith, O. W.,
Bell,	Goodnough,	Miller, C. G.,	Snowden,
Bennett,	Gormley,	Miller, G. J. A.,	Snyder,
Benninger,	Graeff,	Morgan, T.,	Somerman,
Beyer,	Graham,	Morgan, T. J.,	Sones,
Black,	Gransback,	Murdoch,	Spangler,
Bovee,	Haight,	Murphy,	Speicher,
Boyd,	Haldeman,	Musser,	Sprowls,
Brady,	Hecht,	Palmer,	Stadtlander,
Brumbaugh,	Heffernan,	Patterson,	Steedle,
Campbell, J. O.,	Helt,	Perry,	Sterling,
Canon,	Hess,	Phillips,	Stern,
Christman,	Heyburn,	Pickering,	Stites,
Clements,	Hibshman,	Powell,	Stofflet,
Coldsmith,	Hoffman,	Ramsey,	Sullivan,
Conner,	Hollingsworth,	Reichenbacker,	Swartz,
Corbin,	Horne,	Reitzel,	Sweitzer,
Cox,	Horton,	Reynolds,	Thomas,
Crosby,	Hough,	Rhoads, H. L.,	Ulsh,
Cummins,	Howarth,	Rich,	Urich,
Curry,	Isherwood,	Richards,	Vickerman,
Davis, W.,	Jack,	Ringler,	Vodges,
Dean,	Jones,	Rininger,	Wagner,
Dell,	Kennedy,	Rinn,	Walker,
Dewey,	Lafferty,	Robertson,	Wallace,
Dithrich,	Lanius,	Rogers,	Walter,
Donneley,	Lauler,	Ross,	Weimer,
Drake,	Leary,	Rothenberger,	Wells,
Drinkhouse,	Lewis,	Sampsel,	West,
Dunn,	Lohr,	Sarig,	Whitaker,
Eby,	Luppert,	Schaeffer, A. C.,	Williams, J. P.,
Erdman,	Mangan,	Scott,	Wobensmith,
Ehrhardt,	Maurer,	Shattuck,	Wood,
Fackler,	McCullough,	Showalter,	Woodward,
Fitzgibbon,	McCurdy,	Shunk,	Zanders,
Flynn,	McKay,	Siggins,	Baldwin, Speaker.

NAYS—5.

Bidelspacher,	Mitchell,	Rudisill,	Williams, G. W.
Marvin,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. JONES. Mr. Speaker, I desire to call up at this time from page 33 of to-day's calendar, bills on third reading postponed, House Bill No. 1255 (Senate Bill No. 502), File Folio 1755.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1225 (Senate Bill No. 502), entitled

An Act entitled "An Act requiring the court committing any insane person to an institution of this Commonwealth to certify the proceedings upon which commitment was made to the superintendent of the said institution.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albee,	Flynn,	McNichol,	Siggins,
Aron,	Franklin,	McVicar,	Simpson,
Arthur,	Fretz,	Mearkle,	Sinclair,
Baker,	Gans,	Mehring,	Smith, F. I.,
Baldi,	Geary,	Mervine,	Smith, J. W.,
Baldridge,	Glass,	Michel,	Smith, L.,
Barner,	Golder,	Miller, A. D.,	Smith, O. W.,
Bell,	Goodnough,	Miller, C. G.,	Snowden,
Benchoff,	Gormley,	Miller, G. J. A.,	Somerman,
Bennett,	Graeff,	Milner,	Sones,
Benninger,	Graham,	Morgan, T.,	Spangler,
Beyer,	Gransback,	Murdoch,	Speicher,
Bidelspacher,	Haight,	Murphy,	Sprowls,
Black,	Haldeman,	Musser,	Stadtlander,
Bovee,	Hecht,	Ogden,	Steedle,
Boyd,	Heffernan,	Palmer,	Sterling,
Brady,	Helt,	Perry,	Stern,
Chestnut,	Hess,	Phillips,	Stites,
Brumbaugh,	Heyburn,	Pickering,	Stofflet,
Burnett,	Hibshman,	Powell,	Strauss,
Campbell, J. O.,	Hoffman,	Ramsey,	Sullivan,
Campbell, T.,	Hollern,	Reichenbacher,	Swartz,
Canon,	Hollingsworth,	Reitzel,	Sweitzer,
Christman,	Horton,	Reynolds,	Thomas,
Coldsmith,	Hough,	Rhoads, H. L.,	Ulsh,
Conner,	Isherwood,	Rich,	Urich,
Corbin,	Jack,	Richards,	Vickerman,
Cox,	Jones,	Ringler,	Vogdes,
Crosby,	Kennedy,	Rininger,	Wagner,
Cummins,	Lafferty,	Rinn,	Wallace,
Curry,	Lanius,	Robertson,	Weimer,
Davis, W.,	Lauler,	Rogers,	Wells,
Dean,	Leary,	Ross,	West,
Dell,	Lewis,	Ruddy,	Whitaker,
Dewey,	Lohr,	Rudisill,	Wickman,
Dithrich,	Luppert,	Sampsel,	Williams, G. W.
Donneley,	Mangan,	Sarig,	Williams, J. P.,
Drake,	Marvin,	Schaeffer, A. C.,	Wobensmith,
Drinkhouse,	Maurer,	Scott,	Wood,
Dunn,	McArdle,	Shaffer, C. A.,	Woodward,
Eby,	McCaig,	Shattuck,	Wynne,
Ehrhardt,	McCullough,	Showalter,	Zanders,
Fackler,	McKinney,	Shunk,	Baldwin, Speaker.
Fitzgibbon,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments, in which the concurrence of the Senate is requested.

Mr. THOMAS J. MORGAN. Mr. Speaker, I desire to call up at this time from page 33 of to-day's calendar, bills on third reading postponed, House Bill No. 882, File Folio 2191.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 882, entitled

An Act providing for a statistician in the Department of Mines and fixing the salary.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Albee,	Geary,	Mearkle,	Smith, F. I.,
Aron,	Glass,	Mehring,	Smith, J. W.,
Arthur,	Golder,	Mervine,	Smith, L.,
Baker,	Goodnough,	Michel,	Smith, O. W.,
Baldi,	Gormley,	Miller, A. D.,	Snowden,
Baldridge,	Graeff,	Miller, C. G.,	Snyder,
Bennett,	Graham,	Miller, G. J. A.,	Somerman,
Benninger,	Gransback,	Milner,	Sones,
Beyer,	Haldeman,	Morgan, T.,	Spangler,
Black,	Hecht,	Morgan, T. J.,	Speicher,
Bovee,	Heffernan,	Murphy,	Sprowls,
Boyd,	Helt,	Musser,	Stadtlander,
Brady,	Hess,	Neary,	Steedle,
Brumbaugh,	Heyburn,	Ogden,	Sterling,
Campbell, J. O.,	Hibshman,	Palmer,	Stern,
Campbell, T.,	Hoffman,	Patterson,	Stites,
Canon,	Hollern,	Perry,	Stofflet,
Christman,	Hollingsworth,	Phillips,	Strauss,
Coldsmith,	Horton,	Pickering,	Sullivan,
Conner,	Howarth,	Powell,	Swartz,
Corbin,	Isherwood,	Ramsey,	Sweitzer,

Cox,	Jack,	Reitzel,	Thomas,
Crosby,	Jones,	Reynolds,	Ulsh,
Cummins,	Kennedy,	Rhoads, H. L.,	Urich,
Curry,	Lafferty,	Rhodes, W. M.,	Vickerman,
Davis, W.,	Lanius,	Rich,	Vodges,
Dean,	Laucks,	Richards,	Wagner,
Dell,	Lauler,	Ringler,	Walker,
Dewey,	Lewis,	Rininger,	Wallace,
Dithrich,	Lohr,	Rinn,	Weimer,
Drake,	Luppert,	Robertson,	Wells,
Drinkhouse,	Mangan,	Rogers,	West,
Dunn,	Marvin,	Ruddy,	Whitaker,
Eby,	Maurer,	Schaeffer, A. C.,	Wickman,
Ehrhardt,	McArdle,	Scott,	Williams, G. W.
Erdman,	McCaig,	Shaffer, C. A.,	Williams, J. P.,
Fackler,	McCullough,	Shattuck,	Wobensmith,
Fitzgibbon,	McCurdy,	Showalter,	Wood,
Fowler,	McKinney,	Shunk,	Woodward,
Franklin,	McNichol,	Siggins,	Wynne,
Fretz,	McPeake,	Simpson,	Zanders,
Gans,	McVicar,	Sinclair,	Baldwin,
		Smith, E. R.,	Speaker.

NAYS—2.

Barner, Rudisill,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WEST. Mr. Speaker, I desire to call up from page 35 of to-day's calendar, bills on third reading postponed, House Bill No. 1340, File Folio 2427.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1340, entitled

An Act to amend part of section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ARON. Mr. Speaker, I would like to ask the sponsor of this bill to explain it to the House.

Mr. WEST. Mr. Speaker, this bill is for the purpose of changing Sproul Route 240 between Dewart and Montgomery. At the time the road was first laid out, it ran up over the hill, a very steep hill, to the west, crossed the river and across to Montgomery. The county is now erecting a bridge at Montgomery across the river, and this road runs along by the side of the river, a level road, which it is proposed to put on the map. It shortens the route by about a mile, and a half and it is all on the level.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Albee,	Fowler,	Mehring,	Siggins,
Arthur,	Franklin,	Mervine,	Simpson,
Baker,	Fretz,	Miller, A. D.,	Sinclair,
Baldi,	Gans,	Miller, C. G.,	Smith, E. R.,
Baldridge,	Glass,	Miller, G. J. A.,	Smith, F. I.,
Barner,	Golder,	Milner,	Smith, J. W.,
Bechtold,	Goodnough,	Mitchell,	Smith, L.,
Benchoff,	Gormley,	Morgan, T.,	Smith, O. W.,
Bennett,	Graeff,	Morgan, T. J.,	Snowden,
Benninger,	Graham,	Murdoch,	Snyder,
Beyer,	Gransback,	Murphy,	Somerman,
Bidelspacher,	Haight,	Musser,	Sones,
Black,	Hecht,	Neary,	Spangler,
Bouton, V. B.,	Heffernan,	Ogden,	Speicher,
Boyd,	Hess,	Palmer,	Sprowls,
Brady,	Heyburn,	Patterson,	Stadtlander,
Brumbaugh,	Hibshman,	Perry,	Steedle,
Burnett,	Hoffman,	Phillips,	Sterling,
Campbell, J. O.,	Hollern,	Pickering,	Stern,
Campbell, T.,	Horne,	Powell,	Stites,
Chestnut,	Horton,	Ramsey,	Stofflet,
Christman,	Howarth,	Reichenbacher,	Strauss,
Clements,	Jack,	Reitzel,	Sullivan,
Coldsmith,	Jones,	Reynolds,	Swartz,
Conner,	Kennedy,	Rhoads, H. L.,	Sweitzer,
Corbin,	Lafferty,	Rich,	Thomas,
Cox,	Lanius,	Richards,	Ulsh,
Crosby,	Laucks,	Ringler,	Urich,
Cummins,	Lauler,	Rininger,	Vickerman,
Curry,	Leary,	Rinn,	Vogdes,
Davis, W.,	Lewis,	Robertson,	Wagner,
Dean,	Lohr,	Rogers,	Walker,
Dell,	Luppert,	Ross,	Wallace,
Dewey,	Mangan,	Rothenberger,	Weimer,
Dithrich,	Marvin,	Ruddy,	Wells,
Donneley,	Maurer,	Sampsel,	West,
Drake,	McArdle,	Sarig,	Wickman,
Drinkhouse,	McCaig,	Schaeffer, A. C.,	Williams, J. P.,
Dunn,	McCullough,	Scott,	Wobensmith,
Ehrhardt,	McCurdy,	Shaffer, C. A.,	Wood,
Fackler,	McKinney,	Shattuck,	Woodward,
Fitzgibbon,	McVicar,	Showalter,	Zanders,
Flynn,	Mearkle,	Shunk,	Baldwin,
			Speaker.

NAYS—1.

Aron.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. SPANGLER. Mr. Speaker, I desire to call up from page 31 of to-day's calendar, bills on third reading postponed, House Bill No. 94, File Folio 2009.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 94, entitled

An Act to amend section two of an act approved the sixth day of February one thousand eight hundred four entitled "An Act to provide for the creation of a house for the employment and support of the poor in the County of York" (Pamphlet Laws sixty-five) by regulating the term and election of directors of the poor.

On the question,

Will the House agree to the bill on third reading?

Mr. SPANGLER. Mr. Speaker and gentlemen of the House, this bill—

Mr. LANIUS. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question.

Mr. LANIUS. Mr. Speaker, my question is, might I at this time be permitted to challenge the constitutionality of this act?

The SPEAKER. Does the gentleman mean during the discussion?

Mr. LANIUS. Mr. Speaker, to be settled by the House.

The SPEAKER. The gentleman from York, Mr. Spangler, has the floor.

Mr. SPANGLER. Mr. Speaker and gentlemen of the House, this bill is a special bill for York County. It has been duly advertised as provided by law. It is an amendment to the Poor House Act of York County passed one hundred and thirteen years ago. It amends the act of 1804, and it is a companion bill to the Poor House Act that was passed and was signed by the Governor at the beginning of the session. The measure provides, that York County shall have a minority representative on the Poor Board. At the present time under our old act, which is more than one hundred years old, we have so such provision. This act when it becomes a law will give York County a minority representative on the Poor Board, and it will extend the time of the present minority representative, whose term expires in 1918, two years. In 1920 the three directors will then be nominated and elected. Mr. Speaker we have had a very peculiar position in the County of York in relation to our poor district. I might say that it has been scandalous on many occasion. Prior to the installation of Mr. Landis as a director of the poor, things had reached such a state that although the county was overwhelmingly democratic, a republican poor director was elected, and that man has done more to bring about reforms in the poor district of York County than any man in the last twenty-five years. Mr. Speaker, prior to the election of the Poor Board in 1914, just on the eve of election when they were about to purchase lands and to erect buildings at a cost of probably $500,000 in York County, the board controlled by one faction, by one clique, in York County, held a star chamber session at five o'clock in the evening, when they realized that a new director was coming into their midst. What did they do? They passed a resolution selecting one architect, who is their special pet, and they gave his carte blanche to go ahead and erect an expensive structure, and to avoid entanglement and bring the whole question of the county almshouse before the people of York in a fair and just way my first measure was introduced. Now we have a poor board consisting of two members of one party and one member of another party. The one man, the minority representative, the one that I have spoken about, has introduced reforms of a character that I might mention here. In the first place in 1914 the year that Mr. Landis was elected, the cost of conducting the poor affairs of York County amounted to over $65,000. In 1916, although the cost of medicine, the cost of supplies, the cost of everything was very much increased the cost of upkeep of the Poor Board of York County was only $44,149.28.

Mr. Speaker, prior to the election of Mr. Landis on the Poor Board of York County, our minority representative, the Board at that time purchased, without consultation with anybody whatsoever, a farm known as the Jacobs farm, for $28,000, which was assessed at twelve thousand dollars. Second, when they could not take that farm because the man, Mr. Jacobs, became more or less conscience stricken, they purchased the Sprenkle farm and paid twenty-eight thousand two hundred and seventy-five dollars, which farm was assessed in 1916 at only eleven thousand five hundred twenty dollars. They further than that, prior to the installation of our minortiy representative, when they handed out the poor relief, jotted the matter down on an ordinary pencil tablet, that permitted all kinds of fraud and all kinds of raising of the orders, so that the county was compelled to pay for things it never authorized. When we had a minority representative on that board, what did he do? He established a check system, so that every article contracted for, every order given, was properly checked up and properly accounted for, and that is why we have had a reduction in the expenses of the administration of the Poor Board of York County, because we have instituted a system of checks and balance as it should be. Now the gentleman from York, when the former bill was before this House, wanted us to repeal the act, and go back to the act of 1879, which is a general act. If we had gone back to the act of 1879 we would have had a minority representative on the Board of County Commissioners, but the reason we did not repeal our local act at this time was because when we built an almshouse down in York County, and purchased an expensive site for the same, which will probably entail an expenditure of a large sum of money, we believe, and the judges of our county believe, and the citizens of our county believe there should be proper checks upon the purchase of real estate, the letting of the contracts, the purchasing of supplies and upon all the myriad and diverse questions that arose incident to the purchase and construction of an almshouse in York County.

It would be a crime to the people of York County to permit this bill to fail and to permit the old conditions to go on there without any means of bringing to account the men who have the control of such important work as that pertaining to the directors of the poor. Our whole government is devised upon a system of checks and balances, and you and I and everybody know that unless a form or system or regulation does not have the proper check to regulate its expenditures, to call it to account for its indiscretions, it only means a short time before corruption creeps in and extravagance becomes rampant, and that has been the condition in York County for a period of almost fifty years. I regret to bring this House the scandals existing in York County.

With respect to the constitutionality of the act, the question which the gentleman from York has raised, Mr. Speaker, the question has been decided over and over again, and was decided by this House when they passed my first act at the very beginning of the session. The only other question that enters into it is the question of the extension of the term of a director of the poor now holding office. In regard to that let me quote from some of our best authorities, the Supreme Court of the State of Pennsylvania. "As to offices which are legislative only, and not constitutional, the power which created them may abolish or change them at pleasure, without impinging upon any constitutional right of the possessor of the office, and without violating any duty of the legislative body." That is from the Commonwealth ex rel. vs. Weir, 165 Pa. 288. In other words, any office that the Legislature of Pennsylvania in its wisdom creates, it can abolish, it can regulate, or it can extend at its will. I feel that it is unnecessary for me to cite authority after authority. That same position has been held in Commonwealth vs. McCombs, 56 Pa. 436. That same position has been held in Loyd vs. Smith, 215 Pa. 221. That same position has been held in the Commonwealth vs. Moir, 199 Pa. 542, and in Pittsburgh's Petition, 217 Pa. 239. We have under our act of 1911, when we established elections for county or municipal officers and for State officers, extended the term of practically all of our municipal officers in the State of Pennsylvania. In 1913 when we passed the act known as the Clark Act, we extended the terms of the mayors of the third class cities, and we have extended terms time out of memory, in which instances our actions have been fully upheld by the Supreme Court of the State of Pennsylvania. Now, gentlemen, I hope you will not permit yourselves, to be beclouded by the fictitious arguments that this bill is unconstitutional. What we are asking for is what we know to be for the best interests of York County, to be a preventative of fraud, and to be an incentive to honest administration; and when the gentleman tries to becloud the issue and say that this beneficial act is unconstitutional, he tries to defeat that which we believe to be for the best interests and welfare of all the people of York County.

Mr. LANIUS. Mr. Speaker, it is very discouraging to me to interrupt the tranquil relations that have existed with the gentlemen from York County. We of the White Rose territory are well known for our good temperament towards each other, but on this question I feel that although I am of the minority, I am largely in the majority on the question of what is right and what is principle. I do not know anything of the sterling virtue of Mr. Landis, the present director of the poor; in fact, I am sorry to confess that I do not know the gentleman; but I do know that if his record is as good as it is represented to be—and perhaps it is—at the same time there are two other members on that board with him who are Democrats, and he could not, nor could they have done those things themselves. There was some co-operation, and, Mr. Speaker, I trust that the House will indulge me when I say that I must make one sweeping denial of the scandalous charges to which he has referred, and then drop the dirty linen if a minority member is needed, I have no knowledge that the people of York County desire that this sort of a method be resorted to. If this gentleman who was elected as a member of that board possesses the sterling qualities which my good colleague represents to you he possesses, then I am sure that the people of York County

will recognize this and he need have no hesitancy in coming forward this fall to be re-elected.

Mr. Speaker, I want you to pardon me for these remarks and I trust the House will understand that I am only answering the arguments and charges put forward by my friend and I am doing it in the best of nature and in the kindliest spirit.

As to the constitutionality of this act, Mr. Speaker, he stated the act was properly advertised and in that he admits that it is a piece of special legislation. I have consulted more than a score of attorneys in the State of Pennsylvania and I have not found one man who has not told me unqualifiedly that this act is constitutional.

Mr. SPANGLER. Mr. Speaker, may I interrogate the gentleman from York, Mr. Lanius?

The SPEAKER. Does the gentleman from York, Mr. Lanius, desire to be interrogated?

Mr. LANIUS. Mr. Speaker, when I have finished.

The SPEAKER. The gentleman will proceed.

Mr. LANIUS. Mr. Speaker, my friend from York refers to the fact that it is within the power of the Legislature to abolish or to change any office which they have created. Mr. Speaker, I call the attention of the House to this fact: That in 1913 this body created the office of county controller in counties of less than one hundred and fifty thousand. They were elected the year of 1913, and, as the act, as I recall it, stated for the term of two years; and at the expiration of those two years the county controllers in those various and several counties described that bill became candidates for re-election, our own controller being among the number; but there was one man in Chester County, I believe, who took issue and said that it made no difference what this act of the Legislature said, that the Constitution said that four years meant four years and that he was elected for the term of four years and he intended to stay there. Mr. Speaker, it is a well known fact that the Supreme Court of this State has decreed that the election of 1915 has been void and those controllers, including our own, are now candidates for re-election—in other words, the 1913 term is just expiring.

Mr. Speaker, when the Clark Act was before us I called the attention of the House to the fact that the Clark Act was properly designated or described or drawn up to suit the peculiar conditions of third class cities. It was a general act; it was not intended to affect a certain municipality or one particular instance. I cannot conceive in my mind that after reading the Constitution and knowing of the 1909 amedment that my friend can insist that this act is within that Constitution.

Mr. Speaker, in 1910, Edward Zortman, of York County, then Director of the Poor, was serving the last year of what he supposed to be the third year of his term. The question arose in 1910, being started by E. O. Slosser, of York County, as to whether the amendment of 1909 applied to York County because of this particular act and the case was taken into the county court of York County and His Honor John Bittinger, decided that we were operating under a special act, if you please, and decided that Mr. Zortman's term expired, according to the rules of this act which my friend now seeks to amend and he said that the Constitutional amendment did not affect York County. In accordance with the dictate of the York County court, Mr. Zortman became a candidate, he was nominated and elected in 1910, and in 1911 the Supreme Court of Pennsylvania set aside the verdict of the York County court and declared the election of 1910, so far as Mr. Zortman was concerned, was void, that it was null: and the result was that Mr. Zortman, in 1911, as my friend well knows, again was nominated and elected and served his term out, finishing in 1915.

Mr. Speaker, this act says we shall elect one Poor Director each year and he shall serve a term of three years and I say to you that this Supreme Court decree changed that act and we elect now two in one odd year and one in the other. This act is not in operation; it is obsolete; in fact, it has been repealed by the Constitutional amendment of 1909 because we no longer elect a man in each year for the term of three years but in the one odd year, as I have said, we elect two directors and in the other we elect one; for instance, in 1915 we elected two men and in 1917 we should elect one and in 1919 we should elect two again. That goes to prove conclusively that the Supreme Court does not take the side of this act which the gentleman who has introduced it does.

As to the question of extension of term, if you are going to admit that the office of Poor Director is a county affair, if you are going to admit that, then you have got to say that under the Constitution, as it exists to-day, that one county is on the same basis as another and you cannot legislate for York County and not for the rest unless you have them properly scheduled in units of population; and, Mr. Speaker, this act applies to York County and to York County alone more than it applies to any one county, more than it applies to the sixty-seven counties, and I leave it to the intelligent men of this House, aside from party lines, to stand back of the Constitution and to search out in their own heart and their own mind what is right and proper.

Mr. Speaker, I declare to you and this House that I have no interest in this act from any political conviction but I am concerned in upholding the Constitution of Pennsylvania and I could not vote for this act, not with the belief in my heart that it is unconstitutional. That is my firm conviction and I do not believe that this act will ever be placed upon the statute books. I believe that my friend is earnest, but, alas, ambition has run away with him.

But we will leave the House decide this question and I trust in deciding it they will search out their hearts and their minds and they will not ignore the fact that while we are talking about crises and about patriotism and constitutionalities, that we have a Constitution of our own in the State of Pennsylvania and that every man in this House has a concern to protect and uphold that Constitution.

Mr. SPANGLER. Mr. Speaker, I do not want to delay the House but I would like to call your attention to the fact that the gentleman from York has not mentioned a single case to prove this bill is unconstitutional. I have a brief here that I will be glad to submit to him, or to the House or any member of the House as to the constitutionality of this measure and I think everybody will agree that the Legislature has the right and the power to extend or even to abolish the term of an office that it created. That is one of the well settled principles of law. It does not require a lot of digging into huge volumes to discover that and I think every lawyer in the House will bear me out in this contention.

So far as the locality of this law is concerned, it is a local act. We are governed in York County by a special Poor Act and the reason we do not repeal this act at this particular time is, as I have said before, because we want to have a proper system of checks and balances upon the expenditure of money that we are going into. This is a great big project that is going to cost five hundred thousand dollars. If we had accepted the act of 1879, the general act, we would have no restriction or restraint on the expenditure of this money and after this expenditur has been made under the proper supervision provided we may be satisfied, if necessary, to have this act repealed, but until this project is completed we want to see that it is honestly completed; we want to see that the County of York gets dollar for dollar; and we feel, by having a minority representative as a member of the board now who will help to make the contracts and purchase the ground and will be in consultation with the members of our court who have a veto power under the act, and as I explained at the beginning of this session that that man is upon the Poor Board at this time.

And, therefore, I ask you gentlemen, in all fairness, to pass this bill and give us a fair and an honest opportunity to conduct our almshouse in the way that all honest and law-abiding citizens would care to have it.

Mr. WOBENSMITH. Mr. Speaker, I was under the impression that it was peculiarly the province and monopoly of one particular faction in Philadelphia to come here to seek political advantage. I think we have all heard enough of this question this morning and it has taken enough of our time. I, therefore, move the previous question.

Mr. LAUCKS. Mr. Speaker, we have listened to the wrangling and arguments of the different factions for four months and I think the House should indulge me for just a few minutes longer in listening to the wrangling between the members representing York County. It is indeed embarrassing to me to represent one black spot upon the map of Pennsylvania. According to what my colleague on the

other side has said, York County is the most corrupt county in the State of Pennsylvania. Of course, I don't agree with him but he has a right to express his opinion. He places special emphasis—

Mr. SPANGLER. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from York, Mr. Laucks, permit himself to be interrogated?

Mr. LAUCKS. Mr. Speaker, yes, sir.

Mr. SPANGLER. Mr. Speaker, I desire to ask the gentleman whether I cast any aspersions upon your county?

Mr. LAUCKS. Mr. Speaker, perhaps not upon York County but upon the administration.

Mr. SPANGLER. Did I cast any aspersions upon the administration of York County prior to the installation of Landis as Poor Director?

Mr. LAUCKS. Mr. Speaker, he did not say, specifically, that conditions in York County were bad or that its administration was corrupt, but his method of discussing the subject was to leave that impression. The impression was left that York County was controlled by Democrats and generally regarded as corrupt so that the thought that my colleague from York left was to this effect, with the members of this body. If that was not his intention I wish to apologize to my colleague from York. He placed special emphasis upon a system of checks and balances, stating that if there is a minority representative on the Poor Board, the fact that there is a check will result in political purity, while if there is not a check it will result in political corruption. In York County as well as in other counties we have two parties and if the affairs of York County were conducted in such a manner that it was obnoxious to the people of the county let them do just exactly as they did when they elected Mr. Landis. Let them re-elect Mr. Landis and then we will have a minority representation. Why is it necessary for any person, whether he be a member of this Legislature, or anybody else from York County, to ask this Legislature to take a man bodily and place him in a position where he can act as a minoirty representative; where perhaps a majority would not want him. My colleague certainly knows that the mere fact that a man belongs to one party or another does not put him in such places that he will act as a check upon members of another party. His own experience, as well as the experience of every member here is this: That when it is necessary to do something the minority member even though he bears a different brand will simply step over and join hands with the member of the majority party. That is the easiest thing in the world to do.

It has been done thousands of times and the mere fact that there is a minority representative will not prevent collusion. In this case I do not mean to say that there will be collusion but, in general, the mere fact that there is a minority representative will certainly not prevent collusion. If they want to do something crooked they will do it at any rate whether they are members of one party or members of different parties. In regard to the constitutionality of this measure, a great deal has been said. In fact, so much has been said on this subject by my colleague, Mr. Lanius, that I think it is unnecessary for me to say anything more, but I merely wish to call your attention to section 7 of Article 3 of the Constitution of Pennsylvania, where it says, "The General Assembly shall not pass any local or special law regulating the affairs of counties, cities, townships, etc." I take it from that that the Constitution forbids any special legislation of any kind in regard to the regulation of the affairs of counties. Section 8 provides, "No local or special bill shall be passed unless it is properly advertised, etc." That section applies to such bills as the one introduced by my colleague when he presented a measure for the protection of fox in York County. This is not a bill similar in any way to the gentleman's fox bill. This is a bill regulating the affairs of counties. In that same clause, in that same section, it provides also, for laws in regard to cities. I am not able to cite any particular case as applied to counties, but I do recall that there was a case, and I think that case was Wheeler against Philadelphia, where the Supreme Court specifically decided that in order to pass any law applying to a smaller number than all of the different cities of the State it was necessary to classify. The bill presented by my colleague, makes no attempt whatever to classify. It merely provides for York County and no other county which is special legislation prohibited by Article 3, Section 7 of the Constitution. Gentlemen of this House, if you pass this bill you will be doing nothing else than foisting upon York County a piece of special legislation. What will be the result? It will be this: That some one will be obliged to contest it. Who will pay the bill? York County. Gentlemen, I ask you in all fairness to vote down this bill.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—77.

Albee,	Fretz,	Marvin,	Sones,
Baker,	Goodnough,	McCullough,	Spangler,
Baldridge,	Graeff,	Miller, A. D.,	Speicher,
Bechtold,	Graham,	Miller, Allan,	Sprowls,
Benninger,	Gransback,	Mitchell,	Stern,
Beyer,	Haight,	Morgan, T.,	Stites,
Bidelspacher,	Heffernan,	Ogden,	Swartz,
Boyd,	Heyburn,	Palmer,	Ulsh,
Campbell, J. O.,	Hoffman,	Pickering,	Vodges,
Campbell, T.,	Hollingsworth,	Ramsey,	Walker,
Coldsmith,	Hough,	Reichenbacker,	Walter,
Conner,	Howarth,	Reitzel,	Weimer,
Crosby,	Jack,	Richards,	Whitaker,
Curry,	Jones,	Rininger,	Wickman,
Davis, W.,	Lafferty,	Ross,	Williams, G. W.
Dewey,	Lauler,	Sampsel,	Williams, J. P.,
Dithrich,	Lewis,	Scott,	Wood,
Ehrhardt,	Lohr,	Siggins,	Zanders,
Fitzgibbon,	Mangan,	Sinclair,	Baldwin, Speaker.

NAYS—72.

Aron,	Drinkhouse,	Mearkle,	Schaeffer, A. C.,
Baldi,	Dunn,	Mehring,	Shunk,
Barner,	Fackler,	Miller, G. J. A.,	Simpson,
Bell,	Franklin,	Milner,	Smith, E. R.,
Benchoff,	Golder,	Morgan, T. J.,	Smith, O. W.,
Black,	Gormley,	Murphy,	Snowden,
Brady,	Hecht,	Musser,	Stadtlander,
Brumbaugh,	Helt,	Neary,	Steedle,
Burnett,	Hollern,	Patterson,	Sterling,
Canon,	Horne,	Phillips,	Stoffiet,
Chestnut,	Isherwood,	Rhodes, W. M.,	Sullivan,
Christman,	Lanius,	Ringler,	Sweitzer,
Clements,	Laucks,	Rinn,	Vickerman,
Corbin,	Maurer,	Rogers,	Wagner,
Cox,	McArdle,	Rothenberger,	Wallace,
Dean,	McCurdy,	Ruddy,	Wells,
Donneley,	McKinney,	Rudisill,	Wobensmith,
Drake,	McNichol,	Sarig,	Wynne,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. RICH. Mr. Speaker, I desire to call up from page 32, of to-day's calendar, bills on third reading postponed, Senate Bill No. 650 (House Bill No. 1243), File Folio 1189.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1243 (Senate Bill No. 650), entitled

An Act making an appropriation to A. K. Cassel for services rendered as deputy commissioner in the Dairy and Food Division of the Department of Agriculture.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RICH. Mr. Speaker, last week when this bill was up I asked that it be postponed as I thought I had discovered an error in the calculation of the interest, but I was in error as the bill is twenty-four years old instead of thirteen years old. The interest calculations are correct so I withdrew my objections and called it up for a vote.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Albee,	Franklin,	McPeake,	Sinclair,
Arthur,	Fretz,	McVicar,	Smith, E. R.,
Aston,	Geary,	Mearkle,	Smith, F. I.,

Baker,	Glass,	Mehring,	Smith, J. W.,
Baldi,	Goodnough,	Mervine,	Smith, L.,
Baldridge,	Graeff,	Miller, A. D.,	Snowden,
Bechtold,	Graham,	Miller, C. G.,	Somerman,
Bennett,	Gransback,	Miller, G. J. A.,	Sones,
Benninger,	Haight,	Milner,	Spangler,
Beyer,	Haldeman,	Morgan, T.,	Speicher,
Bidelspacher,	Hecht,	Murphy,	Sprowls,
Black,	Heffernan,	Musser,	Stadtlander,
Bouton, V. B.,	Helt,	Neary,	Steedle,
Bovee,	Hess,	Palmer,	Sterling,
Boyd,	Heyburn,	Patterson,	Stern,
Brady,	Hibshman,	Perry,	Stites,
Brumbaugh,	Hoffman,	Phillips,	Strauss,
Burnett,	Hollern,	Pickering,	Sullivan,
Campbell, J. O.,	Hollingsworth,	Powell,	Swartz,
Campbell, T.,	Horne,	Ramsey,	Sweitzer,
Canon,	Horton,	Reichenbacker,	Thomas,
Christman,	Hough,	Reitzel,	Ulsh,
Clements,	Howarth,	Reynolds,	Urich,
Coldsmith,	Isherwood,	Rhoads, H. L.,	Vickerman,
Conner,	Jack,	Rich,	Vodges,
Corbin,	Jones,	Richards,	Wagner,
Crosby,	Lafferty,	Ringler,	Walker,
Curry,	Lanius,	Rininger,	Wallace,
Davis, W.,	Laucks,	Rogers,	Walter,
Dean,	Lauler,	Ross,	Weimer,
Dell,	Lewis,	Rothenberger,	Wells,
Dewey,	Lohr,	Ruddy,	Whitaker,
Dithrich,	Luppert,	Sampsel,	Williams, J. P.,
Donneley,	Mangan,	Sarig,	Wobensmith,
Drake,	Marvin,	Schaeffer, A. C.,	Wood,
Drinkhouse,	Maurer,	Scott,	Woodward,
Fackler,	McCaig,	Shaffer, C. A.,	Wynne,
Fitzgibbon,	McCullough,	Shattuck,	Zanders,
Flynn,	McCurdy,	Siggins,	Baldwin,
Fowler,	McKay,	Simpson,	Speaker.

NAYS—9.

Aron,	Golder,	Mitchell,	Shunk,
Barner,	McKinney,	Rinn,	West,
Ehrhardt,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Mr. CONNER. Mr. Speaker, I desire to call up from 32 of to-day's calendar, bills on third reading postponed, House Bill No. 1030, File Folio 3491.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1030, entitled

An Act constituting the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania a commission to act as a joint commission with similar commissions of any other contiguous State or States, or as an independent commission, for the purpose of planning and accomplishing the erection or building of one or more bridges or tunnels, as may be suitable and necessary, over or under any navigable stream or river which is one of the boundaries of this Commonwealth, and providing for the acquisition of ground for the site and approaches of said bridge or tunnel, and for the maintenance of the same by the county or counties wherein it is located.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Albee,	Fretz,	McPeake,	Siggins,
Aron,	Gans,	McVicar,	Simpson,
Arthur,	Geary,	Mearkle,	Sinclair,
Baker,	Glass,	Mehring,	Smith, E. R.,
Baldi,	Golder,	Mervine,	Smith, F. L.,
Baldridge,	Goodnough,	Michel,	Smith, J. W.,
Bechtold,	Gormley,	Miller, A. D.,	Smith, L.,
Bell,	Graeff,	Miller, G. J. A.,	Smith, O. W.,
Benchoff,	Graham,	Milner,	Snowden,
Bennett,	Gransback,	Morgan, T.,	Sones,
Beyer,	Haight,	Morgan, T. J.,	Speicher,
Bidelspacher,	Haldeman,	Murdoch,	Sprowls,
Black,	Hecht,	Musser,	Stadtlander,
Boulton, H.,	Heffernan,	Neary,	Steedle,
Bovee,	Helt,	Ogden,	Sterling,
Boyd,	Hess,	Palmer,	Stern,
Brady,	Heyburn,	Patterson,	Stites,
Brumbaugh,	Hibshman,	Perry,	Stofflet,
Campbell, J. O.,	Hoffman,	Phillips,	Strauss,
Campbell, T.,	Hollern,	Pickering,	Sullivan,
Canon,	Hollingsworth,	Powell,	Swartz,
Christman,	Horton,	Ramsey,	Sweitzer,
Clements,	Hough,	Reichenbacher,	Thomas,
Coldsmith,	Howarth,	Reitzel,	Ulsh,
Conner,	Isherwood,	Reynolds,	Urich,
Corbin,	Jack,	Rhoads, H. L.,	Vickerman,
Cox,	Jones,	Rich,	Vodges,
Crosby,	Kennedy,	Richards,	Wagner,
Cummins,	Lafferty,	Ringler,	Walker,
Curry,	Lanius,	Rininger,	Wallace,
Davis, W.,	Laucks,	Rinn,	Weimer,
Dean,	Leary,	Robertson,	Wells,
Dell,	Lewis,	Rogers,	West,
Dewey,	Lohr,	Ross,	Whitaker,
Dithrich,	Luppert,	Rothenberger,	Wickman,
Donneley,	Mangan,	Ruddy,	Williams, J. P.,
Drake,	Marvin,	Rudisill,	Wobensmith,
Drinkhouse,	Maurer,	Sampsel,	Wood,
Dunn,	McArdle,	Schaeffer, A. C.,	Woodward,
Ehrhardt,	McCaig,	Scott,	Wylie,
Fackler,	McCullough,	Shaffer, C. A.,	Wynne,
Fitzgibbon,	McCurdy,	Shattuck,	Zanders,
Flynn,	McKay,	Showalter,	Baldwin,
Fowler,	McKinney,	Shunk,	Speaker.
Franklin,	McNichol,		

NAYS—1.

Chestnut,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WICKMAN. Mr. Speaker, I desire to call up from page 33 of to-day's calendar, bills on third reading postponed, House Bill No. 1152, File Folio 2129.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1152, entitled

An Act providing that persons, associations and corporations owning, occupying or controlling premises upon which any contractor or sub-contractor shall be permitted to do certain classes of construction work shall be liable for the wages of all employes engaged in such work and for the cost of all materials supplied for such work unless the contractor or sub-contractor shall file a bond for the immediate payment of wages and the cost of material when due; providing that a contractor shall be liable for the wages of employes of any sub-contractor and for the cost of materials furnished to any sub-contractor unless such sub-contractor shall file a bond covering the same; requiring every such contractor or sub-contractor to file a bond; specifying the form and amount of such bond; and permitting persons furnishing labor or materials to sue in such bond to recover wages and the cost of such materials.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SINCLAIR. Mr. Speaker, I would like to have the sponsor of this bill explain it.

Mr. WICKMAN. Mr. Speaker and gentlemen of the House, this bill might truthfully be called a piece of humane legislation. It is drawn in the interest of the working people of this State. Time and time again in the past poor working men have been swindled out of their daily wages by unscrupulous and crooked contractors and sub-contractors. Now this bill aims to prevent that. Those men have appealed to the courts of the State and the courts declared that there is no remedy on the statute books for their cases. Now, gentlemen, they come to the Legislature and ask you to supply the remedy. This is the only thing we can do. This bill was drawn by one of the best authorities on constitutional law and I think it is constitutional. You can readily understand the plight a man is in that has to depend on his daily wages to buy bread for his family, when he comes home without the necessary money to buy these necessities of life. You can understand the plight he is in, and I solicit the support of every member of the House for this bill.

Mr. SIGGINS. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Wickman.

The SPEAKER. Will the gentleman from Allegheny, Mr. Wickman, permit himself to be interrogated?

Mr. WICKMAN. With pleasure, Mr. Speaker.

Mr. SIGGINS. Mr. Speaker, if this act becomes a law, will not the owner of real estate be responsible for all the wages, for all labor performed upon that real estate, whether the work is done by the day or by a contractor or a sub-contractor, unless a bond is filed.

Mr. WICKMAN. Mr. Speaker, as I understand the bill he would be responsible for the wages of labor performed, if he does not compel the contractor or the sub-contractor to furnish a bond.

Mr. SIGGINS. Mr. Speaker, I would like to interrogate the gentleman further, and ask if there is no limit as to the value of the amount of work to be performed, that is, as to the largeness or smallness of the amount of work performed upon the real estate?

Mr. WICKMAN. No, sir.

Mr. SIGGINS. Mr. Speaker, while the main idea of this bill may be entirely proper, it seems to me that it is putting an undue hardship upon the owner of property. As I understand the bill—if I understand it correctly—if the owner of any real estate were to have any work at all performed on his real estate he would be responsible to the person performing the same unless he required a bond to be filed. In other words, if it is necessary to have your plumbing fixed, a small job, you would have to see that the man who performs the service actually gets his wages; or if you were to have a room papered, or any minor improvements made, it is necessary to see that the man who performs the work receives his money, or else the act requires a man to put up a bond, whether the work is a five dollar, a hundred dollar, or a five hundred dollar job. It seems to me it is going too far, with the law so well established on this question of the liability of the contractor or subcontractor.

Mr. REYNOLDS. Mr. Speaker, I wish to inform the gentleman that he is laboring under a great misapprehension. The object of the act is not for the purpose of depriving any man of his rights on his own property. The act provides that the contractor or subcontractor may file his bond, which is entirely proper, and it leaves the owner of the real estate in the position that he is to-day, except that the filing of the bond protects the owner of the real estate, as well as the man who is working for the wage. In large cities—and it also applies in small cities—contracts are entered into for the erection of numerous houses or other buildings, and the contractor may or may not file a bond, but in this act he is compelled, in order to protect whom? Mr. Wickman says the man who is the wage earner. It not only protects the wage earner, but the court holds him to his bond and it protects, Mr. Speaker, the very man having the work done, namely—the owner of that real estate. This is a splendid piece of legislation, and should be passed by this House.

Mr. SIGGINS. Mr. Speaker, I do not desire to oppose any bill unjustly, and if I am laboring under a misapprehension of the bill, I certainly do not want to oppose it; but as I have read it, it seems to me to be a little drastic. Consequently I would ask the sponsor of this bill to postpone the bill for a short time in order that we might investigate it and find out exactly what this bill is.

Mr. WICKMAN. Mr. Speaker, I am sorry that I cannot comply with the request of my friend, Mr. Siggins, but if there is any amending to be done, it should be done in the Senate. I must refuse the request.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—80.

Aron,	Glass,	Mearkle,	Simpson,
Baker,	Goodnough,	Michel,	Smith, E. R.,
Baldi,	Graeff,	Miller, A. D.,	Smith, F. I.,
Bennett,	Graham,	Miller, C. G.,	Smith, J. W.,
Black,	Haight,	Miller, G. J. A.,	Snowden,
Bouton, V. B.,	Hecht,	Mitchell,	Somerman,
Brady,	Helt,	Murphy,	Speicher,
Brumbaugh,	Hollern,	Neary,	Sprowls,
Burnett,	Hollingsworth,	Ogden,	Steedle,
Campbell, T.,	Hough,	Palmer,	Stern,
Canon,	Howarth,	Powell,	Strauss,
Coldsmith,	Lafferty,	Reichenbacker,	Vickerman,
Crosby,	Lauler,	Reynolds,	Vogdes,
Curry,	Leary,	Rhodes, W. M.,	Wagner,
Dean,	Lewis,	Richards,	Wells,
Dell,	Mangan,	Ringler,	Whitaker,
Drake,	Maurer,	Rininger,	Wickman,
Dunn,	McArdle,	Ross,	Woodward,
Ehrhardt,	McCaig,	Rothenberger,	Wynne,
Erdman,	McCullough,	Sarig,	Zanders,
Fowler,			

NAYS—66.

Arthur,	Fitzgibbon,	Milner,	Smith, L.,
Baldridge,	Golder,	Morgan, T.,	Smith, O. W.,
Bechtold,	Gormley,	Musser,	Snyder,
Benchoff,	Hibshman,	Phillips,	Sones,
Benninger,	Hoffman,	Pickering,	Sterling,
Campbell, J. O.,	Horton,	Ramsey,	Stoflet,
Chestnut,	Isherwood,	Reitzel,	Thomas,
Christman,	Jack,	Rich,	Ulsh,
Conner,	Lanius,	Ruddy,	Walker,
Corbin,	Lohr,	Rudisill,	Wallace,
Cox,	Luppert,	Sampsel,	Weimer,
Cummins,	Marvin,	Shaffer, C. A.,	West,
Davis, W.,	McCurdy,	Shattuck,	Williams, G. W.
Dewey,	McKinney,	Shunk,	Williams, J. P.,
Dithrich,	McNichol,	Siggins,	Wobensmith,
Drinkhouse,	Mervine,	Sinclair,	Wood,
Fackler,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. WILLIAM DAVIS. Mr. Speaker, I desire to call up at this time House Bill No. 901, File Folio 2517, from page 32 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 901, entitled

A Joint Resolution proposing an amendment to section seventeen of article two of the Constitution of Pennsylvania.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WILLIAM DAVIS. Mr. Speaker and gentlemen of the House, this joint resolution proposes to amend section seventeen of article two of the Constitution of Pennsylvania. I do not think that this resolution requires any argument. We have here an assembly consisting of two hundred and seven members, all of whom are interested in this resolution, including those who expect to remain at home, as well as those who desire to return. My purpose in this resolution is to have the House reduced to such a body that we may be able, or the Speaker may be able to avoid the occurrences that take place here day after day, hour after hour, and month after month; and avoid the necessity of delaying the progess of this body by having the Speaker use the gavel about one half of the time. This ought to be—it should be a conservative body of men, representatives of the Commonwealth of Pennsylvania, and not a social gathering. If you want a social gathering you can have it at home or abroad, either one, but when you come into this House you come here for the purpose of legislating in behalf of your constituents in the Commonwealth of Pennsylvania. You cannot and should not receive any credit for conducting a social gathering. The only example to copy is in the other end of the building, a Senate consisting of fifty members. You cannot witness any instances of this kind or character over there. If you reduce this body to double the number of the Senate we can expect more conservative work, better work, and the use of more and better judgment, of calm, cool and deliberate men as representatives of this Commonwealth. We have a census that will come in 1920, followed by an apportionment, and when that is done the number in this House will be increased, thereby necessitating an increase in the size of this floor and the number of chairs in this House. Is that necessary, is a question I submit to you. There is a second proposition that I wish to submit to you, and without going into an argument of the proposition—I will not read a line of it, for I do not like to read in public—I submit to you the Auditor General's Report for the year ending November 30, 1916, as my second argument for asking for a reduction in the number of this House. You take that book and you can glance over it, for the multiplication and addition and subtraction are all done, and it simply resolves itself into a simple question of addition, and the figures are here for you. Take the expense of the two hundred and seven members of this House; take the expense of the printing and binding, the paper and stationery, the extra expense of the number of men that you keep here in your employ in this House; glance over the figures and you will find that you will save, by the resolution being carried and the constitution being amended, about one half a million dollars. You have heard a great

deal said about housecleaning. You have heard it and so have I. I believe in beginning at home, in your own room. Let us clean house here and go down through this auditor's report and through the other departments in this capitol building on this hill, and I venture to say that you will save the Commonwealth of Pennsylvania about three times one half a million of dollars, or over. It is your duty, and it is a question that I believe the honest and honorable and considerate gentlemen of this House, who are here to represent constituents at home and repersent the Commonwealth as a whole, will stand by and consider when they vote upon this resolution.

Mr. POWELL. Mr. Speaker, I would like to interrogate the gentleman from Cambria, Mr. Davis.

The SPEAKER. The gentleman from Cambria, Mr. Powell, desires to interrogate the gentleman from Cambria, Mr. Davis.

Mr. WILLIAM DAVIS. Very well, Mr. Speaker.

Mr. POWELL. Mr. Speaker, did I understand the gentleman from Cambria to make the statement that he believed in cleaning house?

Mr. WILLIAM DAVIS. Mr. Speaker, yes, sir.

Mr. POWELL. Then I move you, Mr. Speaker, that we commence to clean house by wiping this bill off the calendar.

Mr. WILLIAM DAVIS. Mr. Speaker, the gentleman from Cambria, Mr. Powell, evidently must have some fear of being wiped off the calendar at home.

On the question recurring,

Will the House agree to the bill on third reading?

It was not agreed to.

Mr. DITHRICH. Mr. Speaker, I desire to call up from page 33 of to-day's calendar, bills on third reading postponed, House Bill No. 1238 (Senate Bill No. 581), File Folio 937.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1238 (Senate Bill No. 581), entitled

An Act empowering certain corporations societies and voluntary associations having subordinate lodges or branches within this Commonwealth to change the location of their principal office or place of business and providing for the approval by the Court of Common Pleas and the filing of notice of such changes.

On the question recurring,

Will the House agree to the bill on third reading.

Mr. WOBENSMITH. Mr. Speaker, I would like the sponsor of this bill to give us a brief survey of what its provisions cover.

The SPEAKER. This is a Senate bill. Is there anybody here who can give an explanation of it?

Mr. McVICAR. Mr. Speaker, this bill authorizes a corporation not for profit, for the sole benefit of its members and beneficiaries, to change the location of its principal office from one county to another upon first securing the approval of the Court of Common Pleas of the county where the office is situated and upon filing in the office of the county where it is now situate and in the office of the county to which it proposes to remove, and in the office of the Insurance Commissioner, a notice that such change has been made. An exact copy of this bill was passed at the session of 1915 with the exception that this bill did not provide for the approval of the Court of Common Pleas. The Governor vetoed it on that account and that has been inserted to meet the objection of the Governor. Under the present conditions I cannot see how there can be any objection to this bill because before a corporation not for profit, and created by the court, can make a change the corporation must first approve the change itself, the Court of Common Pleas of the county must approve it and proper notice must be given. It somestimes happens that fraternal or beneficial corporations having subordinate lodges, that the membership so changes that it becomes desirable to change the office from one county to another, Hence I take it that power should be granted under proper restrictions which are contained in this bill.

I might add further that corporations for profit can make such a change by action of the corporation itself but in this class of corporations, created by the court, in addition to the acts of the corporation itself the Court of Common Pleas must approve of the change.

Mr. PALMER. Mr. Speaker, the act which we are about to consider does not only empower a change of place for beneficial societies but also for corporations, all corporations. Now, there is no law upon the statute books of Pennsylvania allowing the change of corporations from one main seat to another place and to do that upon approval the Court of Common Pleas or in any other manner.

This bill, Mr. Speaker, is a matter of legislation to clear up a point which happens to be before the Supreme Court touching this very question. On the face of it, it seems entirely proper, but the whole thing was tried out and at the time of the hearing of this argument the Supreme Court objected strenuously, or showed by their manner, to the idea of a change which would make it a migratory affair. The minute a corporation with its seat of business at one place does not like it any more there they can pack up and get out; they can avoid service in cities or in counties by getting away in time to do it; and the bill is proposed for the purpose of clearing up a matter in issue which happens to be bofore your Supreme Court at this time and allowing them, where it is to their benefit, to get away from where they are into another jurisdiction and that is why I ask you to vote "no" on the bill.

Mr. McVICAR. Mr. Speaker, I think the gentleman is slightly mistaken in some of his remarks. It is true that it is a question as to whether these corporations have the power to change their office at the present time by permission of the Court of Common Pleas and there is a case pending in which that question is involved; but in order to remove that doubt and in order to give express power for the making of such a change this bill is prepared and I say again, I would not see how any objection can be made to it, when the members of the corporation first themselves decide that the change should be made and the court of the county in which it is situate, after a hearing, says it should be made. Isn't everybody protected?

Mr. PALMER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. McVicar.

The SPEAKER. Will the gentleman from Allegheny, Mr. McVicar, permit himself to be interrogated?

Mr. McVICAR. Mr. Speaker, I will.

Mr. PALMER. Mr. Speaker, I would like to ask the gentleman when he first addressed this House if he did not say that the bill which had been vetoed by the Governor did not contain a provision that the Court of Common Pleas should pass upon the change.

Mr. McVICAR. Mr. Speaker, I did so say.

Mr. PALMER. Mr. Speaker, I now desire to read from the Governor's veto message on that bill.

"Commonwealth of Pennsylvania.

"Executive Chamber, Harrisburg, June 7, 1915.

"I file herewith, in the office of the Secretary of the Commonwealth, with my objections, House Bill No. 49, entitled 'An Act empowering certain corporations, societies, and voluntary associations, having subordinate lodges or branches within this Commonwealth, to change the location of their principal office or place of business, and providing for the filing of notice of such changes.'

"This bill empowers certain corporations, societies, and voluntary associations, having branches in this Commonwealth, to change the location of their principal office or place of business. The effect of this bill would be to authorize Courts of Common Pleas in one county to make corporations it authorizes have their business in another place, over which said court has no jurisdiction. It would also enable the corporation, upon its own initiative, to locate in a county other tahn that in which its charter was granted.

"It is questionable in law whether a court of the one county can authorize a change by which a corporation may be domiciled within the jurisdiction of another court (see 216 Pa. 630). Under many decisions of the court it is manifest that a corporation has no power to change its place of business from one county to another.

"This bill would enable corporations of the kind defined to move at will, resulting in confusion, lack of responsibility, and general disadvantage to the people concerned.

"For these reasons the bill is not approved.

MARTIN G. BRUMBAUGH."

Now, I ask the gentleman from Allegheny to explain the difference between then and now.

Mr. McVICAR. Mr. Speaker, I did not catch the gentleman's question.

Mr. PALMER. Mr. Speaker, I inquired of the gentleman whether he did not say when he first referred to this bill that the change from the 1915 bill had been made which change allowed the Court of Common Pleas in the counties to say or approve of the removal from one county to another.

Mr. McVICAR. I said that the bill which passed the House and Senate in 1915 is a copy of the bill now before you except that that bill did not provide for procuring the permission of the Court of Common Pleas of the county.

I say further, also, that I consulted the Executive Department of this government as to the reason of the veto of that act and I found out the reason of that veto was because he thought there should be a provision by which the Court of Common Pleas would approve of the change and he prepared an amendment to that bill so as to meet the change he desired and that amendment or change is inserted in the bill which is now before you.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provision of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Aron,	Ehrhardt,	McCullough,	Ruddy,
Arthur,	Erdman,	McCurdy,	Sarig,
Baker,	Fitzgibbon,	McKay,	Shaffer, C. A.,
Baldridge,	Fretz,	McKinney,	Showalter,
Barner,	Gans,	McPeake,	Shunk,
Bell,	Geary,	McVicar,	Siggins,
Benninger,	Golder,	Michel,	Simpson,
Beyer,	Goodnough,	Miller, A. D.,	Smith, F. I.,
Bidelspacher,	Graham,	Miller, G. J. A.,	Smith, O. W.,
Black,	Gransback,	Mitchell,	Snowden,
Bouton, V. B.,	Haight,	Morgan, T. J.,	Somerman,
Bovee,	Hecht,	Murdoch,	Spangler,
Boyd,	Heffernan,	Murphy,	Speicher,
Brady,	Heyburn,	Musser,	Sprowls,
Brumbaugh,	Hibshman,	Neary,	Stadtlander,
Burnett,	Hoffman,	Ogden,	Steedle,
Campbell, J. O.,	Hollern,	Perry,	Sterling,
Chestnut,	Hough,	Pickering,	Stern,
Christman,	Howarth,	Powell,	Stoffiet,
Coldsmith,	Jack,	Reichenbacher,	Strauss,
Corbin,	Jones,	Reynolds,	Sweitzer,
Crosby,	Kennedy,	Rich,	Vickerman,
Curry,	Lauler,	Richards,	Wagner,
Davis, W.,	Lohr,	Ringler,	Wallace,
Dell,	Mangan,	Rinn,	Whitaker,
Dewey,	McArdle,	Rogers,	Woodward,
Dithrich,	McCaig,	Rothenberger,	Zanders,
Drake,			

NAYS—36.

Albee,	Graeff,	Ramsey,	Sones,
Baldi,	Horton,	Rhodes, W. M.,	Ulsh,
Bennett,	Luppert,	Robertson,	Vogdes,
Clements,	Marvin,	Sampsel,	Walter,
Conner,	Mervine,	Schaeffer, A. C.,	Weimer,
Cummins,	Miller, C. G.,	Scott,	Wells,
Donneley,	Milner,	Sinclair,	West,
Dunn,	Palmer,	Smith, E. R.,	Wobensmith,
Fackler,	Phillips,	Smith, L.,	Wood.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Mr. DELL. Mr. Speaker, I desire to call up at this time from page 34 of to-day's calendar, bills on third reading postponed, House Bill No. 954, File Folio 3453.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 954, entitled

An Act regulating hunting trapping and fishing on unseated and auxiliary forest reserve lands providing for the propagation of game and fish on such lands and providing penalties for violation.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Albee,	Erdman,	Marvin,	Robertson,
Aron,	Fackler,	Maurer,	Rogers,
Baker,	Fitzgibbon,	McArdle,	Ross,
Baldi,	Flynn,	McCaig,	Rothenberger,
Baldridge,	Fowler,	McCullough,	Sampsel,
Barner,	Franklin,	McCurdy,	Sarig,
Bechtold,	Fretz,	McKay,	Schaeffer, A. C.,
Bell,	Gans,	McKinney,	Scott,
Benninger,	Glass,	McPeake,	Shaffer, C. A.,
Beyer,	Golder,	McVicar,	Shattuck,
Black,	Goodnough,	Mearkle,	Shunk,
Bouton, V. B.,	Gormley,	Mehring,	Sinclair,
Bovee,	Graeff,	Mervine,	Smith, E. R.,
Brady,	Graham,	Michel,	Smith, L.,
Brumbaugh,	Haight,	Miller, A. D.,	Snowden,
Burnett,	Haldeman,	Miller, G. J. A.,	Speicher,
Campbell, T.,	Hecht,	Milner,	Stadtlander,
Canon,	Heffernan,	Mitchell,	Sterling,
Chestnut,	Helt,	Murdoch,	Stern,
Clements,	Hess,	Murphy,	Strauss,
Coldsmith,	Heyburn,	Musser,	Swartz,
Conner,	Hibshman,	Neary,	Sweitzer,
Corbin,	Hoffman,	Palmer,	Thomas,
Cox,	Hollern,	Perry,	Ulsh,
Crosby,	Hollingsworth,	Phillips,	Urich,
Cummins,	Horton,	Pickering,	Vickerman,
Curry,	Howarth,	Powell,	Vogdes,
Davis, W.,	Jack,	Ramsey,	Wallace,
Dean,	Jones,	Reichenbacker,	Walter,
Dell,	Kennedy,	Rhodes, W. M.,	Williams, J. P.,
Dewey,	Lafferty,	Rich,	Wobensmith,
Dithrich,	Laucks,	Richards,	Wood,
Drake,	Lauler,	Ringler,	Wynne,
Drinkhouse,	Lewis,	Rininger,	Zanders,
Dunn,	Lohr,	Rinn,	Baldwin,
Ehrhardt,	Mangan,		Speaker.

NAYS—9.

Benchoff,	Showalter,	Smith, F. I.,	Snyder,
Campbell, J. O.,	Siggins,	Smith, O. W.,	Weimer,
Ogden,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. STADTLANDER. Mr. Speaker, I desire to call up at this time from page 31 of to-day's calendar, bills on third reading postponed, House Bill No. 962, File Folio 1675.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 962, entitled

An Act to prohibit the letting of prison labor by contract to regulate the employment of prisoners in all county prisons and reformatories regulating the disposition of the products of prison labor and providing penalty for its violations.

And said bill having been read at length, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Albee,	Fretz,	McKay,	Schaeffer, A. C.,
Aron,	Geary,	McNichol,	Scott,
Arthur,	Glass,	McPeake,	Shaffer, C. A.,
Baker,	Golder,	Michel,	Smith, F. I.,
Baldi,	Goodnough,	Miller, Allan,	Smith, J. W.,
Baldridge,	Graham,	Miller, C. G.,	Smith, L.,
Bell,	Gransback,	Miller, G. J. A.,	Smith, O. W.,
Benchoff,	Haight,	Mitchell,	Snowden,
Black,	Hecht,	Morgan, T. J.,	Somerman,
Bouton, V. B.,	Heffernan,	Murdoch,	Sprowls,
Boyd,	Helt,	Neary,	Stadtlander,
Brady,	Hess,	Ogden,	Steedle,
Campbell, J. O.,	Heyburn,	Phillips,	Stern,
Campbell, T.,	Hoffman,	Powell,	Stoffiet,
Canon,	Hollern,	Ramsey,	Strauss,
Conner,	Horton,	Reichenbacher,	Sullivan,
Crosby,	Howarth,	Reitzel,	Swartz,
Davis, W.,	Lafferty,	Rhodes, W. M.,	Thomas,
Dell,	Lanius,	Rich,	Ulsh,
Dithrich,	Lauler,	Richards,	Urich,
Drake,	Leary,	Ringler,	Vickerman,
Drinkhouse,	Lewis,	Rininger,	Wagner,
Dunn,	Mangan,	Rinn,	West,
Ehrhardt,	Marvin,	Robertson,	Wickman,
Erdman,	Maurer,	Rogers,	Wood,
Fackler,	McArdle,	Rothenberger,	Woodward,
Fowler,	McCaig,	Ruddy,	Zanders,
Franklin,	McCurdy,	Sarig,	Baldwin,
			Speaker.

NAYS—26.

Bennett,	Hollingsworth,	Patterson,	Speicher,
Cox,	Jack,	Sampsel,	Sterling,
Dean,	Lohr,	Showalter,	Stites,
Fitzgibbon,	Luppert,	Shunk,	Wallace,
Flynn,	McKinney,	Siggins,	Weimer,
Gormley,	Milner,	Simpson,	Williams, J. P.,
Hibshman,	Palmer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 69.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 69, entitled "An Act fixing the compensation of employes in the Department of Banking and providing for the appointment of an additional clerk."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 1087.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 1087, entitled "An Act to give exclusive jurisdiction to the Municipal Court of Philadelphia over all houses of detention established within the limits of the City of Philadelphia for the care of delinquent dependent and neglected children providing that the board of managers of the said houses of detention shall be appointed and removed by the judges of the Municipal Court of Philadelphia and repealing all acts or parts of acts inconsistent herewith."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 8.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 8, entitled "An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 900.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 900, entitled "An Act amending section nineteen of an act entitled 'An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention' approved the eighth day of May one thousand eight hundred eighty-three so as to permit certificates of physicians as to the insanity of patients to be sworn to or affirmed before a judge or magistrate of any county in the Commonwealth."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 773.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 773, entitled "An Act authorizing trustees of the insane or directors or overseers of the poor to provide a building or rooms for the care treatment and maintenance of persons temporarily mentally deranged."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 734.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 734, entitled "An Act amending section one of an act approved the seventh day of June one thousand nine hundred one entitled 'A Act to authorize the township commissioners in townships of the first class to lay out widen open and vacate streets and the highways within their respective townships at the expense of the township or the properties benefited."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 461.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 461, entitled "An Act to amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred thirty-seven) entitled 'An Act regulationg the sale of milk and its fluid derivatives in cities of the first class providing for the licensing of those engaged in that business and providing penalties for the violation thereof."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 359.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 359, entitled "An Act allowing appeals from orders of court entered on motion to quash or dissolve writs of foreign attachment."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 262.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 262, entitled "An Act a supplement to an act entitled 'An Act to provide for the incorporation and regulation of natural gas companies' approved the twenty-ninth day of May one thousand eight hundred and eighty-five providing that corporations engaged in the business of supplying natural gas may manufacture or purchase and transport and supply manufactured fuel gas."

MARTIN G. BRUMBAUGH.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

Senate Bill No. 681,

An Act to fix the pay of election officers in cities of the first and second class.

Senate Bill No. 121,

An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing a method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof.

Senate Bill No. 259,

An Act authorizing Lee Greenleaf a resident of the Borough of Canton Bradford County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

Senate Bill No. 265,

An Act authorizing Ida Collins a resident of Somerset County in her own right and in the right of her minor children to bring suit in the court of common pleas of Somerset county against the Commonwealth of Pennsylvania.

Senate Bill No. 489,

An Act to amend an act approved May first one thousand nine hundred and nine entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operation therein moving picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes providing for the promulgation of rulings by the Industrial Board of the Department of Labor and Industry and providing for appeal to the said Industrial Board and providing for the supervision and inspection of the said booths or enclosures by the Department of Labor and Industry of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes.

Senate Bill No. 573,

An Act authorizing the Department of Forestry to purchase surface rights to lands for use as State Forests.

Senate Bill No. 490,

An Act authorizing cities and boroughs to refund moneys paid by property owners into their treasuries when a court of competent jurisdiction shall have determined that there is no liability for such payment.

SENATE MESSAGE.

HOUSE BILL RETURNED FOR AMENDMENT.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 375,

An Act to amend section one thousand two hundred and ten and to repeal sections one thousand two hundred and eleven, one thousand two hundred and thirteen and two thousand eight hundred and five of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith."

Said bill having been recalled from the Senate for amendment.

SENATE MESSAGE.

AMENDED HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 855,

An Act to repeal an act approved the nineteenth day of March one thousand nine hundred fifteen entitled "A further supplement to an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" and transferring certain cases undisposed of in the county court of Allegheny County to the court of quarter sessions of said county for the purpose of hearing and disposition.

Said bill having been recalled from the Governor for amendment. The votes on final passage and third reading on said bill were reconsidered in the House of Representatives and the bill amended, in which amendment the Senate has concurred.

SENATE MESSAGE.

AMENDED HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 295,

An Act to further amend section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four) entitled "A further supplement to the act entitled 'An Act concerning divorces'" as amended by omitting the proviso to clause three thereof providing for the allowance of support or alimony in certain cases.

Said bill having been recalled from the Governor for amendment. The votes on final passage and third reading on said bill were reconsidered in the House of Representatives and the bill amended, in which amendment the Senate has concurred.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

TIME OF NEXT MEETING.

In the Senate, May 1, 1917.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May seventh, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, May seventh, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES.

Mr. LUPPERT, from the Committee on Appropriations, reported as committed, House Bill No. 1600, entitled

An Act making an appropriation to refund to Washington Hall Association of Mount Carmel, Northumberland County, Pennsylvania a certain sum erroneously paid into the State Treasury as Capital stock Tax.

Mr. HOUGH, from the Committee on Appropriations, reported as committed, House Bill No. 1506, entitled

An Act authorizing and directing the Treasurer of the Commonwealth of Pennsylvania to pay to John Mangan of the City of Pittsburgh, Pennsylvania, out of any moneys unappropriated in the treasury of the Commonwealth of Pennsylvania the sum of two hundred forty-one dollars and ninety cents, being a sum of money which he paid to the Register of Wills and Clerk of the Orphans' Court of the County of Allegheny, Pennsylvania, as collateral inheritance tax upon the estate of John Mangan, Absentee, at Number three hundred thirty-eight June Term one thousand nine hundred and eleven, in the Orphans' Court of the County of Allegheny, Pennsylvania.

Mr. C. A. SHAFFER, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 666, entitled

An Act to prescribe the conditions under which public or private vaults, crypts or mausoleums for the interment of human bodies may be constructed and maintained.

Mr. WEST, from the Committee on Appropriations, reported as committed, House Bill No. 1594 (Senate Bill No. 774), entitled

An Act making an appropriation to refund certain monies to the estate of the late Joseph P. Kennedy.

Mr. C. A. SHAFFER, from the Committee on Appropriations, reported as committed, House Bill No. 1202 (Senate Bill No. 363), entitled

An Act to refund to the Sanitary Casket Protector Company of Berks County money erroneously paid at tax on capital stock.

Mr. WOODWARD, from the Committee on Appropriations, reported as amended, House Bill No. 690, entitled

An Act making an appropriation to carry out the provisions of an act approved the twenty-ninth day of April, one thousand nine hundred thirteen, entitled "An Act applicable to all counties of this Commonwealth, to provide monthly payments, as approved by the trustees, to indigent, widowed, or abandoned mothers, for partial support of their children in their own homes. The manner of appointment of the trustees; the administration of the trust; amount of appropriations, proportioning appropriations co-ordinate appropriations; amounts to be paid, form of records, eligibility, penalties and reports, as set forth," and the amendments thereto.

Mr. McCAIG, from the Committee on Appropriations, reported as committed, House Bill No. 1651, entitled

An Act providing for an additional officer and employe of the House of Representative, defining their duties and fixing their compensation.

Mr. SHUNK, from the Committee on Appropriations, reported as amended, House Bill No. 1299 (Senate Bill No. 383), entitled

An Act making an appropriation to George W. Rice and Mary Fuller Rice, of Penn Township Cumberland County, for loss sustained by the death of their minor son, Benjamin Rice, while lawfully driving along a State Highway in Penns Township, Cumberland Township.

Mr. SIGGINS, from the Committee on Counties and Townships, reported as amended, House Bill No. 1327 (Senate Bill No. 346), entitled

An Act requiring certain counties in certain instances to assist townships in the construction, improvement, repair and maintenance of main traveled or trunk roads other than State or State-aid highways, and providing the method of procedure.

Mr. SIMPSON, from the Committee on Appropriations, reported as committed, House Bill No. 1206 (Senate Bill No. 505), entitled

An Act directing the commission appointed under the act of April twenty-third, one thousand nine hundred and fifteen, entitled "An Act providing for the appointment and expenses of a commission of three persons learned in the law to codify and revise the law of decedents' estates and making an appropriation," to public preliminary drafts of bills prepared by said commission codifying the law of decedants' estates; providing for the distribution thereof and making an appropriation.

Mr. McCAIG, from the Committee on Appropriations, reported as committed, House Bill No. 1216 (Senate Bill No. 470), entitled

An Act to provide transportation to and from Vicksburg, Mississippi, for all surviving soldiers of those organizations which participated in the Siege of Vicksburg, Mississippi, in June and July, One Thousand Eight Hundred and Sixty-three, to enable them to unite in participation of a National Memorial Reunion and Peace Jubilee, to be held in the National domain within the Vicksburg National Military Park, October sixteenth, seventeenth, eighteenth and nineteenth, one thousand nine hundred and seventeen, and making an appropriation for said transportation and providing for the expenses of the Commission appointed under the provisions of this act.

Mr. VOGDES, from the Committee on Appropriations, reported as amended House Bill No. 1207 (Senate Bill No. 515), entitled

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Lunatic Hospital for the Southern District of Pennsylvania at Harrisburg.

Mr. MARVIN, from the Committee on Appropriations, reported as amended House Bill No. 1298 (Senate Bill No. 382), entitled

An Act making an appropriation to John W. Eckenrode of Penn Township, Cumberland County, for loss sustained by an injury to his minor son James Robert Eckenrode while lawfully driving along a State Highway in Penn Township Cumberland County.

Mr. THEODORE MORGAN, from the Committee on Appropriations, reported as amended House Bill No. 1223 (Senate Bill No. 381), entitled

An Act making an appropriation to cover deficiency to the trustees of the State Hospital at Nanticoke Luzerne County Pennsylvania.

Mr. SHATTUCK, from the Committee on Appropriations, reported as amended House Bill No. 1258 (Senate Bill No. 258), entitled

An Act making an appropriation to the Athens Furniture Company of Athens Pennsylvania for moneys erroneously paid into the State Treasury.

ADJOURNMENT.

Mr. BALDWIN. Mr. Speaker, on account of public hearings before a number of committees we will not be able to hold a session this afternoon, and as the use of the Hall of the House has been granted for a public meeting of the National Uplift Society this evening, there can be no session tonight. I would therefore move that the House adjourn until to-morrow morning at eleven o'clock.

The motion was agreed to and (at 2 o'clock P. M.) the House adjourned until to-morrow morning at 11 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

VOL. 4. HARRISBURG, PA., WEDNESDAY, MAY 2, 1917. No. 48.

SENATE.

WEDNESDAY, May 2, 1917.

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Frank B. McClain) in the Chair.

PRAYER.

The Chaplain, Rev. Thomas W. Davis, offered the following prayer:

Our kind Heavenly Father, we thank Thee for the variety of talent represented in this body and for its mental equipment and general resources. We thank Thee also for the great and splendid response that is being made to our President's call throughout the nation. We ask that Thy blessing may be with the Red Cross organizations, with the medical fraternities, and also with that large army of people who are devoting themselves to the task of making our country as productive as possible in the matter of food. These blessings we ask in our Saviour's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

PETITION FAVORING APPROPRIATION TO THE VILLAGE FOR FEEBLE-MINDED WOMEN OF CHILD BEARING AGE AT LAURELTON, AND ALSO FAVORING APPROPRIATION FOR THE STATE INSTITUTIONS FOR THE FEEBLE-MINDED AT POLK AND SPRING CITY.

The Chair presented petition of citizens of Dauphin County favoring appropriation to the Village for Feeble Minded Women of Child Bearing Age at Laurelton, and also favoring appropriation for the State Institutions for the Feeble Minded at Polk and Spring City.

Which was referred to the Committee on Appropriations.

LEAVE OF ABSENCE.

The Chair asked and obtained leave of absence for the Senator from Philadelphia, Mr. W. W. Smith, on account of illness.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor Frank B. McClain) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 109, entitled

An Act for the better protection of wild animals and birds and game within this Commonwealth; requiring nonresidents to procure a license before hunting in this Commonwealth; providing penalties for violation of any of its several provisions and prescribing the disposition of license fees and penalties received.

Senate Bill No. 121, entitled

An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof.

Senate Bill No. 144, entitled

An Act to amend section fourteen of an act approved the twelfth day of July, one thousand nine hundred thirteen (Pamphlet Laws seven hundred eleven), entitled "An Act establishing a court for the County of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein and appeals therefrom and providing for the expenses thereof."

Senate Bill No. 180, entitled

An Act granting compensation as provided for in the Workmen's Compensation Act of one thousand nine hundred fifteen to the family of the late Joseph McHugh of Weatherly, employed as a Game Warden and killed while in the performance of his duties.

Senate Bill No. 219, entitled

An Act to authorize counties cities boroughs towns townships school districts and poor districts to require a bond to protect labor and material men and providing for suits thereon by laborers and material men furnishing labor and material in and about the erection alteration addition and repair of public buildings.

Senate Bill No. 255, entitled

An Act to fix the time for filing nomination papers for State and municipal officers and for the determination by the courts of contested papers.

Senate Bill No. 259, entitled

An Act authorizing Lee Greenleaf a resident of the Borough of Canton Bradford County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

Senate Bill No. 263, entitled

An Act to amend section one of the act approved the twenty-eighth day of April, one thousand eight hundred and eighty-seven, entitled "An Act to authorize the courts of common pleas to decree the sale of real estate held for poor purposes in the several counties, boroughs, townships and poor districts in this Commonwealth and the reinvestment of the proceeds thereof," by extending the provisions of the act to include the sale of real property of the Commonwealth reserved for the use of a poor district.

Senate Bill No. 265, entitled

An Act authorizing Ida Collins a resident of Somerset County in her own right and in the right of her minor children to bring suit in the court of common pleas of Somerset County against the Commonwealth of Pennsylvania.

Senate Bill No. 276, entitled

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred fifteen, entitled "An Act providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs."

Senate Bill No. 320, entitled

An Act amending sections one three four seven ten eleven and repealing section eight of an act entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and

providing that the city treasurer of each of said cities by virtue of his office shall be collector of the said several taxes prescribing his duties and fixing his compensation" approved the twentieth day of June Anno Domini one thousand nine hundred one.

Senate Bill No. 347, entitled

An Act to amend section one of an act approved the twenty-first day of May, one thousand nine hundred and one, entitled "An Act amending an act, entitled 'An Act to authorize the councils of the cities of the first class of the Commonwealth to appropriate annually a sum, not exceeding five hundred dollars, for the support and maintenance of each company of the National Guard using and occupying an armory, building, rooms or quarters within said cities, in addition to the annual appropriation by the Legislature,' approved the twenty-fourth day of May, Anno Domini one thousand eight hundred and eighty-seven, by extending the provisions of said act to cities of the second and third class," by authorizing appropriations to batteries of artillery and regimental sanitary detachments. .

Senate Bill No. 474, entitled

An Act to validate tax liens filed since the twenty-first day of May, one thousand nine hundred and thirteen, under the provisions of an act approved the fourth day of June, one thousand nine hundred and one, entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales."

Senate Bill No. 489, entitled

An Act to amend part of section one of an act approved the first day of May one thousand nine hundred and nine entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes." .

Senate Bill No. 490, entitled

An Act authorizing cities and boroughs to refund moneys paid by property owners into their treasuries when a court of competent jurisdiction shall have determined that there is no liability for such payment.

Senate Bill No. 491, entitled

An Act to amend section two of an act approved the twelfth day of June, one thousand nine hundred and seven entitled "An Act to provide for the election of three directors of the poor, for the County of Schuylkill, at the general election of one thousand nine hundred and eight, and every third year thereafter; and fixing the salary of the three said directors, to be paid out of the treasury of the County of Schuylkill; and providing for the continuance of the service of the directors now serving."

Senate Bill No. 492, entitled

An Act making an emergency appropriation to the Trustees of the State Institution for Feeble-Minded of Western Pennsylvania at Polk, Pennsylvania.

Senate Bill No. 502, entitled

An Act entitled "An Act requiring the court committing any insane person to an institution of this Commonwealth to certify the proceedings upon which this commitment was made to the superintendent of the said institution.

Senate Bill No. 503, entitled

An Act to repeal an act entitled "A Supplement to an act, entitled 'An Act relating to the fees, salaries and duties of certain county officers in Allegheny County,' approved April sixth, Anno Domini one thousand eight hundred seventy-one, approved the sixth day of March, Anno Domini one thousand eight hundred seventy-two.

Senate Bill No. 525, entitled

An Act to repeal section twelve of an act, entitled "A Supplement to an act approved the first day of May, Anno Domini one thousand eight hundred sixty-one, entitled 'An Act relating to Allegheny County,' " approved the eighth day of April, Anno Domini one thousand eight hundred sixty-two, which said section relates to the furnishing of supplies for the Allegheny County jail.

Senate Bill No. 535, entitled

An Act to repeal an act, entitled "An Act to authorize the controller and commissioners of Allegheny County to compromise with the holders of bonds of said county, issued in payment of subscriptions to the capital stock of certain railroad companies" approved the twenty-ninth day of January, Anno Domini one thousand eight hundred sixty-three.

Senate Bill No. 536, entitled

An Act to repeal an act, entitled "An Act relating to the sinking fund of Allegheny County," approved the twelfth day of March, Anno Domini one thousand eight hundred seventy-three.

Senate Bill No. 537, entitled

An Act to repeal sections one, two, three and four of the act, entitled "An Act fixing the terms of the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace and orphans' court in the County of Allegheny and regulating proceedings therein," approved the twenty-second day of March, Anno Domini one thousand eight hundred sixty-six.

Senate Bill No. 538, entitled

An Act to repeal an act, entitled "An Act relative to the service of summons on jurors in Allegheny County and regulating compensation," approved the fifth day of April, Anno Domini one thousand eight hundred and sixty-six.

Senate Bill No. 541, entitled

An Act to repeal an act, entitled "An Act to authorize the appointment of two magistrates in the boroughs south of the Monongahela and Ohio in Allegheny County to hear and determine cases of drunkenness and disorderly conduct and to regulate the compensation therefor," approved the thirteenth day of April, Anno Domini one thousand eight hundred sixty-eight.

Senate Bill No. 572, entitled

An Act making an appropriation to cover the deficiency to the trustees of the State Hospital for the Criminal Insane at Farview Pennsylvania.

Senate Bill No. 573, entitled

An Act authorizing the Department of Forestry to purchase surface rights to lands for use at State forests.

Senate Bill No. 581, entitled

An Act empowering certain corporations societies and voluntary associations having subordinate lodges or branches within this Commonwealth to change the location of their principal office or place of business and providing for the approval by the Court of Common Pleas and the filing of notice of such changes.

Senate Bill No. 632, entitled

An Act to further amend section nine of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties of townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties or authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township boroughs or

incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended.

Senate Bill No. 650, entitled

An Act making an appropriation to A. K. Cassel for services rendered as deputy commissioner in the Dairy and Food Division of the Department of Agriculture.

Senate Bill No. 681, entitled

An Act to increase the pay of election officers from five dollars per day to ten dollars per day.

House Bill No. 295, entitled

An Act to further amend section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four) entitled "A further supplement to the act entitled 'An Act concerning divorces'" as amend by omitting the proviso to clause three thereof providing for the allowance of support or alimony in certain cases.

House Bill No. 855, entitled

An Act to repeal an act approved the nineteenth day of March, one thousand nine hundred fifteen, entitled "A further supplement to an act, entitled 'An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof,' approved the fifth day of May, one thousand nine hundred and eleven; constituting the said court the juvenile court of said county, and prescribing its organization, jurisdiction, and powers therein and otherwise."

Whereupon,

The PRESIDENT (Lieutenant-Governor Frank B. McClain) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES.

Mr. JENKINS, from the Committee on Judiciary General, re-reported as amended Senate Bill No. 608 (House Bill No. 300), entitled

An Act to regulate and restrain the hawking, vending and peddling of fish, fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth.

Mr. EYRE, from the Committee on Public Roads and Highways, reported as committed Senate Bill No. 939 (House Bill No. 991), entitled

An Act authorizing and empowering the State Highway Commissioner to take over abandoned rights of way or any part or parts thereof owned or controlled by railroad or railway companies for the use of the State Highway Department for the purpose of locating or relocating and constructing State Highways and providing a method of acquiring the same.

Mr. SONES, from the Committee on Finance, reported as committed Senate Bill No. 805, entitled

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania; authorizig the State to issue bonds to the amount of fifty million of dollars for the improvement of the highways of the Commonwealth.

BILLS INTRODUCED.

Mr. BEALES read in his place and presented to the Chair Senate Bill No. 1019, entitled

An Act to amend an act, entitled "A Supplement to an act, entitled 'An Act relating to roads, highways and bridges,' approved the 13th day of June, A. D. 1836," approved the 5th day of May, 1911, so as to provide for the construction, change or alteration of parts of public roads in counties, boroughs or townships without the formality of a view where the costs and expenses to such county, borough or township including damages shall not exceed three hundred dollars.

Which was committed to the Committee on Public Roads and Highways.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 1020, entitled

An Act providing for the protection of the public health and the prevention of fraud and deception by regulating the testing of milk and cream when the same is bought on the basis of butter fat as determined by the Babcock test and providing penalties for the violation thereof and providing for the enforcement thereof.

Which was committed to the Committee on Agriculture.

Also read in his place and presented to the Chair Senate Bill No. 1021, entitled

An Act supplementary to an act approved the 24th day of June, 1913, entitled "An Act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses, prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof;" providing for the examination of the glassware used for testing milk and cream for butter fat with the Babcock test; prohibtiing the use of inaccurate testing glassware; defining the term standard Babcock glassware; and fixing penalties for the violation of the provisions of this act.

Which was committed to the Committee on Agriculture.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 1022, entitled

An Act to authorize and require the improvement of streets, roads and highways in all cities of the Commonwealth where owners of land abuting thereon desire to improve and build upon said land.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 1023, entitled

An Act providing for the payment of damages for necessary adjustments to property affected by change of grade, where property was improved on the natural surface of the ground without conforming to the established grade regulation, where said regulation had been established for more than three years.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 1024, entitled

An Act providing for the payment of consequential damages arising from the taking, injury or destruction of private property by municipal corporations in the construction or enlargement of their works, highways or improvements.

Which was committed to the Committee on Judiciary General.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 1025, entitled

An Act amending section 1 of the act of June 23, 1885, (P. L. 145), entitled "An Act to protect oil, gas and water wells, tanks, pipes, and machinery connected therewith and to prevent wilful and malicious injury thereto," extending the provisions thereof to reservoirs, standpipes, pumping stations, power houses, and other buildings or appliances used for the supply of water or electric current.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 1026, entitled

An Act authorizing any bank or trust company incorporated under the laws of this Commonwealth to become a member of a Federal Reserve Bank, and in such event to be subject to all the provisions of the Act of Congress known as the "Federal Reserve Act;" allowing any such bank or trust company to comply with the reserve requirements of such act in lieu of those established by the laws of this Commonwealth; and permitting the Commissioner of Banking to accept the examinations and audits made pursuant to such act in lieu of those required by the laws of this Commonwealth.

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. DAIX (by request of Mr. Salus) read in his place and presented to the Chair Senate Bill No. 1027, entitled

An Act to amend an act entitled "An Act relating to prothonotaries and their duties, and to their deputies, and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the 26th day of May, A. D., 1897, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

Which was committed to the Committee on Judiciary General.

Mr. MARTIN (by request) read in his place and presented to the Chair Senate Bill No. 1028, entitled

An Act to provide for the appointment of municipal appraisers in cities of the first and second classes by the mayor and treasurer thereof and for the application of all moneys raised by mercantile license taxes in cities of the first and second classes to the exclusive use of such cities.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 1029, entitled

An Act to amend an act, entitled "An Act to provide revenue for State and county purposes, and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes," approved the 17th day of June, 1913, so as to exclude from the subjects of taxation the obligations of counties, cities, boroughs, townships, school districts and other incorporated districts of the Commonwealth.

Which was committed to the Committee on Finance.

Mr. CROW read in his place and presented to the Chair Senate Bill No. 1030, entitled

An Act granting an increase in salary to certain employes of the various departments, boards, bureaus, divisions and commissions of the State Government.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1031, entitled

An Act to authorize the Supreme Court of this Commonwealth to prescribe forms and rules, and generally to regulate pleading, procedure and practice in all actions, motions and proceedings at law.

Which was committed to the Committe on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 1032, entitled

An Act providing for the establishment of a Commission to study the problems resulting from the industrial pollution of our rivers, lakes and streams, to ascertain and experiment with means for modifying, abating and doing away with said pollution; to recommend proper legislation to regulate and control and abate said pollution, and to report its findings and conclusions, together with an account of any investigations and experiments it may conduct, to the next bi-ennial session of the General Assembly of Pennsylvania; and making an appropriation for the work of said Commission.

Which was committed to the Committee on Appropriations.

Mr. McKEE read in his place and presented to the Chair Senate Bill No. 1033, entitled

A Supplement to an act, entitled "An Act to promote the safety of travellers and employes upon railroads by compelling common carriers by railroads to properly man their trains," approved the nineteenth day of June, Anno Domini one thousand nine hundred and eleven, and providing that the provisions of said act shall not be in force during the time the Government of the United States is engaged in war with a foreign government or power and for a period of six months after the close of such war.

Which was committed to the Committee on Railroads.

Mr. DeWITT read in his place and presented to the Chair Senate Bill No. 1034, entitled

An Act relating to the settlement and audit of accounts of officers of poor districts, townships and boroughs and reports thereof and appeals therefrom.

Which was committed to the Committee on Judiicary General.

Mr. W. P. GRAFF read in his place and presented to the Chair Senate Bill No. 1035, entitled

An Act regulating the use of glaring headlights on motor vehicles upon the public streets and highways in the Commonwealth of Pennsylvania.

Which was committed to the Committee on Public Roads and Highways.

Mr. McCONNELL read in his place and presented to the Chair Senate Bill No. 1036, entitled

An Act amending and supplementing an act, entitled "An Act amending an act, entitled 'An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law, or counsellor-at-law in any county of the State of Pennsylvania, unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor,' approved the twenty-sixth day of April, Anno Domini one thousand eight hundred ninety-nine; by extending its provisions so as to embrace the practice of the law of this or any other State, nation, country, or land, and so as to embrace the practice of the law out of court as well as before the courts," approved the seventeenth day of April, one thousand nine hundred thirteen, amending an act, entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law, or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor," approved the twenty-eighth day of April, one thousand eight hundred ninety-nine, by extending its provisions so as to make it unlawful for any person not qualified to render or furnish legal service in any manner to any person in any matter.

Which was committed to the Committee on Judiciary General.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 1037, entitled

An Act making an appropriation to Carroll R. Williams, J. H. Shoemaker and A. Morton Cooper, of Philadelphia, for services as attorneys for the Dairy and Food Commissioner.

Which was committed to the Committee on Appropriations.

Mr. JENKINS (by request of Mr. Salus) read in his place and presented to the Chair Senate Bill No. 1038, entitled

An Act making an appropriation to the Howard Hospital, of Philadelphia.

Which was committed to the Committee on Appropriations

Also (by request of Mr. Salus) read in his place and presented to the Chair Senate Bill No. 1039, entitled

An Act making an appropriation for the purpose of refunding certain moneys to Louis Gumbiner, of Philadelphia, Pennsylvania, improperly exacted of him.

Which was committed to the Committee on Appropriations.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 52, as follows:

An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products or any other prducts and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person corporation partnership or association to use in the sale exchange or delivery of milk or cream or their products or any other products any bottle jar vessel can or other container of another upon which is stamped blown or engraved the name title or mark of the owner

Section 2 Any person being the general manager superintendent or other person in charge of the work of any

corporation firm partnership or association or any individual violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding twenty-five dollars or undergo an imprisonment in the county jail of the proper county for a period not exceeding one month or both at the discretion of the court

Section 3 All laws or parts of laws inconsistent herewith be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Beales,	Hindman,	Miller,	Sones,
Burke,	Homsher,	Nason,	Sproul,
Craig,	Jenkins,	Patton,	Stewart,
Crow,	Jones,	Phipps,	Tompkins,
Daix,	Leiby,	Sassaman,	Warner,
Eyre,	Martin,	Semmens,	Wasbers,
Graff, J. F.,	McKee,	Smith, R. E.,	Weaver,
Graff, W. P.,	McNichol,	Snyder, P. W.,	Whitten,
Haldeman,			

NAYS—0.

A majority of all the Senators having voted 'aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 652, as follows:

An Act to amend the first and second sections of "An act to further amend an act approved April ninth one thousand eight hundred and seventy 'requiring railroad canal navigation and telegraph companies to make uniform reports to the Auditor General' which act as amended by the act of April thirteenth one thousand eight hundred and eighty-nine extended its provisions to telephone companies and conforming to the requirements of the Constitution provided for the filing of such reports with the Secretary of Internal Affairs and regulated the time for the filing of the same which said act is now further amended as to the time of forwarding blanks for such reports and the provisions of said act are extended to include all corporations owning or operating lines of railway canals transportation telegraph or telephones located in whole or in part in Pennsylvania" approved the nineteenth day of April Anno Domini one thousand eight hundred and ninety-seven by changing the time of the forwarding of blanks and the filing and transmitting of annual reports

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of said act which reads as follows

"Section 1 That the Secretary of Internal Affairs be and he is hereby directed to cause to be made and printed blank forms for the annual reports of the several railroad canal navigation telegraph and telephone corporations owning operating or controlling lines of railways transportation telegraphs and telephones in whole or in part in Pennsylvania referred to in the second section of this act and the said Secretary of Internal Affairs shall forward by mail or otherwise on or before the first day of June in each year to each of said corporations copies of said forms and when the same shall have been returned to the said Secretary of Internal Affairs properly filled out and executed as required by the second section of this act he shall cause the same to be filed in the Bureau of Railways of his department and published in book form and cause copies of said report to be transmitted to the Governor and the members of the Legislature on or before the fifteenth day of January in each year as required by law" be and the same is hereby amended to read as follows

Section 1 That the Secretary of Internal Affairs be and he is hereby directed to cause to be made and printed blank forms for the annual reports of the several railroad canal navigation telegraph and telephone corporations owning operating or controlling lines of railways transportation telegraphs and telephones in whole or in part in Pennsylvania referred to in the second section of this act and the said Secretary of Internal Affairs shall forward by mail or otherwise on or before the first day of December in each year to each of said corporations copies of said forms and when the same shall have been returned to the said Secretary of Internal Affairs properly filled out and executed as required by the second section of this act he shall cause the same to be filed in the Bureau of Railways of his department and published in book form and cause copies of said report to be transmitted to the Governor and the members of the Legislature on or before the fifteenth day of June in each year as required by law

Section 2 That section two of the said act which reads as follows

"Section 2 That it is hereby made the duty of each railroad canal navigation telegraph and telephone company or other corporation owning operating or controlling lines or works in whole or in part within the limits of this State to make out and return to the Secretary of Internal Affairs a complete report according to the form to be prescribed by the said Secretary of Internal Affairs which among other things shall embrace in detail the operations and affairs of said corporations during the fiscal year together with such other information as the Secretary shall direct Said report shall be attested by the oath or affirmation of at least two of the following named officers of the company president general manager superintendent sequestrator secretary treasurer and auditor That said report shall cover the transactions of each of said corporations for the fiscal year ending on the thirtieth day of June each year and shall be filed in the office of Secretary of Internal Affairs not later than the thirty-first day of August in each year" be and the same is hereby amended to read as follows

Section 2 That it is hereby made the duty of each railroad canal navigation telegraph and telephone company or other corporation owning operating or controlling lines or works in whole or in part within the limits of this State to make out and return to the Secretary of Internal Affairs a complete report according to the form to be prescribed by the said Secretary of Internal Affairs which among other things shall embrace in detail the operations and affairs of said corporations during the calendar year together with such other information as the Secretary shall direct Said report shall be attested by the oath or affirmation of at least two of the following named officers of the company president general manager superintendent sequestrator secretary treasurer and auditor That said report shall cover the transactions of each of said corporations for the calendar year ending on the thirty-first day of December each year and shall be filed in the office of the Secretary of Internal Affairs not later than the thirty-first day of March in each year

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	**Eyre,**	**McConnell,**	**Sproul,**
Beales,	Graff, J. F.,	McKee,	Stewart,
Beidleman,	Graff, W. P.,	Miller,	Tompkins,
Buckman,	Haldeman,	Nason,	Warner,
Craig,	Homsher,	Phipps,	Wasbers,
Crow,	Jenkins,	Sassaman,	Weaver,
Daix,	Jones,	Snyder, P. W.,	Whitten,
DeWitt,	Martin,	Sones,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 716, on final passage, entitled

An Act prohibiting holders of brewers licenses from having offices or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses.

be recommitted to the Committee on Agriculture.

Mr. McCONNELL. Mr. President. I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order.

The Senate resumed the consideration of Senate Bill No. 816, as follows:

An Act providing for the formation and regulation of stock corporations having either or both preferred or common shares without nominal or par value and authorizing such corporations to issue shares without par value upon formation reorganization merger or consolidation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That upon the formation or re-

organization of any stock corporation under the laws of this Commonwealth now or hereafter in force or upon the merger or consolidation thereunder of two or more such corporations provision may be made for the issuance of the shares of stock of such corporation without any nominal or par value by stating in the certificate of incorporation or reorganization in the joint agreement of merger or consolidation

(a) The number of shares that may be issued by the corporation either preferred of one or more classes or common with one or more classes or both

(b) The certificate of incorporation may also provide for the issuance of shares of preferred stock of any or all classes and common stock of any class by such corporation without any nominal or par value

(c) Where preferred stock is issued under the terms of this act the various classes shall be stated if more than one with the preferences rights and limitations with respect to each class and the preferences or rights for any preferred stock may be stated not with respect to par value thereof but the amount of dollars or cents which each share thereof shall be entitled to receive on account of dividends cumulative or non-cumulative and the amount in dollars with each share shall be entitled to receive as a preference in the distribution of assets on dissolution The preferred stock may also be issued with such rights of redemption conversion into other stock of the corporation and such other privileges as the certificate of incorporation or the by-laws may contain

(d) In the certificate of incorporation there shall be stated the amount of capital with which the corporation will begin and carry on business but in no event shall the amount be less than five thousand dollars

(e) For all taxation purposes except as hereinafter provided preferred stocks without any nominal or pare value and common stocks without any nominal or par value shall be valued at their actual value

(f) Such statements in the certificate of incorporation shall be in lieu of any statements prescribed by the law under which the corporation shall have been formed or reorganized or merged or consolidated as to the amount of its capital stock the number of shares into which the same shall be divided or the amount or par value of such shares

Section 2 Each share of such preferred stock without any nominal or par value and each share of such common stock withuot any nominal or par value shall be equal to every other share of such stock of the same class Provided however That preferences may be given to any class as to dividends which may be cumulative or non-cumulative and as to priority in distribution by naming the amount of such preferred dividends and the amount of any preference in distribution in dollars or dollars and cents per share That the voting power of the different classes of stock whether preferred or common to be issued hereunder may be so regulated subject to the Constitution and laws of this Commonwealth as may be provided in the certificate of incorporation or reorganization or in the by-laws of the corporation

Section 3 Every certificate for such shares of stock without any nominal or par value shall have plainly written upon its face the number of such shares which it represents and no certificate shall express any par value for such shares

Section 4 The necessity for having a par value in any share of stock is hereby removed

Section 5 Such corporation may issue and may sell its authorized shares from time to time for such consideration as may be prescribed in the certificates of incorporation or reorganization or in the joint agreement of merger or consolidation or as from time to time may be fixed by the board of directors of such corporation

Section 6 Any and all shares issued as permitted by this act shall be deemed fully paid and non-assessable and the holder of such shares shall not be liable thereon to the corporation or to its creditors except for the unpaid purchase price or consideration where said stock has been issued or sold for a specific consideration

Section 7 No corporation authorized to issue stock without any nominal or par value in pursuance of this act shall begin to carry on business or shall incur any indebtedness until the amount of its capital as stated in pursuance of this act shall have been fully paid in cash or in property taken at its actual value Provided That nothing in this act shall be held to exempt any corporation from the payment of ten per centum of its capital in cash as now required by law

Section 8 No such corporation shall declare any dividend which shall reduct the amount of its capital below the amount stated in pursuance of this act as the amount of capital with which the corporation will carry on business nor out of anything except net profits or surplus In case any such dividend shall be declared the directors in whose administration the same shall have been declared except those who may have caused their dissent therefrom to be entered upon the minutes of such directors meeting at the time or who being absent when such action was taken shall have filed their objections (with the secretary of the corporation upon learning of such action) shall be liable jointly and severally to such corporation and to the creditors thereof to the full amount of any loss sustained by such corporation or by its creditors respectively by reason of such dividend

Section 9 Any corporation having shares without any nominal or par value in pursuance of this act may increase or reduce the number of shares which it may issue or may increase or reduce the amount of its stated capital in the manner and subject to the terms and conditions now provided by law for the increase or reduction of the capital stock of a similar corporation having shares with a par value in case consent is given to an increase of stated capital and to an increase of the number of shares that may be issued or either the resolutions of directors and of stockholders declaring such purpose and consenting to such increase shall be included in the return filed in the office of the Secretary of the Commonwealth and shall specify both the amount of such authorized increase of stated capital if any and the number of additional shares authorized

Section 10 The bonus required by law to be paid upon the authorized capital stock of a corporation shall in the case of a corporation issuing shares without any nominal or par value be paid upon the amount of capital with which the corporation carries on business as stated pursuant to section one sub-division (d) of this act and upon any increase thereof

Section 11 For all purposes of a corporation formed hereunder each share of stock without any nominal or par value shall be deemed to be an aliquot part of the aggregate capital of the corporation subject however to any preferences rights or limitations with respect to any or all classes of preferred stock under this act

Section 12 Unless otherwise provided in the certificate of incorporation the by-laws or the certificate of stock wherever a preference is stated with respect to dividends or distribution or both such preferences so specified shall be all that the holder of such shares shall receive in dividends or distribution of assets unless otherwise specifically provided and mentioned

Section 13 Except as otherwise provided by this act corporations issuing shares without any nominal or par value under the provisions hereof shall be and remain subject to the laws of this Commonwealth now or hereafter in force relating to the formation and regulation of such corporations and all other laws applicable thereto

Section 14 All acts or parts of acts inconsistent herewith are hereby repealed

Section 15 This act shall take effect immediately

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Graff, W. P.,	McNichol,	Sones,
Beales,	Haldeman,	Miller,	Sproul,
Buckman,	Homsher,	Nason,	Stewart,
Burke,	Jenkins,	Patton,	Tompkins,
Catlin,	Jones,	Phipps,	Warner,
Craig,	Martin,	Sassaman,	Wasbers,
Crow,	McConnell,	Semmens,	Weaver,
Daix,	McKee,	Snyder, P. W.,	Whitten,
Graff, J. F.,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 827 (House Bill No. 866), on final passage, entitled

An Act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "Drug" and "Poisons" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality, strength and purity.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 878, as follows:

An Act fixing the fee for services of jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than one million four hundred thousand inhabitants under writs of inquisition condemnation inquiry of damages lunacy and habitual drunkard proceedings or under writs or process issued directing inquests

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority

of the same That from and after the first Monday of January one thousand nine hundred and eighteen the fee for jurors summoned by the sheriff of any county in this Commonwealth having a population of over five hundred thousand and not more than one million four hundred thousand inhabitants under writs of inquisition condemnation inquiry of damages lunacy or habitual drunkard proceedings or upon any proceedings or by virtue of any writ or process issued by the courts of this Commonwealth directing an inquest for services performed shall be five dollars ($5.00) for each and every session at which said juror shall be in attendance

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Baldwin,	Eyre,	McConnell,	Smith, R. E.,
Beales,	Graff, J. F.,	Nason,	Snyder, P. W.,
Burke,	Graff, W. P.,	Patton,	Sones,
Craig,	Haldeman,	Phipps,	Sproul,
Crow,	Hindman,	Sassaman,	Stewart,
Daix,	Jenkins,	Schantz,	Weaver,
DeWitt,	Martin,	Semmens,	Whitten,

NAYS—3.

Leiby,	Tompkins,	Warner,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 574, entitled

An Act requiring borough councils, township commissioners, township supervisors and school directors to file auditors' reports in the office of the clerk of quarter sessions; requiring the county commissioners to furnish books for that purpose; imposing certain duties on auditors; fixing the fee of the clerk of the court and providing for removal from office in case of failure to comply herewith.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Baldwin,	Graff, J. F.,	McKee,	Sones,
Beales,	Haldeman,	Patton,	Stewart,
Burke,	Jenkins,	Sassaman,	Tompkins,
Craig,	Jones,	Schantz,	Warner,
Crow,	Leiby,	Semmens,	Wasbers,
DeWitt,	Martin,	Smith, R. E.,	Weaver,
Eyre,	McConnell,	Snyder, P. W.,	Whitten,

NAYS—3.

Graff, W. P.,	Homsher,	Nason,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 606, entitled

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania so as to consolidate the courts of common pleas of Philadelphia County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Graff, W. P.,	McKee,	Snyder, P. W.,
Beales,	Haldeman,	Miller,	Sones,
Burke,	Hindman,	Nason,	Sproul,
Craig,	Homsher,	Patton,	Stewart,
Crow,	Jenkins,	Phipps,	Tompkins,
Daix,	Jones,	Sassaman,	Warner,
DeWitt,	Leiby,	Schantz,	Wasbers,
Eyre,	Martin,	Semmens,	Weaver,
Graff, J. F.,	McConnell,	Smith, R. E.,	Whitten.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. BURKE. Mr. President, I ask that Senate Bill 610 (House Bill No. 648), on third reading, entitled

An Act to amend section one thousand four hundred and thirty-nine of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," as amended, by adding thereto section one thousand four hundred and forty.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 649 (House Bill No. 951), as follows:

An Act amending section two of an act entitled "An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a state association for the purpose of holding annual meetings and providing for the payment of the expenses thereof" approved the tenth day of May Anno Domini one thousand nine hundred thirteen by providing that the necessary expenses of the convention shall not be more than twenty-five dollars to any county per annum

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association for the purpose of holding annual meetings and providing for the payment of the expenses thereof" approved the tenth day of May Anno Domini one thousand nine hundred thirteen which reads as follows

"Section 2 The actual expenses of the county commissioners county solicitor and chief clerk attending such meetings of said State Association including traveling expenses and hotel bills actually paid by them expenses of committees together with the necessary expenses of the convention including printing and the employment of stenographers shall be paid by the various counties by orders drawn on the county treasurer The time spent in attending said meeting shall not be more than four days exclusive of the time employed in traveling thereto and therefrom The expenses herein mentioned as the necessary expenses of the convention shall not be more than ten dollars to any county per annum" be and the same is hereby amended so as to read as follows to wit

Section 2 The actual expenses of the county commissioners county solicitor and chief clerk attending such meetings of said State Association including traveling expenses and hotel bills actually paid by them expenses of committees together with the necessary expenses of the convention including printing and the employment of stenographers shall be paid by the various counties by orders drawn on the county treasurer The time spent in attending said meetings shall not be more than four days exclusive of the time employed in traveling thereto and therefrom The expenses herein mentioned as the necessary expenses of the convention shall not be more than twenty-five dollars to any county per annum

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Graff, J. F.,	McConnell,	Smith, R. E.,
Beales,	Graff, W. P.,	McKee,	Snyder, P. W.,
Buckman,	Haldeman,	Miller,	Sones,
Burke,	Hindman,	Nason,	Sproul,
Craig,	Homsher,	Patton,	Stewart,
Crow,	Jenkins,	Phipps,	Tompkins,
Daix,	Jones,	Sassaman,	Warner,
DeWitt,	Leiby,	Schantz,	Wasbers,
Eyre,	Martin,	Semmens,	Weaver,
			Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 711, entitled

An Act authorizing Rosario Fantino, of Philadelphia, to bring suit in the court of common pleas of Philadelphia County against the Commonwealth.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Graff, J. F.,	McConnell,	Snyder, P. W.,
Beales,	Graff, W. P.,	McKee,	Sones,
Buckman,	Haldeman,	Miller,	Sproul,
Burke,	Hindman,	Nason,	Stewart,
Craig,	Homsher,	Patton,	Tompkins,
Croft,	Jenkins,	Phipps,	Warner,
Crow,	Jones,	Sassaman,	Wasbers,
Daix,	Leiby,	Semmens,	Weaver,
DeWitt,	Martin,	Smith, R. E.,	Whitten,
Eyre,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 750, on third reading, entitled

An Act to repeal sections one and two of an act approved the twenty-third day of April, Anno Domini one thousand nine hundred and three, entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessment between the periods of the triennial assessment of property and fixing the time for the return thereof."

be recommitted to the Committee on Judiciary Special.

Mr. BURKE. Mr. President, I second the motion.
The motion was agreed to.

Mr. JENKINS. Mr. President, I move that Senate Bill No. 788, on third reading, entitled

An Act regulating the recovery of personal property leased or sold under a conditional sale and the collection of balances arising from such lease or sale.

be recommitted to the Committee on Judiciary General.

Mr. CROW. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 819, entitled

An Act to amend an act approved the twenty-fifth day of July, Anno Domini one thousand nine hundred and thirteen, entitled "An Act providing for the establishment of the Pennsylvania Historical Commission, defining its powers and duties and making an appropriation for its work," by enlarging its powers and duties and providing for publishing its report, etc.

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	Haldeman,	Nason,	Sones,
Beales,	Hindman,	Patton,	Sproul,
Burke,	Homsher,	Phipps,	Stewart,
Craig,	Jones,	Sassaman,	Tompkins,
Crow,	Leiby,	Schantz,	Warner,
DeWitt,	Martin,	Semmens,	Wasbers,
Eyre,	McConnell,	Smith, R. E.,	Weaver,
Graff, W. P.,	McKee,	Snyder, P. W.,	Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 847, entitled

An Act relating to Commissioners of Public Parks.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,	Graff, J. F.,	Martin,	Semmens,
Beales,	Graff, W. P.,	McKee,	Smith, R. E.,
Buckman,	Haldeman,	Miller,	Snyder, P. W.,
Burke,	Hindman,	Nason,	Sproul,
Craig,	Homsher,	Patton,	Stewart,
Croft,	Jenkins,	Phipps,	Warner,
Crow,	Jones,	Sassaman,	Wasbers,
DeWitt,	Leiby,	Schantz,	Weaver,
Eyre,			Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 848, entitled

A Joint Resolution proposing an amendment to section twenty-two article three of the Constitution of Pennsylvania.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,	Graff, J. F.,	McKee,	Smith, R. E.,
Beales,	Graff, W. P.,	Miller,	Snyder, P. W.,
Buckman,	Haldeman,	Nason,	Sones,
Burke,	Hindman,	Patton,	Sproul,
Craig,	Homsher,	Phipps,	Tompkins,
Crow,	Jenkins,	Sassaman,	Wasbers,
Daix,	Jones,	Schantz,	Weaver,
DeWitt,	Martin,	Semmens,	Whitten,
Eyre,	McConnell,		

NAYS—1.

Leiby,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 858 (House Bill No. 842), entitled

An Act authorizing Robert J. McAllister and Ruth McAllister, his wife, residents of the Dunstable Township, Clinton County, Pennsylvania, to bring suit in the court of common pleas of Clinton County against the Commonwealth of Pennsylvania jointly or severally.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Graff, W. P.,	McConnell,	Smith, R. E.,
Beales,	Haldeman,	McKee,	Snyder, P. W.,
Buckman,	Hindman,	Miller,	Sones,
Burke,	Homsher,	Nason,	Sproul,
Craig,	Jenkins,	Patton,	Tompkins,
Crow,	Jones,	Phipps,	Wasbers,
DeWitt,	Leiby,	Sassaman,	Weaver,
Eyre,	Martin,	Schantz,	Whitten,
Graff, J. F.,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL INTRODUCED.

Mr. SPROUL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 1040, entitled

An Act to amend section four of an act, entitled "An Act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and fifteen; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and fifteen."

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Corporations, reported as committed Senate Bill No. 779, entitled

An Act to permit street passenger railway companies and motor power companies operating the property and facilities of any street passenger railway company to operate omnibuses in connection with the lines of railways operated by them, with the consent of the local authorities.

The ACTING PRESIDENT PRO TEMPORE (Mr. W. C. Sproul) in the Chair.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 859 (House Bill No. 846), entitled

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Graff, W. P.,	McKee,	Snyder, P. W.,
Beales,	Haldeman,	Miller,	Sones,
Buckman,	Hindman,	Nason,	Sproul,
Burke,	Homsher,	Patton	Stewart,
Craig,	Jenkins,	Phipps,	Tompkins,
Crow,	Jones,	Sassaman,	Warner,
Daix,	Leiby,	Schantz,	Wasbers,
DeWitt,	Martin,	Semmens,	Weaver,
Eyre,	McConnell,	Smith, R. E.,	Whitten,
Graff, J. F.,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 861, as follows:

An Act authorizing John F. Stone of Coudersport Pennsylvania to sue the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County for loss and damage incident to a shipment of cattle to Lancaster delivery of which was not permitted by the State Livestock Sanitary Board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That John F. Stone of Coudersport Pennsylvania is hereby authorized to sue the Commonwealth of Pennsylvania in the court of common pleas of Dauphin county for such sum or sums of money as may be legally and justly due the said John F. Stone by the Commonwealth due to loss on a shipment of cattle to the city of Lancaster on November twenty-first one thousand nine hundred and fourteen of which delivery to the purchaser was not permitted by the State Livestock Sanitary Board and which the said John F. Stone was compelled to sell in small lots at a less price also for such sums as may have been expended for hay for keeping such cattle excess charges for yardage and excess commission This suit shall be subject to the same rules of evidence pleading and practice as in other and similar cases between individuals and the defences open to the Commonwealth shall be such as would be available to an individual if sued upon like facts

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Graff, W. P.,	McKee,	Snyder, P. W.,
Beales,	Haldeman,	Miller,	Sones,
Buckman,	Hindman,	Nason,	Sproul,
Burke,	Homsher,	Patton,	Stewart,
Craig,	Jenkins,	Phipps,	Tompkins,
Crow,	Jones,	Sassaman,	Warner,
Daix,	Leiby,	Schantz,	Wasbers,
DeWitt,	Martin,	Semmens,	Weaver,
Eyre,	McConnell,	Smith, R. E.,	Whitten,
Graff, J. F.,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 863, entitled

An Act to amend an act approved the fourteenth day of June, one thousand eight hundred and eighty-seven, entitled "An Act to provide for the incorporation and regulation of companies, not for profit, organized for the encouragement of the arts and sciences and of agriculture and

horticulture, and to confer upon such companies the right of eminent domain," as amended; enabling said corporations to increase their bonded indebtedness from five hundred thousand dollars to one million dollars.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Baldwin,	Graff, J. F.,	Miller,	Sproul,
Beales,	Graff, W. P.,	Nason,	Stewart,
Buckman,	Hindman,	Phipps,	Tompkins,
Burke,	Leiby,	Semmens,	Warner,
Craig,	Martin,	Smith, R. E.,	Wasbers,
Crow,	McConnell,	Snyder, P. W.,	Weaver,
Daix,	McKee,	Sones,	Whitten,
Eyre,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 867, entitled

An Act authorizing George F. Pawling Company, a corporation incorporated under the laws of the State of Pennsylvania, with its principal place of business in the City of Philadelphia, Pennsylvania, successors to Bergdoll and Pawling, to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Graff, W. P.,	McKee,	Snyder, P. W.,
Beales,	Haldeman,	Miller,	Sones,
Buckman,	Hindman,	Nason,	Sproul,
Burke,	Homsher,	Patton,	Stewart,
Crow,	Jenkins,	Phipps,	Tompkins,
Daix,	Jones,	Sassaman,	Warner,
DeWitt,	Leiby,	Schantz,	Wasbers,
Eyre,	Martin,	Semmens,	Weaver,
Graff, J. F.,	McConnell,	Smith, R. E.,	Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 889 (House Bill No. 912) entitled

An Act validating certain foreclosure proceedings instituted by foreign executors, administrators and guardians, sheriff's sales had thereon and the title acquired thereby.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Graff, W. P.,	McConnell,	Sones,
Beales,	Hackett,	McKee,	Sproul,
Buckman,	Haldeman,	Patton,	Stewart,
Craig,	Hindman,	Schantz,	Tompkins,
Crow,	Homsher,	Semmens,	Warner,
DeWitt,	Jenkins,	Smith, R. E.,	Wasbers,
Eyre,	Leiby,	Snyder, P. W.,	Weaver,
Graff, J. F.,	Martin,		Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 895 (House Bill No. 1028), entitled

An Act authorizing James L. Baker and Mary A. Baker, his wife, of Harrisburg, Dauphin County, Pennsylvania, in the court of common pleas of Dauphin County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Graff, J. F.,	McKee,	Snyder, P. W.,
Beales,	Graff, W. P.,	Miller,	Sones,
Buckman,	Haldeman,	Nason,	Sproul,
Burke,	Hindman,	Patton,	Stewart,
Craig,	Homsher,	Phipps,	Tompkins,
Crow,	Jenkins,	Sassaman,	Warner,
Daix,	Leiby,	Schantz,	Wasbers,
DeWitt,	Martin,	Semmens,	Weaver,
Eyre,	McConnell,	Smith, R. E.,	Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 900 (House Bill No. 1253), entitled

A Joint Resolution petitioning the government of the United States and the Secretary of War to rescind or modify the order of the Department of War requiring the raising of certain bridges over the Allegheny River.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. J. FRANK GRAFF. Mr. President, representing a district as I do lying along the Allegheny river, which county and which district is supposed to be affected by this act of the War Department in requesting these bridges to be raised, I cannot help but oppose this resolution. I do not think it amounts to anything because the War Department, as I understand, intends suspending this rule for the present, but when you take into consideration the mineral wealth that lies along the Allegheny River, and we have already a number of dams and have awaiting us an appropriation of three hundred thousand dollars for the purpose of improving this river, it seems to me it is out of place for this Legislature to go on record here as against this requirement of the War Department, and therefore I am opposed to this resolution. They have had a number of hearings in Pittsburgh and both sides have been represented and I feel this resolution should not pass.

And the question recurring,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. McKEE. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. WHITTEN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 905, entitled

An Act validating certain elections of counties, cities, boroughs, townships, school districts, and other incorporated districts, held pursuant to the provisions of an act

approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto, and validating bonds issued, or authorized to be issued, in pursuance of such elections.

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill on third reading?

Mr. NASON. Mr. President, I ask unanimous consent to amend section 1, page 3, by adding at the end thereof the following: "and provided further the provisions of this act shall not apply in any instance where the validity of such election has been already made the subject of litigation in any court of this Commonwealth."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,
Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 906, entitled

An Act to empower certain county poor districts to purchase poor farms providing that manner in which such purchases shall be made and providing for the mortgaging of such poor farms to secure any part of the purchase price thereof.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	Graff, J. F.,	McKee,	Smith, R. E.,
Buckman,	Graff, W. P.,	Miller,	Snyder, P. W.,
Burke,	Haldeman,	Nason,	Sones,
Croft,	Homsher,	Patton,	Sproul,
Crow,	Jenkins,	Phipps,	Warner,
Daix,	Jones,	Sassaman,	Wasbers,
DeWitt,	Martin,	Schantz,	Weaver,
Eyre,	McConnell,	Semmens,	Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 907, entitled

An Act to validate certain deeds and conveyances made by trustees without setting forth their authority to convey.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	Haldeman,	Miller,	Snyder, P. W.,
Buckman,	Hindman,	Nason,	Sones,
Crow,	Homsher,	Patton,	Sproul,
Daix,	Jenkins,	Phipps,	Tompkins,
DeWitt,	Jones,	Sassaman,	Warner,
Eyre,	Martin,	Schantz,	Wasbers,
Graff, J. F.,	McConnell,	Semmens,	Weaver,
Graff, W. P.,	McKee,	Smith, R. E.,	Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 918, entitled

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decide the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining Highways and State-aid Highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," providing that the State Highway Commissioner may take over, as a part of the system of State Highways, any public road leading from a State Highway to a State reservation or other State property.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Haldeman,	Miller,	Sones,
Beales,	Hindman,	Nason,	Sproul,
Buckman,	Homsher,	Patton,	Stewart,
Crow,	Jenkins,	Phipps,	Tompkins,
Daix,	Jones,	Sassaman,	Warner,
DeWitt,	Leiby,	Schantz,	Wasbers,
Eyre,	Martin,	Semmens,	Weaver,
Graff, J. F.,	McConnell,	Smith, R. E.,	Whitten,
Graff, W. P.,	McKee,	Snyder, P. W.,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 924, entitled

An Act fixing the compensation of election assessors and constables in boroughs and townships for attendance at primary elections.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Baldwin,	Eyre,	Jones,	Phipps,
Beales,	Graff, J. F.,	Martin,	Sassaman,
Buckman,	Graff, W. P.,	McConnell,	Semmens,
Burke,	Haldeman,	McKee,	Sproul,
Crow,	Hindman,	Miller,	Warner,
Daix,	Homsher,	Nason,	Whitten,
DeWitt,	Jenkins,	Patton,	

NAYS—6.

Leiby,	Snyder, P. W.,	Tompkins,	Wasbers,
Smith, R. E.,	Stewart,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 199, as follows:

An Act prohibiting certain institutions receiving State aid from restricting pay patients in the selection of physicians and surgeons not connected wth the institution.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no hospital asylum infirmary sanitorium or dispensary which receives State aid shall restrict in any manner a pay patient from selecting any duly licensed physician or surgeon not connected with said institution whom he or she may desire to have attend to prescribe for consult with or operate upon him or her while an inmate of said institution No such institution shall restrict such patient of the physician or surgeon whom he or she may have selected in the full free and uniterrupted use of any of the equipment apparatus and convenience provided by the institution for its patients

Section 2 If any such institution shall violate any of the provisions of this act the Auditor General on proof of such volation shall not issue any warrant for the institution in payment of the whole or any part of an appropriation by the Commonwealth to the institution during the remainder of the two fiscal years for which the appropriation is made

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 614, as follows:

An Act concerning vocational education and providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved February twenty-third one thousand nine hundred seventeen entitled "An Act to provide for the promotion of vocational education to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries to provide for cooperation with the States in the preparation of teachers of vocational subjects and to appropriate money and regulate its expenditure" and conferring certain powers upon the State Board of Education.

Whereas An act of Congress approved February twenty-third one thousand nine hundred seventeen providing for the promotion of vocational education requires the States participating in its benefits to accept the provisions of said act therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the provisions of an act of Congress entitled "An Act to provide for the promotion of vocational education to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries to provide for cooperation with the States in the preparation of teachers of vocational subjects and to appropriate money and regulate its expenditure" are hereby accepted by the Commonwealth of Pennsylvania.

The Commonwealth of Pennsylvania formally accepts the provisions of said act of Congress with respect to the following funds therein provided

a Appropriation for the salaries of teachers supervisors and directors of agricultural subjects

b Appropriations for salaries of teachers of trade home economics and industrial subjects

c Appropriations for the training of teachers of vocational subjects

Section 2 The State Treasurer is hereby designated as the custodian of the federal appropriation for vocational education and shall receive money paid to the State from the United States treasury under the provisions of said act of Congress and shall pay the same upon the warrant of the Auditor General of the State when the same is certified by the State Board of Education

Section 3 The State Board of Education is hereby designated as the State Board to carry out through the bureau of vocational education the provisions of said act so far as the same relates to the cooperation of the State and Federal Government and shall have full power to take all necessary steps in the formulation of plans for the promotion of education in agriculture in trades in home economics in industries and to formulate and execute plans for the preparation of teachers of vocational subjects

Section 4 The Secretary of the Commonwealth is hereby directed to forward a certified copy of this act to the Federal Board of Vocational Education

Section 5 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 651, as follows:

An Act to regulate the importation into the State of Pennsylvania of dependent delinquent or defective children and providing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person corporation association or institution to bring or send or cause to be brought or sent into the State of Pennsylvania any dependent or delinquent or defective child for the purpose of placing such child in any home in Pennsylvania or procuring the placing of such child in any home in Pennsylvania by indenture adoption or otherwise or to abandon such child after being brought or sent into the State of Pennsylvania without first obtaining the written consent of the Board of Public Charities of Pennsylvania and to conforming to this act and to such rules and regulations of such board consistent herewith as such board may from time to time prescribe Authority is hereby given to such board to make such rules and regulations as it shall deem best to carry out the provisions of this act

Section 2 Such person corporation association or institution before bringing or sending or causing to be brought or sent any such child into this State shall first give an indemnity bond in favor of the State of Pennsylvania in the penal sum of ten thousand dollars to be approved by said Board of Public Charities conditioned as follows That they will not send or bring or cause to be brought or sent into this State any child that is incorrigible or one that is of unsound mind or body that they will at once upon the placement of such child report to the Board of Public Charities its name and age and the name and residence of the person with whom it is placed that if any such child shall before it reaches the age of twenty-one years become a public charge they will within thirty days after written notice shall have been given them of such fact by the Board of Public Charities remove such child from the State and if any such dependent child shall be convicted of crime or misdemeanor and imprisoned within three years from the time of its arrival within the State such person corporation association or institution will remove from the State such child immediately upon its being released from such imprisonment and upon failure after thirty days' notice and demand to remove as aforesaid any such child who shall have either become a public charge as aforesaid any such child who shall have either become a public charge as aforesaid or who shall have been convicted as aforementioned in either event such person corporation association or institution shall at once and thereby forfeit the sum of one thousand dollars as a penalty therefor to be recovered upon such bond by a suit in the name of the State of Pennsylvania that they will place or cause to be placed each of such dependent children under written contract which will secure to such child a proper home and will make the person so receiving such child responsible for its proper care education and training that they will properly supervise the care and training of each of such children and that each of such children shall be visited at least twice a year by a responsible agent of the person corporation association or institution so placing or causing to be placed such child as herein provided that they will make to the said Board of Public Charities such reports of their work as said board from time to time may require

Section 3 The Board of Public Charities shall have general supervision and management of all matters contained in this act and may make such other and further rules and regulations not inconsistent herewith as it may deem necessary for the proper placing out indenture adoption removal and supervision of such children and for the rejection of incorrigible or unsound children and for the removal of children convicted of crimes or misdemeanors or who may become public charges

Section 4 Any person corporation association or institution or any officer or agent thereof herein described who

shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars

Section 5 That the provision of this act shall not apply to a relative going to any other State and bringing a child into this State for the purpose of giving it a home in his own family nor to the placing of a child in any institution in this State provided it is not removed therefrom and placed out in this State except in accordance with the provisions of this act

Section 6 All acts or parts of acts in so far as the same are inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 781 (House Bill No. 119), entitled

An Act authorizing a State Association of Township Supervisors and providing for the payment of the expenses thereof by the respective counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 883 (House Bill No. 224), entitled

An Act to amend clause eighteen of section nineteen of an act approved the twenty-eighth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred seventy-eight) entitled "An Act creating a Division of Distribution of Documents defining its powers and duties regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. JENKINS. Mr. President, I move that Senate Bill No. 883 (House Bill No. 224), the bill just read, be recommitted to the Committee on Appropriations.

Mr. SEMMENS. Mr. President, I second the motion.

The motion was agreed to.

The ACTING PRESIDENT PRO TEMPORE (Mr. Clarence J. Buckman) in the Chair.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 887 (House Bill No. 832), entitled

An Act to require that every future acts of the General Assembly be given a short title for convenience of citation and to require the Legislative Reference Bureau to report to the next session of the General Assembly a list of short titles for certain acts now in force.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 901, as follows:

An Act authorizing the several courts of common pleas to appoint volunteer police officers during the present war with Germany or in any war in which this nation may become involved providing for the organization and discipline of such police officers and enumerating their powers

Whereas There exists an urgent need during the time this nation is at war to immediately take steps to organize within this Commonwealth an efficient volunteer police force to prevent injury and destruction to the various industries of the Commonwealth by enemies of the nation and to suppress riots and tumults and to preserve the public peace and safety therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That upon application to any of the several courts of common pleas of the Commonwealth the said courts are hereby authorized immediately after the passage of this act and at any time during the continuance of the present war with Germany or in any war in which this nation may become involved to appoint and commission such number of volunteer police officers to serve without pay in the several cities and townships as may be deemed necessary In all cities and townships where there is a duly constituted police department or police commission such volunteer police officers shall be under and subject to the authority and direction of such department or commission In all other cases the said courts shall designate and appoint such officials or official person or persons to advise and direct the said police officers and services to be by them performed

Section 2 All police officers so appointed shall take and subscribe the oath provided by article seven of the constitution Such oath shall be administered by an officer duly authorized to administer oaths and shall be filed together with the certificate of appointment in the office of the recorder of deeds

Section 3 The police officers when so appointed and qualified shall have and possess all the powers of police officers of the several cities and boroughs of the Commonwealth and are authorized to arrest upon view with or without warrant any person apprehended in the commission of any offense against the laws of the Commonwealth or of the United States

Section 4 The police officers herein provided for shall be organized and disciplined especially for the purpose of the suppression of riots and tumults and to preserve the public peace and safety and shall be used whenever necessary to guard protect and preserve from injury and destruction by enemies of the nation in the present war with Germany or in any war in which this nation may become involved all railroads railways mines oil wells chemical plants light heat and power plants water works and plants iron works steel plants ammunition plants manufacturing plants and all other industries as well as all public works and public buildings Provided That when police officers are appointed under this act upon application of owners or operators of such plants the supervision of and payment to the police so appointed shall be vested in such owner or operator

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 927, as follows:

An Act empowering express companies to employ policemen commissioned by the Governor with authority to act in all counties in the State wherein such companies carry on their business

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known as the "Express Company Policemen Act of Nineteen Seventeen"

Section 2 That any corporation engaged in carrying on the business of an express company within this State may apply to the Governor to commission such persons as the said corporation may designate to act as policemen for said corporation

Section 3 The Governor upon such application may appoint such persons or so many of them as he may deem proper to be such policemen and shall issue to such person or persons so appointed a commission to act as such policemen

Section 4 Every policeman so appointed shall before entering upon the duties of his office take and subscribe the oath required by the seventh article of the Constitution before the recorder of any county within which the express company employing such policeman may operate which oath after being duly recorded by such recorder shall be filed in the office of the Secretary of State and a certified copy of such oath made by the recorder of the proper county shall be recorded with the commission in every county through or in which the express company employing such policeman may operate and in which it is intended the said policeman shall act and such policemen so appointed shall severally possess and exercise all the powers which are vested in policemen of any city of the State in the several counties in which they shall be so authorized to act as aforesaid and the keepers of jails or lock-ups or station houses in any of said counties are required to receive all persons arrested by such policemen for the commission of any offense against the laws of this Commonwealth committed upon or along the highways or

railroads whereon such express company operate or upon the premises of such companies to be dealt with according to law

Section 5 Such express company police shall when on duty severally wear a metallic shield with the words "Express company police" and the name of the corporation for which appointed inscribed thereon and said shield shall always be worn in plain view except when they are employed as detectives

Section 6 The compensation of such police shall be paid by the companies for which the policeman are respectively appointed as may be agreed upon between them

Section 7 Whenever any corporation shall no longer require the services of any policeman so appointed as aforesaid it may file a notice to that effect under its corporate seal attested by its secretary in the several offices where the commission of such policeman has been recorded which shall be noted by the several recorders upon the margin of the record where such commission is recorded and thereupon the power of such policeman shall cease and be determined

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 930, as follows:

An Act relieving the Governor of the duty of examining and approving warrants vouchers claims contracts or other instruments providing for the expenditure or collection of public moneys by the several departments of the executive branch of the State government

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of June Anno Domini one thousand nine hundred and seventeen the Governor be and he is hereby relieved of the necessity of examining and approving or disapproving warrants vouchers claims contracts or other instruments used for the expenditure and collection of public moneys by the several departments of the State government.

Section 2 Nothing herein shall be construed as an effort to relieve the Governor of the obligation of approving contracts for supplies in compliance with section twelve of article three of the constitution

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 931, as follows:

An Act to define the purposes for which a contingent fund appropriated to a department board commission bureau or other division of the State government may be used and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act a contingent fund appropriated to any division of the State government shall be used only for the purchase of postage payment of express freight hauling and telegraphic charges witness fees costs of serving processes and all other court charges necessary in the discharge of the States legal business

Section 2 Such funds shall not be used to defray traveling expenses for clerical hire for expert services for the payment of rent for the purchase of supplies or any other miscellaneous wants of a division of the State government not specified in section one of this act

Section 3 Any officer of this Commonwealth, violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars and undergo an imprisonment for a term not exceeding one year or either or both in the discretion of the court

Section 4 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 932, entitled

An Act creating a Board of Finance and Revenue transferring to it all the powers and duties of the Board of Public Accounts the Board of Revenue Commissioners the Sinking Fund Commission and the Board of License Private Bankers and fixing the number and salaries of members and employes thereof.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of June Anno Domini one thousand nine hundred and seventeen there is hereby established a board of finance and revenue to consist of the Auditor General State Treasurer Secretary of the Commonwealth and Attorney General

On the question,

Will the Senate agree to the section?

Mr. CROW. Mr. President, I move to amend section 1, page 1, line 6, by striking out "revnue" and inserting in lieu thereof the word "revenue".

Mr. HOMSHER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 This board shall assume and exercise all the rights privileges and functions of the board of public accounts the board of revenue commissioners the sinking fund commission and the board to license private bankers now existing and operating under various acts of Assembly

The third section of the bill was read as follows:

Section 3 Each member of this board shall receive one thousand five hundred dollars per annum for his services and the board shall have the right to appoint a secretary at a salary of two thousand dollars per annum a clerk at a salary of one thousand five hundred dollars per annum and a stenographer at a salary of one thousand two hundred dollars per annum in order to assist in the discharge of the boards duties

On the question,

Will the Senate agree to the section?

Mr. CROW. Mr. President, I move to amend section 3, page 2, line 11, by striking out the word "boards" and inserting in lieu thereof the word "board's".

Mr. HOMSHER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows and agreed to:

Section 4 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title of the bill was read as follows and agreed to:

An Act creating a Board of Finance and Revenue transferring to it all the powers and duties of the Board of Public Accounts the Board of Revenue Commissioners the Sinking Fund Commission and the Board to License Private Bankers and fixing the number and salaries of members and employes thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 933, as follows:

A Joint Resolution proposing an amendment to section sixteen of article three of the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

That section sixteen of article three which reads as follows

"Section 16 No money shall be paid out of the treasury except upon appropriations made by law and on warrant drawn by the proper officers in pursuance thereof" be and the same is hereby amended so that the same shall read as follows

Section 16 No money shall be paid out of the State Treasury except in accordance with the provisions of an act of Assembly specifying the amount and purpose of the expenditure and limiting the time in which said appropriation shall be expended All public money shall be paid by the State Treasurer on warrant drawn by the Auditor General A violation of the provisions of this section shall be a misdemeanor and shall be punished as may be provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 934, entitled

An Act to amend an act approved the fourteenth day of June, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-three), entitled "An Act to provide for retirement of state employes, permanently disqualified by reason of physical or mental disability to perform their official functions and duties, with half pay, under certain conditions, during the remainder of their lives, except state employes whose retirement has been or shall be otherwise provided for, and the filling of vacancies caused by such retirement," by changing the number of years service required of the aforesaid employes and providing for the retirement of all employes who have reached the age of seventy years and have been in the service of the state for twenty-five years or more.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the fourteenth day of June one thousand nine hundred and fifteen entitled "An Act to provide for retirement of State employés permanently disabled by reason of physical or mental disabilitiy to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authodity of the same That from and after the first day of September Anno Domini one thousand nine hundred and fifteen whenever the Governor is of opinion based upon satisfactory medical evidence that a State employe is by reason of physical or mental disability permanently incapacitated for performing his regular official duties except State employes whose retirement has been or shall be otherwise provided for he shall notify said employe of his opinion giving the reasons therefor and if the said employe shall resign within thirty days after such notice and shall have served continuously in office as such a State employe for twenty-five years or more or who shall have reached the age of seventy years and shall have served continuously in office as such State employe for twenty years or more and shall hold himself in readiness to perform special duties in such ways as he may be reasonably able to do after his honorable retirement from office by resignation he shall receive during the remainder of his life or during the continuance of such disability or incapacity one-half of the salary which he would have received had he remained in active service" is hereby amended to read as follows

Section 1 From and after the first day of September Anno Domini one thousand nine hundred and fifteen whenever the Governor is of opinion based upon satisfactory medical evidence that a State employe is by reason of physical or mental disability permanently incapacitated for performing his regular official duties except State employes whose retirement has been or shall be otherwise provided for he shall notify said employe of his opinion giving the reasons therefor and if the said employe shall resign within thirty days after such notice and shall have served continuously in office as such State employe for twenty years or more or who shall have reached the age of seventy years and shall have served continuously in office as such a State employe for twenty years or more and shall hold himself in readiness to perform special duties in such ways as he may be reasonably able to do after his honorable retirement from office by resignation he shall receive during the remainder of his life or during the continuance of such disability or incapacity one-half of the salary which he would have received had he remained in active service Any State employe who has been in the continuous service of the Commonwealth for a period of twenty-five years or over and has reached the age of seventy years shall be retired by the Governor if he hold himself in readiness to perform special duties in such ways as he may be reasonably able to do after his retirement receiving during the remainder of his life one-half of the salary which he would have received had he remained in active service

On the question,

Will the Senate agree to the section?

Mr. CROW. Mr. President, I move to amend section 1, page 2, line 4, by striking out "disabled" and inserting in lieu thereof the word "disqualified"; also page 2, line 27, by inserting before the word "State" the article "a".

Mr. HOMSHER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to amend an act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-three) entitled "An Act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement" by changing the number of years service required of the aforesaid employes and providing for the retirement of all employes who have reached the age of seventy years and have been in the service of the State for twenty-five years or more

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 935, entitled

A Supplement to an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and seventy-eight), entitled "An Act to provide for the administration of the Workmen's Compensation Act of 1915 by creating the Bureau of Workmen's Compensation of the Department of Labor and Industry; providing for the establishment of the Workmen's Compensation Board to have charge of such Bureau; authorizing the division of the Commonwealth into Workmen's Compensation Districts, and the appointment of Workmen's Compensation Referees; defining the powers and duties of the Commissioner of Labor and Industry, the Bureau of Workmen's Compensation, the Workmen's Compensation Board, the Workmen's Compensation Referees, and the factory inspectors of the Department of Labor and Industry, in enforcing the said act; and fixing the salaries of the members of the Workmen's Compensation Board, the Workmen's Compensation Referees, and certain of their employes and assistants."

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the members of the Workmen's Compensation Board appointed by the Governor and the Workmen's Compensation Referees appointed by the Commissioner of Labor and Industry shall during the terms for which they shall have been appointed give their whole and undivided time to the discharge of their respective duties

The second section of the bill was read as follows:

Section 2 No member of the Board or no Referee shall engage in the practice of law shall be a member of any firm or firms of lawyers appearing before the Board or the several Referees or shall profit directly or indirectly from such legal business during the time for which he shall have been appointed

On the question,

Will the Senate agree to the section?

Mr. CROW. Mr. President, I move to amend section 2, page 2, line 13, by striking out the word "or" and inserting in lieu thereof the word "and".

Mr. HOMSHER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows and agreed to:

Section 3 Any member of the Board or any Referee violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars or undergo an imprisonment not exceeding one year or both in the discretion of the court

The title of the bill was read as follows:

A Supplement to an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and fifty-eight) entitled "An Act to provide for the administration of the Workmen's Compensation Act of one thousand nine hundred and fifteen by creating the Bureau of Workmen's Compensation of the Department of Labor and Industry providing for the establishment of the Workmen's Compensation Board to have charge of such Bureau authorizing the division of the Commonwealth into workmen's compensation districts and the appointment of Workmen's Compensation Referees defining the powers and duties of the Commissioner of Labor and Industry the Bureau of Workmen's Compensation the Workmen's Compensation Board the Workmen's Compensation Referees and the factory inspectors of the Department of Labor and Industry in enforcing the said act and fixing the salaries of the members of the Workmen's Compensation Board the Workmen's Compensation Referees and certain of their employes and assistants"

On the question,

Will the Senate agree to the title?

Mr. CROW. Mr. President, I move to amend the title, page 1, line 5, by striking out the words "one thousand nine hundred and fifteen" and inserting in lieu thereof the figures "1915"; also line 8, by striking out the word "the" before the word "Workmen's" and inserting in lieu thereof the article "a".

Mr. HOMSHER. Mr. President, I second the motion

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 958, entitled

An Act authorizing the County of Philadelphia to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County for moneys advanced for the payment of expenses incident to the conduct of primary elections

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the County of Philadelphia is hereby authorized to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County for such sum or sums of money as may be due and owing to the County of Philadelphia by the Commonwealth for moneys advanced by said county for the payment of expenses incident to the conduct of primary elections for the years one thousand nine hundred and eight to one thousand nine hundred and fourteen both inclusive under the provisions of an act of Assembly approved the seventeenth day of February one thousand nine hundred and six entitled "An Act providing a uniform method of electing certain party officers and delegates to the State and National Conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions" and under the provisions of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation"

On the question,

Will the Senate agree to the section?

Mr. PATTON. Mr. President, I move to amend section 1, page 1, line 6, by striking out the word "Dauphin" and inserting in lieu thereof the word "Philadelphia"; also line 8, by inserting after the word "Commonwealth" the following: "together with interest on the different items thereof from the various dates at which settlement thereof should have been made by the Auditor General's Department; also line 11, by striking out the word "eight" and inserting in lieu thereof the word "eleven".

Mr. JENKINS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 The suit hereby authorized shall be subject to the same rules of pleading practice and evidence as cases between individuals and the defences open to the Commonwealth shall be such as would be available to an individual if sued upon like facts

The title of the bill was read as follows:

An Act authorizing the County of Philadelphia to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County for moneys advanced for the payment of expenses incident to the conduct of primary elections.

On the question,

Will the Senate agree to the title?

Mr. PATTON. Mr. President, I move to amend the title, line 3, by striking out the word "Dauphin" and inserting in lieu thereof the word "Philadelphia".

Mr. JENKINS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 961, entitled

An Act to amend article seven of the act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by adding thereto sections seven hundred and twelve to seven hundred and twenty-eight, both inclusive.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred and three of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together

with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

Section 703 All school text-books in school districts of the second third and fourth class shall be adopted by the board of school directors at any regular meeting between the first day of April and the first day of August following Such books so adopted shall be provided for the use of the schools at the beginning of the school term next following Provided That if in said school districts there shall be a district superintendent or supervising principal such district superintendent or supervising principal shall report in which subjects new text-books are needed and after consultation with the teachers under his supervision what textbooks should be adopted or changed and unless by a two-thirds vote of the board an adoption or change of textbooks shall not be made without his recommendation Provided further that books supplementary to text-books regularly adopted may be adopted and purchased for use in the schools at any time such supplementary books to be adopted in the same manner as text-books are herein required to be adopted" is hereby amended to read as follows

Section 703 All school text-books in school districts of the second and third class shall be adopted by the board of school directors at any regular meeting between the first day of April and the first day of August following Such books so adopted and the books adopted for districts of the fourth class as hereinafter provided shall be provided for the use of the schools at the beginning of the school term next following Provided That if in said school districts there shall be a district superintendent or supervising principal such district superintendent or supervising principal shall report in which subjects new text-books are needed and after consultation with the teachers under his supervision what text-books should be adopted or changed and unless by a two-thirds vote of the board an adoption or change of text-books shall not be made without his recommendation Provided further that books supplementary to text-books regularly adopted may be adopted and purchased for use in the schools at any time and such supplementary books to be adopted in the same manner as text-books are herein required to be adopted

On the question,

Will the Senate agree to the section?

Mr. CROW. Mr. President, I move to amend section 1, page 3, line 6, by striking out "fuorth" and inserting in lieu thereof the word "fourth"; also line 9, by inserting after the word "said" the words "second and third."

Mr. SPROUL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Article seven of said act is hereby amended by adding thereto the following sections

Section 712 There is hereby created a county school textbook commission for districts of the fourth class for each county in the Commonwealth of Pennsylvania Such textbook commission shall consist of the county superintendent of schools the superintendent or supervising principal of the district of the fourth class having the largest number of children of school age as shown by the last enumeration and the superintendent or supervising principal of the district of the fourth class having the second largest number of children of school age as shown by the last enumeration and two school directors from districts of the fourth class chosen by the school directors of all the districts of the fourth class in convention assembled

In case of vacancy caused by death or resignation of one or both of the school directors serving on the commission the remaining members of the county textbook commission shall appoint a school director from a district of the fourth class to fill the vacancy until the next meeting of the directors of the districts of the fourth class at which time a member shall be elected to fill the unexpired term

Section 713 The county textbook commission shall meet at the county seat to organize within thirty days from the taking effect of this act The county superintendent shall be president of the commission and a secretary shall be elected from its own membership The commission shall meet annually thereafter and special meetings may be called by the president or on the written request of three members The president shall preside at all meetings of the commission and the secretary shall keep the records of the meetings All contracts shall be signed by both the president and the secretary Members of the commission that do not receive an annual salary from the county shall receive ten dollars per day for their services when actually engaged in the work of the commission with such additional amount as may be necessary to cover their actual traveling expenses Such amounts shall be audited by the county commissioners and paid by the county treasurer

Section 714 The commission shall adopt from the authorized State list as hereinafter provided a uniform series of textbooks for use in all of the schools of all districts of the fourth class in the county

Section 715 Before the publisher of any school textbook shall offer the same for adoption to any county textbook commission such publisher shall file a copy of such textbook in the office of the State Superintendent of Public Instruction with a sworn statement of the list price the lowest net price and the lowest net exchange price at which such book is sold anywhere in the United States under like conditions of distribution Such publisher shall file with the State Superintendent of Public Instruction a written agreement to furnish such book or books to the county textbook commission of Pennsylvania at the price so filed Such publisher shall further agree to reduce such prices in Pennsylvania if reductions are made anywhere in the country so that at no time any book is sold in Pennsylvania at a higher price than is received for the same book anywhere in the country where like methods of distribution prevail The publisher shall further agree that all books offered for sale in Pennsylvania shall be equal in quality to those deposited in the office of the State Superintendent as regards paper binding printing illustration and all points that may affect the value of said books

Section 716 Before the publisher of any school textbook shall offer the same for adoption to any County School Textbook Commission and at the time of filing such textbook in the office of the State Superintendent of Public Instruction such publisher shall pay into the treasury of the Commonwealth a filing fee of ten dollars for each book offered by such publisher A series of books by the same author and upon the same subject shall constitute one book for this purpose the fees thus received shall constitute a fund out of which upon requisition made by the State Superintendent of Public Instruction shall be paid the expenses of publishing lists and other information for the use of the County Textbook Commission clerks hire and other necessary expenses in connection with the filing of all textbooks submitted for adoption in the Commonwealth of Pennsylvania Any balance remaining in such fund on the first day of January of each year shall be placed to the credit of the school fund of the State

Section 717 To insure compliance with the aforesaid conditions under which school textbooks may be adopted in the Commonwealth of Pennsylvania the publisher shall file with the State Superintendent of Public Instruction a bond of not less than two thousand dollars nor more than ten thousand dollars Such bond shall be approved and the amount thereof shall be fixed by the State Superintendent Any publisher complying with this and the preceding sections of this act shall be placed together with the books which he agrees to supply on the authorized state list of textbooks

Section 718 Within thirty days after the taking effect of this act and annually thereafter during the month of January it shall be the duty of the State Superintendent of Public Instruction to furnish each county superintendent with a list of publishers who have conformed to the requirements hereinbefore set forth relating to sample books prices and bond

Section 719 If in any case any publisher furnishes books in any way inferior in any particular to the samples on file with the State Superintendent or requires higher prices than those listed with the State Superintendent the County Textbook Commission shall inform the State Superintendent of the failure of such publisher to comply with the terms of his contract The State Superintendent shall thereupon notify the publisher of such complaint If the publisher disregards the notification and fails to immediately comply with the terms of his contract the State Superintendent shall institute legal proceedings for the forfeiture of the bond of such publisher

Section 720 Before seeking to enter into contract with any County Textbook Commission the publisher shall furnish the County Superintendent with a duplicate printed list of the books and the prices filed with the State Superintendent When any book or series of books in such list are adopted by the County Textbook Commission the publisher of such book or books shall furnish the county superintendent with a sample of the same to remain in the office of said County Superintendent and to be property of the county The County Superintendent shall send a list of the adopted books to the secretary of each school district of the fourth class in the county

Section 721 The County Textbook Commissions may adopt textbooks for all subjects that may be taught in the public schools of the district of the fourth class in their respective counties and may enter into contracts for the same for a period of five years in the manner hereinafter provided There shall not be more than two elementary subjects adopted in any one year Reading and history may be adopted in the first year arithmetic and spelling in the second year geography language and grammar in the third year physiology and penmanship in the fourth year Dictionaries may be adopted any year with any two subjects named above High school subjects shall be adopted as follows First year mathematics and commercial subjects Second year sciences Third year languages French and classics Fourth year history Dictionaries may be adopted in any year Special Subjects such as domestic science and manual training may be adopted any year All books adopted by the county textbook commission shall be used exclusively in the schools of all districts of the fourth class of the county except that all books adopted in the public schools by the board of school directors since

the adoption in one thousand nine hundred and twelve shall be continued in use for a period of five years from the date of the adoption of such books providing that the publisher of such books complies with all the requirements of this act before August first one thousand nine hundred and seventeen

Section 722 The textbook commission shall make no changes in textbooks until it has advertised for bids for at least two successive weeks in at least one issue of one or more daily or weekly papers and until it has notified in writing each publisher who has complied with the conditions of this act by filing his books and prices with the State Superintendent of Public Instruction and the adoption of such books shall not be made until the expiration of at least fourteen days from the date on which said advertisement first appeared and not less than fourteen days from the date on which the publishers were notified that such an adoption was to be held The advertisements and notifications shall specify the subjects in which changes will be considered

Section 723 In selecting books the textbook commission shall carefully consider the price character of subject matter binding illustrations printing and paper and all points that affect the value of the book

Section 724 Nothing under this act shall be construed to prevent the use of supplementary books Such supplementary books shall be adopted by the county textbook commission in the same manner that is herein provided for the adopting of the basal books All supplementary books adopted under this act shall be used strictly as supplementary books and shall not be allowed to displace the basal books at any time

Section 725 The board of directors of all districts of the fourth class shall purchase for their spespective districts the textbooks that have been adopted by the county textbook commission No textbooks which have not been adopted by the county textbook commission shall be purchased for use in districts of the fourth class The boards of directors of the districts of the first second and third classes may adopt and contract for books from the State list under the same restrictions and in the same general manner as herein provided for the adoption of books by the county textbook commissions

Section 726 If at any time any publisher shall enter into any understanding agreement or combination to control the prices in the adoption or sale of school books the Attorney General shall institute and prosecute legal proceedings for the forfeiture of the bond of such publisher Such publisher shall also be stricken off the authorized list and all contracts made by him under this act shall become null and void at the option of the textbook commission

Section 727 It is unlawful for any teacher or school director in any district of the fourth class after the county textbook commission has adopted a list of textbooks for such county to sanction or permit the use of any book not so adopted

It is unlawful for any textbook commissioner to vote for a change of any textbook before the expiration of the contract for such book

It is unlawful for any publisher or agent of a publisher to attempt in any manner to procure such an unlawful change

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than twenty-five dollars nor more than one hundred dollars

Section 728 Any member of any county textbook commission who shall accept or receive any money gift or any property or favor whatever from any person firm or corporation selling or offering for sale or adoption any textbooks or from any agent thereof or from any person in any way interested in the sale of textbooks shall upon conviction be punished by a fine not exceeding one thousand dollars or by imprisonment in the county jail for not more than six months or by both at the discretion of the court

On the question,

Will the Senate agree to the section?

Mr. CROW. Mr. President, I move to amend section 2, page 4, line 6, by inserting after the word "chosen" the word "annually;" also line 8, by inserting after "sembled" the words, "said convention to be assembled any time between the first day of December and the first day of March. Said directors to be chosen by ballot;" also line 21, by striking out "mebership" and inserting in lieu thereof the word "membership;" also page 6, line 24, by striking out the word "may" and inserting in lieu thereof the word "shall" also page 8, line 7, by striking out the word "may" and inserting in lieu thereof the word "shall"; also line 8, by striking out the words "that may be"; also line 10, by striking out the word "may" and inserting in lieu thereof the word "shall"; also line 14, by striking out the word "may" and inserting in lieu thereof the word "shall" also in line 20, by striking out the word "French".

Mr. SPROUL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend article seven of the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding thereto sections seven hundred and twelve to seven hundred and twenty-eight both inclusive

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 961, the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 988 (House Bill No. 1176), entitled

An Act providing for the establishment in cities of the first class of a house or houses of detention for witnesses and untried prisoners for the commitment of such prisoners and witnesses thereto and for the payment of the cost of establishing and maintaining the same by the county wherein said cities are situated.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 992 House Bill No. 1573), entitled

An Act to carry into effect the amendment to section 8 of Article 9 of the Constitution of Pennsylvania adopted by the people at an election held on the second day of November, one thousand nine hundred and fifteen; to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum in excess of seven per centum upon the assessed valuation of taxable property in said city, for the specific purposes authorized by said amendment; regulating the manner of making such increase of indebtedness, and providing for the redemption of the same; validating elections held in said city since the adoption of said amendment in the manner provided by this act, or by the Act of the General Assembly approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the supplements and amendments thereto; and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued, pursuant to authority conferred by the electors at any such election."

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

SPECIAL ORDER OF BUSINESS.

Mr. DAIX. Mr. President, I move that Senate Bill No. 992 (House Bill No. 1573), the bill just read, be made a special order of business for Monday night, May 7th, 1917, at ten o'clock.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 107, entitled

An Act fixing the salary of the Governor of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 809, entitled

An Act to provide for the regulation of rag shops, second hand paper shops and junk shops in cities of the first class and providing a penalty for the violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 811, entitled

An Act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children under the jurisdiction of the Courts of Quarter Session of the Peace or other courts sitting as Juvenile Courts, and to acquire land there for by purchase or by condemnation, defining the scope and character of such schools, regulating the proceedings for the establishment, maintenance and management thereof, authorizing the County Commissioners to make appropriations, levy taxes and to incur indebtedness therefor, and providing that all such schools heretofore established by any county shall be continued and maintained under the authority of this act, removing the persons in charge thereof and providing that any property heretofore acquired for any such schools shall be held and used for the schools provided for in this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 856 (House Bill No. 398), entitled

An Act relating to the collection of county taxes in cities of the third class; providing for a notice of taxes due and providing for rebates and penalties on such taxes in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 860 (House Bill No. 891), entitled

An Act authorizing the Committee on Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to other such hospitals, and providing for maintenance of patients after transfer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 869, entitled

An Act providing for the admission of soldiers to practice in the several courts of the common pleas of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 873, entitled

An Act to amend section two hundred and twenty-six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 941 (House Bill No. 1181), entitled

An Act making the fraudulent conversion of property or the proceeds of property a misdemeanor; prescribing the penalties therefor and regulating the procedure therein.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1007, entitled

An Act to validate certain sales and leases of real estate situate in this Commonwealth heretofore made by corporations incorporated in this Commonwealth for the carrying on of any mechanical, mining, quarrying, manufacturing or other business.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECESS.

Mr. SPROUL. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order,

The PRESIDENT (Lieutenant-Governor Frank B. McClain) in the Chair.

RESIGNATION OF MR. HARMON M. KEPHART, CHIEF CLERK OF THE SENATE.

The Chair cleared his table and laid before the Senate communication from Mr. Harmon M. Kephart, Chief Clerk of the Senate, which was read as follows:

Harrisburg, Pa., May 2, 1917.

Hon. Frank B. McClain, President of the Senate of Pennsylvania.

Dear Sir: I hereby tender my resignation as Chief Clerk of the Senate of Pennsylvania to take effect on Monday, May 7th, 1917.

Very respectfully yours,
HARMON M. KEPHART.

RESIGNATION OF MR. WILLIAM P. GALLAGHER, ASSISTANT CLERK OF THE SENATE.

He also laid before the Senate communication from Mr. William P. Gallagher, Assistant Clerk of the Senate, which was read as follows:

Harrisburg, Pa., May 2, 1917.

Hon. Frank B. McClain, President of the Senate of Pennsylvania.

Dear Sir: I hereby tender my resignation as Assistant Clerk of the Senate of Pennsylvania to take effect on Monday, May 7th, 1917.

Very respectfully yours,
WILLIAM P. GALLAGHER.

ELECTION OF CHIEF CLERK AND ASSISTANT CLERK.

Mr. McKEE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McKEE offered the following resolution, which was twice read, considered and agreed to:

Resolved, That William P. Gallagher, of Wilkes-Barre, Luzerne County, be elected Chief Clerk of the Senate of Pennsylvania, vice Honorable Harmon M. Kephart, resigned; and that Harry A. Bartenslager, of Uniontown, Fayette County, be elected Assistant Clerk of the Senate, vice William P. Gallagher, resigned, the same to become effective Monday, May seventh, one thousand nine hundred and seventeen.

The PRESIDENT. I therefore declare the persons named in the resolution as having been elected to the respective positions named therein.

RESOLUTION REQUESTING THE SECRETARY OF THE COMMONWEALTH TO ADMINISTER THE OATH OF OFFICE TO STATE TREASURER-ELECT HARMON M. KEPHART.

Mr. EYRE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EYRE offered the following resolution, which was twice read, considered and agreed to:

Whereas, The Chief Clerk of the Senate, the Hon. Harmon M. Kephart of Fayette County, will assume the duties of State Treasurer of this Commonwealth on Monday next, May 7, 1917, and

Whereas, The members of the Senate appreciate the long and faithful service rendered by the retiring Chief Clerk and are desirous of witnessing his taking the oath of office.

Now therefore be it resolved, That the Secretary of the Commonwealth, whom precedent has decreed as the proper officer to administer the oath of office to incoming State Treasurers, be and is hereby invited by the Senate of the Commonwealth of Pennsylvania to administer the oath of office as State Treasurer to the Hon, Harmon M. Kephart in the Senate Chamber at high noon this day, May 2, 1917.

COMMITTEE TO ESCORT STATE TREASURER-ELECT TO THE BAR OF THE SENATE.

Mr. EYRE. Mr. President, I move that a committee of two be appointed by the Chair to escort the Honorable Harmon M. Kephart to the bar of the Senate for the purpose of taking the oath of office.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair appoints as such committee the Senator from Chester, Mr. Eyre, and the Senator from Fayette, Mr. Crow.

The Chair desires to read in behalf of the retiring Chief Clerk his sentiments upon retiring from the position which he has so long and so faithfully occupied. Modesty prevents him from expressing these sentiments, therefore he has asked me to substitute for him.

Mr. President and Members of the Senate:

In passing from the position that you have honored me with to one where the duties are more difficult and arduous I want to express to each of you my sincere appreciation for your many acts of kindness. In my association with you I have endeavored to be a friend regardless of politics and I shall always cherish the many kindly expressions of sentiment and feeling given by each of you. No spot in my life has a greater charm for me because of your good fellowship and companionship than the position of Chief Clerk of the Senate of Pennsylvania. In leaving you I feel that I would be ungrateful if I did not particularly remember one man to whom more than to any other I owe my political success. Through his recommendation you accepted me as Chief Clerk, through his efforts, with others, I will become State Treasurer of this State. My heart swells with a feeling inexpressible when I think of the brotherly affection shown toward me by this man, the Senator from Fayette, William E. Crow. But I will be around often. You know where the office is. The latch string will always be out to the men that I have served with in this body and the State's money at their disposal, provided, of course, that the proper enactment has been made by the General Assembly.

The PRESIDENT. I know that I voice the sentiment of not only every man now a member of this Senate, but as well every man who has been a member of this honorable body since the time Mr. Kephart came into it in the capacity of Chief Clerk, when I say: May the sunlight of success sweep down the pathway of his administration of the office upon which he is about to enter and cast no shadows.

OATH OF OFFICE ADMINISTERED TO STATE TREASURER-ELECT KEPHART.

Mr. EYRE. Mr. President, it is with a feeling of joy and sorrow that I present to you the retiring Chief Clerk; joy that he steps into a higher position, and sorrow that this Senate loses his genial companionship and his efficient services.

The PRESIDENT. The Secretary of the Commonwealth will now administer the oath of office to the Honorable Harmon M. Kephart, State Treasurer-elect.

The oath of office was then administered to the State Treasurer-elect by the Secretary of the Commonwealth.

RECESS.

Mr. SPROUL. Mr. President, I move that the Senate do now take a recess for ten minutes, that the members of the Senate may present their felicitations to the new State Treasurer.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

RESOLUTION EXTENDING THE FREEDOM OF THE STATE OF PENNSYLVANIA TO THE RIGHT HONORABLE ARTHUR BALFOUR, SECRETARY FOR FOREIGN AFFAIRS OF THE GOVERNMENT OF GREAT BRITAIN; GENERAL JOSEPH JOFFRE, MARSHAL OF FRANCE, AND MONSIEUR RENE VIVIANA, VICE PREMIER OF FRANCE.

The Clerk of the House of Representatives, being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows:

In the House of Representatives, May 2, 1917.

Whereas, The United States of America has joined in arms with the Governments and peoples of England, France, Russia and the allied countries in order that the world may be made safe for democracy and in order that the menace of militarism and absolutism in government may be effaced from the earth, and

Whereas, The people of the United States of America are now honored by the presence in this land of three of the great leaders in this common cause of world freedom, namely the distinguished Secretary for Foreign Affairs of the Government of Great Britain, the Right Honorable Arthur Balfour; the illustrious vice Premier of the Republic of France, Monsieur Rene Viviani, and the heroic soldier and Marshal of France, General Joseph Joffre, and

Whereas, It is indicated that General Joffre and Monsieur Viviani will do the Commonwealth of Pennsylvania the great honor of entering its borders and visiting with its people, and

Whereas, The people of the Commonwealth of Pennsylvania are as a unit with the people of all the States of this Nation in the earnest hope and determination that this Great War for the Rights of Man and the Progress of Civilization shall terminate satisfactorily to the nations aligned for a greater democracy and a greater world freedom, therefore be it

Resolved (if the Senate concur), That the freedom of the State of Pennsylvania is, by the whole people of the Commonwealth of Pennsylvania, through their representatives in the Legislature, now assembled, hereby extended to and conferred upon the Commissioners of Great Britain and of France, the Right Honorable Arthur Balfour, Monsieur Rene Viviani and Marshal Joseph Joffre, and be it

Further resolved, That copies of these resolutions, properly inscribed and bearing the Great Seal of the Commonwealth of Pennsylvania, be dispatched to each of these distinguished guests of the Nation and of the State.

Mr. SPROUL. Mr. President, I move that Rule 39 be dispensed with in order that the resolution just read may be considered at this time.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. SPROUL. Mr. President, in view of the fact that the Legislature will be in session on the day on which these distinguished envoys from England and France are expected to be in Harrisburg, I move to amend the resolution by inserting after the word "Joffre" the words "and that they be respectfully invited to attend a joint session of the General Assembly of Pennsylvania to be held at such time during their visit to Harrisburg as may be convenient to them"; also by inserting after the word "dispatch" the words "by the Secretary of the Commonwealth".

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the resolution as amended?

It was agreed to.

Ordered, That the Clerk return the same to the House of Representatives, with the information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 2, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

BERKS COUNTY.

Mrs. Cassie M. Seyfert, Upper Tulpehocken Twp.

FAYETTE COUNTY.

John Boyle, Uniontown.

LANCASTER COUNTY.

Walter M. Wortman, E. Hempfield Twp.

LAWRENCE COUNTY.

W. M. Nunn, New Castle.

PHILADELPHIA COUNTY.

George H. Dodge, Philadelphia
Harry C. Kohlhas, Jr., Philadelphia.

WASHINGTON COUNTY.

Miss Hazel Connors, Washington.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 2, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their names, respectively:

BEAVER COUNTY.

Leopold Pinter, Beaver Falls, May 28, 1917.

NORTHUMBERLAND COUNTY.

J. Mal Gillespie, Shamokin, May 7, 1917.

PHILADELPHIA COUNTY.

James A. O'Brien, Philadelphia, May 14, 1917.
Mrs. Bessie B. Everett, Philadelphia, May 28, 1917.
Miss Annie L. Moore, Philadelphia, May 28, 1917.

MARTIN G. BRUMBAUGH.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38, which requires nominations made by the Governor to be referred to proper committees, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,	Graff, J. F.,	McConnell,	Snyder, P. W.,
Beales,	Graff, W. P.,	McKee,	Sones,
Beidleman,	Hackett,	Miller,	Sproul,
Burke,	Haldeman,	Nason,	Stewart,
Catlin,	Hindman,	Patton,	Tompkins,
Croft,	Homsher,	Phipps,	Warner,
Crow,	Jenkins,	Sassaman,	Wasbers,
Daix,	Jones,	Schantz,	Weaver,
DeWitt,	Leiby,	Semmens,	Whitten,
Eyre,	Martin,	Smith, R. E.,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The ACTING PRESIDENT PRO TEMPORE (Mr. Owen B. Jenkins) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Judiciary Special, re-reported as committed, Senate Bill No. 641 (House Bill No. 770), entitled

An Act providing fees and mileage for witnesses attending coroners inquests and providing for the payment thereof by the several counties.

Mr. BUCKMAN. Mr. President. I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Appropriations, re-reported as committed Senate Bill No. 916, entitled

An Act providing for the organization, government, discipline, maintenance and regulation of an additional armed land force for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged.

Also from the Committee on Appropriations, reported as committed Senate Bill No. 563 ,entitled

An Act authorizing the Attorney General to appoint investigators to investigate estates of inmates of institutions for the support and maintenance of whom the Commonwealth may be liable in whole or in part and to ascertain the relatives of such inmates who may be liable for the support and maintenance of such inmate; defining the powers and duties of such investigators; and providing penalties.

Mr. EYRE. Mr. President. I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EYRE, from the Committee on Public Roads and Highways, reported as committed Senate Bill No. 894 (House Bill No. 1017), entitled

An Act prohibiting the handling or driving of horses or other animals or teams or vehicles on the public highways of the Commonwealth by an intoxicated person and providing penalties therefor.

HOUSE MESSAGE.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 1269 (Senate Bill No. 1041), entitled

An Act relating to the jurisdiction powers and procedure of the several orphans courts in proceedings for the partition and valuation of real estate and for the sale of real estate for the purpose of distribution and the fees costs and expenses therein

TABLE OF CONTENTS.

Section 1 Jurisdiction of orphans' court
(a) In general
(b) Coal and timber lands
Section 2 Petitioners
Section 3 Citation
Section 4 Parties respondent notices to unknown parties
Section 5 Service outside of State
Section 6 Appointment of commissioners or award of inquest
Section 7 Compensation and mileage of commissioners and jurors
Section 8 Making of partition by commissioners or inquest
Section 9 Action of commissioners or inquest where equal partition cannot be made
(a) Where no division is possible valuation of the whole
(b) Purparts unequal in value
(c) Purparts not equal in number to number of parties entitled
Section 10 Valuation of undivided interest of decedent
Section 11 Rule to accept or refuse the whole or purpart at the valuation
Section 12 Bids above valuation
Section 13 Allotment in the absence of bids
(a) Order of choice
(b) Offer to next in succession where party entitled fails to appear or refuses to take
(c) Election to take real estate or share thereof postpones party as to other shares or as to real estate in other county
Section 14 Permitting residue of premises to remain for parties not appearing
Section 15 Allotment to widow as highest bidder
Section 16 Partition to be firm and stable after final decree
Section 17 Owelty
(a) Payment or security
(b) Enforcement of payment by non-resident
(c) Appointment of trustee for parties who unknown or cannot be found
Section 18 Widow's interest
(a) Interest to remain charged on the premises
(b) Charging widow's interest on particular purparts
Section 19 Other undivided life interests to remain charged on real estate
Section 20 Deduction of rental value from shares of parties who have been in possession
Section 21 Rule to show cause why sale should not be made decree of sale
Section 22 Combination of rule to accept or refuse with rule to show cause why sale should not be made
Section 23 Sales for the purpose of distribution on petition of all parties interested
(a) In general
(b) Lands in different counties
Section 24 Appointment of trustee to make sale
Section 25 Bond of executor administrator or trustee making sale
Section 26 Discharge of liens by sale
Section 27 Recognizance by purchaser
Section 28 No obligation to see to application of purchase money
Section 29 Widow's interest to remain in hands of purchaser
Section 30 Other undivided life interests to remain charged on real estate
Section 31 Appointment of trustee to hold principal of sum in which there is a life interest
Section 32 Procedure where executor administrator or trustee becomes incapable is removed or dies
Section 33 Appointment of auditor to ascertain liens or incumbrances
Section 34 Account of executor administrator or trustee
Section 35 Costs and counsel fees
(a) In general
(b) In cases of sale
Section 36 Private sales
(a) When ordered
(b) Notice of sale
(c) Setting aside sale
Section 37 Lands in adjoining tracts in different counties
Section 38 Lands in different counties but not in adjoining tracts
(a) Where proceedings shall be brought
(b) Service of process and notices
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Section 39 Recognizances in general
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1 Satisfaction of record
2 Remedy for refusing to satisfy
Section 40 Protection of interests of persons not in esse
Section 41 Partition docket
Section 42 Partition index
Section 43 Appeals
Section 44 Short title section
Section 45 Repealer

Which was committed to the Committee on Judiciary General.

House Bill No. 1270 (Senate Bill No. 1042), entitled

An Act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom

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Section 1 Organization of court
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(b) Separate orphans courts in certain counties judges their election commissions and salaries
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4 Where two or more judges are elected at same election
Section 2 Court to be a court of record proceedings not to be collaterally attacked
Section 3 Calling in judges of other districts when judge of district is unable to sit
(a) Power to call in other judge
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Section 4 Common pleas judges sitting in separate orphans court
(a) Power to act
(b) Not compelled to act
(c) When president judge absent or disabled other judge may call in common pleas judge
(d) Mileage and expenses
Section 5 Orphans court judges sitting in courts of common pleas or criminal courts
(a) Power to act
(b) Not compelled to act
(c) When president judge absent or disabled other judge may call in orphans court judge
(d) Mileage and expenses
Section 6 Seal of court
Section 7 Court rooms
Section 8 Clerk of court
(a) Register of wills to be clerk in counties having separate orphans court other counties
(b) Duties of clerk
1 Custody of records duties in general
2 Dockets records of accounts and auditors reports
3 Translations of papers in other than English language
(c) Bill of costs
Section 9 Jurisdiction
(a) Guardians
(b) Trustees
(c) Trustees durante absentia
(d) Executors and administrators
(e) Distribution of decedents estates
(f) Sale of real estate for payment of debts of decedents
(g) Disposition of title to real estate to render the same freely alienable et cetera
(h) Partition
(i) Specific execution of decedents contracts as to real estate
(j) Legacies
(k) Discharge of liens and charges
(l) Where executors administrators guardians or trustees are possessed of or accountable for estate of decedent
(m) Appeals and proceedings certified from registers of wills
(n) Incidental and additional powers
Section 10 Rules of court
Section 11 Time of holding court
Section 12 Notice to parties
(a) In general
(b) Publication
Section 13 Attestation of process et cetera
Section 14 Return-days of process
Section 15 Proceedings in vacation
Section 16 Injunctions
Section 17 Proceedings to obtain appearance citations procedure in default of appearance

(a) Awarding citation
(b) By whom to be served
(c) Manner of service
(d) Place of service
(e) Service on sureties
(f) Return of service
(g) Alias and pluries citations
(h) Order of publication on award of alias or pluries citation
(i) Default of appearance
1 Power of court to proceed
2 Method of proceeding
Section 18 Proceedings to compel obedience to orders and decrees
(a) Modes of enforcing orders and decrees
1 Attachment of the person
2 Sequestration
3 Fi fa
4 Attachment execution
5 Testatum fi fa
(b) Procedure on attachment or sequestration
1 Direction of writs
2 Issuance of process to other counties
3 Form of writ of sequestration
4 Sequestration not to abate on death of party
5 Filing copy of writ of sequestration in prothonotarys office
6 Issuance of attachment or sequestration where party absconds
7 Dissolution of attachment or sequestration
8 Discharge of persons attached as for contempt
9 Procedure where party is wasting trust property or is about to abscond
10 Enforcement of final order and decree for delivery of trust property
11 Order as to final disposition of trust property
12 Decree in sequestration proceedings when party does not appear security by complainant
13 Re-opening of such decree
14 Failure of respondent to apply for re-opening
(c) Process to recover fines forfeitures and amercements
(d) Direction of and procedure on writs of fi fa
(e) Transcripts to the common pleas of orders upon parties other than fiduciaries to pay money
1 Filing transcripts and effect thereof executions
2 Satisfaction and discharge of judgments on transcripts
Section 19 Fees of sheriffs mileage postage
Section 20 Witnesses and evidence
(a) Subpoenas
(b) Methods of taking testimony
1 In general
2 Depositions of aged infirm and going witnesses commissions and letters rogatory
3 Oral depositions outside of State
(c) Production of books and papers
(d) Perpetuation of testimony
e) Testimony in proceedings removed from register of wills
1 What testimony to be basis of decision
2 Testimony taken in orphans court to be reduced to writing
Section 21 Issues to the common pleas
(a) In general
(b) In proceedings removed from register of wills
(c) On distribution of proceeds of sales of real estate
1 Affidavit
2 Investment of fund pendente lite
Section 22 Appeals
(a) Right of appeal effect of appeal
(b) Disposition of cases on appeal
Section 23 Short title section
Section 24 Repealer

Which was committed to the Committee on Judiciary General.

House Bill No. 1271 (Senate Bill No. 1043), entitled

An Act relating to the jurisdiction, powers and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground rent, leases, extinguishment of ground rents, partitions, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the subdivision of premises so as to command the highest price or greatest rents, and, for such purpose, the laying out or dedication of roads, streets, and alleys or the vacation of such as have not been accepted by the public authorities, where the court shall be of the opinion that such decree will be to the interest and advantage of all those interested, and where the legal title is held by minors, lunatics, habitual drunkards or weak-minded persons, a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years, by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial or charitable society or association incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law, by a corporation or individual or individuals and is subject to a trust of any description whatever, by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devisees, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a dower of, sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the state, have died, refuse to act, unreasonably withhold consent or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor, devisee or appointee to make sale and conveyance; where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decrees.

Which was committed to the Committee on Judiciary General.

House Bill No. 751 (Senate Bill No. 1044), entitled

An Act to fix the compensation for members of the General Assembly.

Which was committed to the Committee on Appropriations.

House Bill No. 888 (Senate Bill No. 1045), entitled

An Act fixing the salaries of certain employes in the Department of Mines

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN SENATE BILL NO. 256.

He also returned to the Senate Senate Bill No. 256, entitled

An Act to amend paragraph "a" of section four and paragraph one of section five of an act entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record; providing for non-partisan nominations and elections for said offices; abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners, and election officers and clerks; and providing penalties for the violation of the provisions hereof, and the punishment of certain offenses," approved the twenty-fourth lay of July, Anno Domini one thousand nine hundred and thirteen, so as to change the time for circulating and filing nomination petitions.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 257.

He also returned to the Senate Senate Bill No. 257, entitled

An Act to amend the first, sixth and seventh sections of an act, entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States, and the payment by the several counties and their reimbursement by the State of the expenses of the same; authorizing the State committee of a political party to make and to alter, amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided herein and repealing inconsistent legislation," approved the twelfth day of July, Anno Domini one thousand nine hundred and thirteen, so as to change the time for filing petitions of nomination and the time for the organization of the State committees.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 595.

He also returned to the Senate Senate Bill No. 595, entitled

An Act regulating the practice and procedure of the sheriff or deputy sheriff under writs of inquisition condemnation inquiry of damages lunacy or habitual drunkard proceedings partition proceedings or by virtue of any other writ or process issued by the courts of this Commonwealth wherein the existing laws require the sheriff to be present in person.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 583.

He also returned to the Senate Senate Bill No. 583, entitled

An Act to further amend section sixteen of an act approved the thirteenth day of June one thousand eight hundred thirty-six entitled "An Act relating to lunatics and habitual drunkards" as amended.

with the information that the House has passed the same without amendment.

SENATE BILL NO. 9 RETURNED WITH AMENDMENT.

He also laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 9, entitled

An Act to provide for the change of object of the corporate existence and authorizing and providing a mode for the dissolution and surrender of charters of fire companies.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. EYRE. Mr. President, I move that Rule 21, which requires that amended bills be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. MARTIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title, page 1, line 2, by inserting after the word "existence" the words "of volunteer fire companies and firemen's relief associations connected with volunteer fire departments;" also line 3, by inserting before the word "charter" the word "the;" also by striking out the word "fire" and inserting in lieu thereof the word "said;" also line 4, by inserting after the word "companies" the "and associations;" also in the preamble, line 3, by inserting after the word "with" the words "and consequently firemen's relief associations operated in connection with volunteer fire departments are no longer necessary for the relief and protection of said firemen;" also line 4 by inserting after the word "many" the word "fire;" also by inserting after the word "companies" the word "and firemen's relief association;" also line 7, by inserting before the word "companies" the word "fire;" also by inserting after the word "companies" the words, "and relief associations;" also page 2, line 8, by inserting after the word "companies" the words or relief associations;" also line 12, by inserting after the word "companies" the words "or relief associations;" also section 1, line 21, by inserting after the word "called" the words "or any firemen's relief association;" also line 23, by inserting after the word "company" the words "or relief association;" also line 25, by striking out the words "or loan and trust;" also line 29, by inserting after the word "company" the words "or association;" also page 3, line 4, by inserting after the word "company" the words "or association;" also in line 22, by inserting after the word "company" the words "or association;" also in line 25, by inserting after the word "company" where it first appears the words "or association;" also in line 25, by inserting after the word "company" where it appears the second time, the words, "or association;" also page 4, line 3, by inserting after the word "company" the words "or association;" also section 2, page 4, line 9, by inserting after the word "companies" the words, "or relief associations;" also line 15, by inserting after the word "thereto" the words, "excepting however such property effects or equipment which have been granted conveyed donated or given to the said company by the municipalities in which said companies are located said property effects or equipment shall revert back to and remain the property of said municipality;" also in line 16, by inserting after the word, "company" the words "or association;" also line 21, by inserting after the word "company" the words "or association;" also in line 23, by inserting after the word "company" the words "or association;" also page 5, line 9, by inserting after the word "company" the words "or association;" also line 12, by inserting after the word "company" the words "or association;" also line 15, by inserting after the word "company" the words "or association;" also line 23, by striking out the word "to" and inserting in lieu thereof the word "at;" also line 23, by inserting after the word "company" the words, "or association;" also page 6, line 2, by inserting after the word "company" the words "or association;" also line 11, by inserting after the word "company" the words, "or association;" also line 16, by inserting after the word "company" the words, "or association;" also Section 3, page 6, line 26, by inserting after the word "companies" the words, "or relief associations;" also page 7, line 1, by inserting after the word "company" the words "or association;" also line 7, by inserting after the word "company" the word "or association;" also section 4, page 7, line 13, by inserting after the word "company" the words "or relief association;" also in line 15, by inserting after the word "company" the words, "or association;" also line 18, by inserting after the word "company" the words "or association;" also in line 20, by inserting after the word "company" the words, "or association;" also in line 24, by inserting after the word "company" the words, "or association;" also page 8, line 2, by inserting after the word "company" the words, "or association;" also line 4, by striking out the words, "corporation or;" also line 4, by inserting after the word "company" the words "or association;" also line 5, by inserting after the word "company" the words, "or association;" also section 5, line 9, by inserting after the word "company" the words, "or relief association;" also section 6, line 16, by inserting after the word "companies" the words, "or relief association;" also line 18, by striking out "inocrporation" and inserting in lieu thereof the word, "incorporation;" also line 18, by inserting after the word "company" the words, "or association;" also line 21, by inserting after the word "company" the words, "or association;" also line 23, by inserting after the word "company" the words, "or association;" also line 26, by inserting after the word "companies" the words, "or associations."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Baldwin,	Homsher,	Miller,	Sones,
Ruckman,	Jenkins,	Nason,	Stewart,
Burke,	Jones,	Patton,	Tompkins,
Craig,	Leiby,	Schantz,	Wasbers,
Daix,	Martin,	Semmens,	Weaver,
Eyre,	McConnell,	Snyder, P. W.,	Whitten,
Haldeman,	McKee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO RESOLUTION EXTENDING THE FREEDOM OF THE STATE OF PENNSYLVANIA TO THE RIGHT HONORABLE ARTHUR BALFOUR, SECRETARY FOR FOREIGN AFFAIRS OF THE GOVERNMENT OF GREAT BRITAIN; GENERAL JOSEPH JOFFRE, MARSHAL OF FRANCE, AND MONSIEUR RENE VIVIANI, VICE PREMIER OF FRANCE.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in the amendments made by the Senate to resolution of the House of Representatives as follows:

In the House of Representatives, May 2, 1917.

Whereas, The United States of America has joined in arms with the Governments and peoples of England, France, Russia and the allied countries in order that the world may be made safe for democracy and in order that the menace of militarism and absolutism in government may be effaced from the earth, and

Whereas, The people of the United States of America are now honored by the presence in this land of three of the great leaders in this common cause of world freedom, namely the distinguished Secretary for Foreign Affairs of the Government of Great Britain, the Right Honorable Arthur Balfour; the illustrious vice Premier of the Republic of France, Monsieur Rene Viviani, and the heroic soldier and Marshal of France, General Joseph Joffre, and

Whereas, It is indicated that General Joffre and Monsieur Viviani will do the Commonwealth of Pennsylvania the great honor of entering its borders and visiting with its people, and

Whereas, The people of the Commonwealth of Pennsylvania are as a unit with the people of all the States of this Nation in the earnest hope and determination that this Great War for the Rights of Man and the Progress of Civilization shall terminate satisfactorily to the nations aligned for a greater democracy and a greater world freedom, therefore be it

Resolved (if the Senate concur), That the freedom of the State of Pennsylvania, is by the whole people of the Commonwealth of Pennsylvania, through their representatives in the Legislature, now assembled hereby extend to and conferred upon the Commissioners of Great Britain, and of France, the Right Honorable Arthur Balfour, Monsieur Rene Viviani, and Marshal Joseph Joffre, and that they be respectfully invited to attend a joint session of the General Assembly of Pennsylvania to be held at such time during their visit to Harrisburg as may be convenient to them, and be it

Further resolved, That copies of these resolutions, properly inscribed and bearing the Great Seal of the Commonwealth of Pennsylvania, be dispatched by the Secretary of the Commonwealth to each of these distinguished guests of the Nation and of the State.

ADJOURNMENT.

Mr. EYRE. Mr. President, I move that the Senate do now adjourn until Monday evening, May 7, 1917, at nine o'clock P. M.

Mr. HALDEMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12.59 o'clock P. M. until Monday evening, May 7, 1917, at nine o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 2, 1917.

The House met at 11 o'clock A. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

Our Father and our God, Thou hast invited us to come to Thee with our sins, our troubles, our cares and our sorrows.

Thou hast promised us mercy, comfort, strength and healing for our sickness and wisdom for our ignorance when we come to Thee. We thank Thee for all these gracious invitations and blessed assurances.

We praise Thee and rejoice that we can come to Thee. We appreciate all Thy divine love and grace to help us in the time of need.

Whilst all nature is in a state of transformation we come to Thee this beautiful morning with our burdens that sink us into eternal despair and pray for aid.

We lack in wisdom for life's questions, its duties and its responsibilities. Give us then strength, wisdom and grace for every moment so that we can be happy here and shall ever be writing forbearance over every cemetery gate, on each church altar and in the hearts of all of us. Receive us and bless and help us at all times. We ask it all through the Redeemer. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Scott, the further reading was dispensed with and the Journal was approved.

The SPEAKER. The Chair at this time desires to refer the following bills which have been filed with the Chief Clerk of the House. The Chair would also say that there are quite a number of bills that he did not have time to refer. They will be referred either this afternoon or tomorrow morning.

BILLS INTRODUCED AND REFERRED.

By Mr. DELL. House Bill No. 1745.

An Act making an appropriation for the administration of the State Workmen's Insurance Fund, and the payment of salaries, compensation and expenses of the officers and employes of the State Workmen's Insurance Board, and for incidental expenses.

Referred to the Committee on Appropriations.

By Mr. SNYDER. House Bill No. 1746.

An Act to amend section seventeen of an act approved the thirteenth day of May one thousand eight hundred and eighty-seven, entitled "An Act to restrain and regulate the sale of vinous and spiritous, malt or brewed liquors, or any admixture thereof," prohibiting the sale of such liquors on Christmas, Decoration Day and the Fourth of July.

Referred to the Committee on Law and Order.

By Mr. ROBERTSON. House Bill No. 1747.

An Act to further amend part of section three of an act approved the thirty-first day of May, one thousand nine hundred and seven, entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers; defining their powers and duties, and fixing their compensation; and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and ninety-five."

Referred to the Committee on Appropriations.

By Mr. BOVEE. House Bill No. 1748.

An Act to promote and encourage manufacturing within the Commonwealth by exempting machinery employed therein from State and local taxation.

Referred to the Committee on Ways and Means.

By Mr. URICH. House Bill No. 1749.

An Act providing for the purchase or condemnation of the Berks and Dauphin Turnpike Road, located in the Counties of Berks, Lebanon and Dauphin; providing for the construction, reconstruction, repair and improvement thereof; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. URICH. House Bill No. 1750.

An Act providing for the establishment of physical education in the public schools; authorizing the Superintendent of Public Instruction to appoint a director and other employes; defining their duties; fixing their compensation, and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. URICH. House Bill No. 1751.

An Act authorizing the use of certain prisoners for work upon the roads and highways and upon farms; authorizing the county commissioners to make provision for the feeding of such prisoners; authorizing jail and prison authorities to provide guards; and providing for the pay of such prisoners.

Referred to the Committee on Appropriations.

By Mr. POWELL. House Bill No. 1752.

An Act amending section one and section two of an act approved the twelfth day of June, one thousand nine hundred and thirteen, entitled "An Act to increase the powers of courts in summary proceedings for desertion or non-support of wives, children, or aged parents, by directing that imprisonment in such cases be at hard labor in such institution as the court shall name, with the wages payable to the wives, children or parents; providing for the disbursement of moneys collected on forfeitures of bonds, bail bonds, or recognizances; and by empowering such courts to appoint desertion probation officers for the performance of such duties as the court shall direct; and providing for the payment of the expenses incident to the carrying out of this act;" further increasing the powers of the court in such proceedings by directing imprisonment at hard labor in any almshouse or poor house within the jurisdiction of the court; and providing the amount of wages payable to the wives, children or parents of persons so committed.

Referred to the Committee on Judiciary Local.

By Mr. POWELL. House Bill No. 1753.

An Act to further amend section one of an act approved the ninth day of June, one thousand nine hundred and eleven, entitled "An Act to provide for the appointment of deputy prothonotaries in counties of this Commonwealth having a population of more than two hundred and fifty thousand and less than a million, and defining their qualifications, powers and salary."

Referred to the Committee on Game.

By Mr. KENNEDY. House Bill No. 1754.

A Supplement to the act approved the thirteenth day of May, one thousand eight hundred and eighty-seven, entitled "An Act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixture thereof," prohibiting the sale, offering for sale, or giving away of liquor, or the granting of licenses for such sale within one-half mile of any munition works.

Referred to the Committee on Law and Order.

By Mr. SIMPSON. House Bill No. 1755.

An Act to amend section two of an act, entitled "An Act to establish a county court for the County of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expense thereof," approved fifth day of May, one thousand nine hundred eleven, as amended, to increase the salaries of the Judges of said court.

Referred to the Committee on Municipal Corporations.

By Mr. HECHT. House Bill No. 1756.

A Joint Resolution proposing an amendment to article three, section seven of the Constitution of Pennsylvania.

Referred to the Committee on Judiciary General.

By Mr. HECHT. House Bill No. 1757.

A Joint Resolution proposing an amendment to article three, section seven of the Constitution of Pennsylvania.

Referred to the Committee on Judiciary General.

By Mr. HORNE. House Bill No. 1758.

An Act providing for assistance of widows, widowed mothers, orphans, under sixteen years of age, and adult citizens totally disabled, or incapacitated; establishing a schedule of assistance; providing for the creation of an Assistance Fund, and the administration of such fund; defining the procedure of application for and allowance of such State assistance, and keeping records of the same; imposing a tax on all persons, corporations, partnerships, partnership associations, limited partnerships and joint stock companies to maintain said fund; imposing powers and duties on assessors, county treasurers, orphans' courts, courts of quarter sessions, and the State treasurer; and providing penalties.

Referred to the Committee on Appropriations.

By Mr. HORNE. House Bill No. 1759.

An Act requiring the registration of the sale of firearms, guns and pistols and silencers for firearms and providing a penalty.

Referred to the Committee on Public Health and Sanitation.

By Mr. VICKERMAN. House Bill No. 1760.

An Act prohibiting the payment of pensions by counties having a population of more than eight hundred thousand and less than one million five hundred thouasnd inhabitants in certain cases.

Referred to the Committee on Appropriations.

By Mr. STITES. House Bill No. 1761.

A Supplement to an act approved the thirteenth day of May, eighteen hundred and seventy-six, entitled "An Act for the incorporation and regulation of banks of discount and deposit," and authorizing the creation and maintenance of sub-offices or sub-agencies.

Referred to the Committee on Banks and Banking.

By Mr. GEORGE J. A. MILLER. House Bill No. 1762.

An Act to amend section two of an act approved the twenty-ninth day of May, Anno Domini one thousand nine hundred and one, entitled "An Act to prohibit the manufacture and sale of oleomargarine, butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding houses; for the manufacture or sale of oleomargaine, butterine, or other similar products, not colored in imitation of yellow butter; and to regulate the manufacture and sale of oleomargarine, butterine, or other similar products; not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture and sale as an imitation butter; and to prescribe penalties and punishment for violations of this act, and the means and method of procedure for its enforcement, and regulate certain matters of evidence in such procedure."

Referred to the Committee on Agriculture.

By Mr. SHOWALTER. House Bill No. 1763.

An Act making an appropriation to the United Evangelical Home, of Lewisburg, Union County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. PHILLIPS. House Bill No. 1764.

An Act authorizing the State Highway Commissioner to adopt and procure a seal for the State Highway Department; and providing that certified copies of all records, books, papers, documents and rulings of the Department shall be received in evidence.

Referred to the Committee on Appropriations.

By Mr. PHILLIPS. House Bill No. 1765.

An Act providing for the payment to the employees of the State Highway Department, who as members of the National Guard of Pennsylvania served on the Mexican Border, the difference between the amount they received in such service and the amount they would have received as employees of the State Highway Department, and making an appropriation therefor.

Referred to the Committee on Appropriations.

By Mr. GEORGE J. A. MILLER. House Bill No. 1766.

An Act to amend sections two, three four and five of an act approved the thirteenth day of May, Anno Domini one thousand nine hundred and fifteen, entitled "An Act to provide for the health, safety, and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith."

Referred to the Committee on Public Health and Sanitation.

By Mr. WALKER. House Bill No. 1768.

An Act relating to the service of the libel and subpoena in proceedings for divorce from the bonds of matrimony in this State and determining the effect to be given in this State to decrees of divorce granted by the courts of a foreign State or country.

Referred to the Committee on Judiciary General.

By Mr. BOYD. House Bill No. 1768.

An Act authorizing the employment of county prison inmates at production of foodstuffs and other supplies for public institutions; making them amenable to prison discipline and regulations while so employed; providing for purchase, lease or other acquisition of farm land and erection of buildings for that purpose; and directing that premises so used shall be part or branch of the county prison.

Referred to the Committee on Agriculture.

By Mr. BLACK. House Bill No. 1769.

An Act to repeal Article III, Section III, Clause D, of an act entitled "The Public Service Company Law," approved the twenty-sixth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws 1374).

Referred to the Committee on Judiciary Special.

By Mr. DELL (By request). House Bill No. 1770.

An Act to amend section seventeen of an act, entitled "An Act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixtures thereof" approved the thirteenth day of May, one thousand eight hundred and eighty-seven.

Referred to the Committee on Law and Order.

By Mr. CLEMENTS. House Bill No. 1771.

An Act amending and supplementing an act, entitled "An Act amending an act, entitled 'An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law, or counsellor-at-law in any county of the State of Pennsylvania, unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor' and approved the twenty-sixth day of April, Anno Domini one thousand eight hundred ninety-nine, by extending its provisions so as to embrace the practice of the law of this or any other state, nation, country or land, and so as to embrace the practice of law out of court, as well as before the courts," approved the seventeenth day of April, Anno Domini one thousand nine hundred thirteen, amending an act, entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law, or counsellor-at-law in any county of the State of Pennsylvania, unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor," approved the twenty-sixth day of April, Anno Domini, one thousand eight hundred ninety-nine; by extending its provisions so as to make it unlawful for any person not qualified to render or furnish legal service in any manner to any person in any matter.

Referred to the Committee on Law and Order.

By Mr. BENNINGER. House Bill No. 1772.

An Act relating to the premises and personal property of the Honorable Wm. M. Benninger; providing for the appointment of an inspector and assistant; prescribing their duties and powers and fixing their compensation and prescribing a penalty for the violation of this act.

Referred to the Committee on Agriculture.

By Mr. RUDDY. House Bill No. 1773.

An Act requiring the directors of the poor of the Scranton Poor District to issue their warrant for the collection of poor taxes assessed and levied in the Borough of Dunmore to tax collector of said borough.

Referred to the Committee on Ways and Means.

By Mr. MEARKLE. House Bill No. 1774.

An Act to provide that a married woman by joinder with her husband, may convey real estate, title to which is in her own name, free from liability for judgments of record against her husband, unless prior to conveyance such married woman be made a party defendant in a writ of scire facias on stuch judgment, or such real estate be taken in execution. And to further provide that the prothonotary shall enter such writ of scire facias, in the name of such married woman, in the general judgment index.

Referred to the Committee on Judiciary Special.

By Mr. HORNE. House Bill No. 1775.

An Act to amend section 2 of an act, approved the 9th day of May, A. D. 1913, entitled "An Act prohibiting the furnishing, by gift, sale or otherwise, of cigarettes or cigarette paper to minors; requiring minors to divulge where and from whom cigarettes or cigarette paper have obtained; and providing penalties for violation of this act."

Referred to the Committee on Law and Order.

By Mr. WOODWARD. House Bill No. 1776.

An Act making an appropriation to the State Highway Department.

Referred to the Committee on Appropriations.

By Mr. WOODWARD. House Bill No. 1777.

An Act authorizing the Highway Commissioner to use, lease or sell toll-collectors' residences or offices or other property acquired by the purchase or condemnation of any turnpike or toll road.

Referred to the Committee on Public Roads.

By Mr. URICH. House Bill No. 1778.

An Act to protect the public health by requiring the parents, directors of the poor or other person responsible for the care and maintenance of any male child to have such child circumcised at or before reaching the age of three months; and fixing a penalty.

Referred to the Committee on Public Health and Sanitation.

By Mr. PALMER. House Bill No. 1779.

An Act to amend section one of an act approved the first day of June, one thousand nine hundred and fifteen, entitled "An Act amending section seven of an act, entitled 'An Act to amend sections one, two, three, and seven of an act, approved the third day of May, Anno Domini one thousand nine hundred and nine, entitled "An Act to amend sections one, two, three and seven of an act, approved the third day of May, Anno Domini one thousand nine hundred and five, entitled 'An Act amending sections one, two, three, seven and fifteen, article two, of an act, entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," approved June eighth, Anno Domini one thousand nine hundred and one (Pamphlet Laws, one thousand nine hundred and one page five hundred and thirty-five, et cetera); increasing the number of inspectors and inspection districts, providing for the examination of candidates for Dauphin County, and providing for certain redistricting of inspectors,' granting to the qualified electors of Sullivan Susquehanna, and Wayne Counties the right to participate in the election of mine inspectors of the second inspection districts;" so as to increase the number of inspection districts by making the Counties of Susquehanna, Wayne and Sullivan a separate district; providing for the appointment of a board of examiners for said district, and for the examination and election of an inspector therefor, and for the appointment of an inspector therefor until such time as an inspector should be duly elected,' approved the fifth day of May, Anno Domini one thousand nine hundred and eleven; increasing the number of inspection districts," fixing the number of inspectors in the fourth inspection district.

Referred to the Committee on Mines and Mining.

By Mr. ROGERS. House Bill No. 1780.

An Act to further amend section one of an act approved the tenth day of May, one thousand nine hundred and seven entitled "An Act to fix the salaries of the clerk, deputy clerk, court clerks, and employes in the office of the clerk of the court of oyer and terminer and quarter sessions of the peace, of any county of this Commonwealth having a population of one million or over."

Referred to the Committee on Judiciary General.

By Mr. REITZEL. House Bill No. 1781.

An Act making available for expenditure during the two fiscal years beginning June first, one thousand nine hundred and seventeen, the sum of fifteen thousand dollars ($15,000) remaining unexpended from appropriation made by section two of an act of Assembly approved the sixteenth day of June, one thousand nine hundred and fifteen.

Referred to the Committee on Appropriations.

By Mr. WHITAKER. House Bill No. 1782.

An Act relating the number, grade, appointment, and assignment of employes in the Adjutant-General's Department and State Arsenal and fixing the salaries of each.

Referred to the Committee on Appropriations.

By Mr. SPANGLER. House Bill No. 1783.

An Act providing that in all cases where real estate is sold under any writ, judgment, order or decree of any court of record of the Commonwealth of Pennsylvania, or of any court of the United States of America having jurisdiction, the right of dower or the right of courtesy of the husband or wife of the person mentioned in said writ, order, judgment or decree as the owner thereof, shall be discharged and barred by such sale, unless the same be expressly reserved by the order of the court.

Referred to the Committee on Judiciary Local.

By Mr. SPANGLER. House Bill No. 1784.

An Act providing for the determination and adjudication, in certain cases, whether or not a lien, charge or encumbrance exists on real estate, and if there be such lien, charge or encumbrance to whom and when the same will be payable and whether or not the same will be discharged by a judicial sale

Referred to the Committee on Judiciary Local.

By Mr. HORTON. House Bill No. 1785.

An Act providing for the establishment of a commission to study the problems resulting from the industrial pollution of our rivers, lakes and streams, to ascertain and experiment with means for modifying, abating and doing away with said pollution; to recommend proper legislation to regulate and control and abate said pollution; and to report its finding and conclusions, together with an account of any investigations and experiments it may conduct, to the next biennial session of the General Assembly of Pennsylvania; and making an appropriation for the work of said commission.

Referred to the Committee on Public Health and Sanitation.

By Mr. SIGGINS. House Bill No. 1786.

A Supplement to an act approved the thirteenth day of May, one thousand eight hundred and eighty-seven, entitled "An Act to restrain and regulate the sale of vinous and spirituous, male or brewed liquors or any admixture thereof."

Referred to the Committee on Law and Order.

By Mr. STEEDLE. House Bill No. 1787.

An Act to regulate the salaries of tipstaves in the Courts of Common Pleas, Oyer and Terminer and General Jail Delivery, Quarter Sessions of the Peace and Orphans' Courts in counties having a population of over eight hundred thousand and less than one million four hundred thousand inhabitants.

Referred to the Committee on Judiciary Local.

By Mr. STEEDLE. House Bill No. 1788.

An Act to regulate the salaries of criers in the courts of common pleas in counties having a population of over eight hundred thousand and less than one million four hundred thousand inhabitants.

Referred to the Committee on Judiciary Local.

By Mr. JAMES O. CAMPBELL. House Bill No. 1789.

An Act making all ordinances and general regulations of a borough chartered as a third class city which are in force at date, said third class city charter becomes effective valid and subsisting ordinances and regulations of such third class city until repealed or amended by the proper authorities.

Referred to the Committee on Municipal Corporations.

By Mr. WELLS. House Bill No. 1790.

An Act defining sodomy and prescribing penalties for its commission.

Referred to the Committee on Public Health and Sanitation.

By Mr. ARON. House Bill No. 1791.

An Act relating to suits for the recovery of damages from banks, savings institutions and trust companies for the non payment of checks where there were sufficient funds in the hands of such banks, savings institutions and trust companies.

Referred to the Committee on Banks and Banking.

By Mr. MERVINE. House Bill No. 1792.

An Act permitting the employment of females and minors during the present war in any establishment or occupation a greater number of hours than now provided by law.

Referred to the Committee on Labor and Industry.

By Mr. POWELL. House Bill No. 1793.

An Act to amend section two of an act, entitled "An Act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixture thereof by wholesale," approved the ninth day of June, one thousand eight hundred and ninety-one.

Referred to the Committee on Game.

By Mr. ARON. House Bill No. 1794.

An Act regulating the method of conducting business and granting of loans by building and loan associations; requiring title insurance companies to record papers and fixing penalties.

Referred to the Committee on Insurance.

By Mr. STADTLANDER. House Bill No. 1795.

An Act providing a uniform method for committing insane, epileptic, lunatic, and feeble-minded persons, persons so hatibtually addicted to the use of alcoholic drinks, absinthe, opium, morphine, chloral, cocaine, and other intoxicating liquors or drugs, as to be proper subjects for restraint, care or treatment in a hospital or asylum; and all other persons mentally abnormal or defective, to hospitals or other suitable institutions provided for the care of such persons; providing a method of release therefrom; providing for the disposition and recommitment of criminal insane; and providing penalties for the violation of the provisions of this act and the punishment of certain offenses.

Referred to the Committee on Municipal Corporations.

By Mr. WALKER. House Bill No. 1796.

An Act to amend sections one and four of the act entitled "An Act providing a system of employment and compensation for the inmates of the Eastern Penitentiary, Western Penitentiary, and the Pennsylvania Industrial Reformatory at Huntingdon, and for such other correctional institutions as shall be hereafter established by the Commonwealth, and making an appropriation therefor," approved the first day of June, A. D. one thousand nine hundred and fifteen by providing for the manufacture of supplies for and the sale thereof to the Government of the United States.

Referred to the Committee on Judiciary General.

By Mr. WALKER. House Bill No. 1797.

An Act empowering and enabling the board of inspectors or other governing body of any state or county correctional institution to employ prisoners confined therein at agricultural labor, and to use or sell the products thereof; providing for the payment by the counties of the costs of implements, livestock and supplies needed in connection therewith, and authorizing the payment of wages to persons employed thereat.

Referred to the Committee on Judiciary General.

By Mr. McCAIG. House Bill No. 1798.

An Act regulating the placing and maintaining of poles, wires, conduits, cables or other appliances on, over or under the county roads of the several counties of this Commonwealth; authorizing the county commissioners to prescribe rules relative to the same in the interest of public safety; and providing punishment for violation thereof.

Referred to the Committee on Public Roads.

By Mr. CUMMINS (By request). House Bill No. 1799.

An Act to authorize incorporated or unincorporated churches, cemeteries or burial associations to remove from their burial grounds the bodies of persons interred therein, and providing conditions under which such removals may be made, and prohibiting further interments in such burial grounds.

Referred to the Committee on Law and Order.

By Mr. BAKER. House Bill No. 1800.

An Act to establish as a State Highway a certain section of public road in the County of Beaver and the County of Washington.

Referred to the Committee on Ways and Means.

By Mr. BAKER. House Bill No. 1801.

An Act providing for the pensioning of certain soldiers, sailors and marines who served in the Civil War, and making an appropriation for the payment thereof.

Referred to the Committee on Pensions and Gratuities.

By Mr. RINN. House Bill No. 1802.

An Act fixing the compensation of constables for attendance at primary and general elections.

Referred to the Committee on Judiciaary Local.

By Mr. ALLAN D. MILLER. House Bill No. 1803.

An Act to provide a uniform and equitable method of distributing money appropriated by the State for the relief of the poor in institutions not absolutely controlled by the State or any of its subdivisions; defining the duties of the Board of Public Charities and of institutions in relation thereto.

Referred to the Committee on Appropriations.

By Mr. RAMSEY. House Bill No. 1804.

An Act to amend section four of an act, entitled "An Act to provide for the ordinary expenses of the executive, judicial and legislative departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and fifteen; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and fifteen.

Referred to the Committee on Appropriations.

BILLS RE-REFERRED.

Mr. SIMPSON returned from the Committee on Appropriations, with a recommendation that it be re-referred to the Committee on Municipal Corporations, House Bill No. 1593 (Senate Bill No. 725), entitled

An Act requiring cities of the second class to give an increase of at least one hundred and fifty dollars per year to all employes now drawing a salary of fifteen hundred dollars per annum or less and providing a method to enforce the provisions of this act.

Referred to the Committee on Municipal Corporations.

Mr. JONES returned from the Committee on Counties and Townships, with a recommendation that it be re-referred to the Committee on Municipal Corporations, House Bill No. 1632 (Senate Bill No. 672), entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

Referred to the Committee on Municipal Corporations.

REPORTS FROM COMMITTEES.

Mr. EDGAR R. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1688, entitled

An Act to provide that when a vacancy occurs in the head of chief of any department of the State Government and the duties of the head or chief devolve upon and are discharged by his deputy, chief clerk, or other person next in authority, for one month or more, the salary of such deputy, chief clerk, or other person next in authority, so serving, shall be equalized with the salary of the head or chief of the department while he so serves, and making this act applicable to all deputies, chief clerks, or other persons next in authority who have filled vacancies as herein prescribed in the year one thousand nine hundred and seventeen.

Mr. WALKER, from the Committee on Banks and Banking, reported as amended House Bill No. 1119, entitled

An Act relating to the incorporation of banks of discount and deposit, savings banks and trust companies; and defining the powers and duties of the Commissioner of Banking and the Governor in relation thereto.

Mr. LEE SMITH, from the Committee on Municipal Corporations, reported as committed House Bill No. 1125, entitled

An Act amending an act approved the fourteenth day of May, one thousand nine hundred fifteen, entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," by adding thereto article eight of chapter seven.

Mr. GLASS, from the Committee on Judiciary Special, reported as committed House Bill No. 1686, entitled

An Act authorizing cities of the first class to lay out, build, erect and construct in any public park in such cities a convention hall, or stadium, or both; to choose the location thereof, together with a sufficient curtilage and approaches thereto; to supervise, manage and control the laying out and building of such approaches, curtilage, convention hall and stadium; and to control and manage the same after its or their completion; to make rules and regulations for the use, control, protection and repair thereof; and repealing all acts or parts of acts inconsistent therewith.

Mr. LEE SMITH, from the Committee on Municipal Corporations, reported as amended House Bill No. 1134, entitled

An Act providing for the licensing and taxing of any person or persons, firm or corporation, furnishing, selling or using premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices for or with the sale of goods, wares, and merchandise, and providing a penalty for violation thereof.

Mr. GLASS, from the Committee on Municipal Corporations, reported as committed House Bill No. 317, entitled

An Act to amend section two of article eight and section one of article nine of an act, approved the twenty-seventh day of June, one thousand nine hundred and thirteen (P. L. 568), entitled "An Act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating and extending existing laws in relation thereto."

Mr. GOODNOUGH, from the Committee on Ways and Means, reported as committed House Bill No. 1577, entitled

An Act imposing a State tax upon crude petroleum, providing for the settlement and collection of said tax annually, and dedicating the same to the construction, maintenance, improvement and repair of State and State-aid highways, and providing penalties for the violation of this act.

Mr. GOODNOUGH, from the Committee on Ways and Means, reported as committed House Bill No. 1576, entitled

An Act to further amend an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A Further Supplement to an act entitled 'An Act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering purposes and imposing a tax of one mill on certain capital stock of certain corporations limited partnerships and joint-stock associations organized for manufacturing and laundering purposes, and appropriating the money received from such tax for State and State-aid highway purposes

Mr. CONNER, from the Committee on Electric Railways, reported as committed House Bill No. 1402, entitled

An Act to amend an act, entitled "An Act to permit of the relocation of certain portions of the track of street passenger railway companies, with the consent of the local authorities," approved the ninth day of May, one thousand nine hundred and thirteen.

Mr. HALDEMAN, from the Committee on Manufactures, reported as committed House Bill No. 1343, entitled

An Act repealing an act approved the fourth day of June, one thousand nine hundred and one, entitled "An Act defining the rights and liabilities of parties to, and regulating the effect of, contracts for work and labor to be done, and labor and materials to be furnished, to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, toll-road, conduit, tunnel, mine, coal-breaker flume, pump, screen, tank, derrick, pipe-line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railway line, canal, mill-race, works for supplying water, heat, light, power, cold air, or any other substance furnished to the public, well for the production of gas, oil or other volatile or mineral substance, or other structure or improvement, of whatsoever kind or character the same may be; providing remedies for the recovery of debts due by reason of such contracts, and repealing, consolidating and extending existing laws in relation thereto," and the amendments thereto.

Mr. ZANDERS, from the Committee on Judiciary Special, reported as committed House Bill No. 1684, entitled

An Act to amend paragraph two of section one of article fourteen of an act approved the first day of June, Anno Domini one thousand eight hundred and eighty-five, entitled "to provide for the better government of cities of the first class in this Commonwealth;" to provide that estimates may be made for units or parts of an improvement in such cities, and contracts be made for and the work proceed upon such units or parts to the extent of the funds available for the purposes thereof.

Mr. CLEMENTS, from the Committee on Counties and Townships, reported as amended House Bill No. 590, entitled

An Act fixing the compensation of auditors in townships of the first and second class.

Mr. CLEMENTS, from the Committee on Counties and Townships, reported as committed House Bill No. 1242, entitled

An Act authorizing township commissioners in townships of the first class to prohibit the keeping of hogs within

the limits of such townships or parts of such townships and to regulate the keeping of hogs in such parts of townships of the first class where permission is given.

Mr. BENCHOFF, from the Committee on Counties and Townships, reported as committed House Bill No. 1171, entitled

An Act establishing in certain counties a board for the assessment and revision of taxes; prescribing their powers, duties and salaries; providing for appeals from assessments, and abolishing the office of city, borough, township and ward assessors.

Mr. PICKERING, from the Committee on Manufactures, reported as committed House Bill No. 727, entitled

An Act to amend an act approved the third day of June, one thousand nine hundred fifteen, entitled "A Supplement to an act, entitled 'The Workmen's Compensation Act of one thousand nine hundred fifteen,' to exempt domestic servants and agricultural workers from the provisions thereof," permitting such employers and employes to accept the Workmen's Compensation Act of one thousand nine hundred fifteen.

Mr. LOHR, from the Committee on Agriculture, reported as amended House Bill No. 1345, entitled

An act relating to dogs and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs and for dogs temporarily imported under permit for show and breeding purposes; prescribing certain privileges for hunting dogs; providing for the assessment and payment of damages to livestock and poultry done by dogs; imposing powers and duties on certain county, city, borough, town, and township officers and employes; and providing penalties.

Mr. WICKMAN, from the Committee on Ways and Means, reported as committed House Bill No. 1088, entitled

An Act to amend an act approved the twentieth day of April, one thousand nine hundred five, entitled "An Act amending section two of an act, entitled 'A Supplement to the twenty-fourth section of an act, entitled "A further supplement to an act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine," approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth,' approved the twenty-eighth day of June, one thousand eight hundred and ninety-five; providing for the extension of the provisions of this act to townships of the first class;" by providing for the extension of the provisions of this act to towns and townships of the second class.

Mr. JONES, from the Committee on Counties and Townships, reported as committed House Bill No. 1656, entitled

An Act to further amend section twenty-three of an act approved the tenth day of June, one thousand eight hundred and ninety-three, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended by the act approved the sixteenth day of April, one thousand nine hundred and three, entitled "An Act amending section twenty-three of the act of June tenth, one thousand eight hundred and ninety-three (Pamphlet Laws four hundred thirty), relating to watchers at elections, and providing that they must be residents of the district or divisions within which they act," by providing that watchers shall be residents of the county.

Mr. JONES, from the Committee on Counties and Townships, reported as amended House Bill No. 1281, entitled

An Act to amend an act approved the tenth day of July, one thousand nine hundred and one, entitled "A further supplement to an act, entitled 'An Act to carry into effect section five of article fourteen of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasury, in counties over one hundred and fifty thousand inhabitants, approved thirty-first March, one thousand eight hundred and seventy-six, as amended by act of eleventh May, one thousand eight hundred and eighty-one, and as further amended by act of second June, one thousand eight hundred and eighty-seven, providing for the salaries of county officers in counties containing over two hundred and fifty thousand and less than five hundred thousand inhabitants.' "

Mr. JONES, from the Committee on Municipal Corporations, reported as committed House Bill No. 1428, entitled

An Act to fix the compensation and salary of police officers and officers of the police force in cities of the first class.

Mr. LAULER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1516, entitled

An Act to provide for the payment of salaries to constables in the County of Philadelphia and requiring all fees payable to them for the service of process out of magistrates courts under seal to be paid into the county treasury.

Mr. JONES, from the Committee on Municipal Corporations, reported as amended House Bill No. 1074, entitled

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen, entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs;" and repealing certain acts relating to boroughs.

Mr. COLDSMITH, from the Committee on Pensions and Gratuities, reported as committed House Bill No. 1497, entitled

An Act to amend an act, entitled "An Act granting a gratuity and an annuity to Patrick Leonard, late sergeant in Captain J. H. Wilson's Company G, Seventeenth Regiment, National Guard of Pennsylvania," approved the seventh day of July, one thousand eight hundred and eighty-five, by fixing the annuity herein provided for.

Mr. GRAHAM, from the Committee on Agriculture, reported as amended House Bill No. 813, entitled

An Act to provide for the protection of agriculture and horticulture and to prevent the introduction into and the dissemination within the Commonwealth of insect and disease pests injurious or harmful to plants or plant products; providing for inspection of nurseries; providing for quarantines necessary to the enforcement of this act; and imposing penalties.

Mr. HOUGH, from the Committee on Ways and Means, reported as committed House Bill No. 1578, entitled

An Act imposing a State tax upon natural gas, providing for the settlement and collection of said tax annually, and dedicating the same to the construction, maintenance, improvement and repair of State and State-aid Highways, and providing penalties for the violation of this act.

Mr. BALDRIDGE, from the Committee on Banks and Banking, reported as committed House Bill No. 1583, entitled

An Act to amend section one of an act approved the twenty-ninth day of April, one thousand nine hundred nine, entitled "An Act to prevent any individual from holding, at the same time, more than one of the offices of president, vice-president, secretary, treasurer, or solicitor of any building and loan association, incorporated under the laws of this Commonwealth, and providing a penalty for the breach thereof;" by prohibiting any individual from holding at the same time also the office of conveyancer.

Mr. CHRISTMAN, from the Committee on Counties and Townships, reported as committed House Bill No. 611, entitled

An Act to amend section one of an act, approved the twenty-second day of May, Anno Domini one thousand eight hundred and ninety-five, entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a county solicitor, fix his compensation and prescribe the term and duties of the solicitor," authorizing the appointment of assistant county solicitors.

Mr. LANIUS, from the Committee on Counties and Townships, reported as committed House Bill No. 1652, entitled

An Act fixing the compensation of the township treasurer of townships of the first class as treasurer and as tax collector.

Mr. RUDDY, from the Committee on Counties and Townships, reported as committed House Bill No. 1705, entitled

An Act authorizing and empowering township supervisors in townships of the second class to enter into a contract with certain adjoining municipalities for connection with their sewer systems, the sewer systems of the township, and of the private individuals; and to provide for a collection of funds for that purpose by levying taxes upon the owners of property in the district benefited.

Mr. GORMLEY, from the Committee on Banks and Banking, reported as committed House Bill No. 1394, entitled

An Act to amend section eight of an act approved the nineteenth day of June, one thousand nine hundred eleven, entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania; and providing penalties for the violation thereof."

Mr. MERVINE, from the Committee on Manufactures, reported as committed House Bill No. 1348, entitled

An Act to amend sections one, two and nine of an act approved the twenty-eighth day of May, one thousand nine hundred and fifteen, entitled "An Act to protect the public health by regulating the manufacture, preparation, handling, storage, sale, transportation, and possession of meat and meat-food products; prescribing the powers and duties of the State Livestock Sanitary Board incidental thereto."

Mr. BECHTOLD, from the Committee on Municipal Corporations, reported as committed House Bill No. 1277, entitled

An Act conferring upon poor districts the powers to take land for the erection of buildings or for farming purposes; and providing a method for the ascertainment of damages in connection therewith.

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1519, entitled

An Act relating to payment of taxes on seated lands by joint tenants, tenants in common or coparceners.

Mr. GEORGE W. WILLIAMS, from the Committee on Ways and Means, reported as committed House Bill No. 1579, entitled

An Act imposing a State tax on coal; providing for the assessment and collection of the said tax annually; dedicating fifty per centum of the fund received from said tax and appropriating the same to the construction, maintenance, improvement and repair of State and State-aid Highways; providing penalties for the violation of this act.

Mr. COX, from the Committee on Manufactures, reported as Committed House Bill No. 1634 (Senate Bill No. 820), entitled

An Act authorizing manufacturing corporations now or hereafter organized under the laws of this State to engage in the production of necessary raw materials for such manufacturing purposes.

Mr. COX, from the Committee on Manufactures, reported as committed House Bill No. 1635 (Senate Bill No. 821), entitled

An Act authorizing corporations now or hereafter organized under the laws of this Commonwealth for the purpose of manufacturing to own and operate certain conveyances for the transportation of raw materials and the products manufactured therefrom.

Mr. DRINKHOUSE, from the Committee on Banks and Banking, reported as committed House Bill No. 1633 (Senate Bill No. 730), entitled

An Act empowering banks and trust companies to accept drafts and issue letters of credit.

Mr. REYNOLDS, from the Committee on Judiciary Special, reported as amended House Bill No. 1550 (Senate Bill No. 640), entitled

An Act to amend sections three, four, five, six and eleven of an act approved the twentieth day of May, one thousand nine hundred and fifteen, entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions.

Mr. GANS, from the Committee on Banks and Banking, reported as committed House Bill No. 1666 (Senate Bill No. 161), entitled

An Act relative to the payment of deposits in banks or trust companies deposited in two or more names.

Mr. BENCHOFF, from the Committee on Counties and Townships, reported as committed House Bill No. 1432 (Senate Bill No. 615), entitled

An Act to amend sections four and five of an act approved the second day of April, one thousand eight hundred and sixty-eight, entitled "An Act to ascertain and appoint the fees to be received by the several officers of this Commonwealth."

Mr. BECHTOLD, from the Committee on Appropriations, reported as committed House Bill No. 1199 (Senate Bill No. 253), entitled

An Act making an appropriation for the payment of judgment and costs recovered in the court of common pleas of Dauphin County in the suit of Joseph Moore, James S. T. Moore, Annie M. Polk, Rebecca E. Swiggett, Mary E. Williams, Spencer C. Moore versus Robert K. Young, Treasurer of the State of Pennsylvania.

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1220 (Senate Bill No. 264), entitled

An Act to amend section one of an act approved the fifteenth day of June, one thousand nine hundred eleven, entitled "An Act to fix and regulate the compensation of directors of the poor of poor districts composed of several townships, boroughs and cities situate wholly within counties of this Commonwealth not exceeding five hundred thousand population.

Mr. McCAIG, from the Committee on Appropriations, reported as committed House Bill No. 1804, entitled

An Act to amend section four of an act, entitled "An Act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and fifteen; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and fifteen.

Mr. MEHRING, from the Committee on Elections, re-reported as committed House Bill No. 1369 (Senate Bill No. 243), entitled

An Act to repeal an act approved the twenty-fourth day of July one thousand nine hundred and thirteen entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record providing for non-partisan nominations and elections for said offices abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses" in so far as it relates to nominations and elections for election officers in cities of the second class

Mr. RAMSEY, from the Committee on Mines and Mining, re-reported as committed House Bill No. 312, entitled

An Act to amend sections one, two, three, four, five, six and seven, of Article VII, of an act approved the second day of June, one thousand eight hundred and ninety-one, entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by providing for motor ambulances and requiring them to be furnished, free of charge, with registration certificates and number tags.

Mr. MEHRING, from the Committee on Elections, re-reported as committed House Bill No. 315, entitled

An Act to further amend section thirteen of an act, approved the twenty-fourth day of July, one thousand nine hundred and thirteen (P. L. 1001), entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record; providing for non-partisan nominations and elections for said offices; abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners, and election officers and clerks; and providing penalties for the violation of the provisions hereof, and the punishment of certain offenses," as amended.

Mr. HEYBURN, from the Committee on Electric Railways, reported with a negative recommendation House Bill No. 343, entitled

An Act to abolish the use of running-boards on street railway cars.

Mr. HEYBURN, from the Committee on Agriculture, reported with a negative recommendation House Bill No. 1728, entitled

An Act prohibiting the killing or slaughtering of calves or heifers under the age of two years and the selling or offering for sale of the carcass or meat of calves or heifers under the age of two years, and providing a penalty for the violation of the provisions hereof.

Mr. MERVINE, from the Committee on Agriculture, reported with a negative recommendation House Bill No. 1603, entitled

An Act to protect and safeguard the public against rabies and the spread of disease germs of contagious and epidemic diseases of the human family, stock, farm and domestic; to prevent depredations of vicious and rabid dogs, to conserve game and game birds and prevent destruction of song birds, to promote health, cleanliness, morality, decency and safety of the whole people of the State.

Mr. GOLDER, from the Committee on Ways and Means, reported with a negative recommendation House Bill No. 792, entitled

An Act exempting certain estates from the payment of a collateral inheritance tax.

BILL ON FIRST READING.

Mr. McCAIG asked and obtained unanimous consent to have House Bill No. 1804 read the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1804, entitled

An Act to amend section four of an act entitled an act to provide for the ordinary expenses of the executive, judicial and legislative departments of the Commonwealth, interest on the public debt and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and fifteen; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifteen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTION.

Mr. REITZEL asked and obtained unanimous consent to offer a resolution, which was twice read, considered and agreed to as follows:

In the House of Representatives,
Harrisburg, Pa., May 2, 1917.

Whereas The Governor in language most sublime and fitting pays a just tribute to the mothers of the State in the following proclamation:

"Mothers of men, guardains of homes, moral guides of the Nation—You the givers of all that sweetest, purest and noblest in life, I greet and salute. Fitting indeed it is to sanctify ourselves on May 13 by reverent regard and tenderest thought of mother. If she is here still be thankful and pay her the respect her exalted station warrants and merits. If she be not here may our thoughts and our pure love climb the Angel-trod stairs to her abiding Home, that she of the Chair Invisible may sing with Him the glad song of a mother beloved and remembered."

Whereas: This House by its recent vote sustained these lofty sentiments by defeating a measure intended to strike at the very foundation of the mothers' "exalted station."

Be it Resolved: That this House do endorse the splendid tribute paid by the Governor to our mothers and that we do re-affirm our allegiance to the noblest of God's creation—ideal mothers.

RESOLUTION.

Mr. McVICAR offered the following resolution, which was twice read and laid over under the rules:

In the House of Representatives, May 2, 1917.

Whereas The allies of the United States in the great war now pending are in need of mony, food and men; and

Whereas Our National Government, with commendable celerity has made provision to help our allies with money and food; and

Whereas The need for help of men is reported to be very urgent and the Honorable Theodore Roosevelt, ex-President of the United States, has offered to raise a volunteer expeditionary force of approximately one hundred and thirty thousand men, ready for transportation to France, there to be trained and used as soon as competent for active service; therefore

Be it Resolved (of the Senate concur) That, if our National Government deems it wise to send an expeditionary force into France, that it is the sense of the General Assembly that the offer of the Honorable Theodore Roosevelt should be immediately accepted and that such changes in the measure pending before Congress should be promptly made as are necessary for the accomplishment of the purpose.

Resolved further, That copies of this resolution be transmitted by the Secretary of the Commonwealth to the President of the United States, and the Senate and House of Representatives of the United States.

RESOLUTION.

Mr. STITES asked and obtained unanimous consent to offer a resolution, which was twice read, considered and agreed to, as follows:

A RESOLUTION EXTENDING THE FREEDOM OF THE STATE OF PENNSYLVANIA TO THE RIGHT HONORABLE ARTHUR BALFOUR, SECRETARY FOR FOREIGN AFFAIRS OF THE GOVERNMENT OF GREAT BRITAIN; GENERAL JOSEPH JOFFRE, MARSHAL OF FRANCE, AND MONSIEUR RENE VIVIANI, VICE PREMIER OF FRANCE.

Whereas, The United States of America has joined in arms with the Governments and peoples of England, France, Russia and the allied countries in order that the world may be made safe for democracy and in order that the menace of militarism and absolutism in government may be effaced from the earth, and

Whereas, The people of the United States of America are now honored by the presence in this land of three of the great leaders in this common cause of world freedom, namely the distinguished Secretary for Foreign Affairs of the Government of Great Britain, the Right Honorable Arthur Balfour; the illustrious vice Premier of the Republic of France, Monsieur Rene Viviani, and the heroic soldier and Marshal of France, General Joseph Joffre, and

Whereas, It is indicated that General Joffre and Monsieur Viviani will do the Commonwealth of Pennsylvania the great honor of entering its borders and visiting with its people, and

Whereas, The people of the Commonwealth of Pennsylvania are as a unit with the people of all the States of this Nation in the earnest hope and determination that this Great War for the Rights of Man and the Progress of Civilization shall terminate satisfactorily to the nations aligned for a greater democracy and a greater world freedom, therefore be it

Resolved (if the Senate concur), That the freedom of the State of Pennsylvania is, by the whole people of the Commonwealth of Pennsylvania, through their representatives in the Legislature, now assembled, hereby extended to and conferred upon the Commissioners of Great Britain and of France, the Right Honorable Arthur Balfour, Monsieur Rene Viviani and Marshal Joseph Joffre, and be it

Further resolved, That copies of these resolutions, properly inscribed and bearing the Great Seal of the Commonwealth of Pennsylvania, be dispatched to each of these distinguished guests of the Nation and of the State.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FIRST READING.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 407, entitled

An Act relating to the issue of marriage licenses and the applications therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1085, entitled

An Act authorizing the county controllers in counties containing population of less than two hundred and sixty thousand to designate and appoint a solicitor; prescribing the duties of said solicitor and fixing the term of office and salary to be paid by the county.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 867, entitled

An Act to prohibit the use of cannon, guns, revolvers or other explosive devices at wedding ceremonies or celebrations and providing a penalty.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 868, entitled

An Act to prohibit the display of certain fire-arms and other deadly weapons and providing a penalty.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 717, entitled

An Act to amend section two of the act approved the nineteenth day of May, one thousand eight hundred eighty-seven, entitled "An Act to preserve the purity of elections by declaring drunkenness on the part of election officers and assessors of poll taxes to be a misdemeanor and by requiring elections to be held in rooms in which liquor is not sold so far as possible," by absolutely prohibiting the holding of elections in rooms in which liquor is sold.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1044 (Senate Bill No. 344), entitled

An Act to amend section fourteen of an act approved the seventh day of July, one thousand nine hundred thirteen, entitled "An Act relating to and regulating motor vehicles, and vehicles trailing after or propelled by motor vehicles; controlling their speed upon the public streets and highways in the Commonwealth of Pennsylvania; providing for their registration, and licensing of certain operators, by the State Highway Department; prohibiting the operation of any motor vehicle by any person when intoxicated, or without the consent of the owner; forbidding the passage of any law laying a tax upon or requiring the registration of motor vehicles, or licensing of any operator, or regulating the speed of motor vehicles, by any county, borough, city, incorporated town, or township; establishing the rights of motor vehicles upon the public highways, with relation to other vehicles; providing for their equipment and for the width of tires to be used upon motor vehicles, and vehicles trailing after or propelled by motor vehicles; regulating the service of process and proceedings in actions for damages arising therefrom; providing for arrest, and for service of process, and proceedings for violation of this act; prescribing the penalties therefor; and providing for the disposition of fines collected and fines imposed thereunder."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1534, entitled

An Act to amend section five of an act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, entitled "An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for the violations of its provisions and to repeal acts inconsistent herewith."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1600, entitled

An Act making an appropriation to refund to Washington Hall Association of Mount Carmel Northumberland County Pennsylvania a certain sum erroneously paid into the State Treasury as capital stock tax.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1600, entitled

An Act making an appropriation to refund to Washington Hall Association of Mount Carmel, Northumberland County, Pennsylvania a certain sum erroneously paid into the State Treasury as Capital Stock Tax.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1506, entitled

An Act authorizing and directing the Treasurer of the Commonwealth of Pennsylvania to pay to John Mangan of the City of Pittsburgh, Pennsylvania, out of any moneys unappropriated in the treasury of the Commonwealth of Pennsylvania the sum of two hundred forty-one dollars and ninety cents, being a sum of money which he paid to the Register of Wills and Clerk of the Orphans' Court of the County of Allegheny, Pennsylvania, as collateral inheritance tax upon the estate of John Mangan, Absentee, at Number three hundred thirty-eight June Term one thousand nine hundred and eleven, in the Orphans' Court of the County of Allegheny, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 666, entitled

An Act to prescribe the conditions under which public or private vaults, crypts or mausoleums for the interment of human bodies may be constructed and maintained.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1651, entitled

An Act providing for an additional officer and employe of the House of Representatives defining their duties and fixing their compensation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 690, entitled

An Act making an appropriation to carry out the provisions of an act approved the twenty-ninth day of April, one thousand nine hundred thirteen, entitled "An Act applicable to all counties of this Commonwealth, to provide monthly payments, as approved by the trustees, to indigent, widowed, or abandoned mothers, for partial support of their children in their own homes. The manner of appointment of the trustees; the administration of the trust; amount of appropriations, proportioning appropriations co-ordinate appropriations; amounts to be paid, form of records, eligibility, penalties and reports, as set forth," and the amendments thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1594 (Senate Bill No. 774), entitled

An Act making an appropriation to refund certain moneys to the estate of the late Joseph P. Kennedy.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1202 (Senate Bill No. 363), entitled

An Act to refund to the Sanitary Casket Protector Company of Berks County money erroneously paid as tax on capital stock.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1299 (Senate Bill No. 383), entitled

An Act making an appropriation to George W. Rice and Mary Fuller Rice, of Penn Township, Cumberland County, for loss sustained by the death of their minor son, Benjamin Rice, while lawfully driving along a State highway in Penn township, Cumberland County.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1327 (Senate Bill No. 346), entitled

An Act requiring certain counties in certain instances to assist townships in the construction, improvement, repair and maintenance of main traveled or trunk roads other than State or State-aid highways and providing the method of procedure.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1206 (Senate Bill No. 505), entitled

An Act directing the commission appointed under the act of April twenty-third, one thousand nine hundred and fifteen, entitled "An Act providing for the appointment and expenses of a commission of three persons learned in the law to codify and revise the law of decedents' estates and making an appropriation," to publish preliminary drafts of bills prepared by said commission codifying the law of decedants' estates; providing for the distribution thereof and making an appropriation.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1216 (Senate Bill No. 470), entitled

An Act to provide transportation to and from Vicksburg, Mississippi, for all surviving soldiers of those organizations which participated in the Siege of Vicksburg, Mississippi, in June and July, one thousand eight hundred and sixty-three, to enable them to unite in participation of a National Memorial Reunion and Peace Jubilee, to be held in the National domain within the Vicksburg National Military Park, October sixteenth, seventeenth, eighteenth and nineteenth, one thousand nine hundred and seventeen, and making an appropriation for said transportation and providing for the expenses of the Commission appointed under the provisions of this act.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1207 (Senate Bill No. 515), entitled

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Lunatic Hospital for the Southern District of Pennsylvania at Harrisburg.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1298 (Senate Bill No. 382), entitled

An Act making an appropriation to John W. Eckenrode of Penn Township, Cumberland County, for loss sustained by an injury to his minor son James Robert Eckenrode while lawfully driving along a State Highway in Penn Township Cumberland County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1223 (Senate Bill No. 381), entitled

An Act making an appropriation to cover deficiency to the trustees of the State Hospital at Nanticoke Luzerne County Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1258 (Senate Bill No. 258), entitled

An Act making an appropriation to the Athens Furniture Company of Athens Pennsylvania for moneys erroneously paid into the State Treasury.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE (RECALLED FROM THE GOVERNOR).

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 775, as follows:

An Act to determine the salary of the several clerks of the courts of common pleas of the county of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the salaries of each of the clerks of the courts of common pleas of the county of Philadelphia is hereby fixed and determined in accordance with article five section seven of the Constitution of this Commonwealth to be the sum of four thousand dollars per annum payable in equal semi-monthly installments by the said county of Philadelphia.

Section 2 All acts of Assembly and parts of acts inconsistent herewith are hereby repealed

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Albee,	Fowler,	McKinney,	Shattuck,
Aron,	Franklin,	McNichol,	Showalter,
Arthur,	Fretz,	McPeake,	Shunk,
Aston,	Gans,	McVicar,	Siggins,
Baker,	Glass,	Mearkle,	Simpson,
Baldi,	Golder,	Mehring,	Sinclair,
Baldridge,	Goodnough,	Mervine,	Smith, E. R.,
Barner,	Gormley,	Michel,	Smith, F. I.,
Bechtold,	Graeff,	Miller, C. G.,	Smith, J. W.,
Bell,	Graham,	Miller, G. J. A.,	Smith, L.,
Benchoff,	Gransback,	Milner,	Smith, O. W.,
Bennett,	Haight,	Mitchell,	Snowden,
Benninger,	Haldeman,	Morgan, T.,	Somerman,
Beyer,	Hecht,	Murdoch,	Sones,
Bidelspacher,	Heffernan,	Musser,	Spangler,
Black,	Helt,	Neary,	Speicher,
Bouton, V. B.,	Hess,	Ogden,	Sprowls,
Bovee,	Heyburn,	Palmer,	Stadtlander,
Boyd,	Hibshman,	Patterson,	Steedle,
Brady,	Hoffman,	Perry,	Sterling,
Brumbaugh,	Hollern,	Phillips,	Stern,
Burnett,	Hollingsworth,	Pickering,	Stites,
Campbell, J. O.,	Horne,	Powell,	Strauss,
Campbell, T.,	Horton,	Ramsey,	Sullivan,
Canon,	Hough,	Reichenbacher,	Swartz,
Clements,	Howarth,	Reitzel,	Sweitzer,
Coldsmith,	Isherwood,	Reynolds,	Thomas,
Conner,	Jack,	Rhoads, H. L.,	Ulsh,
Corbin,	Jones,	Rhodes, W. M.,	Urich,
Crosby,	Kennedy,	Rich,	Vickerman,
Cummins,	Lafferty,	Richards,	Vodges,
Curry,	Lanius,	Ringler,	Wagner,
Davis, W.,	Laucks,	Rininger,	Walker,
Dean,	Lauler,	Rinn,	Weimer,
Dell,	Leary,	Robertson,	Wells,
Dewey,	Lewis,	Rogers,	West,
Dithrich,	Lohr,	Ross,	Whitaker,
Donneley,	Luppert,	Rothenberger,	Wickman,
Drake,	Marvin,	Ruddy,	Wobensmith,
Drinkhouse,	Mangan,	Rudisill,	Wood,
Dunn,	Maurer,	Sampsel,	Woodward,
Ehrhardt,	McArdle,	Sarig,	Wylie,
Erdman,	McCaig,	Schaeffer, A. C.,	Wynne,
Fackler,	McCullough,	Scott,	Zanders,
Fitzgibbon,	McCurdy,	Shaffer, C. A.,	Baldwin,
Flynn,	McKay,		Speaker.

NAYS—2.

Chestnut, Murphy,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 424 (Senate Bill No. 9), as follows:

An Act to provide for the change of object of the corporate existence of volunteer fire companies and firemen's relief associations connected with volunteer fire departments and authorizing and providing a mode for the dissolution and surrender of the charter of said companies and associations

Whereas In and by the establishment of paid fire departments voluntary fire companies are superceded and as such their services as firemen dispensed with and consequently firemen's relief associations operated in connection with volunteer fire departments are no longer necessary for the relief and protection of said firemen

And whereas Many fire companies and firemen's relief association in the Commonwealth of Pennsylvania have been incorporated either by the Legislature or by the courts under authority given by law

And whereas Some of the fire companies and relief associations when such paid fire department is established may be desirous of continuing and maintaining their existence as corporations but for a different purpose than the object specified in their charter or act of incorporation whilst others are desirous of disbanding or dissolving and surrendering the powers vested in them by their charters or acts of incorporation and dividing amongst such of their members as may be entitled thereto whatever property or effects they may be seized possessed of or enjoy or the proceeds thereof

And whereas Doubts have arisen whether under any law usage or practice now in force or prevailing in this Commonwealth it is competent for any of the incorporated companies or relief associations to disband or dissolve and divide amongst their members the property effects or proceeds thereof belonging to such corporation or to change the object for which they have been incorporated for the purpose therefore of providing a mode whereby any of the said companies or relief associations may change the object for which they were or have been organized and incorporated or to disband dissolve and surrender the powers and authorities vested in them by virtue of their charter or acts of incorporation by whomsoever granted or allowed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any incorporated fire company (including therein engine hose or hook and ladder companies by whatever name called) or any firemen's relief association upon the establishment of a paid fire department by the municipality the domicile of said incorporated fire company or relief association that may be desirous of continuing or maintaining their corporate existence for literary charitable benevolent purpose whatever or as a hall association or society for the mutual benefit of its members may by a vote of the majority of its members present (who by the laws of the particular company or association are or may be entitled to vote) at a stated meeting after at least one month's notice has been given declare the purpose and object for which they desire to continue as aforesaid Such company or association shall within three months thereafter present their petition to the court of common pleas of said municipality and county praying that the purpose or object for which they may desire to continue their corporate existence as aforesaid may be approved by said court whereupon said petition shall be filed and if the object or purpose therein expressed and stated shall appear to the judges of the said court to be lawful and not injurious to the community and if no sufficient objection thereto be shown by any person or persons interested therein the said court shall on the first day of the next succeeding term not less than four weeks after the filing of the said petition enter their decree approving of the object or purpose for which such corporation shall thereafter continue a certified copy of which decree shall be recorded in the office of the recorder of deeds of said county and thereupon such object or purpose shall supersede the object or purpose named or expressed in the charter or act of incorporation of said company or association and shall be as valid and binding as if the same had been the original object or purpose for which such company or association had been incorporated And such company or association may also issue shares of stock not exceeding in amount the value of their property and effects and distribute the same to and amongst the members thereof entitled thereto said shares to be assignable and transferable in the usual manner the holder or holders of any share or shares to be entitled to one vote for each and every share held by him her or the such company or association may also by and with the assent and approval of the said court change the name of such corporation and provide for its management by such officers and board of directors or managers not exceeding seven in number exclusive of president and treasurer as to them may seem just and expedient

Section 2 That if any of the companies or relief associations named in the first section of this act shall be desirous of disbanding dissolving and surrendering their corporate existence it shall and may be lawful for them so to do and the property and effects or the proceeds thereof may be distributed and divided to and among the members entitled thereto "excepting however such property effects or equipment which have been granted conveyed donated or given to the said companies by the municipalities in which said companies are located said property effects or equipment shall revert back to and remain the property of said municipality under the following conditions to wit

First Such company or association shall give at least six months' notice of their intention to dissolve and surrender their corporate existence by advertisement in at least one daily newspaper published in said county to be designated by the court of common pleas upon application by the proper company or association said advertisement to be published at least once a week for four weeks or continuously for one week

Second Such company or association shall through its secretary or by a committee appointed for that purpose make a roll of all such members who are entitled to participate in the distribution of its property or the proceeds thereof who may apply to him or them personally or otherwise said roll shall be kept open during the whole of the said aforesaid six months and it shall be the duty of such secretary or committee to enter upon such roll the name or names of any and all members who may apply as aforesaid who are known to him or them or if unknown who shall produce satisfactory evidence that he or they is or are entitled to have his or their name or names placed on said roll and said roll shall at the expiration of said six months be verified by the oath or affirmation of said secretary or committee

Third Such company or association shall immediately after the expiration of said six months appoint a committee of not less than three members which committee in conjunction with the president and treasurer of said company or association shall make out and sign a schedule of the description amount and value of all the property and effects of such company or association the names of all persons who are included within the provisions of clause second of this section and the description amount and value of the property effects or moneys allotted to each of such persons respectively and which shall be as nearly equal as may be and which schedule shall be verified by oath or affirmation of a majority of such committee one of whom shall be the president or treasurer and said schedule shall be submitted at a stated meeting of said company or association and if approved by a vote of the majority of such members present as are included in the second clause hereof shall be final and conclusive

Fourth As soon as all steps and proceedings provided for in this section shall have been completed a certified copy thereof shall be made out attested by the signatures of the officers of such company or association and by the seal of the corporation and shall be duly acknowledged as in the case of a deed made by a corporation and recorded in the office for recording deeds et cetera for said municipality and county and thereafter such corporation shall be dissolved and cease to exist and all the powers and authorities thereto belonging shall become and be null and void and of no effect except such as are necessary to carry this act into effect the distribution of the property and effects of such company or association shall be made as soon after the approval of the schedule mentioned in clause third as may be convenient Provided That nothing herein contained shall be construed as to prevent any person who may deem himself aggrieved by the action of any company or association in his case applying to the proper court for redress by bill in equity or upon or for a mandamus upon his giving such security as the court may determine to pay all damages that may be incurred and all costs that may accrue if the decree of the court upon final hearing shall be against him and a part of such costs shall be a reasonable counsel fee to be allowed by the court in the particular case and fixed by the decree

Section 3 That in the event of any of the companies or relief associations included within the provisions of this act changing by virtue of the provision hereof into stock companies the shares into which the capital stock of such corporation may be divided shall be issued to such of the members of said company or association as were required to perform active services as a condition of membership or who may have been transferred from the active roll to the roll of honorary members as a reward or token of recognition for previous active services and to those only who may have signed the constitution or by-laws of such company or association and in case of a total dissolution of such company under the provision of the second section of this act those members only who are designated in this section shall be entitled to a distributive share of the proceeds of the property of such company or association

Section 4 If in any case any number of the active and honorary members either or both of any company or relief association not less than ten in number may desire to perpetuate the corporate existence of any company or association either for social purposes or for any of the purposes mentioned in the first section of this act and a majority of such company or association may desire to dissolve as aforesaid it shall and may be lawful for such members by signing and presenting to such company or association an agreement in writing to perpetuate the existence of such corporation to take unto themselves the liabilities and responsibilities imposed and to enjoy the privileges granted in and by the charter of such company or association and in such case the proceedings directed in and by the second section of this act shall be pursued except as to the division of their property and the recording the proceedings in lieu of which after the amount of dividend shall have been ascertained and approved as aforesaid the receipt of such dividend by any member shall be construed to be a resignation and shall be so entered upon the books of such company or association and the members so receiving a dividend shall thenceforth cease to be a member of such company or association Provided That it shall and may be lawful for any company or association to purchase the right

of any member and upon the payment of the agreed price the membership of such person shall thereupon terminate

Section 5 That the sales by any company or relief association included in the first section of this act hereafter made shall be deemed and taken to have been made pursuant to the provisions of this act and are hereby declared to be valid and to vest the title to such property in the purchasers of such property

Section 6 It shall and may be lawful for any of the companies or relief association mentioned in the first section of this act to accept the provisions of this act as a supplement to the charter or act of incorporation of such company or association by the vote of a majority of the members entitled to vote who may be present at any stated meeting of such company or association and if so accepted the provisions hereof shall be deemed and taken to be a part of the charter or act of incorporation of such accepting company or association except where a particular number have a right to continue Provided That nothing contained in this act shall be held to affect the right of any member or companies or associations as the same have been heretofore adjudicated by any court and the same are hereby confirmed

Provided That this act shall not repeal or affect the provisions of any special law relating to the same subject in any county township borough or city in this Commonwealth

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albee,	Fitzgibbon,	McNichol,	Shattuck,
Aron,	Flynn,	McPeake,	Showalter,
Arthur,	Franklin,	McVicar,	Shunk,
Aston,	Fretz,	Mearkle,	Siggins,
Baker,	Gans,	Mehring,	Simpson,
Baldi,	Geary,	Mervine,	Sinclair,
Baldridge,	Glass,	Michel,	Smith, F. I.,
Barner,	Golder,	Miller, A. D.,	Smith, E. R.,
Bechtold,	Goodnough,	Miller, C. G.,	Smith, J. W.,
Bell,	Goodwin,	Miller, G. J. A.,	Smith, L.,
Benchoff,	Graeff,	Milner,	Smith, O. W.,
Bennett,	Graham,	Mitchell,	Snowden,
Benninger,	Gransback,	Morgan, T.,	Snyder,
Beyer,	Haight,	Morgan, T. J.,	Sones,
Bidelspacher,	Haldeman,	Murphy,	Spangler,
Black,	Hecht,	Musser,	Sprowls,
Bouton, V. B.,	Heffernan,	Neary,	Stadtlander,
Bovee,	Helt,	Palmer,	Steedle,
Boyd,	Hess,	Patterson,	Sterling,
Brady,	Heyburn,	Perry,	Stern,
Brumbaugh,	Hibshman,	Phillips,	Stoffiet,
Burnett,	Hoffman,	Pickering,	Sullivan,
Campbell, T.,	Hollingsworth,	Powell,	Swartz,
Chestnut,	Horne,	Ramsey,	Sweitzer,
Christman,	Horton,	Reichenbacker,	Thomas,
Clements,	Hough,	Reitzel,	Ulsh,
Coldsmith,	Isherwood,	Reynolds,	Urich,
Conner,	Jack,	Rhoads, H. L.,	Vickerman,
Corbin,	Jones,	Rhodes, W. M.,	Vogdes,
Cox,	Kennedy,	Rich,	Walker,
Crosby,	Lafferty,	Richards,	Walter,
Cummins,	Lanius,	Ringler,	Weimer,
Curry,	Laucks,	Rininger,	Wells,
Davis, W.,	Lauler,	Rinn,	West,
Dawson,	Leary,	Robertson,	Whitaker,
Dean,	Lohr,	Rogers,	Williams, J. P.,
Dell,	Luppert,	Ross,	Williams, G. W.
Dithrich,	Mangan,	Rothenberger,	Wobensmith,
Donneley,	Marvin,	Rudisill,	Wood,
Drake,	Maurer,	Sampsel,	Woodward,
Drinkhouse,	McArdle,	Sarig,	Wylie,
Dunn,	McCullough,	Schaeffer, A. C.,	Wynne,
Eby,	McCurdy,	Scott,	Zanders,
Ehrhardt,	McKay,	Shaffer, C. A.,	Baldwin,
Fackler,	McKinney,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments, in which the concurrence of the Senate is requested.

MR. GEORGE W. WILLIAMS IN THE CHAIR.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1269, as follows:

An Act relating to the jurisdiction powers and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate and for the sale of real estate for the purpose of distribution and the fees costs and expenses therein

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the orphans' court of each county of this Commonwealth shall have jurisdiction but not exclusive jurisdiction in the partition and valuation of real estate within the county or any decedent testate or intestate whether such decedent was at the time of his death seised or possessed of such real estate solely or as tenant in common or joint owner with any other person or persons and whether or not the surviving spouse of such decedent shall elect to take against his or her will and notwithstanding there may be a limitation of an estate or interest in the premises or some part thereof to a person or persons not in existence and several undivided interests in any premises derived from different ancestors by descent or devise may be parted or valued in one proceeding in said court Provided That such court shall not have such jurisdiction during the continuance of any life estate in the whole of such real estate

(b) Partition may be made under this act of lands and coal-rights therein and of lands and timber-rights thereon of any decedent whether the rights of all the parties be co-extensive with the whole or not and whether the rights of some of them extend only to the land and part of the coal therein or only to the land and part of the timber thereon or only to an undivided interest in the land or in the coal therein or in the timber thereon and any person having an interest as herein set forth may compel partition of the entire tract of land and coal or land and timber provided said coal or said timber has not been entirely severed so as to constitute a separate estate

Section 2 The jurisdiction of the orphans' court under this act shall be exercised on the petition of the surviving spouse of the decedent of any heir of the decedent in a case of intestacy or of any devisee having an interest in the real estate in question in a case of testacy whether the interest of such person be vested in possession or in the remainder or of any person having a life interest in an undivided share of such real estate or of any alienee or devisee of any party in interest If the party be a weakminded person for whom a guardian has been appointed or a minor lunatic or habitual drunkard the petition shall be filed by the guardian or committee of such party

Section 3 On such petition supported by oath or affirmation the court may award a citation returnable at a day certain not less than ten days after the issuing thereof directed to all the parties in interest other than the petitioner or petitioners to show cause why an inquest in partition should not be awarded Such citation shall be served in the manner provided by law for the service of other citations in the orphans' court

Section 4 All parties in interest including those entitled in remainder shall be named in the petition citation decree and notices when known but if it shall appear on oath or affirmation that the names or residences of any of the parties are unknown to the petitioner for the partition the orphans' court shall have the power to direct such notices as shall appear to the court to be reasonable and proper to be given to such parties by publication describing the parties as far as practicable and the proceedings shall be as effectual to all intents and purposes as if all the parties had been named in the proceedings

Section 5 Where any of the parties in interest reside outside of the Commonwealth of Pennsylvania and their places of residence are known the court may in its discretion authorize any citations or notices provided for by this act to be served upon them personally or by registered mail or direct publication thereof

Section 6 If on the return of such citation no answer or an insufficient answer be filed or if after hearing on petition answer replication and proofs it shall appear proper the court may appoint on the agreement and nomination of the parties three or more commissioners to divide or value the real estate described in the partition with the same effect as a sheriff's inquest for the same purpose or if the parties cannot so agree may award an inquest to make partition among the parties in accordance with their respective interests the inquest to consist of three men

Section 7 The compensation of such commissioners and of the jurors when an inquest is awarded shall be fixed by the court but shall not exceed five dollars a day each for each day engaged in making such partition and valuation unless the parties interest shall agree in writing to a larger compensation Such commissioners and jurors shall also receive in addition to their daily pay three cents per mile circular for each mile necessarily traveled by them counting from the place at which said commissioners or jurors first met

Section 8 The commissioners or inquest shall if the same can be done without prejudice to or spoiling the whole make partition of the real estate in purparts among the parties entitled in accordance with their respective interests be equal or otherwise and shall make return thereof to the court

Section 9 (a) When any such estate cannot be divided among the parties entitled thereto without prejudice to or spoiling the whole the said commissioners or the said inquest as the case may be shall make and return a just appraisement thereof to the court

(b) When equal partition in value or partition in accordance with the respective interests of the parties cannot be made by the said commissioners or the said inquest they shall make a just appraisement of the respective purparts or shares into which they may divide the estate and the court shall award that one or more of the purparts or shares shall be subject to the payment of such sum or sums of money as shall be necessary to equalize the value of the said purparts according to the said appraisement thereof which sum or sums of money shall be paid or secured to be paid by the several persons accepting such purparts in the manner prescribed in section seventeen hereof

(c) When such estate cannot conveniently be divided into shares equal in number to the number of parties entitled the said commissioners or the said inquest shall make a just appraisement of the respective purparts or shares into which they may divide the estate and the parties to whom such shares shall be awarded or some one in their behalf shall pay or secure to be paid to the other parties interested their respective parts of the value thereof in the manner prescribed in section seventeen hereof

Section 10 Where the decedent shall die seised or possessed as tenant in common or joint owner of any undivided interest in fee simple in any lands or tenements the commissioners or inquest shall value and return said interest undivided in all cases and if such decedent had other real estate such interest shall be valued and returned either by itself or in connection with some other portion of such decedent's real estate as one of the purparts or shares into which they shall divide the whole real estate and upon the return thereof the proceedings shall be as in other cases

Section 11 In all cases of appraisement or partition mentioned in sections eight and nine of this act the orphans' court shall on application grant a rule on all persons interested including those interested in remainder to come into court at a certain day to be fixed by the court to accept or refuse the estate or a share or portion thereof as the case may be A copy of such rule shall be served upon each party personally ten days before the return thereof in case such party resides within the county or if any party shall reside outside the county the court may in its discretion authorize service of such rule upon him personally or direct such publication thereof as shall appear to the court to be reasonable and proper

Section 12 In all cases of partition of real estate now pending or hereafter to be instituted in any orphans' court wherein a valuation shall have been made or shall be made of the whole or parts thereof the same shall be allotted to such one or more of the parties in interest whether entitled in possession or in remainder or to an undivided interest for life and including the surviving spouse of the decedent who shall at the return of the rule to accept or refuse to take at the valuation offer in writing the highest price therefor above the valuation returned but if no higher offer be made for such real estate or any part thereof it shall be allotted or ordered to be sold as herein provided

Section 13 (a) When no bid above the appraisement of such real estate or any part thereof shall be made as provided in section twelve of this act the court may order such real estate or part thereof to and among the parties in interest including those entitled in remainder as follows

First to the surviving spouse of the decedent if entitled under the interstate law or under the will of the decedent to a share of such real estate or part thereof in fee

Second To the other parties in interest in the order of their seniority in age

(b) In case the party entitled to a choice do not come into court in person or by guardian or committee or attorney duly constituted or in case he shall refuse the same a record shall be made thereof and the court may and shall direct the same to be offered to the next in succession according to the rules provided in clause (a) of this section

(c) In any case where a party has elected to take the real estate of a decedent in one county or any share thereof if divided into shares such party shall not have the right of preference or election to take the real estate or any share thereof in any other county or any other share in the same county until all the other parties shall have neglected after due notice or refused to take the same at such valuation

Section 14 The orphans' court having jurisdiction in any case of partition shall have power wherever it shall appear advisable and proper to cause the share or shares of the party or parties appearing in court to be allotted and assigned to them and to permit the residue of the premises to remain for the person or persons entitled thereto and subject to a future partition among them if more than one person be so entitled

Section 15 Where the real estate or any part thereof shall be allotted to the widow as the highest bidder two-thirds of the purchase money thereof in cases where by existing laws the widow is entitled to a dower of one-third in the real estate and one-half of the purchase money thereof in cases where by existing laws the widow is entitled to a dower of one-half in the real estate shall be paid to those entitled thereto as provided by law the remaining one-third or one-half of such purchase money as the case may be shall be paid to a trustee or trustees to be appointed by the court which trustee or trustees shall give bond in double the amount to be received the trustee or trustees as aforesaid shall pay semi-annually in lieu of dower the interest on said one-third or one-half of the purchase money as the case may be to the widow during her life and at her death the said trustee or trustees shall pay the purchase money to such persons as are entitled by law thereto

Section 16 Upon return made by commissioners appointed by agreement of the parties or of the inquisition taken or when the real estate or any purpart thereof is awarded or allotted by the court and a final decree is entered the partition thereby made shall be firm and stable forever subject only to the right of appeal

Section 17 (a) In every case provided for in section twelve or section thirteen of this act the party bidding in or accepting the real estate or some one on his behalf shall pay to the other parties interested their proportional parts

of the value of such estate according to the amount of the bid or the just appraisement thereof made in manner aforesaid as the case may be or shall give good security by recognizance or otherwise to the satisfaction of the court for the payment thereof with legal interest at such time or times as in the judgment of the court shall be to the advantage of those entitled to the estate and the persons to whom or for whose use payment or satisfaction shall be so made in any of the cases aforesaid for the respective parts or shares of such real estate shall be forever barred of all right or title to the same

(b) Where the court shall decree any share or shares to any person not residing within this Commonwealth with the payment of owelty annexed it shall be lawfully for the court upon application made by any party lawfully interested in the same to order a rule upon such party his or her legal heirs or representatives requiring the payment of said owelty at such time and upon such terms and conditions as the court shall direct If the said rule cannot be served within this Commonwealth the court may in its discretion authorize service of such rule upon him or them personally or direct such publication thereof as shall appear to the court to be reasonable and proper Upon return and proof of service or publication as aforesaid and upon refusal or neglect to comply with the said rule the court may enforce the same by ordering a sale of such share or shares for the purposes aforesaid as in other cases of sales under this act

(c) Wherever it shall appear than any party or parties in whose favor a lien exists until payment be made to them of their respective shares of the money due from the party or parties to whom the real estate or any purpart thereof is awarded at the appraisement or at a price bid therefor above the appraisement is or are unknown or cannot be found the court shall have power to appoint a trustee to whom the shares of money due said unknown or other party may be paid with power in said trustee upon payment to him of said money to satisfy said lien upon the proper records whereupon the said land shall be freed and discharged from said lien Such trustee shall first file a bond to be approved by the court conditioned for the faithful application of the money to him so paid as aforesaid according to the trust and order of court it shall be the duty of the trustee to invest the said moneys in securities authorized by law

Section 18 (a) Should the widow of the decedent be living at the time of the partition and entitled to a life estate in one-half or one-third of the real estate under the intestate laws or should such widow elect to take against the will of the decedent and thereby be entitled to such life estate she shall not be entitled to payment of the sum at which her purpart or share of the estate shall be valued but the same together with interest thereof shall be and remain charged upon the premises if the whole be taken by one person or upon the respective shares if divided as hereinbefore mentioned and the legal interest thereof shall be semi-annually and regularly paid by the persons to whom such real estate shall be adjudged their heirs or assigns holding the same according to their respective portions to the said widow during her natural life in lieu and full satisfaction of her dower at common law and the same may be recovered by the widow by distress or otherwise as rents in this Commonwealth are recoverable On the death of the widow the said principal sum shall be paid by the persons to whom the said real estate shall have been adjudged their heirs or assigns holding the premises to the persons thereunto legally entitled

(b) When the real estate of any decedent shall consist of several different tracts or pieces of land and the same shall be adjudged to any of the parties entitled thereto or ordered to be sold by any orphans' court such court shall have authority to decree that the share or purpart of the widow of such decedent in the whole of said real estate where such widow is entitled to a life interest together with the interest thereof shall be and remain charged on one or more of the said tracts or pieces of land in the manner and for the purposes now provided by law and that the remaining tracts or pieces of land shall be wholly discharged from the share or purpart of such widow or any part thereof Provided That the pieces or tracts of land upon which such purpart or share shall be so charged as aforesaid shall in the opinion of such court be fully sufficient to secure the payment of the principal and interest of such purpart or share and Provided further That such widow shall have the same remedies for recovery of her interest as are provided in clause (a) of this section

Section 19 Should any person other than the widow of the decedent be entitled under the intestate laws or should any person including the widow of the decedent be entitled under the will of the decedent to a life interest in an undivided share of the real estate the share of such tenant for life shall not be paid to him or her but the same together with interest thereof shall be and remain charged upon the premises if the whole be taken by one person or upon the respective shares if divided as hereinbefore mentioned and the legal interest thereof shall be semi-annually and regularly paid by the persons to whom such real estate shall be adjudged their heirs or assigns holding the same according to their respective portions to the said tenant for life during his or her natural life and the same may be recovered by such life tenant as debts of like nature in this Commonwealth are recoverable On the death of the life tenant the said principal sum shall be paid by the persons to whom the said real estate shall have been adjudged their heirs or assigns holding the premises to the persons thereunto legally entitled

Section 20 In case of partition of real estate now or hereafter held by two or more persons as tenants in common where one or more of said tenants shall have been or shall hereafter be in possession of said real estate the parties in possession shall have deducted from their distributive shares of said real estate the proportional part of the rental value thereof to which their co-tenant or co-tenants are entitled for the time such real estate shall have been in possession as aforesaid

Section 21 Upon an appraisement or valuation of real estate made as provided in section nine or section ten of this act should all the parties neglect after due notice as provided in section eleven hereof or refuse to take the same or any part thereof at the valuation or to bid above the appraisement as provided in section twelve hereof the court shall on the application of anyone of the parties grant a rule upon the other parties interested to show cause why the estate or part thereof so appraised and not taken at the appraisement or bid for should not be sold which rule shall be returnable at such time as the court having respect to the circumstances of the case may direct and service of such rule shall be made in the manner provided by law for the service of citations in the orphans' court On the return of such rule the court may on due proof of notice to all persons interested make a decree authorizing and requiring the executor or administrator as the case may be to expose such real estate or part thereof to public sale at such time and place and on such terms as the court may decree Provided That the rule to show cause herein directed may be dispensed with by the court on the application of all the parties in interest if of full age and sui juris and of the guardians or committees of such as are weak-minded persons for whom guardians have been appointed minors lunatics or habitual drunkards for such decree and public notice of such sale shall be given by the person who is to make the sale once a week for a period of three weeks before the day appointed therefor by advertisement in at least one newspaper published in the county if there be one or if there be none then in ad adjoining county and in all cases notice shall also be given by handbills one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such estate and in any case the court may by general rule or special order require such further notice as it shall deem advisable

Section 22 In all cases of the partition or valuation of real estate the orphans' court may upon the application of any party in interest instead of the separate rules herein provided for such cases grant a rule upon the parties interested to appear and accept or refuse the said real estate at the valuation or in case they or any of them should neglect or refuse to take and accept the same as aforesaid show cause why the said real estate or any part thereof should not be sold

Section 23 (a) Whenever any person shall die seised of real estate and the parties in interest desire the same to be converted into money for distribution it shall be lawful for the orphans' court of the proper county in its discretion upon the joint petition of the widow and heirs or devisees and the guardians or commmittees of such as are minors or under disability in whom the real estate of the decedent shall have vested by descent or will and legatees whose legacies are charged on said real estate or the representatives of such as may be deceased or under disability to order the executor or administrator or a trustee to be appointed by said court to make sale of said real estate Such petition shall set forth the description of the property the desire to have the same sold and its estimated value according to the affidavits of two disinterested and competent persons and said petition shall be duly sworn to Said order shall provide that before making sale the executor administrator or trustee shall give bond in double the estimated value of the said real estate and shall proceed thereafter in all respects in the manner provided by this act in cases of the sale of real estate under proceedings in partition The proceeds of such sale after payment of the expenses thereof shall be distributed to and among those entitled thereto the same as real estate Such sale shall have the same effect in all respects as a public sale in proceedings in partition of real estate under this act

(b) When the lands in respect to which a petition for sale shall be filed under the provisions of clause (a) of this section shall lie in one or more adjoining tracts in different counties or shall lie in two or more counties but not in adjoining tracts the proceedings shall be in the courts designated in sections thirty-seven and thirty-eight of this act respectively

Section 24 Whenever any real estate shall be ordered to be sold under proceedings in partition the orphans' court is hereby authorized and required in case of the neglect or refusal of the executor or administrator to execute such order or in case there be no executor or administrator or in case the court for any reason deems it advisable to appoint some suitable person trustee for the purpose of making such sale who shall be subject to the same restrictions and have the same powers and whose procedings shall have the same effect to all intents and purposes as are provided in the case of such sales by executors or administrators

Section 25 In all cases where the carrying out of any decree of the court under the provisions of this act shall involve the receipt of money the court shall direct the person acting under the decree to file a bond to the Commonwealth in a sufficient amount conditioned for the proper application of all moneys to be received Such bond shall inure to the benefit of all persons interested and be executed by two individual sureties or by one corporate surety approved by the court No such decree shall be executed until such bond with sureties as may be required shall be filed Provided That where a corporation duly authorized by law shall be designated to carry

out any such decree the court may in lieu of security as aforesaid permit such corporation to enter its own bond without surety

Section 26 All public or private sales of real estate or of any part or purpart thereof under the provisions of this act shall have the effect of judicial sales as to the discharge of liens upon the real estate or part or purpart thereof so sold

Section 27 In all cases of sales of real estate under the provisions of this act when the entire purchase money shall not be paid in case the purchaser or purchasers shall enter recognizance in the orphans' court with sufficient security to be approved by said court for the payment of the purchase money or any balance thereof over and above the costs and expenses of said proceedings to the parties who may be entitled to the same Such recognizance shall be a lien on the real estate so sold until fully paid and satisfied

Section 28 Whenever a public or private sale of real estate shall be directed or confirmed under the provisions of this act the person or persons purchasing the real estate so sold and taking title thereto in pursuance of the decree of the court shall take such title free and discharged of any obligation to see to the application of the purchase money

Section 29 Where a decree for the sale of real estate shall be made by the orphans' court in the event provided for in section twenty-one hereof the court shall direct that if there be a widow entitled to a life interest in such real estate under the intestate laws or should such widow elect to take against the will and thereby be entitled to such life estate the share of the widow in the purchase money shall remain in the hands of the purchaser during the natural life of the widow The interest thereof shall be semi-annually and regularly paid to her by the purchaser his heirs and assigns holding the premises and may be recovered by distress or otherwise as rents are recoverable in this Commonwealth which the said widow shall accept in full satisfaction of her dower in such premises and at her decease her share of the purchase money shall be paid to the persons legally entitled thereto

Section 30 In the case of a sale of real estate under proceedings in partition in the orphans' court should any person other than the widow of the decedent be entitled under the intestate laws or should any person including the widow of the decedent be entitled under the will of the decedent to a life interest in an undivided share of the real estate the share of such person shall not be paid to him or her but shall remain charged on such or other real estate according to the directions of the court and the legal interest thereof shall be semi-annually and regularly paid by the purchaser of such real estate his heirs or assigns holding the same during the natural life of such life tenant and the same may be recovered by such life tenant as debts of like nature in this Commonwealth are recoverable and on the death of the life tenant the said principal sum shall be paid by the person by whom the said real estate shall have been purchased his heirs or assigns holding the premises to the persons thereunto legally entitled

Section 31 In any case of a sale of real estate under the provisions of this act instead of the life interest of any person in an undivided share of the real estate remaining charged on the real estate as aforesaid the court may on the petition of the person entitled to the life interest or of the purchaser direct the purchaser to pay such principal sum to a suitable person or corporation who shall be appointed by the court as trustee to receive and hold such principal sum invest the same in securities authorized by law pay the income thereon after deducting all legal charges to the person entitled thereto and upon the death of such person to pay over such principal sum to the persons thereunto legally entitled after deducting all legal charges thereon Such trustee shall enter such security as the court may direct and shall not be an insurer of the trust fund and shall be liable to the persons interested in the income or corpus of the trust fund only for such care prudence and diligence in the execution of the trust as other trustees are liable for

Section 32 In all cases where the letters testamentary or of administration shall be revoked or the executor administrator or trustee or one or more of the co-executors co-administrators or co-trustees authorized to make a sale of real estate under the provisions of this act shall be removed by the court or shall die or become insane or otherwise be incapable before such sale is affected or before a deed of conveyance is made to the purchaser such sale or such conveyance shall be made in the manner and with the effects as provided by law in other cases of sales by executors administrators or trustees under like circumstances

Section 33 In all cases where in consequence of proceedings in partition the share or any part thereof of a party in interest in real estate shall be converted into money either by reason of the impracticability or inequality of partition or by virtue of a sale or otherwise the orphans' court before making a final decree confirming the partition or distributing the proceeds of sale as the case may be may appoint a suitable person as auditor to ascertain whether there are any liens or other incumbrances on such real estate affecting the interests of the parties If it shall appear by the report of such auditor or otherwise that there are such liens the court may order the amount of money which may be payable to any of the parties against whom liens exist to be paid into court and shall have full power to decree the distribution thereof among the creditors or others entitled thereto Where recognizance or other security shall be given for the payment of money the court may make an order on the party giving such recognizance or other security to pay the amount thereof into court when the same shall become due to be distributed in like manner among the persons holding liens at the time of the partition

Section 34 Upon the sale of any real estate by an executor administrator or trustee in proceedings in partition in the orphans' court it shall be the duty of the said executor administrator or trustee to file in the orphans' court of the proper county an account of the proceeds of such sale

Section 35 (a) The costs in all cases of partition in the orphans' court with a reasonable allowance to the partitioners for counsel fees to be taxed by the court or under its direction shall be paid by all the parties in proportion to their several interests

(b) In all cases of sales of real estate under the provisions of this act it shall be lawful for the court to order and decree that the costs and expenses of said proceedings including a reasonable compensation to the executor administrator or trustee by whom said sale shall be made shall be paid on the confirmation of such sale out of the proceeds thereof

Section 36 (a) When any orphans' court having jurisdiction of any procedings in the partition of real estate shall order or has ordered any such real estate or any purparts thereof to be sold said court may authorize or direct a private sale thereof or may approve ratify and confirm a private sale thereof made under an order for a public sale if in the opinion of the court under all the circumstances a better price can be obtained at a private sale than at a public sale thereof

(b) Before authorizing or directing any private sale of real estate under this act public notice thereof shall be given by advertisement printed in at least one newspaper published in the county where such real estate is situated and in such other papers as may be designated by the court once a week for a period of three weeks prior to the date fixed by such order for authorizing or confirming such sale and also written or printed notices one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such real estate Before authorizing or directing such sale the court shall require proof by affidavit to be filed in the proceeding that notice as aforesaid has been given Such notice shall specify the location and description of the real estate proposed to be sold the name of the proposed purchaser and the price agreed to be paid

(c) On the day fixed by such order and notice for authorizing or directing such private sale any party interested as heir devisee or intending purchaser or any legatee whose legacy is by the express terms of the will or by law charged on such real estate may appear and object to such private sale on account of the insufficiency of the price and if such objection be sustained may offer to give or pay a substantial increase for such property The court at its discretion may thereupon authorize or direct such sale or refuse to authorize or direct the same and accept any substantially increased offer and may authorize the sale of such property to such new bidder upon compliance with the conditions of sale and giving such security as shall be directed by the court Such party interested or legatee may appear as aforesaid and object to such sale on any legal or equitable grounds Nothing herein contained shall be construed to affect the existing law with respect to objections to public sales

Section 37 When the lands in respect to which application for partition shall be made to the orphans' court as aforesaid lie in one or more adjoining tracts in different counties it shall be lawful for the orphans' court of the county in which the mansion house is situated or if there be no mansion house the court of the county where the principal improvements may be or if there be no improvements the court or either county on the application of any person interested either to proceed by the appointment of commissioners as aforesaid or to issue its writ to the sheriff of the county within the jurisdiction of the court specifying the lands of which a partition or valuation is to be made Thereupon the said sheriff shall summon an inquest to divide or value the said lands in the same manner as if the whole were within his proper bailiwick Upon the return thereof or upon the return of the commissioners appointed by the court as aforesaid the court may further proceed therein in all respects as if all the said lands were in the county Any recognizance taken in pursuance of such proceedings shall be as effectual to all intents and purposes as if the lands bound by it were wholly within the county where such recognizance is taken A certified copy of the proceedings which may be had shall within twenty days after the final decree therein be delivered to the clerk of the orphans' court of each county in which the application shall not have been made and in which any part of the said lands are situated which shall be entered on the records of such court at the joint expense of all parties concerned

Section 38 (a) All proceedings for the partition of valuation of real estate under the provisions of this act where the real estate to be divided or valued is situated in two or more counties of this Commonwealth but not in adjoining tracts shall be brought only in the county where the decedent whose land is to be divided or valued had his domicile or if he had no domicile in the State then in the county where the larger part of the estate in value shall be situated or with leave of such court the parties interested may institute proceedings in the orphans' court in each county where such real estate is situated

(b) In proceedings under this section all process writs and notices required to be served personally upon any person or persons interested in such proceedings may be served by the sheriff of any county of this State under deputization from the sheriff of the county in which such proceedings have been instituted or commenced

(c) The commissioners or jurors for making partition or valuation under the provisions of this section may be selected from the county in which such proceedings are instituted or from any one or more of the counties in which such land is situated The compensation and mileage of said commissioners or jurors shall be the same as is provided in section seven of this act

(d) This section shall include all proceedings in partition necessary to be had as well before as after the refusal of the parties to take real estate at the valuation and the said courts in which such proceedings are had are hereby authorized to order the sale of such real estate after such refusal in the same manner as if all the real estate were situated in the county in which such proceedings are instituted Provided That the sales of such real estate shall be held in the county in which the real estate is situated unless otherwise ordered by the said courts

(e) Except as otherwise provided by this section the proceedings hereunder shall be the same as provided by this act in other cases of partition and valuation

(f) Certified copies of the record may be filed in every county where such real estate shall be situated in the office of the clerk of the orphans' court thereof and be received in evidence with the like effect as the records of the court where filed

Section 39 (a) In all cases of partition in the orphans' court where the court shall order and decree any party taking any portion of the estate at a bid or at the appraisement or purchasing the same at a sale as hereinbefore provided to give any recognizance for the payment of any part of bid valuation or purchase price the court shall have power to appoint an auditor for the purpose of ascertaining advancements and making distributed among the heirs and parties in interest In all cases in which such auditor has not been or may not be appointed it shall be the duty of the court to make a calculation exhibiting the amounts due the respective parties in interest and to direct the clerk of the court to record said calculation upon the partition docket of the court as a part of the proceedings in each case for which services the clerk shall be entitled to a fee of one dollar

(b) 1 Where a recognizance has been or shall hereafter be taken in any orphans. court in any partition proceeding as hereinbefore provided for and the same or any part thereof shall be satisfied or paid to the person or persons interested therein his her or their agent or attorneys any such person so having received satisfaction of the amount coming to him shall enter an acknowledgment thereof upon the record of such court which shall be satisfaction and discharge of the said recognizance to the amount acknowledged to be paid and the recognizance shall cease to be a lien on the real estate of the conusor to a greater amount than the principal and interest actually remining due

2 If any person who shall have received satisfaction as aforesaid for his claim or lien secured by such recognizance shall neglect or refuse to enter upon the record his acknowledgment thereof upon the written request of the owner of the premises bound by such recognizance or any part thereof or of his legal representatives or other persons interested therein on tender of all the costs for entering such acknowledgment the orphans' court on due proof to them made that the entire amount due to any heir legatee or distributee shall have been fully paid and discharged may make an order for the relief of such person from any recognizance or other recorded lien Such order being certified to the proper court where such lien may appear shall be entered on the records and shall inure and be received as a full satisfaction and discharge of the same

Section 40 In all cases arising under this act where there is a limitation of an estate or interest in the premises or some part thereof to a person or persons not in existence the court shall have power to appoint a trustee to represent such unborn person or persons in the proceedings and shall have power to make such further or other orders in regard to the property or purpart in which such person or persons may become interested or the proceeds of the sale thereof or any recognizance given with respect thereto as justice and equity may require

Section 41 It shall be the duty of the clerks of the orphans' courts of the several counties of this Commonwealth and they are hereby required to enter in a book to be procured for that purpose to be called a partition docket all the proceedings in partition in every case in their respective courts from the commencement to the final judgment and decree thereon which shall be and the same is hereby made the record of said court for which service such clerks shall be entitled to receive the same fees as the recorders of deeds receive for recording to be taxed and paid as part of the costs of such proceedings

Section 42 It shall be the duty of the clerks of the orphans' courts of the several counties of this Commonwealth and they are hereby required to keep a separate index to be known as the partition index in which shall be entered in alphabetical order the names of all persons to whom any real estate shall be allotted or awarded in partition proceedings in said courts and the names of all purchasers of real estate in such proceedings

Section 43 Any party aggrieved by any definitive decree or judgment of any orphans' court or by any order or decree awarding or refusing to award an inquest or by an order of sale under the provisions of this act may appeal therefrom to the proper appellate court as in other cases of appeals from the orphans' court

Section 44 This act shall be known and may be cited as the Orphans Court Partition Act of 1917

Section 45 The following acts and parts of acts of Assembly are repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause

Section twenty-two of an act entitled "An Act directing the descent of intestates' real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nineteenth one thousand seven hundred and ninety-four three Smith's Laws one hundred and forty-three absolutely

Section eight of an act entitled "An Act supplementary to the act entitled 'An Act directing the descent of intestates real estate and distribution of their personal estates and for other purposes therein mentioned' " passed April fourth one thousand seven hundred and ninety-seven three Smith's Laws two hundred and ninety-six in so far as it relates to the orphans' court

An Act entitled "A further supplement to the act entitled 'An Act directing the rescent of intestates real estate and distribution of their personal estates and for other purposes therein mentioned' " approved April second one thousand eight hundred and four (Pamphlet Laws four hundred and fifty-nine) absolutely

An Act entitled "A further supplement to an act entitled 'An Act directing the descents of intestates real estates and distribution of their personal estates and for other purposes therein mentioned' " approved April first one thousand eight hundred and five (Pamphlet Laws two hundred and five) absolutely

Sections six seven and eight of an act entitled "An Act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned" approved April seventh one thousand eight hundred and seven (Pamphlet Laws one hundred and fifty-five) absolutely and section nine of said act in so far as it relates to the orphans court

Section two of an act entitled "An Act to amend certain parts of an act entitled 'An Act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned' " approved March twenty-sixth one thousand eight hundred and eight (Pamphlet Laws one hundred and forty-four) absolutely

Sections five and six of an act entitled "A Supplement to the act entitled 'A further supplement to the act entitled an act to alter the judiciary system of this Commonwealth' passed the eighth day of April eighteen hundred and twenty-six" approved April fourteenth one thousand eight hundred and twenty-eight (Pamphlet Laws four hundred and eighty-four) absolutely

Sections thirty-six to forty-six inclusive and forty-eight to fifty-one inclusive of an act entitled "An Act relating to orphans' courts" approved March twenty-ninth one thousand eight hundred and thirty-two (Pamphlet Laws one hundred ninety) absolutely

Section forty-two forty-four forty-five and forty-six of an act entitled "An Act relating to executors and administrators" approved February twenty-fourth one thousand eight hundred and thirty-four (Pamphlet Laws seventy-three) absolutely

Section two of an act entitled "Supplement to the act passed the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts' " approved April fourteenth one thousand eight hundred and thirty-five (Pamphlet Laws two hundred and seventy-five) absolutely

Section four of an act entitled "A further supplement to an act entitled an act relating to orphans' courts passed the twenty-ninth day of March one thousand eight hundred and thirty-two and the supplement thereto passed the fourteenth of April one thousand eight hundred and thirty-five and for other purposes" approved April thirteenth one thousand eight hundred and forty (Pamphlet Laws three hundred and nineteen) absolutely

Section eight of an act entitled "An Act to incorporate the Butler County Mutual Insurance Company and for other purposes" approved April twenty-fourth one thousand eight hundred and forty-three (Pamphlet Laws three hundred and fifty-nine) absolutely

An Act entitled "An Act supplementary to the acts relating to orphans' court" approved April sixth one thousand eight hundred and forty-four (Pamphlet Laws two hundred and fourteen) absolutely

Section one of an act entitled "A Supplement to the act of Assembly passed the twenty-ninth March one thousand eight hundred and thirty-two relating to the proceedings in the orphans' court of this Commonwealth and for other purposes" approved April fifteenth one thousand eight hundred and forty-five (Pamphlet Laws four hundred and fifty-eight) absolutely

Section one of an act entitled "An Act in relation to partitions approved April twenty-one one thousand eight hundred and forty-six (Pamphlet Laws four hundred and twenty-six) absolutely

An Act entitled "An Act relative to the orphans' court" approved March thirteenth one thousand eight hundred and forty-seven (Pamphlet Laws three hundred and nineteen) absolutely

Section four of an act entitled "A Supplement to an act relative to the venders of mineral waters and an act relative to the Washington Coal Company to sheriffs' sales of real estate to the substitution of executors and trustees when plaintiffs to partition in the courts of common pleas and for other purposes" approved April ninth one thou-

sand eight hundred forty-nine (Pamphlet Laws five hundred twenty-four) except in so far as it relates to sales made before its date

Section ten of an act entitled "An Act to enable Thomas Hoge to make a fee simple title to enable the trustees under the wills of Ephraim Clark and Catharine Yohe Alex Calder administrator Joseph B. Baker guardian and Nancy John and William Kline to sell certain real estate relative to a school house in Elizabeth Township Lancaster County to amend the charter of the second Jackson beneficial society of Philadelphia and to extend the jurisdiction of the orphans' court" approved April tenth one thousand eight hundred and forty-nine (Pamphlet Laws five hundred and ninety-one) except in so far as it validates partition proceedings begun before its date

Section two of an act entitled "An Act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rent to trustees of married women to appeals from awards of arbitrators by corporations to hawkers and pedlers in the counties of Butler and Union to the payment of costs in actions by informers in certain cases to taxing lands situate in different townships and in relation to fees of county treasurers of Lycoming Clinton and Schuylkill to provide for recording the accounts of executors administrators guardians and auditors reports to amend and after existing laws relative to the administration of justice in this Commonwealth" became a law April twenty-fifth one thousand eight hundred and fifty by reason of the Governor's failure to return it within ten days (Pamphlet Laws five hundred sixty-nine) absolutely and section ten of the same act in so far as it relates to the orphans' court

Section twenty-two and twenty-three of an act entitled "An Act to incorporate the Wyoming County Mutual Insurance Company relating to Library Street in the City of Philadelphia giving jurisdiction to the court of common pleas in Tioga County in a certain divorce case and relating to paving in front of the prison in the County of Philadelphia" approved April twenty-sixth one thousand eight hundred and fifty (Pamphlet Laws five hundred and seventy-seven) insofar as they relate to recogniances in partition

Section one of an act entitled "An Act relative to suits in dower and partitions" approved February twentieth one thousand eight hundred and fifty-four (Pamphlet Laws eighty-nine) insofar as it relates to the orphans' court

An Act entitled "A further supplement to the act entitled "An Act relating to orphans' courts" passed the twenty-ninth day of March one thousand eight hundred and thirty-two" approved April twelfth one thousand eight hundred and fifty-five (Pamphlet Laws two hundred and fourteen) absolutely

Section four of an act entitled "An Act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate" approved April twenty-seventh one thousand eight hundred and fifty-five (Pamphlet Laws three hundred and sixty-eight) insofar as it relates to the orphans' court

Sections one and two of an act entitled "A Supplement to an act relative to suits in dower and spartition passed twentieth February one thousand eight hundred and fifty-four" approved April seventeenth one thousand eight hunhundred and fifty-six (Pamphlet Laws three hundred and eighty-six) absolutely

Section ten of an act entitled "An Act for the greater certainty of title and more secure enjoyments of real estate" approved April twenty-second one thousand eight hundred and fifty-six (Pamphlet Laws five hundred and thirty-two) insofar as it relates to the orphans' court

An Act entitled "An Act requiring administrators and trustees upon the sale of real estate after proceedings in partition to file in the registers office of the proper county an account of their said administration or trusteeship" approved April eleventh one thousand eight hundred and sixty-three (Pamphlet Laws three hundred and forty-one) absolutely

An Act entitled "An Act relative to costs in cases of partition" approved April twenty-seventh one thousand eight hundred and sixty-four (Pamphlet Laws six hundred and forty-one) insofar as it relates to the orphans' court

An Act entitled "An Act relating to the commitees of the estates of lunatics and habitual drunkards" approved March twenty-second one thousand eight hundred and sixty-five (Pamphlet Laws thirty-one) insofar as it relates to the orphans' court

An Act entitled "An Act relating to proceedings in partition" approved March twenty-seventh one thousand eight hundred and sixty-five (Pamphlet Laws forty-five) absolutely

An Act entitled "A Supplement to an act relating to orphans' courts approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two" approved January seventh one thousand eight hundred and sixty-seven (Pamphlet Laws one thousand three hundred and sixty-seven) absolutely

An Act entitled "An Act to extend the jurisdiction of the orphans' court of York and Fayette Counties" approved February thirteenth one thousand eight hundred and sixty-seven (Pamphlet Laws one hundred and sixty) absolutely

An Act entitled "An Act to repeal a portion of an act entitled 'An Act relating to proceedings in partition' approved the twenty-seventh day of March Anno Domini one thousand eight hundred and sixty-five" approved April twenty-eighth one thousand eight hundred and sixty-eight (Pamphlet Laws one hundred and five) absolutely

An Act entitled "A Supplement to an act entitled 'An Act relative to the orphans' court' approved the thirteenth day of March one thousand eight hundred and forty-seven confirming certain partitions" approved February twenty-sixth one thousand eight hundred and sixty-nine (Pamphlet Laws four) except insofar as it confirms partitions made before its date

An Act entitled "A further supplement to an act entitled 'An Act relative to suits in dower and partition' approved the twentieth day of February Anno Domini one thousand eight hundred and fifty-four and its supplement approved the seventeenth day of April Anno Domini one thousand eight hundred and fifty-six" approved March thirtieth one thousand eight hundred and sixty-nine (Pamphlet Laws fifteen) insofar as it relates to the orphans' court

An Act entitled "A Supplement to the act relating to orphans' court approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two" Approved April thirtieth one thousand eight hundred and sixty-nine (Pamphlet Laws twenty-eighth) except insofar as it relates to declarations theretofore made by married women

Section two of an act entitled "An Act relating to dowers" approved April twentieth one thousand eight hundred and sixty-nine (Pamphlet Laws seventy-seven) absolutely

An Act entitled "A further supplement to an act relating to orphans' court approved the twenty-ninth day of March one thousand eight hundred and thirty-two regulating the sale of real estate by executors administrators or trustees" approved May twenty-third one thousand eight hundred and seventy-one (Pamphlet Laws two hundred and seventy-four) absolutely

An Act entitled "A further supplement to an act relative to suits in dower and partition approved the twentieth day of February Anno Domini one thousand eight hundred and fifty-four and its supplements approved the thirtieth day of March Anno Domini one thousaid eight hundred and sixty-nine construing said act and extending jurisdiction of the courts therein" approved May fourteenth one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and fifty-six) insofar as it relates to the orphans' court

An Act entitled "An Act relating to the estates of decedents" approved May fourteenth one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and sixty-six) absolutely

An Act entitled "An Act enlarging the powers of the orphans' court in regard to fixing the time for the payment of owelty" approved May eighth one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and forty) absolutely

An Act entitled "An Act relating to partition of real estate" approved May first one thousand eight hundred and seventy-nine (Pamphlet Laws forty) insofar as it relates to the orphans' court

An Act entitled "An Act to provide for the keeping of a partition docket by the several clerks of the orphans' courts" approved April fourth one thousand eight hundred and eighty-nine (Pamphlet Laws twenty-three) absolutely

An Act entitled "An Act to enlarge the jurisdiction of the orphans' court in cases of testacy approved May ninth one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and forty-six) absolutely

An Act entitled "An Act relating to sale of the real estate of decedents" approved June twelfth one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and sixty-one) absolutely

An Act entitled "An Act relating to the partition of real estate empowering the courts having jurisdiction to decree and approve and to approve ratify and confirm private sales" approved May twenty-second one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and fourteen) insofar as it relates to the orphans' court

An Act entitled "An Act to provide for the liability of tenants in common in possession of their co-tenants out of possession" approved June twenty-fourth one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and thirty-seven) insofar as it relates to the orphans' court

An Act entitled "An Act relating to proceedings in partition and other actions and for the appointment of commitees ad litem therein when any of the defendants are lunatics" approved June twenty-sixth one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and eighty-one) insofar as it relates to the orphans' court

An Act entitled "An Act amending an act entitled 'An Act relating to proceedings in partition and other actions and for the appointment of commitees ad litem therein when any of the defendants are lunatic or persons of weak mind" approved the twenty-sixth day of June one thousand eight hundred and ninety-five so as to extend the some proceedings in the orphans' court and to enlarge the powers of said committees" approved June tenth one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-three) insofar as it relates to the orphans' court

An Act entitled "An Act relating to partition of real estate and the appointment of a trustee to satisfy liens and to invest the moneys coming into his hands by proceeding in partition" approved April third one thousand nine hundred and three (Pamphlet Laws one hundred and fifty-one) insofar as it relates to the orphans' court

An Act entitled "A Supplement to an act entitled 'An Act for the greater certainty of title and more secure enjoyment of real estate" approved the twenty-second day of

April one thousand eight hundred and fifty-six so as to authorize a widow to accept real estate in partition or compete in bidding therefor and regulating and establishing a mode of payment therefor by the widow" approved June first one thousand nine hundred and seven (Pamphlet Laws three hundred and sixty-four) insofar as it relates to the orphans' court

An Act entitled "An Act to amend an act entitled 'A Supplement to an act entitled "An Act for the greater certainty of title and more secure enjoyment of real estate" approved twenty-second day of April Anno Domini eighteen hundred and fifty-six so as to authorize a widow to accept real estate in partition or compete in bidding therefor and regulating and establihsing a mode of payment therefor by the widow' approved the first day of June Anno Domini nineteen hundred and seven by providing the method by which the dower interests of the widow and the principal of the dower fund should be secured in certain cases" approved May eighth one thousand nine hundred and nine (Pamphlet Laws four hundred and eighty-nine) insofar as it relates to the orphans' court

An Act entitled "An Act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred ninety-three entitled 'An Act relating to sale of the real estate of decedents' " approved May twenty-third one thousand nine hundred and thirteen (Pamphlet Laws three hundred and four) absolutely

An Act entitled "An Act to amend section three of an act approved the fourteeth day of May Anno Domini one thousand eight hundred seventy-four entitled 'A further supplement to an act relative to suits in dower and partition approved the twentieth day of February Anno Domini one thousand eight hundred and fifty-four and its supplement approved the thirtieth day of March Anno Domini one thousand eight hundred and sixty-nine constructing said act and extending jurisdiction of the courts therein' by extending the provisions thereof to include persons having an undivided interest in the land or in the coal or timber thereon when the same has not been entirely severed and permitting such persons to compel partition of the entire tract" approved May sixth one thousand nine hundred and fifeen (Pamphlet Laws two hundred and sixty-nine) insofar as it relates to the orphans' court

All other acts of Assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albee,	Franklin,	McPeake,	Siggins,
Aron,	Fretz,	McVicar,	Simpson,
Arthur,	Gans,	Mearkle,	Sinclair,
Aston,	Geary,	Mehring,	Smith, E. R.,
Baker,	Glass,	Michel,	Smith, F. I.,
Baldi,	Golder,	Miller, Allan,	Smith, J. W.,
Baldridge,	Goodnough,	Miller, C. G.,	Smith, L.,
Barner,	Gormley,	Miller, G. J. A.,	Smith, O. W.,
Bechtold,	Graeff,	Milner,	Snowden,
Bell,	Graham,	Mitchell,	Snyder,
Benchoff,	Gransback,	Morgan, T.,	Somerman,
Bennett,	Haight,	Morgan, T. J.,	Sones,
Benninger,	Haldeman,	Murdoch,	Spangler,
Beyer,	Hecht,	Murphy,	Sprowls,
Bidelspacher,	Heffernan,	Musser,	Stadtlander,
Black,	Helt,	Neary,	Steedle,
Bouton, V. B.,	Hess,	Ogden,	Sterling,
Bovee,	Heyburn,	Palmer,	Stern,
Boyd,	Hibshman,	Patterson,	Stites,
Brady,	Hollern,	Perry,	Stofflet,
Brumbaugh,	Hollingsworth,	Pickering,	Strauss,
Burnett,	Horne,	Powell,	Sullivan,
Campbell, J. O.,	Horton,	Ramsey,	Swartz,
Campbell, T.,	Hough,	Reichenbacker,	Sweitzer,
Canon,	Howarth,	Reitzel,	Ulsh,
Chestnut,	Isherwood,	Reynolds,	Urich,
Christman,	Jack,	Rhoads, H. L.,	Vickerman,
Clements,	Jones,	Rhodes, W. M.,	Vodges,
Conner,	Kennedy,	Rich,	Wagner,
Corbin,	Lafferty,	Richards,	Walker,
Cox,	Lanius,	Ringler,	Wallace,
Curry,	Laucks,	Rininger,	Walter,
Davis, W.,	Lauler,	Rinn,	Weimer,
Dean,	Leary,	Robertson,	Wells,
Dell,	Lewis,	Rogers,	West,
Dewey,	Luppert,	Ross,	Whitaker,
Dithrich,	Mangan,	Rothenberger,	Wickman,
Drake,	Marvin,	Ruddy,	Williams, G. W.
Drinkhouse,	Maurer,	Sampsel,	Williams, J. P.,
Dunn,	McArdle,	Sarig,	Wobensmith,
Eby,	McCaig,	Schaeffer, A. C.,	Wood,
Ehrhardt,	McCullough,	Scott,	Woodward,
Erdman,	McCurdy,	Schaeffer, A. C.,	Wylie,
Fackler,	McKay,	Shattuck,	Zanders,
Fitzgibbon,	McKinney,	Showalter,	Baldwin,
Flynn,	McNichol,	Shunk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1270, as follows:

An Act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom

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Section 1 (a) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every county of this Commonwealth there shall continue to exist as heretofore a court of record the name and style whereof shall be "The Orphans' Court of (the respective) County"

(b) In the counties of Philadelphia Allegheny Luzerne Berks Schuylkill Westmoreland Montgomery Lancaster Lackawanna and Fayette in orphans' court shall be a separate court of record which shall consist in the county of Philadelphia of five judges learned in the law any one whom may hold the said court and hear and determine all matters and things therein cognizable in the county of Allegheny of three judges learned in the law any one of whom may hold the said court and hear and determine all matters and things therein cognizable and in the counties of Luzerne Berks Schuylkill Westmoreland Montgomery Lancaster Lackawanna and Fayette each of one judge learned in the law and the said judges shall be elected at the same elections and be commissioned for the same term in the same manner as the judges of the courts of common pleas of the respective counties where separat orphans' courts are or shall be established in the counties where separate orphans courts are or shall be established the annual salaries of said judges shall be the same as are paid to the judges of the courts of common pleas in the respective counties where such orphans' courts are or shall be established to be paid in the same manner as the salaries of said judges of the courts of common pleas are now or may be by law payable

(c) The orphans' court of each county except in the counties where separate orphans' courts are or shall be established by law shall be composed of the judge or judges when there are more than one of the court of common pleas thereof but any one judge learned in the law shall have power to hold the court and hear and determine all matters and things therein cognizable

(d) 1 In all counties in which there is or hereafter may be established a separate orphans' court the Governor shall issue a commission as president of said court to the judge of said court who shall be the oldest in commission and continuous service and if there shall be two or more judges of any of said courts whose commissions are of the same date and whose term of service commenced at the same time they shall draw lots for a commission as president of said court and certify the result to the Governor who shall issue a commission as president of said court to the judge who shall draw the right to receive the same

2 In all separate orphans' courts composed of only one judge he shall be styled the president judge of said court and be commissioned as such

3 When the president judge of any of said courts shall be re-elected he shall be again commissioned as and continue to be the president judge of said court and when the said president judge shall go out of office the judge of said court who shall be oldest in commission and continuous service shall be commissioned as and be the president judge thereof

4 Whenever at any election two or more judges of any of said courts are elected who shall not have been commissioned and served as judges of said court immediately before the commencement of the terms for which they were elected they shall draw lots for priority of commission and certify the result to the Governor who shall issue the commissions of said judges on different days giving the priority of commission to the judge drawing the right to receive the same

Section 2 The orphans' court of each county whether separate or otherwise is hereby declared to be a court of record with all the qualities and incidents of a court of record at common law Its proceedings and decrees in all matters within its jurisdiction shall not be reversed or avoided collaterally in any other court but they shall be liable to reversal modification or alteration on appeal

Section 3 (a) Whenever by reason of sickness absence interest or other cause a judge of any separate orphans' court or a judge of the court of common pleas in a judicial district having no separate orphans' court may be unable to sit in any matter depending in the orphans' court of such district and there shall be no other judge of the orphans' court or of the court of common pleas of such district available for the purpose it shall be lawful for said judge to call upon any judge of a separate orphans' court of any judge of the court of common pleas of any other judicial district having no separate orphans' court to preside in and determine such matter with the same force and effect as he the regular commissioned judge of such district if presiding might do

(b) Such judge of another judicial district called in as provided by clause (a) of this section shall be entitled to receive as compensation for so presiding the sum of twenty dollars a day and carfare and no more No payment shall be made for any day consumed in such service of more than expenses and carfare unless said judge so assigned actually presides in open court on such day

Section 4 (a) The judges of the court of common pleas of any judicial district having a separate orphans' court shall when called upon by the president judge of such separate orphans' court as hereinafter provided have power to hear and determine when certified according to the provisions of clause (b) of this section all matters causes and things whatsoever in such separate orphans' court so fully and effectually and to dispose thereof in the same manner as may be done by the judges of said separate orphans' court sitting therein

(b) Nothing in this section shall be construed to make it compulsory upon the judges of said court of comon pleas to render the services aforesaid but whenever the proper despatch of business requires it and an arrangement can be made with a judge of such court of common pleas for such service the president judge of the separate orphans' court of the said district may certify all matters to be heard and determined by such judge of the court of common pleas specially presiding as aforesaid

(c) In judicial districts having more than one judge of the separate orphans' court whenever the president judge of such court shall be absent from the district or disabled by sickness and occasion shall occur it shall be competent for the judge next oldest in commission being then in the district and able to act to arrange for the services herein provided for and to make the necessary certificates in like manner and to the same intent effect and purpose as the same could be done by the said president judge

(d) No additional compensation shall be received by said judges of the court of common pleas for any service rendered in pursuance of this section but they shall be entitled to be paid such mileage and other actual expenses as are provided by law for judges of this Commonwealth when holding court outside of the district for which they shall have been commissioned

Section 5 (a) In addition to the powers now possessed and exercised by the judges of the separate orphans' courts of this Commonwealth said judges shall when called upon by the president judge of the court of common pleas of the same judicial district as hereinafter provided have power to hear and determine when certified according to the provisions of clause (b) of this section all pleas actions causes civil or criminal issues and all issues and other matters in equity in the court of common pleas court of oyer and terminer and general jail delivery and court of quarter sessions of the peace for said judicial district so fully and effectually and to dispose thereof in the same manner as may be done by the judges of the court of common pleas sitting in said courts

(b) Nothing in this section shall be construed to make it compulsory upon the judges of said orphans' courts to render the services aforesaid but whenever the proper despatch of business requires it and an arrangement can be made with a judge of the court of common pleas of the same judicial district may certify all matters or issues to be heard and determined by such orphans' court judge specially presiding as aforesaid

(c) In districts having one or more additional law judges whenever the president judge shall be absent from the district or disabled by sickness and occasion shall occur it shall be competent for the addtional law judge and in districts having more than one additional law judge for the one oldest in commission being then in the district and able to act to arrange for the service herein provided

for and to make the necessary certificates in like manner and to the same intent effect and purpose as the same could be done by the said president judge

(d) No additional compensation shall be received by the said orphans' court judges for any service rendered in pursuance of this section but they shall be entitled to be paid such mileage and other actual expenses as are provided by law for judges of this Commonwealth when holding court outside of the district for which they shall have been commissioned

Section 6 Every orphans' court shall have a seal for the use of the said court having engraved thereon the same device as is engraved on the great seal of the state together with the name of the respective court and such seal may be renewed under the direction of such court as often as occasion shall require

Section 7 The commissioners of the several counties wherein separate orphans' courts are now or hereafter shall be established shall provide proper and suitable apartments as may be required by said courts in which the business of said courts shall be held and conducted and in which the records thereof shall be safely and securely kept

Section 8 (a) The register of wills of each county in which a separate orphans' court is now or hereafter shall be established shall be clerk of such court and subject to its directions in all matters pertaining to his office and he may appoint an assistant clerk or clerks but only with the consent and approval of said court

In each county having no separate orphans' court a clerk of the orphans' court shall be elected and commissioned in accordance with the existing law

(b) 1 In each county of this Commonwealth the clerk of the orphans' court shall have the custody of the records and of the seal of the respective court and keep the same at the place of holding such court and in the apartments provided by law for that purpose and he shall faithfully perform under the direction of the court all the duties appertaining to his office

2 Said clerks are hereby authorized and required to keep in dockets provided for the purpose a full record of all proceedings of their respective courts and place upon record in a fair legible hand or in typewriting in a book or books to be provided for that purpose all accounts of executors administrators guardians and trustees as well as all reports of auditors appointed by said courts respectively omitting the testimony and documents accompanying the same the fees for this service to be one-half of the amount now allowed by law for the recording of deeds

3 Any person who shall offer any written or printed instrument to be filed in any orphans' court or in the office of the clerk of any orphans' court which instrument shall be in any other than the English language shall furnish at his own expense to the clerk of such court a sworn translation in English of such instrument thus offered and the clerk shall attach or cause to be attached such translation to the original and file both the original and the translation of record in his office in all cases where filing is now or hereafter may be required by law but in all cases where recording is now or hereafter may be required both the original and the translation in English shall be recorded Such clerk shall not file or mark filed record or mark recorded any written or printed instrument in violation of this clause nor shall any paper filed or recorded in violation of this clause be notice to any person in any legal proceeding whatever nor be received or considered in evidence in any proceeding at law or in equity

(c) The separate orphans' courts of this Commonwealth may establish a bill of costs to be chargeable to parties and the estates before them for settlement for the services of the clerks of said courts respectively in the transaction of business of said courts In counties wherein no separate orphans' courts have been or shall be established the law as to fees to be charged by clerks of the orphans' courts shall remain as heretofore

Section 9 The jurisdiction of the several orphans' courts whether separate or otherwise shall extend to and embrace

(a) The appointment control removal and discharge of the guardians of minors and the settlement of their accounts

(b) The appointment of trustees for any person interested in the real or personal estate of any decedent and the control removal discharge and settlement of the accounts of trustees so appointed and of testamentary trustees whether the testamentary trustees be appointed nominatim or virtue officii

(c) The appointment of trustees for absent persons the control removal and discharge of trustees so appointed and the settlement of their accounts

(d) The control removal and discharge of executors and administrators deriving their authority from the register of the respective county and the settlement of their accounts

(e) The distribution of the assets and surplusage of the estates of decedents among creditors and others interested

(f) The sale of real estate of decedents for payment of their debts

(g) The disposition of the title to real estate of decedents and of persons disabled from dealing therewith in order to render the same freely alienable and productive to the living owners thereof

(h) The partition of the real estate of decedents among the parties entitled thereto the valuation of such real estate and the sale thereof for the purpose of distribution

(i) The specific execution of contracts made by decedents to sell and convey any real estate of which such decedent shall die seised and of contracts made by decedents to purchase any real estate

(j) Proceedings for the collection or enforcement of payment or delivery of all legacies whether pecuniary specific or otherwise and whether charged on real estate or not

(k) Proceedings for the discharge of real estate of decedents from the lien of debts of decedents and for the discharge of real and personal estates from the liens of legacies annuities dower recognizances and other charges

(l) All cases within their respective counties wherein executors administrators guardians or trustees may be possessed of or are in any way accountable for any real or personal estate of the decedent

(m) All appeals from the orders or decrees of the registers of wills of their respective counties and all proceedings removed from said registers by certification

(n) The exercise of all other powers needful to the doing of anything which is or may be hereafter required or permitted to be done in said court whether incidental to the powers hereinbefore enumerated or in addition thereto

And such jurisdiction shall be exercised under the limitations and in the manner provided by law

Section 10 The several orphans' courts shall have full power and authority to make from time to time such rules for regulating the practice thereof respectively and for expediting the determination of suits causes and proceedings therein as in their discretion they shall judge necessary or proper for the exercise of the powers hereby conferred or which may hereafter be conferred Provided That such rules shall not be inconsistent with the Constitution and laws of this Commonwealth

Section 11 The orphans' courts of every county of this Commonwealth shall be held during every term of the court of common pleas of the respective county and at such other times and as often as the judges thereof shall think necessary or proper

Section 12 (a) In all cases in which heirs legatees or distributees are interested and in consequence of such interest notice shall be required to be given to them or any of them of any proceedings in the orphans' court such notice shall except in the case of the accounts of executors or administrators and in other cases specially provided for be given in such manner personally by registered mail or by publication as shall appear to the court to be reasonable and proper according to general rules adopted by the court or special orders made by the court in particular cases

(b) The judges of the respective orphans' courts shall have power and are hereby authorized to make such rules and regulations as they may deem proper for the publication of advertisements of notices to parties in all cases within their jurisdiction Provided That said court shall have supervision of and regulate the cost of such publication in all cases as well by special order in particular cases as by general rules

Section 13 All process subpoenas certificates copies of records and other documents which shall be issued out of any of said courts shall be attested in the name of the president judge thereof alone

Section 14 The several orphans courts shall have power to fix the return-days of all process issuing out of the respective court whenever such return-days are not otherwise provided for by law

Section 15 The several orphans' courts of this Commonwealth shall have full power in vacation to administer the business of the court and to issue process Provided That said process shall be made returnable only in the county where the proceeding is pending

Section 16 The said courts shall have power to prevent by orders in the nature of writs of injunction acts contrary to law or equity prejudical to property over which they shall have jurisdiction Provided That security may be required as in other cases of writs of injunction

Section 17 The manner of proceeding in the orphans' court to obtain the appearance of a person amenable to its purisdiction and the procedure in default of appearance shall be as follows

(a) On petition to the court of any person interested whether such interest be immediate or remote setting forth facts necessary to give the court jurisdiction the specific cause of complaint and the relief desired and supported by oath or affirmation the orphans' court or any judge thereof may award a citation retunable at a day certain not less than ten days after the issuing thereof

(b) Such citation may be served by the party obtaining the same or by any authorized agent or if required by the party it shall be served by the sheriff or coroner as the case may require of the proper county

(c) The manner of service shall be by giving a copy thereof to the respondent personally or by leaving such copy with some adult member of his family at his place of residence

(d) Such service may be made anywhere within this Commonwealth and if such party resides outside the Commonwealth and his place of residence is known and the proceeding concerns property situate within the Commonwealth the court may in its discretion authorize service to be made on such party personally wherever found or by registered mail or may direct notice to be given by publication in such manner as shall appear to the court to be reasonable and proper according to general rules adopted by the court or special orders made by the court in particular cases

(e) If the respondent be not found and have no known residence within the county such citation may be served in like manner upon the person or persons who may be the surety or sureties of such party in any bond or recognizance given by him for the performance of any trust or duty in respect to which such citation may have issued

(f) The return to a citation if made by the party on whose petition it issued or his agent as aforesaid shall be on oath or affirmation and in all cases of service the return shall state how such citation was served

(g) If the party to be cited cannot be found and has no known residence and there is no surety on whom service of the citation can be made as aforesaid and the facts shall be so stated in the return on oath or affirmation by the party complaining or by some one competent to make affidavit in that behalf the orphans 'court may award another citation or pluries citation returnable in like manner with the first

(h) At the time of awarding such second or further citation the court may make an order for publication of the same in such place or places and for such length of time as the court having regard to the supposed place of residence of the respondent and other circumstances shall direct

(i) 1 At the time appointed for the appearance of the respondent should he not appear according to the requisition of the citation and if due proof be made of the service thereof or when service cannot be made of the publication thereof as hereinbefore prescribed the court may with or without another citation as justice may require proceed to make such order or decree in respect to the subject matter as may be just and necessary

2 It shall be lawful for the court on such proof to order that the petition of the complainant be taken as confessed and in case where there is personal service to grant relief according to the prayer thereof When there is no personal service the court shall and when there is personal service the court may in its discretion hear testimony in support of the allegations of the petition or direct a reference to a master or auditor to take proof of the facts and circumstances set forth in the petition and to report thereon and also to report an account against such respondent if necessary On the report of such master or auditor the court shall make such order or decree as may be just and necessary

Section 18 (a) Compliance with an order or decree of the court may be enforced

1 By attachment of the person

2 By sequestration of real or personal property

3 In case of a decree for the payment of money against a party who has appeared the complainant may have a writ of execution in the nature of a writ of fieri facias against personal property only which writ may be allowed by the court or by any judge thereof

4 Whenever any person against whom a decree for the payment of money has been made by any orphans' court is possessed of or entitled to any stock deposits or debts due him or to any legacy or interest in the estate of a decedent the same may be levied on or attached in satisfaction of such decree by the same process and in the same manner as is now or may hereafter be provided by law in the case of judgments of any court of common pleas A writ of attachment for said purpose may be allowed by said orphans' court or any judge thereof as writs of fieri facias in said court are allowed and may be served out of the county in which the same may be issued but service on the party against whom such decree was made shall not be required if he be not found in said county

5 Writs of testatum fieri facias may be issued out of any orphans' court in the same manner that writs of execution in the nature of writs of fieri facias are allowed by this act and the sheriff or other officer to whom any such writ is directed shall proceed to levy and sell the personal property of the person or persons against whom the same shall be issued in the same manner in all respects as if such writ had issued out of a court of common pleas

(b) 1 Writs of attachment of the person and sequestration shall be directed to and executed by the sheriff or coroner as the case may require of the proper county

2 When any executor administrator guardian or trustee shall reside or move out of the county in which his appointment shall have taken place or shall not possess real or personal property in such county sufficient to satisfy any decree or order of the orphans' court of such county it shall be lawful for the orphans' court of such county to issue process to the county in which such executor administrator guardian or trustee may be or in which he may have real or personal estate amenable to such process and such process shall be executed by the sheriff or coroner as the case may require of the county in which such executor administrator guardian or trustee may be or may possess real or personal estate as aforesaid

3 Writs of sequestration shall be in the following form The Commonwealth of Pennsylvania To the sheriff of the county of greeting Whereas A B (here set out the decree or so much thereof as is material to explain the duty to be performed) Therefore we command you that you do at proper and convenient hours in the day time go to and enter upon all the messauges lands tenements and real estates of the said A B and that you do collect take and get into your hands not only the rents issues and profits of all his said real estates but also all his goods chattels and personal estate and detain and keep the same under sequestration in your hands and also that you attach all stocks held by him in incorporated companies and keep the same under attachment until our said orphans' court shall make other order to the contrary and you are to return with this writ an inventory or schedule of the property you have requestered or attached and a certificate under your hand of the manner in which you shall have executed this writ to our said court on the day of next

Witness et cetera

4 A sequestration shall not abate by the death of the complainant or respondent

5 It shall be the duty of the sheriff or the coroner as the case may be immediately after receiving any such writ of sequestration to file a copy thereof in the office of the prothonotary of the court of common pleas of the same county who shall forthwith enter the substance thereof on his docket with the names of the parties and index the same in the judgment index and the entry thereof shall thenceforth operate to charge the real estate of the respondent according to the form and effect of such writ and shall bind the same in the hands of all purchasers and mortgagees subsequently to such entry without other notice Provided that if such sequestration shall be dissolved by the order of the orphans' court the respondent or any person interested in such real estate may have a certificate of the same from the clerk of the said court which it shall be the duty of such clerk to furnish on application and which being entered on the docket of said court of common pleas shall have the effect of a satisfaction of such lien

6 When proof shall be made on oath or affirmation to the satisfaction of the court or to any judge thereof at the time of filing the petition as aforesaid that the respondent has absconded or is about to abscond or depart from his usual place of abode to the prejudice of the complainant it shall be lawful for the court or for such judge to allow the issuing of a writ of attachment of the person or a writ of sequestration or both in the first instance against such respondent and on the return thereof the like proceedings may be had as are authorized on the return of a citation

7 If such attachment of the person or sequestration issued in the first instance be executed the court or any judge thereof may dissolve the same on the respondent giving security to the satisfaction of the court or of such judge to appear on a day certain to answer to the petition and to abide the orders and decrees of the court in the premises

8 Any person attached as for contempt in refusing to obey an order or decree of the orphans' court whether for the payment of money or in any other case may be discharged from custody by said court or his complying with the order or decree of the court or paying the money for which such order or decree has been made or upon his purging himself of contempt to the satisfaction of the court by whose order he was attached

9 When proof shall be made on oath or affirmation to the satisfaction of the court or of any judge thereof at the time of presenting a petition or at any stage of the cause that the party therein named has in his possession trust property or effects which he is wasting or otherwise disposing of contrary to his duty and the trust or that he is about to abscond and to carry such trust property or effects out of the jurisdiction of the court it shall be lawful for the court or such judge to award a writ in the name of the Commonwealth to the sheriff or coroner as the case may require of the proper county returnable on a day certain commanding him to take possession of all such trust property and effects specified in such writ and to hold the same subject to the order of the court and also to attach all debts due to such trust whether by bond mortgage or otherwise and all stocks in incorporated companies and serve a copy of such writ upon each debtor and upon each company in which stock may be held belonging to the trust as aforesaid Provided That before the execution of such writ the sheriff or coroner as the case may be may require of the party at whose instance such writ may have been issued sufficient security to indemnify him against any damages arising from the execution thereof And Provided Also That if the party against whom such writ may issue shall give sufficient security to such sheriff or coroner that the trust property or effects specified in such writ shall be forthcoming at the return thereof then such sheriff or coroner shall not execute the same but shall make return of the facts to the court

10 The like proceedings may be had where the court has made a final order and decree for the delivery of the trust property and effects by the respondent to any person who may be designated by law or by the order of the court to receive them

11 On the return of such writ the court may make such order respecting the disposition of such trust property and effects as may be necessary and proper according to the principles of justice and equity

12 When a decree shall have been made against any party who shall not have appeared according to the requisitions of the citation and a sequestration shall have issued against the real or personal estate of such party the court may order the decree to be satisfied out of the estate and effects sequestered Provided That such order shall not be carried into execution until the complainant shall have given security to the satisfaction of the court to abide the order of the court touching the restitution of what he may have received in case the respondent shall appear and be admitted to defend the suit but if such security shall not be given the estate and effects sequestered or the proceeds thereof shall remain subject to the direction of the court to abide its further order

13 If the party against whom such decree shall have been made or his representatives shall within one year after personal notice of such decree and within five years after the entry thereof when no such notice shall have been given present a petition to the same court praying to be admitted to be heard and shall pay such costs as the

court shall adjudge the party so petitioning shall be admitted to a defense and the case shall then proceed in like manner as if such party had appeared in due season and no decree had been made

14 If such party or his representatives shall not within such period present a petition as aforesaid the court may make such final order and decree both in respect to any estate or effects that may have been sequestered and in respect to the matters in controversy in the case as may be according to justice and equity and may if necessary award a writ in the nature of a fieri facias in the manner hereinbefore provided as in the case where the party appears

(c) Each of the orphans' courts shall have power to award process to levy and recover such fines forfeitures and amercements as shall be imposed taxed or adjudged by them respectively

(d) Writs of fieri facias shall be directed to and executed by the sheriff or coroner as the case may require of the proper county and the proceedings thereon shall be the same as on writs of fieri facias against personal property issued by the court of common pleas of the same county

(e) 1 It shall be the duty of the prothonotaries of the courts of common pleas to file and docket whenever the same shall be furnished by any parties interested certified transcripts of any definite orders of the orphans' court of the same or any other county upon parties other than fiduciaries to pay certain sums of money which transcripts so filed shall constitute judgments which shall be liens against the real estate of the persons ordered to pay from the time of such entry until payment distribution or satisfaction Executions may be issued thereon out of said court of common pleas against the real estate only of such persons by any party or parties interested for the recovery of so much as may be due to them respectively The liens of such judgments shall cease at the expiration of five years from the time of the entry aforesaid unless revived by scire facias in the manner by law directed in the cases of judgments of the courts of common law

In case of an appeal from the orphans' court the judgment shall be for no more than the amount finally decreed by the appellate court to be due and it shall be the duty of the prothonotary of the common pleas on such decree of the appellate court being certified to him to enter on his docket the amount so found due and decreed by the appellate court If such amount be greater than that decreed by the orphans' court the judgment for such excess shall take effect only from the time of entering the decree of the appellate court but if the amount be reduced by the final decree of the appellate court the prothonotary shall reduce the amount originally entered on his judgment docket and index accordingly and such final decree upon appeal being certified and filed in said court of common pleas the said term of five years shall be counted from the time of such entry

2 When the person liable shall have fully paid and discharged the amount of such judgment the parties who have received payment shall acknowledge satisfaction thereof on the record of the court of common pleas In case of neglect or refusal so to do for the space of thirty days after request in writing and tender of all the costs the orphans' court on due proof to them made that the entire amount due from such person according to the order of the orphans court has been fully paid and discharged may make an order for his release from such recorded judgment which order being certified to the court of common pleas shall be entered on their records and shall operate as a full satisfaction and discharge of such judgment

Section 19 The fees to be taken by the sheriffs of each county for the services enjoined by this act shall be the same as those allowed for like services and for executing a writ of sequestration the same fees shall be allowed as upon a writ of foreign attachment together with reasonable costs and expenses according to the discretion of the court On all writs and process sent from another county no mileage shall be allowed except for the distance actually traveled but an allowance shall be made for the transmission of such writs and process to the clerk of the court from which they may have issued at the common rates of postage

Section 20 (a) Each of the orphans' courts of this Commonwealth is empowered to issue writs of subpoena under its official seal into any county of this Commonwealth to summon and bring before the respective court any person to give testimony in any cause or matter depending before it under the penalties that are or shall be appointed and allowed in any such case by the laws of this Commonwealth

(b) 1 In all proceedings begun by petition where an issue of fact is raised it shall be within the discretion of the orphans' court by general rule or by special order in the case to provide for the reference of the case to a master to take the testimony and report his findings and his recommendations as to a decree or to provide for the taking of depositions before a notary public or other official authorized to administer oaths and affirmations or to provide for the taking of testimony before a judge of said court The office of examiner in the orphans' court appointed merely for the purpose of taking testimony is hereby abolished except in the cases mentioned in paragraph three of this clause and except in cases where at the time of the approval of this act examiners have been appointed and are still in office

2 Every orphans' court of this Commonwealth shall have power to make rules regulating the taking of depositions of aged infirm and going witnesses and the issuance and execution of commissions to take testimony and letters rogatory

3 Where the testimony of any witness is desired to be read in evidence in any proceeding now or hereafter pending in any orphans' court of this Commonwealth and such witness resides in any other state territory or possession of the United States of America or in any foreign country the court may on the application of any party provide for the taking in such other state territory possession or foreign country of the testimony of such witness or witnesses orally before an examiner appointed by the court or before any person authorized by the laws of such other state territory possession or foreign country to administer oaths. In granting any such application the court may impose such terms as it shall deem proper as to the payment by the party applying therefor of the costs and expenses involved including reasonable counsel fees and traveling expenses and may prescribe the notice to be given and the time within which such testimony shall be taken

(c) The orphans' court shall have power to compel the production of any books papers or other documents necessary to a just decision of the question before them or before an auditor or master

(d) Every orphans' court of this Commonwealth shall have the jurisdiction and powers of a court of chancery so far as relates to the perpetuation of testimony in all cases including cases of lost or destroyed records of such court whether such records were lost or destroyed before or after the passage of this act and the same proceedings orders decrees and judgment shall be had under this section mutatis mutandis as in cases now authorized by law and with the like effect and when proved such records shall have the same legal operation as the original records would have had Notice of any proceeding under this clause shall be given to all persons interested or their guardians or committees

(e) 1 On appeal from the decision of any register of wills or in proceedings removed from any register of wills by certification the orphans' court shall hear the testimony de novo unless all parties appearing in the proceeding shall agree that the case shall be heard on the testimony taken before such register Provided That in all cases the court shall have power to require the production before it for examination of witneses already examined or of any other witnesses

2 The testimony of all witnesses examined in any cause litigated before any orphans' court on appeal from any register of wills or on removal from any register of wills by certification shall be taken in writing and made a part of the proceedings therein upon which testimony the court having jurisdiction of such cause by appeal may affirm reverse alter or modify the decree of the orphans' court

Section 21 (a) The orphans' court shall have power to send an issue to the court of common pleas of the same county for the trial of facts by jury whenever they shall deem it expedient so to do

(b) Whenever a dispute upon a matter of fact arises before any orphans' court on appeal from any register of wills or on removal from any register of wills by certification the said court shall at the request of either party direct a precept for an issue to the court of common pleas of the county for the trial thereof which in the case of an issue devisavit vel non shall be substantially in the following form (L. S.) County ss The Commonwealth of Pennsylvania To the judges of the court of common pleas of the said county greeting Whereas A B on the day of in the year et cetera presented to G H our register of wills of said county for probate a certain writing hereto annexed purporting to have been made the day of in the year et cetera (or otherwise describing the paper in question) which said writing the said A B avers is the last will and testament of the said C D and whereas E D who is a son and heir of the said C D (or intermarried with F D who is a daughter and heir et cetera according to the fact) hath objected before our said register that the said writing was procured by duress and constraint (stating the matters of fact objected) and whereas our said register hath admitted (or refused to admit) said writing to probate as the last will and testament of the said C D and whereas the said E D hath appealed from the decree of our said register to our orphans' court for the said county (or as the case may be) and whereas the said E D (or A B) hath requested that an issue may be directed into our said court of common pleas to try by a jury the validity of the said writing and the matters of fact which may be objected thereto in our said court therefore we command you that you cause an action to be entered upon the records of our said court as of the day of the delivery of this our precept into the office of the prothonotary of our said court between the said A B and the said E D so that an issue therein may be formed upon the merits of the controversy between the said parties and tried in due course according to the practice of our said courts in actions commenced by writ and further that you cause all other persons who may be interested in the estate of the said C D as heirs relations or next of kin devisees legatees or executors to be warned so that they may come into our said court and become party to the said action if they shall see cause and that you certify the result of the trial so had in the premises into our said orphans' courts Attest I J President Judge of the said Orphans' Court of said county

Where the issue directed is other than an issue devisavit vel non the foregoing form shall be changed so far as necessary in accordance with the circumstances of the case

And the facts established by the verdict returned shall not be re-examined in any appeal

(c) 1 Before an issue shall be directed upon the distribution of money arising from any sale of real estate

made under order of the orphans' court the applicant for such issue shall make affidavit that there are material facts in dispute therein and shall set forth the nature and character thereof upon which affidavit the court shall determine whether such issue shall be granted subject to appeal by such applicant if the issue be refused in like manner as in other cases in which such appeal is or may be allowed by law

2 Upon granting any such issue it shall be discretionary with the court upon the application of the party or parties appearing by the record prima facie entitled to the said fund to order the same to be invested pendente lite in investments allowed by law in the case of trustees

Section 22 (a) Any party aggrieved by the definitive sentence or decree of any orphans' court or his legal representatives may appeal therefrom to the proper appellate court within six months from the time of the pronouncing such final sentence or decree Provided That no appeal from any decree of such court concerning the validity of a will or the right to administer shall suspend the powers or prejudice the acts of any executor or administrator to whom letters have been granted and Provided further That no reversal or modification of any decree or proceedings of the orphans' court for the sale of real estate shall have the effect of divesting any estate or interest acquired under such decree or proceeding by persons not party thereto where the orphans' court had jurisdiction of the case

(b) The Supreme and Superior Courts of the Commonwealth shall in all cases of appeal from the definitive sentence or decree of the orphans' court hear try and determine the same as to right and justice may belong and decree according to the equity thereof and may refer the same to auditors when in their discretion they may think proper

Section 23 This act shall be known and may be cited as the Orphans' Court Act of 1917

Section 24 The following acts and parts of acts of assembly are repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause of such act

Sections one eight and nine of an act entitled "An Act for establishing orphans' courts" passed March twenty-seventh seventeen hundred and thirteen one Smith's Laws eighty-one absolutely

Sections five six and eighteen of an act entitled "An Act to establish the judicial courts of this Commonwealth in conformity to the alterations and amendments in the Constitution" passed April thirteenth seventeen hundred and ninety-one three Smith's Laws twenty-eight absolutely

Section twenty-four of an act entitled "An Act directing the descent of intestates' real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nineteenth seventeen hundred and ninty-four three Smith's Laws one hundred and forty-three absolutely

Sections forty forty-one and forty-two of an act entitled "An Act relating to registers and registers' courts" approved March fifteenth eighteen hundred and thirty-two Pamphlet Laws one hundred and thirty-five absolutely

Sections one to four inclusive fifty-two and fifty-five to sixty inclusive of an act entitled "An Act relating to orphans' courts" approved March twenty-ninth eighteen hundred and thirty-two Pamphlet Laws one hundred and ninety absolutely

Sections fifty-two to fifty-seven inclusive of an act entitled "An Act relative to the organization of the courts of justice" approved April fourteenth eighteen hundred and thirty-four Pamphlet Laws three hundred and forty-one absolutely

Section four of an act entitled "Supplement to the act passed the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts" approved April fourteenth eighteen hundred and thirty-five Pamphlet Laws two hundred and seventy-five absolutely

Section two of an act entitled "An Act supplementary to the various acts relating to orphans' and registers courts and executors and administrators and the act relating to the measurement of grain salt and coal" approved June sixteenth eighteen hundred and thirty-six Pamphlet Laws six hundred and eighty-two absolutely

Section nineteen of an act entitled "An Act relating to the jurisdictions and powers of courts" approved June sixteenth eighteen hundred and thirty-six Pamphlet Laws seven hundred and eighty-four absolutely and sections twenty-one and twenty-two of the same act insofar as they relate to the orphans' court

Section eight of an act entitled "An Act to confer upon the orphans' court of Lancaster County certain powers in relation to the real estate of John Lindemuth deceased and for other purposes" approved April fourth eighteen hundred and forty-three Pamphlet Laws one hundred and thirty-one insofar as it relates to the orphans' court

Sections two and three of an act entitled "An Act relative to lien creditors becoming purchasers at judicial sales and for other purposes" approved April twentieth eighteen hundred and forty-six Pamphlet Laws four hundred and eleven insofar as they relate to the orphans' court

Section two of an act entitled "A further supplement to an act entitled 'An Act relating to executions' passed the sixteenth day of June one thousand eight hundred and thirty-six" approved April twenty-first eighteen hundred and forty-six Pamphlet Laws four hundred thirty absolutely

Section eighteen of an act entitled "An Act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rent to trustees of married women to appeals from awards of arbitrators by corporations to hawkers and pedlers in the Counties of Butler and Union to the payment of costs in actions by informers in certain cases to taxing lands situate in different townships and in relation to fees of county treasurers of Lycoming Clinton and Schuylkill to provide for recording the accounts of executor administrators guardians and auditors' reports and to amend and alter existing laws relative to the administration of justice in this Commonwealth" which became a law April twenty-fifth eighteen hundred and fifty by reason of the Governor's failure to return it within ten days Pamphlet Laws five hundred and sixty-nine absolutely

Section one of an act entitled "An Act relating to official seals" approved March sixth one thousand eight hundred and fifty-four Pamphlet Laws one hundred and fifty-five insofar as it relates to the orphans' court

An Act entitled "An Act relative to the perpetuation of testimony in cases of lost records" approved April first one thousand eight hundred and sixty-three Pamphlet Laws two hundred and five absolutely

Sections two three four and six to ten inclusive of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth one thousand eight hundred and seventy-four Pamphlet Laws two hundred and six absolutely

An Act entitled "An Act authorizing the holding of orphans' courts by other than the regularly commissioned judges in certain cases" approved March fourth one thousand eight hundred and seventy-five Pamphlet Laws five absolutely

An Act entitled "An Act relating to orphans' courts" approved March eighteenth one thousand eight hundred and seventy-five Pamphlet Laws twenty-nine absolutely

An Act entitled "An Act authorizing the president or additional law judges of the courts of common pleas to hold courts of quarter sessions and oyer and terminer and orphans' courts in certain cases" approved April seventh one thousand eight hundred and seventy-six Pamphlet Laws nineteen insofar as it relates to the orphans' court

An Act entitled "An Act to provide for the appointment of a president judge of the separate orphans' courts and to provide for the commission thereof" approved May twenty-fourth one thousand eight hundred and seventy-eight Pamphlet Laws one hundred and thirty-one absolutely

An Act entitled "An Act to regulate the compensation of auditors and commissioners" approved June fourth one thousand eight hundred and seventy-nine Pamphlet Laws eighty-four insofar as it relates to auditors and commissioners appointed by the orphans' court

An Act entitled "An Act to amend section three of the act of Assembly of May nineteenth one thousand eight hundred and seventy-four entitled 'An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for the counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof fixing the salaries of judges of separate orphans' courts' " approved June thirteenth one thousand eight hundred and eighty-three Pamphlet Laws ninety-one absolutely

An Act entitled "An Act relative to the transfer of orders and decrees for the payment of money for the purpose of lien and execution into other counties than those where they were originally rendered" approved June fifth one thousand eight hundred and eighty-five Pamphlet Laws seventy-eight insofar as it relates to orders and decrees of the orphans' court

An Act entitled "An Act relative to the granting of citations and rules to show cause by the courts of this Commonwealth" approved May seventh one thousand eight hundred and eighty-nine Pamphlet Laws one hundred and two insofar as it relates to the orphans' court

An Act entitled "An Act requiring all public records within this Commonwealth to be kept in the English language" approved May thirty-first one thousand eight hundred and ninety-three Pamphlet Laws one hundred and eighty-eight insofar as it relates to papers filed or recorded in the orphans' court or the office of the clerk thereof

An act entitled "An Act to authorize the judges of separate orphans courts to hear and determine proceedings in equity at the request of the judges of the common pleas" approved April eighteenth one thousand nine hundred and five Pamphlet Laws two hundred and eight absolutely

An act entitled "An Act authorizing the parties in interest or their counsel to select auditors and masters needed in judicial proceedings except in divorce cases" approved April first one thousand nine hundred and nine Pamphlet Laws ninety-five in so far as it relates to proceedings in the orphans' court

An act entitled "An Act to provide for the taking of testimony to be used in any of the civil courts of record in this Commonwealth of witnesses residing in any other state or in any foreign country" approved June eighth one thousand nine hundred and eleven Pamphlet Laws seven hundred and nine in so far as it relates to the orphans' court

An act entitled "An Act to authorize the judges of separate orphans' court at the request of the judges of the common pleas to hear and determine all issues in the court of common pleas courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace" approved July nineteenth one thousand nine hundred and thirteen Pamphlet Laws eight hundred and forty-four absolutely

An act entitled "An Act to authorize the judges of the courts of common pleas of judicial districts having separate orphans' courts to hear and determine all matters in such courts at the request of the judges thereof" approved April twenty-first one thousand nine hundred and fifteen Pamphlet Laws one hundred and fifty-six absolutely

All other acts of Assembly or parts thereof that are in any way in conflict with this act or any part thereof are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Albee,	Fretz,	Mearkle,	Smith, E. R.,
Aron,	Geary,	Mehring,	Smith, J. W.,
Arthur,	Glass,	Mervine,	Smith, L.,
Aston,	Golder,	Michel,	Snowden,
Baker,	Goodnough,	Miller, Allan,	Snyder,
Baldi,	Gormley,	Miller, G. J. A.,	Somerman,
Barner,	Graeff,	Milner,	Sones,
Bechtold,	Graham,	Morgan, T.,	Spangler,
Bell,	Gransback,	Morgan, T. J.,	Speicher,
Benchoff,	Haight,	Murdoch,	Sprowls,
Bennett,	Haldeman,	Murphy,	Stadtlander,
Benninger,	Hecht,	Musser,	Steedle,
Beyer,	Heffernan,	Neary,	Sterling,
Bidelspacher,	Hess,	Palmer,	Stern,
Black,	Heyburn,	Patterson,	Stites,
Bouton, V. B.,	Hibshman,	Perry,	Stoffiet,
Bovee,	Hoffman,	Phillips,	Strauss,
Boyd,	Hollern,	Powell,	Sullivan,
Brady,	Hollingsworth,	Ramsey,	Swartz,
Brumbaugh,	Horne,	Reichenbacher,	Sweitzer,
Burnett,	Horton,	Reitzel,	Taylor,
Campbell, T.,	Hough,	Reynolds,	Thomas,
Canon,	Howarth,	Rhoads, H. L.,	Ulsh,
Chestnut,	Isherwood,	Rhodes, W. M.,	Urich,
Christman,	Jack,	Rich,	Vickerman,
Clements,	Jones,	Richards,	Vodges,
Coldsmith,	Kennedy,	Ringler,	Wagner,
Conner,	Lafferty,	Rininger,	Walker,
Corbin,	Laucks,	Rinn,	Wallace,
Cox,	Lauler,	Robertson,	Walter,
Crosby,	Leary,	Rogers,	Weimer,
Cummins,	Lewis,	Ross,	Wells,
Curry,	Lohr,	Ruddy,	West,
Davis, D. F.,	Luppert,	Rudisill,	Whitaker,
Davis, W.,	Mangan,	Sampsel,	Wickman,
Dean,	Marvin,	Sarig,	Williams, G. W.
Dell,	Maurer,	Schaeffer, A. C.,	Williams, J. P.,
Dithrich,	McArdle,	Scott,	Wobensmith,
Drake,	McCaig,	Shaffer, C. A.,	Wood,
Drinkhouse,	McCullough,	Shattuck,	Woodward,
Dunn,	McCurdy,	Showalter,	Wylie,
Ehrhardt,	McKay,	Shunk,	Wynne,
Erdman,	McKinney,	Siggins,	Zanders,
Fitzgibbon,	McNichol,	Simpson,	Baldwin,
Flynn,	McPeake,	Sinclair,	Speaker.
Franklin,	McVicar,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1271, as follows:

An Act relating to the jurisdiction powers and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground rent leases extinguishment of ground rents partition exchange squaring and adjusting of lines between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of where the court shall be of opinion that such decree will such as have not been accepted by the public authorities be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the state have died refuse to act unreasonably withhold consent or the absent and unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decrees

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the orphans' court in all cases where real estate or a groundrent issuing thereout shall be or shall have been acquired by descent or last will partly by deed and partly by descent or last will or by purchase by a trustee executor or guardian and in all other cases the court of common pleas of each county of this Commonwealth shall have jurisdiction with respect to real estate situate within the county and in the cases hereinafter specified to authorize or confirm

(a) The sale mortgaging conveying or groundrent and leasing thereof or the extinguishment or assignment of groundrents issuing thereout

(b) The amicable partition and exchange thereof

(c) The squaring and adjusting of lines between adjoining owners

(d) The consolidation and combination of mining lands with other adjoining mining lands so that they shall form one tract and the leasing thereof in such manner that the several persons interested therein shall be seised of undivided interests in the whole proportionate to their several undivided interests before such combination and consolidation the rents or royalties received under the lease to be apportioned among them in like proportions

(e) The joining by owners of undivided interest in making and taking conveyances in order to change in part or in whole the route or location of any right of way or passage existing over and upon adjoining or other lands

(f) The subdivision of the premises so as to command the highest price or greatest rents and for such purpose where the premises shall admit of or require it the laying out and dedication of roads streets and alleys or the vacating or such as shall not have been paid for or received into actual use by the public if found to be inconvenient and to make an unprofitable division of the property

Provided That such court shall be of the opinion that such decree will be to the interest and advantage of all those interested therein and without prejudice to any trust charity or purpose for which the real estate or ground rent shall be held and without the violation of any law which may confer an immunity or exemption from sale or alienation

Section 2 The several courts aforesaid shall exercise the jurisdiction conferred by section one of this act in all cases

(a) Where the legal title is held (One) By minors lunatics or habitual drunkards so duly found by inquisition or by weak-minded persons for whom guardians have been appointed (Two) By a married woman or married man whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years (Three) By corporations of any kind having no capacity to convey or by any unincorporated association (Four) By any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or now or hereafter prescribed by law (Five) By a corporation of any kind or individual or individuals and is subject to a trust of any description whatever (Six) By any person who may have been absent and unheard from for seven years under those circumstances from which the law would presume his or her decease (Seven) Or any interest therein is held by any person under legal disability to dispose thereof

(b) Where the legal title is an estate tail or is subject to contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained at the time of the entry of the decree

(c) In all cases where estates shall have been devised or granted for special or limited purposes

(d) Where there is a power of sale but (One) the time may not have arrived for its exercise (Two) any preliminary act may not have been done to bring it into exercise (Three) the time limited for its exercise may have expired (4) any one or more persons required to consent or join in its exercise may be a minor non compos mentis removed out of the State have died refuse to act unreasonably withhold consent or be absent and unheard of

(e) Where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance of real estate

(f) Where a trust has been created and no power conferred on the trustee to do any of the acts which the court is empowered to authorize or confirm under the provisions of section one hereof

Such jurisdiction may be exercised whether the ownership or interest in real estate be held in severalty joint tenancy or tenancy in common or by husband and wife as tenants by entireties

Section 3 Nothing herein contained shall be taken to repeal or impair the authority of any Act of Assembly general or private authorizing the sale of real estate by decree of court or otherwise nor to affect or impair any rights or powers otherwise existing in any person or corporation to do any of the acts which the court is empowered to authorize or confirm under the provisions of section one of this act

Section 4 All jurisdiction conferred by this act on the orphans' court or the court of common pleas shall be exercised on the petition of any party in interest supported by oath or affirmation and if all proper parties shall not voluntarily appear as petitioners or respondents the court shall fix a day for them to appear and cause a citation to be served on all persons in being who shall not have appeared and who shall have any present or expectant interest in the premises warning them to appear and that they shall be heard on the day designated and for those who cannot otherwise be served cause advertisement to be made in manner most likely to afford notice and service made in any part of the United States and the territories and possessions thereof or elsewhere with oath or affirmation of the fact taken before any judge or justice of the peace or notary public or any person authorized by the laws of the United States to take oaths or affirmations in foreign countries and filed of record shall be good service Service having been made as aforesaid the court shall on the day fixed make such decree as shall be proper on the premises Guardians shall be notified and appear for their wards and if minors have no guardian the court may appoint one for them in the manner now or hereafter prescribed by law for the appointment of guardians and such appointment may be made on the petition of any party interested with notice to the persons who shall by law be charged with the duty of petitioning for the appointment of a guardian Committees and guardians shall be notified and appear for lunatics habitual drunkards and weak-minded persons and in each of such cases notice shall be given to the next of kin Trustees shall be notified and appear for the cestuis que trust provided that cestuis que trust of age and sound mind having vested interests or interests subject to a condition precedent shall also be notified and all cestius que trust not in being or unascertained shall be represented by the trustees aforesaid

Section 5 In all cases where under the provisions of this act sales mortgages leases or conveyances on ground rent shall be authorized or directed the same shall be made by executors administrators guardians trustees committees or owners having a present vested interest or trustees appointed for the purpose as the court may order

Section 6 Where lands and tenements are held by will or otherwise for life or pur autre vie by any person or persons with remainder to any minor or minors and it shall appear to the court of the proper county that it would be to the interests of such minor or minors that the same should be sold in every such case upon the application of the tenant or tenants for life or pur autre vie as the case may be the said court shall appoint a trustee to make sale of said lands and the said trustee shall receive and hold the proceeds of such sale in trust for the parties in interest therein and shall invest the same in investments authorized by law and shall pay the interest thereof as it shall accrue to the tenants for life or pur autre vie until the estate for life or pur autre vie shall have terminated and shall then pay over the principal sum to the person or persons entitled to such remainder

Section 7 Every such decree made by the court shall have the effect as too the title authorized to be transferred (a) of a common recovery to bar an estate tail or a remainder whether contingent or to a class (b) of barring executory devises (c) Of defeating the right of the Commonwealth to forfeit real estate that may have been held by or for any corporation in excess of the amount now or hereafter duly authorized by law only however in the case where no proceedings to procure a forfeiture shall have been commenced before the filing of the petition (d) Of discharging the lien of decedents debts not of record In all cases where the proceedings shall be for the purpose of freeing the title of any of the limitations or defeasibility described in this section that purpose shall be set forth in the petition in addition to the explanation of the title

Section 8 The title transferred in pursuance of any such decree of the court shall be such as is authorized in the decree which title shall be indefeasible by any person ascertained or unascertained or any class of persons mentioned in the petition or decree and having a present or expectant interest in the premises and shall be unprejudiced by any error in the proceedings of the court and where security shall be entered in accordance with the provisions hereof no party who shall pay over money in pursuance of the decree of the court shall be liable to see to the application thereof or be in any manner liable for or affected by any lien of debts of a decedent not of record or by any trust limitation of or defects in the title set out in the petition or decree in pursuance of which the money is paid over

Section 9 In all cases where the court shall authorize or confirm the making of a mortgage in any of the cases provided for in this act the title shall upon the mortgage being duly paid and satisfied of record revert to its former condition except that nothing herein contained shall operate to extend the lien of the debts of a decedent not of record beyond the time now or hereafter allowed by law and upon legal proceedings being brought upon the mortgage or bond accompanying the same as may now or hereafter be provided by law and the title being sold at sheriffs sale in pursuance of such proceedings the surplus proceeds of the sale if any after paying the mortgage with interest and all costs and liens which may by law be payable out of the fund shall be paid over to the party who made the mortgage or such other person as the court may direct or appoint for that purpose to be held by him as part of the mortgage money and subject to the same liens or limitations provided that the sheriff shall not pay over any such sum until such additional bond shall be filed as the orphans court may require under the circumstances of the case

Section 10 The purchase money mortgage money ground or other rents reserved or the title received in the case of an exchange or partition for the title subject to a lien or limitation shall be held for and applied to the use and benefit of the same persons and for the same interests legal or equitable present or future vested contingent or executory as the title so sold mortgaged conveyed on ground rent let partitioned or exchanged had been subject or held excepting only the case of an estate tail or the title of a corporation subject to forfeiture which in each case shall by the proceedings without the necessity of a bond being filed by either the corporation or the tenant in tail be converted into an absolute estate in fee simple and all remainders whether contingent or to a class executory devises and debts of a decedent not of record shall be transferred to the fund or title raised by the proceedings in pursuance of the decree as to which fund or title they shall take effect in like manner as they would have taken effect as to the title transferred under the decree The court shall make such order or orders from time to time as to the distribution or investment of such funds as may be requisite to protect the interest of all persons who are or may become entitled thereto or to any part thereof In every case of a sale mortgage lease or conveyance on ground rent under the

provisions hereof the purchase money mortgage money ground rent or other rents reserved shall nevertheless have and retain the quality of real estate as respects the devolution under the intestate laws of the interest of any infant lunatic or pesron non compos mentis as whose property the land was sold mortgaged leased or conveyed on ground rent The court having jurisdiction may direct the application of such proceeds or part thereof for the maintenance and education of minor parties whose personal estate shall be insufficient for such purposes or generally for the maintenance and education of minor parties whose personal estate shall be insufficient for such purposes or generally for the maintenance or education of parties having the like interests vested or expectant provided such moneys can be equally and equitably so applied and without diminution of the capital that may of right become the property of parties having unbarred interests or title in remainder or by executory devise

Section 11 No principal moneys raised by sale or mortgage as aforesaid shall be expended for any other purpose than for the payment of liens upon or the improvement of the same real estate when mortgaged or other real estate when held for the same uses and persons except as provided in section ten of this act and it shall be the duty of the court to decree the proper application of all purchase moneys and rents with the aid of an auditor when deemed necessary to the discharge of liens and to parties interested as and when they may be entitled

Section 12 In all cases where an application shall be made to the court for a decree authorized under any of the provisions of this act the court may appoint a suitable person as master to investigate the facts of the case and to report upon the expediency of granting the application and in cases where authority is asked to make a sale or mortgage upon the amount to be raised thereby and upon such report being made the court may decree accordingly

Section 13 In all cases where the carrying out of any decree of the court under the provisions of this act shall involve the receipt of money by the person carrying it out the court shall direct the person acting under the decree to file a bond to the Commonwealth in a sufficient amount conditioned for the proper application of all moneys to be received which bond shall inure to the benefit of all parties interested and be executed by two individual sureties or by one corporate surety approved by the court and before any such decree shall be executed such bond with sureties as may be required shall be filed Provided That where a corporation duly authorized by law shall be designated to carry out any such decree the court may in lieu of security as aforesaid permit such corporation to enter its own bond without surety

Section 14 Whenever by the provisions of this act it shall be lawful for the court to order the public sale of real estate public notice of such sale shall be given by the person who is to make the sale once a week for a period of three weeks before the day appointed therefor by advertisement in at least one newspaper published in the county if there be one or if there be none then in an adjoining county and in all cases notice shall also be given by handbills one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such estate

Section 15 Whenever under the provisions of this act the court has power to authorize or confirm a sale of real estate the same may be made upon such terms as secured on the premises by mortgage

Section 16 All deeds mortgages or leases executed in pursuance of any decree of the court under the provisions of this act may be acknowledge before any officer or person now or hereafter authorized by the laws of this Commonwealth to take the acknowledgment of deeds and other instruments of writing to be recorded therein

Section 17 (a) In all cases where the sale of real estate shall be made by an executor administrator guardian or trustee under an order of or confirmed by the court or where the making of a mortgage by such fiduciary shall be authorized by said court and the letters testamentary or of administration shall be revoked or the executor administrator guardian or trustee shall be removed or shall died or become insane or otherwise be incapable before a conveyance is made to the purchaser or before a mortgage is executed and delivered it shall be lawful for the successor of such executor administrator guardian or trustee having first given security to be approved by said court for the faithful appropriation of the proceeds of such sale to execute and deliver to the purchased a deed of conveyance for the estate so sold on the purchaser's full compliance with the terms and conditions of sale or to execute and deliver said mortgage If there shall be no successor who shall have given security as aforesaid the said court shall have power on petition of the purchaser to direct the clerk of the court to execute and deliver to the purchased the necessary deed of conveyance on his full compliance with the terms and conditions of sale paying into court the moneys payable and executing and delivering to the clerk any bond and mortgage required by the said terms and conditions which moneys and bond and mortgage shall remain subject to the disposition of the court or where the making of a mortgage by a fiduciary shall be authorized by said court the court under the circumstances aforesaid shall have power to direct the clerk of the court to execute and deliver such mortgage The like proceedings may be had where an executor administrator guardian or trustee shall neglect or refuse to execute and deliver such deed or mortgage for the space of thirty days after due notice of an order of the court requiring him to execute and deliver the same

(b) In all cases where the sale of real estate shall be made by co-executors co-administrators co-guardians or co-trustees under an order of or confirmed by the court or where the making of a mortgage by such co-fiduciaries shall be authorized by said court and if one or more of such co-fiduciaries shall be removed or shall die or become insane or otherwise be incapable before a conveyance is made to the purchaser or before such mortgage is executed and delivered said court may upon the facts being made to appear by petition duly verified authorize the surviving or remaining fiduciary or fiduciaries to execute and deliver to the purchaser a deed of conveyance for the real estate so sold on the purchasers full compliance with the terms and conditions of sale or to execute and deliver such mortgage

(c) Where authority is or shall be given by decree of any court to executors administrators guardians or trustees to sell real estate and any of such executors administrators guardians or trustees shall have died been removed become insane or otherwise incapable or cease to act before a sale is effected in all such cases said court may upon the facts being made to appear by petition duly verified authorize the surviving or remaining fiduciary or fiduciaries to effect such sales with as full effect in all particulars as if effected or executed by the executors administrators guardians or trustees in office at the time the sale was originally decreed

(d) Every sale made and every deed or mortgage executed and deliver in pursuance of and agreeably to the provisions of this section shall vest the property therein described in the grantee or mortgagee as fully and effectually as if the same had been made executed and delivered by all the fiduciaries to whom the authority to sell or mortgage was originally given

(e) In all cases of sales or mortgages under the order of or confirmed by the court the title of the purchaser or mortgagee shall not be affected by the subsequent revocation of the letters testamentary or of administration of the executor or administrator making such sale or mortgage or by the subsequent removal of the executor administrator guardian or trustee making such sale or mortgage

(f) Whenever in pursuance of proceedings in the court of any county any person therein described as a trustee guardian executor administrator or as standing in any other fiduciary relation to the parties interested shall grant and convey or mortgage any real estate in which proceedings security shall be duly entered by him or her under the order or decree of the court no irregularity or defect in his or her original appointment or the absence of any proper qualification in respect thereto shall affect the title of the grantee purchaser or mortgagee or the liability of the sureties but the same shall be as valid in all respects as if such irregularity or defect had not existed

Section 18 Whenever any court having jurisdiction under this act to decree a sale or mortgage of real state shall issue its order to any executor administrator guardian or trustee specially appointed for the purpose or otherwise to sell or mortgage such real estate and shall in any case within its jurisdiction give authority to any executor administrator guardian or trustee to bid at such sale and shall confirm the sale to such fiduciary or shall authorize the making of such mortgage to any executor administrator guardian or trustee the said court may make an order directing its clerk to execute a deed or mortgage as the case may be for said real estate to such purchaser or moragagee who shall give security and shall account for the amount of said purchase money or mortgage money in the settlement of his accounts to said court

Section 19 (a) In all proceedings under the provisions of this act where the real estate shall lie wholly within one county the petition shall be presented only in the court of that county

(b) When an application shall be made under the provisions of this act for the sale mortgaging leasing or other proceedings relating to real estate through which real estate the line dividing two or more counties runs the court of the county in which the mansion house is situated or if there be no mansion house the court of the county where the principal improvements may be or if there be no improvements the court of either county may exercise jurisdiction as to the whole of such real estate irrespective of the county line and any such sale mortgaging leasing or other decree relating to real estate shall be as effectual as if the whole of such real estate had been within the county whereof said court has jurisdiction Notices of said proceedings as required by this act shall be given in all the counties in which the land is situated and a certified copy of all proceedings shall be filed in the proper court of each county in which said land is situated Any mortgage taken to secure the purchase money or any part thereof shall be duly recorded in each of the counties in which said lands lie as required by law

Section 20 (a) The courts of the several counties of this Commonwealth in all cases where under the provisions of this act such courts have power to order the sale of real estate may authorize or direct a private sale if in the opinion of the court under all the circumstances a better price can be obtained at private than at public sale as where the interest shall be undivided or for any other sufficient cause

(b) Any party interested as heir devisee or intending purchaser or any legatee whose legacy is by the express terms of the will or by law charged on such real estate may appear and object to such private sale on account of the insufficiency of the price and if such objection be sustained

may offer to give or pay a substantial increase for such property and the court at its discretion may thereupon authorize or direct such sale or refuse to authorize or direct the same and accept any substantially increased offer and may authorize the sale of such property to such new bidder upon compliance with the conditions of sale and giving such security as shall be directed by the court or such party interested or legatee may appear as aforesaid and object to such sale on any legal or equitable grounds Provided That nothing herein contained shall be construed to affect the existing law with respect to objections to public sales

Section 21 All public sales of real estate under the provisions of this act shall be subject to confirmation by said court but in the case of private sales authorized or directed under the provisions of this act no return or confirmation shall be necessary

Section 22 All public sales of real estate under the provisions of this act shall have the effect of judicial sales as to the discharge of liens upon the real estate so sold but private sales shall not discharge the liens of debts of record

Section 23 Whenever a public or private sale of real estate shall be authorized directed or confirmed by any court under the provisions of this act the person or persons purchasing the real estate so sold and taking title in pursuance of the decree of the court shall take such title free and discharge of any obligation to see to the application of the purchase money

Section 24 In all cases and proceedings under this act appeals may be taken to the proper appellate court from the orphans' court as now provided by law in other cases and from the court of common pleas as provided in equity cases Provided That if any decree be carried into execution before the appeal be perfected and written notice thereof given to any vendee mortgagee or lessee any reversal thereof shall not affect the right or title of such vendee mortgagee or lessee but the purchase or mortgage moneys or rents shall stand in lieu of the premises sold or mortgaged or leased so far as thus encumbered Provided further That before any decree be carried into effect to afford such indemnity twenty-one days be allowed from its entry to take and perfect such appeal

Section 25 This act shall be known and may be cited as the Revised Price Act of 1917

Section 26 The following acts and parts of acts of Assembly are repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause of such act

Section ten of an act entitled "An act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned" approved April seventh one thousand eight hundred and seven (Pamphlet Laws one hundred fifty-five) absolutely

Section two of an act entitled "A supplement to the intestate law of this Commonwealth" approved April eighth one thousand eight hundred twenty-six (Pamphlet Laws two hundred fifty-five) absolutely

Section one of an act entitled "An act supplementary to the various acts relating to orphans' and registers' courts and executors and administrators and the act relating to the measurement of grain salt and coal" approved June sixteenth one thousand eight hundred thirty-six (Pamphlet Laws six hundred eighty-two) absolutely

Section two of an act entitled "A supplement to an act entitled 'An act relating to orphans' courts' approved the twenty-ninth of March one thousand eight hundred and thirty-two" approved March sixteenth one thousand eight hundred and forty-seven (Pamphlet Laws four hundred seventy-four) absolutely

Sections one to five inclusive of an act entitled "An act supplementary to an act passed the twenty-ninth day of March one thousand eight hundred and thirty-two entitled 'An act relating to orphans' courts' and relating to contracts of decedents and escheats in certain cases and relative to the district court of the city and county of Philadelphia and to registers of wills" approved April third one thousand eight hundred and fifty-one (Pamphlet Laws three hundred and five) absolutely

Sections one to eight inclusive and section ten of an act entitled "An act relating to the sale and conveyance of real estate" approved April eighteenth one thousand eight hundred and fifty-three (Pamphlet Laws five hundred and three) absolutely

Sections one and three of an act entitled "A supplement to an act entitled 'An act relating to the sale and conveyance of real estate'" approved April thirteenth one thousand eight hundred and fifty-four (Pamphlet Laws three hundred and sixty-eight) absolutely

Section five of an act entitled "An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate" approved April twenty-seventh one thousand eight hundred and fifty-five (Pamphlet Laws three hundred and sixty-eight) absolutely

An act entitled "A further supplement to the act entitled 'An act relating to the sale and conveyance of real estate passed the eighteenth day of April one thousand eight hundred and fifty-three' aproved April first eighteen sixty-three (Pamphlet Laws one eighty-seven) absolutely

An act entitled "Supplement to an act entitled 'An act relating to the sale and conveyance of real estate' approved the eighteenth day of April Anno Domini one thousand eight hundred and fifty-three" approved April eighteenth one thousand eight hundred and sixty-four (Pamphlet Laws four hundred and sixty-two) absolutely

An act entitled "A supplement to an act relating to the sale and conveyance of real estate approved the eighteenth day of April one thousand eight hundred and fifty-three" approved April seventeenth one thousand eight hundred and sixty-six (Pamphlet Laws one hundred and eight) absolutely

Sections one and two of an act entitled "An act relating to judicial sales and the preservation of the lien of moregages" approved March twenty-third one thousand eight hundred and sixty-seven (Pamphlet Laws forty-three) absolutely

An act entitled "A further supplement to an act entitled 'An act relating to the sale and conveyance of real estate' approved the eighteenth day of April Anno Domini one thousand eight hundred and fifty-three authorizing the courts to decree the leasing and combination of lands for mining purposes" approved June eighth one thousand eight hundred and seventy-four (Pamphlet Laws two hundred and seventy-seven) absolutely

Section one of an act entitled "An Act to amend the second section of an act entitled 'An Act relative to the sale and conveyance of real estate' approved the eighteenth day of April one thousand eight hundred and fifty-three extending the provisions thereof to real estate upon which are limited vested remainders which are liable to open and let in after born children and validating sales of real estate heretofore made by proceedings under said act of lands and tenements subject to such remainders" approved June fourteenth one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and forty-four) absolutely

Sections one and two of an act entitled "An act authorizing the several orphans' courts of this Commonwealth to decree the sale mortgaging leasing or conveyance upon ground-rent of lands devised or held with remainder to a class of persons some or all of whom are unborn and to validate certain sales and conveyances heretofore made by decree of court in such cases" approved June fifteenth one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and fifty-nine) absolutely

An act entitled "An act amending an act approved April seventeenth one thousand eight hundred and sixty-six entitled 'A supplement to an act relating to the sale and conveyance of real estate' aproved the eighteenth day of April one thousand eight hundred and fifty-three providing that deeds may be acknowledged before any justice of the peace notary public or other officer having authority to take acknowledgement of deeds or other instruments of writing" approved April twenty-second one thousand nine hundred and three (Pamphlet Laws two hundred and forty-one) absolutely

An act entitled "An act relating to acknowledgements of deeds authorizing county treasurers county commissioners sheriffs executors administrators trustees or other persons acting in an official or representative capacity where now required or authorized to make acknowledgement of deeds or other instruments before justices of the peace to make acknowledgements of deeds and other instruments before a notary public or any officer authorized by law to take acknowledgements of deeds and validating all such acknowledgements heretofore made before other officers than justices of the peace" approved April twenty-third one thousand nine hundred and nine (Pamphlet Laws one hundred and fifty-six) in so far as it relates to acknowledgements of deeds or other instruments made in pursuance of decrees entered under the provisions of this act

An act entitled "An act authorizing the several orphans' courts to empower guardians of the estates of minors to join with the cotenants of said minors in effecting amicable partition of lands held in common" approved May twenty-third one thousand nine hundred and thirteen (Pamphlet Laws three hundred and forty-five) absolutely

An act entitled "A supplement to an act approved the eighteenth day of April one thousand eight hundred fifty-three entitled 'An act relating to the sale and conveyance of real estate" approved May twenty-eighth one thousand nine hundred and fifteen (Pamphlet Laws six hundred and thirty-five) absolutely

All other acts of Assembly or parts thereof that are in any way in conflict with this act or any part thereof are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albee,	Erdman,	McKinney,	Shunk,
Aron,	Fitzgibbon,	McNichol,	Siggins,
Arthur,	Flynn,	McPeake,	Simpson,
Aston,	Fowler,	McVicar,	Sinclair,
Baker,	Franklin,	Mearkle,	Smith, E. R.,
Baldi,	Fretz,	Mehring,	Smith, F. I.,
Baldridge,	Gans,	Mervine,	Smith, J. W.,
Barner,	Geary,	Michel,	Smith, L.,
Bechtold,	Glass,	Miller, A. D.,	Smith, O. W.,
Bell,	Golder,	Miller, C. G.,	Snowden,
Benchoff,	Goodnough,	Miller, G. J. A.,	Snyder,
Bennett,	Goodwin,	Milner,	Somerman,
Benninger,	Graeff,	Mitchell,	Sones,
Beyer,	Graham,	Morgan, T.,	Spangler,
Bidelspacher,	Gransback,	Morgan, T. J.,	Speicher,
Black,	Haight,	Murphy,	Sprowls,
Bouton, V. B.,	Haldeman,	Musser,	Steedle,
Bovee,	Hecht,	Ogden,	Sterling,
Boyd,	Helt,	Patterson,	Stern,
Brady,	Heyburn,	Perry,	Stites,
Brumbaugh,	Hibshman,	Phillips,	Stofflet,
Burnett,	Hollern,	Pickering,	Strauss,

Campbell, J. O.,	Hollingsworth,	Powell,	Sullivan,
Campbell, T.,	Horton,	Ramsey,	Swartz,
Canon,	Hough,	Reichenbacher,	Sweitzer,
Christman,	Howarth,	Reitzel,	Thomas,
Coldsmith,	Isherwood,	Reynolds,	Ulsh,
Clements,	Jack,	Rhoads, H. L.,	Urich,
Conner,	Jones,	Rhodes, W. M.,	Vickerman,
Corbin,	Kennedy,	Rich,	Vogdes,
Cox,	Lafferty,	Richards,	Wagner,
Crosby,	Lanius,	Ringler,	Walker,
Cummins,	Laucks,	Rininger,	Wallace,
Curry,	Lauler,	Rinn,	Walter,
Davis, D. F.,	Leary,	Robertson,	Weimer,
Davis, W.,	Lohr,	Rogers,	Wells,
Dean,	Luppert,	Ross,	West,
Dell,	Malie,	Rothenberger,	Whitaker,
Dithrich,	Mangan,	Ruddy,	Williams, G. W.
Donneley,	Marvin,	Rudisill,	Williams, J. P.,
Drake,	Maurer,	Sampsel,	Wobensmith,
Drinkhouse,	McArdle,	Sarig,	Wood,
Dunn,	McCaig,	Schaeffer, A. C.,	Woodward,
Eby,	McCurdy,	Scott,	Zanders,
Ehrhardt,	McKay,	Shaffer, C. A.,	Baldwin,
		Shattuck,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

TIME EXTENDED ON BILLS.

Mr. HECHT asked and obtained unanimous consent to an extension of five days on the final passage postponed calendar of House Bills numbered and entitled as follows:

House Bill No. 243

A Joint Resolution proposing an amendment to article nine of the Constitution of Pennsylvania.

House Bill No. 244

A Joint Resolution proposing an amendment to article nine of the Constitution of Pennsylvania.

Mr. RAMSEY asked and obtained unanimous consent to an extension of five days on the third reading postponed calendar of House Bill No. 797, File Folio 2179, entitled

An Act fixing the salary of the evelator operators in the State Capitol.

Mr. BLACK asked and obtained unanimous consent to an extension of five days on the third reading postponed calendar of House Bills numbered and entitled as follows:

House Bill No. 190

An Act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries judges of election return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties.

House Bill No. 191

An Act to amend section one of an act approved the eighteenth day of April one thousand eight hundred ninety-three entitled "An Act providing that voters in this Commonwealth shall cast their ballots at polling places inside the election district in which they are domiciled and making it the duty of the courts of quarter sessions of the several counties to carry out the provisions of the same."

BILLS ON THIRD READING.

Mr. DITHRICH. Mr. Speaker, I desire to call up at this time House Bill No. 1147, File Folio 1993, from page 36 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1147, entitled

An Act validating certain satisfactions of mortgages heretofore entered in good faith at the instance of the mortgagee.

On the question recurring,

Will the House agree to the bill on third reading?

BILLS ON THIRD READING.

Mr. DITHRICH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, line 5, by inserting after the word "mortgagee" the words "or the assignee of record."

Amend section 1, line 15, by adding after the word "law" the following: "Provided That said acknowledgment of the receipt of the amount due and a statement of the mortgagee's or assignee's desire to have said mortgage satisfied shall be duly signed and acknowledged by said mortgagee or assignee in due form of law as deeds and mortgages are now signed and acknowledged.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amandments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. THOMAS J. MORGAN. Mr. Speaker, I desire to call up at this time House Bill No. 888, File Folio 2193, from page 37 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 888, entitled

An Act fixing the salaries of certain employes in the Department of Mines.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albee,	Erdman,	McNichol,	Showalter,
Aron,	Flynn,	McPeake,	Shunk,
Arthur,	Fowler,	Mearkle,	Siggins,
Baker,	Franklin,	Mehring,	Simpson,
Baldi,	Fretz,	Mervine,	Sinclair,
Baldridge,	Gans,	Michel,	Smith, E. R.,
Barner,	Glass,	Miller, Allan,	Smith, F. I.,
Bechtold,	Golder,	Miller, C. G.,	Smith, J. W.,
Bell,	Goodnough,	Miller, G. J. A.,	Smith, L.,
Benchoff,	Gormley,	Milner,	Smith, O. W.,
Bennett,	Graeff,	Mitchell,	Snowden,
Benninger,	Graham,	Morgan, T.,	Snyder,
Beyer,	Gransback,	Murdoch,	Somerman,
Bidelspacher,	Haight,	Murphy,	Sones,
Black,	Haldeman,	Neary,	Spangler,
Bouton, V. B.,	Hecht,	Ogden,	Speicher,
Bovee,	Heffernan,	Palmer,	Sprowls,
Boyd,	Helt,	Patterson,	Stadtlander,
Brady,	Hess,	Perry,	Sterling,
Brumbaugh,	Heyburn,	Phillips,	Stern,
Burnett,	Hibshman,	Pickering,	Stites,
Campbell, J. O.,	Hoffman,	Ramsey,	Strauss,
Campbell, T.,	Hollern,	Reichenbacker,	Swartz,
Canon,	Horne,	Reitzel,	Sweitzer,
Christman,	Horton,	Reynolds,	Taylor,
Clements,	Hough,	Rhoads, H. L.,	Ulsh,
Conner,	Howarth,	Rhodes, W. M.,	Urich,
Corbin,	Isherwood,	Rich,	Vickerman,
Cox,	Jones,	Richards,	Wagner,
Crosby,	Kennedy,	Ringler,	Walker,
Cummins,	Lafferty,	Rininger,	Wallace,
Curry,	Lanius,	Rinn,	Walter,
Davis, D. F.,	Lauler,	Robertson,	Weimer,
Davis, W.,	Lewis,	Rogers,	West,
Dean,	Lohr,	Ross,	Whitaker,
Dell,	Luppert,	Ruddy,	Wickman,
Dewey,	Mangan,	Rudisill,	Williams, G. W.
Dithrich,	Marvin,	Sampsel,	Williams, J. P.,
Donneley,	Maurer,	Sarig,	Wobensmith,
Drake,	McArdle,	Schaeffer, A. C.,	Wood,
Drinkhouse,	McCullough,	Scott,	Woodward,
Dunn,	McCurdy,	Shaffer, C. A.,	Zanders,
Eby,	McKinney,	Shattuck,	Baldwin,
Ehrhardt,			Speaker.

NAYS—2.

Chestnut, Stoffiet,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MR. RAMSEY IN THE CHAIR.

BILLS ON THIRD READING.

Mr. REICHENBACKER. Mr. Speaker, I desire to call up at this time House Bill No. 751, File Folio 2839, on page 37 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 751, entitled

An Act to fix the compensation for members of the General Assembly.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GEORGE W. WILLIAMS. Mr. Speaker and gentlemen of the House, there is no conscription law in Pennsylvania compelling service in this legislative body. I do not believe a single member of this House is prompted to serve here because of the salary attached to the office of Representative, but from a higher purpose and a desire to render a public service to the citizens of this Commonwealth. This session may not extend beyond the time of the average session, but even if it should that would not be an argument for the passage of this ibll. Unusual conditions and questions surround this legislative session, having a tendency to prolong it that may not occur again in many, many years. It is very evident that the sponsor of this bill which is under consideration feels that his services at least are worth twenty-five hundred dollars to the people of Wayne County, but for myself, I feel that fifteen hundred dollars, with the provision for additional compensation for the extra sessions, amply pay me for all the service I am able to render my constituents in Tioga County for a two years' term, with my actual service limited to from four to five months. In order that we may put this question squarely up to our constituents, and get their estimate of the value of our services to them, let us defeat this bill, and then one year hence those of us who are seeking re-election can put a plank in our personal platform to the effect that we feel that we have been underpaid for our services in the past, and if again elected and returned here will support a bill increasing our salaries to twenty-five hundred dollars, and let them put their estimate on the value of our services to them at that time.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Albee,	Fitzgibbon,	Mearkle,	Simpson,
Aron,	Flynn,	Mehring,	Sinclair,
Arthur,	Fowler,	Mervine,	Smith, E. R.,
Aston,	Franklin,	Michel,	Smith, J. W.,
Baker,	Fretz,	Miller, A. D.,	Smith, L.,
Baldi,	Gans,	Miller, C. G.,	Smith, O. W.,
Bechtold,	Glass,	Miller, G. J. A.,	Snowden,
Bennett,	Golder,	Milner,	Snyder,
Benninger,	Goodnough,	Morgan, T.,	Sones,
Beyer,	Gormley,	Morgan, T. J.,	Spangler,
Bidelspacher,	Graeff,	Murdoch,	Stadtlander,
Bouton, V. B.,	Graham,	Murphy,	Steedle,
Boyd,	Gransback,	Neary,	Sterling,
Brady,	Haight,	Palmer,	Stern,
Brumbaugh,	Haldeman,	Patterson,	Stites,
Campbell, T.,	Hecht,	Phillips,	Strauss,
Clements,	Heffernan,	Pickering,	Sullivan,
Coldsmith,	Hess,	Powell,	Swartz,
Conner,	Heyburn,	Ramsey,	Ulsh,
Corbin,	Hollern,	Reichenbacher,	Urich,
Cox,	Horton,	Reitzel,	Vickerman,
Crosby,	Hough,	Rhodes, W. M.,	Vodges,
Cummins,	Howarth,	Rininger,	Wagner,
Curry,	Kennedy,	Robertson,	Walker,
Davis, W.,	Leary,	Rogers,	Wells,
Dell,	Maurer,	Ross,	West,
Dewey,	McCaig,	Rothenberger,	Wickman,
Dithrich,	McCullough,	Ruddy,	Williams, J. P.,
Donneley,	McCurdy,	Schaeffer, A. C.	Wood,
Drinkhouse,	McKay,	Scott,	Woodward,
Dunn,	McKinney,	Shattuck,	Wynne,
Eby,	McNichol,	Showalter,	Zanders,
Ehrhardt,	McPeake,	Siggins,	Baldwin,
Fackler,	McVicar,		Speaker.

NAYS—38.

Barner,	Hollingsworth,	Musser,	Shaffer, C. A.,
Benchoff,	Isherwood,	Ogden,	Smith, F. I.,
Burnett,	Jack,	Rhoads, H. L.,	Speicher,
Campbell, J. O.,	Jones,	Rich,	Sprowls,
Canon,	Lanius,	Ringler,	Sweitzer,
Chestnut,	Lauler,	Rinn,	Wallace,
Christman,	Lewis,	Rudisill,	Walter,
Dean,	Lohr,	Sampsel,	Whitaker,
Drake,	Marvin,	Sarig,	Williams, G. W.
Erdman,	Mitchell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1256 (Senate Bill No. 256), entitled

An Act to amend paragraph "a" of section four and paragraph one of section five of an act entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record providing for non-partisan nominations and elections for said offices abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses" approved the twenty-fourth day of July Anno Domini one thousand nine hundred and thirteen so as to change the time for circulating and filing nomination petitions.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Albee,	Fowler,	McVicar,	Smith, E. R.,
Aron,	Franklin,	Mearkle,	Smith, F. I.,
Arthur,	Fretz,	Mehring,	Smith, J. W.,
Aston,	Gans,	Mervine,	Smith, L.,
Baker,	Geary,	Miller, A. D.,	Smith, O. W.,
Baldi,	Glass,	Miller, Allan,	Snyder,
Baldridge,	Golder,	Miller, C. G.,	Somerman,
Barner,	Goodnough,	Miller, G. J. A.,	Sones,
Bechtold,	Gormley,	Milner,	Spangler,
Benchoff,	Graeff,	Morgan, T.,	Speicher,
Bennett,	Graham,	Morgan, T. J.,	Sprowls,
Benninger,	Gransback,	Murphy,	Stadtlander,
Beyer,	Haight,	Musser,	Steedle,
Bidelspacher,	Haldeman,	Ogden,	Sterling,
Bouton, V. B.,	Hecht,	Palmer,	Stern,
Bovee,	Heffernan,	Patterson,	Stites,
Boyd,	Helt,	Perry,	Stofflet,
Brumbaugh,	Hess,	Phillips,	Strauss,
Burnett,	Heyburn,	Pickering,	Swartz,
Campbell, J. O.,	Hollern,	Powell,	Sweitzer,
Campbell, T.,	Hollingsworth,	Ramsey,	Thomas,
Canon,	Horton,	Reitzel,	Ulsh,
Christman,	Hough,	Reynolds,	Urich,
Clements,	Howarth,	Rhoads, H. L.,	Vickerman,
Coldsmith,	Isherwood,	Rhodes, W. M.,	Vogdes,
Conner,	Jack,	Rich,	Wagner,
Corbin,	Jones,	Ringler,	Walker,
Cox,	Kennedy,	Rininger,	Wallace,
Crosby,	Lanius,	Rinn,	Walter,
Cummins,	Lauler,	Robertson,	Weimer,
Curry,	Leary,	Rogers,	Wells,
Davis, W.,	Lohr,	Rothenberger,	West,
Dean,	Luppert,	Ruddy,	Whitaker,
Dell,	Malie,	Rudisill,	Wickman,
Dithrich,	Marvin,	Sampsel,	Williams, G. W.
Donneley,	Maurer,	Sarig,	Williams, J. P.,
Drake,	McArdle,	Schaeffer, A. C.,	Wohensmith,
Drinkhouse,	McCaig,	Scott,	Wood,
Dunn,	McCullough,	Shaffer, C. A.,	Woodward,
Ehrhardt,	McCurdy,	Showalter,	Wylie,
Erdman,	McKay,	Shunk,	Wynne,
Fackler,	McKinney,	Siggins,	Zanders,
Fitzgibbon,	McNichol,	Simpson,	Baldwin,
Flynn,	McPeake,	Sinclair,	Speaker.

NAYS—2.

Chestnut, Mitchell,

The majority required by the Constitution having voted in the affirmative, the question was decided in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

MR. GEORGE W. WILLIAMS IN THE CHAIR.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1257 (Senate Bill No. 257), entitled

An Act to amend the first sixth and seventh sections of an act entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including state committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the state of the expenses of the same authorizing the state commitee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided herein and repealing inconsistent legislation" approved the twelfth day of July Ano Domini one thousand nine hundred and thirteen so as to change the time for filing petitions of nomination and the time for the organization of the state committees.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albee,	Fitzgibbon,	McNichol,	Siggins,
Aron,	Flynn,	McPeake,	Simpson,
Arthur,	Fowler,	McVicar,	Sinclair,
Aston,	Fretz,	Mearkle,	Smith, E. R.,
Baker,	Gans,	Mervine,	Smith, F. I.,
Baldi,	Geary,	Michel,	Smith, J. W.,
Baldridge,	Glass,	Miller, A. D.,	Smith, L.,
Barner,	Golder,	Miller, Allan,	Smith, O. W.,
Bechtold,	Goodnough,	Miller, C. G.,	Snyder,
Benchoff,	Gormley,	Miller, G. J. A.,	Somerman,
Bennett,	Graeff,	Milner,	Sones,
Benninger,	Graham,	Mitchell,	Spangler,
Beyer,	Gransback,	Morgan, T.,	Speicher,
Bidelspacher,	Haight,	Morgan, T. J.,	Sprowls,
Boulton, H.,	Haldeman,	Murdoch,	Stadtlander,
Bovee,	Hecht,	Murphy,	Steedle,
Boyd,	Heffernan,	Musser,	Sterling,
Brady,	Helt,	Neary,	Stern,
Brumbaugh,	Hess,	Ogden,	Stites,
Burnett,	Heyburn,	Palmer,	Stofflet,
Campbell, J. O.,	Hollern,	Patterson,	Strauss,
Campbell, T.,	Hollingsworth,	Perry,	Swartz,
Canon,	Horne,	Phillips,	Sweitzer,
Chestnut,	Horton,	Pickering,	Thomas,
Christman,	Hough,	Powell,	Ulsh
Clements,	Howarth,	Ramsey,	Urich,
Coldsmith,	Isherwood,	Reichenbacker,	Vickerman,
Conner,	Jack,	Reitzel,	Wagner,
Cook,	Jones,	Reynolds,	Walker,
Corbin,	Kennedy,	Rhoads, H. L.,	Wallace,
Cox,	Lanius,	Rhodes, W. M.,	Walter,
Crosby,	Lauler,	Rich,	Weimer,
Cummins,	Leary,	Ringler,	Wells,
Curry,	Lewis,	Rininger,	West,
Davis, D. F.,	Lohr,	Rinn,	Whitaker,
Davis, W.,	Luppert,	Robertson,	Wickman,
Dean,	Malie,	Ross,	Williams, G. W.
Dell,	Mangan,	Rothenberger,	Williams, J. P.,
Dithrich,	Marvin,	Ruddy,	Wobensmith,
Donneley,	Maurer,	Rudisill,	Wood,
Drake,	McArdle,	Sampsel,	Woodward,
Drinkhouse,	McCaig,	Schaeffer, A. C.,	Wylie,
Dunn,	McCullough,	Scott,	Wynne,
Ehrhardt,	McCurdy,	Shattuck,	Zanders,
Erdman,	McKay,	Showalter,	Baldwin,
Fackler,	McKinney,	Shunk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was decided in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1295 (Senate Bill No. 595), entitled

An Act regulating the practice and procedure of the sheriff or deputy sheriff under writs of inquisition condemnation inquiry of damages lunacy or habitual drunkard proceedings partition proceedings or by virtue of any other writ or process issued by the courts of this Commonwealth wherein the existing laws require the sheriff to be present in person.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albee,	Fitzgibbon,	McReake,	Siggins,
Aron,	Flynn,	McVicar,	Simpson,
Arthur,	Franklin,	Mearkle,	Sinclair,
Aston,	Fretz,	Mervine,	Smith, E. R.,
Baker,	Gans,	Michel,	Smith, F. I.,
Baldi,	Glass,	Miller, A. D.,	Smith, J. W.,
Baldridge,	Golder,	Miller, Allan,	Smith, L.,
Barner,	Goodnough,	Miller, C. G.,	Smith, O. W.,
Bechtold,	Gormley,	Miller, G. J. A.,	Snowden,
Benchoff,	Graeff,	Milner,	Snyder,
Bennett,	Graham,	Morgan, T.,	Somerman,
Benninger,	Gransback,	Morgan, T. J.,	Sones,
Bever,	Haight,	Murdoch,	Spangler,
Bidelspacher,	Haldeman,	Murphy,	Speicher,
Bovee,	Hecht,	Musser,	Sprowls,
Boyd,	Heffernan,	Neary,	Stadtlander,
Brady,	Helt,	Ogden,	Sterling,
Brumbaugh,	Hess,	Palmer,	Stern,
Burnett,	Heyburn,	Patterson,	Stites,
Campbell, J. O.,	Hollern,	Phillips,	Stofflet,
Campbell, T.,	Hollingsworth,	Pickering,	Strauss,
Canon,	Horne,	Powell,	Swartz,
Chestnut,	Horton,	Ramsey,	Sweitzer,
Christman,	Hough,	Reichenbacher,	Thomas,
Clements,	Howarth,	Reitzel,	Urich,
Coldsmith,	Jack,	Reynolds,	Vickerman,
Conner,	Jones,	Rhoads, H. L.,	Vodges,
Cook,	Kennedy,	Rhodes, W. M.,	Wagner,
Corbin,	Lanius,	Rich,	Walker,
Cox,	Laucks,	Ringler,	Wallace,
Crosby,	Lauler,	Rininger,	Walter,
Cummins,	Leary,	Rinn,	Weimer,
Curry,	Lewis,	Robertson,	Wells,
Davis, D. F.,	Lohr,	Ross,	West,
Davis, W.,	Luppert,	Rothenberger,	Whitaker,
Dell,	Malie,	Ruddy,	Wickman,
Dewey,	Mangan,	Rudisill,	Williams, G. W.
Donneley,	Marvin,	Sampsel,	Williams, J. P.,
Drake,	Maurer,	Sarig,	Wobensmith,
Drinkhouse,	McCaig,	Schaeffer, A. C.,	Wood,
Dunn,	McCullough,	Scott,	Woodward,
Eby,	McCurdy,	Shaffer, C. A.,	Wylie,
Erdman,	McKay,	Shattuck,	Wynne,
Erdman,	McKinney,	Showalter,	Zanders,
Fackler,	McNichol,	Shunk,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was decided in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1239 (Senate Bill No. 583), entitled

An Act to further amend section sixteen of an act approved the thirteenth day of June one thousand eight hundred and thirty-six entitled "An Act relating to lunatics and habitual drunkards" as amended.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Albee,	Fowler,	McNichol,	Simpson,
Aron,	Franklin,	McPeake,	Sinclair,
Arthur,	Fretz,	McVicar,	Smith, E. R.,
Aston,	Gans,	Mearkle,	Smith, F. L.,
Baker,	Glass,	Mehring,	Smith, J. W.,
Baldi,	Golder,	Mervine,	Smith, L.,
Baldridge,	Goodnough,	Michel,	Smith, O. W.,
Barner,	Gormley,	Miller, A. D.,	Snowden,
Bechtold,	Graeff,	Miller, Allan,	Snyder,
Benchoff,	Graham,	Miller, C. G.,	Somerman,
Bennett,	Gransback,	Miller, G. J. A.,	Sones,
Benninger,	Haight,	Milner,	Spangler,
Beyer,	Haldeman,	Mitchell,	Sprowls,
Bidelspacher,	Hecht,	Morgan, T.,	Stadtlander,
Black,	Heffernan,	Morgan, T. J.,	Steedle,
Bovee,	Helt,	Murdoch,	Sterling,
Boyd,	Hess,	Murphy,	Stern,
Brumbaugh,	Heyburn,	Musser,	Stites,
Burnett,	Hibshman,	Neary,	Stoffiet,
Campbell, J. O.,	Hoffman,	Ogden,	Strauss,
Campbell, T.,	Hollern,	Palmer,	Swartz,
Canon,	Hollingsworth,	Patterson,	Sweitzer,
Chestnut,	Horne,	Phillips,	Thomas,
Christman,	Horton,	Pickering,	Ulsh,
Clements,	Hough,	Powell,	Urich,
Coldsmith,	Howarth,	Reichenbacker,	Vickerman,
Conner,	Jennings,	Reitzel,	Vodges,
Cook,	Kennedy,	Reynolds,	Walker,
Cox,	Lanius,	Rhoads, H. L.,	Wallace,
Crosby,	Laucks,	Rich,	Walter,
Cummins,	Lauler,	Ringler,	Weimer,
Curry,	Leary,	Rininger,	Wells,
Davis, W.,	Lewis,	Rinn,	West,
Dell,	Lohr,	Robertson,	Whitaker,
Dithrich,	Luppert,	Ross,	Wickman,
Donneley,	Malie,	Ruddy,	Williams, G. W.
Drake,	Mangan,	Rudisill,	Williams, J. P.,
Drinkhouse,	Marvin,	Sarig,	Wobensmith,
Dunn,	Maurer,	Schaeffer, A. C.,	Wood,
Eby,	McArdle,	Scott,	Woodward,
Ehrhardt,	McCaig,	Shattuck,	Wylie,
Erdman,	McCullough,	Showalter,	Wynne,
Fackler,	McCurdy,	Shunk,	Zanders,
Fitzgibbon,	McKinney,	Siggins,	Baldwin,
Flynn,			Speaker.

NAYS—3.

Isherwood, Rhodes, W. M., Rothenberger,

The majority required by the Constitution having voted in the affirmative, the question was decided in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 338 (Senate Bill No. 61), entitled

An Act to enable foreign religious and charitable corporations to hold real estate.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALTER. Mr. Speaker, this bill was here in substantially the same form two years ago and failed of passage. It is a bill that would enable religious and charitable corporations organized outside the Commonwealth of Pennsylvania to hold real estate within the Commonwealth of Pennsylvania to the yearly value of twenty thousand dollars. It was urged two years ago in the Legislature that there was no reason why foreign religious and charitable associations should not submit themselves wholly and fully to the jurisdiction of the courts of Pennsylvania and no argument was adduced against that statement. Now the bill is here again and unless some one can show reason why a foreign religious and charitable association should not subject itself to our laws fully and completely and that its affairs might not be examined by our courts this bill ought not to pass. It is not wholly a question of property rights; it is a question of the administration of charity, and that is something as to which the citizenship of Pennsylvania, acting through the courts of the Commonwealth, should have something to say.

Mr. PHILLIPS. Mr. Speaker, I think this is a very hard bill to understand. Inasmuch as I am of the opinion that the federal law steps in here—I don't know whether I am correctly informed or not—I would like to have somebody explain this bill. I think the federal law reads that foreign people residing in foreign lands, under certain restrictions, cannot have title to any land in the United States. It seems to me under this law they could come in under the head of charitable institutions and secure property in this country and that would be contrary to the federal law. If that is a fact or whether it is not a fact, I would like to know. This bill is very broad in its assertion.

Mr. STERN. Mr. Speaker, I notice the sponsor of this bill in the Hall of the House, Senator Daix, and while I have never seen it done, yet I would like to ask the privilege of the floor for the Senator so that he might explain the provisions of this bill. It seems that no one in the House understands the bill. I would like the sponsor to have the privilege of the floor, Mr. Speaker.

The SPEAKER. It is a very unusual procedure to ask the privilege of the floor for a person not a member for the purpose of explaining a bill.

Mr. STERN. Mr. Speaker, I make that motion.

Mr. SPANGLER. Mr. Speaker, I second the motion.

Mr. WALTER. Mr. Speaker, I should like to inquire of the Chair whether or not this procedure is in order under the rules of the House. I merely ask for information.

Mr. BEYER. Mr. Speaker, there seems to have been considerable fear as to what may lie hidden behind this bill. I am in no position to explain except to say this: That the bill was introduced into the Senate by Senator Daix at the instance of a representative of a Lutheran church, not a foreign corporation for any business, simply a congregation, in order to enable them to purchase a church and hold real estate in which to worship. I don't think there is anything we need to be afraid of in this bill under those circumstances. If there should be any real objections to it I would be glad to have it sent back to the committee from which it came in order that the parties interested might be given a hearing. If there is anything in this bill open to objection I think we can safely leave it up to the Governor to carefully review and consider the matter. As far as I can see, it is only an enabling act to enable a Lutheran congregation to build a church.

Mr. STERN. Mr. Speaker, I withdraw my motion to accord Senator Daix the privilege of the floor.

I move that further consideration of this bill be postponed for the present.

Mr. WALTER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1331 (Senate Bill No. 567), entitled

An Act to amend section nineteen of an act approved the thirteenth day of June one thousand eight hundred thirty-six entitled "An Act relating to roads highways and bridges."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SONES. Mr. Speaker, this is a Senate bill and has reference to roads. I would like to hear from someone in the House who knows something about it and can tell what the purpose of the bill is.

Mr. RININGER. Mr. Speaker, this bill provides that where a State highway route has been authorized and never opened, no work done on it, that it may be abandoned just through the regular court procedure by the petition of a certain number of people who originally petitioned for the road route.

Mr. SONES. Mr. Speaker, I would like to interrogate the gentleman from Blair, Mr. Rininger.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. RININGER. Yes, sir, Mr. Speaker.

Mr. SONES. Mr. Speaker, will the gentleman from Blair state whether or not that is the law as it exists now and state the change proposed in this bill.

BILL POSTPONED.

Mr. RININGER. Mr. Speaker, in view of the question that has been raised I move that further consideration of this bill be postponed for the present.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 1152.

Mr. FITZGIBBON. Mr. Speaker, I move that the vote by which House Bill No. 1152, File Folio 2129, entitled

An Act providing that persons associations and corporations owning occupying or controlling premises upon which any contractor or sub-contractor shall be permitted to do certain classes of construction work shall be liable for the wages of all employes engaged in such work and for the cost of all materials supplied for such work unless the contractor or sub-contractor shall file a bond for the immediate payment of wages and the cost of material when due providing that a contractor shall be liable for the wages of employes of any sub-contractor and for the cost of materials furnished to any sub-contractor unless such sub-contractor shall file a bond covering the same requiring every such contractor or sub-contractor to file a bond specifying the form and amount of such bond and permitting persons furnishing labor or materials to sue in such bond to recover wages and the cost of such materials.

was defeated on final passage on May 1st be reconsidered.

Mr. WALLACE. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. FITZGIBBON. Mr. Speaker, I move that the vote by which this bill passed third reading on May 1st, be reconsidered.

Mr. WALLACE. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. WICKMAN. Mr. Speaker, I move that this bill be recommitted to the Committe on Labor and Industry for amendment.

Mr. REYNOLDS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1337 (Senate Bill No. 675), entitled

An Act validating marriages contracted on or before the first day of January one thousand eight hundred and ninety-six within or without the State of Pennsylvania between parties resident within the State of Pennsylvania at the time for the approval ofthis act where continuous cohabitation of the parties contracting the marriage for a period of twenty-one years has followed such marriage notwithstanding any impediment or obstacle which may have existed under the law of Pennsylvania at the time such marriage was performed and making legitimate all children born of parents whose marriages are validated under this act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SNYDER. Mr. Speaker, this bill provides for the validating of a former marriage where the parties have entered a contract and have lived together continuously for a period of twenty-one years. No matter what impediment or obstacle may have existed at that time; no matter what impediment or obstacle may now exist, that marriage is still intended to be validated. It asumes, therefore, that some impediment existed at the time of the contract of the marriage. Let us assume, for the moment, that the man had another wife living; that he moved to an adjoining state with this second wife and lived in adultery for twenty-one years This act validates such a marriage. So far as I am able to understand this act, it does not undertake to grant a divorce to the first wife; it does not undertake to change their relations in any form whatsoever. We, therefore, have the second marriage validated. We, therefore, have a bigamist; and if I understand this law, he has two wives; he has not been divorced from the first. If that be true, then I cannot understand why a man should not possibly have three or four wives and every one of them be legal wives in this State. It does seem to me that this is a very vicious act. But one step further and that is this: What are the property rights of the first wife? This act does not undertake to say. That man would have two wives living, both of them having the right to inherit the property and both sets of children the right to inherit property and perhaps later he might have another wife under the same circumstances. Surely, we are not going to create a situation of that kind in this State now. I understand that this bill is being proposed for the specific purpose of validating the marriage of some particular individual. If that man has some obstacle in the way, let him go and get a divorce and if he is not entitled to a divorce then he ought not to come into this Legislature and ask us to validate a marriage where he could not get a divorce under our law. I say it is unfair to come here and ask us to do that in order to validate some particular marriage. If he cannot get a divorce then it ought not to be validated here. It seems to me, Mr. Speaker, that this law ought not to pass.

Mr. PALMER. Mr. Speaker, there is another point of view to this bill. It has to do with children that are now considered illegitimate. I have always objected to the use of the word "illegitimate" as applied to children. There is no such thing as illegitimate children; every once in a while there are some illegitimate people who bring into the world those who are legally illegitimate, and if they have repented for their sins and desire to put a good name on those children and clear up the wrong which has been committed, why, this Legislature should not stand in their way. I ask you to vote for the bill.

Mr. STEEDLE. Mr. Speaker, I do not intend to occupy the time of the House in its deliberations, but like my friend, I am not led by sentiment to favor anything that I think is wrong, but I am moved by the purport of this bill. For example, let us cite this particular case on which this particular bill is being drafted. Mr. Brown, we will say, was employed in the City of Pittsburgh. Mr. Brown secures a lucrative position in the City of Detroit in the State of Michigan. After being there for some time he requests his wife to move to Detroit with him and occupy their home. Mrs. Brown refuses to accede to his request. Mr. Brown, under the laws of the State of Michigan, is entitled to a divorce, which he receives and he again remarries in the State of Michigan. From this connection there are three or four children. Mr. Brown turns back to the State of Pennsylvania twenty years later and finds that the Commonwealth of Pennsylvania refuses to accept the divorce granted in the State of Michigan. Now, Mr. Brown has introduced his wife whom he has married in Michigan to the society of Detroit and the society of the State in general as his legally wedded wife, with every sincerity and every purpose of heart and good faith. He returns and finds that the children from this offspring, if I may be permitted to use this term, and I do not like to use it although it is applied—are bastard children, and this is a very serious condition for him after he has lived as the father of these children for twenty years and with the mother of these children for twenty years, living in a wedded life with this wife in every sanctity and now she finds that she has been living with a man practically in a house of ill-repute, or simply as his wife by association. This bill is only for the purpose of correcting such an evil and because there is no jurisdiction, as I understand it, not being a lawyer, and I am only asking for what information we can receive, and I trust that this man and this good woman's experience will be considered by this House and that the wisdom of this House will be moved to vote "aye" on this bill.

Mr. SNYDER. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Steedle, permit himself to be interrogated?

Mr. STEEDLE. Mr. Speaker, I will and will endeavor to answer the question if it is not a legal one.

Mr. SNYDER. Mr. Speaker, I would say if this Mr. Brown had deserted his wife and had run away with another man's wife to Detroit and had gone through the form of a marriage ceremony there, whether this bill would not validate that marriage?

Mr. STEEDLE. Mr. Speaker, I cannot answer that question; I am not a lawyer. I am not familiar with the law part of this question. Some of our legal friends possibly can answer that.

Mr. SNYDER. Mr. Speaker I should like to say this, that as I read this bill that is just exactly what it would do. A man goes away with another man's wife and leaves his own, it will validate that marriage. It seems to me we cannot pass a bill that is so vicious in order to help out somebody who has done something somewhere that he is ashamed of.

Mr. GOLDER. Mr. Speaker, I trust that I may not be considered presumptious at this time if I may dare to answer the question that Dr. Steedle was unable to answer. I say that the case given by the gentleman from Westmoreland would not come within the act, that no man is legally and lawfully married as provided by this act, that is, by marriage duly contracted and solemnized, unless he has first acquired a divorce. I would ask the gentleman from Westmoreland if he could give me an instance, any instance, where a man could have two wives and still come within the provisions of this act; whether any man can be duly married under a marriage that has been contracted and duly solemnized and still have another wife living anywhere?

Mr. SNYDER. Mr. Speaker, this bill provides as I read it that where they have duly contracted and duly solemnized a marriage the act specifically says that in such a case where it was not valid, this act makes it valid. If the marriage were valid we would have no occasion to pass an act validating that marriage. Therefore, it is simply a case of where the contract was invalid and where the act was not solemnized and recognized by the law, and we are now validating that. If I read this act correctly, the case which I presented comes exactly within that law.

Mr. GOLDER. Mr. Speaker, I respectfully submit to the House that there can be no marriage as provided by this act, duly contracted and solemnized, where the man or wife has another wife or husband living anywhere. That is true under the laws as laid down by the Legislature, the laws of morality, and the laws of God. There cannot be a marriage contracted and duly solemnized anywhere if either party has a husband or wife still living. Now as I read this act and understand the circumstances behind it, it was meant to correct the evil that was set down sometime ago where it was decided, I think by the Supreme Court, that if a divorce is granted in one jurisdiction on a ground that is not a valid ground in another jurisdiction, that the children as a result of that marriage contract by either party are legitimate. Now morally, legally and ethically, this act should pass.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Albee,	Fowler,	McNichol,	Simpson,
Aron,	Franklin,	McPeake,	Smith, E. R.,
Arthur,	Fretz,	McVicar,	Smith, J. W.,
Baker,	Gans,	Mearkle,	Smith, L.,
Baldi,	Glass,	Mehring,	Smith, O. W.,
Barner,	Golder,	Michel,	Snowden,
Bechtold,	Goodnough,	Miller, Allan,	Sones,
Bell,	Graeff,	Miller, C. G.,	Spangler,
Bennett,	Graham,	Miller, G. J. A.,	Speicher,
Benninger,	Haight,	Milner,	Sprowls,
Beyer,	Haldeman,	Morgan, T.,	Stadtlander,
Black,	Hecht,	Neary,	Steedle,
Bovee,	Heffernan,	Palmer,	Sterling,
Burnett,	Helt,	Perry,	Stern,
Campbell, T.,	Hollern,	Phillips,	Strauss,
Chestnut,	Hollingsworth,	Pickering,	Sullivan,
Christman,	Horton,	Powell,	Swartz,
Clements,	Howarth,	Ramsey,	Sweitzer,
Coldsmith,	Jones,	Reichenbacher,	Ulsh,
Conner,	Lanius,	Reitzel,	Urich,
Corbin,	Lauler,	Reynolds,	Vogdes,
Cox,	Leary,	Rhoads, H. L.,	Walker,
Crosby,	Lewis,	Ringler,	Weimer,
Curry,	Lohr,	Rininger,	Wells,
Davis, W.,	Mangan,	Rinn,	Whitaker,
Dean,	Marvin,	Robertson,	Wickman,
Dithrich,	Maurer,	Rogers,	Williams, G. W.
Drinkhouse,	McArdle,	Rothenberger,	Wobensmith,
Dunn,	McCaig,	Sampsel,	Wood,
Ehrhardt,	McCurdy,	Schaeffer, A. C.,	Zanders,
Erdman,	McKay,	Siggins,	Baldwin,
Fackler,			Speaker.

NAYS—18.

Aston,	Isherwood,	Ross,	Stites,
Bidelspacher,	Jack,	Rudisill,	Wallace,
Campbell, J. O.,	Mitchell,	Shaffer, C. A.,	Walter,
Canon,	Musser,	Snyder,	West,
Fitzgibbon,	Ogden,		

The majority required by the Constitution having voted in the affirmative, the question was decided in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1373 (Senate Bill No. 698), entitled

An Act to prevent the incorporation of societies and associations not for profit with names, styles or titles identical with or similar to the names, styles or titles of State boards, commissions or other activities and the use of such societies and associations already incorporated of such names, styles or titles, where such identity or similarity is calculated to result or has resulted in a confusion in the public mind between the recommendations and operations of such societies and associations, and those of said State boards, commissions or other activities.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Albee,	Goodnough,	Mervine,	Sinclair,
Aron,	Gormley,	Michel,	Smith, E. R.,
Arthur,	Graeff,	Miller, A. D.,	Smith, F. I.,
Baker,	Graham,	Miller, C. G.,	Smith, J. W.,
Baldi,	Gransback,	Miller, G. J. A.,	Smith, L.,
Barner,	Haight,	Milner,	Smith, O. W.,
Bechtold,	Haldeman,	Mitchell,	Snowden,
Bell,	Hecht,	Morgan, T.,	Snyder,
Benchoff,	Heffernan,	Morgan, T. J.,	Somerman,
Bennett,	Helt,	Murdoch,	Sones,
Benninger,	Hess,	Murphy,	Spangler,
Beyer,	Heyburn,	Neary,	Speicher,
Black,	Hibshman,	Ogden,	Sprowls,
Bouton, V. B.,	Hollern,	Palmer,	Stadtlander,
Boyd,	Hollingsworth,	Patterson,	Steedle,
Brady,	Horton,	Perry,	Sterling,
Burnett,	Hough,	Phillips,	Stern,
Campbell, J. O.,	Howarth,	Pickering,	Stites,
Campbell, T.,	Isherwood,	Powell,	Stoffiet,
Canon,	Jack,	Ramsey,	Sullivan,
Christman,	Jones,	Reitzel,	Swartz,
Clements,	Kennedy,	Reynolds,	Sweitzer,
Coldsmith,	Lafferty,	Rhoads, H. L.,	Thomas,
Conner,	Lanius,	Rhodes, W. M.,	Ulsh,
Crosby,	Laucks,	Rich,	Urich,
Curry,	Lauler,	Richards,	Vickerman,
Davis, W.,	Leary,	Ringler,	Vodges,
Dell,	Lewis,	Rininger,	Wagner,
Dewey,	Lohr,	Rinn,	Vogdes,
Dithrich,	Luppert,	Robertson,	Wallace,
Donnelley,	Mangan,	Rogers,	Walter,
Drake,	Marvin,	Ross,	Weimer,
Drinkhouse,	Maurer,	Rothenberger,	Wells,
Dunn,	McArdle,	Ruddy,	West,
Erdman,	McCaig,	Sampsel,	Whitaker,
Fackler,	McCullough,	Sarig,	Wickman,
Flynn,	McCurdy,	Schaeffer, A. C.,	Williams, G. W.
Fowler,	McKay,	Scott,	Williams, J. P.,
Franklin,	McKinney,	Shaffer, C. A.,	Wobensmith,
Fretz,	McNichol,	Shattuck,	Wood,
Gans,	McVicar,	Shunk,	Woodward,
Glass,	Mearkle,	Siggins,	Zanders,
Golder,	Mehring,	Simpson,	Baldwin,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was decided in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Mr. PALMER. Mr. Speaker, I desire to call up at this time Senate Bill No. 119 (House Bill No. 1218), File Folio 605, on page 36 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1218 (Senate Bill No. 119), entitled

An Act providing for the filling of vacancies in the office of tax collecter in boroughs and townships by the county commissioners and repealing certain acts inconsistent therewith.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALTER. Mr. Speaker when this bill was before the House last week, I examined it and I find that it places the appointment of tax collectors in boroughs and townships wholly in the hands of the county commissioners with the approval ofthe court. The present law places, or leaves, the filling of vacancies in the hands of the court upon the recommendation of the borough authorities. Now in most cases, the collection of the county tax is an unimportant matter for the reason that in most counties the county tax is small and the borough and school tax is large.

It would hardly be advisable to give the county commissioners, who, in many instances, only receive about one-fourth or less of the total taxes collected, the right to appoint the tax collector, whereas the borough will receive one-half or more of all the taxes collected. The tax collector is more particularly the official of the borough and local school district than of the county commissioners, and therefore the law ought not to be changed. It seems to work very satisfactory in its present form, and where there is no evil to correct or objection to overcome the law ought to stand as it is.

Mr. PALMER. Mr. Speaker, all of the business of the tax collector now is done through the county commissioners. They have all to do with it and the court has nothing to do with it. As Mr. Walters said, the county commissioners certify as to the appointment and the courts make the appointment. It would work a benefit when a vacancy occurs in these cases that if the county commissioners, who deal with the men, would be allowed to appoint the men as they see fit, who would be the best qualified to take up the work, without the approval of the court, because the court is not in a position to judge whether or not he would make the best collector as to efficiency. I desire to interrogate the gentleman from Franklin.

The SPEAKER. Will the gentleman from Franklin, Mr. Walker, permit himself to be interrogated?

Mr. WALTER. With pleasure, Mr. Speaker.

Mr. PALMER. Mr. Speaker, I desire to ask the gentleman if he thinks this bill is harmful.

Mr. WALTER. Mr. Speaker, I would reply to the gentleman from Schuylkill by saying that it is harmful, in that it gives the county commissioners, who receive only a portion of the taxes, exclusive power to deal with vacancies, whereas the borough officials who receive a greater portion of the taxes collected would have nothing to say about it. The principal business, I take it, of the tax collector is to turn over the money to the tax levying authorities.

Mr. PALMER. Mr. Speaker, I desire to further interrogate the gentleman from Franklin.

The SPEAKER. Will the gentleman from Franklin permit himself to be further interrogated?

Mr. WALTER. I will.

Mr. PALMER. Do the tax collectors ever come in contact with the court.

Mr. WALTER. No, except when they embezzle.

Mr. PALMER. I desire to further interrogate the gentleman and ask him if the county commissioners do not have more to do with the business of the tax collectors than the courts ever do.

Mr. WALTER. I think that is true. The objection I have to the bill is that it ignores the other authorities and places this power solely in the hands of the county commissioners.

Mr. PALMER. Why did you not then introduce an act to take it away from the courts?

Mr. WALTER. The present act work very satisfactorily, the courts as a rule appointing upon the recommendation of the taxing authorities.

Mr. PALMER. Have you any reason for believing that it would not work more satisfactorily if this law was passed.

Mr. WALTER. No, I think not, because the bulk of the taxes would be paid to a body that would have nothing to do with the appointment of the tax collector.

Mr. PALMER. That is the way it is now practically. The court is not in a position at all to know the business of the tax collectors, as the law now is, and have nothing to do with them.

Mr. WALTER. None whatever, except to approve the appointment.

Mr. PALMER. Therefore you admit that this bill is all right with that exception.

Mr. WALTER. Mr. Speaker, I am not ready to admit that any bill which changes a law that has been satisfactory for a period of about twenty-two years, is necessarily all right.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—107.

Aron,	**Graham,**	Miller, G. J. A.,	**Snowden,**
Arthur,	**Gransback,**	Morgan, T.,	**Somerman,**
Baldi,	**Haight,**	Morgan, T. J.,	Sones,
Baldridge,	Haldeman,	**Neary,**	Spangler,
Bennett,	**Hecht,**	**Palmer,**	Speicher,
Benninger,	**Heffernan,**	Patterson,	Sprowls,
Beyer,	**Hess,**	Perry,	**Stadtlander,**
Bovee,	Heyburn,	**Phillips,**	Steedle,
Boyd,	Hollingsworth,	**Pickering,**	**Sterling,**
Campbell, T.,	Hough,	Powell,	**Stern,**
Conner,	**Howarth,**	**Ramsey,**	Stofflet,
Cox,	Jack,	Reitzel,	Strauss,
Crosby,	Jones,	Reynolds,	**Sullivan,**
Curry,	Lafferty,	Rhoads, H. L.,	**Swartz,**
Dell,	Lauler,	Rich,	Thomas,
Dithrich,	**Lewis,**	**Rininger,**	**Ulsh,**
Drinkhouse,	Luppert,	Rogers,	**Urich,**
Dunn,	Mangan,	Ruddy,	Vogdes,
Fackler,	McArdle,	Schaeffer, A. C.,	Wagner,
Flynn,	McCaig,	Scott,	**Walker,**
Franklin,	McCullough,	Shattuck,	Weimer,
Fretz,	McNichol,	**Shunk,**	Whitaker,
Gans,	Mearkle,	**Siggins,**	Wickman,
Glass,	Mervine,	**Simpson,**	Williams, G. W.
Golder,	Michel,	**Sinclair,**	**Wobensmith,**
Goodnough,	Miller, Allan,	Smith, J. W.,	Zanders,
Graeff,	Miller, C. G.,	Smith, L.,	Baldwin, Speaker.

NAYS—44.

Albee,	**Coldsmith,**	**Marvin,**	Rudisill,
Baker,	Corbin,	McCurdy,	Sampsel.
Barner,	**Davis, W.,**	McKay,	Sarig,
Bechtold,	Dean,	McPeake,	Showalter,
Benchoff,	Donneley,	McVicar,	Snyder,
Bidelspacher,	**Drake,**	Musser,	**Stites,**
Bouton, V. B.,	**Fitzgibbon,**	Ogden,	Sweitzer,
Burnett,	Hollern,	Reichenbacker,	Wallace,
Campbell, J. O.,	Isherwood,	Ringler,	Walter,
Canon,	Kennedy,	Rinn,	Wood,
Chestnut,	Lohr,	Rothenberger,	Wynne,
Clements,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Mr. REYNOLDS asked and obtained unanimous consent to call up House Bill No. 1029, File Folio 4289, on page 20 of to-day's calendar, bills on third reading.

Agreeably to order,

The House proceeds to the third reading and consideration of House Bill No. 1029, as follows:

An Act for the appointment of a commission by the Governor of this Commonwealth for the purpose of amending revising and collating the laws touching upon and relating to dependent defective delinquent neglected incorrigible and illegitimate children of this State and for the further purpose of suggesting new legislation for the care and welfare of such children and making an appropriation to meet the expenses of the said commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of this Commonwealth be and is hereby authorized and required to appoint seven (7) competent citizens of whom the Secretary of the State Board of Public Charities and the Secretary of the

State Board of Education shall be two (2) as commissioners to revise collate and digest all the acts and statutes relating to or touching on dependent defective delinquent neglected incorrigible and illegitimate children of the Commonwealth

Section 2 That the duties of said commissioners shall be to collate and reduce into one act all the acts and statutes and parts of acts and statutes relating to or touching on dependent defective delinquent neglected incorrigible and illegitimate children of this Commonwealth and arrange the same systematically under proper titles divisions and sections To omit in such provisions all acts and parts of acts that have been repealed or supplied by subsequent acts or which have expired and to prepare and submit such bills to the legislature as they shall deem necessary to make the laws and methods of this Commonwealth relating to dependent defective delinquent neglected incorrigible and illegitimate children more comprehensive more efficient and better adapted to the needs of such children and the welfare of the State

Section 3 That said commissioners shall report the result of their labor to the legislature that shall convene in one thousand nine hundred and nineteen on or before the first of February of said year

Section 4 That said Commissioners shall meet and organize within thirty (30) days of their appointment and elect a president and secretary and as promptly as possible proceed to perform their duties

Section 5 That for the purpose of said commission the sum of five thousand ($5,000.00) dollars or so much thereof as may be necessary is hereby appropriated

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. REYNOLDS. Mr. Speaker, I move that this bill be recommitted to the Committee on appropriations.

Mr. RININGER. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILLS.

Mr. SWARTZ asked and obtained unanimous consent for an extension of five days on the third reading postponed calendar of House Bill numbered and entitled as follows:

House Bill No. 1025

An Act authorizing the Commissioner of Banking to appoint five additional examiners and providing for their compensation and expenses.

Mr. WHITAKER asked and obtained unanimous consent for an extension of five days on the third reading postponed calendar of House Bill numbered and entitled as follows:

House Bill No. 60

An Act to amend section seventy-five of an act approved the thirty-first day of March, one thousand eight hundred and sixty (Pamphlet Laws three hundred eighty-two), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth," by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be.

SPEAKER BALDWIN IN THE CHAIR.

SENATE MESSAGE.

The Clerk of the Senate, being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

A RESOLUTION EXTENDING THE FREEDOM OF THE STATE OF PENNSYLVANIA TO THE RIGHT HONORABLE ARTHUR BALFOUR, SECRETARY FOR FOREIGN AFFAIRS OF THE GOVERNMENT OF GREAT BRITAIN; GENERAL JOSEPH JOFFRE, MARSHAL OF FRANCE, AND MONSIEUR RENE VIVIANI, VICE PREMIER OF FRANCE.

In the House of Representatives, May 2, 1917.

Whereas, The United States of America has joined in arms with the Governments and peoples of England, France, Russia and the allied countries in order that the world may be made safe for democracy and in order that the menace of militarism and absolutism in government may be effaced from the earth, and

Whereas, The people of the United States of America are now honored by the presence in this land of three of the great leaders in this common cause of world freedom, namely the distinguished Secretary for Foreign Affairs of the Government of Great Britain, the Right Honorable Arthur Balfour; the illustrious vice Premier of the Republic of France, Monsieur Rene Viviani, and the heroic soldier and Marshal of France, General Joseph Joffre, and

Whereas, It is indicated that General Joffre and Monsieur Viviani will do the Commonwealth of Pennsylvania the great honor of entering its borders and visiting with its people, and

Whereas, The people of the Commonwealth of Pennsylvania are as a unit with the people of all the States of this Nation in the earnest hope and determination that this Great War for the Rights of Man and the Progress of Civilization shall terminate satisfactorily to the nations aligned for a greater democracy and a greater world freedom, therefore be it

Resolved (if the Senate Concur), That the freedom of the State of Pennsylvania, is by the whole people of the Commonwealth of Pennsylvania, through their representatives in the Legislature, now assembled, hereby extended to and conferred upon the Commissioners of Great Britain and of France, the Right Honorable Arthur Balfour, Monsieur Rene Viviani, and Marshal Joseph Joffre, and that they be respectfully invited to attend a joint session of the General Assembly of Pennsylvania to be held at such time during their visit to Harrisburg as may be convenient to them, and be it

Further resolved, That copies of these resolutions, properly inscribed and bearing the Great Seal of the Commonwealth of Pennsylvania, be dispatched by the Secretary of the Commonwealth to each of these distinguished guests of the Nation and of the State.

with information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

In line twenty-seven, after the word "Joffre," insert the words "and that they be respectfully invited to attend a joint session of the General Assembly of Pennsylvania to be held at such time during their visit to Harrisburg as may be convenient to them."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. STITES. This morning, Mr. Speaker, a resolution was introduced in this House extending the freedom of the State to the envoys of the Allies who are visiting this country. After that resolution went over to the Senate it was considered a more graceful act to have the Senate and House of Representatives invite the distinguished envoys next week to attend a joint session of the Senate and House. I would like to have the amendments concurred in by a rousing vote.

On the question recurring,

Will the House concur in the amendments made by the Senate?

They were unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 295

An Act to further amend section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (Pamphlet Laws six hundred forty-four), entitled "A further supplement to the act entitled 'An Act concerning divorces,' " as amended, by omitting the proviso to clause three thereof providing for the allowance of support or alimony in certain cases.

House Bill No. 855

An Act to repeal an act approved the nineteenth day of March, one thousand nine hundred fifteen, entitled "A further supplement to an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof,' approved the fifth day of May, one thousand nine hundred and eleven, constituting the said court the juvenile court of said county and prescribing its organization, jurisdiction and powers therein and otherwise," and transferring certain cases undisposed of in the county court of Allegheny County to the court of quarter sessions of said county for the purpose of hearing and disposition.

Senate Bill No. 109

An Act for the better protection of wild animals and birds and game within this Commonwealth requiring non-residents to procure a license before hunting in this Common-

wealth providing penalties for violation of any of its several provisions and prescribing the disposition of license fees and penalties received.

Senate Bill No. 121

An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof.

Senate Bill No. 144

An Act to amend section fourteen of an act approved the twelfth day of July one thousand nine hundred thirteen (Pamphlet Laws seven hundred eleven) entitled "An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof."

Senate Bill No. 180

An Act granting compensation as provided for in the Workmen's Compensation act of one thousand nine hundred fifteen to the family of the late Joseph McHugh of Weatherly employed as a game warden and killed while in the performance of his duties.

Senate Bill No. 219

An Act to authorize counties cities boroughs towns townships school districts and poor district to require a bond to protect labor and material men and providing for suits thereon by laborers and material men furnishing labor and material in and about the erection alteration addition and repair of public buildings.

Senate Bill No. 255

An Act to fix the time for filing nomination papers for State and municipal officers and for determination by the courts of contested papers.

Senate Bill No. 259

An Act authorizing Lee Greenleaf a resident of the Borough of Canton Bradford County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

Senate Bill No. 263

An Act to amend section one of the act approved the twenty-eighth day of April one thousand eight hundred and eighty-seven entitled "An Act to authorize the courts of common pleas to decree the sale of real estate held for poor purposes in the several counties boroughs townships and poor districts in this Commonwealth and the reinvestment of the proceeds thereof" by extending the provisions of the act to include the sale of real property of the Commonwealth reserved for the use of a poor district.

Senate Bill No. 265

An Act authorizing Ida Collins a resident of Somerset County in her own right and in the right of her minor children to bring suit in the court of common pleas of Somerset County against the Commonwealth of Pennsylvania.

Senate Bill No. 276

An Act to amend an act approved the fourteenth day of May one thousand nine hundred fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

Senate Bill No. 320

An Act amending sections one three four seven ten eleven and repealing section eight of an act entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be collector of the said several taxes prescribing his duties and fixing his compensation" approved the twentieth day of June Anno Domini one thousand nine hundred and one.

Senate Bill No. 347

An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act amending an act entitled 'An Act to authorize the councils of the cities of the first class of the Commonwealth to appropriate annually a sum not exceeding five hundred dollars for the support and maintenance of each company of the National Guard using and occupying an armory building rooms or quarters within said cities in addition to the annual appropriation by the Legislature' approved the twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-seven by extending the provisions of said act to cities of the second and third class" by authorizing appropriations to batteries of artillery and regimental sanitary detachments.

Senate Bill No. 474

An Act to validate tax liens filed since the twenty-first day of May one thousand nine hundred and thirteen under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales."

Senate Bill No. 489

An Act to amend an act approved May first one thousand nine hundred and nine entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operation therein moving picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes providing for the promulgation of rulings by the Industrial Board of the Department of Labor and Industry and providing for appeal to the said Industrial Board and providing for the supervision and inspection of the said booths or enclosures by the Department of Labor and Industry of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes

Senate Bill No. 490

An Act authorizing cities and boroughs to refund moneys paid by property owners into their treasuries when a court of competent jurisdiction shall have determined that there is no liability for such payment.

Senate Bill No. 491

An Act to amend section two of an act approved the twelfth day of June one thousand nine hundred and seven entitled "An Act to provide for the election of three directors of the poor for the County of Schuylkill at the general election of one thousand nine hundred and eight and every third year thereafter and fixing the salary of the three said directors to be paid out of the treasury of the County of Schuylkill and providing for the continuance of the service of the directors now serving."

Senate Bill No. 492

An Act making an emergency appropriation to the trustees of the State Institution for Feeble-Minded of Western Pennsylvania at Polk Pennsylvania.

Senate Bill No. 502

An Act entitled "An Act requiring the court committing any insane person to an institution of this Commonwealth to certify the proceedings upon which commitment was made to the superintendent of the said institution.

Senate Bill No. 503

An Act to repeal an act entitled "A Supplement to an act entitled 'An Act relating to the fees salaries and duties of certain county officers in Allegheny County approved April sixth Anno Domini one thousand eight hundred and seventy-one" approved the sixth day of March Anno Domini one thousand eight hundred and seventy-two.

Senate Bill No. 525

An Act to repeal section twelve of an act entitled "A Supplement to an act approved the first of May Anno Domini one thousand eight hundred and sixty-one entitled 'An Act relating to Allegheny County'" approved the eighth day of April Anno Domini one thousand eight hundred and sixty-two which said section relates to the furnishing of supplies for the Allegheny County jail.

Senate Bill No. 535

An Act to repeal an act entitled "An Act to authorize the controller and commissioners of Allegheny County to compromise with the holders of bonds of said county issued in payment of subscriptions to the capital stock of certain railroad companies" approved the twenty-ninth day of January Anno Domini one thousand eight hundred and sixty-three.

Senate Bill No. 536

An Act to repeal an act entitled "An Act relating to the sinking fund of Allegheny County" approved the twelfth day of March Anno Domini one thousand eight hundred and seventy-three.

Senate Bill No. 537

An Act to repeal sections one two three and four of the act entitled "An Act fixing the terms of the courts of common pleas oyer and terminer and general jail delivery quarter sessions of the peace and orphans court in the County of Allegheny and regulating proceedings therein" approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty-six.

Senate Bill No. 538

An Act to repeal an act entitled "An Act relative to the service of summons on jurors in Allegheny County and regulating compensation" approved the fifth day of April Anno Domini one thousand eight hundred and sixty-six.

Senate Bill No. 541

An Act to repeal an act entitled "An Act to authorize the appointment of two magistrates in the boroughs south of the Monongahela and Ohio in Allegheny County to hear and determine cases of drunkenness and disorderly conduct and to regulate the compensation therefor" approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-eight.

Senate Bill No. 572

An Act making an appropriation to cover deficiency to the trustees of the State Hospital for the Criminal Insane at Farview Pennsylvania.

Senate Bill No. 573

An Act authorizing the Department of Forestry to purchase surface rights to lands for use as State Forests.

Senate Bill No. 581

An Act empowering certain corporations societies and voluntary associations having subordinate lodges or branches within this Commonwealth to change the location of their principal office or place of business and providing for the approval by the Court of Common Pleas and the filing of notice of such changes.

Senate Bill No. 632

An Act to further amend section nine of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement maintenance and repair of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid Highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended.

Senate Bill No. 650

An Act making an appropriation to A. K. Cassel for services rendered as Deputy Commissioner in the Dairy and Food Division of the Department of Agriculture.

Senate Bill No. 681

An Act to fix the pay of the election officers in cities of the first and second class.

Whereupon,

The Speaker in the presence of the House signed the same.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

Senate Bill No. 502

An Act entitled "An Act requiring the court committing any insane person to an institution of this Commonwealth to certify the proceedings upon which commitment was made to the superintendent of the said institution.

Senate Bill No. 9

An Act to provide for the change of object of the corporate existence of volunteer fire companies and firemen's relief associations connected with volunteer fire departments and authorizing and providing a mode for the dissolution and surrender of the charter of said companies and associations.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

House Bill No. 386

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

House Bill No. 482

An Act to repeal an act entitled "An Act creating a sinking fund commission in any county now or hereafter containing not less than two hundred and fifty thousand nor more than one million two hundred thousand inhabitants prescribing its powers and duties and repealing acts inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine.

House Bill No. 488

An Act providing for leave to pay fines and costs in criminal proceedigs by installments.

House Bill No. 815

An Act authorizing Wilbur Jones Kay Fanny Kay his wife Ellingwood Kay Dorothy Kay and Hubert Kay their children residents of the Borough of East Washington and Mabel Mason resident of the Borough of Washington all of Washington County Pennsylvania to bring suit in the court of common pleas of Washington County against the Commonwealth of Pennsylvania jointly or severally.

House Bill No. 842

An Act authorizing Robert J. McAllister and Ruth McAllister his wife residents of the Dunstable Township Clinton County Pennsylvania to bring suit in the court of common pleas of Clinton County against the Commonwealth of Pennsylvania jointly or severally.

House Bill No. 854

An Act providing for the appointment of probation officers in certain counties fixing their powers duties and salaries.

House Bill No. 889

An Act providing for the payment by State Hospitals for the insane of the traveling expenses from said hospitals to their homes respectively of indigent inmates of said

hospitals discharged by order of the Committee on Lunacy of the Board of Public Charities and for the reimbursement to such hospitals of the amounts so paid.

House Bill No. 912

An Act validating certain foreclosure proceedings instituted by foreign executors administrators and guardians sheriff's sales had thereon and the title acquired thereby.

House Bill No. 1028

An Act authorizing James L. Baker and Mary A. Baker his wife of Harrisburg Dauphin County Pennsylvania to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County.

with the information that the Senate has passed the same without amendments.

RECESS.

Mr. RAMSEY. Mr. Speaker, I move that this House do now take a recess until three o'clock this afternoon.

The motion was agreed to and (at 1.35 P. M.) the House took a recess until 3.00 P. M.

AFTER RECESS.

The House reconvened at 3 o'clock P. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 376.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval House Bill No. 376, entitled "An Act to amend section three hundred three of an act approved the eighteenth day of May one thousand nine hundred eleven entitled 'An Act to stablish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith.'"

This Bill amends the School Code by providing that secretaries of school boards in the 2nd and 3rd class districts shall be elected for four (4) years instead of one (1) year and in the 4th class districts for a term not exceeding four (4) years.

There is no valid reason why the secretaries of school boards should be thus set apart from the other officers of the boards and given this special premanency of service. The School Boards are by law the responsible body in all school matters in their several districts. They should have control of their officers and agents and should not have by law any officers bequeathed to them by action of previous boards for a term of four years whether such officers are satisfactory or not. The effect would be to operate in the interest of certain secretaries rather than in the interest of the school district.

This and hundreds of other like matters were carefully considered by the School Code Commission and rejected because they were not consistent with the spirit of the Code and against sound educational and administrative procedure.

For these reasons the Bill is not approved.

MARTIN G. BRUMBAUGH.

Mr. RININGER. Mr. Speaker, I move that this veto, together with the bill, be laid on the table.

Mr. RAMSEY. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 735.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval House Bill No. 735, entitled "An Act to amend section one of an act approved the thirteenth day of May, one thousand nine hundred and fifteen entitled 'An Act to fix the salaries to be paid to the jury commissioners county jailor and jail physician in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census.'"

This Bill increases the salaries of jury commissioners in Allegheny County from $1,200 per year to $2,500 per year.

It is a matter of record that no official or citizen—other than members of the House of Representatives have taken the trouble to express an opinion upon a Bill that increase the cost of government in this county. The duties of a jury commissioner are not burdensome. These officers do not give all their time by any means to this office. Their livelihood is not dependent upon the compensation paid for this service. To increase the salary would not increase the quality of service. Apparently these officials now perform their duties acceptably and there is no dearth of candidates for the places.

For these reasons this Bill is not approved.

MARTIN G. BRUMBAUGH.

Mr. RININGER. Mr. Speaker, I move that this veto, together with the bill, be laid on the table.

Mr. RAMSEY. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 799.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 19, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval House Bill No. 799, entitled "An Act to regulate the salaries of criers and tipstaves in the courts of common pleas oyer and terminer and general jail delivery quarter sessions of the peace and orphans' court in counties having a population of over eight hundred thousand and less than one million four hundred thousand inhabitants."

This Bill purports to fix the salaries of court criers and tipstaves in certain counties having over 800,000 and less than 1,400,000 population. In reality it applies only to one county. Section 3 of the Bill provides that this proposed Bill "shall not be construed to repeal or limit any of the provisions of" the Act of June 9, 1911, which act provides different salaries in counties having over 1,000,000 and less than 1,500,000 population. This at once raises a confusion in the matter of salaries in counties having over 1,000,000 and less than 1,400,000 population. In other words the Bill is self-contradictory and fails to do what it attempts to do. In its attempt to readjust certain salaries in an interested county it declares that these salaries shall not be readjusted.

Manifestly such legislation should never be approved.

For these reasons this Bill is not approved.

MARTIN G. BRUMBAUGH.

Mr. RININGER. Mr. Speaker, I move that this veto, together with the bill, be laid on the table.

Mr. RAMSEY. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 657.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 19, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval House Bill No. 657, entitled "An Act fixing the salaries of writ servers and process servers in the office of the sheriff in counties containing a population of more than one million four hundred thousand inhabitants."

This Bill applies only to Philadelphia. These writ servers and process servers are to my personal knowledge a deserving group. They are not duly compensated for the important service they render. I should be glad to see them better paid. But the salary they now receive, namely, $900 was fixed by an act of Councils of said City. Councils, I am advised, has since this Bill was presented increased the salaries to $1,000. The whole question is one of local municipal control and not of State regulation. Where by law a local government is full of power to deal rightly by its officials the Commonwealth ought not mandamus the local government. This is Philadelphia's problem not the Commonwealth's.

For these reasons this Bill is not approved.

MARTIN G. BRUMBAUGH.

Mr. RININGER. Mr. Speaker, I move that this veto, together with the bill, be laid on the table.

Mr. RAMSEY. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 259.

Commonwealth of Pennsylvania.

Executive Chamber, Harrisburg, April 19, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval House Bill No. 259, entitled "An Act providing that all printing done for or by the State of Pennsylvania shall bear the union label of the Allied Printing Trades."

This Bill if enforced might invalidate present contracts made by due process of law by the State Printer and lay the Commonwealth open to heavy damages and compel the making of new contracts at largely increased prices.

If the Bill provided that the State printing were to be done by certain designated individuals it would carry its Constitntional condemnation on its face. The effect of this Bill is the same. It requires that State printing shall be done by a special class of people and by them only. Section I, Article I of the Constitution guarantees equal rights to all and a man who is not a member of the Allied Printing Trades has as much right to bid on State printing as has one who is a member.

Moreover it violates Article 3, Sections 7 and 12 of the Constitution which sections specificially forbid the enactment of special legislation of the character contemplated in this Bill. We should all stoutly resist any attempt to enact a law that would discriminate against union labor. The reverse is equally obvious. The cause of labor is not promoted by enactments that violate the Constitution or by creating special classes and granting to them special privileges. In an open free field of professional endeavor the Commonwealth has only one obligation—to render equal justice to all.

For these reasons this Bill is not approved.

MARTIN G. BRUMBAUGH.

Mr. RININGER. Mr. Speaker, I move that this veto, together with the bill, be laid on the table..

Mr. RAMSEY. Mr. Speaker, I second the motion.

The motion was agreed to.

SENATE MESSAGE.

AMENDED SENATE BILL FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

Senate Bill No. 52

An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products or any other products and prescribing penalties.

Said bill having been recalled from the Governor for amendment. The vote on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 5, by striking out "before any magistrate alderman or justice of the peace."

Also line 10, by striking out "magistrate alderman or justice of the peace" and inserting in lieu thereof the word "court."

Also Section 3, line 13, by striking out the word "to" after the word "with."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albee,	Fitzgibbon,	Mearkle,	Smith, E. R.,
Aston,	Flynn,	Mehring,	Smith, F. I.,
Baker,	Fowler,	Mervine,	Smith, L.,
Baldi,	Franklin,	Miller, A. D.,	Smith, O. W.,
Baldridge,	Fretz,	Miller, Allan,	Snowden,
Barner,	Gans,	Miller, G. J. A.,	Snyder,
Bechtold,	Erdman,	McNichol,	Sinclair,
Bell,	Glass,	McVicar,	Somerman,
Benchoff,	Golder,	Milner,	Sones,
Bennett,	Goodnough,	Mitchell,	Spangler,
Benninger,	Gormley,	Morgan, T. J.,	Speicher,
Beyer,	Graeff,	Murdoch,	Sprowls,
Bidelspacher,	Graham,	Murphy,	Stadtlander,
Black,	Gransback,	Musser,	Steedle,
Bouton, V. B.,	Haight,	Neary,	Sterling,
Bovee,	Haldeman,	Ogden,	Stites,
Boyd,	Hecht,	Palmer,	Stoffiet,
Brady,	Heffernan,	Patterson,	Sullivan,
Brumbaugh,	Helt,	Perry,	Swartz,
Campbell, J. O.,	Hess,	Phillips,	Sweitzer,
Campbell, T.,	Heyburn,	Powell,	Thomas,
Chestnut,	Hibshman,	Ramsey,	Ulsh,
Christman,	Hollern,	Reichenbacker,	Urich,
Clements,	Hollingsworth,	Reitzel,	Vogdes,
Coldsmith,	Horton,	Reynolds,	Wagner,
Conner,	Hough,	Rhoads, H. L.,	Walker,
Corbin,	Howarth,	Rhodes, W. M.,	Wallace,
Cox,	Isherwood,	Richards,	Walter,
Crosby,	Jack,	Ringler,	Weimer,
Cummins,	Jones,	Rininger,	Wells,
Curry,	Kennedy,	Robertson,	West,
Davis, D. F.,	Lafferty,	Rogers,	Whitaker,
Davis, W.,	Lanius,	Rothenberger,	Wickman,
Dean,	Leary,	Rudisill,	Williams, G. W.
Dell,	Lewis,	Sampsel,	Williams, J. P.,
Dewey,	Luppert,	Sarig,	Wobensmith,
Dithrich,	Mangan,	Schaeffer, A. C.,	Wood,
Donneley,	Marvin,	Scott,	Woodward,
Drake,	McArdle,	Shaffer, C. A.,	Wylie,
Drinkhouse,	McCullough,	Shattuck,	Wynne,
Dunn,	McKay,	Shunk,	Zanders,
Ehrhardt,	McKinney,	Siggins,	Baldwin,
		Simpson,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 843

An Act authorizing Edward Fay and Son a corporation of the State of Pennsylvania to bring suit in the court of common pleas of Philadelphia County against the Commonwealth

with the information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Title, line 3, by striking out the word "Dauphin" and insert the word "Philadelphia."

Amend section 1, line 7, by striking out the word "Dauphin" and inserting the word "Philadelphia."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Albee,	Fackler,	McCullough,	Schaeffer, A. C.,
Aron,	Flynn,	McCurdy,	Scott,
Arthur,	Franklin,	McKinney,	Showalter,
Baker,	Fretz,	McNichol,	Shunk,
Baldridge,	Glass,	McVicar,	Siggins,
Bechtold,	Golder,	Mervine,	Simpson,
Bennett,	Goodnough,	Miller, A. D.,	Sinclair,
Benninger,	Graeff,	Miller, Allan,	Smith, F. I.,
Beyer,	Graham,	Miller, G. J. A.,	Smith, J. W.,
Bidelspacher,	Gransback,	Mitchell,	Snyder,
Bovee,	Haight,	Morgan, T.,	Sones,
Boyd,	Haldeman,	Murphy,	Speicher,
Burnett,	Heffernan,	Musser,	Sprowls,
Campbell, J. O.,	Hess,	Palmer,	Steedle,
Campbell, T.,	Heyburn,	Patterson,	Sterling,
Canon,	Hibshman,	Phillips,	Stern,
Chestnut,	Hollern,	Pickering,	Stoffiet,
Christman,	Hollingsworth,	Powell,	Swartz,
Conner,	Horton,	Ramsey,	Sweitzer,
Corbin,	Howarth,	Reichenbacker,	Thomas,
Cox,	Isherwood,	Reitzel,	Ulsh,
Crosby,	Jack,	Reynolds,	Vickerman,

Curry,	Jones,	Rhoads, H. L.,	Wagner,
Davis, W.,	Kennedy,	Rich,	Walter,
Dean,	Lanius,	Ringler,	Weimer,
Dell,	Lauler,	Rininger,	West,
Dithrich,	Leary,	Robertson,	Wickman,
Donneley,	Lewis,	Ross,	Williams, G. W.
Drinkhouse,	Luppert,	Rothenberger,	Wobensmith,
Dunn,	Marvin,	Ruddy,	Wylie,
Ehrhardt,	Maurer,	Sampsel,	Zanders,
Erdman,	McCaig,	Sarig,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered. That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 846

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth

with the information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend section 3, line 25, by adding after the word "facies" the following: "Provided That this act shall not apply to any proceeding suit or lien wherein a final order or judgment of any court of record has already been made or entered."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albee,	Franklin,	McPeake,	Siggins,
Aron,	Fretz,	McVicar,	Simpson,
Arthur,	Geary,	Mearkle,	Sinclair,
Baldi,	Glass,	Mervine,	Smith, E. R.,
Baldridge,	Golder,	Michel,	Smith, F. I.,
Barner,	Goodnough,	Miller, A. D.,	Smith, J. W.,
Bechtold,	Gormley,	Miller, C. G.,	Smith, L.,
Benchoff,	Graeff,	Miller, G. J. A.,	Smith, O. W.,
Bennett,	Graham,	Milner,	Snyder,
Benninger,	Gransback,	Mitchell,	Somerman,
Beyer,	Haight,	Morgan, T.,	Sones,
Bidelspacher,	Haldeman,	Morgan, T. J.,	Spangler,
Black,	Heffernan,	Murphy,	Speicher,
Bovee,	Helt,	Musser,	Sprowls,
Boyd,	Hess,	Neary,	Stadtlander,
Burnett,	Heyburn,	Palmer,	Steedle,
Campbell, J. O.,	Hibshman,	Patterson,	Sterling,
Campbell, T.,	Hollern,	Perry,	Stern,
Canon,	Hollingsworth,	Pickering,	Stites,
Chestnut,	Horne,	Powell,	Stofflet,
Christman,	Horton,	Ramsey,	Strauss,
Clements,	Howarth,	Reitzel,	Sullivan,
Coldsmith,	Isherwood,	Reynolds,	Swartz,
Conner,	Jack,	Rhoads, H. L.,	Sweitzer,
Corbin,	Jones,	Rhodes, W. M.,	Thomas,
Crosby,	Kennedy,	Rich,	Ulsh,
Cummins,	Lanius,	Ringler,	Urich,
Curry,	Lauler,	Rininger,	Vickerman,
Davis, D. F.,	Leary,	Rinn,	Vogdes,
Davis, W.,	Lewis,	Robertson,	Walker,
Dean,	Lohr,	Rogers,	Walter,
Dell,	Luppert,	Ross,	Weimer,
Dithrich,	Malie,	Rothenberger,	West,
Donneley,	Mangan,	Ruddy,	Whitaker,
Drake,	Marvin,	Rudisill,	Wickman,
Drinkhouse,	Maurer,	Sampsel,	Williams, G. W.
Dunn,	McCaig,	Sarig,	Wobensmith,
Ehrhardt,	McCullough,	Schaeffer, A. C.,	Wood,
Erdman,	McCurdy,	Scott,	Woodward,
Fackler,	McKay,	Shattuck,	Wynne,
Flynn,	McKinney,	Showalter,	Zanders,
Fowler,	McNichol,	Shunk,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendment concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 260

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth

with the information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend page 2 by adding the following:

Section 3 Whenever a state of war exists between the United States and any other nation or nations and prospective or actual hostilies bring about commercial conditions which make it practically impossible because of continually changing prices to obtain contracts for the furnishing of certain commodities necessary for the government of cities of the first class in this Commonwealth the councils of each city of the first class are hereby empowered to authorize the director of supplies thereof to purchase in the open market at the lowest and most advantageous prices coal fresh meats provisions groceries and other edibles and drugs and hospital supplies for the use of said city without advertising or entering into contracts for the same until such time as hostilities shall cease and normal market conditions shall be restored.

Also amend section 3, by striking out "3" and inserting "4."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albee,	Fowler,	McVicar,	Smith, F. I.,
Aron,	Franklin,	Mearkle,	Smith, J. W.,
Arthur,	Fretz,	Mehring,	Smith, L.,
Aston,	Gans,	Mervine,	Smith, O. W.,
Baker,	Geary,	Michel,	Snowden,
Baldi,	Glass,	Miller, A. D.,	Snyder,
Baldridge,	Golder,	Miller, C. G.,	Somerman,
Barner,	Goodnough,	Miller, G. J. A.,	Sones,
Bechtold,	Gormley,	Milner,	Spangler,
Bell,	Graeff,	Mitchell,	Speicher,
Bennett,	Graham,	Morgan, T.,	Sprowls,
Benninger,	Gransback,	Morgan, T. J.,	Stadtlander,
Bidelspacher,	Haight,	Murphy,	Steedle,
Black,	Haldeman,	Musser,	Sterling,
Bovee,	Heffernan,	Neary,	Stern,
Boyd,	Hess,	Ogden,	Stites,
Brumbaugh,	Heyburn,	Palmer,	Stofflet,
Burnett,	Hibshman,	Patterson,	Strauss,
Campbell, J. O.,	Hollern,	Perry,	Sullivan,
Campbell, T.,	Hollingsworth,	Phillips,	Swartz,
Canon,	Horne,	Powell,	Sweitzer,
Chestnut,	Horton,	Ramsey,	Taylor,
Christman,	Hough,	Reitzel,	Thomas,
Clements,	Isherwood,	Reynolds,	Ulsh,
Coldsmith,	Jack,	Rhoads, H. L.,	Urich,
Cook,	Jones,	Rhodes, W. M.,	Vogdes,
Corbin,	Kennedy,	Rich,	Wagner,
Cox,	Lanius,	Ringler,	Walker,
Cummins,	Lauler,	Rininger,	Walter,
Curry,	Leary,	Rinn,	Weimer,
Davis, D. F.,	Lewis,	Robertson,	Wells,
Davis, W.,	Lohr,	Ross,	West,
Dell,	Luppert,	Rothenberger,	Whitaker,
Dithrich,	Malie,	Rudisill,	Wickman,
Donneley,	Mangan,	Sarig,	Williams, G. W.
Drake,	Marvin,	Schaeffer, A. C.,	Wobensmith,
Drinkhouse,	Maurer,	Scott,	Wood,
Dunn,	McCaig,	Shaffer, C. A.,	Woodward,
Ehrhardt,	McCullough,	Shattuck,	Wylie,
Erdman,	McCurdy,	Shunk,	Wynne,
Fackler,	McKinney,	Siggins,	Zanders,
Fitzgibbon,	McNichol,	Simpson,	Baldwin,
Flynn,	McPeake,	Smith, E. R.,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 951

An Act amending section two of an act entitled "An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a state association for the purpose of holding annual meetings and providing for the payment of the expenses thereof" approved the tenth day of May Anno Domini one thousand nine hundred thirteen by providing that the necessary expenses of the convention shall not be more than twenty-five dollars to any county per annum.

with the information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the title line 2, by inserting the word "and" after the word "Commissioners."

Line 3, by striking out the words "to the county" after the word "clerk" and insert the words "in said."

Amend section 1, line 2, page 2, by striking out the words "to the" after the word "clerk" and inserting the word "of."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Albee,	Fitzgibbon,	McKinney,	Shattuck,
Aron,	Flynn,	McNichol,	Showalter,
Arthur,	Fowler,	McPeake,	Shunk,
Aston,	Franklin,	McVicar,	Siggins,
Baker,	Fretz,	Mearkle,	Simpson,
Baldi,	Gans,	Mehring,	Sinclair,
Baldridge,	Glass,	Mervine,	Smith, E. R.,
Barner,	Golder,	Michel,	Smith, F. I.,
Bechtold,	Goodnough,	Miller, Allan,	Smith, J. W.,
Bell,	Gormley,	Miller, C. G.,	Smith, L.,
Benchoff,	Graeff,	Miller, G. J. A.,	Smith, O. W.,
Bennett,	Graham,	Milner,	Snyder,
Benninger,	Gransback,	Mitchell,	Somerman,
Beyer,	Haight,	Morgan, T.,	Sones,
Black,	Haldeman,	Morgan, T. J.,	Spangler,
Boulton, H.,	Hecht,	Murdoch,	Speicher,
Bovee,	Heffernan,	Murphy,	Sprowls,
Boyd,	Helt,	Musser,	Stadtlander,
Brady,	Hess,	Neary,	Steedle,
Brumbaugh,	Heyburn,	Palmer,	Sterling,
Burnett,	Hibshman,	Patterson,	Stites,
Campbell, J. O.,	Hollern,	Perry,	Stoffiet,
Campbell, T.,	Hollingsworth,	Phillips,	Sullivan,
Chestnut,	Horton,	Pickering,	Swartz,
Christman,	Hough,	Powell,	Sweitzer,
Clements,	Howarth,	Ramsey,	Thomas,
Coldsmith,	Isherwood,	Reichenbacker,	Ulsh,
Conner,	Jack,	Reitzel,	Urich,
Corbin,	Jennings,	Reynolds,	Vickerman,
Cox,	Jones,	Rhoads, H. L.,	Wagner,
Crosby,	Kennedy,	Rhodes, W. M.,	Walker,
Cummins,	Lanius,	Rich,	Walter,
Curry,	Lauler,	Ringler,	Weimer,
Davis, D. F.,	Leary,	Rininger,	Wells,
Davis, W.,	Lewis,	Rinn,	West,
Dean,	Lohr,	Robertson,	Whitaker,
Dell,	Luppert,	Rogers,	Wickman,
Dithrich,	Mangan,	Rothenberger,	Williams, G. W.
Donneley,	Marvin,	Ruddy,	Wobensmith,
Drake,	Maurer,	Sampsel,	Woodward,
Drinkhouse,	McArdle,	Sarig,	Wylie,
Dunn,	McCaig,	Schaeffer, A. C.	Wynne,
Ehrhardt,	McCullough,	Scott,	Zanders,
Erdman,	McCurdy,	Shaffer, C. A.,	Baldwin,
Fackler,	McKay,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL INTRODUCED AND REFERRED.

By Mr. BEYER. House Bill No. 1805

An Act to amend an act entitled "An Act relating to prothonotaries and their duties, and to their deputies, and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the twenty-sixth day of May, Anno Domini one thousand eight hundred ninety-seven, by authorizing the appointment of an additional deputy to act in case of the disability of the pricipal deputy prothonotary.

Referred to the Committee on Judiciary General.

BILLS RE-REFERRED.

By Mr. GEORGE J. A. MILLER. House Bill No. 1183.

An Act to repeal an act approved the fourteenth day of May, Anno Domini one thousand nine hundred and fifteen, entitled "An Act providing for taxing the owners and harborers of dogs in townships of the first class of the Commonwealth, and for the destroying of dogs.

Re-referred to the Committee on Agriculture.

By Mr. GEORGE J. A. MILLER. House Bill No. 1729.

An Act to repeal the act of Assembly approved the third day of June, Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-one), the act of Assembly approved the fifteenth day of June, Anno Domini one thousand nine hundred and eleven (Pamphlet Laws nine hundred and sixty-eight) and the act of Assembly approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and thirty-six).

Re-referred to the Committee on Agriculture.

REPORTS FROM COMMITTEES.

Mr. GEORGE J. A. MILLER, from the Committee on Judiciary General, reported as committed House Bill No. 1724, entitled

An Act to quiet the title to real estate; and to enable citizens of the United States, and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which had been held by or for any foreign corporation, either with or without the right to hold the same, and conveyed either with or without the consent of the stockholders thereof.

Mr. McVICAR, from the Committee on Judiciary General, reported as committed House Bill No. 1691, entitled

An Act providing for the appointment by the Governor of police for certain public service corporations, and prescribing the powers, providing for the compensation and for the revocation of the powers of such police.

Mr. LOHR, from the Committee on Counties and Townships, reported as committed House Bill No. 1694, entitled

An Act regulating the collection of taxes in counties containing less than one hundred fifty thousand inhabitants, creating the office of receiver of taxes in such counties; prescribing the powers and duties of said office, and creating a salary board to fix salaries for such purposes and to designate the number of deputies and clerks, and providing a method of reimbursement for expenses of carrying out the provisions of this act

Mr. LEWIS, from the Committee on Public Roads, reported as committed House Bill No. 1657, entitled

An Act directing the manner in which the Highway Department shall distribute between the several counties the moneys appropriated for State and State-aid roads.

Mr. GOLDER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1149, entitled

An Act regulating salaries of clerks in office of recorder of deeds in any county having a population of one million four hundred thousand inhabitants and over.

Mr. RININGER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1704, entitled

An Act fixing the pay of assessors for State and county purposes in the several cities of the third class.

Mr. RININGER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1383, entitled

An Act authorizing supervisors of townships of the second class, with the assent of the electors thereof, to erect fire hydrants.

Mr. SPANGLER, from the Committee on Public Roads, reported as committed House Bill No. 695, entitled

An Act providing that any county, borough or township bridge crossed by any State route, State highway, or State-aid highway shall become a part of said State route, State highway or State-aid highway, and shall be constructed or reconstructed and repaired and maintained as such.

Mr. DELL, from the Committee on Game, reported as committed House Bill No. 1676, entitled

An Act for the safety of the public by prohibiting, except in certain cases, the use for the purpose of hunting and the discharging at dead marks or targets or otherwise of rifles of more than twenty-two calibre; and providing penalties.

Mr. DELL, from the Committee on Game, reported as committed House Bill No. 1470, entitled

An Act to provide for the distribution of penalties collected for violations of the Fish and Game Laws of this Commonwealth.

Mr. STERLING, from the Committee on Judiciary Special, reported as committed House Bill No. 1366, entitled

An Act to further amend the act approved the first day of June, one thousand eight hundred and eighty-five, entitled "An Act to provide for the better government of cities of the first class in this Commonwealth," by giving officers and employes a right to be heard before dismissal in certain cases.

Mr. WALKER, from the Committee on Judiciaary General, reported as amended House Bill No. 1601, entitled

An Act permitting corporations to invest their surplus funds in bonds of the United States issued for war purposes.

Mr. JONES, from the Committee on Municipal Corporations, reported as committed House Bill No. 1439 (Senate Bill No. 667), entitled

An Act requiring all counties, cities, boroughs, townships, school districts and other municipalities and incorporated districts to sell any bonds or other securities issued by them to the highest bidder after due public notice.

Mr. FRETZ, from the Committee on Game, reported as committed House Bill No. 1711, entitled

An Act for the protection of owners and tenants of cultivated lands from damage by deer; and permitting the killing of such deer and the use of the carcass thereof under certain restrictions.

Mr. FRETZ, from the Committee on Game, reported as committed House Bill No. 1313, entitled

An Act requiring male residents above the age of twenty-two years to be possessed of a tax receipt before a county treasurer or justice of the peace shall issue a resident hunter's license, and providing penalties for violations of the provisions thereof.

Mr. FRETZ, from the Committee on Game, reported as committed House Bill No. 1663, entitled

An Act permitting the owners or lessees of lands or members of their family to take or kill birds commonly known as black birds on the premises owned or leased by them, or upon or over a roadway immediately adjoining and abutting on said property at any time during the year, and repealing all acts inconsistent herewith.

Mr. GLASS, from the Committee on Judiciary Special, reported as committed House Bill No. 953, entitled

An Act authorizing appeals to the Superior Court in all habeas corpus cases.

Mr. McCAIG, from the Committee on Municipal Corporations, reported as committed House Bill No. 1587, entitled

A Supplement to an act, entitled "An Act for the government of cities of the second class," approved March seventh, one thousand nine hundred and one, conferring upon said cities in cases of emergency additional powers to purchase and store the necessities of life, including food and coal, and sell the same to the residents of said city.

Mr. BEYER, from the Committee on Judiciary, General, reported as committed House Bill No. 1805, entitled

An Act to amend an act, entitled "An Act relating to prothonotaries and their duties, and to their deputies, and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the twenty-sixth day of May, Anno Domini one thousand eight hundred ninety-seven, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary;

Mr. McCAIG, from the Committee on Municipal Corporations, reported as committed House Bill No. 1510 (Senate Bill No. 741), entitled

An Act to provide for a stadium in cities of the first class.

Mr. McCAIG, from the Committee on Municipal Corporations, reported as committed House Bill No. 1593 (Senate Bill No. 725), entitled

An Act requiring cities of the second class to give an increase of at least one hundred and fifty dollars per year to all employes now drawing a salary of fifteen hundred dollars per annum or less, and providing a method to enforce the provisions of this act.

Mr. McCAIG, from the Committee on Municipal Corporations, reported as committed House Bill No. 1213 (Senate Bill No. 339), entitled

An Act providing for the sales of tax claims on lands for city taxes, school taxes, municipal claims and water rents in cities of first class.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1372 (Senate Bill No. 480), entitled

An Act to amend section five of an act approved the fifteenth day of June, one thousand nine hundred and fifteen, entitled "An Act to amend, revise, and consolidate the law providing for the burial of certain honorably discharged soldiers, sailors and marines, at the expense of the counties in which they shall die or have a legal residence at the time of their death; to provide a system for effecting the burial of such soldiers, sailors, and marines; to provide headstones and markers for the graves of such soldiers, sailors, and marines; and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers, sailors and marines."

On the question,

Will the House agree to the bill on third reading?

Mr. SIGGINS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 5, on page three by inserting after the word "authorized" in line 22, the words "and required."

Amend the section 5, on page three (3) in line twenty-four (24) by striking out the words "the said" and insert in lieu thereof "a."

Also amend in the same line by striking out "of" and insert in lieu thereof the words "not exceeding."

Also amend the section in line 25, by inserting after the word "stone" the words "or monument erected by such relatives or friends."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1338 (Senate Bill No. 680), entitled

An Act to amend section two of an act approved the fifteenth day of June one thousand nine hundred and eleven entitled "An Act providing for the appointment by the District Attorney in counties having a population of over one million and less than one million five hundred thousand inhabitants of a chief county detective and assistant county detective and special county detective defining their duties fixing their salaries and authorizing payment of the same together with the necessary traveling expenses by the county and providing for additional salary and expenses"

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Albee,	Franklin,	McPeake,	Simpson,
Aron,	Fretz,	McVicar,	Sinclair,
Arthur,	Geary,	Mehring,	Smith, E. R.,
Aston,	Glass,	Mervine,	Smith, J. W.,
Baker,	Goodnough,	Michel,	Smith, L.,
Baldi,	Gormley,	Miller, A. D.,	Smith, O. W.,
Baldridge,	Graeff,	Miller, C. G.,	Snowden,
Barner,	Graham,	Milner,	Snyder,
Benchoff,	Gransback,	Morgan, T.,	Sones,
Bennett,	Haight,	Morgan, T. J.,	Spangler,
Benninger,	Haldeman,	Murphy,	Speicher,
Beyer,	Hecht,	Musser,	Sprowls,
Bidelspacher,	Heffernan,	Neary,	Stadtlander,
Bouton, V. B.,	Helt,	Palmer,	Steedle,
Bovee,	Hess,	Patterson,	Sterling,
Boyd,	Heyburn,	Perry,	Stern,
Brady,	Hibshman,	Phillips,	Stites,
Brumbaugh,	Hollern,	Pickering,	Stofflet,
Campbell, J. O.,	Hollingsworth,	Powell,	Strauss,
Campbell, T.,	Horne,	Ramsey,	Sullivan,
Canon,	Horton,	Reichenbacher,	Swartz,
Christman,	Hough,	Reitzel,	Sweitzer,
Clements,	Howarth,	Reynolds,	Thomas,
Coldsmith,	Isherwood,	Rhoads, H. L.,	Ulsh,
Conner,	Jack,	Rhodes, W. M.,	Urich,
Corbin,	Jones,	Rich,	Vickerman,
Cox,	Kennedy,	Richards,	Vogdes,
Crosby,	Lafferty,	Ringler,	Wagner,
Cummins,	Lanius,	Rininger,	Walker,
Curry,	Lauler,	Rinn,	Walter,
Davis, W.,	Leary,	Robertson,	Weimer,
Dean,	Lewis,	Rogers,	Wells,
Dell,	Lohr,	Ross,	West,
Dewey,	Luppert,	Rothenberger,	Whitaker,
Dithrich,	Mangan,	Rudisill,	Wickman,
Donneley,	Marvin,	Sampsel,	Williams, G. W.
Drake,	Maurer,	Sarig,	Williams, J. P.,
Drinkhouse,	McArdle,	Schaeffer, A. C.,	Wobensmith,
Dunn,	McCaig,	Scott,	Wood,
Ehrhardt,	McCullough,	Shaffer, C. A.,	Woodward,
Eby,	McCurdy,	Shattuck,	Wynne,
Fackler,	McKay,	Showalter,	Zanders,
Flynn,	McKinney,	Shunk,	Baldwin,
Fowler,	McNichol,	Siggins,	Speaker.

NAYS—1.

Miller, G. J. A.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1333 (Senate Bill No. 579), entitled

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve and maintain the same; and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways, providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," and further providing that the State Highway Commissioner, and the several counties, townships, boroughs or incorporated towns shall have authority to make and enter into contracts to reconstruct or improve a State Highway or portion thereof, in the same manner as a State-aid highway; and authorizing counties, townships, boroughs or incorporated towns to incur indebtedness and pay their respective shares of the cost thereof, and making valid all such contracts heretofore made; such highway to remain a State Highway.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Albee,	Fackler,	McPeake,	Smith, F. L.,
Aron,	Fitzgibbon,	McVicar,	Smith, J. W.,
Arthur,	Flynn,	Mearkle,	Smith, L.,
Aston,	Franklin,	Mehring,	Smith, O. W.,
Baker,	Fretz,	Michel,	Snowden,
Baldi,	Gans,	Miller, A. D.,	Snyder,
Baldridge,	Glass,	Miller, C. G.,	Somerman,
Barner,	Golder,	Miller, G. J. A.,	Sones,
Bell,	Goodnough,	Milner,	Spangler,
Benchoff,	Graeff,	Mitchell,	Speicher,
Bennett,	Graham,	Morgan, T. J.,	Sprowls,
Benninger,	Gransback,	Murdoch,	Stadtlander,
Beyer,	Haight,	Musser,	Steedle,
Bidelspacher,	Haldeman,	Neary,	Sterling,
Black,	Hecht,	Palmer,	Stern,
Bouton, V. B.,	Heffernan,	Patterson,	Stites,
Bovee,	Helt,	Phillips,	Stofflet,
Boyd,	Hess,	Pickering,	Strauss,
Brady,	Heyburn,	Powell,	Sullivan,
Brumbaugh,	Hibshman,	Ramsey,	Swartz,
Burnett,	Hollingsworth,	Reitzel,	Sweitzer,
Campbell, T.,	Horne,	Reynolds,	Thomas,
Canon,	Horton,	Rhodes, W. M.,	Ulsh,
Chestnut,	Howarth,	Rich,	Urich,
Christman,	Isherwood,	Richards,	Vickerman,
Coldsmith,	Jack,	Ringler,	Vogdes,
Conner,	Jones,	Rininger,	Wagner,
Corbin,	Kennedy,	Rinn,	Walker,
Cox,	Lafferty,	Robertson,	Wallace,
Crosby,	Laucks,	Rogers,	Walter,
Cummins,	Lauler,	Ross,	Weimer,
Curry,	Leary,	Ruddy,	Wells,
Davis, W.,	Lewis,	Rudisill,	West,
Dean,	Lohr,	Sampsel,	Whitaker,
Dell,	Luppert,	Schaeffer, A. C.,	Wickman,
Dewey,	Mangan,	Scott,	Williams, J. P.,
Dithrich,	Marvin,	Shaffer, C. A.,	Wobensmith,
Donneley,	Maurer,	Shattuck,	Wood,
Drake,	McArdle,	Shunk,	Woodward,
Drinkhouse,	McCullough,	Siggins,	Wynne,
Dunn,	McCurdy,	Simpson,	Zanders,
Eby,	McKay,	Sinclair,	Baldwin,
Erdman,	McNichol,	Smith, E. R.,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

MR. STITES IN THE CHAIR.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1440 (Senate Bill No. 662), entitled

An Act regulatng the packing of apples providing penalties for violations and imposing certain duteis upon the Department of Agriculture.

On the question,

Will the House agree to the bill on third reading?

Mr. ALBEE. Mr. Speaker, I desire to ask if there is any person here who can explain this bill, and why it should be enacted into a law.

Mr. SPANGLER. Mr. Speaker and gentlemen of the House, this bill is an apple packing bill, apple marking bill. The purpose of this bill is to have an honest grading of apples for sale when they are marked and shipped by the packer. The purpose of the bill is further to insure the purchaser of the apples that the purchaser or buyer of those apples receives the standard grade that the contracted to buy. We have frequently seen in buying strawberries or in buying in fact any fruit, that they have packed the big ones on the top and the little ones on the bottom. If this bill passes, it will be necessary for the shipper to mark the grade of apples on box or package in which those apples are packed, and have them brought up to a certain standard so that the packer cannot put the big apples on the top and the small ones on the bottom. The bill does not effect the small grower who takes his apples to market in open baskets or crates; nor does it effect the man who sends a box of apples as a gift. It requires that the name and number of the packer, the name of the variety and the minimum size of the fruit contained be plainly marked on the outside of the barrel or box; and it requires that the face or top of the barrel shall plainly represent the contents in common honesty. It merely makes the man who sells or puts the apples on the market for sale, give what he has contracted to give and it insures the consumer that he will get what he pays for when he buys a box of apples.

Mr. ALBEE. Mr. Speaker, I desire to interrogate the gentleman from York.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. SPANGLER. I will, Mr. Speaker.

Mr. ALBEE. Mr. Speaker, I would like to ask the gentleman from York if other states, such as New York, New Jersey, Maryland and such states have similar laws to this.

Mr. SPANGLER. I am unable to answer the gentleman, Mr. Speaker.

Mr. ALBEE. Mr. Speaker, I think we have in this state farmers as honest as those in New York, New Jersey and the other states, and that they should not be placed in a position where they have to mark certain things on a barrel of apples that the other states do not have to. I think it is putting the farmers and apple growers in Pennsylvania at a disadvantage, and I would ask the gentlemen of the House to vote against this bill.

Mr. WALTER. Mr. Speaker, there is one feature of this bill to which I wish to call the attention of the House, and that is that Pennsylvania apples are sold in competition with Washington and Oregon apples, which are alleged to be the finest grown. Pennsylvania growers dispute that fact. Two years ago I gave this matter of an apple packing bill very careful attention and I then learned that the reason Oregon apples and Washington apples brought better prices and were more desired by the fancy trade in our large cities was because you could always depend upon the brand and packing, and for that reason it made them more salable because every purchaser knew what he would get. My own constituency are greatly interested in this bill, and I assume that the Senator from our district, who introduced this bill in the Senate, has been in consultation with them. The subject is a rather large one, and two years ago when it was proposed to pass an apple bill here, similar in its provisions to this one, the State of New York did have such an act, and a much more drastic one than this. I am not able to state, in answer to the question of the gentleman from Potter, if that act is yet on the statute books. I have no information on the subject, but it was two years ago, and was advanced as an rgument in support of this bill. Now in view of the fact that there may be a great deal of question on the bill and that there ought to be further information given to the House in connection with its discussion,

BILL POSTPONED.

I move you, Sir, that the further consideration of this bill be postponed for the present.

Mr. WALKER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1494, entitled

An Act to amend section six of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpike or toll roads forming all or part of any State Highway and procedure therein; providing for work or improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in improvement of township or county roads; defining highways and State-aid highways; providing method of application for state aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth covering same; providing for the minimum width of State highways and State aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the Act; and providing for the repeal of certain acts relating to highway department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Albee,	Fitzgibbon,	McCurdy,	Shunk,
Aron,	Flynn,	McKay,	Siggins,
Arthur,	Fowler,	McKinney,	Simpson,
Aston,	Franklin,	McNichol,	Sinclair,
Baker,	Fretz,	McPeake,	Smith, E. R.,
Baldi,	Gans,	Mearkle,	Smith, J. W.,
Baldridge,	Glass,	Mehring,	Smith, L.,
Barner,	Golder,	Mervine,	Smith, O. W.,
Bechtold,	Goodnough,	Michel,	Snyder,
Bell,	Gormley,	Miller, Allan,	Somerman,
Benchoff,	Graham,	Miller, C. G.,	Spangler,
Bennett,	Gransback,	Miller, G. J. A.,	Speicher,
Benninger,	Haldeman,	Milner,	Sprowls,
Beyer,	Hecht,	Mitchell,	Stadtlander,
Bidelspacher,	Heffernan,	Morgan, T.,	Steedle,
Black,	Helt,	Morgan, T. J.,	Sterling,
Bouton, V. B.,	Hess,	Murdoch,	Stern,
Bovee,	Heyburn,	Musser,	Stites,
Boyd,	Hibshman,	Neary,	Stofflet,
Brady,	Hoffman,	Ogden,	Sullivan,
Brumbaugh,	Hollern,	Palmer,	Swartz,
Burnett,	Hollingsworth,	Patterson,	Sweitzer,
Campbell, J. O.,	Horne,	Phillips,	Thomas,
Campbell, T.,	Horton,	Pickering,	Ulsh,
Canon,	Hough,	Ramsey,	Urich,
Chestnut,	Howarth,	Reichenbacker,	Vickerman,
Clements,	Isherwood,	Reynolds,	Vogdes,
Coldsmith,	Jack,	Rhoads, H. L.,	Wagner,
Conner,	Jones,	Rich,	Wallace,
Corbin,	Kennedy,	Richards,	Walter,
Crosby,	Lafferty,	Ringler,	Weimer,
Cummins,	Lanius,	Rininger,	Wells,
Curry,	Laucks,	Rinn,	Whitaker,
Davis, W.,	Lauler,	Robertson,	Wickman,
Dean,	Leary,	Rogers,	Williams, G. W.,
Dell,	Lewis,	Ross,	Williams, J. P.,
Dewey,	Lohr,	Rothenberger,	Wobensmith,
Dithrich,	Luppert,	Ruddy,	Wood,
Drake,	Mangan,	Sampsel,	Woodward,
Drinkhouse,	Marvin,	Sarig,	Wylie,
Dunn,	Maurer,	Schaeffer, A. C.,	Zanders,
Eby,	McArdle,	Scott,	Baldwin,
Ehrhardt,	McCaig,	Shaffer, C. A.,	Speaker.
Erdman,	McCullough,	Shattuck,	

NAYS—1.

West,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 409, as follows:

An Act to compel land owners in townships of the second class to clear the highways abutting on their land of brush and trees and imposing certain duties and liabilities on township supervisors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person owning land abutting on any public highway in any township of the second class shall at least once in each year not later than the first day of October cut all weeds rhus toxi codendron known as poison ivy brush and trees growing within the boundaries of such highway and along the sides thereof This provision does not apply to trees of a diameter of four inches or more at a point two feet above the surface of the ground Such persons shall also trim all trees growing along such highways or overhanging the same and shall keep them trimmed so as to allow a clearance of at least sixteen feet above the surface of the highway

When any land owner owns the property on one side of such highway only he shall not be compelled to keep the same clear beyond the center line of such highway

Section 2 If any land owner fails to comply with the provisions of section one of this act the township supervisors shall notify such person that if such work is not done within thirty days of the receipt of such notice the same will be done by the supervisors and the costs thereof collected from the land owner

If within such thirty days the land owner has not complied with the notice the supervisors shall cut such brush and trees and shall collect the cost thereof from the land owner in an action of assumpsit

Section 3 Any supervisor who neglects or refuses to comply with the provisions of section two of this act after being notified in writing so to do shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of ten dollars or shall be dismissed from office at the discretion of the court

Section 4 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. DELL. Mr. Speaker, if the gentleman who is the sponsor of this bill is in the room, I wish he would explain this bill.

Mr. JOHN P. WILLIAMS. Mr. Speaker, this bill is for the safety of every person who travels on the public highway to-day. We have many places on our highways where there is brush all along the line. In short turns you will find brush and weeds that prohibit a man from driving an automobile at the speed at which they are going at this time, and increases the liability of collision. There are places where the roads go down into the hollows and there is brush from the trees over each side of the road, from the trees that span the road, which makes the roads wet all the time, with mud holes, thereby increasing the chances for collision. I know of one place in our county, at the foot of two hills, where the roads come down steep, where there have been two collisions, where the road was so covered with brush in front of them that they could not see and had a collision, two automobiles running together. I think this is a very favorable bill and would like to have your support in its passage.

Mr. DELL. Mr. Speaker and gentlemen of the House, to those who live in the foothills of the Allegheny this bill will work a mighty hardship. If the gentleman had written the bill so that it would apply to cleared land it would be all right, but those of us who live, as I said, in the foothills of the Allegheny, have many miles of road running over the mountains, miles of road running around the bottom of a hill, roads galore that are flanked on each side by timber. According to the provisions of this bill it would be necessary for the land owner to go into his forest land and chop the trees down on each side of the road. It would be necessary for him in these hollow sections to trim away all the brush on land that is absolutely worthless to him excepting that it is a part of his agricultural land. It would impose a hardship at this particular time when it is impossible for the land owner to get labor to clear the road. While I believe that the road should be cleared, and while I am favorable to a bill of this kind if it applies to agricultural land, I sincerely hope that the members of this House will not impose a hardship of this kind upon the land owners, upon the farmers, upon the tillers of the soil who live in the foothills of the mountains, at this time when we are pleading for every farmer to do everything in his power to make his land produce more. If you were to pass a bill of this kind that would take a month, at least a month, to clear the roads. That seems to me to be mighty unwise, and I trust the members of this House will not vote for a bill of this character at this time. Let the gentleman amend the bill so as to apply to tilled land, to cleared land road, and I wil favor it, but as long as the bill applies to mountain land and to barren land and applies to land of no value in any way so far as the agricultural condition is concerned it is too drastic, and I trust that this House will not support the bill. I would ask the gentleman to recommit his bill and have it amended so as to apply to farm land. I too try to keep the roads along my farm clean, and I too believe it is right, but I do not think it is right to impose a hardship of this kind upon the man who happens to be, according to the provisions of this bill, unfortunate enough to own forest land. It is putting a hardship on the man who has some forest land. It compels him to destroy his timber. It compels him to cut away that young timber growing into forest simply because we want the road cleared away so that we may use it for automobiles. I enjoy the automobile as much as any other man, but I do not want to destroy thousands of dollars worth of valuable growing timber in order that we may have a condition of this kind worked out.

Mr. PHILLIPS. Mr. Speaker, I just want to call the attention of the House to this bill. It says: "Every person owning land abutting on any public highway in any township of the second class shall at least once in each year, not later than the first day of October, cut all weeds, rhus taxicondendron, known as poison ivy, brush and trees growing within the boundaries of such highway and along the sides thereof." Here is a provision that it contains: "This provision does not apply to trees of a diameter of four inches or more at a point two feet above the surface of the ground."

Now, the object of this bill is to keep the highways clear of brush and small twigs and trees growing in the highway. This does not prevent any trees from growing on the sides of the highway and there should be some law on the subject to allow the supervisor to clear the highways. It prevents accidents where the road is thickly grown up and also keeps the road dry and that is the secret of the dirt road, to keep it dry and not damp. I think that the provisions of this bill could be easily carried out without doing any injustice to any landowner.

Mr. WILLIAM DAVIS. Mr. Speaker, I believe that the principal underlying this bill, as intended by the sponsor, is all right, but as to who is to do the work is all wrong. If I secure from you or you secure for me thirty or thirty-three feet of land passing through your farm and you sell it for a county or township road it is public property and you have parted with the title to it and I have parted with the title to it. I have no right thereafter to come to you and ask you to come over here and clear my strip of land thirty feet wide. I brought that from you, whether by gift, sale or otherwise. It is an imposition for you to sell me a piece of property and I to demand you, by legislation, to come and clear it off every year and to say to you if you don't I will impose a penalty upon you. Let the public, who owns the property, the county or township, clean up their own roads. I have enough to do to clean up my own.

Mr. DELL. Mr. Speaker, I should like to interrogate the gentleman from Clearfield, Mr. Phillips.

The SPEAKER. Will the gentleman from Clearfield, Mr. Phillips, permit himself to be interrogated?

Mr. PHILLIPS. With the greatest of pleasure, Mr. Speaker.

Mr. DELL. Mr. Speaker, I should like the gentleman from Clearfield to tell us how long it will take a chestnut tree that is four inches in diameter two feet above the ground to become a valuable stick of timber.

Mr. PHILLIPS. About 1175 years, Mr. Speaker.

Mr. DELL. Mr. Speaker, we know it takes five or six years after a tree is that size until a chestnut tree is large enough to make a good fence post and anyone of the men who are acquainted with the growing chestnut knows that is true.

I should like to ask the gentleman further how long it will take a locust tree, a yellow locust, that is four inches in diameter two feet above the ground, to make a valuable fence post.

Mr. PHILLIPS. Mr. Speaker, in answer to that question. I will say that it does not take very long for a chestnut tree, or a chestnut sapling as we call it, or a locust tree, either, that is four inches in diameter to become of value, but they have no business in the site of the highway.

Mr. DELL. Mr. Speaker, I should like to ask just one more question: Is it true that when a township takes over a road the timber on the side of the road, the timber growing off the part of the land that is actually used for the road, belongs to the man through whose land the road goes.

Mr. PHILLIPS. The law provides now for thirty-two feet and sixteen feet is the regular width used.

Mr. DELL. But is it not true that the timber on that belongs to the land owned?

Mr. PHILLIPS. Yes, but it can be cut down by the supervisor under the present law.

Mr. DELL. Then let us amend the bill so that the supervisors shall bear the expense of this rather than the landowner. I claim that the landowner has really no right to dot it. In the second place if it is to be done I claim the supervisor should do it and not impose a hardship on the landowner at a time like this.

Mr. LOHR. Mr. Speaker, this is a problem which should receive considerable attention at this time when the men who are engaged in agricultural pursuits are straining every nerve to-day to produce more food. It would seem to me to impose a hardship upon them to ask them also to make the roads after they have paid the road tax on their property. I do not think the farmers of Pennsylvania ought to be compelled to keep the roads clean. They are taxed any paying the tax for that purpose. It should be the duty of the supervisor to remove the brush and small timber. I am not speaking from the standpoint of the value of the timber that might be destroyed. I believe the road should be kept free from brush and that duty should be imposed upon the supervisors and not upon the property owners. As I understand it, it would work a hardship in many parts of the State if the property owners should be required under this bill to keep the roads free of brush through land not assessed at great value in many instances because in that particular locality the work would cost as much as the land is worth. Therefore, I think the bill should be defeated. It has absolutely no merit.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question.

Shall the bill pass finally?

BILL POSTPONED.

Mr. JOHN P. WILLIAMS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. DEWEY. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 937 (Senate Bill No. 217), entitled

An Act preventing the manufacture sale or transportation within the Commonwealth of adulterated or misbranded paris greens lead arsenates lime-sulphur compounds and other insecticides and fungicides and regulating traffic therein providing for inspection of such materials and imposing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Albee,	Flynn,	McNichol,	Simpson,
Aron,	Fowler,	McPeake,	Sinclair,
Arthur,	Franklin,	McVicar,	Smith, E. R.,
Aston,	Fretz,	Mearkle,	Smith, F. I.,
Baker,	Gans,	Mehring,	Smith, J. W.,
Baldi,	Glass,	Mervine,	Smith, L.,
Baldridge,	Golder,	Michel,	Smith, O. W.,
Barner,	Goodnough,	Miller, A. D.,	Snyder,
Bell,	Gormley,	Miller, Allan,	Somerman,
Benchoff,	Graeff,	Miller, G. J. A.,	Sones,
Bennett,	Graham,	Milner,	Spangler,
Benninger,	Gransback,	Mitchell,	Speicher,
Beyer,	Haight,	Morgan, T. J.,	Sprowls,
Bidelspacher,	Haldeman,	Murdoch,	Stadtlander,
Black,	Hecht,	Murphy,	Steedle,
Boulton, H.,	Heffernan,	Musser,	Sterling,
Bovee,	Helt,	Neary,	Stern,
Boyd,	Hess,	Ogden,	Stites,
Brady,	Heyburn,	Palmer,	Stoffiet,
Brumbaugh,	Hibshman,	Patterson,	Strauss,
Campbell, J. O.,	Hoffman,	Phillips,	Sullivan,
Campbell, T.,	Hollern,	Pickering,	Swartz,
Canon,	Hollingsworth,	Powell,	Sweitzer,
Chestnut,	Horne,	Ramsey,	Thomas,
Christman,	Hough,	Reichenbacher,	Ulsh,
Coldsmith,	Howarth,	Rhoads, H. L.,	Urich,
Conner,	Isherwood,	Rhodes, W. M.,	Vickerman,
Corbin,	Jack,	Rich,	Vogdes,
Cox,	Jones,	Richards,	Wagner,
Crosby,	Kennedy,	Ringler,	Walker,
Cummins,	Lafferty,	Rininger,	Wallace,
Curry,	Lanius,	Rinn,	Walter,
Davis, W.,	Laucks,	Robertson,	Weimer,
Dean,	Lauler,	Rogers,	Wells,
Dell,	Lewis,	Ross,	West,
Dewey,	Lohr,	Rothenberger,	Whitaker,
Dithrich,	Luppert,	Ruddy,	Wickman,
Donneley,	Mangan,	Rudisill,	Williams, G. W.
Drake,	Marvin,	Sampsel,	Williams, J. P.,
Drinkhouse,	Maurer,	Sarig,	Wobensmith,
Dunn,	McArdle,	Scott,	Wood,
Ehrhardt,	McCaig,	Shaffer, C. A.,	Woodward,
Erdman,	McCullough,	Shattuck,	Zanders,
Fackler,	McKay,	Shunk,	Baldwin,
Fitzgibbon,	McKinney,	Siggins,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 706, entitled

An Act to repeal a portion of the twenty-fourth clause of section one of the act of May thirty-one one thousand eight hundred and forty-four Pamphlet Laws five hundred and eighty-five entitled "An Act to provide for the ordinary expenses of government repair of the canals and railroads of the State and other claims upon the Commonwealth."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. REYNOLDS. Mr. Speaker, I would like to know the meaning of this act. According to its title it applies to repairs of canals and railroads, and according to the body of the act it applies to wardens of the Western Penitentiary.

Mr. STADTLANDER. Mr. Speaker, a majority of the members know that in the early days before the enactment of the Constitution of 1874 probably from fifteen to twenty or more subjects were embodied under the same head. This act is to repeal that part of the act which pertains to wardens of the Western Penitentiary. The caption of this particular bill is in short form. Under the act of 1844 the wardens of Penitentiaries were not to receive more than twelve hundred dollars per annum; the moral instructors not more than five hundred dollars per annum; the overseers not more than six hundred dollars per annum and each other moral overseer ot more than five hundred dollars per annum. This act is to repeal that portion of the act pertaining to wardens and overseers of penitentiaries.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Albee,	Franklin,	McPeake,	Shunk,
Aron,	Fretz,	McVicar,	Siggins,
Arthur,	Gans,	Mearkle,	Simpson,
Aston,	Geary,	Mehring,	Sinclair,
Baker,	Glass,	Michel,	Smith, E. R.,
Baldi,	Golder,	Miller, A. D.,	Smith, F. I.,
Baldridge,	Goodnough,	Miller, C. G.,	Smith, J. W.,
Barner,	Gormley,	Miller, G. J. A.,	Smith, L.,
Bechtold,	Graeff,	Milner,	Smith, O. W.,
Benchoff,	Graham,	Mitchell,	Snowden,
Bennett,	Gransback,	Morgan, T.,	Somerman,
Benninger,	Haight,	Morgan, T. J.,	Sones,
Beyer,	Haldeman,	Murdoch,	Spangler,
Bidelspacher,	Hecht,	Murphy,	Speicher,
Black,	Heffernan,	Neary,	Sprowls,
Bouton, V. B.,	Helt,	Ogden,	Stadtlander,
Bovee,	Hess,	Palmer,	Steedle,
Boyd,	Heyburn,	Patterson,	Sterling,
Brady,	Hollern,	Perry,	Stern,
Brumbaugh,	Hollingsworth,	Phillips,	Stites,
Campbell, T.,	Horne,	Pickering,	Stoffiet,
Canon,	Horton,	Powell,	Strauss,
Chestnut,	Hough,	Ramsey,	Sullivan,
Christman,	Howarth,	Reichenbacher,	Swartz,
Clements,	Isherwood,	Reitzel,	Sweitzer,
Coldsmith,	Jack,	Rhoads, H. L.,	Thomas,
Conner,	Jones,	Rhodes, W. M.,	Ulsh,
Corbin,	Kennedy,	Rich,	Urich,
Cox,	Lafferty,	Richards,	Vickerman,
Cummins,	Lanius,	Ringler,	Vogdes,
Curry,	Laucks,	Rininger,	Wagner,
Davis, W.,	Lauler,	Rinn,	Wallace,
Dean,	Leary,	Robertson,	Whitaker,
Dell,	Lewis,	Rogers,	Weimer,
Dewey,	Mangan,	Ross,	Wells,
Dithrich,	Marvin,	Rothenberger,	West,
Donneley,	Maurer,	Ruddy,	Wickman,
Drake,	McArdle,	Rudisill,	Williams, G. W.
Drinkhouse,	McCaig,	Sampsel,	Williams, J. P.,
Dunn,	McCullough,	Sarig,	Wobensmith,
Eby,	McCurdy,	Schaeffer, A. C.,	Woodward,
Ehrhardt,	McKay,	Scott,	Zanders,
Fackler,	McKinney,	Shaffer, C. A.,	Baldwin,
Fitzgibbon,	McNichol,	Showalter,	Speaker.
Fowler,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WHITAKER. Mr. Speaker, I ask unanimous consent at this time to call up House Bill No. 1580, from page 26 of to-day's calendar, bills on third reading. The reasons for asking at this time for that bill is because it provides an appropriation to enable the Adjutant General to purchase uniforms for the National Guard.

Mr. RAMSEY. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1154, as follows

An Act authorizing the Judges of the Separate Orphans' Court in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants to fix and determine the salaries of assistant clerks in said court

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of this Commonwealth having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants as computed by the last preceding United States census wherein a Separate Orphans' Court is or may be established the judges of the said court are hereby authorized to fix the salaries of the assistant clerks of said court

Section 2 All salaries as so fixed by the Judges of said Orphans' Court shall be paid out of the fees of said office as paid into the treasury of the county upon bills attested by the register of wills and countersigned by a judge of said court but in the event that the fees received in said office of register of wills be not sufficient to fully pay the register and his assistants then payment shall be made in full to the said register of wills but to his assistants in manner as follows namely where there are more than one assistant then the balance of fees remaining to the credit of said office of register of wills shall be divided among each of said assistants in proportion as his salary shall stand to the whole

Section 3 All acts or parts of acts general special or local inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albee,	Fackler,	McNichol,	Showalter,
Aron,	Fitzgibbon,	McPeake,	Siggins,
Arthur,	Flynn,	McVicar,	Simpson,
Aston,	Fowler,	Mearkle,	Sinclair,
Baker,	Franklin,	Mervine,	Smith, E. R.,
Baldi,	Gans,	Michel,	Smith, F. I.,
Baldridge,	Geary,	Miller, A. D.,	Smith, J. W.,
Barner,	Glass,	Miller, Allan,	Smith, L.,
Bechtold,	Golder,	Miller, G. J. A.,	Smith, O. W.,
Bell,	Goodnough,	Milliron,	Snowden,
Bennett,	Goodwin,	Milner,	Somerman,
Benninger,	Graeff,	Mitchell,	Sones,
Beyer,	Graham,	Morgan, T.,	Spangler,
Bidelspacher,	Gransback,	Murdoch,	Speicher,
Black,	Haight,	Musser,	Sprowls,
Bouton, V. B.,	Haldeman,	Neary,	Stadtlander,
Bovee,	Hecht,	Ogden,	Steedle,
Boyd,	Heffernan,	Palmer,	Sterling,
Brady,	Helt,	Patterson,	Stern,
Brumbaugh,	Hess,	Phillips,	Stites,
Campbell, J. O.,	Heyburn,	Pickering,	Stoffiet,
Campbell, T.,	Hollern,	Powell,	Sullivan,
Canon,	Hollingsworth,	Ramsey,	Swartz,
Christman,	Horton,	Reichenbacher,	Sweitzer,
Clements,	Howarth,	Reynolds,	Thomas,
Coldsmith,	Isherwood,	Rhoads, H. L.,	Urich,
Conner,	Jack,	Rhodes, W. M.,	Vickerman,
Corbin,	Jones,	Rich,	Vogdes,
Cox,	Kennedy,	Richards,	Wagner,
Cummins,	Lafferty,	Ringler,	Walker,
Curry,	Lanius,	Rininger,	Wallace,
Davis, D. F.,	Lauler,	Rinn,	Walter,
Davis, W.,	Leary,	Robertson,	Weimer,
Dean,	Lewis,	Rogers,	Wells,
Dell,	Lohr,	Rothenberger,	West,
Dewey,	Luppert,	Ruddy,	Whitaker,
Dithrich,	Marvin,	Rudisill,	Williams, G. W.
Donneley,	McArdle,	Sampsel,	Williams, J. P.,
Drake,	McCaig,	Sarig,	Wobensmith,
Drinkhouse,	McCullough,	Schaeffer, A. C.,	Woodward,
Dunn,	McCurdy,	Scott,	Zanders,
Ehrhardt,	McKay,	Shaffer, C. A.,	Baldwin,
Erdman,	McKinney,	Shattuck,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. WHITAKER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. WHITAKER. Mr. Speaker, I asked unanimous consent to call up House Bill 1580 out of regular order, and I was about to explain the reasons for asking the privilege of calling it up out of order. I did not think there was any objection to calling this particular bill up out of order.

Mr. RAMSEY. Mr. Speaker, if this procedure is not taken as a precedent for other members of the House to call up bills out of order, I will withdraw my objection to this particular bill, but I do object to members of this House caling up out of order bills for which they are sponser. I withdraw my objection to this bill with that understanding.

Mr. WHITAKER. Mr. Speaker, I appreciate the consideration of the gentleman from Delaware in withdrawing his objection, and I agree with him in regard to the practice of calling up bills out of order. For this bill there is a particularly important reason why it should be called up at this time—it is allowing an appropriation to the Adjutant General to purchase uniforms and equipment for the National Guard which is very urgent, as we all know that delay of a day is of great importance and is liable to make the cost of goods higher and every body is anxious to expedite as much as possible the work of the Adjutant General.

BILLS ON THIRD READING.

The SPEAKER. If there is no objection, unanimous consent is granted to take up House Bill No. 1580 on third reading at this time. The Chair hears no objection.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1580, entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—201.

Albee,	Fackler,	McKinney,	Shunk,
Aron,	Fitzgibbon,	McNichol,	Siggins,
Arthur,	Flynn,	McPeake,	Simpson,
Aston,	Fowler,	McVicar,	Sinclair,
Baker,	Franklin,	Mearkle,	Smith, E. R.,
Baldi,	Fretz,	Mehring,	Smith, F. L.,
Baldridge,	Gans,	Mervine,	Smith, J. W.,
Barner,	Glass,	Michel,	Smith, L.,
Bechtold,	Golder,	Miller, A. D.,	Smith, O. W.,
Bell,	Goodnough,	Miller, Allan,	Snowden,
Benchoff,	Goodwin,	Miller, C. G.,	Snyder,
Bennett,	Gormley,	Miller, G. J. A.,	Somerman,
Benninger,	Graeff,	Milner,	Sones,
Beyer,	Graham,	Mitchell,	Spangler,
Bidelspacher,	Gransback,	Morgan, T.,	Speicher,
Black,	Haight,	Morgan, T. J.,	Sprowls,
Boulton, H.,	Haldeman,	Murdoch,	Stadtlander,
Bouton, V. B.,	Hecht,	Murphy,	Steedle,
Bovee,	Heffernan,	Musser,	Sterling,
Boyd,	Helt,	Neary,	Stern,
Brady,	Hess,	Ogden,	Stites,
Brumbaugh,	Heyburn,	Palmer,	Stofflet,
Burnett,	Hibshman,	Patterson,	Strauss,
Campbell, J. O.,	Hoffman,	Perry,	Sullivan,
Campbell, T.,	Hollern,	Phillips,	Swartz,
Canon,	Hollingsworth,	Pickering,	Sweitzer,
Chestnut,	Horne,	Powell,	Taylor,
Christman,	Horton,	Ramsey,	Thomas,
Clements,	Hough,	Reichenbacher,	Ulsh,
Coldsmith,	Howarth,	Reitzel,	Urich,
Conner,	Isherwood,	Reynolds,	Vickerman,
Cook,	Jack,	Rhoads, H. L.,	Vogdes,
Corbin,	Jones,	Rhodes, W. M.,	Wagner,
Cox,	Kennedy,	Rich,	Walker,
Crosby,	Lafferty,	Ringler,	Wallace,
Cummins,	Lanius,	Rininger,	Walter,
Curry,	Laucks,	Rinn,	Weimer,
Davis, D. F.,	Lauler,	Robertson,	Wells,
Davis, W.,	Leary,	Rogers,	West,
Dawson,	Lewis,	Ross,	Whitaker,
Dean,	Lohr,	Rothenberger,	Wickman,
Dell,	Luppert,	Ruddy,	Williams, G. W.
Dewey,	Malie,	Rudisill,	Williams, J. P.,
Dithrich,	Mangan,	Sampsel,	Wobensmith,
Donneley,	Marvin,	Sarig,	Wood,
Drake,	Maurer,	Schaeffer, A. C.,	Woodward,
Drinkhouse,	McArdle,	Scott,	Wylie,
Dunn,	McCaig,	Shaffer, C. A.,	Wynne,
Eby,	McCullough,	Shattuck,	Zanders,
Ehrhardt,	McCurdy,	Showalter,	Baldwin,
Erdman,	McKay,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1060, entitled

An Act empowering cities of the second class to purchase, lease, locate, construct, and equip, or otherwise acquire, transit facilities, and to own, maintain, use, and operate the same within their corporate limits, and within the limits of adjacent cities, boroughs, and townships; to exercise the right of eminent domain in connection therewith, and prescribing the manner of ascertaining the damages sustained in connection with such exercise; to sell, pledge, or lease transit facilities; to grant licenses for the use of the same; to enter into agreements for the construction and operation of the same; to connect the tracks of railways with the tracks of railroad or railway companies; and under certain conditions to use portions of the tracks of the latter; and empowering railroad, railway, and motor power companies to sell, purchase, and lease transit facilities to and from said cities, and to contract with said cities respecting the acquisition, construction, operation, and use of transit facilities, subject to the provisions of "The Public Service Company Law" of July twenty-six, one thousand nine hundred and thirteen and its supplements and amendments.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WILLIAM DAVIS. Mr. Speaker, I would like to have the sponsor of this bill explain is provisions.

Mr. STADTLANDER. Mr. Speaker and gentlemen of the House, if the interrogator present here this afternoon had visited Pittsburgh, and looked over the town in a proper manner, he would have ascertained that it is one mass of hills and valleys. The transit facilities in Pittsburgh are some what congested. The City of Pittsburgh through its administration must seek remedy in this House, and in the Legislature, for the purpose of relieving the conditions existing. The city will then be empowered under this act to build surface lines and elevated lines or any other method of transportation necessary to carry the people back and forth from homes in other parts of the city. This is an enabling act, enabling the City of Pittsburgh or any other second class city to go ahead with their work.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albee,	Fretz,	Mearkle,	Shunk,
Aron,	Gans,	Mehring,	Siggins,
Arthur,	Geary,	Mervine,	Simpson,
Aston,	Glass,	Miller, A. D.,	Sinclair,
Baker,	Golder,	Miller, Allan,	Smith, E. R.,
Baldi,	Goodnough,	Miller, C. G.,	Smith, F. L.,
Baldridge,	Gormley,	Miller, G. J. A.,	Smith, J. W.,
Barner,	Graeff,	Milner,	Smith, L.,
Bechtold,	Graham,	Mitchell,	Smith, O. W.,
Bell,	Gransback,	Morgan, T.,	Snowden,
Benchoff,	Haight,	Morgan, T. J.,	Snyder,
Bennett,	Haldeman,	Murphy,	Somerman,
Beyer,	Hecht,	Musser,	Sones,
Bidelspacher,	Heffernan,	Neary,	Spangler,
Black,	Helt,	Ogden,	Speicher,
Bouton, V. B.,	Hess,	Palmer,	Sprowls,
Bovee,	Heyburn,	Patterson,	Stadtlander,
Boyd,	Hibshman,	Phillips,	Steedle,
Burnett,	Hoffman,	Pickering,	Sterling,
Campbell, T.,	Hollern,	Powell,	Stern,
Canon,	Horton,	Ramsey,	Stites,
Christman,	Hough,	Reichenbacher,	Strauss,
Clements,	Howarth,	Reitzel,	Sullivan,
Coldsmith,	Isherwood,	Reynolds,	Sweitzer,
Conner,	Jack,	Rhoads, H. L.,	Thomas,
Corbin,	Jones,	Rhodes, W. M.,	Ulsh,
Cox,	Kennedy,	Rich,	Urich,
Crosby,	Lafferty,	Richards,	Vickerman,
Cummins,	Lanius,	Ringler,	Vogdes,
Curry,	Laucks,	Rininger,	Wagner,
Davis, D. F.,	Lauler,	Rinn,	Walker,
Davis, W.,	Leary,	Robertson,	Wallace,
Dawson,	Lewis,	Rogers,	Walter,
Dean,	Lohr,	Ross,	Weimer,
Dewey,	Mangan,	Rothenberger,	Wells,
Donneley,	Marvin,	Ruddy,	Whitaker,
Drinkhouse,	Maurer,	Rudisill,	Wickman,
Dunn,	McArdle,	Sampsel,	Williams, G. W.
Ehrhardt,	McCaig,	Sarig,	Williams, J. P.,
Erdman,	McCullough,	Schaeffer, A. C.,	Wobensmith,
Fackler,	McCurdy,	Scott,	Woodward,
Fitzgibbon,	McKinney,	Shaffer, C. A.,	Zanders,
Flynn,	McNichol,	Shattuck,	Baldwin,
Fowler,	McPeake,	Showalter,	Speaker.
Franklin,	McVicar,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 592, entitled

An Act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name, style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates; fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. STERN. Mr. Speaker, might I ask the sponsor to explain this bill.

Mr. McVICAR. Mr. Speaker and gentlemen ofthe House, this bill makes it unlawful for any individual or individuals to carry on business in this Commonwealth under an as-

sumed or fictitious name without having the real names of the owners of the business recorded in the office of the Secretary of the Commonwealth, or the prothonotary of the proper county.

Mr. STERLING. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. McVicar.

The SPEAKER. Will the gentleman from Allegheny, Mr. McVicar, permit himself to be interrogated?

Mr. McVICAR. Mr. Speaker, I will.

Mr. STERLING. Mr. Speaker, I desire to know whether under the provisions of this act corporations will be included.

Mr. McVICAR. Mr. Speaker, they will not.

Mr. WALKER. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. McVicar, on this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. McVicar, permit himself to be interrogated?

Mr. McVICAR. Mr. Speaker, I will.

Mr. WALKER. Mr. Speaker, I desire to inquire if under the provisions of this act where a business has been conducted for years in the name of say an indivdiual and then that individual dies and the estate sells that business to someone else, and sells also the name of the business, whether a person purchasing, that business and conducting it under the old name comes under the provisions of this act?

Mr. McVICAR. Mr. Speaker, he does, it applies to every case where any individual or individuals carrying on business under an assumed or fictitious name, in other words, where they carry on a business in a name different from their own name. The purpose of this bill is to prevent fraud. It is found at times that persons carry on a business under a fictitious name and if somebody desires to sue the owner of that business, he does not know who the owners are. This simply requires, for the protection of the public, that the name of the owners be registered. This bill was prepared by the Legal Aid Society of Pittsburgh, and was presented to the Allegheny County Bar Association and recommended and approved by them.

Mr. WALKER. Mr. Speaker, I desire to further interrogate the gentleman, and would like to ask whether the same purpose could not be obtained by eliminating from this act the necessity of charging the persons, as the sponsor sets forth in the act, the cost of filing their statements in the office of prothonotary of various counties by filing that information alone with the Auditor General or with the Secretary of the State.

Mr. McVICAR. Mr. Speaker, there is room for a difference in opinion on that subject. As the bill was originally prepared it provided only for the filing of this information in the office of the Secretary of the Commonwealth. The Allegheny County Bar Association thought that the practice should be the same as that of corporations, and that this information should be filed in the office of the Secretary of the Commonwealth and the prothonotary of the local county, so that any person interested in that county would not need to go farther than the county records.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Barner,	Haldeman,	Ogden,	Sones,
Bell,	Heffernan,	Palmer,	Spangler,
Benchoff,	Hess,	Patterson,	Speicher,
Bennett,	Hibshman,	Perry,	Sprowls,
Black,	Hollern,	Phillips,	Stadtlander,
Boyd,	Hollingsworth,	Pickering,	Steedle,
Brumbaugh,	Hough,	Ramsey,	Sterling,
Canon,	Howarth,	Reitzel,	Stern,
Chestnut,	Jones,	Rich,	Stites,
Christman,	Kennedy,	Richards,	Stofflet,
Corbin,	Lauler,	Ringler,	Strauss,
Cox,	Leary,	Rininger,	Sullivan,
Crosby,	Lohr,	Robertson,	Swartz,
Cummins,	Luppert,	Ross,	Sweitzer,
Davis, W.,	Marvin,	Rothenberger,	Ulsh,
Dean,	Maurer,	Ruddy,	Vickerman,
Dell,	McCaig,	Rudisill,	Vogdes,
Dithrich,	McCurdy,	Sampsel,	Wagner,
Drake,	McKay,	Shattuck,	Walter,
Dunn,	McNichol,	Simpson,	Weimer,
Fretz,	McPeake,	Sinclair,	Wells,
Glass,	McVicar,	Smith, E. R.,	Wickman,
Golder,	Mearkle,	Smith, F. L.,	Williams, G. W.
Gormley,	Michel,	Smith, J. W.,	Wood,
Graeff,	Miller, C. G.,	Smith, L.,	Woodward,
Graham,	Miller, G. J. A.,	Smith, O. W.,	Zanders,
Gransback,	Milner,	Snowden,	Baldwin,
Haight,	Neary,		Speaker.

NAYS—7.

Albee,	Fitzgibbon,	McCullough,	Musser,
Campbell, J. O.,	Isherwood,	McKinney,	Walker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 478, entitled

An Act regulating the use of vehicles on the public highways requiring lights on certain vehicles and providing penalties for the violation thereof.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McCAIG. Mr. Speaker, I would move that further consideration of this bill be postponed for the present.

Mr. McNICHOL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1057, as follows:

An Act granting certain powers to cities of the second class in relation to underground tunnels tubes and subways including their construction maintenance and operation and the leasing thereof or parts thereof and providing for the ascertaining of the damages by reason of such construction or by reason of the taking using or appropriating of land necessary and incidental thereto conferring the power of eminent domain in connection therewith and providing for the approval of the contracts provided for herein by the Public Service Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the second class may construct and operate and maintain underground tubes or tunnels or subways under public highways and public property and private property Such tubes tunnels or subways may be used for such lawful purposes as shall be designated from time to time by ordinance

The city may provide for entrances and exits to and from any such tunnel tube or subway and may grant rights of entrances to any part of such tube tunnel or subway to individuals copartnership corporations or associations Entrances and exits may be on a public highway public property and on private property

The city may construct and maintain the necessary openings entrances vaults and manholes and may construct install and maintain tracks platforms stations equipment and appliances therein and connect therewith as may be useful and necessary for the full and complete use thereof by the general public the said city and the said persons firms and corporations using or intending to use the same

Section 2 When any such tube tunnel or subway together with the equipment and appliances therein is constructed they may be leased in whole or in part to individuals copartnerships associations or corporations and rights therein may be so leased No such leasing shall be for a longer period than twenty-five years

Section 3 Such city shall also have power to enter into agreements with any individual copartnership association or corporation having any structure or appliance located under on or above the highways of said city or intending to construct the same either prior to during or subsequent to the construction of such tube tunnel or subway for the location or relocation of such structures and appliances in such tube tunnel or subway All such agreements shall be subject to the approval of the Public Service Commission

Section 4 In case any property is damaged by the construction of such subway or tunnel or in case any such city desires to enter upon any land to make any investigation or desires to take use or appropriate the fee or any lesser estate in any lands or properties necessary for the construction of such subway or tunnel and is unable to agree with the owner or owners upon the price to be paid therefor the damages caused by such construction shall be ascertained and collected in the same manner as is now or may hereafter be provided by law for ascertaining and collecting damages to abutting proper-

ties caused by the grading or otherwise improving of streets in such cities and the damages caused by such entry or taking using and appropriation of land shall be ascertained and collected in the same manner as is now or may hereafter be provided by law for ascertaining and collecting damages for the taking occupation or injury of property necessary in the laying out opening widening and grading of streets in the municipal corporations of this Commonwealth

Section 5 Such city shall have the power with respect to all of the rights and powers hereinbefore conferred to impose such reasonable terms and conditions including a reasonable rental or charge as may be fixed from time to time by ordinance

Section 6 Should any section or provisions of this act be held by the courts to be invalid or unconstitutional the same shall not impair the grant or power herein to cities of the second class to locate construct own and maintain subways or tunnels and their appurtenances nor shall it be held to affect any other section or provision of this act

Section 7 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreebly to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albee,	Drinkhouse,	McCurdy,	Siggins,
Aron,	Dunn,	McKay,	Simpson,
Arthur,	Eby,	McKinney,	Sinclair,
Aston,	Ehrhardt,	McPeake,	Smith, E. R.,
Baker,	Erdman,	Mearkle,	Smith, J. W.,
Baldi,	Fackler,	Mehring,	Smith, L.,
Baldridge,	Fitzgibbon,	Michel,	Snowden,
Barner,	Flynn,	Miller, A. D.,	Snyder,
Bechtold,	Franklin,	Miller, Allan,	Somerman,
Bell,	Gans,	Miller, G. J. A.,	Sones,
Bennett,	Geary,	Milner,	Spangler,
Benninger,	Glass,	Mitchell,	Speicher,
Beyer,	Golder,	Morgan, T. J.,	Sprowls,
Bidelspacher,	Gormley,	Murdoch,	Stadtlander,
Black,	Graeff,	Murphy,	Steedle,
Bouton, V. B.,	Gransback,	Neary,	Sterling,
Bovee,	Haldeman,	Ogden,	Stern,
Boyd,	Hecht,	Palmer,	Stites,
Brady,	Heffernan,	Perry,	Stofflet,
Brumbaugh,	Heyburn,	Phillips,	Strauss,
Burnett,	Hibshman,	Pickering,	Sullivan,
Campbell, J. O.,	Hollern,	Ramsey,	Sweitzer,
Campbell, T.,	Hollingsworth,	Reichenbacker,	Thomas,
Canon,	Horton,	Rhoads, H. L.,	Ulsh,
Christman,	Howarth,	Rhodes, W. M.,	Urich,
Clements,	Isherwood,	Rich,	Vickerman,
Coldsmith,	Jack,	Ringler,	Vogdes,
Conner,	Jones,	Rininger,	Walker,
Corbin,	Kennedy,	Rinn,	Wallace,
Cox,	Lafferty,	Rogers,	Walter,
Crosby,	Lanius,	Ross,	Weimer,
Cummins,	Laucks,	Ruddy,	Wells,
Curry,	Lauler,	Rudisill,	West,
Davis, D. F.,	Leary,	Sampsel,	Whitaker,
Davis, W.,	Lewis,	Sarig,	Wickman,
Dawson,	Mangan,	Schaeffer, A. C.,	Williams, G. W.
Dean,	Marvin,	Scott,	Wobensmith,
Dell,	Maurer,	Shaffer, C. A.,	Wood,
Dewey,	McArdle,	Shattuck,	Woodward,
Dithrich,	McCaig,	Showalter,	Zanders,
Drake,	McCullough,	Shunk,	Baldwin, Speaker.

NAYS—2.

Hess, Reitzel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1053, as follows:

An Act to amend an act approved the eleventh day of June one thousand nine hundred fifteen entitled "An Act to amend an act approved the fourteenth day of April one thousand nine hundred fifteen entitled 'An Act providing for the payment of judgments and mortgages and other claims which are liens on property affected by public improvements or appropriated by the exercise of the right of eminent domain'" excepting proceedings to ascertain damages and benefits by reason of municipal street or sewer improvements

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eleventh day of June one thousand nine hundred fifteen entitled "An Act to amend an act approved the fourteenth day of April one thousand nine hundred fifteen entitled 'An Act providing for the payment of judgments and mortgages and other claims which are liens on property affected by public improvements or appropriated by the exercise of the right of eminent domain'" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all proceedings hereafter instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain the petition for the appointment of viewers therein shall contain allegations specifying any judgments mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all proceedings hereafter instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain excepting proceedings to ascertain damages and benefits by reason of municipal street or sewer improvements the petition for the appointment of viewers therein shall contain allegations specifying and judgments mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Fitzgibbon,	McNichol,	Simpson,
Aron,	Fowler,	McPeake,	Sinclair,
Arthur,	Franklin,	McVicar,	Smith, E. R.,
Aston,	Gans,	Mearkle,	Smith, F. I.,
Baker,	Geary,	Mervine,	Smith, J. W.,
Baldi,	Glass,	Michel,	Smith, L.,
Baldridge,	Goodnough,	Miller, Allan,	Snowden,
Bechtold,	Gormley,	Miller, C. G.,	Snyder,
Bell,	Graeff,	Miller, G. J. A.,	Somerman,
Benchoff,	Graham,	Milner,	Sones,
Bennett,	Gransback,	Mitchell,	Spangler,
Beyer,	Haight,	Morgan, T.,	Sprowls,
Bidelspacher,	Haldeman,	Murdoch,	Stadtlander,
Black,	Heffernan,	Murphy,	Steedle,
Bouton, V. B.,	Hess,	Musser,	Sterling,
Bovee,	Heyburn,	Ogden,	Stern,
Boyd,	Hibshman,	Palmer,	Stofflet,
Brady,	Hollern,	Patterson,	Sullivan,
Brumbaugh,	Hollingsworth,	Phillips,	Swartz,
Burnett,	Horne,	Pickering,	Sweitzer,
Campbell, J. O.,	Horton,	Ramsey,	Thomas,
Campbell, T.,	Hough,	Reichenbacher,	Ulsh,
Chestnut,	Howarth,	Reitzel,	Urich,
Christman,	Isherwood,	Reynolds,	Vickerman,
Coldsmith,	Jack,	Rhoads, H. L.,	Vogdes,
Conner,	Jones,	Rhodes, W. M.,	Wagner,
Corbin,	Kennedy,	Rich,	Walker,
Cox,	Lanius,	Richards,	Wallace,
Crosby,	Laucks,	Ringler,	Walter,
Cummins,	Lauler,	Rininger,	Weimer,
Davis, D. F.,	Leary,	Rinn,	Wells,
Davis, W.,	Lewis,	Robertson,	West,
Dean,	Lohr,	Rogers,	Whitaker,
Dell,	Mangan,	Rothenberger,	Williams, G. W.
Dewey,	Marvin,	Rudisill,	Williams, J. P.,
Dithrich,	McArdle,	Sampsel,	Wobensmith,
Drake,	McCaig,	Sarig,	Wood,
Drinkhouse,	McCullough,	Schaeffer, A. C.,	Woodward,
Dunn,	McCurdy,	Scott,	Wylie,
Erdman,	McKay,	Shaffer, C. A.,	Zanders,
Fackler,	Shattuck,	Shunk,	Baldwin,
		Siggins,	Speaker.

NAYS—1.

McKinney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 589, enttiled

An Act to amend section eight of an act approved the twenty-fifth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred thirty-six) entitled "An Act for the taxation of dogs and the protection of sheep."

On the question,
Will the House agree to the bill on thrid reading?

Mr. LOHR. Mr. Speaker, this House will have a further opportunity to bark later on the dog proposition, but this bill is simply a bill to amend the act of 1893. The act of 1893 among other things makes it the duty of the township auditors to view and assess damages for sheep killed by dogs, and fixes the salary at one dollar for each case of viewing. If the township auditor lives in the country district he may be called away from his work at any season of the year to go to places where sheep are killed and assess the damages. If he were to travel by automobile the salary is not enough to pay the gasoline. The result is that they object very seriously to assessing these damages, but the law imposes that duty upon them. We have passed many salary raising bills during this session, and I think we can pass this one. The only feature of it is that it increases the salary from one dollar to two dollars and allows for mileage.

Mr. ALBEE. Mr. Speaker, I desire to interrogate the gentleman from Somerset, Mr. Lohr.

The SPEAKER. Will the gentleman from Somerset, Mr. Lohr, allow himself to be interrogated?

Mr. LOHR. I will, Mr. Speaker.

Mr. ALBEE. Mr. Speaker, I would like to ask the gentleman if this same provision is not in the new act that was reported out of committee to-day, and if it could not be taken care of in that law. Would it not be better to have this bill postponed for the present?

Mr. LOHR. In answer to the question of the gentleman from Potter, I would say that the same provision is in the bill which was reported on the floor of this House to-day, but there might be danger of that bill not passing and therefore we would not have this increase in salary which I believe is necessary for the sheep industry. If both of these bills pass one of them would not be signed by the Governor.

On the question recurring,
Will the House agree to the bill on third reading.
It was agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Albee,	Erdman,	McArdle,	Rudisill,
Aron,	Fackler,	McCaig,	Sarig,
Arthur,	Fowler,	McCullough,	Schaeffer, A. C.,
Baker,	Fretz,	McCurdy,	Shaffer, C. A.,
Baldi,	Gans,	McKay,	Shattuck,
Baldridge,	Geary,	McKinney,	Showalter,
Barner,	Glass,	McNichol,	Shunk,
Bechtold,	Golder,	McPeake,	Siggins,
Bell,	Goodnough,	McVicar,	Simpson,
Benchoff,	Gormley,	Mearkle,	Smith, E. R.,
Bennett,	Graeff,	Mehring,	Smith, F. I.,
Benninger,	Graham,	Mervine,	Smith, J. W.,
Bidelspacher,	Haldeman,	Michel,	Smith, L.,
Black,	Hecht,	Miller, A. D.,	Snowden,
Bouton, V. B.,	Heffernan,	Miller, Allan,	Somerman,
Bovee,	Helt,	Miller, G. J. A.,	Spangler,
Boyd,	Hess,	Milner,	Sprowls,
Brady,	Heyburn,	Murdoch,	Steedle,
Brumbaugh,	Hibshman,	Musser,	Sterling,
Burnett,	Hoffman,	Neary,	Stites,
Campbell, J. O.,	Hollern,	Palmer,	Sullivan,
Campbell, T.,	Hollingsworth,	Patterson,	Swartz,
Canon,	Horne,	Perry,	Sweitzer,
Clements,	Horton,	Phillips,	Thomas,
Coldsmith,	Hough,	Pickering,	Ulsh,
Conner,	Howarth,	Powell,	Urich,
Corbin,	Isherwood,	Ramsey,	Vickerman,
Crosby,	Jennings,	Reichenbacher,	Walker,
Cummins,	Kennedy,	Reitzel,	Wallace,
Curry,	Lafferty,	Reynolds,	Weimer,
Davis, W.,	Lanius,	Rhoads, H. L.,	Wells,
Dawson,	Laucks,	Rhodes, W. M.,	West,
Dean,	Lauler,	Rich,	Williams, G. W.
Dell,	Leary,	Richards,	Wobensmith,
Dewey,	Lewis,	Ringler,	Wood,
Dithrich,	Lohr,	Rinn,	Zanders,
Drake,	Mangan,	Rogers,	Baldwin.
Drinkhouse,	Marvin,	Ross,	Speaker.
Eby,	Maurer,	Ruddy,	

NAYS—1.

Chestnut,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 758, entitled

An Act fixing the salary of the clerk of the county commissioners in counties having a population between one hundred thousand and one hundred and fifty thousad inhabitants.

On the question,
Will the House agree to the bill on third reading?

Mr. STOFFLET. Mr. Speaker, I ask unanimous consent to amend this bill at this time. I wish to say to the members of this House that there are but two counties in the State to which this bill applies. There are only two counties, York and Northampton, where the commissioners' clerk is still elected by the people. In those two counties the commissioners' clerk's salary was fixed at eight hundred dollars a year away back in the sixties, and there has been no change since, although the population of these counties has doubled in that time and salaries of the other county officials have been increased, some of them more than three times. The salary of this official remains the same, at eight hundred dollars a year, and it is entirely too small a salary considering the responsibilities and duties of this official. I therefore hope that I will receive the unanimous consent of the House to insert these amendments.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend by adding the following:
"Section 2 The provisions of this act shall only apply to such counties wherein the clerk of the county commissioners is elected by the electors of said counties.
On line 9, page 1, strike out "2" and insert "3."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, That the bill as amended lie over for printing.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 23, entitled

An Act authorizing township commissioners and township supervisors to adopt certain roads streets and highways as public roads and providing for their maintenance improvement and repair.

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McVICAR. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. VICKERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1346, entitled

An Act to further amend part of section six of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving the said townships or counties of authority over same; requiring boroughs and incorporated towns to main-

tain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for the purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for the payment of cost of improvement and repairs; providing penalties for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by the provisions of this act," as amended.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. WALTER. Mr. Speaker, I should like the sponsor of this bill to explain its provisions.

Mr. LEWIS. Mr. Speaker, this bill does not provide for a new route; it is only a change of a highway route in Jefferson County provided for under the Sproul Law.

On the question recurring,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Albee,	Fackler,	McNichol,	Siggins,
Aron,	Fitzgibbon,	McVicar,	Simpson,
Arthur,	Flynn,	Mearkle,	Sinclair,
Aston,	Fowler,	Mervine,	Smith, E. R.,
Baker,	Franklin,	Michel,	Smith, J. W.,
Baldi,	Gans,	Miller, A. D.,	Smith, L.,
Baldridge,	Glass,	Miller, Allan,	Smith, O. W.,
Barner,	Golder,	Miller, C. G.,	Snyder,
Bechtold,	Goodnough,	Miller, G. J. A.,	Somerman,
Bell,	Gormley,	Milner,	Sones,
Benchoff,	Graeff,	Mitchell,	Spangler,
Bennett,	Graham,	Morgan, T.,	Sprowls,
Benninger,	Gransback,	Morgan, T. J.,	Stadtlander,
Beyer,	Haight,	Murdoch,	Sterling,
Black,	Haldeman,	Murphy,	Stern,
Bouton, V. B.,	Heffernan,	Musser,	Stites,
Bovee,	Hess,	Neary,	Stoffiet,
Boyd,	Heyburn,	Ogden,	Strauss,
Brumbaugh,	Hibshman,	Palmer,	Sullivan,
Burnett,	Hollern,	Patterson,	Swartz,
Campbell, J. O.,	Hollingsworth,	Phillips,	Sweitzer,
Campbell, T.,	Horton,	Pickering,	Thomas,
Canon,	Hough,	Powell,	Urich,
Chestnut,	Howarth,	Ramsey,	Vickerman,
Christman,	Isherwood,	Reitzel,	Vogdes,
Coldsmith,	Jack,	Reynolds,	Walker,
Conner,	Jones,	Rhoads, H. L.,	Wallace,
Corbin,	Kennedy.	Rich,	Walter,
Cox,	Lanius,	Ringler,	Weimer,
Crosby,	Lauler,	Rininger,	West,
Cummins,	Leary,	Rinn,	Whitaker,
Curry,	Lewis,	Robertson,	Wickman,
Davis, D. F.,	Luppert,	Rogers,	Williams, G. W.
Davis, W.,	Malie,	Rothenberger,	Williams, J. P.,
Dell,	Mangan,	Rudisill,	Wobensmith,
Dithrich,	Marvin,	Sarig,	Wood,
Donneley,	Maurer,	Schaeffer, A. C.,	Woodward,
Drake,	McCaig,	Scott,	Wylie,
Drinkhouse,	McCullough,	Shattuck,	Wynne,
Dunn,	McCurdy,	Showalter,	Zanders,
Ehrhardt,	McKay,	Shunk,	Baldwin,
Erdman,	McKinney,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1417, entitled

An Act to provide for an additional law judge of the several courts of the Thirty-first Judicial District.

On the question,
Will the House agree to the bill on third reading?

Mr. ERDMAN. Mr. Speaker, I should like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Lehigh, Mr. Miller, permit himself to be interrogated?

Mr. GEORGE J. A. MILLER. Mr. Speaker, not at this time.

BILL POSTPONED.

I move to place this bill on the postponed calendar.
Mr. SONES. Mr. Speaker, I second the motion.
The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1267, as follows

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives in General Assembly met that the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section eight be amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein but the debt of the City of Philadelphia may be increased in such amount that the total city debt of said city shall not exceed ten per centum (10) upon the assessed value of the taxable property therein nor shall any such municipality or district incur any new debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law In ascertaining the borrowing capacity of the City of Philadelphia at any time there shall be deducted from such debt so much of the debt of said city as shall have been incurred or is about to be incurred and the proceeds thereof expenses or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof of facility therefor if such public improvement or public utility or part thereof may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted may be prescribed by the General Assembly

In incurring indebtedness for any purpose the City of Philadelphia may issue its obligations maturing not later than fifty (50) years from the date thereof with provision for a sinking-fund sufficient to retire said obligations at maturity the payment to such sinking-fund to be in equal or graded annual or other periodical instalments Where any indebtedness shall be or shall have been incurred by said City of Philadelphia for the purpose of the construction or improvements of public works of any character from which income or revenue is to be derived by said city or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city such obligations may be in an amount sufficient to provide for any may include the amount of the interest and sinking-fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking-fund charges as required by section ten article nine of the Constitution of Pennsylvania until the expiration of said period of one year after the completion of said work

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. COX. Mr. Speaker, at the request of the sponsor, who is called away, I move that further consideration of this bill be postponed for the present.

Mr. MILNER. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

House House proceeded to the third reading and consideration of House Bill No. 1342, entitled

An Act amending section six hundred and one (601) of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violations thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. WICKMAN. Mr. Speaker, it has been agreed that this bill should go back to the Committee on Health and Sanitation.

In the absence of the sponsor of the bill, I move you that this bill be recommitted to the Committee on Health and Sanitation for a hearing. The school district of the City of Philadelphia desires to have a hearing on this bill.

Mr. STERN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1140, as follows

An Act to revise amend and consolidate the law relating to fish and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

ARTICLE I

Short Title and Definitions

Section 2 This act shall be known and may be cited as "The Fish Law of One Thousand nine hundred seventeen"

Section 3 The term "person" except where the context otherwise indicates means a person firm association or corporation Singular number includes the plural Masculine gender includes the feminine

Section 4 The term "game fish" as used in this act means the following fish Charr commonly called brook trout all species of trout and of the salmon family blue pike pike-perch otherwise known as Susquehanna salmon or wall-eyed pike pickerel western pike muscallonge fall fish small mouth bass otherwise called black bass large mouth bass otherwise called Oswego green or yellow bass crappie grass strawberry or calico bass white bass rock bass otherwise known as red eye or goggle eye and all other species or varieties of fresh water fish called or commonly known as bass except striped bass or rock fish

Section 5 The term "bait fish" as used in this act means the following fish All forms of minnows all forms of killifishes and stone catfish

Section 6 The term "food fish" as used in this act means all species or varieties of fish whatsoever in the waters within this Commonwealth not "game fish" or "bait fish"

ARTICLE II

Sunday Fishing Prohibited

Section 10 It is unlawful to fish for any species of fish or with any device on the fist day of the week commonly called Sunday Any person violating any of the provisions of this section shall on conviction as provided in Article thirteen of this act be subject to a penalty of twenty-five dollars

ARTICLE III

Closed Season

Section 15 The following closed seasons are hereby established for

(a) Charr commonly called brook trout or any species of trout except lake or salmon trout from the first day of August to the fourteenth day of April next following both dates inclusive

(b) Lake trout or salmon trout from the thirtieth day of September to the thirtieth day of June next following both dates inclusive

(c) Small and large mouth bass rock bass white bass crappie strawberry or calico bass from the thirty-first day of December to the thirtieth day of June next following both dates inclusive

(d) Pike-perch otherwise called wall-eyed pike or Susquehanna salmon from the thirty-first day of December to the thirtieth day of June next following both days inclusive

(e) Pickerel from the thirty-first day of December to the thirtieth day of June next following both dates inclusive

(f) Muscallonge or western pike from the thirty-first day of December to the thirtieth day of June next following both dates inclusive

(g) Yellow perch from the thirty-first day of December to the thirtieth day of June next following both dates inclusive

Section 16 No person shall angle for or have in his possession except as in this article otherwise provided any of the fish enumerated in section fifteen of this act during the closed season respectively provided for Any person violating the provisions of this section is guilty of a misdemeanor and on conviction as provided in Article thirteen of this act shall be sentenced to pay a fine of ten dollars for each fish so taken caught or had in possession

Section 17 Charr commonly called brook trout or any species of trout except lake trout and large or small mouth bass caught during the lawful season respectively provided therefor may be kept in possession six days after the expiration of such season

Section 18 The provisions of section sixteen of this act do not apply to a person who having caught any fish during the closed season respectively provided therefor immediately returns such fish in the condition in which it was captured to the water from which it was taken

Section 19 The provisions of this article do not apply to fish artificially propagated under the authority of Article eight of this act

ARTICLE IV

Size of Fish That May Be Caught

Section 25 No person shall fish for or have in possession except as in this article otherwise provided any

(a) Charr commonly called brook trout or any species of trout except lake trout less than six inches in length

(b) White bass rock bass crappie strawberry or calico bass less than six inches in length

(c) Black bass or small mouth bass large mouth bass otherwise called Oswego green or yellow bass less than nine inches in length

(d) Pike-perch otherwise called wall-eyed pike or Susquehanna salmon less than twelve inches in length

(e) Pickerel less than twelve inches in length

(f) Muscallonge or western pike less than twenty-four inches in length

(g) Yellow perch less than six inches in length

Section 26 Any person violating the provisions of section twenty-five of this act is guilty of a misdemeanor and on conviction as provided in article thirteen of this act shall be sentenced to pay a fine of ten dollars for each fish so taken or had in possession

Section 27 The provisions of sections twenty-five and twenty-six of this act do not apply to a person who having caught any fish less than the size respectively permitted returns such fish in the condition in which it was caught to the water from which it was taken

Section 28 The provisions of this article do not apply to fish artificially propagated under the authority of Article eight of this act

ARTICLE V

Number of Fish Which May be Caught

Section 35 No person except as in this Article otherwise provided shall in any one day catch kill or have in possession more than the number of fish hereby designated for the respectives species that is to say

(a) Charr or trout of the combined species twenty-five

(b) White bass rock bass crappie strawberry or calico bass twenty-five

(c) Small or large mouth bass twelve

(d) Pike-perch otherwise called wall-eyed pike or Susquehanna salmon twenty-five

(e) Pickerel twenty-five

(f) Muscallonge or western pike four

(g) Yellow perch fifty

(h) Sunfish fifty

Section 36 Any person violating the provisions of Section thirty-five of this act shall on conviction as provided in Article thirteen of this act be sentenced to pay a fine of ten dollars for each fish taken caught or had in psosession over the number respectively allowed by this act

Section 37 In computing the number of fish taken caught or had in possession the number of fish returned in the condition in which they were caught to the waters from which they were taken shall be omitted

Section 38 The proviisons of this Article do not apply to fish artificially propagated under the authority of Article eight of this act

ARTICLE VI

Fishing Devices

Section 45 No person shall use any device means or method whatsoever except as in this article otherwise provided for taking fish from the waters within this Commonwealth except the following That is to say

(a) Game fish a single rod and line or one hand line with not more than three hooks attached

(b) Food fish rods and lines or one hand line with not more than three hooks attached The rods and lines and the hand line must be under the immediate control of the person using the same

(c) Bait fish rods hooks and lines with not more than three hooks attached to each line a dip net not over four feet in diameter a minnow trap with not more than one opening which shall not exceed one inch is diameter The rods hooks and lines must be under the immediate control of the person using the same

Section 46 Any person violating the provisions of section forty-five of this act is guilty of a misdemeanor and on conviction as provided in Article thirteen shall be sentenced to pay a fine of twenty dollars and shall forfeit to the Department of Fisheries all devices unlawfully used

Section 47 The provisions of this article do not prohibit the use of a gaff or landing net to assist in landing fish already caught by a lawful device

Section 48 The provisions of this article do not apply to fish artificially propagated under the authority of Article eight of this act

Section 49 The provisions of this article do not apply to fish caught by a seine or net for which a license is obtained under the provisions of Article seven of this act

ARTICLE VII

Seine Licenses

Section 55 The Department of Fisheries is authorized to issue a "seine license" upon a written application therefor signed by the applicant and upon payment to said Department of the sum of two dollars

Section 56 No seine or net shall be licensed for use except a haul seine sometimes called a shore seine a dip net or a hold in net sometimes called a moon rake The meshes of any of the above enumerated seines or nets shall not be less than two and one-half inches stretched fishing measure or one and one-quarter inches from knot to knot while being fished

Section 57 The license certificate shall be prepared by the Department of Fisheries and shall show the date of issue the name and place of residence of the licensee and the number of the seine or net licensed The certificate may contain such other matters as the Department of Fisheries may determine All seine licenses shall expire on the twenty-first day of June next following the date of issue Such certificate shall be shown by the licensee to any fish warden constable or other person authorized to make arrests for violation of any provisions of the laws of this Commonwealth relating to fish

Section 58 A "seine license" issued under this article authorizes the licensee to fish with the licensed seine or net for shad herring or alewife catfish suckers eels and carp from the first day of March to the twentieth day of June of the same year in the waters of the Susquehanna river from McCall's Ferry Dam to the Maryland State line or within the limits of the tide water of any tidal waters of this Commonwealth and in no other waters of this Commonwealth whatsoever

Section 59 No person shall fish with a seine or net in any waters of this Commonwealth except the Susquehanna river from McCall's Ferry Dam to the Maryland state line or within the limits of the tidal waters of a tidal stream No person shall fish with a seine or net in the Susquehanna river from McCall's Ferry Dam to the Maryland state line or within the limits of the tidal waters of a tidal stream of this Commonwealth except from the first day of March to the twentieth day of June of the year next following No person shall from the twentieth day of June to the first day of March of the year next following fish with a seine or net in the waters of the Susquehanna river from McCall's Ferry Dam to the Maryland State Line or within the limits of the tidal waters of any tidal stream of this Commonwealth without first having procured a license herefor as hereinabove provided No person shall from the first day of March to the twentieth day of June fish with a seine or net in the waters of the Susquehanna river from McCall's Ferry Dam to the Maryland State Line or within the limits of the tidal waters of any tidal stream of this Commonwealth for any fish other than shad herring or alewife catfish suckers eels and carp A person who catches in a licensed seine during the license period fish other than those enumerated in the preceding paragraph shall not be guilty of violating the provisions of said paragraph if he immediately returns such fish so taken to the waters from which taken and in the condition in which captured No person shall from the first day of March to the twentieth day of June fish in the waters of the Susquehanna river from McCall's Ferry Dam to the Maryland State Line or within the limits of the tidal waters of any tidal stream of this Commonwealth with a seine or net other than a licensed net or seine

Section 60 No person shall remove fish from any licensed seine or net without the consent of the owner thereof except that any person may return to the water any fish not authorized to be taken by such device

Section 61 Any person violating any provisions of this article except as herein otherwise provided is guilty of a misdemeanor and on conviction in the manner provided in Article XIII of this act shall be sentenced to pay a fine of one hundred dollars and shall forfeit to the Department of Fisheries all nets seines boats or appliances unlawfully used

Section 62 The provisions of this article do not apply to fish artificially propagated under the authority of Article VIII of this act

ARTICLE VIII

Artificial Propagation Licenses

Section 70 The Department of fisheries is authorized to issue an "Artificial Propagation License" upon a written application therefor signed by the applicant and upon the payment to such Department of the sum of ten dollars

Section 71 Applications shall be made on blanks prepared by the Department of Fisheries and shall show the size character and purpose of the propagation plant and such other matters as the Department may require All licenses issued under this article shall expire on the first day of January next following the date of issue

Section 72 No dams ponds or other devices which will prevent the free migration of fish shall be erected or placed by a person licensed under this article in any stream flowing over his property No person shall use the ponds so licensed for any purpose than for commercial fish purposes

Section 73 The license issued by this article authorizes the licensee to carry on the business of propagation and sale of all species of game food and bait fish or the eggs thereof during the year for which the license is issued The license authorizes the licensee to catch and kill game food or bait fish from the licensed ponds in any manner whatsoever except with explosives or poisonous substances The license further authorizes the licensee to sell or dispose of in any maner whatsoever game food or bait fish or the eggs thereof at any time of the year and it authorizes express and railroad companies to receive and transport the same

Section 74 The license issued under this article does not authorize the catching of fish out of any stream flowing over the property of the licensee except the Susquehanna river from McCall's Ferry Dam to the Maryland State Line and the tidal waters of any tidal stream in this Commonwealth

Section 75 A person selling fish under the license provided by this article shall furnish the purchaser with a certificate or invoice of the sale bearing the date of sale the number of the license under which sold the number of fish and number of pounds sold The certificate or invoice must be shown by the holder on demand of any fish warden clerk of the market constable or any person authorized to make arrests for violation of the laws of this Commonwealth relating to fish The certificate or invoice shall authorize the sale of the fish so purchased for a period of six days after its date of issue

Section 76 A person holding an artificial propagation license under this article shall annually on the first day of December file with the Department of Fisheries a written statement duly sworn to showing the number value and number of pounds of game food or bait fish or the eggs thereof sold or disposed of during the year The books and property of the person licensed under this article shall be open to the Department of Fisheries or its agents for inspection at all reasonable times

Section 77 No person licensed under this Article shall in any manner stock or maintain their establishments with any species of game fish food fish or bait fish or eggs thereof taken from any waters within this Commonwealth not owned occupied or controlled by them This section does not prohibit the exchange of fish eggs or the fry of any species of game food or bait fish with the Department of Fisheries

Section 78 A license issued under this Article authorizes the licensee or his agent to kill after five days notice to their owner if known any domestic bird or fowl trespassing on the waters or lands controlled used or occupied entirely for the artificial propagation of fish Such license also authorizes the licensee or his agent to kill any wild birds or wild animals destructive to fish life whenever found on such waters or lands

Section 79 No person shall artificially propagate game food or bait fish without first procuring the license provided by this Article No person receiving a license as provided by this article shall operate a propagating plant different from that designated in the license No person operating a propagating plant for which a license has been issued for the operation of such plant shall catch fish out of any stream flowing over the property of the licensee

Section 80 No person shall fish or trespass with intent to fish in or upon any waters or bed or banks of any waters or any banks owned controlled or occupied by person licensed by this article No person shall wilfully or maliciously destroy or damage any ponds property or appliances whatever of a propagating plant licensed under this article No person shall interfere or obstruct pollute or diminish the natural flow of water into or through a propagating plant licensed under this article

Section 81 Any person violating any provision of this article is guilty of a misdemeanor and shall on conviction in the manner provided by article thirteen of this act be sentenced to pay a fine of one hundred dollars

ARTICLE IX

Dams Fishways Bar-racks Obstructions Etc.

Section 85 Any person now or hereafter erecting or maintaining a dam in the waters of this Commonwealth shall immediately on a written order from the Commissioner of Fisheries erect therein such chutes clopes fishways gates or other devices as the Board of Fishery Commissioners may deem necessary to enable the fish to ascend and descend the waters at all seasons of the year

Section 86 Every such chute slope fishway gate or other device shall be maintained open and in good order and repair by the person owning or maintaining such dam until said dam is removed raised or rebuilt

Section 87 Any chute fishway or other device aforesaid may be closed for repairs or the time of low water but such closing shall only be for a period of thirty days at any one time

Section 88 Any person neglecting or refusing to comply with sections eighty-five and eighty-six of this article within three months from the date of notice provided in section eighty-five of this act shall forfeit and pay the sum of one hundred dollars for every month such person so refuses or neglects Such sum shall be recovered by civil suit or process in the name of the Commonwealth

Section 89 If after the lapse of three calendar months from the date of notice provided by section eighty-five of this act the person owning or maintaining said dam neglects or refuses to erect or place or maintain unchanged open and in good order and repair the appliance as directed by the Commissioner of Fisheries said Commissioner is authorized to enter upon such dam and erect such slope chute fishway or gate or make such repairs as may have been directed as aforesaid The cost thereof shall be charged against the person owning or maintaining such dam by the Commissioner of Fisheries and may be recovered by civil suit and process in the name of the Commonwealth

Section 90 Where by reason of any dam having been constructed prior to any requirements by law of the placing of chutes slopes or fishways therein or for any other reasons the owner or person maintaining such dam cannot be compelled by law to pay the cost of erecting such chute slope or fishway as directed by the Commissioner of Fisheries such cost shall be paid by the Commonwealth of Pennsylvania out of such funds as may be appropriated therefor

Section 91 No person owning leasing or maintaining a dam holding back waters inhabited by fish shall draw off such waters without first applying for written permission from the Department of Fisheries nor shall any such person obstruct the flow of water through any such dam without allowing sufficient water at all times to flow in the natural stream on which such dam is located to enable the fish to live Any person violating the provisions of this section is guilty of a misdemeanor and on conviction as provided in article thirteen of this act shall be sentenced to pay a fine of one hundred dollars for each offense

Section 92 No person shall fish except with a rod hook and line within one hundred feet of the lower end of any fishway or dam or within such other distance as the Commissioner of Fisheries may determine Such distance shall be plainly posted on the fishway or adjacent shore Any person violating the provisions of this section is guilty of a misdemeanor and on conviction as provided in article thirteen of this act shall be sentenced to pay a fine of one hundred dollars

Section 93 Any person owning or maintaining a raceway flume or inlet pipe leading to a water wheel turbine pump or canal shall immediately upon receipt of a written order from the Commissioner of Fisheries place and maintain a bar-rack of not less than one half inch nor more than an inch and a half space between the bars in or near such raceway flume or inlet pipe sufficient to prevent fish from entering therein Any person refusing or neglecting to comply with such order for a period of one month shall forfeit and pay the sum of one hundred dollars which shall be recovered by civil suit and process in the name of the Commonwealth

Section 94 If one month after the notice provided in section ninety-two of this act the person owning or operating such raceway flume or inlet pipe has not placed such bar-rack as may have been directed the Commissioner of Fisheries is authorized to enter upon such raceway flume or inlet pipe and place a bar-rack of not less than one half inch nor more than an inch and a half space between the bars The cost thereof shall be charged against such owner or operator and if not promptly paid may be recovered by civil suit and process in the name of the Commonwealth

Section 95 No person shall place any device or object in the waters within this Commonwealth in such a manner as to obstruct the migration or passage of fish therein or to obstruct any fishway Any person violating the provisions of this section is guilty of a misdemeanor and on conviction as provided in article thirteen shall be sentenced to pay a fine of one hundred dollars

Section 96 Any obstruction in the streams of this Commonwealth not permitted by law shall when found be immediately removed by any Fish Commissioner fish warden sheriff or other peace officer

ARTICLE X.

Pollution Trespass on State Hatcheries

Section 100 No person shall put or place in any waters of this Commonwealth any electricity explosives or any poisonous substances whatsoever for the purpose of catching injuring or killing fish No person shall allow any substance of any kind or character deleterious destructive or poisonous to fish to be turned into or allow to run flow wash or be emptied into any waters within this Commonwealth unless it be shown to the satisfaction of the Commissioner of Fisheries or to the proper court that every reasonable and practicable means has been used to aabte and prevent the pollution of waters in question by the escape of deleterious substances

Section 101 The preceding section of this article does not prohibit the use of explosives for engineering purposes when a written permit has been given therefor by the proper national state or municipal government authorities

Section 102 Any person violating the provisions of this article shall on conviction as provided in article thirteen of this act be sentenced to pay a fine of one hundred dollars

Section 103 In prosecutions under this article for the pollution of waters by substances known to be injurious to fish or to fish food it shall not be necessary to prove that such substances have actually caused the death of any particular fish

Section 104 No person shall fish or trespass with intent to fish neither upon any waters or bed or banks of any water or any lands controlled or owned or occupied by the Department of Fisheries No person shall wilfully or maliciously destroy or damage any ponds property or appliances whatsoever of the Department of Fisheries nor interfere obstruct pollute or diminish the natural flow of water into or through any State hatchery Any person violating the provisions of this section shall on conviction as provided in article thirteen of this act be sentenced to pay a fine of one hundred dollars

ARTICLE XI

Sale of Fish Market Hotels Etc Reports

Section 110 No person and no proprietor manager clerk or agent of any market hotel boarding house eating house restaurant or saloon shall purchase sell or expose for sale whether caught within or without this Commonwealth any brook trout or any species of trout except lake trout any small mouth bass or large mouth bass No person and no proprietor manager clerk or agent of any market hotel boarding house eating house restaurant or saloon shall contract with or employ any person to catch and keep such fish for him by the day or otherwise

Section 111 A person engaged in catching fish for market or who may be engaged in the sale of fish shall on demand of the Commissioner of Fisheries furnish at the close of each calendar year a duplicate statement of their sales of fish and the gross amount of money realized The contents of such reports shall be used by the Department of Fisheries entirely for statistical purposes The contents of such reports so received by the Department of Fisheries shall not be made public without the written consent of the owner

Section 112 Any person violating the provisions of this article is guilty of a misdemeanor and on conviction as provided in article thirteen of this act shall be sentenced to pay a fine of twenty-five dollars

Section 113 This article does not prohibit any person from employing a guide to accompany him when fishing

Section 114 This article does not apply to fish artificially propagated and sold under the authority of article eight

ARTICLE XII

Commissioner of Fisheries General Powers and Duties Fish Wardens Appointments Powers Compensation

Section 120 The Commissioner of Fisheries may grant permission to catch fish in any of the waters of this Commonwealth at any season of the year and with any kind of nets or devices for a period not exceeding one year to a person engaged in scientific research or for the propagation of fish and the stocking of waters therewith Persons permitted to fish pursuant to the foregoing provision of this section shall make a return in writing to the Commissioner of Fisheries of all fish caught by them and also the use made by them of the fish so caught

Section 121 The Commissioner of Fisheries may catch fish in any of the waters of this Commonwealth at any season of the year and with any kind of nets or devices The Commissioner of Fisheries may promulgate such rules and regulations for the angling catching or removal of fish in or from any waters artificial or otherwise wholly within this Commonwealth as are not inconsistent with any provisions of this act or other constitutional or statutory provision

Section 122 The Commissioner of Fisheries shall make free distribution or planting of the fish produced at the State fish hatcheries or otherwise acquired in the following order or preference First To the public waters of the Commonwealth within the State forestry reserves Second To the public school authorities and to persons connected with institutions of learning who may apply for the same for educational purposes or for scientific research and to persons applying for fishing culture for acquarium purposes and show ponds Third To the waters within this Commonwealth the bed and banks of which are the subject of private ownership upon a wrtiten application of one or more of the owners or lawful occupants thereof Fourth To the waters within this Commonwealth the bed and banks of which are the subject of private ownership but whose owners are non-residents and unknown or whose owners by habit and custom permit the public to fish therein The Commissioner of Fisheries may distribute and plant fish without an application therefor

Section 123 Any person who shall by false representation receive fish from the Department of Fisheries and plant the same in waters where the public are not allowed to fish shall on conviction in the manner provided by article thirteen of this act be sentenced to pay a fine of twenty-five dollars for each offense

Section 123½ Any natural stream or lake in this Commonwealth which has been or may be stocked with fish furnished by the Commonwealth or the Department of Fisheries shall be open tothe public for the purpose of lawful fishing but nothing in this section shall be so construed as to free any person trespassing on the lands of any person in this Commonwealth from liability for any damage he may do to said lands or the improvement thereon or to any crops or livestock or poultry thereon

Section 124 The Commissioner of Fisheries is authorized to set aside at his discretion such small streams and lakes as he may judge best as nursery streams or lakes in which

fishing shall be prohibited at all times of the year Before setting aside such streams or lakes the Commissioner of Fisheries shall give public notice of closing such streams or water by publishing the prohibition and the duration thereof in two newspapers of general circulation published in the county or counties where such stream or water is located once a week for three consecutive weeks Notice of such closing shall also be posted at the outlet of the stream or lake so closed and at intervals of three hundred yards along the banks thereof Any person fishing catching or killing any fish from any stream or water so closed shall on conviction in the manner provided by article thirteen be sentenced to pay a fine of one hundred dollars

Section 125 The Commissioner of Fisheries with the advice and consent of the Board of Fishery Commission is authorized to appoint sixty-five competent citizens of this Commonwealth as fish wardens The Commissioner of Fisheries shall from time to time by and with the advice and consent of the Board of Fishery Commission designate one of such wardens as chief warden who shall remain as such during the pleasure of the Commissioner of Fihseries and shall perform such duties as the Commissioner of Fisheries may prescribe The chief warden shall have the direction and control of other wardens under the direction of the Commissioner of Fisheries

Section 126 Fish wardens appointed under the preceding section shall hold office during the pleasure of the Commissioner of Fisheries Fish wardens shall receive such compensation for their services as the Commissioner of Fisheries and the Board of Fishery Commission may determine and shall be allowed such expenses as may be deemed by the Commissioner of Fisheries and the Board of Fishery Commission just and reasonable

Section 127 A fish warden shall have power to

(a) Enforce all the laws of the Commonwealth relating to fish (b) To execute all warrants and search warrants for the violation of the fish laws (c) To serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to fish (d) To carry firearms or other weapons in the performance of his duties (e) To search without warrant any boat conveyance vehicle fish box bag coat basket or other receptacle for fish when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated (f) To seize and take possession of any and all fish which may have been caught taken or killed at any time in any manner or for any purpose or had in possession or under control or have been shipped or about to be shipped contrary to the laws of this Commonwealth Fish so seized shall be disposed of in any manner as the Commissioner of Fisheries may direct (g) To enter upon any land or water in the performance of his duty (h) to demand and secure proper assistance in case of emergency

Section 128 Each fish warden shall keep a record of his official acts receipts and expenditures and shall at the close of each month make a summary of such record with such detailed information as may be necessary for the information of or be required by the Department of Fisheries Such summary shall be immediately sent to the chief warden the chief warden shall report to the Commissioner of Fisheries any negligence or incompetency on the part of any of the fish wardens with the fact relating thereto The chief warden shall report monthly to the Commissioner of Fisheries his operations during the preceding month and shall make such other reports as may be required by the Commissioner of Fisheries The chief warden shall annually report in writing the operations of himself and subordinates during the year to the Board of Fishery Commission

Section 129 The Commissioner of Fisheries on written application of a properly organized fish protective association or on the written application of any association or individual owning or leasing waters may appoint one or more special fish wardens for the county in which the application is made The Commissioner of Fisheries may appoint special fish wardens to act anywhere within the Commonwealth All special fish wardens appointed under the authority of this section may exercise the powers of their appointments until the thirty-first day of May next succeeding the date of their appointment and no longer Special fish wardens shall have the same powers and shall make the same reports as is conferred on and required from other fish wardens

Section 130 A special fish warden shall not be entitled to any salary compensation or expenses for his services from the Commonwealth unless such special fish warden shall be detailed by writing for duty by the Commissioner of Fisheries in which case the Commissioner of Fisheries may make a per diem allowance for compensation and reasonable expenses out of any moneys available for the compensation and expenses of other fish wardens

Section 131 The Commissioner of Fisheries with the authority of the Board of Fishery Commission may issue such bulletins relating to fish culture and fish protection as he deems best for the interests of the work of the Department of Fisheries The Commissioner of Fisheries shall make a report annually to the Governor of the operations of the Department of Fisheries

Section 132 The several provisions of this act are independent of each other and in the event of any provision being declared unconstitutional it is hereby declared as the legislative intent that such section may be eliminated therefrom without affecting any other provision of this act

ARTICLE XIII ENFORCEMENT OF THE ACT

Criminal Procedure

Section 140 Any fish commissioner fish warden special warden sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and required to proceed with such force of the county as may be necessary to destroy any device for catching fish used contrary to or prohibited by law in any of the waters within this Commonwealth Such officers are hereby required to arrest with or without warrant any person owning placing or using such device or violating any provision of this act

Section 141 Such officers are authorized and required to apprehend and arrest and immediately take any person guilty of any violation of this act before any alderman magistrate or justice of the peace who shall forthwith hear and determine such charge in the manner herein provided

Section 142 In case of any fish commissiner fish warden or any officer hereinbefore named fails to prove his case and the defendant is discharged or in case the defendant is convicted and sent to jail in lieu of the payment of fine the county in which the case is heard shall pay the costs

Section 143 Such arrests may be made on Sunday or any legal holiday in which case the person so arrested shall be taken before the proper officer and proceeded against on the first lawful day following the arrest

Section 144 Any sheriff deputy sheriff constable special officer or other peace officer of this Commonwealth refusing or neglecting to proceed with such force of the county to forthwith remove and destroy any existing device illegally used for the catching of fish within its jurisdiction after being notified in writing of the existence of such illegally used device or any such officer neglecting or refusing to remove or destroy any such illegal device for catching fish within the Commonwealth of which he shall be cognizant shall on conviction as provided herein be sentenced to pay a fine of fifty dollars

Section 145 Any person who shall by threat menace or force or in any manner attempt to deter or prevent any fish warden or other person authorized to make arrests for violation of the fish laws from enforcing or carrying into effect any provision of this act or who shall resist the seizure of boats devices or nets illegally used shall on conviction thereof as provided herein be sentenced to pay a fine of one hundred dollars

Section 146 In all cases of arrest for the violation of any of the provisions of this act the possession of the fishes or of the nets or the possession of or operation of any other device herein prohibited shall be prima facie evidence of the violation of this act

Section 147 Any alderman magistrate or justice of the peace upon information or complaint made to him by affidavit of one or more persons charging any person with having violated any of the provisions of this act or any of the rules and regulations adopted and promulgated by the Commissioner of Fisheries pursuant to this act is hereby authorized and required to issue his warrant under his hand and seal directed to any constable peace officer or warden and shall cause such person to be arrested and brought before such alderman magistrate or justice of the peace who shall hear and determine the guilt or innocence of the person or persons so charged

Section 148 If convicted such person shall be sentenced to pay the fine provided in this act for such violation together with the costs of suit The person so convicted shall on failure to pay such fine be sentenced by such alderman magistrate of justice of the peace to undergo imprisonment in the county jail of the county in which such conviction takes place for a period of one day for each dollar of fine so imposed unless the person so convicted shall give notice of an intention to procure a writ of certiorari or appeal in which case such person shall be permitted to enter into good and sufficient recognizance to appear before such justice alderman or magistrate on or befor the expiration of five days if such appeal or certiorari is not taken by them on the final determination of the same if it be not sustained for execution of sentence

Section 149 All fines imposed for the violation of any provision of this act shall be forthwith paid by such alderman magistrate or justice of the peace to the Department of Fisheries at Harrisburg All moneys received or recovered by the Department of Fisheries under any provision of this act shall be immediately paid into the State Treasury where it shall be kept as part of a fund separate and apart to be used solely under the direction of the Department of Fisheries for the purpose of defraying any of the necessary expenses incurred in fish propagation and protection

Section 150 All actions for violation of any provision of this act shall be taken within one year from the time the offense is committed The Commissioner of Fisheries is hereby authorized to employ legal counsel to assist in the enforcement of this act and to defend the officers and employes of the Department of Fisheries for acts done in the proper performance of their duties

Section 151 All boats and legal devices used unlawfully and forfeited to the Department of Fisheries under any of the provisions of this act shall be sold by the Commissioner of Fisheries or destroyed by his order All unlawful nets or devices not preserved for exhibition purposes by the Department of Fisheries shall be destroyed by the Commissioner of Fisheries or by his order Records shall be made of all such sales or destruction on the books of the department

ARTICLE XIV

Construction and Repeal

Section 152 It is the intent of this act to prescribe a complete and exclusive system for the angling catching

and propagation of fish in waters wholly within the limits of the Commonwealth of Pennsylvania Nothing in this act shall repeal or affect any of the following statutes to wit

An Act approved May twenty-second one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and sixty-one) entitled "An Act for the protection of shad and game fish in the River Delaware"

An Act approved May eighth one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and forty-six) entitled "A Supplement to an act entitled 'An Act to amend and consolidate the several acts relating to game and game fish' approved May first Anno Domini one thousand eight hundred and seventy-three to require all persons engaged in any of the manufacturing interests of this State accustomed to the washing of iron and other ores and of coal preparatory to its use for cokeing and engaged in the business of tanning to prepare a tank or other suitable receptacle into which the sediment culm or coal dust the offal refuse and the tan bark and liquor therefrom used in tanning so far as is practicable may be prevented from passing into or upon any of the rivers lakes ponds or streams of this Commonwealth"

An Act approved April second one thousand nine hundred and three (Pamphlet Laws one hundred and twenty-eight) entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries"

An Act approved May first one thousand nine hundred and nine (Pamphlet Laws three hundred and nine) entitled "An Act to encourage the propagation of fish and to regulate the catching taking and destruction of fish in the Delaware River below Trenton Falls within the jurisdiction respectively of the Commonwealth of Pennsylvania and of the State of New Jersey and providing penalties for violation of its provisions and to repeal acts inconsistent therewith"

An Act approved May eighth one thousand nine hundred and nine (Pamphlet Laws four hundred and eighty) entitled "An Act to encourage the propagation of fish and to regulate the catching taking and destruction of fish in the Delaware River above Trenton Falls within the jurisdiction respectively of the Commonwealth of Pennsylvania and of the State of New Jersey and providing penalties for violation of its provisions and to repeal acts inconsistent therewith"

An Act approved April eighteenth one thousand nine hundred and thirteen (Pamphlet Laws one hundred) entitled "An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authority of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith"

An Act approved April twenty-first one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty) entitled "An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions"

This act does not affect any other statute now existing or hereafter passed which relates to the angling or catching of fish in any boundary waters

Section 153 The act approved May first one thousand nine hundred and nine Pamphlet Laws three hundred and fifty-three entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid" the act approved June third one thousand nine hundred and eleven Pamphlet Laws six hundred and fifty entitled "An Act to amend the fifth section of an act approved the first day of May Anno Domini one thousand nine hundred and nine entitled 'An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid' by removing certain restrictions in fishing with nets" are hereby repealed All acts or parts of acts inconsistent with this act are hereby repealed The repeal by this act of any prior act shall not operate to revive any act or part of act heretofore repealed

This act shall become effective January first one thousand nine hundred and eighteen

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DELL. Mr. Speaker, I should like the sponsor of the bill, Mr. Albee, to tell us whether there is any provision in the code by which one may dip in any of the waters, outside of the Susquehanna river, for the purpose of removing carp.

Mr. ALBEE. Mr. Speaker, this code has been prepared by the Department of Fisheries. It has been very carefully looked over by the Committee on Fish; but in answer to the gentleman I would say this, that there are certain provisions in here that provide only for the catching of fish by hook and line, and I think there is no provision in here in regard to the removal of carp, excepting that the Department of Fisheries may designate any way or any form of catching fish that are detrimental to game fish, or food fish for that matter, as they have the right under this act to designate any way of catching fish; but it would have to be a separate proposition of the Fish Commission.

Mr. DELL. Mr. Speaker and gentlemen of the House, my reason in asking a question of that kind is this: I want to go along with this bill; I want to support it. Mr. Buller, the Fish Commissioner, has been very considerate to us and my friend, Mr. Albee, has drafted a bill or has sponsored the bill, but as I read it there is no way by which we may remove carp from the Juniata river or its branches at all. Anyone knows that you cannot catch carp with hook and line and our two large dams, built for the purpose of developing electric current, have become natural breeding places for the carp until we have millions of them and they are destroying the other fish. One large carp, rooting through the bottom of the river, will destroy more fish in one day, by destroying spawn, than all the fishemen in this House could catch in a week and for that reason it seems to me that there should be some means by which the people may be able to take carp from the river. I am opposed to the use of the spear or gig for the purpose of taking them, but, Mr. Speaker, when meat is soaring rapidly toward the fifty cent mark per pound, when breakfast bacon is soaring at between thirty-five and forty cents a pound, when we have a good many people who have said to me recently, "We have not tasted meat in my home for the last three months excepting the carp we have taken out of the river," it seem to me that at this time we ought not to make it impossible for the poor people, the laboring man who is unable to provide himself with meat in any other way, we ought not to make it impossible for him to get these food fish for consumption in his own home. It will simply deprive him from getting any form of flesh whatever for his home. The man working at two dollars a day cannot afford to buy meat of any kind at this time while he may go out in the evening after his day's work is done and with an ordinary seine dip from the river a sufficient amount of carp—while I don't eat them and while the majority of you gentlemen don't eat them— he may be able to go and dip a sufficient amount of carp to supply his family with a form of flesh food for the next day or two days; and for that reason it seems to me that this bill should be amended in such a way that will make it possible or will enable the poor man to dip carp out of the river and enable us who want to fish with hook and line—although I never get the time to do it myself— enable us to destroy the worst enemy the bass or the wall-eyed pike has in the Juniata river and its branches. Many of our fishermen have said to me—indeed, a number of our club said to me only last Saturday evening, "If we are not allowed to remove the carp from the river it is only a matter of a few years until there will not be a black bass, until there will not be a Susquehanna salmon or a wall-eyed pike

in the Juniata river." They have done us a great deal more damage than all the fishermen combined and it seems to me it would be only fair at this time, when it is so hard to procure food, it would be only fair to permit the poor man to take out of the river that which he uses for food and, indeed, that which you and I believe to be a nuisance in the river.

Mr. ALBEE. Mr. Speaker, if the gentleman from Huntingdon, Mr. Dell, will look on page 20, Article 12, Section 121 on the top of page 21, "The Commissioner of Fisheries may promulgate such rules and regulations for the angling, catching or removal of fish in or from any waters artificial or otherwise wholly within this Commonwealth as are not inconsistent with any provisions of this act or other constitutional or statutory provision." This proposition in regard to carp is taken care of in such a way that he can make application at any time to the Commissioner of Fisheries. That gives the gentleman from Huntingdon a chance to make application if the carp are destroying their bass or any other kind of game fish; it gives them a chance to make application to the Commissioner of Fisheries to catch these with any devices that they see fit to grant. I believe our Department of Fisheries are perfectly willing and want to protect all the game fish that are in the waters of the State of Pennsylvania. There will be no trouble whatever in granting any thing or any request that comes from the gentleman from Huntingdon that he may see fit to ask. I think that is fully taken care of here. If we change it we will give everybody in Pennsylvania an opportunity to fish with spears, or nets or anything else. I would like to see this bill go through exactly as it is prepared.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143.

Arthur,	Fowler,	McCullough,	Shattuck,
Aston,	Franklin,	McCurdy,	Shunk,
Baker,	Fretz,	McKay,	Siggins,
Baldi,	Gans,	McKinney,	Simpson,
Baldridge,	Glass,	McNichol,	Sinclair,
Bechtold,	Golder,	McPeake,	Smith, E. R.,
Bell,	Goodnough,	McVicar,	Smith, J. W.,
Benchoff,	Gormley,	Mearkle,	Smith, L.,
Bennett,	Graeff,	Mehring,	Somerman,
Benninger,	Graham,	Miller, A. D.,	Sones,
Beyer,	Gransback,	Miller, C. G.,	Spangler,
Bouton, V. B.,	Haight,	Milner,	Speicher,
Bovee,	Haldeman,	Mitchell,	Sprowls,
Boyd,	Heffernan,	Morgan, T. J.,	Stadtlander,
Brady,	Helt,	Murdoch,	Steedle,
Brumbaugh,	Hess,	Murphy,	Sterling,
Burnett,	Heyburn,	Ogden,	Stern,
Campbell, J. O.,	Hibshman,	Palmer,	Stites,
Campbell, T.,	Hollingsworth,	Patterson,	Sullivan,
Clements,	Horne,	Perry,	Swartz,
Conner,	Horton,	Phillips,	Ulsh,
Corbin,	Hough,	Pickering,	Wagner,
Cox,	Howarth,	Powell,	Walker,
Crosby,	Isherwood,	Ramsey,	Walter,
Cummins,	Jack,	Reichenbacher,	Wells,
Curry,	Jones,	Reitzel,	Whitaker,
Davis, W.,	Kennedy,	Reynolds,	Wickman,
Dean,	Lafferty,	Rhoads, H. L.,	Williams, G. W.
Dewey,	Lanius,	Rich,	Williams, J. P.,
Dithrich,	Lauler,	Rininger,	Wobensmith,
Donneley,	Leary,	Robertson,	Wood,
Drake,	Lewis,	Rogers,	Woodward,
Dunn,	Lohr,	Ross,	Wynne,
Ehrhardt,	Luppert,	Rothenberger,	Zanders,
Fackler,	Mangan,	Schaeffer, A. C.,	Baldwin,
Fitzgibbon,	Marvin,	Scott	Speaker.
Flynn,	McCaig,		

NAYS—10.

Chestnut,	Musser,	Sarig,	Vickerman,
Maurer,	Ringler,	Shaffer, C. A.,	Vogdes,
Miller, G. J. A.,	Rudisill,	Stofflet,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1437 (Senate Bill No. 700), entitled

An Act to provide for the classification of inspectors of the Department of Labor and Industry according to qualifications determined by a Committee of the Department of Labor and Industry and fixing the salaries of inspectors within the several classifications.

On the question,

Will the House agree to the bill on third reading?

Mr. SIMPSON. Mr. Speaker, I would like to know if there is anyone present who can explain this bill. I would like to have an explanation.

Mr. PALMER. Mr. Speaker, this bill provides for a slight increase in this particular department—a re-arrangement of positions. It is a very meritorious piece of legislation.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Albee,	Golder,	Mehring,	Smith, E. R.,
Arthur,	Gormley,	Mervine,	Smith, J. W.,
Aston,	Graeff,	Michel,	Smith, L.,
Baker,	Graham,	Miller, A. D.,	Smith, O. W.,
Baldi,	Gransback,	Miller, C. G.,	Snowden,
Bechtold,	Haldeman,	Miller, G. J. A.,	Snyder,
Bennett,	Hecht,	Milner,	Somerman,
Benninger,	Heffernan,	Mitchell,	Sones,
Beyer,	Helt,	Morgan, T. J.,	Speicher,
Bidelspacher,	Hess,	Murdoch,	Sprowls,
Bouton, V. B.,	Heyburn,	Murphy,	Stadtlander,
Boyd,	Hibshman,	Neary,	Steedle,
Brady,	Hoffman,	Ogden,	Sterling,
Campbell, J. O.,	Hollern,	Palmer,	Stern,
Canon,	Hollingsworth,	Patterson,	Stites,
Clements,	Horton,	Phillips,	Stofflet,
Coldsmith,	Hough,	Pickering,	Strauss,
Conner,	Howarth,	Powell,	Sullivan,
Corbin,	Isherwood,	Ramsey,	Swartz,
Cox,	Jack,	Reitzel,	Sweitzer,
Crosby,	Jones,	Reynolds,	Thomas,
Cummins,	Kennedy,	Rhodes, W. M.,	Urich,
Curry,	Lafferty,	Rich,	Vickerman,
Davis, W.,	Lanius,	Richards,	Vogdes,
Dean,	Lauler,	Rininger,	Wagner,
Dewey,	Leary,	Robertson,	Walker,
Lithrich,	Lohr,	Rogers,	Wallace,
Donneley,	Luppert,	Ross,	Walter,
Drake,	Mangan,	Ruddy,	Weimer,
Drinkhouse,	Marvin,	Rudisill,	Wells,
Dunn,	Maurer,	Sampsel,	Whitaker,
Ehrhardt,	McCaig,	Sarig,	Wickman,
Erdman,	McCullough,	Schaeffer, A. C.,	Williams, G. W.
Fackler,	McCurdy,	Scott,	Williams, J. P.,
Fitzgibbon,	McKay,	Shaffer, C. A.,	Wobensmith,
Fowler,	McKinney,	Shattuck,	Wood,
Franklin,	McNichol,	Shunk,	Woodward,
Fretz,	McPeake,	Siggins,	Zanders,
Gans,	McVicar,	Simpson,	Baldwin,
Glass,	Mearkle,	Sinclair,	Speaker.

NAYS—2.

Chestnut, Lewis,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1330 (Senate Bill No. 560), entitled

An Act amending sections eight and ten of an act approved the 19th day of March, 1909, entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," as amended, by providing for the extension of time necessary for graduation; by revising the fee for reciprocity licenses; and by further regulating the preliminary educational requirements for matriculation into colleges.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albee,	Erdman,	McCurdy,	Siggins,
Aron,	Fackler,	McKinney,	Simpson,
Arthur,	Fitzgibbon,	McNichol,	Smith, E. R.,
Baker,	Flynn,	McVicar,	Smith, F. I.,
Baldi,	Franklin,	Mearkle,	Smith, J. W.,
Baldridge,	Fretz,	Mehring,	Smith, L.,
Barner,	Gans,	Mervine,	Snyder,
Bechtold,	Glass,	Miller, A. D.,	Somerman,
Bell,	Golder,	Miller, Allan,	Sones,
Benchoff,	Goodnough,	Miller, C. G.,	Spangler,
Bennett,	Gormley,	Miller, G. J. A.,	Speicher,
Benninger,	Graeff,	Milner,	Sprowls,
Beyer,	Graham,	Morgan, T.,	Stadtlander,
Bidelspacher,	Gransback,	Murdoch,	Steedle,
Bouton, V. B.,	Haight,	Murphy,	Sterling,
Bovee,	Haldeman,	Musser,	Stern,
Boyd,	Heffernan,	Neary,	Stites,
Brumbaugh,	Hess,	Palmer,	Stofflet,
Burnett,	Heyburn,	Patterson,	Strauss,
Campbell, J. O.,	Hibshman,	Phillips,	Swartz,
Campbell, T.,	Hollern,	Pickering,	Sweitzer,
Canon,	Hollingsworth,	Powell,	Ulsh,
Chestnut,	Horton,	Ramsey,	Urich,
Christman,	Hough,	Reichenbacher,	Vodges,
Coldsmith,	Howarth,	Reitzel,	Wagner,
Conner,	Isherwood,	Reynolds,	Wallace,
Corbin,	Jack,	Rhoads, H. L.,	Walter,
Cox,	Jones,	Rich,	Weimer,
Crosby,	Kennedy,	Ringler,	West,
Cummins,	Lanius,	Rininger,	Whitaker,
Curry,	Laucks,	Robertson,	Wickman,
Davis, D. F.,	Leary,	Ross,	Williams, G. W.
Davis, W.,	Lewis,	Rothenberger,	Williams, J. P.,
Dell,	Lohr,	Ruddy,	Wobensmith,
Dewey,	Luppert,	Rudisill,	Wood,
Dithrich,	Mangan,	Sampsel,	Woodward,
Donneley,	Marvin,	Sarig,	Wylie,
Drake,	Maurer,	Schaeffer, A. C.,	Wynne,
Drinkhouse,	McArdle,	Scott	Zanders,
Dunn,	McCaig,	Shaffer, C. A.,	Baldwin,
Ehrhardt,	McCullough,	Shunk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1254, entitled

An Act relating to the photographing by police officials of persons charged with any crime and providing a penalty for the violation thereof.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. STERN. Mr. Speaker, in the absence of the sponser of this bill I move that further consideration of this bill be postponed for the present.

Mr. GOLDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1290, entitled

An Act relating to the arrest character of evidence and punishment of professional thieves burglars and pickpockets.

On the question,

Will the House agree to the bill on third reading?

Mr. WELLS. Mr. Speaker, I would like the sponsor of this bill to explain its provisions.

Mr. DITHRICH. Mr. Speaker, this bill provides that when any man is convicted before a police magistrate, burgess or alderman of being a professional thief or pickpocket that they can sentence him to jail for a period of ninety days or require him to furnish bond for his good behavior for a year. You all know that in all county fairs, all carnivals, all places where there is a large gathering, a political convention, where there are always a number of professional thieves—heretofore they could be dealt with by preferring a technical charge of being a suspicious person and by doing that an injustice was worked in a great many cases. Under the provisions of this act a man cannot be imposed upon who has merely committed some minor offense, but it is only where he has a criminal record either in a court of record or the records that are in the Municipal Courts or Magistrate's courts could be produced against the man, and if the record proved that he was a professional thief, had no means of livelihood or employment, then we could be sentensed to jail for 90 days. I hope the House will give the bill serious consideration and vote aye.

Mr. WELLS. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Dithrich.

The SPEAKER. Will the gentleman from Allegheny, Mr. Dithrich, permit himself to be interrogated?

Mr. DITHRICH. Mr. Speaker, yes sir.

Mr. WELLS. Mr. Speaker, what change in the law does this proposed bill make?

Mr. DITHRICH. Mr. Speaker, by the character of evidence that can be considered by the committing magistrate.

Mr. WELLS. Mr. Speaker, isn't it true that a magistrate at the present time can consider the record of the supposed pickpocket?

Mr. DITHRICH. Mr. Speaker, no, that is, they cannot go into the man's record and put his character into evidence, I mean to take the character, unless the character is put in evidence.

Mr. WELLS. Mr. Speaker, there is a law on the statute books at the present time covering exactly this situation. A law covering professional thieves, and any professional thief that is arrested and brought into court, charged with being at a public place, or place of amusement, at a theatre, at a station, on the cars, or at county fairs, and there can be faced with the record of his previous convictions, it can be heard in his own defense and if he is found guilty by the magistrate he can be sentenced, under the provisions of the act of Assembly, for 90 days in the house of correction or in the county prison.

Mr. STERN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Wells.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Wells, permit himself to the interrogated?

Mr. WELLS. Mr. Speaker, I will.

Mr. STERN. Mr. Speaker, can the gentleman from Philadelphia state the act that he is talking about?

Mr. WELLS. Mr. Speaker, I cannot state the act now, but we are working under it at the present time and have been working under it for at least ten years.

I would like to interrogate the gentleman from Philadelphia, Mr. Stern.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Stern, permit himself to be interrogated?

Mr. STERN. Mr. Speaker, yes sir.

Mr. WELLS. Mr. Speaker, isn't it true, that there is such an act as the "professional thief act?"

Mr. STERN. Mr. Speaker, I have no practice of that kind and I do not know. I have no practice of that kind Mr. Speaker, I do not know of such a bill.

Mr. WELLS. Mr. Speaker, isn't it true that the gentleman from Philadelphia has represented professional thieves?

Mr. STERN. Never, Mr. Speaker.

Mr. WELLS. Mr. Speaker, did the gentleman never practice in the criminal courts?

Mr. STERN. Mr. Speaker, I have and I am mighty sorry for it.

Mr. WELLS. Mr. Speaker, and doesn't the gentleman know that there is such an act in force at the present time?

Mr. STERN. Mr. Speaker, I do not know that there is such an act (I have heard that there is such an act, but that is only heresay evidence, and I wanted to be told by an authority on criminal law in Philadelphia, and that is why I asked the gentleman the question.

Mr. DITHRICH. Mr. Speaker, I regret very much that an act, a bill, that has for its purpose such a serious thing, should be treated with such levity by the two gentlemen from Philadelphia, but I would say to the inquiry of the gentleman of Philadelphia ——

Mr. STERN. Mr. Speaker ——

Mr. DITHRICH. Mr. Speaker, I decline to be interrupted.

Mr. STERN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. STERN. Mr. Speaker, I would like to know if the gentleman is insinuating.

Mr. DITHRICH. Mr. Speaker, no, no, but in all seriousness, Mr. Speaker and gentlemen of the House, this bill changes a provision of the present law by allowing evidence from courts not of record to be introduced. The courts have repeatedly held that the evidence of conviction, summary conviction, before a police magistrate, could not be offered in evidence, and this bill extends the provisions so as to bring in such evidence. That is the only way in which it changes the present law.

Mr. WELLS. Mr. Speaker, I regret very much that the gentleman from Allegheny is under the impression that this question is being treated in a spirit of levity. It is not. I have stated previously that there is an act of Assembly in force covering the question of professional thieves and pickpockets; I do not believe the scope of the present law should be enlarged in any particular. I have seen cases in Philadelphia, where I thought the law was stretched to the utmost. They have sent men to the county prison for ninety days and I think that the law should be kept as it is at the present time. There is no necessity for introduring the records of court that are not a court of record.

On the question recurring,

Will the House agree to the bill on third reading.

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STERN. Mr. Speaker, there has been so much discussion on this question, and I believe that my friend from Philadelphia is an authority on questions of this kind, and I think furthermore that his statement that there is an act of this kind in existence, ought to be looked into, I would therefore suggest to the gentlemen from Allegheny, the sponsor of the bill, that a motion be made to postpone the consideration of this bill for the present, so that that matter may be inquired into.

Mr. DITHRICH. Mr. Speaker, I do not care to make a motion of that kind, but I will not object if the motion is made.

RECONSIDERATION OF VOTE.

Mr. STERN. Mr. Speaker, I move that the vote by which this bill was agreed to on third reading be re-considered.

Mr. BENNETT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL POSTPONED.

Mr. STERN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. BENNETT. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILLS.

Mr. JONES. Mr. Speaker, I desire to call up at this time from page 37 of to-day's calendar, bills on third reading postponed, House Bill No. 418, File Folio 2807, entitled

An Act fixing the fees of the recorder of deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants.

and ask unanimous consent for an extension of five days.

The SPEAKER. Is there any objection? The Chair hears none, and the extension is granted.

Mr. HESS. Mr. Speaker, in the absence of the sponsor of the bill, I desire to call up at this time from page 38 of to-day's calendar, bills on third reading postponed, House Bill No. 1105, File Folio 2433, entitled

An Act exempting agricultural corporations from the payment of a bonus and of State taxes upon their capital stock.

and ask unanimous consent for an extension of five days.

The SPEAKER. Is there any objection? The Chair hears none, and the extension is granted.

Mr. GEORGE J. A. MILLER. Mr. Speaker, I desire to call up at this time from page 12 of to-day's calendar, bills on final passage postponed, House Bill No. 333 (Senate Bill No. 58), File Folio 1409, entitled

An Act to amend the first section of an act entitled "An Act to amend the second section of an act entitled 'An Act relative to the sale and conveyance of real estate' approved the eighteenth day of April one thousand eight hundred and fifty-three extending the provisions thereof to real estate upon which are limited vested remainders which are liable to open and let in after born children and validating sales of real estate heretofore made by proceedings under said act of lands and tenement subject to such remainders'" approved the fourteenth day of June one thousand eight hundred and ninety-seven (Pamphlet Laws page one hundred and forty-four), extending the provisions thereof to real estate held by one or more persons for life and validating sales of real estate heretofore made by proceedings under said act of one thousand eight hundred and fifty-three and its amndment of one thousand eight hundred and ninety-seven of lands and tenements held by one or more persons for life.

and ask unanimous consent for an extension of five days.

The SPEAKER. Is there any objection? The chair hears none, and the extension is granted.

Mr. JACK. Mr. Speaker, in the absence of the sponsor, I desire to call up at this time from page 36 of to-day's calendar, bills on third reading postponed, House Bill No. 1031, File Folio 2075, entitled

A Supplement to an act, approved the second day of June, one thousand nine hundred and thirteen (P. L. 396), entitled "An Act creating a Department of Labor and Industry, defining its powers and duties; establishing an Industrial Board; providing for the appointment of a Commissioner of Labor, inspectors, statisticians, clerks, and others to enforce the provisions of this act, and providing salaries for the same; prescribing a standard of reasonable and adequate protection to be observed in the rooms, buildings, and places where labor is employed; empowering the said Industrial Board to make, alter, amend and repeal rules and regulations relating thereto; transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry, and abolishing the Department of Factory Inspection; and providing a penalty for the violation of the provisions of this act, or the rules and regulations of the said board," authorizing the Industrial Board to adopt a seal; and providing that certified copies of all records, documents and rulings of said board shall be received in evidence.

and ask unanimous consent for an extension of five days.

The SPEAKER. Is there any objection? The chair hears none, and the extension is granted.

Mr. JACK. Mr. Speaker, in the absence of the sponsor, I desire to call up at this time from page 12 of to-day's calendar, bills on final passage postponed, House Bill No. 1056, File Folio 1845, entitled

An Act authorizing the Commissioner of Health to accept private and philanthropic donations to assist in the care and treatment of indigent tuberculous persons.

and ask unanimous consent for an extension of five days.

The SPEAKER. Is there any objection? The chair hears none, and the extension is granted.

BILL ON THIRD READING.

Mr. McCAIG asked and obtained unanimous consent to call up from page 26 of to-day's calendar, bills on third reading, House Bill No. 394, File Folio 3589.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 394, entitled

An Act relating to sales on the installment plan providing for a rebate on the purchase price in certain cases by the vendor or lessor to the purchaser or lessee and providing a procedure for the determination and collection of the same.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. McCAIG. Mr. Speaker, at the request of the sponsor I move that this bill be recommitted to the Committee on Public Health and Sanitation.

Mr. GOLDER. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON THIRD READING.

Mr. STADTLANDER asked and obtained unanimous consent to call up House Bill No. 603, File Folio 3869, from page 30 of to-day's calendar, bills on third reading.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 603, entitled

An Act repealing an act, entitled "An Act amending article six of an act, entitled 'An Act for the government of cities of the second class,' approved the seventh day of March, Anno Domini, one thousand nine hundred and one, as amended by an amendatory act, approved the first day of April, Anno Domini one thousand nine hundred and nine, and as affected by an act, entitled 'An Act providing a uniform rate of assesment and taxation for all real estate in cities of the second class,' approved the eleventh day of May, Anno Domini one thousand nine hundred and eleven, by providing for the classification of real estate for purposes of taxation into two classes, to wit, the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class," approved May fifteenth, Anno Domini one thousand nine hundred and thirteen.

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. STADTLANDER. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations.

Mr. DITHRICH. Mr. Speaker, I second the motion.
The motion was agreed to.

TIME EXTENDED ON BILLS.

Mr. BEYER. Mr. Speaker, I desire to call up at this time from page 36 of to-day's calendar, bills on third reading postponed, House Bill No. 853, File Folio 2505, entitled

An Act requiring the Commonwealth, and all counties thereof and all public institutions owned, managed and controlled by the Commonwealth or any county thereof, to purchase supplies and certain materials from State correctional institutions; providing for the administration of this act by the Prison Labor Commission and others; and making it unlawful under certain circumstances for the Auditor General of the Commonwealth or any County Controller or the Treasurer of any Public Institutions to approve any bill for such materials or supplies purchased elsewhere.

and ask unanimous consent for an extension of five days.

The SPEAKER. Is there any objection? The Chair hears none, and the extension is granted.

Mr. HESS. Mr. Speaker, in the absence of the sponsor, I desire to call up at this time from page 36 of to-day's calendar, bills on third reading postponed, House Bill No. 995, File Folio 1507, entitled

An Act to prohibit the killing of foxes by certain methods in York County and fixing a penalty for violation of the act.

and ask unanimous consent for an extension of five days.

The SPEAKER. Is there any objection? The Chair hears none, and the extension is granted.

RESOLUTION GRANTING USE OF HALL OF HOUSE.

Mr. HESS asked and obtained unanimous consent to offer a resolution, which was read, considered and agreed to as follows:

Resolved That the use of the Hall of the House shall be granted to Edward H. Morrell on Wednesday evening, May 2 at 8 o'clock for the purpose of displaying motion pictures of the honor system as it is now in successful operation in New York State prisons.

TIME EXTENDED ON BILLS.

Mr. BEYER. Mr. Speaker, I desire to call up at this time from page 36 of to-day's calendar, bills on third reading postponed, House Bill No. 325 (Senate Bill No. 50), entitled

An Act to facilitate the labors of the Judges learned in the law of the Courts of Common Pleas and Orphans' Courts of the several counties of the State by providing suitable clerical assistance.

and ask unanimous consent for an extension of five days.

The SPEAKER. Is there any objection? The Chair hears none, and the extension is granted.

Mr. ERDMAN. Mr. Speaker, I desire to call up at this time from page 37 of to-day's calendar, bills on third reading postponed, House Bill No. 940 (Senate Bill No. 262) entitled

An Act authorizing county controllers in counties having a population of more than one hundred thousand and less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of said solocitor and fixing his salary.

and ask unanimous consent for an extension of five days.

The SPEAKER. Is there any objection? The Chair hears none, and the extension is granted.

BILL ON THIRD READING.

Mr. BEYER asked and obtained unanimous consent to have House Bill No. 1805 read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1805, entitled

An Act to amend an act entitled "An Act relating to prothonotaries and their duties, and to their deputies, and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the twenty-sixth day of May, Anno Domini one thousand eight hundred ninety-seven, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. CHESTNUT. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and (at 6 P. M.) the House adjourned until to-morrow morning at 11 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

VOL. 4. HARRISBURG, PA., THURSDAY, MAY 3, 1917. No. 49.

HOUSE OF REPRESENTATIVES.

THURSDAY, May 3, 1917.

The House met at 11:00 o'clock A. M.
The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Rev. M. D. Lichliter offered the following prayer:

O Lord, our God, Father of our Lord Jesus Christ, maker of all things, and the bountiful giver of every good and perfect gift. We bless Thee for this new day. With it comes new duties and increased responsibilities. May each of us in our several stations of life be fitted to meet them like men.

We stand appalled in the presence of the world-wide war cloud that is darkening the nations of the earth, and in the awful loss and waste of young manhood. We believe in Thee, oh God. We believe that above the smoke of battle Thou sittest upon Thy throne, and though

> Truth is on the scaffold,
> And Error is upon the throne;
> That back of the dim Unknown
> Standeth God within the shades
> Keepeth watch above His own.

Pardon us for our sins and sanctify our spirits, we ask for Jesus' sake, Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Edgar R. Smith, the further reading was dispensed with, and the Journal was approved.

PETITION FAVORING ADOPTION OF THE TULIP TREE AS STATE FLOWER.

Mr. ZANDERS presented the petition of the Botanical Society of Pennsylvania favoring the adoption of the Tulip Tree as the State Flower.

Referred to the Committee on Agriculture.

BILLS INTRODUCED AND REFERRED.

By Mr. OGDEN. House Bill No. 1806.

An Act to establish as a State Highway a certain section of public road in Luzerne County.

Referred to the Committee on Public Roads.

By Mr. LOHR. House Bill No. 1807.

An Act to further amend and supplement the act approved the eighth day of May, one thousand eight hundred and seventy-six, entitled "An Act to establish a State Board of Agriculture," changing the membership of said board, and establishing an executive committee thereof; defining the powers and duties of such committee, including its powers relative to the Department of Agriculture, and the State Livestock Sanitary Board; abolishing the State Commission of Agriculture; and repealing the act approved the eighteenth day of May, one thousand nine hundred fifteen, entitled "An Act establishing a State Commission of Agriculture; defining its powers and duties, including its powers relative to the Department of Agriculture and the State Livestock Sanitary Board."

Referred to the Committee on Agriculture.

By Mr. DEAN. House Bill No. 1808.

An Act to amend sections two and four of an act approved the seventeenth day of June, one thousand nine hundred and fifteen, entitled "An Act fixing the number, compesation, mileage, and duties of the officers and employes of the General Assembly; and providing for their election or appointment, term of office, and manner of filling vacancies."

Referred to the Committee on Appropriations.

By Mr. WALKER. House Bill No. 1809.

An Act authorizing Nancie M. Searing, Executrix of the estate of F. Roe Searing, deceased, of the City and County of Philadelphia, to sue the Commonwealth.

Referred to the Committee on Judiciary General.

By Mr. LOHR. House Bill No. 1810.

An Act to establish as a State Highway a certain section of public road in Somerset County.

Referred to the Committee on Public Roads.

By Mr. BLACK. House Bill No. 1811.

An Act providing for the service of writs of summons in actions of assumpsit and trespass in any county of this Commonwealth by deputizing the sheriff, constable or other officer of each county to make service thereof.

Referred to the Committee on Judiciary General.

By Mr. STEEDLE. House Bill No. 1812.

An Act to amend section two of an act approved the twelfth day of July, one thousand nine hundred and thirteen, entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State Committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation."

Referred to the Committee on Elections.

By Mr. SONES. House Bill No. 1813.

An Act relating to the practice of the law, providing who may lawfully write and prepare deeds, mortgages, bonds, and wills and who may state accounts and give advice in matters relating to estates of decedents; and providing penalties.

Referred to the Committee on Judiciary Special.

By Mr. STERLING. House Bill No. 1814.

An Act authorizing and empowering building and loan associations within this Commonwealth to invest their surplus funds in Government war bonds.

Referred to the Committee on Banks and Banking.

By Mr. PALMER. House Bill No. 1815.

An Act to amend an act, approved the twelfth day of July, one thousand nine hundred and thirteen, entitled "An Act establishing a court for the County of Philadelphia; prescribing its jurisdiction and powers; providing for the service

of its writs, process, or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by enlarging the jurisdiction of the appellate court in proceedings relative to the custody of children.

Referred to the Committee on Judiciary Special.

By Mr. McCAIG. House Bill No. 1816.

An Act to amend section eight (8) of an act entitled "For the better protection of wild birds and game within the Commonwealth of Pennsylvania; requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth; and providing penalties for violation of its several provisions, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the license fees, fines and penalties received," approved the seventeenth day of April, Anno Domini one thousand nine hundred and thirteen.

Referred to the Committee on Game.

By Mr. WILLIAM DAVIS. House Bill No. 1817.

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven, entitled "An Act to fix the salaries of the judges of the Supreme Court, the judges of the Superior Court, the judges of the Courts of Common Pleas and the judges of the Orphans' Courts."

Referred to the Committee on Judiciary General.

By Mr. HEYBURN. House Bill No. 1818.

An Act making it a misdemeanor for an owner of a motor-vehicle or other person to burn or attempt to burn or to aid or assist in building such motor-vehicle with intent to defraud an insurance company and prescribing penalties therefor.

Referred to the Committee on Judiciary Local.

By Mr. SPROWLS. House Bill No. 1819.

An Act to amend section six of an act entitled "An Act to supervise the operations of fire insurance rate-making bureaus, and providing for their examination by the Insurance Commissioner; prohibiting discrimination in fixing and collectng fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate-making bureaus; requiring inspection and survey by such bureaus of all risks specifically rated; and regulating agreements between companies or other insurers with respect to fixing and collecting fire insurance rates; and repealing existing laws," approved the 7th day of June, A. D. 1915.

Referred to the Committee on Insurance.

By Mr. SPROWLS. House Bill No. 1820.

An Act to provide revenue by imposing a State tax upon gross receipts of a partnership or corporations engaged in the business of writing fire insurance.

Referred to the Committee on Ways and Means.

By Mr. GRAEFF. House Bill No. 1821.

An Act to amend section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder."

Referred to the Committee on Manufactures.

By Mr. GRAEFF. House Bill No. 1822.

An Act to amend section three hundred and fourteen of an act approved the second day of June, one thousand nine hundred and fifteen, entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder."

Referred to the Committee on Manufactures.

By Mr. SPROWLS. House Bill No. 1823.

An Act to provide that justices of the peace may hold the office of notary public in Washington County.

Referred to the Committee on Ways and Means.

By Mr. BECHTOLD. House Bill No. 1824.

An Act authorizing Albert B. Smith, of the Borough of Steelton, Dauphin County, Pennsylvania, to bring suit against and to recover from the Commonwealth of Pennsylvania, either in law or equity, in the Court of Common Pleas of Dauphin County, any sum or sums of money legally or justly due him for services rendered the Pennsylvania Commission to Investigate Cold Storage.

Referred to the Committee on Judiciary General.

By Mr. McCAIG. House Bill No. 1825.

An Act amending section three of an act entitled "A Supplement to an act entitled 'An Act' for the government of cities of the second class,' approved the seventh day of March, Anno Domini, one thousand nine hundred and one; providing for the levy, collection, and disbursement of taxes and water rents or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for,'" approved May twelfth, one thousand nine hundred and eleven, as amended by the amendment of June fifteen, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-six).

Referred to the Committee on Municipal Corporations.

By Mr. PALMER House Bill No. 1826.

An Act to provide for the use of the name of the Commonwealth upon petition to the Court of Common Pleas in all cases in which suggestions have been required by the Attorney General, his deputies or the district attorney.

Referred to the Committee on Judiciary Local.

By Mr. SIMPSON. House Bill No. 1827.

An Act prohibiting the excavating, dredging and carrying away of material from the bed of any navigable stream, without obtaining a license therefor; and imposing a tax thereon; and providing the remedy for the collection thereof.

Referred to the Committee on Judiciary General.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 816 (House Bill No. 1828)

An Act providing for the formation and regulation of stock corporations having either or both preferred or common shares without nominal or par value and authorizing such corporations to issue shares without par value upon formation reorganization merger or consolidation.

Referred to the Committee on Corporations.

Senate Bill No. 652 (House Bill No. 1829)

An Act to amend the first and second sections of "An Act to further amend an act approved April ninth one thousand eight hundred and seventy 'requiring railroad canal navigation and telegraph companies to make uniform reports to the Auditor General' which act as amended by the Act of April thirteenth one thousand eight hundred and eighty-nine extended its provisions to telephone companies and conforming to the requirements of the Constitution provided for the filing of such reports with the Secretary of Internal Affairs and regulating the time for the filing of the same which said act is now further amended as to the time of forwarding blanks for such reports and the provisions of said act are extended to include all corporations owning or operating lines of railways canals transportation telegraphs or telephones located in whole or in part in Pennsylvania" approved the nineteenth day of April Anno Domini one thousand eight hundred and ninety-seven by changing the time of the forwarding of blanks and the filing and transmitting of annual reports.

Referred to the Committee on Judiciary Special.

Senate Bill No. 878 (House Bill No. 1830)

An Act fixing the fee for services of jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than one million four hundred thousand inhabitants under writs of inquisition condemnation inquiry of damages lunacy and habitual drunkard proceedings or under writs or process issued directing inquests.

Referred to the Committee on Judiciary General.

Senate Bill No. 574 (House Bill No. 1831)

An Act requiring borough councils township commissioners township supervisors and school directors to file auditors' reports in the office of the clerk of quarter sessions requiring the county commissioners to furnish books for that purpose imposing certain duties on auditors fixing the fee of the clerk of the court and providing for removal from office in case of failure to comply herewith.

Referred to the Committee on Counties and Townships.

Senate Bill No. 606 (House Bill No. 1832)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania so as to consolidate the courts of common pleas of Philadelphia County.

Referred to the Committee on Judiciary General.

Senate Bill No. 711 (House Bill No. 1833)

An Act authorizing Rosario Fantino of Philadelphia to bring suit in the court of common pleas of Philadelphia County against the Commonwealth.

Referred to the Committee on Judiciary Special.

Senate Bill No. 819 (House Bill No. 1834)

An Act to amend an act approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act providing for the establishment of the Pennsylvania Historical Commission defining its powers and duties and making an appropriation for its work" by enlarging its powers and duties and providing for publishing its report et cetera.

Referred to the Committee on Appropriations.

Senate Bill No. 847 (House Bill No. 1835)

An Act relating to Commissioners of Public Parks.

Referred to the Committee on Municipal Corporations.

Senate Bill No. 848 (House Bill No. 1836)

A Joint Resolution proposing an amendment to section twenty-two article three of the Costitution of Pennsylvania.

Referred to the Committee on Judiciary General.

Senate Bill No. 861 (House Bill No. 1837)

An Act authorizing John F. Stone of Coudersport Pennsylvania to sue the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County for loss and damage incident to a shipment of cattle to Lancaster delivery of which was not permitted by the State Livestock Sanitary Board.

Referred to the Committee on Judiciary General.

Senate Bill No. 863 (House Bill No. 1838)

An Act to amend an act approved the fourteenth day of June, one thousand eight hundred and eighty-seven, entitled "An Act to provide for the incorporation and regulation of companies not for profit organized for the encouragement of the arts and sciences and of agriculture and horticulture, and to confer upon such companies the right of eminent domain," as amended, enabling said corporations to increase their bonded indebtedness from five hundred thousand dollars to one million dollars.

Referred to the Committee on Judiciary General.

Senate Bill No. 867 (House Bill No. 1839)

An Act authorizing George F. Pawling Company, a corporation incorporated under the laws of the State of Pennsylvania, with its principal place of business in the City of Philadelphia, Pennsylvania, successor to Bergdoll and Pawling, to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

Referred to the Committee on Judiciary General.

Senate Bill No. 906 (House Bill No. 1840)

An Act to empower certain county poor districts to purchase poor farms; providing the manner in which such purchases shall be made; and providing for the mortgaging of such poor farms to secure any part of the purchase price thereof.

Referred to the Committee on Judiciary General.

Senate Bill No. 907 (House Bill No. 1841)

An Act to validate certain deeds and conveyances made by trustees without setting forth their authority to convey.

Referred to the Committee on Judiciary General.

Senate Bill No. 918 (House Bill No. 1842)

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining Highways and State-aid Highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by the provisions of this act," providing that the State Highway Commissioner may take over, as a part of the system of State Highways, any public road leading from a State Highway to a State reservation or other State property.

Referred to the Committee on Public Roads.

Senate Bill No. 924 (House Bill No. 1843)

An Act fixing the compensation of election assessors and constables in boroughs and townships for attendance at primary elections.

Referred to the Committee on Elections.

Senate Bill No. 732 (House Bill No. 1844)

An Act to amend sections two and three of the act entitled "An Act to provide for the creation and maintenance of a reserve fund in all banks, banking companies, savings banks, savings institutions, companies authorized to execute trusts of any description and to receive deposits of money, which are now or which may hereafter be incorporated under the laws of this Commonwealth, and in all trust companies or other companies receiving deposits of money, which may have been heretofore or which may hereafter be incorporated under section twenty-nine of the act approved April twenty-ninth, one thousand eight hundred and seventy-four, entitled 'An Act for the creation and regulation of corporations,' and the supplements thereto," approved the eighth day of May, Anno Domini one thousand nine hundred and seven, by providing that such reserve fund may consist in part of gold or silver certificates note or bills issued by a federal reserve bank, and authorizing a portion of such reserve fund to be deposited in any bank or trust company located in any state other than Pennsylvania which shall have been approved by the Commissioner of Banking of this Commonwealth.

Referred to the Committee on Banks and Banking.

Senate Bill No. 777 (House Bill No. 1845)

An Act making an appropriation for the purpose of placing caring for and removal of the exhibits of the institutions of Pennsylvania at the forty-fourth annual meeting of the

National Conference of Charities and Correction to be held in the City of Pittsburgh Pennsylvania from the sixth to the thirteenth days of June one thousand nine hundred and seventeen.

Referred to the Committee on Appropriations.

Senate Bill No. 666 (House Bill No. 1846)

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

Referred to the Committee on Municipal Corporations.

Senate Bill No. 793 (House Bill No. 1847)

An Act extending to the County of York the provisions of an act entitled "An Act granting the courts of this Commonwealth the power to appoint viewers to view certain streets and alleys in this Commonwealth," approved the fifteenth day of April, one thousand eight hundred and forty-five and repealing so much of the proviso to the third section of said act as excludes from the operation of said act the County of York.

Referred to the Committee on Judiciary General.

Senate Bill No. 795 (House Bill No. 1848)

An Act making it a misdemeanor for any person to deface, mutilate or destroy any sign board or sign post or any markings, directions or lettering thereon placed by the public authorities upon any State, county or township road or upon any other street or public highway and prescribing the punishment for violation thereof.

Referred to the Committee on Public Roads.

Senate Bill No. 814 (House Bill No. 1849)

An Act authorizing any company incorporated under the laws of any other state for the manufacturing purchasing and selling of rubber boots shoes tires and goods of which rubber caucho gutta percha balata or any of their substitutes are a component part and the various materials entering into the manufacturing of any and all such goods to erect and maintain buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor.

Referred to the Committee on Manufactures.

Senate Bill No. 838 (House Bill No. 1850)

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the appointment of fish wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

Referred to the Committee on Fisheries.

Senate Bill No. 843 (House Bill No. 1851)

An Act making an appropriation for the payment of the judgments and costs recovered in the court of common pleas of Dauphin County in the suits of the Western Saving Fund Society of Philadelphia versus Robert K. Young, Treasurer of the State of Pennsylvania.

Referred to the Committee on Appropriations.

Senate Bill No. 849 (House Bill No. 1852)

An Act proposing an amendment to section eleven of article sixteen of the Constitution of Pennsylvania.

Referred to the Committee on Judiciary General.

Senate Bill No. 852 (House Bill No. 1853)

An Act to amend section sixteen hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to the Committee on Education.

Senate Bill No. 902 (House Bill No. 1854)

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

Referred to the Committee on Appropriations.

Senate Bill No. 909 (House Bill No. 1855)

An Act making a deficiency appropriation to the Department of State Police for the payment of the salaries of the Superintendent and Deputy Superintendent of the Department and the salaries of the officers and enlisted men of the State Police force.

Referred to the Committee on Appropriations.

Senate Bill No. 910 (House Bill No. 1856)

An Act to repeal section five of an act entitled "Supplement to the act incorporating the borough of Doylestown entitled 'An Act authorizing the Governor to incorporate the Bristol Steam Tow Boat and Transportation Company and for other purposes'" approved the thirteenth day of March one thousand eight hundred and sixty-seven. (Pamphlet Laws four hundred and fourteen).

Referred to the Committee on Judiciary Special.

Senate Bill No. 911 (House Bill No. 1857)

An Act providing for the ascertainment and assessment of damages and benefits in proceedings to lay out open widen vacate extend grade or changing the grade or lines of streets lanes and alleys in boroughs providing that this act shall apply to all proceedings when the damages shall not have been actually and finally ascertained and repealing all acts general local or special conflicting therewith.

Referred to the Committee on Judiciary Special.

RESOLUTION PLACING REVENUE BILLS AT HEAD OF CALENDAR.

Mr. RAMSEY offered the following resolution, which was twice read, considered and agreed to:

REPORT OF COMMITTEE ON RULES.

In the House of Representatives, May 3rd, 1917.

Resolved That all Revenue Bills shall be placed at the head of each calendar for first, second and third reading, and final passage, and the Resident Clerk is hereby directed to arrange the same accordingly.

HOUSE BILL NO. 690 MADE A SPECIAL ORDER.

Mr. SIMPSON offered the following motion, which was twice read, considered and agreed to:

Moved by Mr. Simpson, seconded by Mr. Woodward, that House Bill No. 690, File Folio 4483, page 11 of today's calendar, entitled

An Act making an appropriation to carry out the provisions of an act approved the twenty-ninth day of April one thousand nine hundred thirteen entitled "An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid forms of records eligibility penalties and reports as set forth" and the amendments thereto

be made a special order for third reading and final passage on Monday, May 7, at 9.30 o'clock P. M.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 260

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth.

House Bill No. 843

An Act authorizing Edward Fay and Son a corporation of the State of Pennsylvania to bring suit in the court of common pleas of Philadelphia County against the Commonwealth.

House Bill No. 846

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth.

House Bill No. 951

An Act amending section 2 of an act entitled "An Act authorizing and empowering the county commissioners, and the county solicitor, and the chief clerk of said commissioners, of each county, to organize themselves into a State Association, for the purpose of holding annual meetings, and providing for the payment of the expenses thereof," approved the 10th day of May, Anno Domini 1913, by providing that the necessary expenses of the convention shall not be more than twenty-five dollars to any county per annum.

House Bill No. 386

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

House Bill No. 482

An Act to repeal an act entitled "An Act creating a sinking fund commission in any county now or hereafter containing not less than two hundred and fifty thousand nor more than one million two hundred thousand inhabitants prescribing its powers and duties and repealing acts inconsistent herewith" approved the first day of Aprli Anno Domini one thousand nine hundred and nine.

House Bill No. 488

An Act providing for leave to pay fines and costs in criminal proceedings by installments

House Bill No. 815

An Act authorizing Wilbur Jones Kay Fanny Kay his wife Ellingwood Kay Dorothy Kay and Hubert Kay their children residents of the Borough of East Washington and Mabel Mason resident of the Borough of Washington all of Washington County Pennsylvania to bring suit in the court of common pleas of Washington County against the Commonwealth of Pennsylvania jointly or severally.

House Bill No. 842

An Act authorizing Robert J. McAllister and Ruth McAllsiter his wife residents of the Dunstable Township Clinton County Pennsylvania to bring suit in the court of common pleas of Clinton County against the Commonwealth of Pennsylvania jointly or severally.

House Bill No. 854

An Act providing for the appointment of probation officers in certain counties fixing their powers duties and salaries.

House Bill No. 889

An Act providing for the payment by State Hospitals for the insane of the traveling expenses from said hospitals to their homes respectively of indigent inmates of said hospitals discharged by order of the Committee on Lunacy of the Board of Public Charities and for the reimbursement to such hospitals of the amounts so paid.

House Bill No. 912

An Act validating certain foreclosure proceedings instituted by foreign executors administrators and guardians sheriff's sales had thereon and the title acquired thereby.

House Bill No. 1028

An Act authorizing James L. Baker and Mary A. Baker his wife of Harrisburg Dauphin County Pennsylvania to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County.

Whereupon,

The Speaker in the presence of the House signed the same.

BILLS ON FIRST READING.

The SPEAKER. If there is no objection the Chair will take up the first reading calendar first.

The Chair hears no objections.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1688, entitled .

An Act to provide that when a vacancy occurs in the head of chief of any department of the State Government and the duties of the head or chief devolve upon and are discharged by his deputy, chief clerk, or other person next in authority, for one month or more, the salary of such deputy, chief clerk, or other person next in authority, so serving, shall be equalized with the salary of the head or chief of the department while he so serves, and making this act applicable to all deputies, chief clerks, or other persons next in authority who have filled vacancies as herein prescribed in the year one thousand nine hundred and seventeen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1119, entitled

An Act relating to the incorporation of banks of discount and deposit, savings banks and trust companies; and defining the powers and duties of the Commissioner of Banking and the Governor in relation thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1125, entitled

An Act amending an act approved the fourteenth day of May, one thousand nine hundred fifteen, entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," by adding thereto article eight of chapter seven.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1686, entitled

An Act authorizing cities of the first class to lay out, build, erect and construct in any public park in such cities a convention hall, or stadium, or both; to choose the location thereof, together with a sufficient curtilage and approaches thereto; to supervise, manage and control the laying out and building of such approaches, curtilage, convention hall and stadium; and to control and manage the same after its or their completion; to make rules and regulations for the use, control, protection and repair thereof; and repealing all acts or parts of acts inconsistent therewith.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1134, entitled

An Act providing for the licensing and taxing of any person or persons, firm or corporation, furnishing, selling or using premiums, prizes, stamps, coupons, tickets, certificates, cards, or other similar devices for or with the sale of goods, wares, and merchandise, and providing a penalty for violation thereof.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 317, entitled

An Act to amend section two of article eight and section one of article nine of an act, approved the twenty-seventh day of June, one thousand nine hundred and thirteen (P. L. 568), entitled "An Act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating and extending existing laws in relation thereto."

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1577, entitled

An Act imposing a State tax upon crude petroleum, providing for the settlement and collection of said tax annually, and dedicating the same to the construction, maintenance, improvement and repair of State and State-aid highways, and providing penalties for the violation of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1576, entitled

An Act to further amend an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A Further Supplement to an act entitled 'An Act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering purposes and imposing a tax of one mill on certain capital stock of certain corporations limited partnerships and joint-stock associations organized for manufacturing and laundering purposes, and appropriating the money received from such tax for State and State-aid highway purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1402, entitled

An Act to amend an act, entitled "An Act to permit of the relocation of certain portions of the track of street passenger railway companies, with the consent of the local authorities," approved the ninth day of May, one thousand nine hundred and thirteen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1343, entitled

An Act repealing an act approved the fourth day of June, one thousand nine hundred and one, entitled "An Act defining the rights and liabilities of parties to, and regulating the effect of, contracts for work and labor to be done, and labor or materials to be furnished, to any bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, toll-road, conduit, tunnel, mine, coal-breaker flume, pump, screen, tank, derrick, pipe-line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line, canal, mill-race, works for supplying water, heat, light, power, cold air, or any other substance furnished to the public, well for the production of gas, oil or other volatile or mineral substance, or other structure or improvement, of whatsoever kind or character the same may be; providing remedies for the recovery of debts due by reason of such contracts, and repealing, consolidating and extending existing laws in relation thereto," and amendments thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1684, entitled

An Act to amend paragraph two of section one of article fourteen of an act approved the first day of June, Anno Domini one thousand eight hundred and eighty-five, entitled "to provide for the better government of cities of the first class in this Commonwealth;" to provide that estimates may be made for units or parts of an improvement in such cities, and contracts be made for and the work proceed upon such units or parts to the extent of the funds available for the purposes thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 590, entitled

An Act fixing the compensation of auditors in townships of the first and second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1242, entitled

An Act authorizing township commissioners in townships of the first class to prohibit the keeping of hogs within the limits of such townships or parts of such townships and to regulate the keeping of hogs in such parts of townships of the first class where permission is given.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1171, entitled

An Act establishing in certain counties a board for the assessment and revision of taxes; prescribing their powers, duties and salaries; providing for appeals from assessments, and abolishing the office of city, borough, township and ward assessors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 727, entitled

An Act to amend an act approved the third day of June, one thousand nine hundred fifteen, entitled "A Supplement to an act, entitled 'The Workmen's Compensation Act of one thousand nine hundred fifteen,' to exempt domestic servants and agricultural workers from the provisions thereof," permitting such employers and employes to accept the Workmen's Compensation Act of one thousand nine hundred fifteen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1345, entitled

An Act relating to dogs and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs and for dogs temporarily imported under permit for show and breeding purposes; prescribing certain privileges for hunting dogs; providing for the assessment and payment of damages to livestock and poultry done by dogs; imposing powers and duties on certain county, city, borough, town, and township officers and employes; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1088, entitled

An Act to amend an act approved the twentieth day of April, one thousand nine hundred five, entitled "An Act amending section two of an act, entitled 'A Supplement to the twenty-fourth section of an act, entitled "A further supplement to an act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine," approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth,' approved the twenty-eighth day of June, one thousand eight hundred and ninety-five; providing for the extension of the provisions of this act to townships of the first class;" by providing for the extension of the provisions of this act to towns and townships of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1656, entitled

An Act to further amend section twenty-three of an act approved the tenth day of June, one thousand eight hundred and ninety-three, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended by the act approved the sixteenth day of

April, one thousand nine hundred and three, entitled "An Act amending section twenty-three of the act of June tenth, one thousand eight hundred and ninety-three (Pamphlet Laws four hundred thirty), relating to watchers at elections, and providing that they must be residents of the district or divisions within which they act," by providing that watchers shall be residents of the county.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1281, entitled

An Act to amend an act approved the tenth day of July, one thousand nine hundred and one, entitled "A further supplement to an act, entitled 'An Act to carry into effect section five of article fourteen of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasury, in counties over one hundred and fifty thousand inhabitants, approved thirty-first March, one thousand eight hundred and seventy-six, as amended by act of eleventh May, one thousand eight hundred and eighty-one, and as further amended by act of second June, one thousand eight hundred and eighty-seven, providing for the salaries of county officers in counties containing over two hundred and fifty thousand and less than five hundred thousand inhabitants.' "

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1428, entitled

An Act to fix the compensation and salary of police officers and officers of the police force in cities of the first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1516, entitled

An Act to provide for the payment of salaries to constables in the County of Philadelphia and requiring all fees payable to them for the service of process out of magistrates courts under seal to be paid into the county treasury.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1074, entitled

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen, entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs;" and repealing certain acts relating to boroughs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1497, entitled

An Act to amend an act, entitled "An Act granting a gratuity and an annuity to Patrick Leonard, late sergeant in Captain J. H. Wilson's Company G, Seventeenth Regiment, National Guard of Pennsylvania," approved the seventh day of July, one thousand eight hundred and eighty-five, by fixing the annuity herein provided for.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 813, entitled

An Act to provide for the protection of agriculture and horticulture and to prevent the introduction into and the dissemination within the Commonwealth of insect and disease pests injurious or harmful to plants or plant products; providing for inspection of nurseries; providing for quarantines necessary to the enforcement of this act; and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1578, entitled

An Act imposing a State tax upon natural gas, providing for the settlement and collection of said tax annually, and dedicating the same to the construction, maintenance, improvement and repair of State and State-aid Highways, and providing penalties for the violation of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1583, entitled

An Act to amend section one of an act approved the twenty-ninth day of April, one thousand nine hundred nine, entitled "An Act to prevent any individual from holding, at the same time, more than one of the offices of president, vice-president, secretary, treasurer, or solicitor of any building and loan association, incorporated under the laws of this Commonwealth, and providing a penalty for the breach thereof;" by prohibiting any individual from holding at the same time also the office of conveyancer.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 611, entitled

An Act to amend section one of an act, approved the twenty-second day of May, Anno Domini one thousand eight hundred and ninety-five, entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a county solicitor, fix his compensation and prescribe the term and duties of the solicitor," authorizing the appointment of assistant county solicitors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1652, entitled

An Act fixing the compensation of the township treasurer of townships of the first class as treasurer and as tax collector.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1705, entitled

An Act authorizing and empowering township supervisors in townships of the second class to enter into a contract with certain adjoining municipalities for connection with their sewer systems, the sewer systems of the township, and of the private individuals; and to provide for a collection of funds for that purpose by levying taxes upon the owners of property in the district benefited.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1394, entitled

An Act to amend section eight of an act approved the nineteenth day of June, one thousand nine hundred eleven, entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania; and providing penalties for the violation thereof."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1348, entitled

An Act to amend sections one, two and nine of an act approved the twenty-eighth day of May, one thousand nine hundred and fifteen, entitled "An Act to protect the public health by regulating the manufacture, preparation, handling, storage, sale, transportation, and possession of meat and meat-food products; prescribing the powers and duties of the State Livestock Sanitary Board incidental thereto."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1277, enttiled

An Act conferring upon poor districts the powers to take land for the erection of buildings or for farming purposes; and providing a method for the ascertainment of damages in connection therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1519, entitled

An Act relating to payment of taxes on seated lands by joint tenants, tenants in common or coparceners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1579, entitled

An Act imposing a State tax on coal; providing for the assessment and collection of the said tax annually; dedicating fifty per centum of the fund received from said tax and appropriating the same to the construction, maintenance, improvement and repair of State and State-aid Highways; providing penalties for the violation of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1724, entitled

An Act to quiet the title to real estate; and to enable citizens of the United States, and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which had been held by or for any foreign corporation, either with or without the right to hold the same, and conveyed either with or without the consent of the stockholders thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1691, entitled

An Act providing for the appointment by the Governor of police for certain public service corporations, and prescribing the powers, providing for the compensation and for the revocation of the powers of such police.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1694, entitled

An Act regulating the collection of taxes in counties containing less than one hundred fifty thousand inhabitants, creating the office of receiver of taxes in such counties; prescribing the powers and duties of said office, and creating a salary board to fix salaries for such purposes and to designate the number of deputies and clerks, and providing a method of reimbursement for expenses of carrying out the provisions of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1657, entitled

An Act directing the manner in which the Highway Department shall distribute between the several counties the moneys appropriated for State and State-aid roads.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1149, entitled

An Act regulating salaries of clerks in office of recorder of deeds in any county having a population of one million four hundred thousand inhabitants and over.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1704, entitled

An Act fixing the pay of assessors for State and county purposes in the several cities of the third class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1383, entitled

An Act authorizing supervisors of townships of the second class, with the assent of the electors thereof, to erect fire hydrants.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 695, entitled

An Act providing that any county, borough or township bridge crossed by any State route, State highway, or State-aid highway shall become a part of said State route, State highway or State-aid highway, and shall be constructed or reconstructed and repaired and maintained as such.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1676, entitled

An Act for the safety of the public by prohibiting, except in certain cases, the use for the purpose of hunting and the discharging at dead marks or targets or otherwise of rifles of more than twenty-two calibre; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1470, entitled

An Act to provide for the distribution of penalties collected for violations of the Fish and Game Laws of this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1366, entitled

An Act to further amend the act approved the first day of June, one thousand eight hundred and eighty-five, entitled "An Act to provide for the better government of cities of the first class in this Commonwealth," by giving officers and employes a right to be heard before dismissal in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1601, entitled

An Act permitting corporations to invest their surplus funds in bonds of the United States issued for war purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1711, entitled

An Act for the protection of owners and tenants of cultivated lands from damage by deer; and permitting the killing of such deer and the use of the carcass thereof under certain restrictions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1313, entitled

An Act requiring male residents above the age of twenty-two years to be possessed of a tax receipt before a county treasurer or justice of the peace shall issue a resident hunter's license, and providing penalties for violations of the provisions thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1663, entitled

An Act permitting the owners or lessees of lands or members of their family to take or kill birds commonly known as black birds on the premises owned or leased by them, or upon or over a roadway immediately adjoining and abutting on said property at any time during the year, and repealing all acts inconsistent herewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 953, entitled

An Act authorizing appeals to the Superior Court in all habeas corpus cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1587, entitled

A Supplement to an act, entitled "An Act for the government of cities of the second class," approved March seventh, one thousand nine hundred and one, conferring upon said cities in cases of emergency additional powers to purchase and store the necessities of life, including food and coal, and sell the same to the residents of said city.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1634 (Senate Bill No. 820), entitled

An Act authorizing manufacturing corporations now or hereafter organized under the laws of this State to engage in the production of necessary raw materials for such manufacturing purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1635 (Senate Bill No. 821), entitled

An Act authorizing corporations now or hereafter organized under the laws of this Commonwealth for the purpose of manufacturing to own and operate certain conveyances for the transportation of raw materials and the products manufactured therefrom.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1633 (Senate Bill No. 730), entitled

An Act empowering banks and trust companies to accept drafts and issue letters of credit.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1550 (Senate Bill No. 640), entitled

An Act to amend sections three, four, five, six and eleven of an act approved the twentieth day of May, one thousand nine hundred and fifteen, entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1666 (Senate Bill No. 161), entitled

An Act relative to the payment of deposits in banks or trust companies deposited in two or more names.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1432 (Senate Bill No. 615), entitled

An Act to amend section four and five of an act approved the second day of April, one thousand eight hundred and sixty-eight, entitled "An Act to ascertain and appoint the fees to be received by the several officers of this Commonwealth."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1199 (Senate Bill No. 253), entitled

An Act making an appropriation for the payment of judgment and costs recovered in the court of common pleas of Dauphin County in the suit of Joseph Moore, James S. T. Moore, Annie M. Polk, Rebecca E. Swiggett, Mary E. Williams, Spencer C. Moore versus Robert K. Young, Treasurer of the State of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1220 (Senate Bill No. 264), entitled

An Act to amend section one of an act approved the fifteenth day of June, one thousand nine hundred eleven, entitled "An Act to fix and regulate the compensation of directors of the poor of poor districts composed of several townships, boroughs and cities situate wholly within counties of this Commonwealth not exceeding five hundred thousand population.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1439 (Senate Bill No. 667), entitled

An Act requiring all counties, cities, boroughs, townships, school districts and other municipalities and incorporated districts to sell any bonds or other securities issued by them to the highest bidder after due public notice.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1510 (Senate Bill No. 741), entitled

An Act to provide for a stadium in cities of the first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1593 (Senate Bill No. 725), entitled

An Act requiring cities of the second class to give an increase of at least one hundred and fifty dollars per year to all employes now drawing a salary of fifteen hundred dollars

per annum or less and providing a method to enforce the provisions of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1213 (Senate Bill No. 339), entitled

An Act providing for the sale of tax claims on lands for city taxes school taxes municipal claims and water rents in cities of first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1284, as follows:

An Act to make valid acknowledgments and other notarial acts heretofore or hereafter performed by notaries public in any state or territory of the United States or any foreign country and authorizing the recording thereof and the acceptation thereof in evidence

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all affidavits acknowledgments or other notarial acts heretofore performed or which shall hereafter be performed by notaries public of any State or territory or foreign country duly certified under their respective official seals shall be valid to all intents and purposes and be in like manner entitled to be recorded or when recorded be accepted in evidence as if the same were certified under the seal of the United States Consul or clerk of a court of record according to the existing laws of this Commonwealth Provided That no case heretofore judicially decided or now pending shall be affected by this act and that any party may be permitted to contradict by other evidence any such acts exemplifications or certificates

An said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 685, entitled

An Act to amend and revise an act, entitled "An Act providing for the incorporation, regulation, and government of cities of the third class, regulating nomination and election of municipal officers therein, and repealing, consolidating, and extending existing laws in relation thereto," approved the twenty-seventh day of June, Anno Domini one thousand nine hundred thirteen, enlarging, changing, modifying, and defining certain of the powers of cities of the third class.

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the hereinafter mentioned articles sections and clauses of an act entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June Anno Domini one thousand nine hundred thirteen be revised and amended as hereinafter set forth

Section 2 That article one section three of said act which reads as follows

"Section 3 All of the property and estates whatsoever real and personal of the towns townships or boroughs which shall have thus become a city of the third class are hereby severally and respectively vested in the corporation of body politic of said city by the name style and title given thereto as aforesaid and for the use and benefit of the citizens thereof forever and the charters of the said towns townships or boroughs shall continue in full force and operation and all officers under the same shall hold their respective offices until the first Monday of January following the general municipal election next succeeding the issuing of the letters patent to the said city at which time the officers of said city chosen at the preceding municipal election shall enter upon their respective terms of service and the city government shall be duly organized under this act All suits prosecutions debts and claims whatsoever shall thereupon become transferred to the said city which in all suits pending shall be substituted as a party and be under the management and control thereof as fully and completely as if no alteration had been made in said charter and all claims and demands of whatsoever nature whether payable presently or in the future existing against the said towns townships or boroughs when the said charter shall go into operation shall by force thereof be recoverable from or against the said city Provided where two or more towns townships or boroughs shall under the provisions of this act be consolidated into a city and the debt or debts of each of said towns townships or boroughs contracted prior to such consolidation shall be paid by such towns townships or boroughs respectively and for the liquidation of such debt the authorities of such city shall have power to adjust and provide for the same and to levy separate rates of taxation on all property subject to taxation within the boundaries of the said towns townships or boroughs respectively" be and the same is hereby amended to read as follows

Section 3 All of the property and estates whatsoever real and personal of the towns townships or boroughs which shall have thus become a city of the third class are herbey severally and respectively vested in the corporation or body politic of said city by the name style and title given thereto as aforesaid and for the use and benefit of the citizens thereof forever and the charters of the said towns townships or boroughs shall continue in full force and operation and all officers under the same shall hold their respective offices until the first Monday of January following the general municipal election next succeeding the issuing of the letters patent to the said city at which time the officers of said city chosen at the preceding municipal election shall enter upon their respective terms of service and the city government shall be duly organized under this act All suits prosecutions debts and claims whatsoever shall thereupon become transferred to the said city which in all suits pending shall be substituted as a party and be under the management and control thereof as fully and completely as if no alteration had been made in said charter and all claims and demands of whatsoever nature whether payable presently or in the future existing against the said towns townships or boroughs when the said charter shall go into operation shall by force thereof be recoverable from or against the said city Provided That where two or more towns townships or boroughs shall under the provisions of this act be consolidated into a city the bonds and floating indebtedness and the interest thereon of each of said towns townships or boroughs contracted prior to such consolidation shall be paid by the said city thus organized and chartered so that the taxes shall be uniform throughout the territorial limits of the whole city

Section 3 That article three section three of said act which reads as follows

"Section 3 The action of said city council after ten days shall be final and conclusive unless an appeal therefrom be taken within said ten days to the court of quarter sessions of the county upon such appeal the clerks of said city council and of said borough council shall certify to the said court all the papers and proceedings in the case whereupon the court shall examine and inquire and if the proceedings appear to have been in conformity with the law shall approve the same and thereupon said annexation shall take effect" be and the same is hereby amended to read as follows

Section 3 The action of said city council after ten days shall be final and conclusive notwithstanding any initiative or referendum provisions of any act of Assembly relating to cities of the third class unless an appeal therefrom be taken within the said ten days to the court of quarter sessions of the county Upon such appeal the clerks of said city council and of said city borough council shall certify to the said court all the papers and proceedings in the case whereupon the court shall examine and inquire and if the proceedings appear to have been in conformity with the law shall approve the same and thereupon said annexation shall take effect

The fourth section was read as follows:

Section 4 That article three section six of said act which reads as follows

"Section 6 When it shall appear to said court of quarter sessions that the township from which any part or portion or any out-lots or section of land has been taken has moneys or funds on hand or is indebted it shall be the duty of the said court to determine and decree how much of said funds or moneys shall be paid as a ratable and equitable part of the said city or to the said township as the case may be" be and the same is hereby amended to read as follows

Section 6 When it shall appear to said court of quarter sessions that the township from which any part or portion or any out-lots or section of land has been taken has moneys or funds on hand or is indebted it shall be the duty of said court to determine and decree how much of said funds or moneys shall be paid as a ratable and equitable part to the said city or to the said townships as the case may be and all the territory within the limits of the city as thus enlarged by the annexation of a borough township or part of a township shall be liable for the bonded and floating indebtedness and the interest thereon of both the annexed territory and the city to which it or they are annexed so that the taxes shall be uniform throughout the territorial limits of the whole city

On the question,
Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 4, page 5, line 21, by striking out the word "the" before "said."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The fifth section was read and agreed to as follows:

Section 5 That article four section three of said act which reads as follows

"Section 3 Every bill shall be read at length and no bill shall be passed finally upon the same day on which it is interoduced or reported and at least three days shall intervent before its final passage" be and the same is hereby amended to read as follows

Section 3 Every bill shall be read at length and no bill shall be passed finally on the same day on which it was introduced and at least three days shall intervene before its final passage

The sixth section was read as follows:

Section 6 That article four section five of said act which reads as follows

"Section 5 All stationery paper and fuel used in the council and in other departments of the city government and all work and materials required by the city shall be furnished and the printing advertising and all other kinds of work to be done for the city except ordinary repairs of highways and sewers and other public improvements shall be performed under contract to be given to the lowest responsible bidder under such regulations as shall be prescribed by ordinance and all sales of personal property owned by the city shall be to the highest bidder under such regulations as shall be prescribed by ordinance or resolution Council may by ordinance provide a contingent fund for necessary repairs or incidental expenses not otherwise provided for in the general appropriations and such funds may be expended without advertising for bids" be and the same is hereby amended to read as follows

Section 5 All stationery paper fuel supplies materials printing and advertising and all work required by the city or any department thereof (except the ordinary repairs of highways sewers and other public improvements) where the amount thereof exceed two hundred and fifty dollars shall be furnished and performed under contract to be given the lowest responsible bidder. The council shall by ordinance provide for and regulate the award of all contracts the manner of hiring and discharge of employes and laborers and the fixing of their salaries or compensation when not otherwise fixed by ordinance the purchase of supplies and materials and the sale of personal property The council may also by ordinance provide a contingent fund or funds for necessary repairs and incidental expenses not otherwise provided for in the general appropriations and such funds may be expended without advertising for bids

On the question,
Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 6, page 7, line 18, by striking out "exceed" and inserting in lieu thereof "exceeds."

Amend section 6, page 8, line 2, by inserting after the word "bids" the following:

"Cities of the third class may provide for the establishment of a purchasing department, which shall have supervision over the purchase and distribution of all supplies purchased to the amount allowed by the provisions of this act. The said department shall be attached to the department of accounts and finance. The operation of the said department shall be in accordance with rules and regulations to be adopted by the City Council; the rules to include the manner in which quotations shall be secured on the supplies purchased. It shall be the duty of the said department to assist the Council at all times in eliminating waste and extravagance in the purchase and distribution of the city's supplies.

On the question,
Will the House agree to the amendments?
They were agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

The seventh and eighth sections were separately read and agreed to as follows:

Section 7 That article four section seven of said act which reads as follows

"Section 7 Any member of council who shall solicit demand or receive or consent to receive directly or indirectly for himself or for another from any company corporation or person any money office appointment employment testimonial reward thing of value or enjoyment or of personal advantage or promise thereof for his vote or official influence or for withholding the same or with an understanding expressed or implied that his vote or official action shall be in any way influenced thereby or who shall solicit or demand such money or other advantage matter or thing aforesaid for another as the consideration of his vote or official influence or for withholding the same or shall give or withhold his vote or influence in consideration of the payment or promise of such money advantage or thing to another shall be held guilty of bribery and upon conviction thereof shall be punished by a fine not exceeding ten thousand dollars and by separate and solitary confinement at labor for a period not exceeding five years and shall be forever incapable of holding any place of profit or trust in this Commonwealth" be and the same is hereby amended to read as follows

Section 7 Any member of council or other city officer or employe who shall solicit demand or receive or consent to receive directly or indirectly for himself or for another from any company corporation or persons any money office appointment employment testimonial reward thing of value or enjoyment or of personal advantage or promise thereof for his vote or official influence or for withholding the same or with an understanding expressed or implied that his vote or official action shall be in any way influenced thereby or who shall solicit or demand such money or other advantage matter or thing aforesaid for another as the consideration of his vote or official influence or for withholding the same or shall give or withhold his vote or influence in consideration of the payment or promise of such money advantage or thing to another shall be held guilty of bribery and upon conviction thereof shall be punished by a fine not exceeding ten thousand dollars and by separate and solitary confinement at labor for a period not exceeding five years and shall be forever incapable of holding any place of profit or trust in this Commonwealth

Section 8 That article four section eight of said act which reads as follows

"Section 8 Any person who shall directly or indirectly offer give or promise any money or thing of value testimonial privilege or personal advantage to any member of council to influence him in the performance or non-performance of any of his public or official duties shall be guilty of bribery and be punished in such manner as that offense is by law punishable" be and the same is hereby amended to read as follows

Section 8 Any person who shall directly or indirectly offer, give or promise any money or anything of value testimonial privilege or personal advantage to any member of council or other city officer or employe to influence him in the performance or non-performance of any of his public or official duties shall be guilty of bribery and be punished in such manner as that offense is by law punishable

The ninth section was read as follows:

Section 9 That article five section three clause four of said act which reads as follows

"4 To levy and collect a license tax not exceeding one hundred dollars each annually on all auctioneers contractors druggists hawkers peddlers produce or merchandise venders bankers brokers undertakers pawnbrokers merchants of all kinds persons selling or leasing goods upon installments grocers confectioners butchers restaurants billiard parlors bowling alleys billiard tables pool and other gaming tables drays hacks carriages omnibuses automobiles carts wagons street railway cars and other vehicles used in the city for hire or pay lumber dealers including commission men and all persons who make a business of buying lumber for sale at wholesale or retail furniture dealers saddle or harness dealers stationers jewelers livery or automobile or boarding stable keepers real estate agents agents of fire life or other insurance companies market house companies garage companies express companies or agencies telegraph telephone steam heating gas natural gas water electric light or power companies or agencies or individuals furnishing communication light heat or power by any of the same be and the same is hereby amended to read as follows

4 To levy and collect a license tax for general revenue purposes not exceeding one hundred dollars each annually on all auctioneers contractors druggists hawkers peddlers produce or merchandise venders bankers brokers undertakers pawnbrokers trading stamp or premium companies or dealers warehouses or storage houses or places merchants of all kinds persons selling or leasing goods upon installments grocers confectioners butchers wholesale meat dealers restaurants billiard parlors bowling alleys billiard tables pool tables and other gaming tables drays hacks carriages omnibuses automobiles carts wagons street railway cars and including other vehicles likewise used in the city for

hire or pay lumber dealers including commission men and all persons who make a business of buying lumber for sale at wholesale or retail furniture dealers saddle or harness dealers stationers jewelers livery or automobile or boarding stable keepers real estate agents market house companies and owners of market houses garage companies and owners of other than private garages express companies or agencies telegraph telephone steam heating gas natural gas water electric light or power companies or agencies or individuals furnishing communication light heat or power by any of the means enumerated and to regulate the collection of the same and the taxes assessed under this clause shall be in addition to all other taxes levied and collected by the city county or Commonwealth

On the question,

Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 9, page 10, line 29, by inserting the following: "of the means enumerated and to regulate the collection."

Amend section 9, page 11, line 22, by inserting after the word "agencies" the following: "and where no other license tax is imposed on."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The tenth section was read as follows:

Section 10 That article five section three clause ten of said act which reads as follows

"10 To cause to be graded paved or macadamized any public street lane or alley or part thereof which is now or may hereafter be laid out and opened in any of said cities and have the same set with curb stone and to provide for the payment of the cost and expenses thereof in whole or in part by the city or by the owners of real estate bounding and abutting thereon which cost and expense upon the abutting real estate shall be assessed according to the foot front rules or according to benefits as council shall by ordinance determine except in case of grading only the said cost and expense of which shall be assessed according to benefit When the costs and expenses or any part thereof are to be paid for by the foot front rule the city shall assess or cause to be assessed the said cost and expense upon the real estate abounding or abutting on the line of the improvement by an equal assessment on said property in proportion to the number of feet the same fronts on the respective street lane or alley or part thereof to be improved and the council must provide for an equitable reduction from the frontage of lots at all streets and other intersections and at other places where from the peculiar or pointed shape of the lots an assessment or the full frontage would be inequitable and unequal When the costs and expenses of any grading paving macadamizing or other improvement of any street lane or alley or part thereof is to be paid for by the owners of real estate abutting as aforesaid according to benefits the same shall be assessed by viewers appointed by the court of common pleas as is now or shall be hereafter provided by act of Assembly But no ordinance shall be passed providing for the paving macadamized grading or other improvement of any street avenue lane or alley or part thereof or for the opening widening straightening or extending or vacating thereof except upon the petition of a majority in number or interest of the owners of property abutting on the line of the proposed improvement to be verified by the affidavit of one or more of the petitioners (a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purpose of said petition) unless the ordinance for such improvement shall have been passed by the affirmative vote of at least four members of council in which case council may direct the improvement to be made at the cost or in part at the cost of the owners or at the cost of the city in whole or in part without petition Provided however That no such ordinance ordering any street or alley or part thereof to be thus improved without a petition therefor shall be finally passed in a less period than thirty days from the date of its introduction and in the meantime copies of such ordinance shall be published in the official newspaper or newspapers of said cities for three consecutive weeks once a week immediately following the introduction thereof and in case said city shall have no official newspaper then in at least one and not more than two newspapers published in the county in which such city is situate once a week for three consecutive weeks Provided however That the requirements for such publication shall not preclude the amendments of any paving ordinance as to the kind of pavement with which any street or alley or part thereof is proposed to be paved The passage of the ordinance providing for any of the aforesaid improvements upon petition therefor and the publication of the names of the petitioners in one newspaper or newspapers published in said city by one insertion at least five days before the passage of said ordinance shall be conclusive that a majority in number or intrest have petitioned therefor The cost and expenses of any improvement of streets an construction of sewers done and completed under an ordinance providing for the assessment of the cost and expense therefor under the foot front rule may be assessed according to benfits upon the passage of an ordinance to that effect within six months after the completion of the work which assessment according to benefits shall be made in like manner and in like effect as if the original ordinance providing for the improvement had provided for such assessment" be and the same is hereby amended to read as follows

10. To cause to be graded paved or macadamaized any public street lane or alley or part thereof which is now or may hereafter be laid out and opened in any of the said cities and have the same set with curbstone and to provide for the payment of the costs and expenses thereof in whole or in part by the city or by the owners of real estate bounding and abuttting thereon which cost and expense upon the abutting real estate shall be assessed according to the foot front rule or according to the benefits as council shall by ordinance determine except that in case of grading only the said costs and expense shall be assessed according to benefits When the costs and expenses or any part thereof are to be paid for by the foot front rule the city shall assess or cause to be assessed the said costs and expense upon the real estate bounding or abutting on the line of the improvement by an equal assessment on said property in proportion to the number of feet the same fronts on the respective street lane or alley or part thereof to be improved and the council may provide for an equitable reduction from the frontage of lots at all street alley railroad or like intersections where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unequal When the costs and expenses or any part thereof of any grading paving macadamizing or other improvement of any street lane or alley or part thereof is to be paid for by the owners of real estate abutting or abounding as aforesaid according to benefits the same shall be assessed by viewers appointed by the court of common pleas as is now or shall be hereafter provided by act of Assembly But no ordinance shall be passed providing for the paving macadamizing grading or other improvement of any street avenue lane or alley or part thereof at the cost and expense of the abutting property owners in whole or in part or for the opening windening straightening extending or vacating thereof except upon the petition of a majority in number or interest of the owners of property abutting or abounding on the line of the proposed improvement to be verified by the affidavit of one or more of the petitioners (a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purpose of said petition) unless the ordinance for such improvement shall have been passed by the affirmative vote of at least four members of council in which case council may direct the improvement to be made at the cost or in part at the cost of the owners of the abutting property without petition Provided however That no such ordinance ordering any street or alley or part thereof to be thus improved at the cost and expense of the abutting property owners in whole or in part without a petition thereof shall be finally passed in a less period than thirty days from the date of its introduction and in the mean time copies of such ordinance shall be published in the official newspaper or newspapers of said cities for three consecutive weeks once a week immediately following the introduction thereof and in case said city shall have no official newspaper then in at least one and not more than two newspapers published in the county in which such city is situate once a week for three consecutive weeks Provided however That the requirements for such publication shall not preclude the amendment of any paving ordinance as to the kind of pavement with which any street or alley or part thereof is proposed to be paved The passage of the ordinance providing for any of the aforesaid improvements upon petition therefor and the publication of the names of the petitioners in one newspaper or newspapers published in said city and in case no paper is published in said city then in one newspaper published in the county in which said city is situate by one insertion at least five days before the passage of said ordinance shall be conclusive that a majority in number or interest (as the case may be) have petitioned therefor The cost and expenses of any improvement of streets and construction of sewers done and completed under an ordinance providing for the assessment of the cost and expenses thereof under the foot front rule may be assessed according to benefits upon the passage of an ordinance to that effect within six months after the completion of the respective work which assessment according to benefits shall be made in like mannner and with like effect as if the original ordinance providing for the improvement had therein provided for such assessment

On the question,

Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 10, page 12, line 11, by striking out "rules" and inserting in lieu thereof "rule."

Amend section 10, page 12, line 23, by striking out "streets" and inserting in lieu thereof "street."

Amend section 10, page 12, line 25, by striking out "or" and inserting in lieu thereof "for."

Amend section 10, page 15, line 10, by striking out "expense" and inserting in lieu thereof "expenses."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The eleventh section was read as follows:

Section 11 That article five section three clause sixteen of said act which reads as follows
"16 To require the removal of all obstructions from the sidewalks curbstones gutters streets and street crossings at the expense of the owners or occupiers of the ground fronting thereon or at the expense of the person or persons placing the same there and to regulate the planting and protection of shade trees in the streets the building of cellar and basement ways and other excavations through or under the sidewalks in said city" be and the same is hereby amended to read as follows
16 To require the removal of all obstructions and nuisances from the sidewalks curbstones gutters streets public alleys ways and street crossings at the expense of the owners or occupiers of the ground fronting thereon or at the expense of the person or persons placing the same there or causing the same and to regulate the planting trimming care and protection of shade trees in the streets the building of cellars and basement ways and other excavations through or under the sidewalks in said city

On the question,
Will the House agree to the section?
Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 11, page 18, line 12, by inserting after the word "streets" the following:
"subject to the rights of persons and corporations lawfully using the same."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The twelfth section was read and agreed to as follows:

Section 12 That article five section three clause twenty-three of said act which reads as follows
"23 To establish and enforce suitable police regulations for the protection of persons and property at public squares parks depots depot ground and other places of public resort and for the arrest and commitment of professional thieves" be and the same is hereby amended to read as follows
23 To establish and enforce suitable police regulations for the protection of persons and property at public squares parks depots and depot grounds and other places of public resort and for the arrest and commitment of professional thieves and suspicious persons found in any part of the city who can give no reasonable account of themselves

The thirteenth section was read as follows:

Section 13 That article five section three clause thirty of said act which reads as follows
"30 To purchase and own ground for and to erect and establish market houses and market places for which latter purpose parts of any streets or sidewalks may be temporarily used to contract with any person or persons or association of persons companies or corporations for the erection and regulation of market houses and market places on such terms and conditions and in such manner as the council may prescribe and raise all necessary revenue therefor as herein provided and also to levy and collect a license tax from every person or persons who may be authorized by council to occupy any portion of the streets or sidewalk for temporary public market purposes" be and the same is hereby amended to read as follows
30 To purchase and own ground for and to erect maintain and establish market houses milk depots and market places for which latter purpose parts of any street or sidewalks may be temporarily used To provide and enforce suitable general market regulations To contract with any person or persons or association of persons companies or corporations for the erection and regulation of market houses milk depots and market places on such terms and conditions and in such manner as the council may prescribe and raise all necessary revenue therefor as herein provided and also to levy and collect a license tax from every person or persons who may be authorized by council to occupy any portion of the streets or sidewalks for temporary market purposes

On the question,
Will the House agree to the section?
Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 13, page 19, line 19, by striking out "street" and inserting in lieu thereof "streets."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The fourteenth and fifteenth sections were separately read and agreed to as follows:

Section 14 That article five section three clause thirty-two of said act which reads as follows
"32 To provide for the construction and maintenance of levees and ferries within the jurisdiction of any such city or within the limits thereof to erect wharves on navigable waters adjacent to the city regulate the use thereof collect wharfage and establish wharf and dock lines and to provide for protection against floods and constructing and maintaining docks retaining walls dams or embankments and by removing obstructions from and deepening the channels or rivers and streams flowing through or adjacent to the city" be and the same is hereby amended to read as follows
32 To provide for the construction and maintenance of levees and ferries within the jurisdiction of any such city and within the limits thereof to erect wharves on navigable waters adjacent to the city regulate the use thereof collect wharfage and establish wharf and dock lines and to provide for protecting against floods To construct and maintain docks retaining walls dams or embankments to remove obstructions from and deepen the channels of rivers and streams flowing through or adjacent to the city and to construct maintain and manage municipal boat houses and bath houses
Section 15 That article five section three clause thirty-four of said act which reads as follows
"34 To purchase lands and premises for public parks and to levy and collect such special taxes as may be necessary to pay for the same and to make appropriations for the improvement and regulations for the government of parks owned and controlled by the city" be and the same is hereby amended to read as follows
34 To purchase lands and premises for public parks and playgrounds to levy and collect such special taxes as may be necessary to pay for the same and to make appropriations for the improvement maintenance care regulation and government of parks and playgrounds owned or controlled by the city

The sixteenth section was read as follows:

Section 16 That article five section three clause thirty-nine of said act which reads as follows
"39 To regulate the construction and inspection of fire places chimneys stoves stove-pipes ovens boilers kettles forges or any apparatus used in any building manufactory or business and to order the suppression or cleaning thereof when deemed necessary for the prevention of fires to regulate or prohibit the manufacture sale storage or transportation of inflammable or explosive substances within the city and to prescribe limits within which no dangerous obnoxious or offensive business shall be carried on" be and the same is hereby amended to read as follows
39 To regulate the construction and inspection of fireplaces chimneys stoves stove-pipes ovens boilers kettles forges or any apparatus used in any building manufactory or business and to order the suppression or cleaning thereof when deemed necessary for the prevention of fires; to regulate and control the production and emission of smoke from any chimney locomotive smokestack or other source to regulate or prohibit the manufacture sale storage or transportation of inflammable or explosive substances within the city and to prescribe limits within which no dangerous obnoxious or offensive business shall be carried on

On the question,
Will the House agree to the section?
Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 16, page 21, line 27, by inserting before the word "smoke" the word "unnecessary."

On the question,
Will the House agree to the amendment?
It was agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.
The seventeenth section was read as follows:

Section 17 That article five section three clause forty-six of said act which reads as follows

46 To make all such ordinances by-laws rules and regulations not inconsistent with the Constitution and laws of this Commonwealth as may be expedient or necessary in addition to the special powers in this section granted for the proper management care and control of the city and its finances and the maintenance of the peace good government safety and welfare of the city and its trade commerce and manufactures and the same to alter modify and repeal at pleasure and to enforce all ordinances by inflicting penalties upon inhabitants or other persons for violation thereof not exceeding one hundred dollars for any one offense recoverable with costs together with judgment or imprisonment not exceeding thirty days if the amount of said judgment and costs shall not be paid" be and the same is hereby amended to read as follows

46 To make all such ordinances by-laws rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth as may be expedient or necessary for the proper management care and control of the city and its finances and the maintenance of the peace good government safety and welfare of the city and its trade commerce manufactures and the exercise of full and complete powers for local self-government and the same to alter modify and repeal at pleasure and to enforce all ordinances by inflicting penalties upon inhabitants or other persons for violations thereof not exceeding one hundred dollars for any one offense recoverable with costs together with judgment of imprisonment not exceeding ninety days if the amount of said judgment and costs shall not be paid

On the question,
Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 17, page 23, line 5, by striking out "of" and inserting in lieu thereof "or."

Amend section 17, page 22, line 29, by inserting after the word "self-government" the following: "in matters of police."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The eighteenth, nineteenth, twentieth and twenty-first sections were separately read and agreed to as follows:

Section 18 That article six section one of said act which reads as follows

"Section 1 The mayor and members of the city council in cities of the third class shall be at least twenty-five years of age and shall be elected by the electors at large They shall have been citizens and inhabitants of the city wherein they shall be elected one year next before their election and shall reside therein during their terms of service In cities of the third class where the term of mayor expires on the first Monday of December in the year one thousand nine hundred and thirteen the qualified electors of such city shall at the municipal election in that year elect a mayor who shall serve from said first Monday until the first Monday of January one thousand nine hundred and eighteen. In the year one thousand nine hundred and seventeen and quadriennially thereafter the qualified electors of said city shall at the municipal election elect a mayor who shall serve for a term of four years from the first Monday of January next succeeding his election In cities of the third class where the mayor was elected at the municipal election in the year one thousand nine hundred and eleven the qualified electors of the city shall in the year one thousand nine hundred and fifteen and quadriennially thereafter elect a mayor who shall serve for a term of four years from the first Monday of January next succeeding his election At the first municipal election held after the passage of this act and biennially thereafter the qualified electors of each city of the third class shall elect four members of council who shall serve for a term of two years from the first Monday of January next succeeding their election except in the case of members first elected under this act who shall serve from the first Monday of December next following their election until the first Monday of January one thousand nine hundred and sixteen" be and the same is hereby amended to read as follows

Section 1 The mayor and members of the city council in cities of the third class shall be at least twenty-five years of age and shall be elected by the electors at large They shall have been citizens and inhabitants of the city wherein they shall be elected one year next before their election and shall reside therein during their terms of service The mayor and members of council shall respectively serve for a term of four years from the first Monday of January next succeeding their respective elections and shall each be eligible to re-election Mayors and councilmen in said cities now in office shall serve for the terms for which they were respectively elected At the municipal elections in each of the said cities immediately preceding the expiration of the terms of mayor thereof the qualified electors of each such city shall elect a mayor to serve for the term of four years and every fourth year thereafter a mayor shall be elected in each such city to serve for the term of four years At the first municipal election held after the passage of this act the qualified electors of each city of the third class shall elect four members of the city council The two nominees for such office receiver respectively the highest number of votes at such election shall serve for four years from the first Monday of January next succeeding their election and the two nominees for council at such election receiving the next highest number of votes at such election shall serve during the term of two years from the first Monday of January next succeeding their election and thereafter two councilmen shall be elected at large at each biennial municipal election to serve for the term of four years from the first Monday of January next succeeding their election

Section 19 That article six section two of said act which reads as follows

"Section 2 Each member of council including the mayor shall have the right to vote on all questions coming before the council but the mayor shall have no right to veto such acts as shall have been passed by the affirmative vote of a majority of the members elected to said council" be and the same is hereby amended to read as follows

Section 2 Each member of council including the Mayor shall have the right to vote on all questions coming before the council but the mayor shall have no right to veto and except as otherwise herein provided an affirmative vote of three members shall be necessary in order to pass any ordinance

Section 20 That article six section seven of said act which reads as follows

"Section 7 All ordinances may be proved by the certificate of the city clerk under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by authority of the city shall be read and received as evidence in all courts and places without further proof All ordinances shall unless otherwise provided herein or by law shall take effect in ten days after their passage upon their being signed by the mayor and attested by the city clerk and every ordinance prescribing a penalty for the violation thereof shall be forthwith published at least three times in not more than two newspapers printed and circulated within the city in such manner as council may direct All ordinances shall within one month after their passage be certified and recorded by the city clerk in a book provided by the city for that purpose which shall be at all times open to the inspection of citizens" be and the same is hereby amended to read as follows

Section 7 All ordinances immediately after their passage shall be signed by the mayor and attested by the city clerk and ordinances may be proved by the certificate of the city clerk under the corporate seal of the city and when printed or published in book or pamphlet form and purporting to be published by authority of the city shall be read and received as evidence in all courts and places without further proof All ordinances unless otherwise provided therein or by law shall take effect in ten days after their passage and shall within one month after their passage be certified and recorded by the city clerk in a book provided by the city for that purpose which shall be at all times open to the inspection of citizens

Section 21 That article six section eleven of said act which reads as follows

"Section 11 The councilmen in cities of the third class shall receive for their services during their term of service annual salaries to be fixed by ordinance payable in monthly installments Council may by ordinance fixing said salaries provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees Council shall by ordinance fix the respective salaries to be paid to councilmen for their services The salary paid to any councilman shall not be less than two hundred fifty dollars per year nor more than three thousand dollars per year provided however that for the first term of councilmen elected under the provisions of this act and until thereafter changed by ordinance the salary of each councilman shall be as follows In cities of the third class of fifteen thousand inhabitants or under by the last United States census each councilman shall receive a salary of three hundred dollars per annum where said population is between fifteen thousand and thirty thousand seven hundred and fifty dollars per annum in cities having a population above thirty thousand and not to exceed fifty thousand two thousand dollars per annum in cities having seventy thousand two thousand five hundred dollars per annum in cities having a population of over seventy thousand three hundred dollars per annum

The first council elected under the provisions of this act shall by ordinance determine the amount of salaries to be paid in said cities the compensation to be received by councilmen shall not be increased or diminished during the term for which they shall have been elected

but succeeding councils may change all compensation said change to take effect after the expiration of term of office of the council making such change" be and the same is hereby amended to read as follows

Section 11 The councilmen in cities of the third class shall receive for their services during their term of service annual salaries to be fixed by ordinance payable in monthly installments Councils may by the ordinance fixing said salary provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The salary paid to any councilman shall not be less than two hundred and fifty dollars per year nor more than three thousand dollars per year provided hovever that for the term of city councilmen and until thereafter changed by ordinance the salary of each councilman shall be as follows In cities of the third class of fifteen thousand inhabitants or under by the last United States census each councilman shall receive a salary of three hundred dollars per annum where said population is between fifteen thousand and thirty thousand seven hundred and fifty dollars per annum in cities having a population above thirty thousand and not exceeding fifty thousand two thousand dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand two thousand five hundred dollars per annum in cities having a population of over seventy thousand three thousand dollars per annum

The council elected under the provisions of this act shall have power by ordinance to determine the amount of salaries to be paid in said cities The compensation to be received by councilmen shall not be increased or diminished during the term for which they shall be elected but succeeding councils may change all compensation said change to take effect after the expiration of term of office of the council making the change

The twenty-second section was read as follows:

Section 22 That article seven section four of said act which reads as follows

"Section 4 The mayor shall also supervise the conduct of all city officers examine the grounds of all reasonable complaints against any of them and cause all of their violation or neglect of their duty to be promptly punished or reported to the proper tribunal for correction and for the purpose aforesaid he is hereby empowered to issue subpoenas and compulsory processes under his official seal for the attendance of such persons and the production of such books and papers as he may deem necessary He shall have the authority at all times to call upon any officials of the city or heads of departments for any information as to the affairs under their control and management as he may require and he may call special meetings of council to consider any matter which he may think proper. He shall communicate to council at their first stated meeting in January of each year and from time to time as he may deem expedient a statement of the condition and affairs of the city in respect to its government finances and improvements together with suggestions and recommendation of all such measures as he may deem conducive to the interests and welfare thereof" be and the same is hereby amended to read as follows:

Section 4 The mayor shall also supervise the conduct of all city officers examine the grounds of all reasonable complaints against any of them and cause all of their violations or neglect of duty to be promptly punished or reported to the proper tribunal for correction and for the purpose aforesaid he is hereby empowered to issue subpoenas and compulsory processes under his official seal for the attendance of such persons and the production of such books and papers as he may deem necessary He shall have the authority at all times to call upon any official of the city or heads of departments for any information as to the affairs under their control and management as may require and he may call special meetings of council to consider any matter which he may think proper. He shall communicate to council from time to time as he may deem expedient a statement of the condition and affairs of the city in respect to its government finances and improvements together with suggestions and recommendations of all such measures as he may deem conducive to the interest and welfare thereof

On the question,
Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 22, page 30, line 13, by striking out "recommendation" and inserting in lieu thereof "recommendations."

Amend section 22, page 30, line 28, by striking out "ocntral"

Amend section 22, page 30, line 29, by inserting "he" after "as."

On the question,
Will the House agree to the amendments?
They were agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

The twenty-third section was read as follows:

Section 23 That article seven section five of said act which reads as follows

"Section 5 The mayor shall have the criminal jurisdiction of an alderman within the city and shall have no civil jurisdiction except in relation to actions for fines penalties or forfeitures imposed by virtue of the ordinances of the city or the laws of this Commonwealth relating thereto. He shall have the power of a committing magistrate under the acts of assembly relating to tramps and vagrants and shall in addition have authority to commit to any city or county prison for a term not exceeding thirty days any dissolute or disorderly persons in default of payment of such fine or penalty as may be fixed by ordinance with the cost of suit or arrest He shall be empowered to take acknowledgements of any instruments in writing solemnize marriages and administer oath and affirmations and shall attest all his acts with his official seal He shall keep a docket and shall enter therein all actions and proceedings had before him and said docket with the entries therein and duly certified transcripts thereof shall be received in evidence in the same manner and with like effect as the docket entries and transcripts of alderman are by law administered for similar purposes He shall charge and receive for all official services the same fees and costs as are allowed by law to the alderman of the city for similar services but shall pay over the same into the city treasury monthly according to the statements thereof verified by oath or affirmation before the superintendent of finance and filed with him" be and the same is hereby amended to read as follows

Section 5 The mayor shall have the criminal jurisdiction of an alderman within the city and shall have no civil jurisdiction except in relation to actions for fines penalties or forfeitures imposed by virtue of the ordinances of the city or the laws of the Commonwealth relating thereto He shall have the power of a committing magistrate under the acts of assembly relating to tramps and vagrants and shall in addition have authority to commit to any city or county prison for a term not exceeding ninety days any dissolute or disorderly person in default of payment of such fine or penalty as may be fixed by ordinances with the cost of suit or arrest He shall be empowered to take acknowledgements of any instruments in writing solemnize marriages and administer oaths and affirmations and shall attest all his acts with his official seal He shall keep a docket and shall enter therein all actions and proceedings had before him and said docket with the entries therein and duly certified transcripts thereof shall be received in evidence in the same manner and with like effect as the docket entries and transcripts of aldermen are by law admissible for similar purposes He shall charge and receive for all official services the same fees and costs as are allowed by law to aldermen of the city for similar services but shall pay over the same into the city treasury monthly according to the same into the city treasury monthly according to the statements thereof verified by oath or affirmations before the superintendent of accounts and finance and filed with him

On the question,
Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 23, page 31, line 24, by striking out "oath" and inserting in lieu thereof "oaths."

Amend section 23, page 33, lines 6 and 7, by striking out the words "to the same into the city treasury monthly according."

On the question,
Will the House agree to the amendments?
They were agreed to.

On the question,
Will the House agree to the section as amended?
It was agreed to.

The twenty-fourth section was read and agreed to as follows:

Section 24 That article seven section six of said act which reads as follows

"Section 6 The council shall fix by ordinance the number rank and compensation of the members of the city police force and prescrbie all necessary rules and regulations for the organization and government thereof in accordance with this act and it shall be a misdemeanor in office for any policeman to ask demand or receive any other compensation or reward whatsoever for his official services to be followed by dismissal from office Provided That members of the police force may receive and retain rewards offered for the arrest of persons accused of crime committed outside of the city in which they

hold office The council may also designate from the force the chief and other officers who shall be subject to the direction and control of the council and shall serve as such officers until their successors be duly designated and qualified" be and the same is hereby amended to read as follows

Section 6 The council shall fix by ordinance the number rank and compensation of the members of the city police force and prescribe all necessary rules and regulations for the organization and government thereof in accordance with this act and it shall be a misdemeanor in office for any policeman to ask demand or receive any other compensation or reward whatsoever for his official services to be followed by dismissal from office Provided That members of the police force may receive and retain rewards offered for the arrest of persons accused of crime committed outside of the city in which they hold office The council may also designate from the force the chief and other officers who shall serve as such officers until their successors be duly designated and qualified The council or the mayor acting by authority and direction of the council on occasions of threatened public disorder or danger or whenever in the judgment of the council or the mayor it is necessary for the public safety or to preserve order may appoint supernumerary or extra policemen to serve for such period as the council or the mayor may designate not exceeding ten days whose compensation shall be fixed by council before or at the time said appointments are made

The twenty-fifth section was read as follows:

Section 25 That article seven section seven of said act which reads as follows

"Section 7 Policemen shall be ex-officio constable of the city and shall and may without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of said city for the violation of which a fine or penalty is imposed. They shall have authority to serve and execute all criminal process or processes for the violation of the city ordinances which may be issued by the mayor or any alderman and shall charge the same fees and costs as pertain by law to the constables of the city for similar services but the said fees and costs shall be received and collected by the mayor and by him paid into the city treasury monthly as herein provided Policemen shall obey the orders of the mayor and make report to him which report shall be laid by him before council whenever required The mayor shall exercise a constant supervision and control over their conduct and hear and determine all complaints against them in the discharge of their duties and he shall be required to remove from office any member or officer of the police force upon a resolution to that effect passed by council" be and the same is hereby amended to read as follows

Section 7 Policemen shall be ex-officio constables of the city and shall and may without warrent and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of said city for the violation of which a fine or penalty is imposed They shall have authority to serve and execute all criminal process or processes for the violation of the city ordinances which may be issued by the mayor or any alderman and shall charge the same fees and costs as pertain by law to the constables of the city for similar services but the said fees and costs shall be received and collected by the mayor and by him paid into the city treasurer monthly as herein provided Policemen shall obey the orders of the mayor and make report to him which report shall be laid by him before council whenever required The mayor shall exercise a constant supervision and control over their conduct and hear and determine all complaints against them in the discharge of their duties and upon finding any such complaint well founded shall submit his report thereon to council for its action and in the meantime pending action by council the mayor shall have power to suspend such policeman from duty

On the question,

Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 25, page 34, line 26, by striking out "constable" and inserting in lieu thereof "constables."

Amend section 25, page 36, line 10, by striking out "treasurer" and inserting in lieu thereof "treasury."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twenty-sixth section was read and agreed to as follows:

Section 26 That article seven section fourteen of said act which reads as follows

"Section 14 The superintendent of finance shall from time to time and as often as he may deem expedient or the city council shall direct suggest plans to the council for the management and improvement of the city finances and he shall make a report verified by oath or affirmation to the city council at the first stated meeting in January in each year of the public accounts of the city and of the trusts in its care exhibiting all of the expenditure thereof respectively and the sources from which the revenue and funds are derived and in what manner the same have been disbursed each account to be accompanied by a statement in detail of the several appropriations made by council the amount drawn on each appropriation and the balance outstanding to the debit or credit of such appropriation at the close of the fiscal year which report shall be published in pamphlet form He shall also at the first stated meeting in January in each year present to council a detailed statement of the estimated receipts expenditures and liabilities of every kind for the ensuing year with the balance of unexpended appropriations and all other information of value as a basis for fixing the levy and tax rate for the next fiscal year" be and the same is hereby amended to read as follows

Section 14 The superintendent of finance shall from time to time and as often as he may deem expedient or the city council shall direct suggest plans to the council for the management and improvement of the city finances and he shall make a report verified by oath or affirmation to the city council at the first stated meeting in March in each year of the public accounts of the city and of the trusts in its care exhibiting all of the expenditure thereof respectively and the sources from which the revenue and funds are derived and in what manner the same have been disbursed each account to be accompanied by a statement in detail of the several appropriations made by the council the amount drawn on each appropriation and the balance outstanding to the debt or credit of such appropriation at the close of the fiscal year which report shall be published in pamphlet form He shall also at the first stated meeting in December in each year present to council a detailed statement of the estimated receipts expenditures and liabilities of every kind for the ensuing year with the balance of unexpended appropriations and all other information of value as a basis for fixing the levy and tax rate for the next fiscal year The superintendent of accounts and finance shall have authority to administer oaths or affirmations in relation to any matter touching the authentication of every account with or claim or demand against the city but shall not be entitled to receive any fee therefor He shall also have power to appoint a deputy who shall also have power to administer oaths or affirmations in all matters relating to the affairs of said office but the said superintendent shall in all cases be responsible and liable for the actions and conduct of the said deputy

The twenty-seventh section was read as follows:

Section 27 That article seven section fifteen of said act which reads as follows

"Section 15 The mayor of each city of the third class in Pennsylvania elected under the provisions of this act shall receive for his services during his term of service an annual salary to be fixed by ordinance payable in monthly installments The council in said city shall by ordinance fix the amount of the salary to be paid to the mayor for his services and may provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The amount of said salary in cities of the third class shall not be less than five hundred dollars nor more than three thousand five hundred dollars per year For the first term of any mayor elected under the provisions of this act and until thereafter changed by ordinance the salary of said mayors in cities of the third class shall be as follows In cities having a population of fifteen thousand or under by the last United States census five hundred dollars in cities having a population of over fifteen thousand and less than thirty thousand inhabitants one thousand two hundred dollars per year in cities having a population exceeding thirty thousand and not exceeding fifty thousand inhabitants two thousand five hundred dollars per annum in cities having a population of over fifty thousand and not exceding seventy thousand inhabitants three thousand dollars per annum in cities having a population of over seventy thousand inhabitants three thousand five hundred dollars per annum

The first council elected under the provisions of this act shall by ordinance fix the salary to be paid to the mayor in said cities for succeeding terms and the amount of compensation for the mayor in any of said cities shall not be increased or diminished during the term of office for which he shall be elected Succeeding councils may change the amount of such compensation" be and the same is hereby amended to read as follows

Section 15 The mayor of each city of the third class elected under the provisions of this act shall receive for

his services during his term of service an annual salary to be fixed by ordinance payable in monthly installments The council shall by ordinance fixe the amount of salary to be paid to the mayor for his services and may provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The amount of salary in cities of the third class shall not be less than five hundred dollars nor more than three thousand five hundred dollars per year Until changed by ordinance the salary of said mayors in cities of the third class shall be as follows In cities having a population of fifteen thousand or under by the last United States census five hundred dollars per annum in cities having a population of over fifteen thousand and less than thirty thousand inhabitants one thousand two hundred dollars per annum in cities having a population exceeding thirty thousand and not exceeding fifty thousand inhabitants two thousand five hundred dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand inhabitants three thousand dollars per annum in cities having a population of over seventy thousand inhabitants three thousand five hundred dollars per annum and the amount of compensation for the mayor in any of the said cities shall not be increased or diminished during the term of office for which he shall be elected Succeeding councils may change the amount of such compensation but such change shall not affect the compensation of any mayor then in office

On the question,

Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 27, page 38, line 24, by striking out "provisions" and inserting in lieu thereof "provision."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third and thirty-fourth sections were separately read and agreed to as follows:

Section 28 That article eight section one of said act which reads as follows

"Section 1 Subject to the provisions of section thirteen of article six of this act the council of each city of the third class shall on the first Monday of January after its election elect a city treasurer who shall hold his office for the term of two years from said first Monday of January and until his successor is duly elected and qualified or until the said treasurer shall have been removed from office according to law The city treasurer shall be a competent accountant and shall have been a resident of the city and an elector thereof for at least three years previous to his election He shall give lawful bond to the city with two or more sufficient sureties or with a surety or other company authorized by law to act as surety to be approved by the council in such sum as it may by ordinance direct conditioned for the honest and faithful discharge of his official duties and the safe keeping and payment over of all public moneys entrusted to his care He shall receive a fixed annual salary to be provided by ordinance" be and the same is hereby amended to read as follows

Section 1 The council of each city of the third class shall on the first Monday of January Anno Domini one thousand nine hundred and eighteen and on the first Monday of January in every fourth year thereafter elect a city treasurer who shall hold his office for the term of four years from the said first Monday of January and until his successor is duly elected and qualified or until the said treasurer shall have been removed from office according to law The city treasurer shall be a competent accountant and shall have been a resident of the city and an elector thereof for at least three years previous to his election He shall give lawful bond to the city with two or more sufficient sureties or with a surety or other company authorized by law to act as surety to be approved by the council in such sum as it may by ordinance direct conditioned for the honest and faithful discharge of his official duties and the safe keeping and payment over of all public moneys entrusted to his care He shall receive a fixed annual salary to be provided by ordinance

Section 29 That article nine section one of said act which reads as follows

"Section 1 In cities of the third class where the term of city controller expires on the first Monday of December in the year one thousand nine hundred and thirteen the qualified electors of the city shall at the municipal election of that year elect a city controller who shall serve from said first Monday of December until the first Monday of January one thousand nine hundred and eighteen In the year one thousand nine hundred and seventeen and quadriennially thereafter the qualified electors of such city shall at the municipal election elect a city controller who shall serve for a term of four years from the first Monday of January next succeeding his election In cities of the third class where the city controller was elected at the municipal election in the year one thousand nine hundred and eleven the qualified electors of the city shall in the year one thousand nine hundred and fifteen and quadriennially thereafter elect a city controller who shall serve for a term of four years from the first Monday of January next succeeding his election The city controller shall examine audit and settle all accounts whatsoever in which the city is concerned either as debtor or creditor where provision for the settlement thereof is made by law and where no provision or an insufficient provision has been made he shall examine such accounts and report to the city council the facts relating thereto He shall have authority to administer oaths or affirmations in relation to any matter touching the authentication of every account with or claim or demand against the city but shall not be entitled to receive any fee therefor" be and the same is hereby amended to read as follows

Section 1 In cities of the third class where the term of the city controller expires on the first Monday of January in the year one thousand nine hundred and twenty the qualified electors of the city shall at the municipal election of the preceding year and every four years thereafter elect a city controller who shall possess the qualifications herein prescribed for the city treasurer and who shall serve for the term of four years from the first Monday of January next succeeding their respective elections

In cities of the third class where the city controller was elected in the year one thousand nine hundred and thirteen to serve until the first Monday in January in the year one thousand nine hundred and eighteen the qualified electors of said cities shall elect a city controller at the municipal election to be held in the year one thousand nine hundred and seventeen and every four years thereafter elect a controller in like manner to serve for the term aforesaid the said terms to begin on the first Monday of January next succeeding their respective elections

Section 30 That article nine section two of an act which reads as follows

"Section 2 The said city controller shall receive such compensation as may be prescribed by council" be and the same is hereby amended to read as follows

Section 2 The said city controller shall examine audit and settle all accounts whatsoever in which the city is concerned either as debtor or creditor and shall also examine and audit the accounts of all officers and departments which collect receive and disburse public moneys or who are charged with the management control or custody thereof and in case he discovers any default irregularity delinquency or mismanagement he shall make report to the council He shall also make report to council on the first Monday of January in each year and oftener if so required by council of the audits which he shall have made of the accounts of the officers having charge custody control and disbursement of public moneys showing the balance in their hands respectively He shall have the power to administer oaths or affirmations of any account claim or demand against the city but shall not receive any fee therefor and shall have power to issue subpoenas to obtain the attendance of officers whose accounts he is authorized to adjust audit and settle and also to subpoena any person or persons who it may be necessary to examine as witnesses and in case any city officer or any witness refuses to appear upon being subpoenaed he shall report such refusal to council and the council is hereby empowered to enact ordinances to compel the attendance of city officers and witnesses before the said city controller and to impose penalties in case of refusal The city controller shall give bond with surety to be approved by council in such sum as the council shall fix by ordinance and he shall receive such compensation as shall be prescribed by council which shall not be increased or diminished during his term In case a vacancy occurs in the office of city controller thirty days or more prior to the time for holding the next fall or municipal primary election in said cities the council shall fill the vacancy by electing a city controller to serve until the first Monday of January next succeeding the time of holding said fall municipal primary election and the qualified electors of the city in which said vacancy exists shall at said fall or municipal primary election nominate and at the succeeding fall or municipal election elect in the manner provided by law a city controller who shall serve for the regular term of four years from the first Monday of January succeeding his election but in case the vacancy occurs less than thirty days prior to the next fall or municipal primary election the council shall elect a city controller to serve during the remainder of the term of the city controller whose office has become vacant

Section 31 That article nine section three which reads as follows

Section 3 That the council of each city of the third class in this Commonwealth are hereby authorized and directed to elect a city clerk whose term of office and compensation shall be fixed by ordinance Provided however That the said term of office shall not exceed four years" be and the same is hereby amended to read as follows

Section 3 The council of each city of the third class is hereby authorized and directed to elect a city clerk who shall serve for a term of four years and until his

successor is duly elected and qualified and whose compensation shall be fixed by ordinance and he shall be removable in the manner provided by law

Section 32 That article ten section one of said act which reads as follows

"Section 1 Subject to the provisions of article six the council of each of said cities of the third class shall on the first Monday of January following the election of members thereof or as soon thereafter as may be practicable by the vote of a majority of the members chosen elect one person learned in the law and qualified to practice in the Supreme Court of this Commonwealth who shall be styled the city solicitor and shall serve for the term of two years from the said first Monday of January and until his successor shall be duly qualified unless he shall have been removed from office sooner in the method prescribed by law Vacancies in said office shall be filed by council for the unexpired term He shall give lawful bond to the corporation with two or more sureties or with surety or other company authorized by law to act as surety to be approved by council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance" be and the same is hereby amended to read as follows

Section 1 Subject to the provisions of article six the council of each of said cities of the third class on the first Monday of May Anno Domini one thousand nine hundred and eighteen and on the first Monday of May every fourth year thereafter or as soon thereafter as practicable in each of said years by a vote of a majority of the members shall elect one person learned in the law and qualified to practice in the Supreme Court of this Commonwealth who shall be styled the city solicitor and shall serve for the term of four years from the said first Monday of May and until his successor shall be duly qualified unless he shall have been removed from office sooner in the method prescribed by law Vacancies in said office shall be filled by council for the unexpired term He shall give lawful bond to the corporation with two or more sureties or with a surety or other company authorized by law to act as surety to be approved by council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance

Section 33 That article eleven section one of said act which reads as follows

Section 1 The council of any city of the third class the State of Pennsylvania may by ordinance create a board of health The organization powers and duties of said board of health shall be provided by laws now in force in relation to boards of health" be and the same is hereby amended to read as follows

"Section 1 The council of any city of the third class by ordinance may create a board of health The organization powers and duties of said board of health shall be as provided by laws now in force in relation to boards of health except the members officers and subordinates thereof may be appointed by the council

Section 34 The article eleven section three of said act which reads as follows

"Section 3 The city clerk in cities of the third class shall be ex-officio secretary of the board of health in case the council of said city shall create a board of health under the provisions of this act" be and the same is hereby repealed

The thirty-fifth section was read as follows:

Section 35 That article six of said act which reads as follows

"ARTICLE XII.

Section 1 Any qualified registered voter in any city of the third class may be nominated to any elective municipal office in said city in the following manner

Section 2 It shall be lawful for any such person to be proposed for any elective municipal office by the filing of a petition with the county commissioners at least three weeks before the date of the primary election for municipal offices said petition to be signed by at least twenty-five qualified registered voters of said city

Section 3 The petitions proposing the names of citizens for municipal elective offices shall set forth that the signers thereof are qualified and registered voters residing in said city and shall set forth the residence and occupation of the candidate proposed and of each person signing said petition but said petition shall have nothing thereon to designate any political party or any party affiliations of the person proposed as a candidate or of the persons proposing the said name

Section 4 The county commissioners of the county in which any city of the third class shall be located shall cause to be printed for the ues of voters at any primary election in said city of the third class wher public elective municipal officers are to be nominated a non-partisan primary ballot which ballot shall be substantially in the following form

NAME OF OFFICE

Vote for (stating number to be elected)

Name of candidate (Address of candidate)
Name of candidate (Address of candidate)

The said municipal primary ballots shall be uniform and shall have nothing printed stamped engraved or in any way marked thereon to indicate or designate any political party or the political affiliations of any condidate for office named thereon

Section 5 Upon the non-partisan primary ballot provided for in the preceding section of this article the county commissioners shall cause to be printed the names of the municipal offices to be filled at the next regular municipal election followed by the words 'mark one' (or as case may be indicating the number to be elected) Below the words designating an office to be filled shall be printed the names of all persons who have been proposed for such office in accordance with the preceding sections of this article placing after each name an appropriate square for marking and no other names shall be placed on said ballot Space shall be provided however below the names printed on the said ballot wherein voters may insert additional names if said voters shall desire to vote for a person for said office whose name has not been printed on said ballot

Section 6 Where more than one person shall be proposed for the same office the names of the persons proposed shall be placed on said ballot by the county commissioners in the order to be determined by drawing lots which said drawing shall be done publicly by the county commissioners and notice of the time and place of said drawing shall be given by the commissioners to each person whose name is entitled to be placed on said primary ballot at least three days before the time of said drawing and said persons shall be entitled to be present in person or by representative at said drawing

Section 7 The county commissioners shall prepare and furnish to the election officer in each precinct of each city of the third class as many official non-partisan primary ballots as are equal to one and one-half times the number of registered voters in such precinct Provided however that an additional number of ballots shall be provided by the commissioners for each precinct if more ballots shall be needed than the number above specified The said county commissioners shall also furnish one-half as many specimen ballots as the number of official ballots which said specimen ballots shall be an exact duplicate of the official ballot but printed on a paper of a different color

Section 8 At the primary election preceding each election where municipal officers are to be elected it shall be the duty of the election officers in each precinct of every city of the third class to deliver to each voter who has established his right to vote one non-partisan primary ballot having printed thereon the names of all persons proposed for municipal officers in accordance with the preceding sections of this article The election officers shall receive and place in the ballot-box at each primary election preceding an election for city offices the ballots furnished to the voters in the manner specified in the preceding section of this article after said electors have had an opportunity to mark the same as provided by law and no other ballots for nomination of municipal officers shall be received or placed in said ballot box

Section 9 At the close of polling at said primary election in each city of the third class the election officers shall in the manner prescribed by law tabulate and compute the votes cast for the various persons whose names may be inserted or printed on the non-partisan ballot and marked according to law and shall make return of said vote to the county commissioners whose duty it shall be to receive tabulate and compute primary election returns said returns to be made as prescribed by law said election officers shall also cause the statements required by law of the number of votes cast for each candidate to be posted up at such place and in the manner prescribed by law If for any office to be filled at the ensuing general municipal election there shall be more persons proposed than the number to be elected to said office the persons receiving the highest number of votes up to double the number of persons to be elected to said office shall be the nominees for said office

Section 10 At each regular or special municipal primary or election for offices in cities of the third class the county commissioners of the county in which said city shall be located shall cause the names of the persons nominated in accordance with the foregoing sections of this article and of no other persons to be printed on the official ballot to be used at said election Said official ballots shall have the names of the offices to be filled and said candidates printed on said ballot with appropriate squares after each name for voters to mark in the manner prescribed by law except that there shall not be printed engraved stamped or marked on any ballot anything to indicate any political party or party affiliation of any candidate for municipal office Following the names of said candidates space shall be provided on said ballot wherein any voter may insert the name of any persons for whom he wishes to vote and whose name may not be printed on said ballot

Section 11 No other ballot than that prescribed in the foregoing section of this article shall be received or counted by the election officers for any regular municipal primary or election for the election of public officers in cities of the third class and the provisions of this ar-

ticle shall apply to every regular or special municipal election in said cities of the third class

Section 12 Upon each ballot for the use of electors in any municipal primary election shall be printed the following words "The voter will mark an X in the square opposite the name of each person for whom he wishes to vote He may insert in the blank space provided the names of candidates not nominated for whom he desires to vote Names so inserted need not be marked with an X'

Section 13 If either at the time of the passage of this act or at any time thereafter there be in force any law providing a general system of non-partisan nominations and elections for electric municipal offices or for any group or class of elective offices including municipal offices the operation of the provisions of the foregoing sections of this article twelve shall be suspended while such law is in force" is hereby amended to read as follows

ARTICLE XII

Section 1 Any qualified registered voter in any city of the third class may be nominated to any elective municipal office in said city

Section 2 The mayor members of council and city controller shall for regular terms of service be nominated at the fall party primary and on party tickets in the manner now provided by the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" and its amendments and supplemets or in such manner as may hereafter be provided by law

Section 3 The names of the persons so nominated to such offices shall be printed on the regular ballot used at the municipal election following in the same manner and shall be voted on in the same manner as the names of other officers are printed on such ballot and are voted for at municipal elections

On the question,

Will the House agree to the section?

Mr. WALLACE. Mr. Speaker, I desire to offer the following motion.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

"Amend Bill by striking out section thirty-five, page 49, 50, 51, 52, 53 and 54 to line 24 of page 55, and renumber the following sections accordingly."

On the question,

Will the House agree to the amendments?

Mr. RAMSEY. Mr. Speaker and gentlemen of the House, these amendments, offered at the present time, are the amendments to insert into the bill the non-partisan feature which the Committee on Municipal Corporations substituted the partisan feature for, when the bill was before that committee for consideration. The Clark Act, which is the government for third class cities, has been in operation now for some time and upon the non-partisan basis. The cities of third class, in convention, approved of a number of amendments to the Clark Act for which I became the sponsor. Those amendments are included in the bill which is now before the House. For a long time a number of the third class cities have felt that the non-partisan feature of the act was not the best method to elect municipal officers; that the partisan feature would be the best method for small municipalities or third class cities. To that end the Committee on Municipal Corporations, after having considered this bill for some time, decided that they would accept the amendment to restore the election in third class cities upon the partisan basis. No other feature of the Clark Act is disturbed except that particular feature of the partisan and non-partisan part.

Mr. SPANGLER. Mr. Speaker, I desire to interrogate the gentleman from Delaware, if the gentleman will permit himself to be interrogated.

The SPEAKER. Will the gentleman from Delaware, Mr. Ramsey, permit himself to be interrogated?

Mr. RAMSEY. I will, Mr. Speaker.

Mr. SPANGLER. I just wanted to ask the gentleman from Delaware whether the present bill as drawn, changing the non-partisan feature of the Clark Act to the partisan feature, has the endorsement of the League of Third Class Cities and the other civic leagues of Pennsylvania?

Mr. RAMSEY. Mr. Speaker, I was coming to that, to be fair with the members of the House, as far as the bill is concerned. I was about to get to that point and to say that as I have already repeated, the League of Third Class Cities have not endorsed that particular feature but several of the cities themselves are desirous that the non-partisan feature will be changed to the partisan election. I want to also be fair and to say that the amendments now presented by the gentleman from Lawrence are presented at my suggestion in order that the matter might be properly presented to the members of this House and be discussed and be acted upon here.

The question of recommitting this bill to the Committee was one which I did not approve of because the committee were of the opinion that the partisan feature should stay in the bill. The question now is whether the members of this House desire to have the committee's report approved or the bill restored to its original feature with the non-partisan basis.

I am making these statements, Mr. Speaker, in order that the members might understand my position. I don't believe, personally, there is such a thing as a non-partisan.

Mr. SPANGLER. Mr. Speaker, I would like to interrogate the gentleman further.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. RAMSEY. Mr. Speaker, when I am through.

Even though the act has been worked in that way, still there is the partisan feature, and I believe myself that the third-class cities will be better cared for under the partisan act. I hope the House will not approve of the amendment.

Mr. WALLACE. Mr. Speaker, and gentlemen of the House, this is a most important matter that is now before you. I think I can speak with considerable authority for the League of Third Class Cities. I think I can safely say that the League of Third Class Cities is absolutely for this amendment and will not support this bill unless it be restored to its original shape. When this bill was introduced it was introduced for the League of Third Class Cities and it had their unqualified approval and endorsement, but when amended, striking out the non-partisan feature of the bill as in the original bill it is now in such shape that third class cities are absolutely against it and we will have to do everything in our power to defeat the bill if this particular feature is left in it. I think the most salient feature of the Clark Act is the non-partisan feature, providing for the election of its public officers. We never had in most of the third class cities partisan elections for the control for our affairs and we don't want to go back to that now. The non-partisan feature, as provided in the Clark Act, I think is the fairest method of electing good competent public officials that possibly could be devised. We first nominate two men for each of the offices to be filled; then at the election we have a second process of elimination and choose one of the two nominees. There is no excuse under the heavens for any city electing any man to office under this non-partisan provision except the man that the city wants. And when you give to the people the opportunity to elect men of their choice that is just as good government as the people deserve or ought to have. As long as they have a free hand in electing the man of their choice, and they have that under this bill, then you cannot improve upon that method. I believe all the Chambers of Commerce and all the allied bodies of third class cities in this State have approved of this bill as originally introduced, and they are now protesting against the amendment made in committee. Now, this is a serious matter that deserves most careful consideration by every man in this House. These people certainly have the right to come before this Legislature and ask you men to give to third class cities the kind of law that they want, and the overwhelming majority, in fact almost all of the third class cities in this State, are for this amendment and they will not approve of this bill if this amendment be not inserted. Gentlemen, I ask you to support this amendment and reinstate this bill as it was originally introduced

by the gentleman from Delaware County. This bill as originally introduced by him is what we wanted, what the third class cities want, and when it is restored to its original form where I think and believe it ought to be, then I believe it ought to be passed, but as it now stands it ought not to be enacted into law. I ask you gentlemen to support these amendments.

Mr. JAMES O. CAMPBELL. Mr. Speaker, I hope that this amendment will carry. The municipalities of this State are in financial straits far in excess of the financial straits of any other division of our government. The State finances are in good shape; the majority of the finances, generally, are in good condition, but the finances of the cities are at a low ebb. It was hoped by the insertion of a non-partisan feature in municipal elections that the municipalities might thereby be successful in obtaining the services of men who are successful in business and who are not and have not been active in party politics. That hope has been justified in certain third class cities. In others, I understand it is not. But, the suggestion, the plan is a reasonable one and has been working satisfactorily in some places and in others it is hoped it will become more satisfactory. I believe the time is coming when the condition of municipal affairs, especially so far as the financial conditions are concerned, is one of very vital importance and one that we should win the aid of the best men in the municipalities to the public service. We all know that a man who has been actively engaged in business has not generally been so active in politics. I believe also that so far as we are concerned in this matter we should be representing the concensus of opinion, and I think that the opinion in this matter has crystallized in the third class cities, and that the result of that crystallization is best shown by the convention of third class cities that was held and which was attended by the representatives of these third class cities elected for the purpose of registering the opinion of their cities upon this very question. I represent a city of about thirty thousand people which for some twenty years has been large enough to become a third class city, but believing that the old form of government was as efficient as the third class city form of government our city has not become a third class city. At the last election we voted by something over three to one to become a third class city, because under this Clark Act we desired to try the small council. I also believe that a change here would be very unwise from a political standpoint. I personally am not a devotee of the non-partisan feature of election; I doubt very much the wisdom of a non-partisan election under certain features, but so far as municipal politics is concerned I believe that it ought to be on a non-partisan basis.

I think that a change in spite of the diverse sentiment of third class cities as registered in their convention, would be a very unwise political move at this time, and I hope the amendments will pass.

Mr. PHILLIPS. Mr. Speaker, I just want to say one word in reference to this bill. I think that all of the members were instructed to be in favor of the bill as it was introduced by the gentleman from Delaware, up until the time these amendments were put in. I want to read an extract from a letter from one of the solicitors of a third class city, he says "The Clark Act provided for the non-partisan election of the mayor, four members of council, and the city controller. Senator Beidleman has introduced a Senate Bill 627, which seeks to amend the Clark Act in various particulars (this bill was not approved by the solicitors.) It also wipes out the non-partisan ballot. With very few exceptions, the city solicitors are a unit for the non-partisan ballot in these local affairs. We do not hold any brief for the non-partisan ballot in state and county elections, but in the municipal government, we are in favor of that measure." I think it is true that the city solicitors of the third class cities have organized and declared that they were in favor of the non-partisan ballot, and that we should vote for these amendments.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirty-sixth section was read as follows:

Section 36 That article fourteen section six of said act which reads as follows

"Section 6 The viewers provided for in the foregoing sections of this article may be appointed before or at any time within six years after the entry taking appropriation or injury or the passing of an ordinance providing for any matter set forth in section one of article fourteen of any property or materials for constructing said improvement and upon the report of said viewers or any two of them being filed in the said court any party may within thirty days thereafter file his of her or their appeal from the said report to the said court Such appeal shall be in writing and accompanied by an affidavit of the appellant or their agent or attorney that the same is not taken for the purpose of delay but because the affiant firmly believes that injustice has been done and after such appeal either party may put the cause at issue in the form directed by said court and the same shall be tried by said court and jury and after final judgment either party may have an appeal therefrom to the proper court the Superior Court or the Supreme Court in the manner prescribed in other cases The said court of common pleas shall have power to order what notices shall be given in connection with any part of the proceedings and may make all such orders as it may deem requisite If any exceptions be filed with any appeal to the proceedings they shall be speedily disposed of and if allowed a new view shall be ordered and if disallowed the appeal shall proceed as hereinbefore provided" be and the same is herby amended to read as follows

Section 6 The viewers provided for in the foregoing sections of this article may be appointed before or at any time within six years after the entry taking appropriation or injury or the passing of an ordinance providing for any matter set forth in section one of this article or of any property or materials for constructing said improvement and upon the report of said viewers or any two of them being filed in the said court which report shall be filed within three months from the date of their appointment unless the time for so doing shall be extended by the court any party may within thirty days thereafter file his her or their appeal from the said report to the said court Such appeal shall be in writing and accompanied by an affidavit of the appellant or their agent or attorney that the same is not taken for the purpose of delay but because the affiant firmly believes that injustice has been done and after such appeal either party may put the cause at issue in the form directed by said court and the same shall be tried by said court and jury and after final judgment either party may have an appeal therefrom to the proper court the Superior Court or the Supreme Court in the manner as prescribed in other cases The said court of common pleas shall have power to order what notices shall be given in connection with any part of the proceedings and may make all such orders as it may deem requisite If any exceptions be filed with any appeal to the proceedings they shall be speedily disposed of and if allowed a new view shall be ordered and if disallowed the appeal shall proceed as hereinbefore provided

On the question,

Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 36, page 57, line 26, by striking out "disalowed" and inserting in lieu thereof "disallowed."

On the question,

Will the House agree to the amendment?

It was agreed to

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirty-seventh section was read as follows:

Section 37 That article fourteen section seven of said act which reads as follows

"Section 7 In case any such city shall repeal any ordinance passed or discontinue any proceeding taken providing for any of the improvements mentioned in the first section of this article prior to the entry upon taking appropriation or injury to any property or material and within thirty days after the filing of the report of viewers assessing damages and benefit the said city shall not thereafter be liable to pay any damages which have been or might have been assessed but all costs upon any proceedings had thereon shall be paid by the said city" be and the same is hereby amended to read as follows

Section 7 In case any such city shall repeal any ordinance passed or discontinue any proceeding taken providing for any of the improvements mentioned in the first section of this article prior to the entry upon taking appropriation or injury to any property or materials and within thirty days after the filing of the report of viewers assessing damages and benefits the said city shall not

thereafter be liable to pay any damages which have or might have been assessed but all costs upon any proceeding had thereon shall be paid by the said city including attorney fees to be fixed by the court on behalf of the owner or owners

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend page 58, by inserting a new section numbered Section 37, as follows:

"Section 37 That article fifteen, section one of said act which reads as follows:

"Section 1 Subject to the provisions of article six of this act, the council of each of said cities of the third class shall, on the first Monday of January, or as soon thereafter as may be conventiently done, elect one person resident of the city for at least five years previous to his election, a qualified elector thereof, and owner of real estate therein, at the time of his election and during the entire term of service, of the assessed value of at least five hundred dollars, as city assessor, to serve from the date of his election until the first Monday of January of the succeeding year. Council shall not permit any person elected assessor to enter upon the duties of said office, nor continue in office, when he does not have and possess all of the qualifications aforesaid; and for this purpose council shall have power, by a majority vote of all the members elected thereto, to declare the said office of assessor vacant at any time any person has not or ceases to have the qualifications aforesaid for the said office; and they may, thereupon, fill the vacancy thus occasioned, in the manner hereinafter provided for the filling of vacancies" be and the same is hereby amended to read as follows:

Section 1 The Council of each of said cities of the third class on the first Monday of January, one thousand nine hundred and eighteen, and on the first Monday of January in every fourth year thereafter, or as soon thereafter as may be conveniently done, shall elect one person, resident of the city for at least five years previous to his election, a qualified elector thereof, and owner of real estate therein, at the time of his election and during the entire term of service, of the assessed value of at least five hundred dollars, as city assessor, to serve for the term of four years from the first Monday of January in the year in which he is elected. Council shall not permit any person elected assessor to enter upon the duties of said office, nor continue in office, when he does not have and possess all of the qualifications aforesaid; and for this purpose council shall have power, by a majority vote of all the members elected thereto, to declare the said office of assessor vacant at any time any person has not or ceases to have the qualifications aforesaid for the said office; and they may, thereupon, fill the vacancy thus occasioned, in the manner hereinafter provided for the filling of vacancies.

Amend by renumbering the succeeding sections accordingly.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirty-eighth and thirty-ninth sections were separately read and agreed to as follows:

Section 38 That article fifteen section ten of said act which reads as follows

"Section 10 The said assessor shall complete his triennial assessment and the annual assessments in intervening years on or before the first day of September in each year and he shall have power to add to the duplicates in the hands of the city treasurer any subject of taxation therefrom and to rectify any and all errors and mistakes made therein" be and the same is herby amended to read as follows

Section 10 The said assessor shall complete his triennial assessment and the annual assessments in intervening years on or before the first day of September in each year and he shall have power with the approval of the board of revision and appeals to add to the duplicates of the city treasurer any subject of taxation omitted therefrom and to rectify any and all errors and mistakes made therein

Section 39 That article sixteen section one of said act which reads as follows

"Section 1 Subject to the provisions of article six of this act the council of each city of the third class shall on the first Monday of January succeeding their election or as soon thereafter as practicable elect by majority vote of said council a competent civil engineer who shall be styled the city engineer and shall serve for a term of two years from the date of his election and until his successor shall be duly qualified unless he shall sooner be removed from said office according to law" be and the same is hereby amended to read as follows

Section 1 Subject to the provisions of article six of this act the council of each city of the third class shall on the first Monday of May Anno Domini one thousand nine hundred eighteen and on the first Monday of May in every fourth year thereafter or as soon thereafter as practicable in each of said years elect by majority vote of said council a competent civil engineer who shall be styled the city engineer and shall serve for a term of four years from the said first Monday of May and until his successor shall be duly qualified unless he shall sooner be removed from said office according to law He shall give bond with surety in such sum as council may direct conditioned for the faithful performance of his duties Vacancies in said office shall be filled by council for the unexpired term

The fortieth section was read as follows:

Section 40 That article nineteen of said act which reads as follows

ARTICLE XIX

Section 1 Any proposed ordinance may be submitted to the council by a petition signed by the electors of any city of the third class of the Commonwealth of Pennsylvania Upon the written request of one hundred qualified electors directed to the city clerk asking that a petition be prepared he shall prepare such petition within ten days and in the meantime notice shall be given in one of the daily newspapers if one be published in the city and if not then in a weekly newspaper that such petition will be ready for signing at the expiration of ten days from the presentation of the aforesaid request This notice shall state the purpose for which the petition is made the place where and when it may be signed and ten days shall be allowed for signatures The singing shall be done in the city clerk's office only and the petition shall be retained there at all times during the period of ten days Each signer shall add to his signature his place of residence street and number and shall make oath before the city clerk that he is a qualified elector of the city and resides at the address given At the expiration of the ten days aforesaid and within ten days thereafter the city clerk shall examine such petition and from the voters registered ascertain whether or not said petition is signed by voters equal to twenty per centum of all votes cast for all candidates for mayor at the last preceding municipal election and if necessary the council shall allow him extra help for that purpose and he shall attach to said petition his certificate showing the result of said examination If by the clerk's certificate the petition is shown to contain less than twenty per centum as aforesaid it may be amended within ten days from the date of said certificate The clerk shall within ten days after such amendment make like examination and certification of the amended petition and if his certificate shall show the same to contain less than twenty per centum as aforesaid it shall be returned to the person filing the same without prejudice If the petition shall be certified to contain twenty per centum of said votes cast as aforesaid the clerk shall submit the same to the council without delay If the petition accompanying the proposed ordinance be signed by electors equal in number to twenty per centum of the votes cast for all candidates for mayor at the last preceding municipal election and contains a request that the said ordinance be submitted to a vote of the people if not passed by the council such council shall either

(a) Pass said ordinance without alteration within twenty days except as otherwise provided herein after attachment of the clerk's certificate to the accompanying petition or

(b) Forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency the council shall call a special election unless the general municipal election is fixed within ninety days thereafter and at such special or general election if one is so fixed such ordinance shall be submitted without alteration to the vote of the electors of the said city The ballots used when voting upon said ordinance shall be supplied by council and shall contain the words "For the ordinance" (stating the nature of proposed ordinance) and "Against the ordinance" (stating the nature of proposed ordinance If the majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof such ordinance shall thereupon become a valid and binding ordinance of said city Any ordinance which under the provisions of article nineteen or article twenty of this act is proposed by petition or which shall be adopted by a vote of the people cannot be repealed or amended within two years except by a vote of the people Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this section but there shall not be more than one special election in any period of six months for such purpose The council may submit a proposition for the repeal of any such ordinance or amendments thereto to be voted upon at any succeeding general city election and should such proposition so submitted receive a majority of the votes thereon at such election such ordinance shall thereby be repealed or amended accordingly Whenever any ordinance or proposition is required by this act to be submitted to the voters of the city at any election city clerks shall cause such ordinance or proposition to be published once in each of the daily newspapers published in said city such publication to be not more than twenty or less than five days before the submission of such proposition or ordinance to be voted on" be and the same is hereby amended to read as follows

ARTICLE XIX.

Section 1 Any proposed ordinance (except as hereinafter mentioned) may be submitted to the council by a petition signed by the electors of any city of the third class of the Commonwealth of Pennsylvania Upon the written request of one hundred qualified electors directed to the city clerk asking that a petition be prepared he shall prepare such petition within ten days and in the meantime notice by one insertion shall be given in one of the daily newspapers if one be published in the city and if not then in a weekly or daily newspaper published in the county in which said ctiy is situated that such petition will be ready for signing at the expiration of ten days from the presentation of said request This notice shall state the purpose for which the petition is made the place where and when it may be signed and ten days shall be allowed for signatures The signing shall be done in the city clerk's office only and the petition shall be retained there at all times during the period of ten days Each signer shall add to his signature his place of residence street and number and shall make oath before the city clerk that he is a qualified elector of the city and resides at the address given At the expiration of the ten days aforesaid and within ten days thereafter the city clerk shall examine such petition and from the voters resigtered ascertain whether or not said petition is signed by voters equal to twenty per centum of all votes cast for all candidates for mayor was elected and if necessary the council shall allow him extra help for that purpose and he shall attach to said petition his certificate showing the result of said examination If by the clerk's certificate the petition is shown to contain less than twenty per centum as aforesaid it may be amended within ten days from the date of said certificate The clerk shall within ten days after such amendment make like examination and certification of the amended petition and if his certificate shall show the same to contain less than twenty per centum as aforesaid it shall be returned to the person filing the same without prejudice If the petition shall be certified to contain twenty per centum of said votes cast as aforesaid the clerk shall submit the same to the council without delay If the petition accompanying the proposed ordinance be signed by electors equal in number to twenty per centum of the votes cast for all candidates for mayor at the last preceding municipal election at which a mayor was elected and contains a request that the said ordinance be submitted to a vote of the people if not passed by the council such council shall either

(a) Pass said ordinance without alteration within twenty days except as otherwise provided herein after attachment of the clerks certificate to the accompanying petition or

(b) Forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency the council shall call a special election unless the general or municipal election is fixed within ninety days thereafter and at such special election if one is so fixed or at the said general or municipal election such ordinance shall be submitted without alteration to the vote of the electors of the said city The ballots used when voting upon said ordinance shall be supplied by council and shall contain the words "For the ordinance" (stating the nature of proposed ordinance) and "Against the ornidance" (stating the nature of proposed ordinance) If the majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof such ordinance shall thereupon become a valid and binding ordinance of said city Any ordinance which under the provisions of Article Nineteen (XIX) or of Article Twenty (XX) of this act is proposed by petition or which shall be adopted by a vote of the people cannot be repealed or amended within two years except by a vote of the people Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this section but there shall not be more than one special election in any period of six months for such purpose The council may submit a proposition for the repeal of any such ordinance or amendments thereto to be voted upon at any succeeding municipal or general election and should be repealed or amended accordingly Whenever any ordi- such proposition so submitted receive a majority of the votes thereon at such election such ordinance shall thereby nance or proposition is required by this act to be submitted to the voters of the city at any election city clerks shall cause such ordinance or proposition to be published once in at least two of the newspapers published in said city and if two newspapers are not published in the city then in two newspapers published in the county such publication to be not less than five nor more than twenty days before the submission of such proposition or ordinance to be voted on

Section 2 That the provisions of the foregoing section shall not apply to or include any ordinance

(a) Relating to any matter subject or thing which is not the subject of a referendum vote as heineinafter provided

(b) To repeal amend or modify any ordinance which had been subject to the provisions of the refereundum as hereinafter provided

On the question,

Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 40, page 64, line 12, by striking out "residentce" and inserting in lieu thereof "residence."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The forty-first section was read as follows:

Section 41 That article twenty of said act which reads as follows

ARTICLE XX

Section 1 No ordinance passed by the council except when otherwise required by the general laws of the State or required or permitted by the provisions of this act and except ordinances for the immediate preservation of the public peace health or safety which contains a statement of their urgency shall go into effect before ten days from the time of its final passage and if during the said ten days from the time of its final passage a petition signed by electors of the city equal in number to at least twenty per centum of the entire votes of all candidates for mayor at the last preceding general municipal election at which a mayor was elected protesting against the passage of such ordinance be presented to the council the same shall thereupon be suspended from going into operation and it shall be the duty of the council to reconsider such ordinance and if the same is not entirely repealed the council shall submit the ordinance as is provided by subsection (b) of section one of article nineteen of this act to the vote of the electors of this city either at the general election or at a special municipal election to be called for that purpose and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof Said petition shall be prepared signed and perfected in all respects in accordance with the provisions of said section one of article nineteen and be examined and certified to by the clerk in all respects as therein provided And provided That the provisions of article nineteen and article twenty shall not become effective until January first nineteen hundred and fourteen nor apply to any tax levy nor to the annual appropriation ordinance nor to any ordinance providing for the exercise f the right of eminent domain And provided further That no franchise or consent to occupy the public streets highways or other places in any of said cities shall be given or granted to any person or persons railroad railway gas water electric light telegraph or telephone company or to any other public service corporation except by ordinance and no ordinance for such purpose shall go into effect for thirty days after its approval or for thirty days after the time it would otherwise have become a law If within said thirty days a petition prepared advertised and perfected in all respects complying with the provisions of article nineteen section one is addressed to the council signed by electors of the city equal in number to at least twenty per centum of the total number of registered voters as shown by the last preceding registration protesting against the passage of said ordinance the latter shall be suspended It shall be the duty of the city clerk within ten days after said petition is filed with him to examine and ascertain from the registry of votes whether or not said petition is signed by the requisite number of electors and if necessary the council shall allow the said clerk extra help for said purpose When the said clerk has made said examination he shall attach his certificate to said petition showing the result of his examination and if it shall appear that the petition has not the requisite number of electors as petitioners no further action shall be taken but this shall not prevent the filing of another petition in like manner within said thirty days and in case such petition is presented the same proceedings shall be had thereon as in the first petition If no petition having the twenty per centum of electors as hereinabove provided is presented or filed with the city clerk within said thirty days the said ordinance shall then go into immediate effect unless otherwise provided in the ordinance

In case the petition or petitions provided for in the preceding section be signed by the twenty per centum of the total number of regisered voters shown by the last preceding registration the council shall reconsider such ordinance and if the same is not entirely repealed the council shall call a special election unless the general or municipal election is to be held within ninety days therefrom in which latter case the question of reference shall be to the general or municipal election as the case may be At the special election if one is so fixed by the council or at the general or municipal election occurring within ninety days the said ordinance shall be submitted without alteration

When the submission is at a general or municipal election the city clerk shall certify to the county commissioners a copy of the ordniance and the proceedings of council directing the referendum vote and the county commissioners shall cause the proper ballot to be printed in the ballot sheet used at the said respective elections Where there is a special election the ballot shall be prepared and furnished by the city and said elections shall be held by the same officers who hold the general or municipal elections (as the case may be) and the expenses of said special elections shall be paid for by the city and said city may fix not only the day of election but

the time for opening and closing of the polls Any number of ordinances may be referred and voted on at the same election and there shall not be more than one special election every six months The ballot for each referendum shall be substantially in the following form

CITY ORDINANCE REFERENDUM

If you are for the ordinance mark an X opposite the word FOR if you are against the ordinance mark an X opposite the word AGAINST

Approval of the city ordinance (stating the purpose of said ordinance)

FOR	
AGAINST	

The officers holding said elections shall keep tally sheets and make returns of votes in the same manner as tally sheets are kept and returns made in the election of officers and the submission of other questions as now provided by law the said returns shall be filed with the prothonotary of the court of common pleas and the said court shall compute the returns and cause the result thereof to be filed in the said court and the said prothonotary shall certify the result to the council of the proper city In case of special elections the said prothonotary shall lay returns of elections before the said court at a meeting or session of the said court to be held on the Tuesday succeeding election for computation as aforesaid If it shall appear that more persons have voted for said ordinance than against it the ordinance shall take immediate effect the same as if it had been approved by the mayor and there had been no referendum vote thereon If the vote is against said ordinance it shall be lost and of no effect

Before any referendum election is held on any ordinance as hereinbefore provided it shall be the duty of the city clerk to publish or cause to be published a copy of the ordinance which is submitted to a vote of the people one insertion in at least two newspapers published in the respective city then in two newspapers are not published in the county if there be such said publication to be not less than five nor more than twenty days before the respective election and a copy of said publication duly veritfied by affidavit shall be filed by the city clerk in the prothonotary's office of said court with the result of the election as computed and filed by the court" be and the same is hereby amended to read as follows

ARTICLE XX

Section 1 No ordinance passed by the council except as hereinafter mentioned shall go into effect before ten (10) days from the time of its final passage and if during the said ten days from the time of its final passage a petition signed by electors of the city equal in number to at least twenty per centum of the entire vote of all candidates for mayor at the last preceding general municipal election at which a mayor was elected protesting against the passage of such ordinance be presented to the court the same shall thereupon be suspended from going into operation and it shall be the duty of the council to reconsider such ordinance and if the same is not entirely repealed the council shall submit the ordinance as is provided by sub-section (b) of section one of the preceding article of this act to the vote of the electors of the city either at the general or municipal election or a special election to be called for that purpose and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof Upon the written request of one hundred qualified electors directed to the city clerk asking that the petition hereinabove provided for be prepared he shall prepare such petition immediately and thereupon give notice by one insertion in one of the daily newspapers if one be published in the city and if not then in a weekly or daily newspaper published in the county that such petition is ready for signing and the purpose of the petition giving the place where and when it may be signed and the said signing shall be done in the city clerk's office only where the petition shall be retained during the period of ten days after the passage of the said ordinance

Each signer shall add to his signature his place of residence street and number and shall make oath before the city clerk that he is a qualified elector of the city and resides at the address given The city clerk shall keep his office open for the purpose of signatures to the initiative and referendum petitions from eight o'clock in the forenoon to twelve (noon) and from one o'clock in the afternoon to five o'clock in the afternoon of each day except Sundays and holidays and he shall not permit any person to sign any of the said petitions after five o'clock in the afternoon of the last day for signing the initiative nor after the tenth day following the passage of the ordinance on which the referendum vote is prayed for and at the expiration of said ten days the said petition in which a referendum vote is asked then in the hands of the city clerk shall be deemed and taken to be filed with and presented to the council and it shall be the duty of the city clerk to lay the same before the council at its first meeting thereafter After its presentation the city clerk shall ascertain from the voters registry whether or not said referendum petition is signed by voters equal to twenty per centum of all the votes cast for mayor at the last preceding municipal election at which a mayor was elected and if necessary the council shall allow him extra help for that purpose and after he has made said examination he shall report the result thereof to council

Section 2 No franchise or consent to occupy the public streets highways or other places in any city of the third class shall be given or granted to any person or persons railroad railway gas water light telephone or telegraph company or to any public service corporation except by ordinance and no ordinance for such purpose shall go into effect for thirty days after its final passage If within said thirty days a petition prepared advertised and perfected in all respects complying with the provisions of the preceding section of this article (except that the petitioners shall have thirty days in which to prepare said petition) is addressed to the council signed by registered electors of the city equal in number to at least twenty per centum of all the votes cast for mayor was elected protesting against the passage of said ordinance the latter shall be suspended and it shall be the duty of the city clerk to examine said petition and ascertain from the registry of voters whether or not said petition is signed by the required number of electors and if necessary the council shall allow the city clerk extra help for said purpose and upon such examination he shall report the result to council

Section 3 In case it shall appear that the petitions herein above provided for in sections one (1) and two (2) of this article have not been signed by the requisite number of voters no action shall be taken but the ordinances shall be deemed and taken to be in full force from the itme or times they each would have gone into effect had there been no petition against the same but in case the petition or petitions provided for in the preceding sections in this article be signed by electors equal to twenty per centum of all the votes cast for mayor as afore stated as shown by the last preceding registry the council shall reconsider such ordinance and if the same is not entirely repealed the council shall call a special election unless the general or municipal election is to be held within ninety days therefrom in which case the question of reference shall be to the general or municipal election as the case may be At the special election if one is so fixed by council or at the general or municipal election occurring within ninety days the said ordinance shall be submitted without alteration

Section 4 When the submission is at a general or municipal election the city clerk shall certify to the county commissioners a copy of the ordinance and the proceedings of council directing the referendum vote and the county commissioners shall cause the proper ballot to be printed in the ballot sheet used in the respective elections Where there is a special election the ballots shall be prepared and furnished by the city and said elections shall be held by the same officers who hold the general or municipal elections (as the case may be) and the expenses of said special elections shall be paid for by the city and said city may fix not only the day of the election but the time for opening and closing the polls Any number of ordinances may be referred to and voted on at the same election and there shall not be more than one special election every six months The ballot for each referendum shall be substantially in the following form

CITY ORDINANCE REFERENDUM

If you are for the ordinance mark an X opposite the word FOR if you are against the ordinance mark an X opposite the word AGAINST

Approval of the city ordinance (stating the purpose of said ordinance)

FOR	
AGAINST	

Section 5 The officers holding said elections shall keep tally sheets and make returns of votes in the same manner as tally sheets are kept and returns made in elections of officers and the submission of other questions as now provided by law The said returns shall be filed with the prothonotary of the court of common pleas and the said court shall compute the returns and cause the result thereof to be filed in said court to the council of the proper city In case of special elections the said prothonotary shall lay the returns of the election before the said court at a meeting or session of the said court to be held on the Tuesday succeeding the said election for computation as aforesaid If it shall appeal that more persons have voted for said ordinance than against it the ordinance shall take immediate effect the same as if it had been passed by the council and signed by the mayor and there had been no referendum vote thereon If the vote is against said ordinance it shall be lost and of no effect

Section 6 Before any referendum election is held on any ordinance as hereinbefore provided it shall be the duty of thecity clerk to publish or cause to be published a copy of the ordinance which is to be submitted to the vote of the people one insertion in at least two newspapers published in the respective city and if two newspapers are not published in the said city then in two newspapers published in the county if there be such publication to be not less than five nor more twenty days before the respective election and a copy of said publication duly verified by affidavit shall be filed by the city clerk in the prothonotary's office in said court with the result of the election as computed and filed by the court

Section 7 The provisions of this article with reference to referendum proceedings shall not apply to any ordinances passed for the following purposes namely

(a) Ordinances expressly required to be passed by the general laws of the State or by the provisions of any act of Assembly

(b) Ordinances providing for tax levies annual and other appropriations and for the exercise of the right of eminent domain

(c) Ordinances for the preservation of the public peace health morals safety and in the exercise of the police powers of the city government and for the prevention and abatement of nuisances

(d) Any ordinance providing for an election to increase indebtedness and any other ordinance which by law must be submitted to an election before it shall take effect

(e) Ordinances for the opening paving grading or other improvement of streets or highways when the improvement is petitioned for by a majority in number or interest of the abutting property owners

(f) Ordinances for the construction of sewers and for the purpose of keeping the streets highways and sidewalks in good order and repair and in as afe and passable condition

On the question,

Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 41, page 67, line 29, by striking out "this" and inserting in lieu thereof "the."

Amend section 41, page 70, line 1, by inserting "the" before "municipal."

Amend section 41, page 71, line 11, by inserting "the" before "returns."

Amend section 41, page 71, line 13, by inserting "said" before "election."

Amend section 41, page 73, line 5, by inserting "time" before "when."

Amend section 41, page 73, line 22, by striking out "adys" and inserting in lieu thereof "days."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to

The forty-second section was read as follows:

Section 42 That article twenty-one section four of said act which reads as follows

"Section 4 All acts of Assembly or parts of acts relating to cities of the third class not inconsistent with the provisions of this act shall be and remain in full force and all acts and parts of acts general special or local appertaining to the subject matter covered by this act so far as they are inconsistent with the provisions thereof be and the same are hereby repealed except that nothing in this act shall be interpreted to repeal abridge or in any way affect the provisions of an act approved the twenty-second day of April Anno Domini nineteen hundred and five entitled "An Act to preserve the purity of the waters of the State for the protection of the public health" be and the same is hereby amended to read as follows

Section 4 All acts of Assembly or parts of acts relating to cities of the third class not inconsistent with the provisions of this act shall be and remain in full force and all acts and parts of acts general special or local appertaining to the subject matter covered by this act so far as they are inconsistent with the provisions thereof be and the same are hereby repealed except that nothing in this act shall be interpreted to repeal abridge or in any way affect the provisions of an act approved the twenty-second day of April Anno Domini nineteen hundred and five entitled "An Act to preserve the purity of the waters of the State for the protection of the public health" or the provisions of an act approved the twenty-eighth day of April Anno Domini nineteen hundred and three entitled "An Act for the annexation of any city borough township or part of a township to a contiguous city and providing for the indebtedness of the same" and the amendments or supplements thereof

On the question,

Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Section 42, file folio 4091, line 27, after the word "thereof" insert the following: "or of the Public Service Company Law or amendments or supplements thereto."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to

The forty-third section and title were separately read and agreed to as follows:

Section 43 Any act or parts of any act inconsistent with the provisions of this act are hereby repealed

An Act to amend and revise an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day June Anno Domini one thousand nine hundred thirteen enlarging changing modifying and defining certain of the powers of cities of the third class.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 822, as follows

An Act making an appropriation to the Trustees of the State Hospital for the Insane at Warren Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars ($18,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the State Hospital for the Insane at Warren Pennsylvania the same being maintenance deficiency for the current fiscal year ending May thirty-first one thousand nine hundred seventeen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 841, as follows:

An Act to amend an act approved the eighth day of May one thousand nine hundred and nine entitled 'An Act to provide that admision now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself without more operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth and to provide that disbarment or suspension of any attorney by the said Supreme Court shall of itself without more operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred seventy-five) entitled "An Act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself without more operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth and to provide that disbarment or suspension of any attorney by the said Supreme Court shall of itself without more operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself without more operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth without any other or further action by such other courts or by such attorney" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself without more operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth without examination as to legal qualifications but subject to all rules and regulations of said courts relating to residence maintenance of office and moral character

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1539, as follows:

An Act appropriating and transferring to the Board of Commissions of Public Grounds and Buildings the unexpended portions of money heretofore appropriate by the act of June sixteen one thousand nine hundred and eleven (Pamphlet Laws one thousand and twenty-seven) entitled "An Act to provide within the following boundaries namely On the west by the present eastern line of Capital Park on the north by the southern line of North street on the east by the western line of the right of way of the Pennsylvania railroad company and on the south by the northern line of Walnut street for the extension of Capitol Park in the City of Harrisburg and for the acquiring taking and condemnation of the real estate in connection therewith and within said boundaries and for the demolition of the buildings and structures thereon and making an appropriation therefor and also for the expenses and cost in connection therewith' and designating the purpose for which such money shall be used

Whereas The act of Assembly approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and twenty-seven) entitled "An Act to provide within the following boundaries namely On the west by the present eastern line of Capitol Park on the north by the southern line of North street on the east by the western line of the right of way of the Pennsylvania Railroad company and on the south by the northern line of Walnut street for the extension of Capitol Park in the City of Harrisburg and for the acquiring taking and condemnation of the real estate in connection therewith and within said boundaries and for the demolition of the buildings and structures thereon and making an appropriation therefor and also for the expenses and cost in connection therewith" authorized the appointment of the Capitol Park Extension Commission and

Whereas By said act of Assembly the existence of said Capitol Park Extension Commission expires not later than the first day of June one thousand nine hundred and seventeen and

Whereas The said Capitol Park Extension Commission has performed the various duties as provided by said act of Assembly but by reason of certain litigation involving the title to properties taken over by said commission and by reason of certain other pending litigation involving the amount of damages to which certain owners of property in the Capitol Park Extension zone are entitled to it has been impossible for the said Capitol Park Extension Commission to completely perform all the duties imposed by said act of Assembly within the time limit therein prescribed therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all money heretofore appropriated by the act approved June sixteen one thousand nine hundred and eleven (Pamphlet Laws one thousand and twenty-seven) entitled "An Act to provide within the following boundaries namely On the west by the present eastern line of Capitol Park on the north by the southern line of North street on the east by the western line of the right of way of the Pennsylvania Railroad company and on the south by the northern line of Walnut street for the extension of Capitol Park in the City of Harrisburg and for the acquiring taking and condemnation of the real estate in connection therewith and within said boundaries and for the demolition of the buildings and structures thereon and making an appropriation therefor and also for the expenses and cost in connection therewith" and unexpended at the time this act becomes effective is hereby appropriated and transferred to the Board of Commissioners of Public Grounds and Buildings

Section 2 The money appropriated and transferred by this act shall be used for payment of the damages awarded to or sustained by individuals firms associations or corporations owning or leasing or otherwise interested in real estate the title to which real estate has already been acquired by the Commonwealth through the Capitol Park Extension Commission and for the costs expenses and compensation for which the Commonwealth may be liable and which may be incurred in any proceeding for ascertaining such damages

Section 3 The money hereby appropriated shall be paid by the State Treasurer on warrants of the Auditor General which warrants shall be based on itemized vouchers signed by the board

Section 4 This act shall become effective on June first one thousand nine hundred and seventeen

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1159, as follows:

An Act reappropriating and making available certain unexpended sums appropriated by the General Assembly of one thousand nine hundred and fifteen for the support and maintenance of the National Guard and Naval Militia for improvements at the Permanent Camp Ground at Mount Gretna Pennsylvania

Whereas Owing to the fact that the National Guard of Pennsylvania was called into the active service of the United States by order of the President dated June eighteenth one thousand nine hundred and sixteen thus rendering unnecessary the holding of an Annual Encampment in said year except for the Third Brigade and thus reducing expenditures made from the appropriation for the maintenance of the National Guard of Pennsylvania and the Naval Militia of Pennsylvania as per act of Assembly approved the eighteenth day of June one thousand nine hundred and fifteen making an appropriation for the support and maintenance of the National Guard and Naval Militia so that the sum of one hundred and sixty-five thousand dollars ($165,000) will remain unexpended from said appropriation therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and sixty-five thousand dollars ($165,000) or so much thereof as may be necessary (said sum of one hundred and sixty-five thousand dollars being part of the appropriation made for the support of the National Guard of Pennsylvania and Naval Militia of Pennsylvania for the two years beginning June first one thousand nine hundred and fifteen as per act of Assembly approved the eighteenth day of June one thousand nine hundred and fifteen) making an appropriation for the support and maintenance of the National Guard and Naval Militia be and the same is hereby specifically reappropriated and made available and the expenditure of said sum authorized in making improvements including building of roads installation of water and sewage systems clearing of land erection of storehouses and shelters and such other improvements as may be deemed necessary and proper at the Permanent Camp Ground owned by the Commonwealth of Pennsylvania at Mount Gretna Lebanon County Pennsylvania All payments from said funds and for purposes indicated to be made by the Adjutant General by warrant drawn upon the State Treasurer countersigned by the Auditor General and for which duly itemized vouchers shall be filed in the office of the Adjutant General

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1471, entitled

An Act to amend part of section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, (Pamphlet Laws 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commowealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships, or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of

materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendent of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid Highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated towns and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid Highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which reads as follows

"Route Three Hundred and Fifty-two A certain section of public road beginning at the Reformatory cross-roads in Smithfield on the west side of the Juniata River in Huntingdon County at a point on route number fifty-five thence up along the west side of the Juniata River to Neffs Bridge over the Frankstown branch of the Juniata River and the Little Juniata River to Petersburg thence up Shavers Creek following the waters of Shavers Creek by way of Wilsontown Neffs Mills Manor Hill Saulsburg McAlvey's Fort and Monroe Furnace to the dividing line between the counties of Huntingdon and Centre thence to a point on route number fifty-six at Pie Grove Mills thence over routes number fifty-six and twenty-seven into Bellefonte Center County" is hereby amended to read as follows

Route Three Hundred and Fifty-two A certain section of public road beginning at Alexandria Borough in Huntingdon County at a point on route number fifty-three thence in a northeasterly direction to the Borough of Petersburg thence up to Shavers Creek following the waters of Shavers Creek by way of Neffs Mills Manor Hill and Saulsburg to Ennisville thence over route number two hundred and sixty-one to McAlvey's Fort thence by way of Monroe Furnace to the dividing line between the Counties of Huntingdon and Centre thence to a point on route number fifty-six at Pine Grove Mills thence over routes number fifty-six and twenty-seven into Bellefonte Centre County

On the question,
Will the House agree to the section?

Mr. DELL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 3, line 4, by striking out the words "six of the act approved the thirty-" and the remainder of the title on pages 3, 4, and 5, and inserting in lieu thereof the following:

"one of an act approved the twenty-second day of July, one thousand nine hundred thirteen (P. L. 948), entitled, "An Act establishing certain public roads at State Highways, and providing for their construction and maintenance at the expense of the Commonwealth."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read as follows:

An Act to amend part of section six of an act approved the thirty-first day of May one thousand nine hundred eleven (Pamphlet Laws four hundred sixty-eight entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement and maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads foming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townshps desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

On the question,
Will the House agree to the title?

Mr. DELL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title by striking out the entire title on pages 1, 2 and 3, and inserting in lieu thereof the following:

"To amend part of section one of an act approved the twenty-second day of July, one thousand nine hundred thirteen (P. L. 948), entitled "An Act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 277, as follows:

An Act to amend section twenty-one of an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by an act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphelt Laws nine hundred three)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the twenty-first section of an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A further supplement to an act entitled 'An Act to provided revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by an act approved the twenty-second day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred and three) which reads as follows

"Section 21 That every corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section and it shall be the duty of the treasurer or other officers having charge of any such corporation joint stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the treasury of the Commonwealth within thirty day from the date of the settlement of the account by the Auditor General and the State Treasurer Provided That for the purposes of this act interest in limited partnerships or joint stock associations shall be deemed to be capital stock and taxable accordingly Provided also That corporations limited partnerships and joint stock associations liable to tax on capital stock under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals And provided further That the provisions of this section shall not apply to the taxation of the capital stock of corporations limited partnerships and joint stock associations organized for laundering or manufacturing purposes which is invested in and actually and exclusively employed in carrying on laundering or manufacturing within the State excepting companies engaged in the brewing or distilling of spirits or malt liquors and such as enjoy and exercise the right of eminent domain but every laundering or manufacturing corporation limited partnership or joint stock association shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to its laundering or manufacturing business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the laundering or manufacturing plant and business Provided further In case of fire and marine insurance companies the tax imposed by this section shall be at the rate of three mills upon each dollar of the actual value of the whole capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania" is hereby amended to read as follows

Section 21 That every corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section and it shall be the duty of the treasurer or other officers having charge of any such corporation joint stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the treasury of the Commonwealth within thirty days from the date of settlement of the account by the Auditor General and the State Treasurer Provided That for the purposes of this act interest in limited partnerships or joint stock associations shall be deemed to be capital stock and taxable accordingly Provided also That corporations limited partnerships and joint stock associations liable to tax on capital stock under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals And provided further That the provisions of this section shall not apply to the taxation of the capital stock of corporations limited partnerships and joint stock associations organized for laundering or manufacturing purposes which is invested in and actually and exclusively employed in carrying on laundering or manufacturing within the State excepting companies engaged in the brewing or distiling of spirits or malt liquors and such as enjoy and exercise the right of eminent domain but every laundering or manufacturing corporation limited partnership or joint stock association shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to its laundering or manufacturing business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the laundering or manufacturing plant and business Provided further In case of fire and marine insurance companies the tax imposed by this section shall be at the rate of three mills upon each dollar of the actual value of the whole capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 969, entitled

An Act to amend section one of an act approved the thirtieth day of May one thousand eight hundred ninety-three entitled "An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park and making an appropriation therefor" as amended by providing for the acquisition of additional land by the Valley Forge Park Commission.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the thirtieth day of May one thousand eight hundred ninety-three (Pamphlet Laws one hundred eighty-three) entitled "An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park and making an appropriation therefor" as amended by the act approved the seventh day of April one thousand nine hundred five (Pamphlet Laws one hundred seventeen) entitled "An Act amending the act entitled 'An Act amending the act entitled 'An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park and making an appropriation therefor' approved May thirtieth one thousand eight hundred and ninety-three providing for the acquisition of additional land and giving authority to the commissioners to deputize officers to maintain police regulation giving authority to said officers to make arrests et cetera' approved March nineteenth Anno Domini nineteen hundred and three providing for the acquisition of additional land by said Valley Forge Park Commission" which reads as follows

"That for the purpose of perpetuating and preserving the site on which the Continental Army under General George Washington was encamped in winter quarters at Valley Forge during the winter of one thousand seven hundred and seventy-seven and one thousand seven hundred and seventy-eight the title to and ownership in the ground covering said site including Fort Washington and Huntingdon and the entrenchments adjacent thereto and adjoining grounds in all not exceeding one thousand acres the location and boundaries thereof to be fixed by the commissioners hereafter mentioned shall be vested in the State of Pennsylvania to be laid out preserved and maintained forever as a public place or park by the name of Valley Forge so that the same and the fortifications thereon may be maintained as nearly as possible in their original condition as a military camp and may be preserved for the enjoyment of the people of the said State" is further amended to read as follows

That for the purpose of perpetuating and preserving the site on which the Continental Army under General George Washington was encamped in winter quarters at Valley Forge during the winter of one thousand seven hundred and seventy-seven and one thousand seven hundred and seventy-eight the title to and ownership in the ground covering said site including Forts Washington and Huntingdon and the entrenchments adjacent thereto and adjoining grounds in all not exceeding fifteen hundred acres the location and boundaries thereof to be fixed by the Commissioners of Valey Forge Park shall be vested in the

State of Pennsylvania to be laid out preserved and maintained forever as a public place or park by the name of Valley Forge so that the same and the fortifications thereon may be maintained as nearly as possible in their original condition as a military camp and may be preserved for the enjoyment of the people of the said State

On the question,
Will the House agree to the section?

Mr. STERN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 19, by striking out "Fort" and inserting "Forts."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read and agreed to as follows:

An Act to amend section one of an act approved the thirtieth day of May one thousand eight hundred ninety-three entitled "An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park and making an appropriation therefor" as amended by providing for the acquisition of additional land by the Valley Forge Park Commission.

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1381, as follows:

An Act validating certain borough ordinances providing for certain street improvements and the liens and bonds imposed and issued in pursuance thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all borough ordinances for the grading paving curbing macadamizing or otherwise improving the streets of such borough heretofore adopted and enacted under the provisions of the act approved the twelfth day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred eighty-eight) entitled "An Act empowering boroughs of this Commonwealth without petition of the property owners to grade pave curb macadamize and otherwise improve public streets or parts thereof and assess a portion of the cost of the same on the owners of property abutting thereon and providing for the collection of the same" when two-thirds of all the members of council of such borough voted in favor of such ordinance are hereby ratified confirmed and made valid notwithstanding that such ordinance was finally adopted and enacted in less than thirty days from the date of its introduction All municipal assessments made for improvements made pursuant to such ordinances and all municipal claims and liens filed thereon and all bonds issued to pay for the cost of such improvements under the provisions of the act approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred seventy-one) entitled "An Act providing a system whereby boroughs may build sewers grade sub-grade and pave streets and alleys pay the costs thereof by the issue of bonds and collect the same from the property benefited in instalments" and its amendments are hereby made valid

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1458, as follows:

An Act providing that public roads through Indian Reservations in the State of Pennsylvania shall be improved and maintained by the State Highway Department as a part of the system of State Highways

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That public roads and highways laid out and opened through Indian Reservations located within this Commonwealth shall be improved and maintained by the State Highway Department at the expense of the Commonwealth as a part of the system of State Highways

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 819, as follows:

An Act regulating the spreading upon the surface of the highways of the Commonwealth of Pennsylvania of oil tar asphaltum or any bituminous or similar material or combinations containing any such materials Restricting the spreading of same to one-half of such highway surface until the first portion spread shall become thoroughly dry or is covered as specified Providing that where certain materials so used must be covered with a top dressing as specified Providing for exceptions to certain provisions under conditions specified and further providing penalties for violations of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when any oil tar asphaltum bituminous or similar materials or any combination containing any such material which is a residue and not a distillate shall be placed upon any part of any highway located in any city borough incorporated town or township in this Commonwealth the same shall within forty-eight hours of the time such material shall have been spread upon any portion of such highway be covered with a top dressing of stone screenings gravel clear sand or other mineral matter to a depth of not less than one-half inch And be it provided that where any distillate having a specific gravity heavier than ninety-one one-hundredths (.91) at sixty degrees Fahrenheit temperature is used the same shall be covered with a top dressing as aforementioned

Section 2 No material such as described in the first section of this act shall be spread upon the full traveled surface of any public highway located in any city borough incorporated town or township in this Commonwealth at one time Such material may only be placed upon one-half of the surface of such highway lying to one side of the center of the same and the opposite side shall not be so treated until the material spread upon the first side shall have become sufficiently dry to prevent it adhering to or being lifted from the roadway by the wheels of vehicles Provided however That where the proper authorities so desire they may spread over the entire surface of any highway such material as specified in section one of this act provided that such highway shall first be closed for a period not exceeding five days and only in such cases where there is another highway open and convenient to travel located within one mile of the highway so closed And be it further provided that if at the end of five days any material is used which is not required by section one of this act to have a top dressing spread upon the same and the said material shall not be sufficiently dry to prevent its adhering to or being raised by the wheels of vehicles a top dressing as described in section one of this act shall be spread upon the surface of such highway before the expiration of the period for which such highway was closed And be it further provided that if rain shall occur during the aforementioned five days' period the said period shall be extended to the extent required to permit the proper drying out of the uncoated portion of the roadway

Section 3 Any person or persons violating any provision of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than fifty dollars nor more than two hundred dollars or imprisonment not exceeding three months or both at the discretion of the court

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1499, entitled

An Act granting power in certain cases to the Commonwealth of Pennsylvania or to any department thereof and to any municipal subdivision of the Commonwealth to purchase or condemn lands having thereon located road building material and to enter upon and cross private property and to locate and erect necessary machinery thereon and providing a method for the assessment of damages.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the

authority of the same That the word "person" as used in this act except when expressly otherwise indicated shall be taken to mean any individual partnership association corporation the Commonwealth of Pennsylvania or any Department of the Commonwealth and any municipal subdivision of the Commonwealth The words "municipal subdivision of the Commonwealth" The words "municipal subdivision of the Commonwealth" as used in this act shall mean any county city borough town or townships

On the question,
Will the House agree to the section?

Mr. RAMSEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 9, by striking out the words "The words municipal subdivision of the Common-"

Amend section 1, page 2, line 1, by striking out the word "wealth" at the beginning of line.

Amend section 1, page 2, line 3, by striking out "townships" and inserting in lieu thereof "township."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh sections and title were separately read and agreed to as follows:

Section 2 The Commonwealth of Pennsylvania or any department thereof and every municipal subdivision of the Commonwealth whenever charged with the grading paving macadamizing construction reconstruction maintenance improvement or repair of roads streets and highways shall have power to purchase or take by the right of eminent domain lands having thereon located stone gravel sand shale and any other suitable road building material in its natural state and land for use as a borrow pit and shall have the right to enter upon or cross any private property and to locate and erect all necessary machinery thereon for the purpose of securing such lands or materials

All lands condemned under the provisions of this act shall revert to the owners whenever the use thereof for the securing of road building materials shall have entirely ceased whether on account of the exhaustion of such material or otherwise

This section does not authorize the taking of any such road building material from any public property or cemetery or the curtilege to any dwelling house or farm buildings

Section 3 In case the damages for the taking of any such lands or road building material or for the entry upon any private property have not been agreed upon the court of common pleas of the proper county or any law judge thereof on application thereto by petition by any person interested shall appoint three viewers from the county board of viewers and shall appoint a time not less than thirty days thereafter when the viewers shall meet upon the premises affected of which meeting at least ten days' notice shall be given to all persons interested in such manner as the court shall direct

Section 4 The viewers having been sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the land and material shall hear all persons interested and their witnesses and shall determine the damages for the land and material taken and for the property injured or destroyed and to whom the same is payable

Section 5 The viewers or any two of them shall make report to court showing the damages allowed in each case and to whom the same are payable and when such report is filed notice thereof shall immediately be given to all persons interested in the manner hereinbefore provided in the case of the meeting of the viewers

Such notice shall state the date of the filing of the report and shall state that unless exceptions thereto be filed or an appeal be taken within thirty days from the date of filing the report will be confirmed absolutely

Section 6 When said report is filed the prothonotary shall mark the same confirmed nisi within thirty days after the filing of said report any person interested may file exceptions thereto and the court shall upon the hearing of such exceptions confirm modify or change the same or refer the report back to the same or to new viewers If no exceptions are filed or no appeal is taken as hereinafter provided within thirty days of the filing of such report the prothonotary shall mark the report confirmed absolutely

Section 7 The costs of the proceedings including the court costs and the compensation of the viewers shall be paid by the Commonwealth or by the municipal subdivision of the Commonwealth as the case may be Provided That in the case of any appeal for a jury trial under the provisions of this act if the appellant does not obtain a verdict more favorable than was the report of the viewers the appellant shall pay the costs of such appeal and provided also that in the case of any appeal to the Supreme or Superior Court the said court shall direct who shall pay the costs of such appeal

Section 8 Within thirty days after the filing of the report any person whose property is taken injured or destroyed may appeal to the court of common pleas and demand a jury trial The appeal shall state the grounds upon which it is taken and shall be signed by the appellant or by his attorney and shall be accompanied by an affidavit that the same is not taken for delay but because the appellant believes that injustice has been done

Section 9 From any final confirmation by the court after the filing of exceptions of from any final judgment after a trial by jury any person interested may appeal to the Superior or Supreme Court in the manner now provided by law

Section 10 If pending any proceedings under the provisions of this act it shall be made to appear by affidavit or otherwise to the satisfaction of the court that the title to the materials condemned or property injured or destroyed is disputed doubtful or defective or that any party in interest is absent covert not of full age or for any other cause incapable to act it shall be lawful for the court to make all needful orders to effect the purposes of this act and to direct the damages and costs to be paid into court for the benefit of the parties who may be found to be entitled thereto

Section 11 The amount of damages shall within thirty days after the same have been finally ascertained be paid by the Commonwealth or the municipal division thereof to the parties entitled thereto

An Act granting power in certain cases to the Commonwealth of Pennsylvania or to any department thereof and to any municipal subdivision of the Commonwealth to purchase or condemn lands having thereon located road building material and to enter upon and cross private property and to locate and erect necessary machinery thereon and providing a method for the assessment of damages.

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1456, as follows:

An Act to provide for the repair and maintenance or improvement by the proper township city or borough of turnpikes heretofore or hereafter appropriated or condemned or when any turnpike company or association has heretofore abandoned or may hereafter abandon its turnpike or any part thereof or when any turnpike company or association owning any turnpike has heretofore been dissolved or may hereafter be dissolved by proceedings under any existing laws of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when any turnpike or part thereof has been or may hereafter be appropriated or condemned for public use free of tolls under any existing laws and the assessment of damages therefor shall have been paid by the proper county or when any turnpike company or association has heretofore abandoned or may hereafter abandon its turnpike or any part thereof or when any turnpike company or association owning any turnpike has heretofore been dissolved or may hereafter be dissolved by proceedings under any existing laws of this Commonwealth such turnpike or part thereof shall be properly repaired and maintained at the expense of the township city or borough in which the said turnpike or part thereof lies or the same may be improved under any existing laws by the township city or borough

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SWARTZ. Mr. Speaker, upon the request of a number of persons, I move that House Bill No. 1456, File Folio 4143, which just passed on second reading, be recommitted to the Committee on Municipal Corporations for the purpose of a hearing.

Mr. ULSH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 790, as follows

An Act to amend section two of an act approved the fifteenth day of July one thousand eight hundred and ninety-seven entitled "An Act to provide revenue by taxation"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and ninety-two) entitled "An Act to provide revenue by taxation" which reads as follows

"Section 2 Companies organized and incorporated for the purpose of distilling liquors and selling the same at wholesale shall constitute a separate class for the purpose of taxation and every such corporation joint stock association limited partnership or company shall be subject to pay into the treasury of the Commonwealth annually a tax at the rate of ten mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred The Auditor General shall require said corporations to report to him annually all such facts as may be by him deemed necessary to arrive at the actual value of the capital stock of said corporation He is hereby authorized and required to send out blanks in proper form to secure such information as all other corporations are required by law to give the accounting officers in their annual reports so that the actual value of the capital stock may be ascertained" is hereby amended to read as follows

Section 2 Every corporation joint stock association limited partnership or company organized and incorporated for the purpose of distilling liquors and selling the same at wholesale shall be subject to pay into the treasury of the Commonwealth annually a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred The Auditor General shall require said corporations to report to him annually all such facts as may be by him deemed necessary to arrive at the actual value of the capital stock of said corporation He is hereby authorized and required to send out blanks in proper form to secure such information as all other corporations are required by law to give the accounting officers in their anual reports so that the actual value of the capital stock may be ascertained

Section 2 All acts and parts of acts inconsistent or supplied by this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1425, as follows

An Act to amend the act approved the sixteenth day of July one thousand nine hundred and thirteen entitled "A Supplement to an act entitled 'An Act providing for the incorporation and government of cities of the third class' approved the twenty-third day of May Anno Domini one thousand eight hundred eighty-nine creating a city planning department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city and for three miles beyond the city limits and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission" by extending the powers of the city planning commission imposing duties on certain borough and township officers extending the jurisdiction of the commission to six miles outside the city limits in certain cases restricting certain conveyances of land and imposing penalties for violation of certain provisions of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the sixteenth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and fifty-two) entitled "A Supplement to an act entitled 'An Act providing for the incorporation and government of cities of the third class' approved the twenty-third day of May Anno Domini one thousand eight hundred eighty-nine creating a city planning department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city and for three miles beyond the city limits and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an additional executive department in the government of cities of the third class is hereby created to be known as the Department of City Planning which shall be in charge of a city planning commission consisting of five persons to be appointed by the mayor and councils In the first instance one member of said commission shall be appointed for one year one member for two years one member for three years one member for four years and one member for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a casual vacancy shall be only for the unexpired portion of the term All members of the said commission shall reside within the zone of jurisdiction of said commission as hereinafter defined They may make and alter rules and regulations for their own organization and procedure consistent with the ordinances of the city and the laws of the Commonwealth They shall serve without compensation and make annually to the mayor and councils a report of their transactions They may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for through proper appropriation by councils" be amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an additional executive department in the government of cities of the third class is hereby created to be known as the Department of City Planning which shall be in charge of a city planning commission consisting of five persons to be appointed by the mayor and councils In the first instance one member of said commission shall be appointed for one year one member for two years one member for three years one member for four years and one member for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a casual vacancy shall be only for the unexpired portion of the term In the event of a vacancy or the expiration of a term of office the remaining members of the commission may file with the city council a list of five or more names From such the council may if it sees fit elect a member to fill such vacancy or expired term The council may name the commissioner of parks and public property as a member of the city planning commission either active or ex-officio All members of the said commission shall reside within the zone of jurisdiction of said commission as hereinafter defined They may make and alter rules and regulations for their own organization and procedure consistent with the ordinances of the city and the laws of the Commonwealth They shall serve without compensation and make annually to the mayor and councils a report of their transactions They may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for through proper appropriation by councils

Section 2 That section two of said act which reads as follows

"Section 2 The clerks of council shall upon introduction furnish to the city planning commission for its consideration a copy of all ordinances and bills and all amendments thereto relating to the location of any public building of the city and to the location extension widening narrowing enlargement ornamentation and parking of any street boulevard parkway park playground or other public ground and to the relocation vacation curtailment changes of use or any other alteration of the city plan with relation to any of the same and to the location of any bridge tunnel and subway or any surface underground or elevated railway The said commission shall have the power to disapprove any of the said ordinances bills or amendments which disapproval however must be communicated to councils in writing within ten days from the introduction of said ordinances but such disapproval shall not operate as a veto" be amended to read as follows

Section 2 The clerk of the city council and the clerks of all borough councils and all other legislative bodies within the jurisdiction of the city planning commission as hereinafter described shall upon introduction furnish to the city planning commission for its consideration a copy of all ordinances and bills and all amendments thereto relating to the location of any public bulidings and to the location extension widening narrowing enlargement ornamentation and parking of any street boulevard parkway park playground or other public ground and to the relocation vacation curtailment changes of use or any other alteration of the city borough or other municipal plan with relation to the same and to the location of any bridge tunnel and subway or any surface underground or elevated railway and to the location of any mausoleum cemetery or burying ground within the jurisdiction of said municipality

Any clerk of such city borough or other legislative body who refuses or neglects to file with the city planning commission a copy of any ordinance or bill as provided in this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than twenty-five dollars for the first offense and for each subsequent offense to pay a fine of not more than fifty dollars or to undergo a term of imprisonment in the county jail for not less than ten days nor more than thirty days or both at the discretion of the court The court of quarter sessions shall not approve the laying out opening widening or changing the location of any public road within the jurisdiction of the city planning commission until the same has been presented to the city planning commission for its approval or disapproval The said commission shall have power to disapprove any of said ordinances bills or amendments which disapproval however must be communicated to council or legislative bodies in writing within ten days from the day the ordinance was received by the commission but such disapproval shall not operate as a veto

Section 3 That section three of said act which reads as follows

"Section 3 The City Planning Commission may make or cause to be made and lay before councils and at its discre-

tion cause to be published maps of the city or any portion thereof including territory extending three miles beyond the city limits showing the streets and highways and other natural and artificial features and also locations proposed by it for any new public buildings civic centre street parkway park playground or any other public ground or public improvement or any widening extension or relocation of the same or any change in the city plan by it deemed advisable and it may make recommendations to councils from time to time concerning any such matters and things aforesaid for action by councils thereto and in so doing have regard for the present conditions and future needs and growth of the city and the distribution and relative location of all the principal and other streets and railways waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use" be amended to read as follows

Section 3 The City Planning Commission may make or cause to be made and lay before the city or any borough council or any legislative body within its jurisdiction as hereinafter described and at its discretion cause to be published maps of the city borough or township or any portion thereof including territory extending three miles beyond the city limits showing the streets and highways and other natural or artificial features and also locations proposed by the city planning commission for any new public roads civic centre streets parkway park playground or any other public ground or public improvements or any widening extension or relocation of the same or any change in the city borough or quasi-municipal plan by it deemed advisable The city planning commission may make recommendations to the councils of said municipalities from time to time concerning any such matters and things aforesaid for action by the councils or legislative bodies thereto and in so doing have regard for the present conditions and future needs and growth of the city and the distribution and relative location of the principal and other streets and railways waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use within the jurisdiction of the city planning commission

Section 4 That section five of said act which reads as follows

"Section 5 All plans plots or re-plots of lands laid out in building lots and the streets alleys or other portions of the same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto and located within the city limits or for a distance of three miles outside thereof shall be submitted to the city planning commission and approved by it before it shall be recorded And it shall be unlawful to receive or record such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the city planning commission The disapproval of any such plan by the city planning commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the city concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the city shall have made actual appropriation of the same by entry use or improvement No sewer water or gas-main or pipes or other improvements shall be voted or made within the area under the jurisdiction of said commission for the use of any such purchasers or owners nor shall any permit for connection with or other use of any such improvement existing or for any other reason made be given to any such purchasers or owners until such plan is so approved Where the jurisdictional limit of three miles outside of the city limits as provided in this section may conflict with the zone of similar character connected with another city of the third class the jurisdiction of said commission shall extend only to the point equidistant between the city limits and the limits of said municipality" be amended to read as follows

Section 5 All plans plots or re-plots of lands laid out in building lots and the streets alleys or other portions of the same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto and located within the city limits or for a distance of three miles outside thereof or for a distance of six miles if such lands are on or along any boulevard parkway or main artery of travel leading into or out of the city shall be submitted to the city planning commission and approved by it before it shall be recorded And it shall be unlawful to receive or record such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the city planning commission The disapproval of any such plan by the city planning commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the city concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the city shall have made actual appropriation of the same by entry use or improvement

No conveyance of land for residential purposes shall be made within the territory under the jurisdiction of the city planning commission in pursuance of a plotted plan hereafter made unless such plot has been approved by the commission and has been recorded It shall be unlawful to receive or record any deed of conveyance in any public office in violation herewith or any deed of conveyance of any lot or parcel of land conveyed for residential purposes within the area covered by a plot approved by the city planning commission and recorded unless it sets forth the name and page of the book in the recorder's office where such plot is recorded

Any recorder of deeds or city engineer who violates any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than twenty-five dollars for the first offense and for each subsequent offense to pay a fine of not more than fifty dollars or to undergo a term of imprisonment in the county jail for not less than ten days nor more than thirty days or both at the discretion of the court

No sewer water or gas-main or pipes or other improvement shall be voted or made within the area under the jurisdiction of said commission for the use of any such purchasers or owners nor shall any permit for connection with or other use of any such improvement existing or for any other reason made be given to any such purchasers or owners until such plan is so approved

The city council may upon the recommendation of the city planning commission establish a building line for any street of such city beyond which no building or part thereof shall thereafter be erected

Where the jurisdictional limit of three or six miles as the case may be outside of the city limits as provided in this section may conflict with the zone of similar character connected with another city of the third class the jurisdiction of said commission shall extend only to the point equidistant between the city limits and the limits of said municipality

Section 5 If any part of this act or the act to which this is an amendment is declared unconstitutional such decision shall not affect any of the remaining provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 684, entitled

An Act creating a Bureau of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties.

The first, second, third, fourth and fifth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that the State Highway Commissioner shall establish in the State Highway Department a Bureau of Township Highways which shall be in charge of one of the Deputy State Highway Commissioners to be designated by the State Highway Commissioner

Section 2 The State Highway Commissioner shall subject to the approval of the Governor appoint any additional clerks officers and employes that may be required to carry out the provisions of this act fix the rate of their salary which shall not exceed that paid other employes of the department for similar service and the amount of the bond if any they shall be required to give

Section 3 The salaries and expenses of all such employes shall be paid by the State Treasurer upon warrants of the Auditor General out of the moneys appropriated therefor in the same manner as the salaries and expenses of other officers and employes of the State Highway Department are paid

Section 4 The State Highway Commissioner may from time to time assign such clerks officers and employes of the State Highway Department to the work of the bureau as he may deem necessary

Section 5 The deputy or other officer in charge of the Bureau of Township Highways under the direction of the State Highway Commissioner shall

First Have general supervision of all township highways and bridges which are constructed improved or maintained in whole or in part by the aid of State moneys excepting State and State-aid Highways otherwise provided for and approve all agreements made by supervisors for the expenditure of moneys appropriated by the State or the township for road purposes

Second Prescribe rules and regulations not inconsistent with law fixing the duties of township officers in respect to all highways and bridges under his jurisdiction Such rules and regulations shall before taking effect be printed and transmitted to the highway officers affected thereby

Third Compel compliance with laws rules and regulations relating to such highways and bridges by highway officers and see that the same are carried into full force and effect

Fourth Compile statistics relating to such public highways throughout the State and collect traffic census data and such other information in regard thereto as he shall deem expedient

Fifth Prepare tables showing total number of miles of highways in the State by township and county and file a copy of the same in the office of the State Highway Commissioner

Sixth Make an annual report to the State Highway Commissioner for publication covering the work of his bureau the condition and needs of the township roads of the Commonwealth and containing such recommendations as he shall deem necessary for their further improvement Said report shall also contain a complete list of the employes in his department and the compensation paid to each which shall be published as a part of the State Highway Commissioner's report

Seventh Call such State county or township road meetings or conventions at such times and at such places as he shall deem wise and direct officers and employes of his department to attend assist in the formation of county associations of township officers and be represented at their conventions

Eighth Perform such other duties and have such other powers as may be conferred by law or imposed by the State Highway Commissioner

The sixth section was read as follows:

Section 6 The State Highway Commissioner shall divide the State into suitable districts and assign to each district a superintendent of highways provision for whom has already been made by existing laws Each such superintendent in addition to his other duties and subject to the rules and regulation of the State Highway Commissioner and for the purpose of ascertaining what townships shall be entitled to participate in moneys appropriated by the Commonwealth to assist in carrying out the provisions of this act shall

First Have the general charge of all townships highways and bridges within his district or county see that the same are improved repaired and maintained as provided by law and according to the rules and regulations of the State Highway Commissioner and have the general supervision of the work of constructing improving and repairing township bridges and highways in his district or county so far as it is practical to do so

Second Visit and inspect highways and bridges in each township of his district or county at least once in each year or whenever directed by the State Highway Commissioner and advise and direct how to repair maintain and improve such highways and bridges

Third Examine the various formations and deposits of gravel and stone in his district or county for the purpose of ascertaining the materials which are best available and suitable for the improvement of highways therein and when requested by the State Highway Commissioner submit samples if such formations and deposits and make a written report in respect thereto

Fourth Approve plans and specifications and estimates for the erection and repair of township bridges and culverts and the construction and maintenance of township highways Except in case of emergency he shall not approve of plans or specifications for the construction or repair of any township bridge or culvert to be constructed of concrete stone or iron unless such plans and specifications are in accordance with standards which the State Highway Commissioner is hereby directed to prepare or have been submitted to and approved by the State Highway Commissioner through the superintendent in charge of such county or district No contract for the repair or construction of any township bridge or culvert shall be valid unless such contract is in accordance with standard plans prescribed or unless the plans specifications and estimates have been prepared or approved by the State Highway Commissioner.

Fifth Approve all contracts for the purhase by townships of the second class of power-rollers traction-engines stone-crushers concrete-mixers and road machines for grading or scraping

Sixth Report to the State Highway Commissioner annually on or before December first in each year in relation to the township highways and bridges in his district or county which report shall contain such matter and in such form as may be prescribed by the State Highway Commissioner Additional reports shall be made from time to time when required by the State Highway Commissioner

Seventh Attend any meeting or convention when directed to do so by the State Highway Commissioner Whenever a public meeting for a county or district shall have been called by the State Highway Commissioner he shall cause due notice to be mailed to each township supervisor or commissioner and such others as shall be directed by the State Highway Commissioner

Eighth Perform such other duties as may be prescribed by law or the rules and regulations of the State Highway Commissioner

On the question,

Will the House agree to the section?

Mr. SIGGINS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 6, page 4, line 9, by striking out "regulation" and inserting in lieu thereof "regulations."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh, eighth, ninth, tenth, eleventh and twelfth sections were separately read and agreed to as follows:

Section 7 Each township of the second class shall receive annually from the State fifty per centum of the total amount of road tax collected by such township as shown by the sworn statement of the board of township supervisors contained in the annual report furnished to the State Highway Commissioner on or before the first day of January in each year but no township shall receive in any one year more than twenty dollars for each mile of township road in said township Such distribution shall be made on a basis of an average amount to each mile of township road

Section 8 Upon receipt of the sworn statement from the board of township supervisors the State Highway Commissioner shall certify to the Auditor General the amount due the respective townships and he shall draw a warrant upon the State Treasurer for the payment of the amount due said township under the provisions of this section to the treasurer of the board of township supervisors which shall be paid out of the money appropriated for that purpose No such payment shall be made until such treasurer has filed with the State Highway Commissioner a certified copy of the bond given by him as provided by law nor until the agreement for the expenditure of such State money together with the township's money has been made and approved as provided for in this act

Section 9 The State Highway Commissioner shall furnish from time to time bulletins of instruction to each board of township supervisors for the building repairing and maintenance and improvement of township roads and bridges and shall furnish any additional information when called upon to do so The State Highway Commissioner shall also furnish from time to time free of charge standards plans and specifications for permanent improvements in the building of bridges and culverts establishing of grades proper drainage and such other matters as he may deem essential

Section 10 The State Highway Department shall furnish blanks to the supervisors in which said supervisors or a majority of them shall make a sworn statement that the money has been expended in building repairing maintaining dragging and improving the township roads according to the instructions standards and specifications or the rules and regulations prescribed by the State Highway Department so far as the available funds and local conditions make is possible Upon the neglect or refusal of the supervisors of any township to carry out the instructions rules and regulations of the State Highway Commissioner then the State Highway Commissioner may withhold from such township so neglecting or refusing the amount to which it would be entitled for the year in which said neglect or refusal occurred

Section 11 The State Highway Commissioner shall supply the necessary books blanks and forms and shall prescribe the method of keeping township accounts of moneys received and expended for highways machinery bridges tools and implements and for miscellaneous purposes which shall be uniform through the State so far as practicable The State Highway Commissioner may at any time cause an examination of all such accounts and records to be made The State Highway Commissioner shall forward to the boards of supervisors by December first of each year all supplies necessary for the proper conduct of the affairs of the township which shall include blanks for yearly reports of supervisors to the State Highway Commissioner blanks for agreements entered into by supervisors for the expenditure of State and township moneys forms for monthly reports by township superintendents and roadmasters to supervisors and orders for the payment of moneys by township treasurers

Section 12 The clerk of the court of quarter sessions in each county shall not later than the twentieth day of November following every municipal election certify to the State Highway Commissioner the names and post office addresses of all supervisors and commissioners of the townships in said county The failure or neglect of any clerk of court to furnish such list shall be deemed a misdemeanor Upon conviction any such clerk shall be punished by fine of not more than fifty dollars

The thirteenth section was read as follows:

Section 13 If any superintendent of highways shall violate any of the provisions of this act other than those otherwise provided for or shall fail or neglect or refuse to carry out the provisions of the same he shall be guilty of a misdemeanor Upon conviction before a justice of the peace magistrate or alderman he shall be sentenced to pay a fine of not more than fifty dollars ($50) to be collected in the name of the township as other debts of like amount All such fines when collected shall be paid to township treasurer for the use of the road fund

On the question,

Will the House agree to the section?

Mr. SIGGINS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 13, page 9, line 19, by inserting "the" before "township."

On the question
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The fourteenth section was read as follows:

Section 14 It shall be unlawful for any superintendent of highways to be interested either directly or indirectly in any purchase made or contract relating to roads and bridges except as provided for in this act or to furnish any materials therefor Any superintendent knowingly violating the provisions of this section shall be guilty of a misdemeanor Upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to be imprisoned for a term not exceeding six months or both

On the question
Will the House agree to the section?
Mr. SIGGINS. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend section 14, page 9, line 27, by inserting "he" before "shall."
Amend section 14, page 10, line 1, by striking out "to" after "or."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The fifteenth section and title were separately read and agreed to as follows:

Section 15 The following acts of Assembly are hereby repealed as respectively indicated
Sections one two and three absolutely and sections four to twenty-one both inclusive so far as they relate to the State Highway Department and confer any powers or impose any duties upon officers and employes of the State Highway Department of clerks of the Courts of Quarter Sessions of an act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred fifteen) entitled "An Act relating to roads providing for the supervision construction maintenance and repair of township roads relating to road tax and providing penalties for violation thereof" and
An Act approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred forty-seven) entitled "An Act to amend sections five nine and fifteen of an act approved the twenty-second day of July one thousand nine hundred and thirteen entitled 'An Act relating to roads providing for the supervision construction maintenace ad repair of township roads relating to road tax and providing penalties for the violation thereof'" so far as the same confers any powers or imposes any duties upon the State Highway Department or any of the officers or employes thereof and
Section five of an act approved the eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred fifty-nine) entitled "An Act providing for an association of township supervisors and commissioners in the several counties of the State and providing for the expenses of such associations" absolutely
All other acts or parts of acts inconsistent herewith are hereby repealed
An Act creating a Bureau of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 76, as follows

An Act validating municipal liens filed by boroughs for paving and curbing the public highways thereof
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in any borough in this Commonwealth prior to the passage of this act a highway or part thereof has been improved by being paved or paved and curbed with brick or other paving and curbing material in pursuance of authority of an act of Assembly and an ordinance legally passed and enacted and the costs and expenses or part thereof of the improvement assessed on the abutting property owner as provided by ordinance and act of Assembly authorizing and directing such improvement and a municipal lien has been filed against the property owner thereof but by reason of failure to serve the notice thereof upon the property owner as required by law and faiure or ommission to secure a waiver of such notice from the property holder the municipal lien filed therefor is defective or invalid—such lien is hereby declared valid and made binding for the amount justly and equitably due and payable on account of such paving and curbing provided that where a writ of scire facias has been heretofore issued upon such lien and duly served such service shall be deemed a sufficient notice to the property owner and no further notice of such assessment and claim shall be required in which event the interest on the amount appearing to be due on said lien or claim shall be computed only from the time of the proper and lawful service of such writ Provided also That in the event no writ of scire facias has been issued and duly served the claimant may within sixty (60) days after the approval of this act properly serve notice of such claim and assessment on the property owner as required by law in which event interest on the amount appearing to be due on said lien or claim shall be computed only from the time of proper and legal service of notice on the property owner as required by law

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1545 (Senate Bill No. 789), entitled

An Act validating divorces granted on the ground of hopeless insanity of the respondent under the provisions of an act approved the eighteenth day of April, nineteen hundred and five, entitled "An Act to amend section eight of the act approved the thirteenth day of April, eighteen hundred and forty-three, entitled 'An Act to convey certain real estate and for other purposes,' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis, and to further regulate the procedure in action for divorce."

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1227 (Senate Bill No. 513), entitled

An Act regulating the collection of county taxes in counties containing over one hundred thirty-five thousand and less than one hundred fifty thousand inhabitants creating the office of receiver of taxes in such counties and prescribing the powers and duties of said office.

And said bill having been read at length the second time,
On the question,
Will the House agree to the bill on second reading?
Mr. LANIUS. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties and Townships for the purpose of amendment.
Mr. BARNETT. Mr. Speaker, I second the motion.
On the question,
Will the House agree to the motion?
Mr. SWARTZ. Mr. Speaker and members of the House, I hope that you will vote against this motion. This bill has been fairly aired and heard over and over again and I think all the members understand it. It simply affects York county and Dauphin county. We had a hearing on the bill and the bill was held up for three or four weeks in committee. The commissioners of York county were here and had a full hearing on this bill and it was reported out and I think you should vote against this motion.
Mr. LANIUS. Mr. Speaker and gentlemen of the House, my reason for moving to recommit this bill for the purpose of amendment is because Mr. Siggins, of Warren County, has a similar bill in this House and his bill applies to counties of one hundred thousand and all under one hun-

dred and fifty thousand population; and I thought, inasmuch as the two bills were similar, the one calling for populations of one hundred and thirty-five thousand to one hundred and fifty thousand and that of the gentleman from Warren applying to all under one hundred and fifty thousand, it might be well to have these two bills merged. I think the bill is a good one and if it applies to two or three counties maybe it could be made to apply to more counties and be all the more valuable bill. I assure you I was sincere in making my motion for the reasons I have given you.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Will the House agree to the bill on second reading?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1636 (Senate Bill No. 864), entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1560 (Senate Bill No. 745), entitled

An Act to validate affidavits acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1556 (Senate Bill No. 797), as follows:

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million five hundred thousand

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the fees to be paid to and received and charged by the several clerks of the courts of oyer and terminer and general jail delivery and quarter sessions of the peace of this Commonwealth shall be as follows

Appeals from aldermen justices of the peace or magistrates one dollar and fifty cents

Affidavits and seal each twenty-five cents

Attachment and seal two dollars

Administering oath other than upon trial of cause and seal fifty cents

Bail piece one dollar and fifty cents

Bail bond one dollar

Bail bond justification of one dollar

Bail notices each fifteen cents

Bench warrant and seal two dollars

Bonds for constables and tax collectors one dollar

Commitment to any State penitentiary fifty cents

Commitment to county prison fifty cents

Commitment to house of refuge fifty cents

Commitment to insane hospital fifty cents

Certificate of election of constable et cetera one dollar

Certificate and seal fifty cents

Certificate of acknowledgment and seal fifty cents

Certificate for Fairmount Park Commissioners in duplicate two dollars

Certificate of city treasurer one dollar and twenty-five cents

Certificate for payment of jurors fifty cents

Certificate for payment of road jurors fifty cents

Certificate to sheriff to draw jurors two dollars

Certificate to sheriff to draw grand jurors two dollars

Certificate to sheriff to draw special venire and return thereto five dollars

Certificate of official capacity under seal one dollar

Certificate to police department upon return of stolen property each twenty-five cents

Certificate where judge acts as committing magistrate affidavits warrants and service three dollars and fifty cents

Certificate and seal of ignored bill seventy-five cents

Certificates and seal in breach of peace seventy-five cents

Certificate and seal in apprentices seventy-five cents

Certificate and seal in reconsideration of sentence seventy-five cents

Certificate to Bureau of Charities and Correction of court order of non-support and seal one dollar

Certificate of probation one dollar

Certificate to Director of Public Safety upon application for detective license one dollar

Certificate to county commissioners of elective election officers each name twenty-five cents

Certificate to county commissioners (witness fees) and seal each twenty-five cents

Commission on lunacy swearing commission filing and recording three dollars and fifty cents

Commission on lunacy swearing commission filing and all other papers filed in any case per page twenty cents

Certified copy bill of indictment not exceeding two (2) pages two dollars

Each additional page fifty cents

Certified copy of record docket entry not exceeding one (1) page one dollar

Each additional page fifty cents

Certified copy docket entry in road cases not exceeding one (1) page one dollar

Each additional page fifty cents

Certified copy notes of testimony charge of court and all other pages filed in any case per page twenty cents

Citation and seal one dollar

Constable's return on liquor licenses and seal one dollar and fifty cents

Dog register and seal one dollar and fifty cents

Declaration to become a citizen and seal one dollar

Discharge on ignored bill and seal seventy-five cents

Discharge on bail entered seventy-five cents

Discharge of prisoner from dock seventy-five cents

Exemplication of record bill of indictment not exceeding two (2) pages two dollars

Each additional page fifty cents

Exemplication of record docket entry not exceeding one (1) page one dollar

Each additional page fifty cents

Exemplification of certificate and seals one dollar and twenty-five cents

Entering satisfaction of judgment fifty cents

Entering judgment on bond or recognizance upon confession for want of affidavit of defence or upon verdict or demurrer one dollar and twenty-five cents

Entering judgment on bond or recognizance upon motion for want of a sufficient affidavit of defence two dollars

Entering revival of judgment by agreement one dollar and twenty-five cents

Filing and entering motion and reason for new trial seventy-five cents

Filing and entering motion in arrest of judgment seventy-five cents

Filing and entering reconsideration of sentence seventy-five cents

Filing and entering bond or recognizance from magistrate seventy-five cents

Filing and entering expense account of candidate for nomination and election to public office under fifty dollars (50) one dollar

Filing and entering expense account of candidate for nomination and election to public office over fifty dollars (50) two dollars

Filing and entering expense account of ward and county committees three dollars

Filing an entering magistrate's return seventy-five cents

Filing and entering coroner's return each seventy-five cents

Filing and entering petitions for appointment of auditors or examiners et cetera one dollar

Filing and entering auditor's or examiner's reports per page twenty cents

Filing and entering petitions and papers not otherwise provided for first page fifty cents

Each additional page twenty cents

Filing petition for change of polling place two dollars

Filing and entering of plea autrefois convict fifty cents

Filing and entering of plea antrefois acquit fifty cents

Filing and entering plea of nolo contendre fifty cents

Filing and entering nolle prosequi ten dollars

Filing and entering docket entries true bill three dollars

Filing and entering docket entries ignored bill two dollars

Filing and entering opinion of court of common pleas Superior Court or Supreme Court one dollar

Filing and entering opinion of court of oyer and terminer or quarter sessions one dollar

Filing and entering certiorari or appeal to Superior or Supreme Court three dollars
Filing and entering remittitur from Superior or Supreme Court two dollars
Filing and entering motions orders appeals or decrees to or from courts not herein provided for two dollars
Filing and entering bill of exceptions three dollars
Filing and entering certificate from city controller upon loan bill five dollars
Filing and entering return of election upon the question of increase of indebtedness for each return twenty-five cents
Filing and entering certified copy of ordinance of councils upon loan bill three dollars
Filing and entering answer to writ of habeas corpus fifty cents
Filing and entering answer to warrant of seizure fifty cents
Filing and entering answer to rules in non-support cases fifty cents
Filing and entering traverse fifty cents
Filing and entering rule for bill of particulars fifty cents
Filing and entering bill of particulars fifty cents
Filing and entering exceptions to bill of particulars fifty cents
Filing petition for division of election districts townships boroughs wards et cetera two dollars
Filing report on same one dollar
Annexation and incorporation of each two dollars
Recording proceedings on above each one hundred words fifty cents
Filing bond and justification upon peddlers junk dealers and itinerant venders' license two dollars and fifty cents
Filing and issuing summons or recognizance seventy-five cents
Filing and entering appearance upon suit on recognizance fifty cents
Filing and entering affidavit of defence seventy-five cents
Filing and indexing in card index record of commitment to any State Penitentiary each twenty-five cents
Filing plans in road cases one dollar
Filing order of satisfaction in road cases twenty-five cents
Filing appeals in road cases seventy-five cents
Filing and entering reports in roads cases five dollars
Filing motion to quash indictment fifty cents
Filing and entering pleas not otherwise provided for each defendant twenty-five cents
Filing and issuing fieri facias sur debt seventy-five cents
Indexing judgments fines et cetera on judgment index each twenty-five cents
Joinder in issue each defendant twenty-five cents
Jury fee in each case four dollars
Jurors defaulting issuing notices to one dollar and fifty cents
Liquor license filing application for affidavit and seal five dollars and fifty cents
Liquor license filing interrogatories in application for and seal fifty cents
Liquor license filing bond justification of bond certificate to city treasurer receipt of city treasurer constable's fees certificate and seal frame and glass six dollars and seventy-five cents
Liquor license transfer of filing and justification of bond constable's fee et cetera five dollars and fifty cents
Liquor license filing petition for revocation of one dollar
Monthly return to State Board of Charities to be paid by county five dollars
Mandamus and seal four dollars and twenty-five cents
Motions and rules not otherwise herein provided for each fifty cents
Naturalization certificate duplicate copy of each two dollars and twenty-five cents
Naturalization certificate issuing of four dollars
Non-support cases record of three dollars
Non-support cases all services not otherwise provided for two dollars
Order of court in non-support cases and seal fifty cents
Order of court in juvenile cases and seal fifty cents
Petition and order for a view or review of a road street or bridge case filing report recording et cetera fifteen dollars
Petition filing of and docketing habitual drunkard proceedings and court orders thereon two dollars
Petition filing of feeble-minded person one dollar
Petition filing of insane person one dollar
Petition filing of insane criminal one dollar
Petition filing for writ of habeas corpus two dollars
Release from any institution by order of court fifty cents
Recognizance calling and entering forfeiture of fifty cents
Recognizance remitting or discharging and motion therefor fifty cents
Recognizance taking each one dollar
Return to writ of error or certiorari one dollar
Receiving and entering constable's return fifty cents
Record of paper filed for every ten words five cents
Recording election returns for each election district except upon increase of indebtedness two dollars and fifty cents
Recording court orders on petitions each fifty cents
Recording bonded indebtedness issues each one hundred words fifty cents
Road viewers filing and entering report of five dollars
Search judgment single name forty cents
Search judgment extra names each twenty cents
Subpoena and seal twenty-five cents
Service of clerk where true bill is found in cases of felony four dollars
Services of clerk where bill is returned ignoramus two dollars
Services of clerk where true bill is found in all other cases three dollars
Scire facias sur-bond three dollars
Scire facias to revive judgment seventy-five cents
Summons on recognizance issuing and entering of seventy-five cents
Seizure warrant of proceedings thereon one dollars
Seal in every case not otherwise provided for twenty-five cents
Supreme Court appeals to one dollar and fifty cents
Supreme Court on warrant of seizure one dollar and fifty cents
Supreme Court return to writ of error one dollar
Superior Court entering appeals to one dollar and fifty cents
Superior Court on warrant of seizure one dollar and fifty cents
Superior Court return to writ of error one dollar
Swearing grand jury two dollars
Swearing petit jury in each case one dollar
Transcript of judgment from document to judgment index filing and entering of each twenty-five cents
Taxing bills of costs one dollar
Venire for grand jury one dollar
Venire to draw special jury two dollars and fifty cents
Venire for petit jury one dollar
Venditioni exponas issuing writ of seventy-five cents
Withdrawal of pleas entered each twenty-five cents

The fee for services not herein specially provided for shall be the same as for similar service in other cases Provided however That the provisions of this act shall not apply to counties having a population of less than one million five hundred thousand as computed by the last preceding United States census

Section 2 All fees for services performed for the county shall be charged against the county and in all cases where services are rendered for an individual or corporation the proper fee shall be received and collected from that person or persons or corporation for whom the services are rendered

Section 3 All laws or parts of laws general local and special inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 196, as follows:

An Act making an appropriation for the purpose of reimbursing counties for monies advanced to incorporated county agricultural associations and for reimbursing incorporated county agricultural associations for premiums paid on exhibits

Whereas By the act approved theeighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand and thirty-five) entitled "An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" it is provided that in counties having one incorpjorated county agricultural association conforming to the requirements of the act such association shall be entitled to receive from the Commonwealth an annual sum not exceeding two thousand dollars equal to the amount paid by such association as premium for exhibits at its annual exhibition exclusive of premiums paid on trials of speed and in all counties where there is more than one such association the said association shall be entitled to receive from the Commonwealth a sum not exceeding in the aggregate four thousand dollars to be apportioned by the county commissioners among such associations according to the amount of premiums paid for exhibits by such associations exclusive of premiums for trials of speed and

Whereas By section six of said act it is provided that payments to such incorporated county agricultural association shall be made by the county commissioners on or before the fifteenth day of December in the year in which the exhibition is held and upon the filing with the Auditor General of the Commonwealth on or before December fifteenth of each year of the certificate of the county treasurer of the respective counties showing the amount of money paid and to whom the Auditor General sahll issue his warrant for the amount so paid directing the State Treasurer to pay into the treasury of the said counties the amount so paid and

Whereas In the case of Lycoming County Fair Association v. Lycoming County" reported in Volume 44 Pa. C. C. page 280 it was held that this act of one thousand nine hundred fifteen was unconstitutional because there was not appropriated by the General Assembly of the session of one thousand nine hundred fifteen money sufficient to reimburse the several counties for the money advanced to associations entitled to receive the benefits of said act and that therefore the county might become liable for a part of said charge and that there was no notice in the title of the said act that such a charge might be imposed upon the county and

Whereas Subsequent to the decision of the court in the above stated case the Auditor General and State Treasurer ceased payment of said money to the several counties and

Whereas The said association relying uponthe good faith of the Commonwealth in making said appropriations are entitled to be reimbursed for the premiums paid for the exhibits and said money is really due to said associations therefore.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the unexpended balance appropriated under the provisions of an act approved the eighteenth day of June one thousand nine hundred fifteen (Pamphlet Laws one thousand and thirty-five) entitled "An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" and now in the treasury of the Commonwealth together with the further sum of fifty thousand ($50,000) dollars is hereby specifically appropriated for the purpose of reimbursing the several counties which have advanced monies to incorporated county agricultural associations and for the purpose of reimbursing incorporated county agricultural associations for two fiscal years beginning June first one thousand nine hundred fifteen for premiums paid for exhibits at their annual exhibitions exclusive of premiums on trials of speed in accordance with the provisions of said act

Section 2 The Auditor General is hereby directed to draw his warrant upon the State Treasurer for the purpose of reimbursing the several counties which in accordance with the provisions of said act of one thousand nine hundred fifteen have paid any monies to any such incorporated county agricultural association during the years one thousand nine hundred fifteen and one thousand nine hundred sixteen and have filed a certificate thereof with the Auditor General showing the amount paid and to whom Upon the filing with the Auditor General of any claims by any such incorporated county agricultural associations under oath showing the amount paid for premiums on exhibits during the years one thousand nine hundred fifteen and one thousand nine hundred sixteen and stating further that such association has not been reimbursed by the county as provided by said act of one thousand nine hundred fifteen the Auditor General is directed to draw his warrant on the State Treasurer in favor of such incorporated county agricultural associations for the amount so paid not exceeding in any case however the amount provided for by the said act of June eighteenth one thousand nine hundred fifteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1565 (Senate Bill No. 216), entitled

An Act relating to the salaries and expenses of the examiners in the Department of Banking.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1562 (Senate Bill No. 670), as follows:

An Act to increase the powers of courts in proceedings for desertion and non-support of wives children or aged parents and in proceedings for failure to comply with orders of court in fornication and bastardy proceedings or other proceedings for the support of illegitimate children directing that imprisonment in such cases be at hard labor in such institution as the court shall name providing for the payment by such institution or in certain cases by the county from which the defendant was committed of the sum of sixty-five cents per day, to be paid to the person designated by the order of the court providing for the issuance of attachments and for the disbursement of moneys collected on forfeiture of bonds bail bonds or recognizances and providing for the payment by the county of the expenses incident to carrying out the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in any proceedings brought against any man wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children or in any proceedings where any father of an illegitimate child has neglected to comply with the order of court made against him in fornication and bastardy proceedings or in any other proceedings for the support of such child for the payment to the mother of expenses incurred at the birth of the child or in any proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves the court having jurisdiction shall commit the defendant to imprisonment for want of a bond with security or otherwise the court may order the defendant to be imprisoned at hard labor under existing laws or laws that may hereafter be passed in such penal or reformatory institution in this Commonwealth as the court shall direct or the court may discharge a defendant upon his own recognizance in the custody of a desertion probation officer or other person subject to such conditions as the court in his discretion may impose

Whenever any defendant shall be ordered to be imprisoned at hard labor under the provisions of this act there shall be paid by the official in charge of the penal or reformatory institution in which such defendant is imprisoned to the person designated in the order of the court as the proper recipient of such money to be disbursed by the said recipient as the order of court may direct the sum of sixty-five cents for each day Sundays and legal holidays only excepted during which he remains imprisoned Such sum shall be paid as wages and shall be paid at such times and in such manner as other wages are paid by cities and counties and shall be charged as one of the general running expenses of such institution and if the labor done in such institution is not sufficient to pay the running expenses of such institution such sum shall be charged to and paid by the county from which such defendant was committed

Section 2 If the defendant in any such proceeding shall violate the terms of the order of court the court may issue an attachment upon the petition of such defendant's parent wife child or children or of any other person or persons having knowledge of the facts

In case of the forfeiture of a bail-bond in any such proceedings the court may order that any sum collected by suit or otherwise shall be paid in whole or in part to such parent wife child or children In case of the forfeiture of any bond or recognizance with or without surety given as security under any order of court any sum collected thereon by suit or otherwise shall be paid to such parent wife child or children Such payment shall not bar or in any way affect the power of the court to enforce its orders against the defendant by attachment or otherwise

Section 3 All laws or parts of laws inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1465 (Senate Bill No. 766), entitled

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the Township of Coal near Shamokin Northumberland County Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred and fifteen.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1296 (Senate Bill No. 282), entitled

An Act making an appropriation for the Dixmont Hospital for the Insane to make good the deficit in operation of said hospital to January first one thousand nine hundred and seventeen.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1554 (Senate Bill No. 817), entitled

An Act to amend the second section of an act approved the thirteenth day of June, Anno Domini one thousand nine hundred and eleven, entitled "An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand, a Board for the Assessment and Revision of Taxes for State and County purposes, prescribing the method of their appointment, their powers and duties; fixing their salary, to be paid by the

proper county; and abolishing the office of ward, borough and township assessors, in so far as respects the assessment of State and county taxes;" by changing the pay of subordinate assessors from four to five dollars per day.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1543 (Senate Bill No. 812), entitled

An Act fixing the residence of the warden of the county jail or prison in counties of this Commonwealth where the government of such jail or prison is or may hereafter be vested in a prison board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1557 (Senate Bill No. 792), entitled

An Act authorizing and empowering the several counties of this Commonwealth to locate, lay out, open, construct and maintain public bridges whether wholly or partly within any city, borough or township therein, across any river or stream dividing or separating any part of said county from any other part thereof, together with the necessary bridge approaches, viaduct or other approaches, to conveniently connect the same with existing streets or public roads in such cities, boroughs or townships; authorizing the cities and boroughs wherein such bridges are located, to share in the cost thereof and to provide approaches therefor; authorizing the taking and appropriation of property and rights of property, public or private, for such purposes; providing a method for making compensation for property taken, injured or destroyed thereby; authorizing the several counties to enter upon and over public streets or roads in cities, boroughs or townships for said purposes; authorizing the several counties to appropriate money, levy taxes and incur indebtedness therefor; and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street railway, telegraph, telephone or other corporations or persons making use thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1297 (Senate Bill No. 333), entitled

An Act relating to the appointment of persons to the police department in cities of the third class providing for and regulating examinations and the manner of appointments and the manner and power or removal of employes of said department and providing a method for fixing compensation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1544 (Senate Bill No. 796), entitled

An Act validating all acts done all contracts and expenditures made by virtue of and all obligations for money borrowed issued under the provisions of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and two) entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the amendments thereof and supplements thereto and making such acts contracts and obligations as valid and effective as if the said act had applied to each and every county within this Commonwealth and was constitutional and valid vesting title to any and all property purchased or condemned by any county for said schools under said act in the county which paid for the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1166, entitled

An Act to provide a method, upon petition of owner, with notice to wife of bankrupt, for ascertaining, determining and charging dower inchoate on lands of bankrupt sold under order of United States Court, by report of viewers and decree of court of common pleas; in certain cases freeing and discharging part of such lands from such dower inchoate and charging same upon a portion of lands formerly owned by bankrupt; in case of death of wife during life of bankrupt or after his death, to discharge the lands from such dower inchoate or dower fixed by decree of court; providing for service of rules and notices, and for appeal from final decree of such court.

The first, second, third and fourth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any instance where lands of a bankrupt have been or shall hereafter be sold under order of the United States courts and the bankrupt shall be living and shall have a wife living who was his lawful wife during any portion of the time between the date of being declared a bankrupt and completion of sale of his real estate it shall be lawful for the purchaser or purchasers or any of them his or their or its heirs successors or assigns to present a petition to the court of common pleas of the county in which such real estate may be situate setting forth the facts together with a description of the real estate owned by the petitioner or petitioners and praying the said court to grant a rule upon the wife of the bankrupt to appear upon a day certain to be designated by said court to show cause if any she has why viewers should not be appointed to ascertain and determine the statutory interest inchoate which she might be entitled to upon the death of her husband the bankrupt should she survive him and also why such dower inchoate should not be entirely charged upon a certain part or portion of the real estate formerly owned by such bankrupt provided the same could be divided and a part thereof should be found by the viewers to be sufficient to secure such statutory interest inchoate

Section 2 Whereupon it shall be the duty of said court of common pleas to direct a rule to issue to be served upon the wife of the bankrupt at least ten days before the return day Such service shall be personal if the wife of the bankrupt resides in the Commonwealth of Pennsylvania should she not reside in the county where the rule issues the sheriff of that county shall transmit the rule to the sheriff of the county wherein she resides and that official shall have authority to make such service and return thereof through the sheriff of the county where the rule issues to the court should she not reside in the Commonwealth or should it appear by affidavit of petitioner that her residence is not known and could not be ascertained by diligent inquiry then such service shall be by publication for three successive weeks in one or more newspapers of the county wherein the rule issues the last publication to be ten days before the return day

Section 3 On any day after the return day if it shall appear to the court of common pleas that service of the rule has been made personally or by publication then it shall be the duty of the court to appoint five viewers who shall fix a day for hearing and give notice thereof to the wife of the bankrupt in the manner herein provided for service of the rule

Section 4 Upon the day of hearing testimony shall be heard upon part of petitioner and upon part of respondent should she appear and produce witnesses or other evidence which testimony shall be reduced to writing and filed by the viewers with their report to the court

The fifth section was read as follows:

Section 5 The viewers shall find the facts and make report to the court and such report shall contain the following

(1) The name and residence of the bankrupt the court by which he was declared a bankrupt and the date thereof

(2) The name and residence of the wife of the bankrupt or if her residence shall not be known this fact shall appear

(3) A description of all the real estate held by petitioners and formerly owned by the bankrupt and subject to statutory interest inchoate at the date when he was

declared a bankrupt and date when such real estate was sold by order of the United States court and the name of the purchaser or purchasers

(4) The name of the owner or owners of such real estate together with the market value thereof exclusive of the statutory interest inchoate at the time of the hearing and report of viewers

(5) Whether the real estate owned by the petitioner or petitioners could be divided so that the satutory interest inchoate could be secured and charged on a particular portion thereof and if so then a descriution and draft of each part thereof with the market value of each purpart

(6) A recommendation by the viewers or a majority thereof as to the real estate or the portion thereof upon which such statutory interest inchoate shold be charged and in case of division which portion of such real estate should be freed and discharged of such statutory interest inchoate

(7) A finding by the viewers or a majority thereof of the amount of statutory interest inchoate and description of the land upon which the same shall be charged

(8) The report to be signed by not less than a majority of the viewers

On the question,

Will the House agree to the section?

Mr. WOOD. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 5, page 4, line 24, by striking out the word "petitions" and inserting in lieu thereof "petitioners."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth, seventh and eighth sections were separately read and agreed to as follows:

Section 6 Upon the filing of the report of viewers the same shall be confirmed nisi and if exceptions to the findings of fact and report of viewers be not filed within ten days the same shall be confirmed absolutely

Section 7 Should exceptions be filed the same shall be heard by the court of common pleas and the findings and report of the viewers shall be affirmed or modified as may be determined by the court and a decree made accordingly fixing and determining the statutory interest inchoate which the respondent may be entitled to upon the death of her husband should she survive him and the land or lands or portion or portions thereof upon which such statutory interest inchoate shall be charged and in case of division freeing and discharging from such statutory interest inchoate other lands owned by and belonging to petitioners

Section 8 Upon the death of the bankrupt and the survival of his wife she shall be entitled to statutory interest upon the valuation fixed and determined by the report of viewers as approved or modified by the court and charged upon such lands by the decree of said court

The ninth section was read as follows:

Section 9 Upon the death of the wife of the bankrupt during the life of the bankrupt or after his death upon proof of such fact duly made to the court of common pleas the court shall decree that the statutory interest inchoate or dower charged upon such land shall be discharged and the same shall be held by the owner free of such statutory interest inchoate

On the question,

Will the House agree to the section?

Mr. WOOD. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 9, line 6, page 6, by striking out the word "dower" and inserting in lieu thereof "statutory interest."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The tenth, eleventh and twelfth sections and preamble were separately read and agreed to as follows:

Section 10 Either party shall have the right of appeal from any final decree of the court of common pleas and the same shall be heard and determined by the appellate court and a decree entered accordingly

Section 11 Only lands formerly of the bankrupt and owned by petitioner or petitioners shall be affected by this act

Section 12 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Whereas real estate of bankrupt sold under order of the United States courts is not discharged of statutory interest inchoate but is taken by the purchaser subject to such dower and

Whereas it is desirable that a method of ascertaining and determining such statutory interest inchoate should be established before the death of the bankrupt therefore

The title was read as follows:

An Act to provide a method upon petition of owner with notice to wife of bankrupt for ascertaining determining and charging dower inchoate on lands of bankrupt sold under order of United States Court by report of viewers and decree of court of common pleas in certain cases freeing and discharging part of such lands from such dower inchoate and charging same upon a portion of lands formerly owned by bankrupt in case of death of wife during life of bankrupt or after his death to discharge the lands from such dower inchoate or dower fixed by decree of court providing for service of rules and notices and for appeal from final decree of such court.

On the question,

Will the House agree to the title?

Mr. WOOD. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title page 1, line 3, by striking out the word "dower" and inserting in lieu thereof "statutory interest."

Amend title page 1, line 7, by striking out the word "dower" and inserting in lieu thereof "statutory interest."

Amend title page 1, line 11, by striking out the word "dower" and inserting in lieu thereof "statutory interest."

Amend title page 1, line 11, by striking out the word "dower" and inserting in lieu thereof "statutory interest."

Amend title page 1, last line, by striking out the word "dower" and inserting in lieu thereof "statutory interest."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 407, as follows

An Act relating to the issue of marriage licenses and the applications therefor.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any clerk of the orphans' court to issue a marriage license until the male applicant has produced to and filed with said clerk a valid certificate from a licensed and practicing physician of Pennsylvania in form substantially as follows

I ..... a practicing physician duly licensed to practice medicine in Pennsylvania hereby certify that on the ..... day of ..... 19.... I examined ..... residing at ..... in the ..... of ..... county of ..... for traces or indications or symptoms of venereal disease that I applied in such examination the recognized clinical and laboratory tests and find the said person free from any trace of venereal disease

....

Date Signature of Physician

Section 2 Such certificate shall be void after fifteen days from the date of examination

Section 3 It shall be unlawful to issue a certificate containing any false statement or to obtain or try to obtain a certificate by any fraud or deceit

Section 4 Any person who violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceeding six months or both at the discretion of the court

Section 5 This act shall go into effect on the first day of January one thousand nine hundred and eighteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1085, entitled

An Act authorizing the county controllers in counties containing a population of less than two hundred and sixty thousand to designate and appoint a solicitor prescribing the duties of said solicitor and fixing the term of office and salary to be paid by the county.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of this Commonwealth having a county controller and a population of less than two hundred and sixty thousand as shown by the last preceding United States census the county controller shall be and he is hereby authorized and empowered to designate and appoint one person learned in the law to act as his solicitor It shall be the duty of said solicitor to advise upon all legal matters that may be submitted to him and to conduct any litigation desired by said county controller The said solicitor shall hold office for the term for which the controller was elected and shall receive a salary of five hundred ($500) per annum to be paid out of the county treasury

On the question,

Will the House agree to the section?

Mr. JONES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 3, by inserting after the ward "annum" the following:

"in counties having less than two hundred thousand inhabitants; and fifteen hundred dollars ($1,500) per annum in counties having over two hundred thousand and less than two hundred and sixty thousand inhabitants."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

An Act authorizing county controllers in counties containing a population of less than two hundred and sixty thousand to designate and appoint a solicitor prescribing the duties of said solicitor and fixing his term of office and salary to be paid by the county.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 867, as follows

An Act to prohibit the use of cannon guns revolvers or other explosive devices at wedding serenades or celebrations and providing a penalty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to use any cannon gun revolver or other explosive device at any serenade or celebration of any wedding within this Commonwealth

Section 2 Any person violating the provisions of this act shall upon conviction thereof be sentenced to pay a fine of not less than twenty-five or more than fifty dollars or undergo an imprisonment of not less than thirty or more than sixty days or both in the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 868, as follows

An Act to prohibit the display of certain fire arms and other deadly weapons and providing a penalty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any merchant or storekeeper to have on display in his place of business any revolvers slungshots handy-billys dirk-knives brass or steel knuckles or any other deadly weapons The provisions of this act however shall not be construed to prevent the display of rifles and shot-guns

Section 2 Any person violating the provisions of the act shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine not exceeding fifty dollars or undergo an imprisonment not exceeding sixty days or both in the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 717, entitled

An Act to amend section two of the act approved the nineteenth day of May one thousand eight hundred eighty-seven entitled "An Act to preserve the purity of elections by declaring drunkenness on the part of election officers and assessors of poll taxes to be a misdemeanor and by requiring elections to be held in rooms in which liquor is not sold so far as possible" by abolutely prohibiting the holding of elections in rooms in which liquor is sold.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred twenty-six) entitled "An Act to preserve the purity of elections by declaring drunkenness on the part of election officers and assessors of poll taxes to be a misdemeanor and by requiring elections to be held in rooms in which liquor is not sold so far as possible" which reads as follows

"Section 2 Hereafter no public elections shall be held in any room any part of which is used for the sale of liquors and it shall be the duty of the court of quarter sessions or any law judge thereof to inquire upon petition of five or more citizens resident in the election district whether any such rooms are now designated as polling places and in such cases to select other places for holding the elections" is hereby amended to read as follows

Section 2 Hereafter no public elections shall be held in any room any part of which is used for the sale of liquors and it shall be the duty of the court of quarter sessions or any law judge thereof to inquire upon petition of five or more citizens resident in the election district whether any such rooms are now designated as polling places and in such cases to select other places for holding the elections

On the question,

Will the House agree to the section?

Mr. BLACK. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, lines 5 and 6 by striking out the brackets before "if" and after "vicinity" and the underscoring under "liquors" in line 5.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend section two of the act approved the nineteenth day of May one thousand eight hundred eighty-seven entitled "An Act to preserve the purity of elections by declaring drunkenness on the part of election officers and assessors of poll taxes to be a misdeemanor and by requiring elections to be held in rooms in which liquor is not sold so far as possible" by abolutely prohibiting the holding of election in rooms in which liquor is sold.

On the question,

Will the House agree to the title?

Mr. BLACK. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title page 1, line 5, by striking out "mside" and inserting in lieu thereof "misde."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1044 (Senate Bill No. 344), as follows

An Act to amend section fourteen of an act approved the seventh day of July one thousand nine hundred thirteen entitled "An Act relating to and regulating motor vehicles and vehicles trailing after or propelled by motor vehicles controlling their speed upon the public streets and highways in the Commonwealth of Pennsylvania providing for their registration and licensing of certain operators by the State Highway Department prohibiting the operation of any motor vehicle by any person when intoxicated or without the consent of the owner forbidding the passage of any law laying a tax upon or requiring the registration of motor vehicles or licensing of any operator or regulating the speed of motor vehicles by any county borough city incorporated town or township establishing the rights of motor vehicles upon the public highways with relation to other vehicles providing for their equipment and for the width of tires to be used upon motor vehicles and vehicles trailing after or propelled by motor vehicles regulating the service of process and proceedings in actions for damages arising therefrom providing for arrest and for service of process and proceedings for violation of this act prescribing the penalties therefor and providing for the disposition of fees collected and fines imposed thereunder"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fourteen of an act approved the seventh day of July one thousand nine hundred thirteen entitled "An Act relating to and regulating motor vehicles and vehicles trailing after or propelled by motor vehicles controlling their speed upon the public streets and highways in the Commonwealth of Pennsylvania providing for their registration and licensing of certain operators by the State Highway Department prohibiting the operation of any motor vehicle by any person when intoxicated or without the consent of the owner forbidding the passage of any law laying a tax upon or requiring the registration of motor vehicles or licensing of any operator or regulating the speed of motor vehicles by any county borough city incorporated town or township establishing the rights of motor vehicles upon the public highways with relation to other vehicles providing for their equipment and for the width of tires to be used upon motor vehicles and vehicles trailing after or propelled by motor vehicles regulating the service of process and proceedings in actions for damages arising therefrom providing for arrest and for service of process and proceedings for violation of this act prescribing the penalties therefor and providing for the disposition of fees collected and fines imposed thereunder" which reads as follows

"Speed"

"Section 14 No person shall operate a motor vehicle on the public highways of the State recklessly or at a rate of speed greater than is reasonable and proper having regard to the width traffic and use of the highway or so as to endanger property or the life or limb of any person but no person shall drive a motor vehicle at a rate of speed exceeding one (1) mile in two and one-half (2½) minutes and no person shall drive a motor vehicle having solid tires and weighing more than five thousand (5,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one mile in four (4) minutes and no person shall drive a motor vehicle having solid tires and weighting over ten thousand (10,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one mile in five (5) minutes and no person shall drive a motor vehicle having solid tires and weighing over fifteen thousand (15,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one (1) mile in six (6) minutes Provided That the local authorities having charge of any of the highways may in dangerous or built up sections place signs marked 'Danger run slow' in letters not less than five (5) inches in height Said signs to be placed at right angles to and plainly legible from the highway and facing the traffic the speed of which is to be reduced and at these places the speed limit shall not exceed a rate of a mile in four minutes for a distance beyond said sign of not more than one-quarter of a mile and if such highway is still in a dangerous or built-up section a second sign similar to the above-described may be erected and the speed limit shall not exceed the rate of a mile in four minutes for not more than a quarter of a mile beyond said sign and as many signs may be erected as may be necessary At the end of said dangerous or built-up section shall be erected a sign reading 'End of fifteen mile limit' in letters not less than five (5) inches in height said signs to be placed at right angles to the highway and facing the traffic When a motor vehicle meets or overtakes a street passenger car which has stopped for the purpose of taking on or discharging passengers the motor vehicle shall not pass said car on the side on which passengers get on or off until the car has started or until any passenger who may have alighted shall have reached the side of the road or any passenger who may be about to board the car shall have done so" is hereby amended to read as follows

Speed

Section 14 No person shall operate a motor vehicle on the public highways of the State recklessly or at a rate of speed greater than is reasonable and proper having regard to the width traffic and use of the highway or so as to endanger property or the life or limb of any person but no person shall drive a motor vehicle at a rate of speed exceeding one (1) mile in two and one-half (2½) minutes and no person shall drive a motor vehicle having solid tires and weighing more than five thousand (5,000) pounds gross maximum weight of vehicles and load combined at a greater rate of speed than one mile in four (4) minutes and no person shall drive a motor vehicle having solid tires and weighing over ten thousand (10,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one (1) mile in five (5) minutes and no person shall drive a motor vehicle having solid tires and weighing over fifteen thousand (15,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one (1) mile in six (6) minutes Provided That the local authorities having charge of any of the highways shall in dangerous or built up sections or at public school houses place signs marked "Danger Run slow" in letters not less than five (5) inches in height Such sign shall also bear the name of the city borough town or village in leters of the same size Said signs to be placed at right angles to and plainly legible from the highway and facing the traffic the speed of which is to be reduced and at these places the speed limit shall not exceed a rate of a mile in four minutes for a distance beyond said sign of not more than one-quarter of a mile and if such highway is still in a dangerous or built-up section a second sign similar to the above-described may be erected and the speed limit shall not exceed the rate of a mile in four minutes for not more than a quarter of a mile beyond said sign and as many signs may be erected as may be necessary At the end of said dangerous or built-up section shall be erected a sign reading "End of fifteen mile limit" in letters not less than five (5) inches in height said signs to be placed at right angles to the highway and facing the traffic Such sign shall also bear the name of the city borough town or village in letters of the same size When a motor vehicle meets or overtakes a street passenger car which has stopped for the purpose of taking on or discharging passengers the motor vehicle shall not pass said car on the side on which passengers get on or off until the car has started or until any passenger who may have alighted shall have reached the side of the road or any passenger who may be about to board the car shall have done so

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1534, entitled

An Act to amend section five of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen entitled "An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for the violations of its provisions and to repeal acts inconsistent herewith."

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section five of an act approved the

twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" which reads as follows

Section 5 The commissioners shall not later than August fifteenth of each year appoint four registrars for each election district as herein provided. The registrars must be duly qualified electors of the said districts and shall have been residents of the city for a period of two years and of the ward for one year immediately preceding their appointment They must be sober and judicious persons of good moral character able to read intelligently and to write legibly Two of the registrars shall be members of the party polling the highest vote within the election district at the last preceding general election and one at least shall be a member of the party polling the next highest number of votes at said election The commissioners shall provide at all times a board of registrars not more than two of whom shall be of the same political faith If therefore it appears at any time that by reason of a change in political affiliations or because of error in the appointment a board is not so divided any ten electors of the division may file a petition with the commissioners setting forth the facts and praying that one or more of the appointments may be revoked and that other appointments may be made The commissioners shall grant a public hearing and if they find the facts to be as represented shall give the relief asked for Two of the said registrars one of whom shall be of the majority party shall be designated by the commissioners to have charge of the two registrars as hereinafter provided No person who holds or is a candidate for public office shall act as registrar the names of at least four qualified persons shall be suggested to the commissioners by petition duly filed for each election division two by the ward executive committees if such exist and if not by the city committees of the parties of the district These petitions shall be signed by the president and one secretary of the ward executive committees if such exist if not by the president and one secretary of the city committee if such exists and by five electors of the division and shall set forth the names addresses and occupations and political affiliations of the persons suggested Each candidate for registrar shall swear to the truth of the facts set forth in his petition The petition shall remain on file open to public inspection at least ten days before the persons named therein shall be appointed except in cases where a vacancy occurs in the office of registrar within ten days of a registration day If no petitions are filed the commissioners may appoint without regard to party and if the persons suggested by petition are unfit shall have the power to appoint others of whom they shall have knowledge No appointment shall be made unless the person to be appointed has personally appeared before the commissioners and has satisfied them of his qualifications but in case of a reappointment it shall not be necessary for the person so reappointed to be summoned At least one week's notice of the time and place of the examination for each ward or election district of those persons who have been suggested by petition or are under consideration for appointment as registrars in such ward or election district shall be published by the commissioners in at least two daily newspapers in the city Only electors residing in the same division as the person applying for appointment as registrar may appear in person and being duly sworn show wherein said person applying for appointment as registrar does not possess the requisite qualifications If the persons nominated are found not to be properly qualified the commissioners may decline to appoint them and the ward executive committee or city committee shall then suggest other names as aforesaid

"No person shall be appointed a registrar unless the appointment is approved by three commissioners Provided That if two commissioners have concurred in approving two commissioners have concurred in objecting to said persons the commissioners first referred to may approve four other names and from these eight all having been suggested by petition the other two commissioners must select the registrar

"The commissioners shall have power to summon any person whom they desire to interrogate and all persons testifying before said commissioners shall be first duly sworn by one of said commissioners or by the recorder Any person so appointed a registrar must perform his duties as prescribed by this act unless excused therefrom by the commissioners of ten dollars for the time actually spent in registration" is hereby amended to read as follows

Section 5 (a) There shall be four registrars for each election division Two of the registrars shall be members of the party polling the highest vote within the election division at the last preceding general election and one at least shall be a member of the party polling the next highest number of votes at said election

(b) The registrars must be duly qualified electors of the said district and shall have been residents of the city for a period of two years and of the ward for one year immediately preceding their appointment. They must be sober and judicious persons of good moral character able to read intelligently and to write legibly No person who holds or is a candidate for public office shall act as registrar

(c) The names of at least four qualified persons shall be recommended to the commissioners for appointment by petition duly filed for each election division by the ward executive committees of the said political parties acting through the president of such ward executive committee if such ward committee exist and if not by the city committees of the said political parties These petitions shall be signed by the president of the ward executive committee if such exist and by five electors of the division and shall set forth the names addresses and occupations and political affiliations of the persons so recommended for appointment Each candidate for registrar shall swear to the truth of the facts set forth in his petition

(d) The commissioners shall place in the hands of the said ward executive committees if such exist and if not in the hands of the city committees petitions as aforesaid not later than July first of each and every year the said petitions shall be returned executed by the applicants to the said commissioners by the said ward executive committees if such exist or city committees not later than July twentieth of each and every year The board of registration commissioners shall thereupon forthwith proceed to notify the persons so recommended for appointment of the time and place where those recommended for appointment may appear before the commissioners that the persons so recommended for appointment possess the qualifications for registrars set forth in paragraph "b" of this section the failure to possess which said qualifications shall be the sole ground upon which the commissioners may reject the persons so recommended for appointment In ace of a reappointment it shall not be necessary for the persons so reappointed to be summoned It shall be the duty of the commissioners to reappoint the person recommended for a reappointment without examination excepting only in such cases as the conduct of the person so recommended for appointment during the preceding year has given the commissioners reason to believe that he is lacking in one or more of the qualifications set forth in paragraph "b" of this section in which case it shall be the duty of the commissioners to notify and summon such person for examination

(e) It shall be the duty of the commissioners to appoint all persons recommended for appointment by petition as aforesaid by the ward executive committees when such persons possess the qualifications set forth in paragraph "b" of this section

(f) The petitions to be furnished the ward executive committees not later than July first as aforesaid shall contain a space whereon shall be printed the following words

"The petitioner has been rejected by the Commissioners after examination for the following reasons

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Commissioners"

It shall be unlawful for the commissioners to reject any person recommended for appointment as aforesaid except upon a finding by the commissioners made in the manner aforesaid that the person recommended for appointment by petition as aforesaid is lacking in one or more of the qualifications set forth in paragraph "b" of this section and a finding by the commissioners over their signatures on the petition setting forth the qualification or qualifications wherein the commissioners find the person recommended for appointment is deficient

(g) In case the commissioners shall find any of the persons recommended for appointment to be not properly qualified as aforesaid they shall forthwith notify the president of the ward executive committee which recommended the person for appointment of their finding and the said ward executive committee acting through its president shall have ten days from the receipt of the said notice to recommend another name to the commissioners for appointment The persons so rejected or the president of the ward executive committee recommending such person or any qualified elector of the election division may appeal from the action of the commissioners in the manner hereinafter set forth and pending such appeal the commissioners shall have no power to act in the way of making another appointment

(h) All acts done by the president of the ward executive committee shall be presumed to be done as agent for and with the authority of the ward executive committee until the contrary be shown

(i) The board of registrars of each election division shall be so constituted that at all times not more than two of each board shall be of the same political faith If there-

fore it appears at any time that by reason of a change in political affiliations or because of error in the appointment a board is not so divided any ten electors of the division may file a petition with the commissioners setting forth the facts and praying that one or more of the appointments may be revoked and that other appointments may be made The commissioners shall grant a public hearing on five days' notice to the registrar and to the president of the ward executive committee which recommended him for appointment and if they find the facts to be as represented shall give the relief asked for The findings of said commissioners shall be in writing and any party aggrieved thereby shall have the right of appeal to the common pleas court which is provided in paragraph "o" of this section The commissioners shall have power to summon witnesses for said hearings

(j) The commissioners shall have power to administer oaths to those testifying at the hearings provided for in paragraph "I" of this section and to applicants for appointment upon their examinations as provided for in paragraph "d" of this section and to the registrars upon their appointment

(k) Two of the said registrars one of whom shall be of the majority party shall be designated by the commissioners to have charge of the two registrars as hereinafter provided

(l) All petitions and orders made on same by the Commissioners shall be open to public inspection at all reasonable times

(m) If no petitions are filed the commissioners may appoint without regard to party If no petitions are filed the commissioners may appoint without regard to party Where a vacancy occurs in an office of registrar within ten days of a registration day by resignation removal death or otherwise the commissioners may appoint without petition and without regard to party

(n) The commissioners shall issue certificates of appointment to the registrars not later than August fifteenth of each year

(o) Upon the rejection by the commissioners of a petitioner as aforesaid the petitioner or the president of the ward executive committee or any qualified elector of the election division may within ten days make application under oath to the court of common pleas of the proper county or any law judge thereof at Chambers alleging that the person so rejected as being deficient in one or more of the said qualifications is in fact possessed of the said qualifications and the said court or judge shall thereupon forthwith call the commissioners and the complainant and the petitioner before it or him by citation or rule to show cause and shall hear the parties and examine the petitioner as to his qualifications de novo and shall dispose of the subject in a summary manner as to law and justice shall belong and shall in case the court finds the petitioner to be possessed of the said qualifications set forth in paragraph "b" of this section order the commissioners to appoint the said petitioner and the said court or judge may enforce such order by attachment as in proceedings for contempt

(p) Any person appointed a registrar must perform his duties as prescribed by this act unless excused therefrom by the commissioners for cause shown The registrars shall receive a compensation of ten dollars per day for the time actually spent in registration

On the question,
Will the House agree to the section?

Mr. STADTLANDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 17, by striking out "districts" and inserting in lieu thereof "district."

Amend section 1, page 3, line 11, by striking out "registrars" and inserting in lieu thereof "registers."

Amend section 1, page 4, line 5, by striking out "perosn" and inserting in lieu thereof "person."

Amend section 1, page 4, line 18, by striking out "apointment" and inserting in lieu thereof "appointment."

Amend section 1, page 4, line 27, by striking out the words "two commissioners have concurred" and inserting in lieu thereof "four persons successively to fill one position and the other two commissioners have concurred."

Amend section 1, page 5, line 7, by striking out "apointed" and inserting in lieu thereof "appointed."

Amend section 1, page 5, line 10, by inserting "per day" after "dollars."

Amend section 1, page 6, line 9, by striking out "affiliations" and inserting in lieu thereof "affiliations."

Amend section 1, page 7, line 2, by striking out "ace" and inserting in lieu thereof "case."

Amend section 1, page 9, line 3, by striking out "persons" and inserting in lieu thereof "person."

Amend section 1, page 10, by striking out all of line 18 and the following of line 19, to wit: "appoint without regard to party."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read and agreed to as follows:

An Act to amend section five of an act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, entitled "An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth; to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners; to provide penalties for violations of its provisions and to repeal acts inconsistent herewith."

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1600, as follows

An Act making an appropriation to refund to Washington Hall Association of Mount Carmel Northumberland County Pennsylvania a certain sum erroneously paid into the State Treasury as Capital Stock Tax

Whereas Washington Hall Association of Mount Carmel Northumberland County Pennsylvania is a corporation of the first class and

Whereas said Washington Hall Association is not liable for reports to the Department of the Auditor General on its Capital Stock and

Whereas said Washington Hall Association erroneously paid into the State Treasury the sum of three hundred and twenty dollars and seventy-nine cents ($320.79) as capital stock tax which was not due the Commonwealth therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three hundred and twenty dollars and seventy-nine cents ($320.79) is hereby specifically appropriated to the Washington Hall Association of Mount Carmel Northumberland County Pennsylvania for the purpose of refunding monies erroneously paid into the State Treasury as Capital stock tax

Section 2 The Auditor General is directed to draw his warrant on the State Treasurer in favor of the Washington Hall Association aforesaid on due proof that such money was as aforesaid erroneously actually paid into the State Treasury

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1506, as follows

An Act authorizing and directing the Treasurer of the Commonwealth of Pennsylvania to pay to John Mangan of the City of Pittsburgh Pennsylvania out of any monies unappropriated in the treasury of the Commonwealth of Pennsylvania the sum of two hundred forty-one dollars and ninety cents being a sum of money which he paid to the register of wills and clerk of the orphans' court of the County of Allegheny Pennsylvania ac collateral inheritance tax upon the estate of John Mangan absentee at number three hundred thirty-eight June term one thousand nine hundred and eleven in the orphans' court of the County of Allegheny Pennsylvania

Whereas Lawrence P. Mangan a brother of John Mangan died in the City of Pittsburgh Pennsylvania on to wit the eighteenth day of September one thousand nine hundred and ten and

Whereas Letters of administration were taken out upon the estate of Lawrence P. Mangan by William A. Mangan a brother of John Mangan at number thirty-seven January term one thousand nine hundred and thirteen of the orphans' court of the County of Allegheny Pennsylvania and the account of the administrator when filed showed a balance of eleven thousand one hundred thirty-four dollars and forty-four cents ($11,134.44) and

Whereas At the audit of the account of the said estate it was adjudicated that the balance of the fund distributed should be equally divided between John Mangan and the said William A. Mangan and

Whereas On to wit June twenty-ninth one thousand nine hundred and eleven and at number three hundred thirty-eight June term one thousand nine hundred and eleven in the orphans' court of the County of Allegheny Pennsylvania upon a petition duly filed the said John Mangan was decreed on account of his absence to be legally dead whereupon Wilhelmina Mangan was appointed administratrix of the estate of John Mangan absentee as provided by law and on to wit September twenty-fifth one thousand nine hundred

and eleven a decree was made distributing the estate of John Mangan to the said administratrix who in the distribution of the said estate at number seventy-three February term one thousand nine hundred and fourteen paid to the register of wills and clerk of the orphans' court of the County of Allegheny Pennsylvania the collateral inheritance tax upon the estate of the said John Mangan absentee in the sum of two hundred forty-one dollars and ninety cents ($241.90)

Whereas on to wit July twenty-eighth one thousand nine hundred and fourteen the said John Mangan returned to the City of Pittsburgh from which place he had been absent for many years and on to wit the nineteenth day of October one thousand nine hundred and fourteen at number three hundred thirty-eight June term one thousand nine hundred and eleven under the provisions of the act of Assembly approved June twenty-fourth one thousand eight hundred and eighty-five page one hundred fifty-five presented his petition to the orphans' court of the County of Allegheny Pennsylvania praying that the decree adjudging the said John Mangan as being dead on account of his absence be revoked and

Whereas after hearing in the orphans' court of the County of Allegheny Pennsylvania the said decree finding the said John Mangan as being dead on account of his absence was revoked by the orphans' court of the County of Allegheny Pennsylvania A copy of the said decree is attached hereto made part hereof and marked "Exhibit B"

Whereas On account of the revocation of the said decree the said sum of two hundred forty-one dollars and ninety cents ($241.90) became an erroneous and mistaken payment of the collateral inheritance tax upon the said estate which was received by the Treasurer of the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Treasurer of the Commonwealth of Pennsylvania is authorized and directed to pay to John Mangan the sum of two hundred forty-one dollars and ninety cents ($241.90) out of any monies unappropriated in the said Treasury of the Commonwealth of Pennsylvania to reimburse the said John Mangan for the said sum of money which was collected by the Commonwealth of Pennsylvania from the said John Mangan as a collateral inheritance tax on account of his supposed death

That aforesaid appropriation shall be paid upon warrant of the Auditor General upon due proof given to the Auditor General of such erroneous payment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 666, as follows

An Act to prescribe the conditions under which public or private vaults crypts or mausoleums for the interment of human bodies may be constructed and maintained

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That 1 After the passage of this act the erection construction or building of any mausoleum vault crypt or structure intended to hold or contain the bodies of the dead shall be under the direct supervision of the State Department of Health subject to the following conditions and provisions

2 Before commencing the erection of any mausoleum vault crypt or structure to which the public has access intended for interment of the dead the person firm or corporation intending to erect such structure shall first present to the State Department of Health for examination and approval detail plans and specifications of the mausoleum or vault to be erected Such detailed plans and specifications shall in any and every case show the exact location and provide for (a) a structure so arranged that every part thereof may be readily examined by any person regularly appointed to make such examination at any time during its construction (b) that proper provision is made for permanently sealing each individual crypt after the placing of a dead body therein and in such manner that no danger to the health of the community may arise therefrom (c) that the materials used in the construction of the exterior of any such vault or mausoleum shall be in accordance with plans and specifications approved by the Department of Health and shall be evidenced by a permit in writing signed by the State Commissioner of Health and such signed approval together with the detailed plans and specifications so approved shall before work is commenced on such structure be filed in the office of the Recorder of Deeds of the county wherein such building is to be erected and there remain as a public record

3 The erection of such vault or mausoleum shall be under the supervision of an inspector appointed by the State Department of Health and who shall be competent to perform such work and with a knowledge of such construction The duty of such inspector shall be to see that the plans and specifications for such structure are complied with in every detail the said inspector having full power to reject any materials of construction not fully up to the standard required in the plans and specifications and it shall be obligatory that the inspector shall either accept or reject any portion of the work completed at the time of each inspection A written report of such acceptance or rejection shall immediately be made to the person firm or corporation erecting such structure at the time such acceptance or rejection is made No deviation from the original specifications shall be permitted except that the internal arrangement of crypts within such structure may be changed if necessary

4 No mausoleum vault or crypt as aforementioned shall be used for the purpose of interring or depositing therein any dead bodies until there shall have been obtained from the State Department of Health a final certificate permitting such interment such certificate to be filed with the Recorder of Deeds of the county in which such buildings is located

5 It is distinctly understood that the Commonwealth of Pennsylvania shall in no way be held responsible for any liability resulting from any permit given by the Department of Health as hereinbefore provided

6 This act shall take effect immediately provided however that it shall not apply to or affect any mausoleum or vault now in course of erection or which shall have been wholly or partially sold except as the burial of bodies is controlled by existing law

7 All mausoleums vaults crypts or structures intended to hold or contain the bodies of the dead now or hereafter erected shall be exempt from taxation in like manner as cemeteries are exempt by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1651, as follows

An Act providing for an additional officer and employe of the House of Representatives defining their duties and fixing their compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be created in addition to the officers and employes of the House of Representatives now authorized by law a Secretary of the House of Representatives to be elected by the House of Representatives and a clerk who shall be a stenographer to be appointed by the Secretary of the House of Representatives

Section 2 The Secretary of the House of Representatives shall be well qualified by experience and have a thorough knowledge of parliamentary practice and legislative procedure and shall in such matters when called upon be ex-officio adviser to the House of Representatives and perform such other duties as may be required by the Speaker of the House of Representatives the Chief Clerk of the House of Representatives he shall continue in office at the regular session of the House of Representatives following that at which he is elected for the period of ten days or until his successor is duly elected and qualified

Section 3 The salary of the Secretary shall be five thousand dollars per annum

Section 4 The secretary is empowered to appoint a clerk who shall be a stenographer at a salary of fourteen hundred dollars per annum The clerk shall perform such duties as the Secretary may require

Section 5 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 690, as follows:

An Act making an appropriation to carry out the provisions of an act approved the twenty-ninth day of April one thousand nine hundred thirteen entitled "An act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth" and the amendments thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four hundred thousand dollars ($400,000) or so much thereof as may be necessary is hereby specifically appropriated for the purposes of carrying out the provisions of the act approved the twenty-ninth day of April one thousand nine hundred thirteen entitled "An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the

trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth" and the amendments thereto

Section 2 The amount hereinbefore appropriated shall be paid to and apportioned among the several counties of the Commonwealth according to the classification contained in section two of the act approved the eighteenth day of June one thousand nine hundred and fifteen entitled "An Act amending an act entitled 'An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the arministration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth' approved April twenty-nine nineteen hundred thirteen by limiting the provisions of said act to women whose husbands are dead or permanently insane and who have children under sixteen years of age and providing for uniformity of administration by the appointment of the State Supervisor over the boards of trustees of different counties and otherwise amending the provisions of said act and making an appropriation to carry out the provisions of this act"

Section 3 The State Treasurer shall place the proportionate amount of the entire appropriation to the various counties upon the books of the State Treasury to the credit of the trustees one-half of which amount shall be available for the first year after approval and the remainder the second year or until another appropriation may become available No county through its trustees or otherwise shall receive its allotment of the States appropriation unless an equal amount has been provided by the county desiring the benefits under this act All of the funds so appropriated to various counties which have not availed themselves of the provisions of this act remaining at the expiration of said time shall revert to a fund which shall be available for further division among the counties that have already availed themselves of the provisions of the act The second allotment to any county shall not exceed twenty-five per centum of the first amount appropriated to the county and shall be available only when the county appropriates an equal amount as in the first instance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1594 (Senate Bill No. 774), entitled

An Act making an appropriation to refund certain moneys to the estate of the late Joseph P. Kennedy.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1202 (Senate Bill No. 363), entitled

An Act to refund to the Sanitary Casket Protector Company, of Berks County, money erroneously paid as tax on capital stock.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1299 (Senate Bill No. 383), as follows:

An Act making an appropriation to George W. Rice and Mary Fuller Rice of Penn Township Cumberland county for loss sustained by the death of their minor son Benjamin Rice while lawfully driving along a State highway in Penn Township Cumberland county

Whereas On the tenth day of May one thousand nine hundred and sixteen Benjamin Rice a minor child of George W. Rice and Mary Fuller Rice while lawfully driving along a State highway in Penn township Cumberland county near Dickinson post office was killed by a piece of rock from a blast fired by employes and agents of the State while at work on said highway and

Whereas No notice was given to said Benjamin Rice that said blast was about to be fired or outcry made therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen hundred dollars is hereby specifically appropriated to the said George W. Rice and Mary Fuller Rice for loss sustained by the death of the said Benjamin Rice while lawfully driving along a State highway in Penn Township Cumberland county near Dickinson post office caused by a piece of rock from a blast fired by employes and agents of the State while at work on said State highway

Section 2 The amount hereinbefore appropriated shall be paid by warrant of the Auditor General on the State Treasurer upon the filing in the office of the Auditor General of a release by the said George W. Rice and Mary Fuller Rice releasing the Commonwealth from all claims and demands by reason of the death of the said Benjamin Rice said release to be approved by the Attorney General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1327 (Senate Bill No. 346), as follows:

An Act requiring certain counties in certain instances to assist townships in the construction improvement repair and maintenance of main traveled or trunk roads other than State or State-aid highways and providing the method of procedure

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of counties having a population less than eight hundred thousand inhabitants shall assist any township located within such county in the construction improvement repair or maintenance of main traveled or trunk roads other than State or State-aid highways when the revenue of such township is insufficient for that purpose as hereinafter set forth

Section 2 Upon the petition of the commissioners of townships of the first class or upon the petition of the supervisors of townships of the second class joined in by at least five owners of property in any township to the court of quarter sessions of the proper county setting forth that a section of a main traveled or trunk township road between certain designated points giving approximate length is in a dangerous condition and in need of reconstruction improvement repair or maintenance and that the revenue of said township is insufficient to pay the cost of reconstructing improving repairing or maintaining said road in a substantial manner the said court shall appoint three viewers from the county board of viewers none of whom shall be a resident of the township petitioning whose duty is shall be to meet and view said road and make report to said court said viewers shall give notice of the time and place of meeting by publication at least once a week for three consecutive weeks in at least one newspaper of general circulation published in the county and shall also give notice thereof by handbills posted in at least ten conspicuous places along the line or in the vicinity of the road proposed to be constructed improved repaired or maintained

Section 3 The said viewers having been duly sworn or affirmed according to law shall view the road and shall hear all parties interested and their witnesses and shall file within ten days after such hearing their report with the said court of quarter sessions which report shall set forth the fact of the time and place of meeting that the road for which county aid is asked in the improving is a main traveled or trunk road between certain points the condition of said road the number of miles of unimproved roads and the number of miles of improved roads in said township the length of the road to be improved the assessed value of the real estate in the township the millage rate of tax levied for road purposes and the total amount of road tax collected the number of taxables in the township the approximate cost of reconstructing improving repairing or maintaining said road the total indebtedness of said township for road purposes together with their recommendation as to the necessity of reconstructing or maintaining said road with county aid and together with such other recommendations as they shall deem necessary for the information of the court

Section 4 The court shall within fifteen days after the filing of said report give ten days' notice in such manner as may be determined by the court of the time when the said court will examine the report and hear any objections thereto After such examination and hearing the said court shall decide whether or not the section of such main traveled or trunk township road is in a dangerous condition and in need of reconstruction improvement repair or maintenance and whether or not the revenue of said township is insufficient to pay the cost of reconstructing

improving repairing or maintaining said road in a substantial manner which decision shall be final for all purposes

Section 5 If the said court shall decide that such section of a main traveled or trunk township road is in a dangerous condition and in need of reconstruction improvement repair or maintenance and shall further decide that the revenue of said township is insufficient to pay the cost of reconstructing improving repairing or maintaining said road in a substantial manner it shall direct the county commissioners of such county to give such assistance specifying the amount to be expended by the county and the purposes for which said money is to be expended Such construction improvement repair or maintenance shall proceed at the instance of the township supervisors under the supervision of the county commissioners or an inspector appointed by them Before any work of reconstruction improvement repairs or maintenance is undertaken a careful and accurate survey and plan and estimate of cost shall be made of the section of road to be reconstructed improved repaired or maintained and submitted together with specifications and contracts to the State Highway Department for approval

Section 6 Each of said viewers shall be paid for each day necessarily and actually spent by him in the performance of his duties such sum as is now provided by law to be paid to viewers selected from the county board of viewers All costs including court costs and costs of advertising and notices shall be paid out of the treasury of the proper county in such cases wherein the viewers reports are approved by the courts otherwise to be paid by the petitioners

Section 7 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1206 (Senate Bill No. 505), entitled

An Act directing the Commission appointed under the act of April twenty-third, one thousand nine hundred and fifteen, entitled "An Act providing for the appointment and expenses of a Commission of three persons, learned in the law, to codify and revise the law of decedents' estates, and making an appropriation," to publish preliminary drafts of bills prepared by said Commission codifying the law of decedents' estates; providing for the distribution thereof and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1216 (Senate Bill No. 470), entitled

An Act to provide transportation to and from Vicksburg, Mississippi, for all surviving soldiers of those organizations which participated in the Siege of Vicksburg, Mississippi, in June and July, one thousand eight hundred and sixty-three, to enable them to unite in participation of a National Memorial Reunion and Peace Jubilee to be held in the National domain within the Vicksburg National Military Park, October sixteenth, seventeenth, eighteenth and nineteenth, one thousand nine hundred and seventeen, and making an appropriation for said transportation and providing for the expenses of the commission appointed under the provisions of this act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1207 (Senate Bill No. 515), as follows:

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Lunatic Hospital for the Southern District of Pennsylvania at Harrisburg

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty thousand dollars ($30,000.00) or so much thereof as may be necessary is hereby specifically appropriated to the trustees of the Pennsylvania State Lunatic Hospital for the Southern District of Pennsylvania at Harrisburg to cover a deficiency in the appropriation for maintenance for the two fiscal years beginning June first one thousand nine hundred and fifteen said amount to be paid on warrant of the Auditor General upon the State Treasurer upon due proof that said deficiency actually exists on June first one thousand nine hundred and seventeen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1298 (Senate Bill No. 382), as follows:

An Act making an appropriation to John W. Eckenrode of Penn Township Cumberland County for loss sustained by an injury to his minor son James Robert Eckenrode while lawfully driving along a State Highway in Penn Township Cumberland County.

Whereas On the tenth day of May one thousand nine hundred and sixteen James Robert Eckenrode a minor child of John W. Eckenrode while lawfully driving along a State Highway in Penn Township Cumberland County near Dickinson post office was injured by being struck by pieces of rock from a blast fired by employes and agents of the State while at work on said State Highway and

Whereas No notice was given to said James Robert Eckenrode that said blast was about to be fired or outcry made and

Whereas The injury to the said James Robert Eckenrode consisted of a cut above the right eye and two broken bones in the right leg below the knee therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four hundred dollars is hereby specifically appropriated to John W. Eckenrode father of said James Robert Eckenrode in his own right and in the right of the said James Robert Eckenrode for medical attention nursing loss of service and pain and suffering occasioned by the injury to said James Robert Eckenrode while lawfully driving along a State Highway in Penn Township Cumberland County near Dickinson post office caused by being struck by pieces of rock from a blast fired by employes and agents of the State while at work on said State Highway

Section 2 The amount hereinbefore appropriated shall be paid by warrant of the Auditor General on the State Treasurer upon the filing in the office of the Auditor General of a release by the said John W. Eckenrode in his own right and as guardian and next friend of said James Robert Eckenrode releasing the Commonwealth from all claims and demands by reason of the said injury to the said James Robert Eckenrode said release to be approved the the Attorney General.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1223 (Senate Bill No. 381), as follows:

An Act making an appropriation to cover deficiency to the Trustees of the State Hospital at Nanticoke Luzerne County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the trustees of the State Hospital at Nanticoke Luzerne County Pennsylvania to cover the deficiency in the maintenance account up to June first one thousand nine hundred and seventeen said amount to be paid on warrant of the Auditor General upon the State Treasurer upon due proof of such deficiency actually existing on June first one thousand nine hundred and seventeen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1258 (Senate Bill No. 258), as follows:

An Act making an appropriation to the Athens Furniture Company of Athens Pennsylvania for moneys erroneously paid into the State Treasury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven hundred twenty-one dollars and thirty cents ($721.30) is hereby specifically appropriated to the Athens Furniture Company of Athens Pennsylvania for the purpose of reimbursing said company for an overpayment of capital stock tax by said company for the years one thousand nine hundred and eleven and one thousand nine hundred and twelve and which amount was shown to be due said company by the Commonwealth by a re-settlement of the accounts of said company by the Board of Public Accounts Said amount to be paid on warrant of the Auditor General upon the State Treasurer on due proof that said moneys were as aforesaid erroneously paid into the State Treasury

Section 2 The amount hereinbefore appropriated shall be paid to the said Athens Furniture Company by the State Treasurer upon warrant of the Auditor General duly approved by the Board of Public Accounts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1369 (Senate Bill No. 243), entitled

An Act to repeal an act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record; providing for non-partisan nominations and elections for said offices; abolishing certain existing method of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners and election officers and clerks; and providing penalties for the violation of the provisions hereof, and the punishment of certain offences," insofar as it relates to nominations and elections for elective offices in cities of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1805, as follows:

An Act to amend an act entitled "An Act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness absence or other temporary disability" approved the twenty-sixth day of May Anno Domini one thousand eight hundred ninety-seven by authorizing the appointment of an additional deputy to act in cast of the disability of the principal deputy prothonotary

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of thei sickness absence or other temporary disability" approved the twenty-sixth day of May Anno Domini one thousand eight hundred ninety-seven which reads as follows

"Section 1 That hereafter it shall be lawful in case of sickness absence or other temporary disability of any prothonotary for the deputy of such prothonotary duly appointed by law to act in his place name and stead in all matters relating to the performance of duties of such prothonotary" be and the same is hereby amended so as to read as follows

Section 1 That hereafter it shall be lawful in case of the sic kness absence or other temporary disability of any prothonotary for the principal deputy of such prothonotary duly appointed by law to act in his place name and stead in all matters relating to the performance of the duties of such prothonotary and in case of the sickness absence or other temporary disability of said principal deputy prothonotary it shall be lawful for said prothonotary and he is hereby authorized and empowered to appoint a second deputy prothonotary who shall possess and discharge during the disability of said principal deputy prothonotary all the rights powers and duties of said principal deputy prothonotary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to and (at 12.10 o'clock P. M.) the House adjourned until Monday evening, May 7, 1917, at 9 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

VOL. 4. HARRISBURG, PA., MONDAY, MAY 7, 1917. No. 50.

SENATE.

MONDAY, May 7, 1917

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor Frank B. McClain) in the Chair.

PRAYER.

The Chaplain, Rev. Thomas W. Davis, offered the following prayer:

We are indebted to Thee, Almighty God, for all the blessings of life. We thank Thee for the wider fellowship that obtains to-day between men and for the clearer realization of the fatherhood of God and the brotherhood of man. We thank Thee for the prosperity of our great nation, and we are especially grateful that in the midst of this great prosperity our people are not at rest; because others are fighting for a great ideal, they also are willing to give their lives. We pray Thy blessing therefore upon our entire nation, so that we may calmly and thoroughly prepare for whatever may come. This prayer we make in our Saviour's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SONES, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING COMPETITIVE SYSTEM OF CIVIL SERVICE TO COVER STATE COUNTY AND CITY EMPLOYES.

The Chair presented petition of Philadelphia Chamber of Commerce, favoring a compulsory system of Civil Service to cover State, County and City employes, and urging the passage of the Civil Service bill introduced by Senator Jones, and Representative Wallace.

Which was referred to the Committee on Judiciary General.

URGING ADOPTION OF AMENDMENT TO STATE CONSTITUTION PROVIDING FOR ASSESSMENT OF ZONES SPECIALLY BENEFITED BY PUBLIC IMPROVEMENTS.

He also presented petition of the City Parks Association of Philadelphia, urging the adoption of the amendment to the State Constitution providing for the assessment of zones specially benefited by public improvements.

Which was referred to the Committee on Municipal Affairs.

FAVORING ADOPTION OF RESOLUTION TO PERMIT EXCESS CONDEMNATION.

He also presented petition of the City Parks Association of Philadelphia, urging the Legislature to adopt the resolution to permit excess condemnation, passed by the Legislature of 1915, in order that the amendment may be submited to the voters.

Which was referred to the Committee on Municipal Affairs.

AGAINST APPROPRIATIONS TO VARIOUS SECTARIAN INSTITUTIONS.

He also presented petition of Hyde Park Lodge No. 306, Knights of Pythias, of Scranton, against the appropriations to the various Sectarian Institutions.

Which was referred to the Committee on Appropriations.

PRAYING FOR THE PASSAGE OF SENATE BILL NO. 664 MAKING AN APPROPRIATION TOWARD THE MAINTENANCE OF A NAUTICAL TRAINING SCHOOL AT THE PORT OF PHILADELPHIA.

He also presented petition of the Joint Committee of Commerce and Navigation of Philadelphia Councils, praying for the passage of Senate Bill No. 664, making an appropriation for the maintenance of a Nautical Training School at the Port of Philadelphia.

Which was referred to the Committee on Appropriations.

FAVORING APPROPRIATION TO THE VILLAGE FOR FEEBLE-MINDED WOMEN OF CHILD BEARING AGE AT LAURELTON, AND ALSO FAVORING APPROPRIATION FOR THE STATE INSTITUTIONS FOR THE FEEBLE MINDED AT POLK AND SPRING CITY.

He also presented petitions of citizens of Pennsylvania, favoring appropriation to the Village of Feeble-Minded Women of Child Bearing Age at Laurelton, and also favoring appropriation for the State Institutions for the Feeble-Minded at Polk and Spring City.

Which were referred to the Committee on Appropriations.

LEAVE OF ABSENCE.

The Chair asked and obtained leave of absence for the Senator from Montgomery, Mr. Croft, for this week.

HOUSE MESSAGE.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives, being introduced, presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 589 (Senate Bill No. 1046), entitled

An Act to amend section eight of an act approved the twenty-fifth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred thirty-six) entitled "An Act for the taxation of dogs and the protection of sheep."

Which was committed to the Committee on Judiciary General.

House Bill No. 592 (Senate Bill No. 1047), entitled

An Act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name, style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates; fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 706 (Senate Bill No. 1048), entitled

An Act to repeal a portion of the twenty-fourth clause of section one of the act of May thirty-one one thousand eight hundred and forty-four Pamphlet Laws five hundred and eighty-five entitled "An Act to provide for the ordinary expenses of government repair of the canals and railroads of the State and other claims upon the Commonwealth."

Which was committed to the Committee on Judiciary General.

House Bill No. 1053 (Senate Bill No. 1049), entitled

An Act to amend an act approved the eleventh day of June, one thousand nine hundred fifteen, entitled "An Act to amend an act approved the fourteenth day of April, one thousand nine hundred fifteen, entitled 'An Act providing for the payment of judgments and mortgages and other claims which are liens on property affected by public improvements or appropriated by the exercise of the right of eminent domain,'" excepting proceedings to ascertain damages and benefits by reason of municipal street or sewer improvements.

Which was committed to the Committee on Judiciary General.

House Bill No. 1057 (Senate Bill No. 1050), entitled

An Act granting certain powers to cities of the second class in relation to underground tunnels, tubes and subways, including their construction, maintenance and operation, and the leasing thereof or parts thereof, and providing for the ascertaining of the damages by reason of such construction, or by reason of the taking, using or appropriating of land necessary and incidental thereto, conferring the power of eminent domain in connection therewith, and providing for the approval of the contracts provided for herein by the Public Service Commission.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1060 (Senate Bill No. 1051), entitled

An Act empowering cities of the second class to purchase, lease, locate, construct, and equip, or otherwise acquire, transit facilities, and to own, maintain, use, and operate the same within their corporate limits, and within the limits of adjacent cities, boroughs, and townships; to exercise the right of eminent domain in connection therewith, and prescribing the manner of ascertaining the damages sustained in connection with such exercise; to sell, pledge, or lease transit facilities; to grant licenses for the use of the same; to enter into agreements for the construction and operation of the same; to connect the tracks of railways with the tracks of railroad or railway companies; and under certain conditions to use portions of the tracks of the latter; and empowering railroad, railway, and motor power companies to sell, purchase, and lease transit facilities to and from said cities, and to contract with said cities respecting the acquisition, construction, operation, and use of transit facilities, subject to the provisions of "The Public Service Company Law" of July twenty-six, one thousand nine hundred and thirteen and its supplements and amendments.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1140 (Senate Bill No. 1052), entitled

An Act to revise amend and consolidate the law relating to fish and providing penalties.

Which was committed to the Committee on Game and Fisheries.

House Bill No. 1154 (Senate Bill No. 1053), entitled

An Act authorizing the judges of the separate orphans' court in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants to fix and determine the salaries of assistant clerks in said court

Which was committed to the Committee on Judiciary General.

House Bill No. 1346 (Senate Bill No. 1054), entitled

An Act to further amend part of section six of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving the said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for the purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for the payment of cost of improvement and repairs; providing penalties for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by the provisions of this act," as amended.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1494 (Senate Bill No. 1055), entitled

An Act to amend section thirty of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpike or toll roads forming all or part of any State Highway and procedure therein; providing for work or improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in improvement of township or county roads; defining highways and State-aid highways; providing method of application for state aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth covering same; providing for the minimum width of State highways and State aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the Act; and providing for the repeal of certain acts relating to highway department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1580 (Senate Bill No. 1056), entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 260.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 260, entitled

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 843.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 843, entitled

An Act authorizing Edward Fay and Son a corporation of the State of Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 846.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 846, entitled

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 951.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 951, entitled

An Act amending section 2 of an act entitled "An Act authorizing and empowering the county commissioners, the county solicitor, and the chief clerk to the county commissioners, of each county, to organize themselves into a State Association, for the purpose of holding annual meetings, and providing for the payment of the expenses thereof," approved the 10th day of May, Anno Domini 1913, by providing that the necessary expenses of the convention shall not be more than twenty-five dollars to any county per annum.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL NO. 52, RECALLED FROM THE GOVERNOR.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 52, entitled

An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products or any other products and prescribing penalties.

said bill having been recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN SENATE BILL NO. 119.

He also returned to the Senate Senate Bill No. 119, entitled

An Act providing for filling of vacancies in the office of tax collector in boroughs and townships by the county commissioners and repealing certain acts inconsistent therewith.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 217.

He also returned to the Senate Senate Bill No. 217, entitled

An Act preventing the manufacture sale or transportation within the Commonwealth of adulterated or misbranded paris green lead arsenates lime-sulphur compounds and other insecticides and fungicides and regulating traffic therein providing for inspection of such materials and imposing penalties.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 579.

He also returned to the Senate Senate Bill No. 579, entitled

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve and maintain the same; and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways, providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," and further providing that the State Highway Commissioner, and the several counties, townships, boroughs or incorporated towns shall have authority to make and enter into contracts to reconstruct or improve a State Highway or portion thereof, in the same manner as a State-aid highway; and authorizing counties, townships, boroughs or incorporated towns to incur indebtedness and pay their respective shares of the cost thereof, and making valid all such contracts heretofore made; such highway to remain a State Highway.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 675.

He also returned to the Senate Senate Bill No. 675, entitled

An Act validating marriages contracted on or before the 1st day of January, 1896, within or without the State of Pennsylvania, between parties resident within the State of Pennsylvania at the time of the approval of this act, where continuous cohabitation of the parties contracting the marriage for a period of twenty-one years has followed such marriage, notwithstanding any impediment or obstacle which may have existed under the law of Pennsylvania at the time such marriage was performed, and making legitimate all children born of parents whose marriages are validated under this act.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 680.

He also returned to the Senate Senate Bill No. 680, entitled

An Act to amend section two of an act, entitled "An Act providing for the appointment by the district attorney in counties having a population of over one million and less than one million five hundred thousand inhabitants of a chief county detective, an assistant county detective and special county detectives; defining their duties; fixing their salaries, and authorizing the payment of the same, together with the necessary traveling expenses by the county and providing for additional salary and expenses."

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 698.

He also returned to the Senate Senate Bill No. 698, entitled

An Act to prevent the incorporation of societies and associations not for profit with names styles or titles identical with or similar to the names styles or titles of State boards commissions or other activities and the use by such societies and associations already incorporated of such names styles or titles where such identity or similarity is calculated to result or has resulted in a confusion in the public mind between the recommendation and operations of such societies and associations and those of said State boards commissions or other activities.

with the information that the House has passed the same without amendment.

SENATE BILL NO. 560 RETURNED WITH AMENDMENTS.

He also returned to the Senate Senate Bill No. 560, entitled

An Act amending sections eight and ten of an act approved the nineteenth day of March, one thousand nine hundred nine, entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act," as amended, by providing for the extension of time necessary for graduation, by revising the fee for reciprocity licenses and by further regulating the preliminary educational requirements for matriculation into colleges.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. BEIDLEMAN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

Said amendments, having been printed as required by the Constitution, were twice read as follows

Amend section 1, page 4, line 10, by striking out the word "minor;" also page 6, line 2, by striking out the word "or" and inserting in lieu thereof the word "of;" also line 25, by striking out the word "minor."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Baldwin,	Graff, J. F.,	McKee,	Smith, R. E.,
Beales,	Graff, W. P.,	McNichol,	Snyder, P. W.,
Beidleman,	Hackett,	Miller,	Sones,
Buckman,	Haldeman,	Nason,	Sproul,
Catlin,	Hindman,	Patton,	Stewart,
Craig,	Homsher,	Phipps,	Tompkins,
Crow,	Jenkins,	Salus,	Warner,
Daix,	Lynch,	Sassaman,	Weaver,
DeWitt,	Martin,	Schantz,	Wasbers,
Endsley,	McConnell,	Semmens,	Whitten,
Eyre,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 700 RETURNED WITH AMENDMENTS.

He also returned to the Senate Senate Bill No. 700, entitled

An Act to provide for the classification of inspectors of the Department of Labor and Industry according to qualifications determined by a Committee of the Department of Labor and Industry and fixing the salaries of inspectors within the several classifications.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. McCONNELL. Mr. President, I move that Rule 21, which requires that amended bills be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments, having been printed as required by the Constitution, were twice read as follows:

Amend section 2, page 2, line 8, by striking out after the word "hundred" the figures "(1,500)" and inserting in lieu thereof the following "dollars ($1,500)"

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,	Graff, J. F.,	Miller,	Sones,
Beales,	Hackett,	Nason,	Sproul,
Beidleman,	Haldeman,	Patton,	Stewart,
Catlin,	Hindman,	Phipps,	Tompkins,
Craig,	Homsher,	Salus,	Vare,
Crow,	Lynch,	Sassaman,	Warner,
Daix,	Martin,	Schantz,	Weaver,
DeWitt,	McConnell,	Semmens,	Wasbers,
Endsley,	McKee,	Smith, R. E.,	Whitten,
Eyre,	McNichol,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

VETO OF SENATE BILL NO. 213.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval Senate Bill No. 213, entitled "An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections."

On April 26, 1917 I approved House Bill No. 8 the provisions of which are of like purpose and effect as the provisions of this Bill. The purposes of this bill having been accomplished its approval is unnecessary.

For these reasons the Bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill pass the objections of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. BALDWIN. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency the Governor of the Commonwealth filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILL NO. 377

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 377, entitled, "An Act amending the twelfth section of an act entitled 'An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass except actions for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions' approved the 14th day of May Anno Domini one thousand nine hundred and fifteen providing that counties cities boroughs townships school districts and other municipalities shall not be required to file affidavits of defense."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 372.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 372, entitled "An Act to repeal an act entitled 'An Act supplementary to an act passed January twenty-ninth one thousand eight hundred and sixty-three authorizing the commissioners and controller of Allegheny County to compromise with the holders of the bonds of said county' approved the twenty-second day of April Anno Domini one thousand eight hundred and sixty-three."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 371.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 371, entitled, "An Act to repeal an act entitled 'An Act for the reformation and employment of vagrants drunkards and other disorderly persons in the County of Allegheny' approved the thirteenth day of April Anno Domini one thousand eight hundred and fifty-nine."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 366.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 366, entitled, "An Act to repeal an act entitled 'An Act to encourage the destruction of foxes in the Counties of Allegheny Cambria York Mercer Union Huntingdon Luzerne and Schuylkill' approved the fourth day of May, Anno Domini one thousand eight hundred and thirty-two insofar as the same relates to the County of Allegheny."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 365.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 365, entitled, "An Act to repeal section one of an act entitled 'An Act to regulate the price of supporting the prisoners in the county jail in Allegheny' approved the eighth day of May Anno Domini one thousand eight hundred and fifty-five."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 364.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 364, entitled, "An Act to repeal an act entitled 'An Act to increase the compensation of road viewers reviewers and surveyors in the County of Allegheny' approved the thirtieth day of March Anno Domini one thousand eight hundred and seventy-two."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 352.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 352, entitled "An Act to validate acts done by corporations before the recording of their charters."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 342.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 342, entitled "A Supplement to an act approved the fifth day of June one thousand nine hundred and thirteen entitled 'An Act regulating the operation of motor-boats and providing a penalty' giving the Board of Commissioners of Navigation jurisdiction to enforce the provisions of this act."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 318.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 318, entitled "An Act to amend sections one three and five of article three of an act entitled 'An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto' approved the twenty-seventh day of June Anno Domini one thousand nine hundred thirteen."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 317.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 317, entitled "An Act validating certain elections of boroughs towns and townships held to determine the question of becoming a city of the third class and validating letters patent issued in pursuance of such elections."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 201.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 201, entitled "An Act authorizing cities boroughs and towns to lease water supply works and systems providing for the operation thereof and the establishment of rates."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 186.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 186, entitled "An Act relating to the appointment of persons to the fire departments in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation of a secretary."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 109.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 109, entitled "An Act for the better protection of wild animals and birds and game within this Commonwealth requiring non-residents to procure a license before hunting in this Commonwealth providing penalties for violation of any of its several provisions and prescribing the disposition of license fees and penalties received."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 373.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 373, entitled "An Act to repeal sections two and three of an act entitled 'An Act to confer on Alexander Thomas and Budd Jones and

Emma Downing of Allegheny County the rights and privileges and advantages of children born in lawful wedlock in relation to a tax on dogs in the said County of Allegheny incorporating the West Newton and Braddock's Field Plank Road Company relative to fishing with nets in the Monongahela River authorizing constables to serve civil process in Germantown relative to miners in Schuylkill County legitimitizing James C. Collins relative to the premium on fox scalps in the County of York' approved the fourteenth day of April Anno Domini one thousand eight hundred and fifty-one which said sections relate to the taxation of dogs in Allegheny County."

MARTIN G. BRUMBAUGH.

NOMINATIONS BY THE GOVERNOR.

He also laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows and referred to the Committee on Executive Nominations.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 2, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, H. Allen Holmes to be a Justice of the Peace in and for the Borough of Dallas, County of Luzerne, to serve until the first Monday in January, 1918, vice William Norton, deceased.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Pierce A. Lacey to be a Justice of the Peace in and for the Borough of Loretto, County of Cambria, to serve until the first Monday in January, 1918, vice Bernard W. Wills, deceased.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 2, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, George M. Hill to be a Justice of the Peace in and for the Township of Chillisquaque, County of Northumberland, to serve until the first Monday in January, 1918, vice N. F. Furman, deceased.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 2, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael A. McNamara, to be a Justice of the Peace in and for the Borough of South Bethlehem, County of Northamption, to serve until the first Monday in January, 1918, vice Hugh Kelly, deceased.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 2, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Frank J. Gordon, to be a Justice of the Peace in and for the Township of West Deer, County of Allegheny, to serve until the first Monday in January, 1918, vice C. D. Allen, resigned.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John M. Robinson, to be a Justice of the Peace, in and for the Township of Derry, County of Montour, to serve until the first Monday in January, 1918, vice Thomas Kerswell, resigned.

MARTIN G. BRUMBAUGH.

ALDERMAN.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 2, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William Carter to be an Alderman in and for the Seventh Ward of the City of Hazleton, County of Luzerne, to serve until the first Monday in January, 1918, vice Charles K. Crellin, resigned.

MARTIN G. BRUMBAUGH.

REPORT FROM COMMITTEE.

Mr. EYRE, from the Committee on Railroads, reported as committed, Senate Bill No. 1033, entitled

A Supplement to an act, entitled "An Act to promote the safety of travellers and employes upon railroads by compelling common carriers by railroads to properly man their trains," approved the nineteenth day of June, Anno Domini one thousand nine hundred and eleven, and providing that the provisions of said act shall not be in force during the time the Government of the United States is engaged in war with a foreign government or power and for a period of six months after the close of such war.

BILL ON FIRST READING.

Mr. EYRE. Mr. President, I ask unanimous consent that Senate Bill No. 1033, entitled

A Supplement to an act, entitled "An Act to promote the safety of travellers and employes upon railroads by compelling common carriers by railroads to properly man their trains," approved the 19th day of June, A. D. 1911, and providing that the provisions of said act shall not be in force during the time the Government of the United States is engaged in war with a foreign government or power and for a period of six months after the close of such war.

be read the first time.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1033, entitled

A Supplement to an act, entitled "An Act to promote the safety of travellers and employes upon railroads by compelling common carriers by railroads to properly man their trains," approved the 19th day of June, A. D. 1911, and providing that the provisions of said act shall not be in force during the time the Government of the United States is engaged in war with foreign government or power and for a period of six months after the close of such war.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. J. FRANK GRAFF, from the Committee on Insurance, reported as amended, Senate Bill No. 991 (House Bill No. 1310), entitled

An Act to confer additional powers upon fire insurance companies.

Mr. PATTON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 995, entitled

An Act regulating the licensing of persons and institutions in the business of receiving, boarding or keeping children under the age of fourteen years for hire or reward; providing that such licenses shall be obtained annually from the director or president of the board of health in all cities of the second and third classes, boroughs, towns, and all townships of the first class, and in the case of township of the second class, from the Commissioner of the State Department of Health; authorizing the making of rules and regulations for the issuing and registering of such licenses, for the conduct of such business and for the inspection of the premises in which said business is conducted; making the violation of the act and the rules and regulations made thereunder a misdemeanor, and prescribing the penalty therefor.

Mr. SEMMENS, from the Committee on Game and Fisheries, reported as amended, Senate Bill No. 929 (House Bill No. 187), entitled

An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions.

Also, from the Committee on Insurance, re-reported as committed, Senate Bill No. 507, entitled

An Act to provide reserves for outstanding liability losses of insurance companies transacting the business of insuring any one against loss or damage resulting from accident to or injury suffered by an employe or other person for

which the person insured is liable and also for outstanding losses incurred under the Workmen's Compensation Act of one thousand nine hundred fifteen and repealing existing laws.

Mr. MILLER, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 1002, entitled

An Act to exempt playgrounds not used for private or corporate profit from taxation where the entire revenue is applied to support said playgrounds and to increase the efficiency and improvement thereof.

Mr. SEMMENS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 885 (House Bill No. 662), entitled

An Act to amend an act approved the ninth day of April, one thousand nine hundred fifteen, entitled "An Act to amend an act entitled 'An act to amend an act entitled "An Act to amend an act entitled 'An Act to amend an act entitled "An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel, or glass to erect and maintain buildings and manufacturing establishments, and to take, have, and hold real estate necessary and proper for manufacturing purposes,' approved the ninth day of June, Anno Domini one thousand eight hundred and eighty-one; extending the same to companies formed for the purpose of quarrying slate, granite, stone, or rocks, or for dressing, polishing, working, or manufacturing the same, or any of them, and to mineral springs companies, incorporated for the purpose of bottling and selling natural mineral springs water, approved the sixteenth day of June, Anno Domini one thousand eight hundred and ninety-three," approved the nineteenth day of April, Anno Domini one thousand nine hundred and one; extending the same to companies formed for the purpose of manufacturing and selling chemicals, foodstuffs, cement, and cement products, and the quarrying of cement rock, approved May twenty-eighth, one thousand nine hundred and seven; extending the same to companies incorporated for the manufacture, buying, selling, leasing, using, and operation of electrical apparatus and machinery, and articles of every kind appertaining to or in any wise connected with the production, use, regulation, control, distribution, or application of electricity or electrical energy or products for any use or purpose, constructing, acquiring, using, selling, buying, or leasing any works, construction, or plant, or part thereof, connected with or involving such use, distribution, regulation, control or application of electricity or the control or use of electrical apparatus for any purpose; and of producing, furnishing, and supplying electricity or electrical apparatus in any form and for any purpose, and to carry on a general manufacturing business,' approved the twenty-third day of June one thousand nine hundred and eleven; by extending the same to companies incorporated for the purpose of refining, manufacturing, or sale of petroleum and petroleum products," by extending the same to corporations incorporated for the manufacture of leather or articles containing leather.

Mr. BUCKMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 974 (House Bill No. 986), entitled

An Act making a deficiency appropriation to the Department of Agriculture.

Mr. CROW, from the Committee on Corporations, reported as committed, Senate Bill No. 1025, entitled

An Act amending section one of the Act of June 23, 1885, (P. L. 145), entitled "An Act to protect oil, gas and water wells, tanks, pipes, and machinery connected therewith and to prevent wilful and malicious injury thereto;" extending the provisions thereof to reservoirs, standpipes, pumping stations, power houses, and other buildings or appliances used for the supply of water or electric current.

Also from the Committee on Corporations, reported as committed, Senate Bill No. 997, entitled

An Act to amend section 23 of an act, entitled "An Act to provide for the incorporation and regulation of certain corporations," approved April 29th, 1874, as amended by the 5th section of an act, entitled "A Supplement to an act, approved April 29th, 1874, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' providing for the further regulation of such corporations, and for the incorporation and regulation of certain additional corporations," approved April 17th, 1876, as amended by section 1 of an act, entitled "An Act to amend section 23 of an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved April 29th, 1874, as amended by the 5th section of an act, entitled 'A Supplement to an act, approved April 29th, 1874, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' providing for the further regulation of such corporations, and for the incorporation and regulation of certain additional corporations,' approved April 17th, 1876; requiring the filing of all reports required by the Auditor General of the Commonwealth of Pennsylvania, by certain corporations, up to and including the date of the proposed sale, assignment, disposition and conveyance of the franchises and property of such corporations before the return authorizing such sale, assignment, disposition, and conveyance shall be filed in the office of the Secretary of the Commonwealth;" approved June 2d, 1915 (P. L. 724).

Also from the Committee on Corporations, reported as committed, Senate Bill No. 865, entitled

An Act to authorize corporations organized for profit under the laws of Pennsylvania to continue the salaries of employes enlisting or enrolling in any branch of the military or naval service of the United States or other protective organizations.

BILLS INTRODUCED.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1057, entitled

An Act to appropriate the sum of $500,000 to mobilize a United States Volunteer Force, commanded by Theodore Roosevelt.

Which was committed to the Committee on Appropriations.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 1058, entitled

An Act amending section three of an act entitled "A Supplement to an act entitled 'An Act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection and disbursement of taxes and water rents or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for,'" approved May twelfth, one thousand nine hundred and eleven, as amended by the amendment of June fifteenth, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-six).

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 1059, entitled

An Act empowering cities of the second class under certain conditions to lease streets or highways along navigable streams or streets or highways created by Act of Assembly, to private persons for a limited time, and to receive a rental therefor.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 1060, entitled

An Act amending section one of an act, entitled "An Act for the government of cities of the second class," approved the seventh day of March, Anno Domini one thousand nine hundred and one, as amended by the act of May eleventh, one thousand nine hundred eleven (Pamphlet Laws two hundred thirty-eight).

Which was committed to the Committee on Municipal Affairs.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 1061, entitled

An Act to provide for the improvement of Capitol Park, in the City of Harrisburg, and making an appropriation therefor and also for the expenses and costs in connection therewith.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1062, entitled

An Act authorizing the Board of Public Grounds and Buildings to dedicate for sidewalk purposes certain portions of Capitol Park and Capitol Park Extension, in the City of Harrisburg, abutting on public streets, and to construct and maintain sidewalks thereon.

Which was committed to the Committee on Municipal Affairs.

Also read in place and presented to the Chair Senate Bill No. 1063, entitled

A Joint Resolution for the appointment of a Commission by the Governor of this Commonwealth for the purpose of investigating and reporting upon a proper and uniform system of accounting and bookkeeping; the supervision and regulation of indebtedness; the supervision and examination of accounts of the fiscal officers of cities of the third class, and for the further purpose of suggesting new legislation relative to a uniform system of bookkeeping and accounting; the supervision and regulation of indebtedness; the supervision of the examination of accounts of the fiscal officers of the cities of the third class, and making an appropriation to meet the expenses of said commission.

Which was committed to the Committee on Appropriations.

Mr. CRAIG read in his place and presented to the Chair Senate Bill No. 1064, entitled

An Act to further regulate and restrain the granting of license for the sale of vinous, spirituous, malt and brewed liquors or any admixture thereof, by forbidding any court of quarter sessions to issue any license in any township, town, borough, city or county when a certain per centum of the voters therein petition against the issuance of said license.

Which was committed to the Committee on Law and Order.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 1065, entitled

An Act to provide for the extension of the public works of the Commonwealth during periods of extraordinary unemployment, caused by temporary industrial depression, and regulating employment therein; providing a fund for the purpose aforesaid, to be known as the Emergency Public Works Fund; constituting the Governor, the Auditor General, the State Treasurer and the Commisisoner of Labor and Industry as the Emergency Public Works Commission, as trustees and custodians of the said fund and defining the power and duties of the said Commission; appropriating the sum of one hundred thousand ($100,000) dollars to the said Commission to constitute a part of the said fund; imposing upon the Industrial Board of the Department of Labor and Industry the duties of ascertaining the existence of periods of extraordinary unemployment within this Commonwealth and of notifying the same to the Commission aforesaid; providing for the distribution and administration of the said fund by the said Commission to promote the extension of public works and the relief of such unemployment; and repealing all acts inconsistent with the provisions hereof.

Which was committed to the Committee on Finance.

Mr. BURKE read in his place and presented to the Chair Senate Bill No. 1066, entitled

An Act fixing the salary of the Assistant Director of the Legislative Reference Bureau.

Which was committed to the Committee on Appropriations.

Mr. SEMMENS read in place and presented to the Chair Senate Bill No. 1067, entitled

An Act concerning life insurance; the persons who may place, sell or solicit life insurance, and be compensated or benefited therefor; making it unlawful for attorneys (officers, clerks, servants and employes, or persons otherwise hired and engaged, to receive compensation for life insurance placed, sold or solicited for the benefit of, or on the lives of their clients, clerks, servants, or employes; making it unlawful to pay such compensation; defining the time of such employment), fixing a penalty for violation of this act, and making said violation a misdemeanor; and repealing existing laws.

Which was committed to the Committee on Insurance.

Mr. BEALES read in his place and presented to the Chair Senate Bill No. 1068, entitled

An Act to further amend sections one and two of an act approved the eighteenth day of June, one thousand eight hundred and ninety-seven, entitled "An Act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standard, to prevent the adulteration of the same, providing for the enforcement thereof, and punishment for the violation of the same," as amended, by permitting the addition of water to apple or cider vinegar.

Which was committed to the Committee on Agriculture.

Mr. NASON read in his place and presented to the Chair Senate Bill No. 1069, entitled

An Act to amend section two of an act approved the twenty-eighth day of May, one thousand nine hundred and thirteen, entitled "An Act authorizing and empowering township supervisors, in townships of the second class, to enter into contract, with electric, gas, or other light companies, for the purpose of lighting and illuminating the streets, highways, and other public places in any village in said township; and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited."

Which was committee to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 1070, entitled

An Act establishing nine County Industrial Farms Work Houses and Reformatories; dividing the State into districts for such purpose; authorizing the purchase of sites and the erection and equipment of buildings and works for such institution; providing for their government and control and for the commitment, admission, employment and discharge of inmates; providing for an apartment for inebriates, and the admission and commitment of inmates thereto; imposing the cost of maintenance on the inmates in certain cases; imposing the cost of the institutions and the maintenance of certain inmates on the counties; and conferring certain powers and duties on certain county officers.

Which was committed to the Committee on Judiciary General.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 1071, entitled

An Act providing for only one assessment of all property for taxation in cities of the third class within this Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes city school county poor and other taxes to be levied on said assessment.

Which was committed to the Committee on Municipal Affairs.

Mr. McKEE read in his place and presented to the Chair Senate Bill No. 1072, entitled

An Act to amend sections one, three and four of an act approved the 8th day of May, 1909, entitled "An Act to give additional protection to wild birds and animals and game, within the Commonwealth of Pennsylvania; prohibiting the hunting for, or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents; forbidding the ownership or possession of shotgun or rifle by any unnaturalized foreign-born resident, within the Commonwealth; and prescribing penalties for violation of its provisions," by providing that pistol and firearm of any kind be added to the firearms enumerated in said act.

Which was committed to the Committee on Game and Fisheries.

Also read in his place and presented to the Chair Senate Bill No. 1073, entitled

An Act extending and defining the offense of embracery and making it a misdemeanor upon the part of a juryman not to report the attempted offense, and providing for the proper publication of the act by the sheriff, and for the reading of the act to jurors as a part of the oath.

Which was committed to the Committee on Judiciary General.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 1074, entitled

An Act relating to the collection of city, county, school, poor and other taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities shall be the collector of the said several taxes prescribing his duties; providing for his compensation, authorizing him to appoint deputy collectors and clerks and providing for their compensation.

Which was committed to the Committee on Municipal Affairs.

Mr. McKEE read in his place and presented to the Chair Senate Bill No. 1075, entitled

An Act providing for the appointment of a jury commissioner by the judges of the Courts of Common Pleas in counties having more than one million (and less than one million four hundred thousand) inhabitants; abolishing the office of the elected jury commissioners in such counties; defining the duties of the jury commissioner and the duties of officers in public employment in relation thereto; fixing the salary of the jury commissioner and providing that the same, together with the salaries of the employe, to be fixed by the judges and the expense of equipping and maintaining a suitable office when approved by a judge be paid by the county; defining the qualifications for the exemptions from jury service; prescribing a complete method of selecting, drawing and summoning grand jurors and petit jurors for jury service, and limiting the effect of failure to comply with same; prescribing penalties and punishment for violations of this act, and repealing in such counties all inconsistent legislation in relation thereto.

Which was committed to the Committee on Judiciary General.

Mr. HALDEMAN (for Mr. Lynch) read in his place and presented to the Chair Senate Bill No. 1076, entitled

An Act making it a felony to steal or attempt to steal a motor vehicle or to be an accessory thereto.

Which was committed to the Committee on Judiciary General.

Mr. SASSAMAN read in his place and presented to the Chair Senate Bill No. 1077, entitled

An Act to authorize mutual insurance companies, so electing, to become members of rating bureaus and subject to the provisions of the laws relating thereto.

Which was committed to the Committee on Insurance.

Mr. WARNER read in his place and presented to the Chair Senate Bill No. 1078, entitled

An Act providing for the election of a supervising engineer in counties having a population of less than eight hundred thousand, and for the appointment of an assistant engineer; fixing their salaries and providing for the payment thereof by the several counties and the State; providing a standard for county and township roads to be fixed by the State Highway Department, and prescribing the duties of the engineers in relation to such roads; providing for State-aid to counties and townships maintaining requisite standards.

Which was committed to the Committee on Public Roads and Highways.

Mr. HINDMAN read in his place and presented to the Chair Senate Bill No. 1079, entitled

An Act empowering boroughs to levy and collect annually a tax for the purpose of creating and maintaining a sinking fund to aid in permanent street improvement.

Which was committed to the Committee on Municipal Affairs.

Mr. TOMPKINS read in his place and presented to the Chair Senate Bill No. 1080, entitled

An Act declaring ministers of religion and clergymen who hold themselves in readiness to answer the call of any transportation company in case of accident or sickness, employes of such company; and providing that special, reduced or lower rates be granted by transportation companies to such ministers and clergymen.

Which was committed to the Committee on Railroads.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 1081, entitled

An Act to provide revenue for county purposes and in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same, providing for the duties of recorders, prothonotaries, registers, banks, trust companies, and modifying existing legislation which provided for raising revenue for county and city purposes.

Which was committed to the Committee on Municipal Affairs.

REPORT FROM COMMITTEE.

Mr. McKEE. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McKEE, from the Committee on Appropriations, reported as committed, Senate Bill No. 1056 (House Bill No. 1580), entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

BILL ON FIRST READING.

Mr. McKEE. Mr. President, I ask unanimous consent that Senate Bill No. 1056, entitled

A Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

be read the first time.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1056, entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 1044 (House Bill No. 751), entitled

An Act to fix the compensation for members of the General Assembly.

Also, from the Committee on Appropriations, reported as amended, Senate Bill No. 731, entitled

An Act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks, private bankers and trust companies doing business within this Commonwealth and making an appropriation.

Mr. DAIX. Mr. President, I ask unanimous consent to make reports from the Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1027, entitled

An Act to amend an act, entitled "An Act relating to prothonotaries and their duties, and to their deputies, and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the 26th day of May, A. D. 1897, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1024, entitled

An Act providing for the payment of consequential damages arising from the taking, injury or destruction of private property by municipal corporations in the construction or enlargement of their works, highways or improvements.

Mr. BALDWIN. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BALDWIN, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 1052 (House Bill No. 1140), entitled

An Act to revise, amend and consolidate the law relating to fish and providing penalties.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 827 (House Bill No. 866), as follows

An Act to regulate the practice of Pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof, defining the words "Drug" and "Poisons" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (a) The term "pharmacy" when not otherwise limited shall for all the purposes of this act be taken to mean a retail drug store or any place where drugs medicines or poisons are compounded dispensed prepared or sold at retail (b) The term "drug" as used in this act shall include all medicine and preparations recognized in the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia for internal or external use and any other substance or mixture of substances intended to be used for the cure mitigation or prevention of disease of either man or other animals (c) The term "pharmacist" shall for all purposes of this act be deemed to mean a person who is properly registered in accordance with this act of Assembly as a pharmacist

(d) The term "assistant pharmacist" shall for all the purposes of this act be deemed to mean a person who is properly registered in accordance with this act of Assembly as an assistant pharmacist Provided however That all persons registered as pharmacists or assistant pharmacists by the State Pharmaceutical Examining Board of Pennsylvania under the act of May twenty-fourth one thousand eight hundred and eighty-seven and various supplements and amendments entitled "An Act to regulate the practice of pharmacy and sale of poisons" and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania shall be deemed to be pharmacists or assistant pharmacists respectively registered under this act

Section 2 That there shall be established in the State of Pennsylvania a board to be known as "The Pennsylvania Board of Pharmacy" to consist of five persons three of whom shall constitute a quorum who shall be appointed for the term of five years by the Governor from among the most skillful pharmacists in Pennsylvania who are not teachers or instructors in any educational institution teaching pharmacy each appointee must have been registered as a pharmacist in Pennsylvania for at least ten years previous to his appointment and he must be actually engaged in conducting a pharmacy at the time of his appointment provided whereas a State Pharmaceutical Examining Board has heretofore been created in this Commonwealth and is now instituted and organized as provided in this act of Assembly the members of the said Board heretofore created shall constitute and henceforth be deemed and taken to be the Pennsylvania Board of Pharmacy established by this act of Assembly

That the appointed members of said Board heretofore created shall respectively continue to hold office as members of the Board established by this act of Assembly until the expiration of the term for which each was originally appointed The members of said Board shall be paid ten dollars per diem and their necessary expenses when actually engaged in the performance of the duties of the Board

The officers of said Board shall be a President Vice President Secretary and Treasurer all of whom shall be elected annually from among their number The salary of the said Secretary shall be a reasonable amount to be determined by the Pennsylvania Board of Pharmacy The members of said Board shall within ten days of their appointment take and subscribe an oath or affirmation before a properly qualified officer of the county in which they reside that they will faithfully and impartially perform the duties of their office which oath or affirmation which oath shall be filed with the Secretary of the Commonwealth

And the said Board shall have the right to employ chemists assistant chemists agents and clerks for the purpose of carrying out the terms and conditions prescribed by this act of Assembly Any vacancy occurring in the said Board shall be filled by the Governor from among such only as are eligible for appointment under this act of Assembly Provided however If the office of a member shall become vacant before the expiration of the term for which said member was appointed the vacancy shall be filled by an appointment by the Governor for the unexpired term only

Section 3 That the Pennsylvania Board of Pharmacy shall meet at least four times a year in the City of Harrisburg or such other place in Pennsylvania as they may deem expedient and examine all persons in the science of pharmacy and its allied branches who shall make application for registration as pharmacists or assistant pharmacists and that the said Pennsylvania Board of Pharmacy or a majority of them shall grant to such persons as may be qualified registration and certificates of competency and qualification which shall entitle the holders thereof to all the privileges of a pharmacist or assistant pharmacist under the provisions of this act as may be specified therein

Section 4 That every person applying to the Pennsylvania Board of Pharmacy for examination and registration as a pharmacist shall be not less than twenty-one years of age and of good moral character and must produce satisfactory evidence of having had not less than four years practical experience in a pharmacy under the personal supervision of a pharmacist at least two years of which experience must have been acquired within the United States in the business of retailing compounding or dispensing of drugs chemicals and poisons and of compounding of physicians' prescriptions or in the case of an applicant having acquired experience in the drug dispensary of a regular public hospital which dispensary was conducted under the constant supervision of a registered pharmacist two years of such experience shall be allowed in lieu of two years required in a pharmacy and of being a graduate of some reputable and properly chartered college of pharmacy so recognized by the Pennsylvania Board of Pharmacy of this or some other State or any foreign country whose pharmacy licensing board or other authority recognizes the graduates of the reputable and properly chartered colleges of pharmacy of this State and admits the graduates of all such colleges to its pharmacy licensure examinations And every person applying for registration as qualified assistant shall be not less than eighteen years of age and of good moral character and must produce satisfactory evidence of having had not less than two years practical experience as defined and provided in this section

Section 5 Each applicant for examination and registration as a pharmacist shall pay to the Pennsylvania Board of Pharmacy an examination fee of five dollars ($5.00) If the said applicant passes a satisfactory examination and complies with the rules and regulations and with the terms and conditions of this act of Assembly then the said Board shall grant the applicant registration and a certificate of competency and qualification as a pharmacist upon the payment of a fee of twelve dollars ($12.00) provided said fee shall be paid to the said Board within thirty days of the time that the said applicant is notified that a satisfactory examination has been passed

Each applicant for examination and registration as assistant pharmacist must pay a fee of three dollars ($3.00) to the Pennsylvania Board of Pharmacy and if the said applicant passes a satisfactory examination and complies with the rules and regulation of the Pennsylvania Board of Pharmacy for the enforcement of this act of assembly and with the terms and conditions of this act of Assembly the said board shall grant the said applicant registration and a certificate of competency and qualification as an assistant pharmacist upon payment of a fee of five dollars ($5.00) provided that said fee shall be paid to the said board within thirty (30) days of the time when the said applicant is notified that a satisfactory examination has been passed

Section 6 That the registration of any pharmacist or assistant pharmacist under this act of Assembly may be revoked by the Pennsylvania Board of Pharmacy when the registration is proved to have been obtained by fraudulent means

Section 7 That there shall be kept in every pharmacy a copy of the latest revision of the United States Pharmacopoeia and the latest edition of the National Formulary and if homeopathic remedies are compounded and dispensed a copy of the latest revision of the American Homeopathic Pharmacopoeia or the Homeopathic Pharmacopoeia of the United States which books must be open to the inspection of the Pennsylvania Board of Pharmacy or the agents thereof Any person violating this section of this act of Assembly shall upon conviction be sentenced to pay a fine of ten dollars ($10.00) and the costs of prosecution

Section 8 That all certificates as pharmacists or assistant pharmacists issued under the authority of the Commonwealth of Pennsylvania shall at all times be conspicuously exhibited in the place of business where the pharmacist or assistant pharmacist is employed Any pharmaceist violating this section of this act of Assembly as to the display of his own or his employes' certificates shall upon conviction be sentenced to pay a fine of ten dollars ($10.00) and the costs of prosecution

Section 9 That it shall be unlawful for any person to impersonate an applicant before the Pennsylvania Board of Pharmacy who shall be applying for registration under the provisions of this act of Assembly Any person violating this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of one hundred dollars ($100.00) or to undergo an imprisonment of six months in the county prison or either or both in the discretion of the court

Section 10 That the Pennsylvania Board of Pharmacy shall make uniform rules and regulations for the enforcement of this act including the forms of application for registration in accordance therewith

Section 11 That the Pennsylvania Board of Pharmacy shall enforce the provisions of this act of Assembly investigate all complaints and charges of non-compliance and prosecute all persons so offending whenever reasonable ground shall appear for such action All fines imposed through a violation of this act shall be paid to the Secretary of the Pennsylvania Board of Pharmacy and by him paid into the State Treasury for use in the enforcement of this act of Assembly

Section 12 That the Pennsylvania Board of Pharmacy shall make an annual report to the Governor of Pennsylvania of the work performed during the year together with a complete financial statement of all moneys received and all moneys paid out One thousand (1,000) copies of this report shall be printed by the State printer of Pennsylvania and two copies sent to each member of the Legislature the remaining copies to be distributed upon application by the

Pennsylvania Board of Pharmacy All papers and records together with the minutes of the board shall be filed in the office of the board

Section 13 That hereafter it shall be unlawful to sell drugs medicines or poisons at retail or to compound physicians' prescriptions or to conduct a pharmacy or to practice as a pharmacist or assistant pharmacist except in compliance with the provisions of this act of Assembly provided however that nothing in this act of Assembly shall be so construed as to interfere with students of pharmacy or other employes in a pharmacy from performing such duties as may be assigned to them by and under the supervision of a pharmacist or assistant pharmacist and provided further that the compounding of physicians' prescriptions or the dispensing and selling of poisons at retail shall not be permitted except under the strict supervision and in the presence of a pharmacist or assistant pharmacist

Nothing in this act of Assembly shall be construed so as to prevent an authorized practitioner of medicine from administering or dispensing such drugs to bona fide patients as he or she shall deem necessary provided however that such drugs so administered or dispensed shall conform to the standards of strength quality and purity as fixed by the laws of this Commonwealth nor prevent the sale or manufacture of proprietory medicines nor prevent storekeepers from dealing in and selling commonly used household drugs when the same are offered for sale or sold in packages which have been put up ready for sale to consumers by pharmacists manufacturing pharmacists wholesale grocers or wholesale druggists Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00) or imprisonment for not more than one year or either or both in the discretion of the court

Section 14 That it shall be lawful for a pharmacist to take use and exhibit the titles pharmacist pharmacy druggist apothecary or drug store and to have charge or engage in conduct or carry on for himself or for another the dispensing compounding or sale of drugs chemicals medicines prescriptions or poisons anywhere within the State but he shall have personal supervision of not more than one pharmacy at the same time

It shall be lawful for an assistant pharmacist to take use or exhibit the title assistant pharmacist and to assist in the dispensing compounding or retailing of drugs chemicals medicines prescriptions or poisons in a pharmacy which is under the management and personal supervision of a pharmacist registered under the provisions of this act he may also perform such duties during the temporary absence of the pharmacist regularly in charge

Section 15 That it shall be unlawful for any person firm or corporation to use the title pharmacist assistant pharmacist druggist or apothecary except as authorized under this act of Assembly It shall further be unlawful to use the title drug store or pharmacy or any title having the same meaning for a place where drugs are sold at retail except by persons registered as pharmacists under the provisions of this act Provided however It shall not be unlawful for the owner of a pharmacy who is not registered under this act as a pharmacist to employ such titles when his pharmacy is conducted by a pharmacist duly registered under this act Any person violating this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than fifty dollars ($50.00) and the costs of prosecution

Section 16 That the Pennsylvania Board of Pharmacy may register as a pharmacist without examination any person who was duly registered as a pharmacist by examination in some other state provided that the said person shall produce satisfactory evidence of having had the required secondary and professional education demanded of applicants for registration as pharmacist under the provisions of this act and provided also that the state in which such person was registered shall grant registration as a pharmacist without examination to pharmacists duly registered by examination within the meaning of this act A fee of twenty-five dollars ($25.00) shall be paid for such registration

Section 17 Poisons That a poison in the meaning of this act of Assembly shall be any drug chemical or preparation which according to standard works on medicine toxicology or Materia Medica is liable to be destructive to adult human life in quantities of sixty grains or less or any mixture compound or preparation containing in sixty grains or less a sufficient quantity of any such drug chemical or preparation as to make the same liable to be destructive to adult human life if sixty grains or less were to be taken

No person shall sell at retail or dispense any poison except as herein provided without affixing to the bottle box vessel or package containing same a label printed or plainly written containing the name of the article the word "Poison" and the name and place of business of the seller nor shall he deliver poison to any person without satisfying himself that the purchaser understands the poisonous nature of the article and that such poison is to be used for legitimate purposes

It shall be the further duty of any one selling at retail or dispensing any poison which according to standard works on medicine toxicology or Materia Medica is liable to be destructive to adult human life in quantities of five grains or less before delivering them to enter in a book kept for this purpose the name of the seller the name and address of the buyer the name of the article the quantity sold or disposed of the date on which sold and the purpose for which it is said to be intended Such book of registry shall be preserved for at least two years from the last date of entry and shall at all times be open to inspection of the coroner police authorities or the agents of the Pennsylvania Board of Pharmacy provided however that the provisions of this section shall not apply to the dispensing of physicians' prescriptions specifying poisonous articles nor to the sale of mixed paints of all kinds white lead and colors ground in oil and all lead products for technical purposes

Any person violating this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one hundred dollars ($100.00)

Section 18 This act shall not apply to the sale of poisons for tenchical use and not sold or offered for sale as a drug within the meaning of this act provided that the article is labeled to show plainly that it is for technical use and not for medicinal use and is sold in compliance with section eighteen of this act of Assembly

Section 19 That all physicians' prescriptions compounded and dispensed shall be kept on file in the pharmacy in which compounded for a period of at least five years and during that time the same shall be open to the inspection of the police authorities upon presentation of an order from the court or to the members of the Pennsylvania Board of Pharmacy

Section 20 That it shall be unlawful for any person to falsely make oath or affirmation to any statement in any application made to this board for registration as a pharmacist or assistant pharmacist or to any statement in support of the experience claimed in any application by any applicant for registration under this act Any person so doing shall upon conviction be sentenced to pay a fine of not more than one hundred dollars ($100.00) and costs of prosecution

Section 21 That it shall be unlawful for any unregistered person to have charge of a pharmacy and anyone who permits any person who is not registered or deemed to be a pharmacist or assistant pharmacist under this act to take charge of a pharmacy shall be guilty of a misdemeanor and either or both shall upon conviction be sentenced to pay a fine of not more than one hundred dollars ($100.00) and costs of prosecution

Section 22 That all acts and parts of acts so far as they may be in conflict with this act are hereby declared void and of no effect provided however That if any action or prosecution now pending for violations of any of the acts of Assembly hereby repealed occurring prior to the passage of this act of Assembly shall not be affected by this act of Assembly and provided further that the duties and powers of the State Pharmaceutical Examining Board under any act of the General Assembly in force and effect on and after July first one thousand nine hundred and seventeen shall be taken to be the duties and powers of the Pennsylvania Board of Pharmacy created by this act of Assembly This act shall be in force and effect on and after July first one thousand nine hundred and seventeen

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Endsley,	Martin,	Semmens,
Beales,	Eyre,	McConnell,	Smith, R. E.,
Beidleman,	Graff, J. F.,	McKee,	Snyder,
Buckman,	Graff, W. P.,	McNichol,	Sones,
Burke,	Hackett,	Miller,	Stewart,
Catlin,	Haldeman,	Nason,	Tompkins,
Craig,	Jenkins,	Patton,	Warner,
Crow,	Leiby,	Phipps,	Weaver,
DeWitt,	Lynch,	Sassaman,	Whitten,

NAYS—4.

Hindman,	Homsher,	Schantz,	Wasbers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 905, as follows

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all elections heretofore held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the provisions of an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April one thousand eight hundred and seventy-four and under the acts amendatory thereof where the majority of votes cast at such election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or incorporated district did not by separate and independent action prior to the ordinance or vote in pursuance of which notice of the election was given to the electors signify their desire for such increase of indebtedness or did not in the words of the act and supplements aforesaid authorizing such increase signify their desire for such increase of indebtedness or where the ballots were not certified or signed by the county commissioners or were not printed on the official ballot after the list of candidates but were printed on separate ballots or where full complete and proper return of the votes was not made to the proper court or counted by the court and notwithstanding any defect or informality in the manner of giving notice of such election and notwithstanding any mistake in stating the amount or percentage of the existing debt or the percentage of the proposed increase All bonds issued or to be issued in pursuance of every such election are hereby made valid binding obligations of every such county city borough township school district or incorporated district Provided All the other requirements of the law concerning such election and issue of bonds have been complied with and provided further the provisions of this act shall not apply in any instance where the validity of such election has been already made the subject of litigation in any court of this Commonwealth

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Baldwin,	Endsley,	Martin,	Smith, R. E.,
Beales,	Eyre,	McConnell,	Snyder,
Beidleman,	Graff, J. F.,	McKee,	Sones,
Buckman,	Graff, W. P.,	McNichol,	Sproul,
Burke,	Haldeman,	Miller,	Stewart,
Catlin,	Hindman,	Nason,	Tompkins,
Craig,	Homsher,	Patton,	Warner,
Crow,	Jenkins,	Phipps,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 916, as follows:

An Act providing for the organization government discipline maintenance and regulation of an additional armed land force for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the Pennsylvania National Guard shall be called into the service of the United States or shall be drafted into the service of the United States during any war thereupon and immediately thereafter the Governor of this Commonwealth as Commander-in-Chief of the armed forces thereof be and he is hereby authorized and empowerd to organize an armed force for the defense of the Commonwealth during said war which shall be known and designated as the Pennsylvania Reserve Militia which force shall be available at the discretion of the Governor for active military duty whenever an invasion of or an insurrection in the State shall occur or is threatened or a tumult riot or mob shall exist

Section 2 The Pennsylvania Reserve Militia shall consist of not to exceed three regiments of infantry and one squadron of cavalry Each regiment of infantry shall consist of the necessary field and staff commissioned and enlisted personnel a sanitary detachment and of twelve lettered companies provision shall be made by detail for headquarters supply and machine gun units the band section of the headquarters company of infantry may be organized at the discretion of the Governor The squadron of cavalry shall have such additional officers and enlisted men as shall be necessary in the discretion of the Governor to constitute an administrative force The enlisted personnel of the Pennsylvania Reserve Militia shall at all times be maintained at a strength not exceeding sixty-two enlisted men for each lettered company and troop provided however that if it shall become necessary to order the said Pennsylvania Reserve Militia on active duty that then it shall and may be lawful for the Governor in his discretion to increase the enlisted personnel of each company and troop to not exceed one hundred men severally

Section 3 The Governor shall have the power and he is hereby authorized and empowered to increase as hereinbefore provided for consolidate disband organize or re-organize any regiment squadron sanitary detachment company or troop organized hereunder andto provide either from the administrative staff or by original appointment and commission any department corps or staff required for the efficient administration of said Pennsylvania Reserve Militia The term of every commission and the period of every enlistment in the Pennsylvania Reserve Militia shall be at the discretion of the Governor subject to the provisions of section four of this act The Governor may make and promulgate such rules and regulations for the organization regulation government and discipline of the Pennsylvania Reserve Militia as he may deem necessary which when published in orders shall have the force and effect of statute law with like effect as if the same had been herein specifically enacted in words at length The Governor may relieve from duty any officer appointed hereunder and place him in the Reserve and he may in his discretion discharge any officer and enlisted man from the Pennsylvania Reserve Militia

Section 4 Whenever the Pennsylvania National Guard shall have been restored to state status or shall be enabled to resume its state organization thereupon the term of service of the Pennsylvania Reserve Militia shall cease and determine subject to the discretion of the Governor as to the time and manner in which the same shall be mustered out which may be either as one whole body or by separate units

Section 5 The Governor may in his discretion appoint one officer of the line staff corps or department as of the proper grade and assign him to duty as the commanding general of the Pennsylvania Reserve Militia The Governor shall appoint and commission all officers of every grade necessary for the regulation administration and discipline of the Pennsylvania Reserve Militia

Section 6 The Governor shall determine the location of the several units and may change the same at his discretion such units shall be located as far as practicable in armory buildings belonging to the Commonwealth When a unit is located in a privately owned armory or in other private property there shall be an annual allowance payable to the commanding officer of such unit which shall be devoted exclusively to armory rent purposes Such payments to be made by The Adjutant General in the usual manner

Section 7 Each commissioned officer before entering upon the duties of his appointment shall take and subscribe the following oath "I ———— do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies foreign and domestic that I will bear true faith and allegiance to the same that I will obey the orders of the Governor of the State of Pennsylvania that I make this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office of———— in the Pennsylvania Reserve Militia upon which I am about to enter"

Section 8 The moral character capacity and general fitness for service of any officer in the Pennsylvania Reserve Militia may at any time be determined by an efficiency board to be appointed by the Governor and to consist of three commissioned officers senior in rank If possible to the officer whose fitness for service shall be under investigation If the finding of such board be unfavorable to such officer and be approved by the Governor he shall be discharged

Section 9 Field and staff officers are authorized and empowered to administer oaths and affirmations in all matters pertaining to or concerning the Pennsylvania Reserve Militia the commanding officers of companies are authorized and empowered to administer oaths and affirmations in the enlistment of recruits for their respective organizations Any person who shall falsely swear or affirm to any oath or affirmation before any such officer shall be guilty of perjury and upon trial and conviction thereof shall be sentenced for such offense as now provided by law for the crime of perjury

Section 10 Officers appointed or assigned as quartermasters and as captains of companies and troops shall severally give bond in the sum of two thousand dollars lieutenants of companies and troops shall severally give bond in the sum of one thousand dollars The Adjutant General may require a bond in such amount as he may deem proper of any officer who may become responsible either for public funds or public property or both The form of all bonds shall be prescribed and furnished by The Adjutant General

Section 11 The Governor may place on duty in the Pennsylvania Reserve Militia any officer upon the retired list of the Pennsylvania National Guard who is not over sixty-four years of age and as of the grade in which he was retired or with a lesser grade

Section 12 Every man enlisting in the Pennsylvania Reserve Militia shall sign an enlistment contract and take and subscribe to the following oath and enlistment "I do hereby acknowledge to have voluntarily enlisted this..... day of .....19.... as a soldier in the Pennsylvania Reserve Militia for the period of the present war unless sooner discharged by proper authority and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Pennsylvania and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the Governor of the State of Pennsylvania and of the officers appointed over me according to law and the rules and articles of war"

Section 13 An enlisted man discharged from service in the Pennsylvania Reserve Militia shall receive a discharge in writing in such form and with such classification as may be prescribed by the Governor

Section 14 The Adjutant General of Pennsylvania shall be the Chief of Staff of the Pennsylvania Reserve Militia he shall perform all duties in connection therewith now prescribed by law in connection with the Pennsylvania National Guard and shall perform such other duties as the Governor may direct

Section 15 No officer or enlisted man shall be arrested on any warrant except for treason or felony while going to remaining at or returning from a place where he is ordered to attend for military duty

Section 16 The Governor may in his discretion provide for an annual encampment of not exceeding fifteen days in any one year for the Pennsylvania Reserve Militia For services during such tour of duty commissioned officers shall be entitled to the same pay and transportation in kind as officers of the regular army are or may be entitled to by law except longevity pay all enlisted men shall be entitled to the per diem pay hereinafter prescribed all payments to officers and men to be made by the Adjutant General in the usual manner In addition thereto enlisted men shall be entitled to transportation in kind and subsistence

Section 17 When the Pennsylvania Reserve Militia or any part thereof is ordered on active duty by the Governor and pay is authorized for such duty under the order prescribing the performance thereof the commissioned officers so ordered shall be intitled to the same pay as officers of like grade in the regular army Enlisted men so ordered shall be entitled to per diem pay as follows Quartermaster sergeants of every class and grade hospital sergeants of every class and grade band leaders first sergeants regimental and battalion sergeants major supply sergeants and color sergeants three dollars ($3.00) per day assistant band leaders and sergeant buglers two dollars and twenty-five cents ($2.25) sergeants of all other grades of companies troops and bands musicians first class and cooks two dollars ($2.00) corporals artificers farriers and musicians second class one dollar and seventy-five cents ($1.75) musicians third class and privates first class one dollar and sixty cents ($1.60) privates and buglers one dollar and fifty cents ($1.50) All payments therefor shall be made by the Adjutant General in the usual manner No deduction shall be made from the pay of officers or enlisted men in active service for dues or other financial obligations imposed by by-laws rules or regulations of a civic character

Section 18 Officers ordered on special duty in attendance upon courts-martial or efficiency board shall receive transportation in kind and per diem pay as may be authorized in orders payable by the Adjutant General in the usual manner

Section 19 Organizations of the Pennsylvania Reserve Militia shall receive an annual allowance which shall be used and expended solely for military purposes and for the use and benefit of the organization as follows Each troop of cavalry one thousand dollars ($1,000) each regimental band three hundred dollars ($300) each company infantry five hundred dollars ($500) to be paid by the Adjutant General in the usual manner to the commanding officer of the respective organizations The Adjutant General before paying any of said allowances in money shall procure by purchase or otherwise and issue for each enlisted man not provided therewith such articles or uniforms and equipment as are required for field service and shall procure and issue such mess tents kitchen tents and military stores as may be necessary for said units and charge the cost thereof to said annual allowance the balance if any to be paid over to the commanding officer and disbursed subject to the provisions hereof No part of any allowance made hereunder shall be expended in procuring any special or dress uniform or in repairing or caring for the same The commanding officer of each organization shall whenever directed by the Governor make a return to the Adjutant General with an itemized account and statement of all disbursements of moneys paid to said organization not previously accounted for in such form and accompanied by such voucher as the Adjutant General shall prescribe

Section 20 The military board of the State of Pennsylvania shall perform with relation to the Pennsylvania Reserve Militia all duties enjoined upon it in relation to the Pennsylvania National Guard

Section 21 Payment of hire of horses for officers and enlisted men required to be mounted and for horses and mules required for wagon transportation when in active service including camps of instruction duly ordered shall not exceed two dollars ($2.00) per diem per horse or mule to be paid by the Adjutant General in the usual manner

Section 22 The necessary military expenses of brigade headquarters if any regimental and separate battalion headquarters including clerk hire and other actual outlays shall be paid by The Adjutant General in the usual manner upon such vouchers as he may prescribe not exceeding seven hundred and fifty dollars ($750) annually for brigade headquarters five hundred dollars ($500) for each regimental headquarters and two hundred dollars ($200) annually for a separate battalion headquarters

Section 23 Any commissioned officer or enlisted man of the Pennsylvania Reserve Militia who shall misapply embezzle or convert to his own use without authority any moneys received by or entrusted to him for disbursement shall be deemed guilty of a misdemeanor and on conviction thereof shall be sentenced as for like offenses under the criminal laws of this State

Section 24 If any officer or enlisted man of the Pennsylvania Reserve Militia is wounded or otherwise disabled while on duty in active service for which a per diem rate of pay is paid he shall receive from the Commonwealth just and reasonable relief in an amount to be determined by the military board

Section 25 The commanding officer of any troops in active service may place in arrest any officer or enlisted men who shall disobey the orders of his superior officer or any person or persons who shall trespass on parade or camp grounds or in any way or manner interrupt or molest the orderly discharge of duty of those in active service he may also prohibit and prevent the sale of spirituous or malt liquors within two miles of such parade ground or encampment he may abate as a nuisance all hucksters auction sales or gambling

Section 26 Subsistence and quarter master stores and the expenses incident to active service including transportation of troops shall be contracted for on direction of the Governor by The Adjutant General or any officer designated for that purpose and shall be paid for in the usual manner

Section 27 The Pennsylvania Reserve Militia shall be uniformed armed and equipped at the cost of the Commonwealth payable out of appropriations made for that purpose the initial issue of clothing arms equipment and other stores shall not be charged against the annual allowances hereinbefore provided for The uniform and equipment shall be such as may be prescribed by the Governor

Section 28 Every commissioned officer shall furnish his own arms uniform and equipment upon presentation of the proper vouchers therefor and a report thereof in such form as The Adjutant General may prescribe he shall receive an annual allowance in repayment for such expenditures as follows A mounted officer not to exceed forty dollars ($40) per annum a dismounted officer not to exceed thirty dollars ($30) per annum The first payment may be made at any time within the year upon filing the proper vouchers no further payments shall be due until at least one calenar year shall have elapsed and no subsequent payments will be made for parts of a year

Section 29 When the Pennsylvania Reserve Militia or any part thereof is ordered on active duty by the Governor for repelling invasion subduing insurrection tumult riot or disorder within the State and payment of the troops and all other expenses incident to such service shall be made by The Adjutant General from funds obtained by warrant drawn by the Governor upon the State Treasurer against an appropriation made for such purpose The necessary transportation subsistence and quartermaster stores and other expenses incident to such active duty may be contracted for under direction of the Governor by The Adjutant General or other officer designated for that purpose and shall be paid for by The Adjutant General from funds obtained by warrant drawn by the Governor upon the State Treasurer against an appropriation made for such purpose

Section 30 The uniform arms ammunition accoutrements and equipment of every commissioned officer and enlisted man shall be free from suits distress executions or sales for debt or payment of taxes

Section 31 The Governor is authorized to procure and issue from time to time to the Pennsylvania Reserve Militia such flags standards guidons and text books as may be necessary which as far as practicable shall be similar in style to those of the United States army

Section 32 Any person knowingly and wilfully purchasing or receiving in pawn or pledge any arm accoutrement equipment article or military clothing tent or fly or any quartermaster medical engineer or signal property or ordnance or ordnance stores the property of the Commonwealth of Pennsylvania or of the United States in use by the Commonwealth shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of criminal jurisdiction shall be sentenced to an imprisonment of not exceeding one year and a fine not exceeding three hundred dollars

Section 33 Every officer and enlisted man in the Pennsylvania Reserve Militia shall during his service therein be exempt from service upon any posse comitatus and from jury duty

Section 34 No civil process shall issue or be enforced against any officer or enlisted man of the Pennsylvania Reserve Militia in the active service of this Commonwealth during so much of the term as he shall be engaged in active service under orders nor until thirty days after he shall have been relieved therefrom provided that the operation of all statutes of limitations and presumptions arising from lapse of time shall be suspended upon all claims against such officers or enlisted men during such term

Section 35 Courts-martial shall be of three kinds namely general special and summary They shall be constituted and have cognizance of the same subjects and possess like powers as courts-martial provided for by an act entitled "An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" approved April ..... one thousand nine hundred and seventeen with like force and

effect as if each and every provisions of the said act relating to courts-martial and court-martial procedure had beeu re-enacted herein in words at length being all of the sections of said act from section fifty-three to section sixty-seven both inclusive

Section 36 All officials and employes of the Commonwealth of Pennsylvania members of the Pennsylvania Reserve Militia shall be entitled to leave of absence from their respective duties without loss of pay time or efficiency rating on all days during which they shall as members of the Pennsylvania Reserve Militia be engaged in the active service of the Commonwealth or in field training ordered or authorized under the provisions of this act

Section 37 The various sections of this act are hereby declared to be independent of each other and in the event any section or part of a section hereof shall hereafter be declared unconstitutional it is the intent and meaning hereof that such section or part of a section alone should be eliminated herefrom without affecting any other portion of this act

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Baldwin,	Eyre,	McConnell,	Smith, R. E.,
Beales,	Graff, J. F.,	McKee,	Snyder,
Beidleman,	Graff, W. P.,	Miller,	Sones,
Buckman,	Hackett,	Nason,	Stewart,
Burke,	Haldeman,	Patton,	Tompkins,
Catlin,	Homsher,	Phipps,	Vare,
Craig,	Jenkins,	Salus,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SPECIAL ORDER ON THIRD READING, MONDAY EVENING, MAY 7, AT 10 O'CLOCK.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 992 (House Bill No. 1573). entitled

An Act to carry into effect the amendment to section 8 of Article 9 of the Constitution of Pennsylvania adopted by the people at an election held on the second day of November, one thousand nine hundred and fifteen; to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum upon the assessed valuation of taxable property in said city, for the specific purposes authorized by said amendment; regulating the manner of making such increase of indebtedness, and providing for the redemption of the same; validating elections held in said city since the adoption of said amendment in the manner provided by this act, or by the Act of the General Assembly approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the supplements and amendments thereto; and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued, pursuant to authority conferred by the electors at any such election."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Baldwin,	Eyre,	McKee,	Smith, R. E.,
Beales,	Graff, J. F.,	McNichol,	Snyder,
Beidleman,	Graff, W. P.,	Miller,	Sones,
Buckman,	Hackett,	Nason,	Sproul,
Burke,	Haldeman,	Patton,	Stewart,
Catlin,	Hindman,	Phipps,	Tompkins,
Craig,	Homsher,	Salus,	Vare,
Crow,	Jenkins,	Sassaman,	Wasbers,
Daix,	Lynch,	Schantz,	Weaver,
DeWitt,	McConnell,	Semmens,	Whitten,
Endsley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON FINAL PASSAGE.

Mr. MILLER. Mr. President, I move that the Senate do now resume consideration of Senate Bill No. 325, on final passage postponed for the present, entitled

An Act providing for the sale distribution and use for the promotion of biological science and for the discovery of new methods of treatment in medicine and surgery of unclaimed animals in the public pounds and providing penalties for neglect or refusal to comply with the provisions of this act

Mr. JENKINS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 325, entitled

An Act providing for the sale distribution and use for the promotion of biological science and for the discovery of new methods of treatment in medicine and surgery of unclaimed animals in the public pounds and providing penalties for neglect or refusal to comply with the provisions of this act

And the question recurring,

Shall the bill pass finally?

Mr. HOMSHER. Mr. President, this is the Vivisection Bill, I understand. It was brought out at the argument the last time this bill was before the Senate as if it had to do with the question of vivisection. To my mind it has nothing to do with that. Vivisection is practiced and has been practiced by our surgeons and doctors all the while. If I thought for a moment it would operate to prevent that practice I would hesitate very much to vote against the bill, but the surgeons are not so poor that they cannot get animals to operate upon in the future and at present as they have done in the past, and there is more at stake than the mere animals in question that are operated upon. It has been wisely said that the subject of cruelty to animals is a two-edged sword, operating not only upon the animals that suffer but it blunts the moral sensibilities of those who practice it. I think that the activities of the laymen in these organizations in kindness to animals has done great good in disseminating sentiments of kindness in the community and therefore I for one shall vote against this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Baldwin,	Graff, W. P.,	McKee,	Snyder,
Beales,	Hackett,	McNichol,	Stewart,
Beidleman,	Hindman,	Miller,	Tompkins,
Buckman,	Jenkins,	Nason,	Vare,
Craig,	Kline,	Phipps,	Warner,
Endsley,	Leiby,	Schantz,	Weaver,
Eyre,	Lynch,	Semmens,	Weaver,
Graff, J. F.,	McConnell,	Smith, R. E.,	

NAYS—14.

Burke,	Haldeman,	Salus,	Sproul,
Catlin,	Homsher,	Sassaman,	Whitten,
Daix,	Martin,	Sones,	Wasbers,
DeWitt,	Patton,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

LEAVE OF ABSENCE.

The PRESIDENT. At this time the Chair desires to ask leave of absence for the Senator from Philadelphia, Mr. Smith, who is seriously ill. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. WHITTEN. Mr. President, I move that Senate Bill No. 199, on third reading, entitled

An act prohibiting certain institutions receiving State aid from restricting pay patients in the selection of physicians and surgeons not connected with the institution

be recommitted to the Committee on Judiciary Special.

Mr. HALDEMAN. Mr. President, I second the motion.
The motion was agreed to.

BILL OVER IN ORDER.

Mr. BURKE. Mr. President, I ask that Senate Bill No. 608 (House Bill No. 300), on third reading, entitled

An Act to regulate and restrain the hawking, vending and peddling of fish fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 610 (House Bill No. 648), entitled

An Act to amend section one thousand four hundred thirty-nine of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith," as amended by adding thereto section one thousand four hundred forty.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Baldwin,	Graff, J. F.,	McConnell,	Smith, R. E.,
Beales,	Graff, W. P.,	McKee,	Snyder,
Beidleman,	Hackett,	McNichol,	Sones,
Buckman,	Haldeman,	Nason,	Sproul,
Burke,	Hindman,	Patton,	Stewart,
Catlin,	Homsher,	Phipps,	Tompkins,
Craig,	Jenkins,	Salus,	Vare,
Crow,	Kline,	Sassaman,	Warner,
DeWitt,	Leiby,	Schantz,	Weaver,
Endsley,	Lynch,	Semmens,	Whitten,
Eyre,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the Chair.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 614, on third reading, entitled

An Act concerning vocational education and providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved February twenty-third, one thousand nine hundred seventeen, entitled "An Act to provide for the promotion of vocational education; to provide for co-operation with the States in the promotion of such education in agriculture and the trades and industries; to provide for co-operation with the States in the preparation of teachers of vocational subjects and to appropriate money and regulate its expenditures," and conferring certain powers upon the State Board of Education.

be recommitted to the Committee on Appropriations for the purpose of ascertaining to what extent any money values are involved in this bill.

Mr. BUCKMAN. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 641 (House Bill No. 770), entitled

An Act providing fees and mileage for witnesses attending coroners inquests' and providing for the payment thereof by the several counties

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Graff, J. F.,	Martin,	Sones,
Buckman,	Graff, W. P.,	McConnell,	Sproul,
Catlin,	Hackett,	McKee,	Tompkins,
Craig,	Haldeman,	McNichol,	Vare,
Croft,	Hindman,	Nason,	Wasbers,
Crow,	Homsher,	Patton,	Weaver,
Daix,	Jenkins,	Salus,	Whitten,
DeWitt,	Kline,	Sassaman,	Beidleman,
Endsley,	Leiby,	Snyder,	Pres. pro tem.
Eyre,	Lynch,		

NAYS—3.

Smith, R. E.,	Stewart,	Warner,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 651, entitled

An Act to regulate the importation into the State of Pennsylvania of dependent delinquent or defective children and providing a penalty for the violation thereof

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,	Graff, W. P.,	McNichol,	Snyder,
Beales,	Hackett,	Miller,	Sones,
Buckman,	Haldeman,	Nason,	Sproul,
Craig,	Hindman,	Patton,	Stewart,
Crow,	Homsher,	Phipps,	Tompkins,
Daix,	Jenkins,	Salus,	Weaver,
DeWitt,	Kline,	Sassaman,	Whitten,
Endsley,	Leiby,	Schantz,	Beidleman,
Eyre,	Martin,	Semmens,	Pres. pro tem.
Graff, J. F.,	McConnell,	Smith, R. E.,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 781 (House Bill No. 119), entitled

An Act authorizing a State Association of Township Supervisors and providing for the payment of the expenses thereof by the respective counties

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Baldwin,	DeWitt,	Homsher,	Phipps,
Beales,	Endsley,	Jenkins,	Salus,
Buckman,	Eyre,	Martin,	Semmens,

Burke,	Graff, J. F.,	McConnell,	Snyder,
Catlin,	Graff, W. P.,	McNichol,	Sproul,
Craig,	Hackett,	Miller,	Weaver,
Crow,	Haldeman,	Nason,	Whitten,
Daix,			

NAYS—8.

Leiby,	Stewart,	Vare,	Washers,
Smith, R. E.,	Tompkins,	Warner,	Beidleman, Pres. pro tem.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 887 (House Bill No. 832), on third reading, entitled

An Act to require that every future act of the General Assembly be given a short title for convenience of citation and to require the Legislative Reference Bureau to report to the next session of the General Assembly a list of short titles for certain acts now in force

be recommitted to the Committee on Judiciary General.

Mr. JENKINS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 901, entitled

An Act authorizing the several courts of common pleas to appoint volunteer police officers during the present war with Germany or in any war in which this nation may become involved providing for the organization and discipline of such police officers and enumerating their powers.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BURKE. Mr. President, I would like the sponsor of this bill to enlighten me on it a little, please.

The PRESIDENT. Will the Senator from Delaware, Mr. Sproul, permit himself to be interrogated?

Mr. SPROUL. Mr. President, I will.

Mr. BURKE. Mr. President, is this not a similar bill to the one that was offered by Senator Schantz and defeated several weeks ago?

Mr. SPROUL. Mr. President, it is an entirely different bill.

Mr. BURKE. Mr. President, does it not carry with it the same things?

Mr. SPROUL. Mr. President, no sir, it does not.

Mr. BURKE. Mr. President, does it not give the police appointed by the court authority to go out and arrest a man without any information?

Mr. SPROUL. Mr. President, the bill was prepared by the recently organized Committee of Public Safety in Pennsylvania with the idea of providing for the appointment of a citizens reserve police force during the present emergency. In Philadelphia and a good many counties in the State there are citizens who are not competent, are not able to do military duty and who are engaged in other pursuits, who have volunteered to act as a home guard to be used for defense in case of emergency which may arise during the war, and this bill allows the courts to make those regularly constituted bodies so that they may be subject to discipline and subject to call in case of emergency.

Mr. BURKE. Mr. President, that does not answer my question and I will repeat it? Does it not place authority in the police to go out and arrest without any information and the jail must accept them?

Mr. SPROUL. Mr. President, I do not think this bill does, but if they are appointed as policemen they probably have authority to arrest.

Mr. BURKE. Mr. President, without information?

Mr. SPROUL. Mr. President, on sight.

Mr. BURKE. Mr. President, therefore it is a resurrection of the old coal and iron police bill.

Mr. SPROUL. Mr. President, it is not a resurrection of that at all, a very different kind of police. It is not the thing you have in mind at all that the Senator from Lehigh, Mr. Schantz, introduced earlier in the session and which we all voted against. In Philadelphia they have appointed five hundred extra police for the city. This is to provide in case of emergency and these police are called out in case of any trouble, that these citizens may have some authority.

Mr. BURKE. Mr. President, isn't it a fact that in the bill of the Senator from Lehigh, Mr. Schantz, they would go before a magistrate, alderman or mayor? This bill provides that they go before the courts.

Mr. SPROUL. Mr. President, I do not recall the provisions of the bill introduced by the Senator from Lehigh, Mr. Schantz. This provides that the judges shall appoint them. They have to go to the county seat or to the court to be sworn in and not go before any magistrate or alderman or justice of the peace and be sworn in indiscriminately. That is a very wise difference.

On the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Baldwin,	Hackett,	Miller,	Stewart,
Beales,	Haldeman,	Nason,	Tompkins,
Buckman,	Hindman,	Patton,	Vare,
Craig,	Homsher,	Phipps,	Warner,
Crow,	Jenkins,	Sassaman,	Washers,
Daix,	Leiby,	Semmens,	Weaver,
DeWitt,	Lynch,	Smith, R. E.,	Whitten,
Endsley,	Martin,	Snyder,	Beidleman,
Eyre,	McConnell,	Sones,	Pres. pro tem.
Graff, J. F.,	McKee,	Sproul,	
Graff, W. P.,	McNichol,		

NAYS—2.

Burke,	Salus,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 927, entitled

An Act empowering express companies to employ policemen commissioned by the Governor with authority to act in all counties in the State wherein such companies carry on their business.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Haldeman,	Miller,	Sones,
Beales,	Hindman,	Nason,	Stewart,
Buckman,	Homsher,	Patton,	Vare,
Craig,	Jenkins,	Phipps,	Warner,
DeWitt,	Leiby,	Salus,	Washers,
Endsley,	Lynch,	Sassaman,	Whitten,
Eyre,	Martin,	Semmens,	Weaver,
Graff, J. F.,	McConnell,	Smith, R. E.,	Beidleman,
Graff, W. P.,	McKee,	Snyder,	Pres. pro tem.
Hackett,	McNichol,		

NAYS—1.

Burke,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 930, entitled

An Act relieving the Governor of the duty of examining and approving warrants vouchers claims contracts or other

instruments providing for the expenditure or collection of public moneys by the several departments of the executive branch of the State Government.

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

BILL POSTPONED.

Mr. McNICHOL. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 931, entitled

An Act to define the purposes for which a contingent fund appropriated to a department board commission bureau or other division of the State government may be used and providing penalties for the violation thereof.

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

BILL POSTPONED.

Mr. McNICHOL. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 932, as follows

An Act creating a board of finance and revenue transferring to it all the powers and duties of the board of public accounts the board of revenue commissioners the sinking fund commission and the board to license private bankers and fixing the number and salaries of members and employes thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of June Anno Domini one thousand nine hundred and seventeen there is hereby established a board of finance and revenue to consist of the Auditor General State Treasurer Secretary of the Commonwealth and Attorney General

Section 2 This board shall assume and exercise all the rights privileges and functions of the board of public accounts the board of revenue commissioners the sinking fund commission and the board to license private bankers now existing and operating under various acts of Assembly

Section 3 Each member of this board shall receive one thousand five hundred dollars per annum for his services and the board shall have the right to appoint a secretary at a salary of two thousand dollars per annum a clerk at a salary of one thousand five hundred dollars per annum and a stenographer at a salary of one thousand two hundred dollars per annum in order to assist in the discharge of the boards duties

Section 4 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Eyre,	McConnell,	Sones,
Beales,	Graff, W. P.,	McKee,	Sproul,
Buckman,	Hackett,	McNichol,	Tompkins,
Catlin,	Haldeman,	Miller,	Vare,
Craig,	Hindman,	Nason,	Wasbers,
Crow,	Jenkins,	Phipps,	Weaver,
Daix,	Kline,	Salus,	Whitten,
DeWitt,	Lynch,	Sassaman,	Beidleman,
Endsley,	Martin,	Semmens,	Pres. pro tem.

NAYS—5.

Leiby,	Snyder,	Stewart,	Warner,
Smith, R. E.,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 933, entitled

A Joint Resolution proposing an amendment to section sixteen of article three of the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteen article thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Graff, J. F.,	McKee,	Sproul,
Beales,	Graff, W. P.,	McNichol,	Tompkins,
Buckman,	Hackett,	Miller,	Vare,
Catlin,	Haldeman,	Nason,	Wasbers,
Craig,	Hindman,	Patton,	Weaver,
Crow,	Hcmsher,	Phipps,	Whitten,
Daix,	Jenkins,	Sassaman,	Beidleman,
DeWitt,	Lynch,	Semmens,	Pres. pro tem.
Endsley,	Martin,	Sones,	
Eyre,	McConnell,		

NAYS—3.

Leiby,	Smith, R. E.,	Stewart,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 934, as follows

An Act to amend an act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-three) entitled "An Act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement" by changing the number of years service required of the aforesaid employes and providing for the retirement of all employes who have reached the age of seventy years and have been in the service of the State for twenty-five years or more

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the fourteenth day of June one thousand nine hundred and fifteen entitled "An Act to provide for retirement of State employes permanently disqualified by reason of physical or mental disabilitiy to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of September Anno Domini one thousand nine hundred and fifteen whenever the Governor is of opinion based upon satisfactory medical evidence that a State employe is by reason of physical or mental disability permanently incapacitated for performing his regular official duties except State employes whose retirement has been or shall be otherwise provided for he shall notify said employe of his opinion giving the reasons therefor and if the said employe shall resign within thirty days after such notice and shall have served continuously in office as such a State employe for twenty-five years or more or who shall have reached the age of seventy years and shall have served continuously in office as such State employe for twenty years or more and shall hold himself in readiness to perform special duties in such ways as he may be reasonably able to do after his honorable retirement from office by

resignation he shall receive during the remainder of his life or during the continuance of such disability or incapacity one-half of the salary which he would have received had he remained in active service" is hereby amended to read as follows

Section 1 From and after the first day of September Anno Domini one thousand nine hundred and fifteen whenever the Governor is of opinion based upon satisfactory medical evidence that a State employe is by reason of physical or mental disability permanently incapacitated for performing his regular official duties except State employes whose retirement has been or shall be otherwise provided for he shall notify said employe of his opinion giving the reasons therefor and if the said employe shall resign within thirty days after such notice and shall have served continuously in office as such State employe for twenty years or more or who shall have reached the age of seventy years and shall have served continuously in office as such a State employe for twenty years or more and shall hold himself in readiness to perform special duties in such ways as he may be reasonably able to do after his honorable retirement from office by resignation he shall receive during the remainder of his life or during the continuance of such disability or incapacity one-half of the salary which he would have received had he remained in active service Any State employe who has been in the continuous service of the Commonwealth for a period of twenty-five years or over and has reached the age of seventy years shall be retired by the Governor if he hold himself in readiness to perform special duties in such ways as he may be reasonably able to do after his retirement receiving during the remainder of his life one-half of the salary which he would have received had he remained in active service

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

BILL POSTPONED.

Mr. McNICHOL. Mr. President, at the suggestion and request of the Senator from Allegheny, Mr. Burke, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. BURKE. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 935, on third reading, entitled

A Supplement to an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and seventy-eight), entitled "An Act to provide for the administration of the Workmen's Compensation Act of 1915 by creating the Bureau of Workmen's Compensation of the Department of Labor and Industry; providing for the establishment of the Workmen's Compensation Board to have charge of such Bureau; authorizing the division of the Commonwealth into Workmen's Compensation Districts, and the appointment of Workmen's Compensation Referees; defining the powers and duties of the Commissioner of Labor and Industry, the Bureau of Workmen's Compensation, the Workmen's Compensation Board, the Workmen's Compensation Referees, and the factory inspectors of the Department of Labor and Industry, in enforcing the said act; and fixing the salaries of the members of the Workmen's Compensation Board, the Workmen's Compensation Referees, and certain of their employes and assistants."

be recommitted to the Committee on Corporations,

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 958, as follows

An Act authorizing the County of Philadelphia to bring suit against the Commonwealth of Pennnsylvania in the court of common pleas of Philadelphia County for moneys advanced for the payment of expenses incident to the conduct of primary elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the County of Philadelphia is hereby authorized to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Philadelphia County for such sum or sums of money as may be due and owing to the County of Philadelphia by the Commonwealth together with interest on the different items thereof from the various dates at which settlement thereof should have been made by the Auditor General's Department for moneys advanced by said county for the payment of expenses incident to the conduct of primary elections for the years one thousand nine hundred and eleven to one thousand nine hundred and fourteen both inclusive under the provisions of an act of Assembly approved the seventeenth day of February one thousand nine hundred and six entitled "An Act providing a uniform method of electing certain party officers and delegates to the State and National Conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions" and under the provisions of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation"

Section 2 The suit hereby authorized shall be subject to the same rules of pleading practice and evidence as cases between individuals and the defences open to the Commonwealth shall be such as would be available to an individual if sued upon like facts

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,	Eyre,	McNichol,	Sones,
Beales,	Graff, J. F.,	Nason,	Sproul,
Buckman,	Graff, W. P.,	Patton,	Stewart,
Burke,	Haldeman,	Phipps,	Tompkins,
Catlin,	Hemsher,	Salus,	Warner,
Craig,	Jenkins,	Sassaman,	Wasbers,
Crow,	Leiby,	Schantz,	Weaver,
Daix,	Lynch,	Semmens,	Whitten,
DeWitt,	Martin,	Smith, R. E.,	Beidleman,
Endsley,	McConnell,	Snyder,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 988 (House Bill No. 1176), on third reading, entitled

An Act providing for the establishment in cities of the first class of a house or houses of detention for witnesses and untried prisoners for the commitment of such prisoners and witneses thereto and for the payment of the cost of establishing and maintaining the same by the county wherein said cities are situated.

be recommitted to the Committee on Judiciary General.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. MARTIN. Mr. President, I move that the Senate do now resume the third reading and consideration of Senate Bill No. 834, bill on third reading postponed for the present, entitled

An Act making it a misdemeanor for a parent wilfully to neglect to support a child born out of lawful wedlock whether such child shall have been begotten or shall have been born within or without this Commonwealth (or whether such child shall have been begotten before or after the taking effect of this act) providing punishment therefor and empowering the court to make an order for support and to enforce the same and making it a misdemeanor to make false declarations as to who is the parent of the child and providing punishment therefor.

Mr. JENKINS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 834, entitled

An Act making it a misdemeanor for a parent wilfully to neglect to support a child born out of lawful wedlock whether such child shall have been begotten or shall have been born within or without this Commonwealth (or whether such child shall have been begotten before or after the taking effect of this act) providing punishment therefor and empowering the court to make an order for support and to enforce the same, and making it a misdemeanor to make false declarations as to who is the parent of the child and providing punishment therefor.

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. MARTIN. Mr. President, I ask unanimous consent to amend the title, page 1, line 5, by striking out "(or whether such child shall have been begotten before or after the taking effect of this act)"; also section 3, line 12, by striking out after the word "Commonwealth" the following: "or whether such child shall have been begotten before or after the taking effect of this act."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL INTRODUCED.

Mr. DAIX. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 1082, entitled

An Act providing a means of relief and assistance to the families of soldiers resident in the respective counties of the Commonwealth.

Which was committed to the Committee on Military Affairs.

REPORT FROM COMMITTEE.

Mr. McNICHOL. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 993 (House Bill No. 40), entitled

An Act amending an act approved the 12th day of July, A. D. 1913, entitled "An Act establishing a court for the County of Philadelphia, prescribing its jurisdiction and powers, providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia, regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by increasing the amount of salary to be paid to the judges of the municipal court of Philadelphia.

BILLS ON SECOND READING.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 107, entitled

An Act fixing the salary of the Governor of the Commonwealth.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of the Governor of the Commonwealth is hereby fixed at twenty-five thousand dollars ($25,000) per annum payable monthly on warrant of the Auditor General drawn on the State Treasurer.

On the question,

Will the Senate agree to the section?

Mr. W. P. GRAFF. Mr. President, I move to amend section 1, page 1, line 4, by striking out "Fixing the salary of the Governor of the Commonwealth."

Mr. EYRE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second and third sections of the bill were read as follows and agreed to:

Section 2 This act shall take effect on the third Tuesday of January one thousand nine hundred and nineteen

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed.

The title of the bill was read as follows and agreed to:

An Act fixing the salary of the Governor of the Commonwealth.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 809, as follows

An Act to provide for the regulation of rag shops second hand paper shops and junk shops in cities of the first class and providing a penalty for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after January one one thousand nine hundred and eighteen it shall be unlawful for any person firm or corporation to own operate or conduct any rag shop second hand paper shop or junk shop in cities of the first class without having first received a permit from the Board of Health for said cities to own operate or conduct the said shop and the Board of Health of said cities is hereby authorized and empowered to issue permits for said purpose and to make rules and regulations for the location conduct and operation of said shops

Section 2 Violators of any of the provisions of this act or any of the rules and regulations of the Board of Health made in pursuance thereof shall be deemed guilty of a misdemeanor punishable by summary conviction before a magistrate by a fine of twenty-five dollars ($25.00) or imprisonment in default of fine of not less than five (5) days or more than fifteen (15) days subject to appeal as in cases of summary conviction

Section 3 The acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 811, as follows

An Act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children under the jurisdiction of the Courts of Quarter Sessions of the Peace or other courts sitting as Juvenile Courts and to acquire land therefor by purchase or by condemnation defining the scope and character of such schools regulating the proceedings for the establishment maintenance and management thereof authorizing the County Commissioners to make appropriation levy taxes and to incur indebtedness therefor and providing that all such schools heretofore established by any county shall be continued and maintained under the authority of this act removing the persons in charge thereof and providing that any property heretofore acquired for any such schools shall be held and used for the schools provided for by this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the County Commissioners of the several counties of this Commonwealth are hereby authorized and empowered to establish and maintain a school or schools for the care and education of children under the jurisdiction of the Courts of Quarter Sessions of the Peace or other courts sitting as Juvenile Courts when-

ever in the opinion of the County Commissioners or a majority of them such school or schools are required in any county for the proper care and education of such children

Section 2 Whenever in the opinion of the County Commissioners of any county a school or schools for the care and edcuation of such children is required they may petition the Court of Common Pleas of the proper county in writing for their approval of the establishment and maintenance of such school and if in the opinion of said Court such school or schools are required said Court shall enter an order approving the establishment and maintenance thereof If in the opinion of said commissioners or a majority of them and in the opinion of said court such school or schools are required the County Commissioners of any county are authorized and empowered to establish and maintain the same upon the entry of such order by said court

Section 3 For more effectually carrying out the establishment and maintenance of said school or schools in the event that such order is made the said Court of Common Pleas shall appoint a Board of Managers consisting of nine citizens of the county three of whom shall serve for one year three for two years and three for three years and thereafter three shall be appointed annually in the same manner The members of said Board shall be appointed as herein provided as soon as convenient after the court of any county approves the petition of the County Commissioners for the establishment and maintenance of such school or schools Any vacancy occurring in said Board shall be filled by said court and any member of said Board may be removed at any time by the said court Persons appointed to fill vacancies shall serve for the unexpired term

Section 4 Said Board of Managers shall meet from time to time as fixed by them and shall report at least every six months to the County Commissioners of the proper county in the form by them prescribed They shall have power to recommend the amount of money required for the establishment of the school or schools provided for and the amount necessary for their annual maintenance to appoint a superintendent and employes thereof hereinafter provided for and to manage supervise and regulate the conduct of the said school or schools

Section 5 Any such school established shall be established on the Cottage Home Plan and the buildings thereof shall be substantially constructed and adequately lighted and ventilated and provided with baths playrooms sleeping rooms and kitchens and there shall be adequate provisions for playgrounds as well as provisions for instruction in the common branches and for manual domestic and moral training to the end that said schools shall as far as possible during the period of detention adequately provide for the mental moral and physical welfare and advancement of the children therein detained and in order that said schools may be supplementary to the public school system of the Commonwealth

Section 6 The schools herein provided for may be established upon farms within or without the limits of said counties of at such other places in said counties as shall be selected by the commissioners thereof with the approval of said Board of Managers and for said purpose such counties may acquire as much land as shall in the judgment of the County Commissioners be necessary for said purpose by purchase or condemnation with the same power and under the same procedure as land is now acquired under existing laws by school districts for school purposes the County Commissioners exercising the authority exercised by school directors for that purpose

Section 7 Said school shall be presided over by a superintendent who shall be a person trained in educational and social work and said superintendent shall have the power of detention over the children committed thereto When any child committed to said school shall have attained a condition of mental and moral advancement satisfactory to the superintendent and the Board of Managers they shall so certify to the Juvenile Court which committed said child to said school whereupon the said court may order the release of said child upon parole under conditions which shall be prescribed by said Board by general rule and subject to the approval of the proper Juvenile Court and in case the conduct of any child released upon parole shall be such as to satisfy the Board of Managers that a further period of training and detention is necessary such Board shall certify said fact to the proper Juvenile Court and thereupon such court shall have power at any time during the minority of said child to direct the apprehension and return of said child to said school where it shall remain subject to the same control as when originally committed thereto

Section 8 Said school shall receive children upon the commitment of the Court of Quarter Sessions of the Peace or other court of such county sitting as a Juvenile Court

Section 9 The several counties of this Commonwealth are hereby authorized and empowered by and through their County Commissioners or a majority of them to appropriate annually out of the general funds of such county such amounts as are necessary to establish and maintain any such school or schoools and to levy taxes therefor and to borrow money and to incur indebtedness in compliance with the laws regulating the increase of indebtedness by the counties of this Commonwealth for the purpose of acquiring lands and erecting buildings necessary therefor and for the purpose of enlarging extending or making additions to any such school or schools and to issue as evidences of such indebtedness registered or coupon bonds payable within thirty years from the date of their issue and bearing interest at a rate not exceeding six per centum per annum payable semi-annually which bonds shall not be sold for less than their par value and accrued interest and ti levy and collect taxes on all taxable property in the several counties in addition to all other taxes for the purpose of paying any indebtedness so incurred

Any county incurring any such indebtedness shall at or prior to the time of incurring the same make provision for a sinking fund to pay at maturity for any indebtedness so incurred

Section 10 Said Board of Managers shall have power to elect a superintendent hereinbefore provided for and such teachers officers and employes as are necessary for the proper management of said school The number of said employes and the salaries of said superintendent and employes shall be fixed by said Board of Managers with the approval of the County Commissioners and the County Controller or Auditor of the county

Section 11 The County Commissioners are authorized and empowered to pay from time to time to the Board of Managers out of the funds appropriated to it sums not exceeding ten thousand dollars by warrants countersigned by the County Controller or County Auditor in the manner now used in the disbursement of funds of the county from which the expenditures necessary to the conduct of said school shall be made by the said Board of Managers all of which said expenditures shall be subject to audit by the County Controller or County Auditor of the proper county

Section 12 Said County Commissioners may under this act establish a school for male children a school for female children or one school for both as the needs of the particular county require with the approval of the Court of Common Pleas in the manner herein provided

Section 13 If a school for male children and one for female children is established in any county under this act the Court of Common Pleas in its discretion may appoint the same Board of Managers to conduct and manage both schools provided however that any Board of Managers appointed for the management of a school to which female children are committed hereunder shall have at least one woman as a member thereof

Section 14 Any school or schools for the care and education of children under the jurisdiction of the Juvenile Courts heretofore established and maintained by any county under or by virtue of any act of Assembly heretofore enacted shall forthwith come under the terms of this act and any Board of Managers heretofore appointed for the purpose of managing any such school under any act heretofore passed shall be and the same is hereby removed and it shall be the duty of the Court of Common Pleas to forthwith appoint a board in conformity with the provisions of this act for the purpose of maintaining and managing the said school under the terms hereof

Section 15 Whenever heretofore any county of this Commonwealth has required land or any other property for a school for the care and education of either male or female children under the jurisdiction of the Juvenile Court by virtue of any act or acts heretofore enacted it is hereby authorized and empowered to use any part of such land or of such other property for a school for either male or female children or part thereof for a school for male and part thereof for a school for female children if in the judgment of the County Commissioners it is advisable so to do

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 856 (House Bill No. 398), entitled

An Act relating to the collection of county taxes in cities of the third class providing for a notice of taxes due and providing for rebates and penalties on such taxes in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 860 (House Bill No. 891), entitled

An Act authorizing the Committee on Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to other such hospitals and providing for maintenance of patients after transfer.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 869, as follows:

An Act providing for the admission of soldiers to practice in the several courts of the common pleas of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who is properly registered as a student at law who has or may enlist in the regular army of the United States or the National Guard of Pennsylvania and serves as a soldier or officer until he is honorably discharged or mustered out of service and who has previously attended a regular law school for a years term and passed the required examinations for the year without condition and qualified to enter the next years class or who has spent a year in a lawyers office and passes an examination of studies equivalent to one years course in a law school such person shall upon application made be admitted to practice in all the counties of the State without being required to pass any additional examination if he is morally fit

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 873, as follows:

An Act to amend section two hundred and twenty-six of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and twenty-six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 226 No school director shall during the term for which he was elected or appointed be employed in any capacity by the school district in which he is elected or appointed or receive from such school district any pay for services rendered to the district except as provided in this act" is hereby amended to read as follows

Section 226 No school director shall during the term for which he was elected or appointed be employed in any capacity by the school district in which he is elected or appointed or receive from such school district any pay for services rendered to the district except as provided in this act and except also in school districts of the second class coextensive with cities of the second class where the school directors are elected at large by the electors in which districts the school directors shall receive an annual salary of two thousand dollars to be paid from the treasury of the school district

This act shall take effect the first day of December one thousand nine hundred and seventeen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 941 (House Bill No. 1181), entitled

An Act making the fraudulent conversion of property or the proceeds of property a misdemeanor prescribing the penalties therefor and regulating the procedure therein.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1007, entitled

An Act to validate certain sales and leases of real estate situate in this Commonwealth heretofore made by corporations incorporated in this Commonwealth for the carrying on of any mechanical mining quarrying manufacturing or other business.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore any sale or lease of real estate situate in this Commonwealth has been made for a valuable consideration by a corporation incorporated under the laws of this Commonwealth for the carrying on of any mechanical mining quarrying manufacturing or other business and such sale or lease has been made by the authority or ratification of the board of directors of such corporation but without a consent of a majority of the stock in value consenting and agreeing to such sale or lease before making the same or without such consent having been evidenced by the written signatures of the stockholders or without such consent having been obtained at a meeting of the stockholders held for that purpose or without thirty days notice of such meeting having been given in one of the newspapers of the proper county such sale or lease of real estate shall be as valid and effectual as though such sale or lease had been made with the consent of a majority of the stock in value consenting and agreeing to such sale or lease before making the same and as though such consent had been obtained at a meeting of the stockholders held for that purpose of which meeting thirty days notice had been given in one of the newspapers of the proper county and as though such consent had been evidenced by the written signatures of said stockholders Provided That this act shall not be construed so as to affect any suit or suits now pending

On the question,

Will the Senate agree to the section?

Mr. KLINE. Mr. President, I move to amend section 1, page 1, line 11, by striking out "a" before the word "consent" and inserting in lieu thereof the word "the".

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to validate certain sales and leases of real estate situate in this Commonwealth heretofore made by corporations incorporated in this Commonwealth for the carrying on of any mechanical mining quarrying manufacturing or other business.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 563, entitled

An Act authorizing the attorney general to appoint investigators to investigate estates of inmates of institutions for the support and maintenance of whom the Commonwealth may be liable in whole or in part and to ascertain the relatives of such inmates who may be liable for the support and maintenance of such inmates defining the powers and duties of such investigators and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 779, entitled

An Act to permit street passenger railway companies and motor power companies operating the property and facilities of any street passenger railway company to operate omnibuses in connection with the lines of railway operated by them, with the consent of the local authorities.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 805, entitled

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 894 (House Bill No. 1017), entitled

An Act prohibiting the handling or driving of horses or other animals or teams or vehicles on the public highways of the Commonwealth by an intoxicated person and providing penalties therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 894 (House Bill No. 1017), the bill just read, be recommitted to the Committee on Public Roads and Highways.

Mr. NASON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 939 (House Bill No. 991), entitled

An Act authorizing and empowering the State Highway Commissioner to take over abandoned rights of way or any part or parts thereof owned or controlled by railroad or railway companies for the use of the State Highway Department for the purpose of locating or relocating and constructing State highways and providing a method of acquiring the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth which were read as follows and committed to the Committee on Executive Nominations:

SUPERINTENDENT OF THE STATE POLICE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 7, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John C. Groome, of Philadelphia, to be Superintendent of the State Police for a term of four years to be computed from May 1, 1917, vice John C. Groome, resigned.

MARTIN G. BRUMBAUGH.

MEMBER OF THE STATE BOARD, FORESTRY RESERVATION COMMISSION.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 1, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Edward Bailey, of Harrisburg, to be a member of the State Board, Forestry Reservation Commission, for the term of four years to be computed from the date of confirmation, vice George B. Lewis, deceased.

MARTIN G. BRUMBAUGH.

HOUSE MESSAGE.

RESOLUTION ENDORSING THE WORLD MOVEMENT FOR A FREE GOVERNMENT FOR THE PEOPLE OF IRELAND.

The Clerk of the House of Representatives being introduced, presented for concurrence resolution from the House of Representatives, which was twice read as follows and referred to the Committee on Judiciary Special:

Whereas, the United States of America foremost free nation of the earth, has taken arms in the Great War to spread the spirit of democracy and freedom and to obliterate forever the agencies that now menace the common human rights of life, liberty and the pursuit of happiness, and

Whereas The people of a free nation such as this cannot but feel a deep and real sympathy for the people of any other land who struggle to attain the rights now enjoyed here, and

Whereas, The bond of sympathy and understanding that has existed between the people of the United States of America and the people of Ireland, in the long and noble effort of the latter to achieve the right to govern themselves, is such as justify the people of the United States in using their influence in the cause of Irish freedom, and

Whereas, The Government of the United States is now dealing directly with high commissioners from the Government of its ally, Great Britain, with a view of finding the best methods of bringing this war to a prompt and successful termination, and

Whereas, It is the sense of the General Assembly of the Commonwealth of Pennsylvania that the greatest possible degree of enthusiastic co-operation between the peoples of the United States and of Great Britain is vitally essential to the attainment of the purposes of the alliance, and

Whereas, It is also the sense of the General Assembly of the Commonwealth of Pennsylvania, that no other single act by the Government of Great Britain could produce a greater degree of enthusiastic approval or evoke a more lasting adminration on the part of the American people, than the prompt settlement of the Irish question to the satisfaction of the Irish people, therefore, be it

Resolved (if the Senate concur), that the Secretary of the Commonwealth of Pennsylvania be and he is hereby directed to make known to the high representative of Great Britain, the Right Honorable Arthur Balfour, that such is the sense of the people of the Commonwealth of Pennsylvania as expressed through their representatives in General Assembly met, with the request that he make the fact known to his Government, the Government of Great Britain, and that he exert his great influence and power to impress upon the Government of Great Britain, the necessity of a prompt solution of the Irish problem.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 260, entitled

An Act regulating the purchase of and contract for supplies in cities of the first class in this Commonwealth.

House Bill No. 386, entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

House Bill No. 482, entitled

An Act to repeal an act entitled "An Act creating a Sinking Fund Commission in any county now or hereafter containing not less than two hundred and fifty thousand nor more than one million two hundred thousand inhabitants prescribing its powers and duties and repealing acts inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine.

House Bill No. 488, entitled

An Act providing for leave to pay fines and costs in criminal proceedings by installments.

House Bill No. 815, entitled

An Act authorizing Wilbur Jones Kay Fanny Kay his wife Ellingwood Kay Dorothy Kay and Hubert Kay their children residents of the Borough of East Washington and Mabel Mason resident of the Borough of Washington all of Washington County Pennsylvania to bring suit in the Court of Common Pleas of Washington County against the Commonwealth of Pennsylvania jointly or severally.

House Bill No. 842, entitled

An Act authorizing Robert J. McAllister and Ruth McAllister his wife residents of the Borough of Jersey Shore Lycoming County Pennsylvania to bring suit in the Court of Common Pleas of Clinton County against the Commonwealth of Pennsylvania jointly or severally.

House Bill No. 843, entitled

An Act authorziing Edward Fay and Son a corporation of the State of Pennsylvania to bring suit in the Court of Common Pleas of Dauphin County against the Commonwealth.

House Bill No. 846, entitled

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth.

House Bill No. 854, entitled

An Act providing for the appointment of probation officers in certain counties fixing their powers duties and salaries.

House Bill No. 889, entitled

An Act providing for the payment by State Hospitals for the insane of the traveling expenses from said hospitals to their homes respectively of indigent inmates of said hospitals discharged by order of the Committee on Lunacy of the Board of Public Charities and for the reimbursement to such hospitals of the amounts so paid.

House Bill No. 912, entitled

An Act validating certain foreclosure proceedings instituted by foreign executors administrators and guardians sheriffs sales had thereon and the title acquired thereby.

House Bill No. 951, entitled

An Act amending section two of an act entitled "An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of the county commissioners of each county to organize themselves into a state association for the purpose of holding annual meetings and providing for the payment of the expenses thereof" approved the tenth day of May Anno Domini one thousand nine hundred thirteen by providing that the necessary expenses of the convention shall not be more than twenty-five dollars to any county per annum.

House Bill No. 1028, entitled

An Act authorizing James L. Baker and Mary A. Baker his wife of Harrisburg Dauphin County Pennsylvania to bring suit against the Commonwealth of Pennsylvania in the Court of Common Pleas of Dauphin County.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the presence of the Senate signed the same.

RECESS.

Mr. SPROUL. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives, being introduced presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 94 (Senate Bill No. 1083), entitled

An Act to amend section two of an act approved the sixth day of February one thousand eight hundred four entitled "An Act to provide for the creation of a house for the employment and support of the poor in the County of York" (Pamphlet Laws sixty-five) by regulating the term and election of directors of the poor.

Which was committed to the Committee on Judiciary Special.

House Bill No. 1274 (Senate Bill No. 1084), entitled

An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor.

Which was committed to the Committee on Judiciary General.

House Bill No. 1272 (Senate Bill No. 1085), entitled

An Act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor.

Which was committed to the Committee on Judiciary General.

House Bill No. 1273 (Senate Bill No. 1086), entitled

An Act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said register and the costs thereof the effects of their acts and appeals therefrom.

Which was committed to the Committee on Judiciary General.

House Bill No. 1275 (Senate Bill No. 1087), entitled

An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees, herein designates as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents.

Which was committed to the Committee on Judiciary General.

House Bill No. 1805 (Senate Bill No. 1088), entitled

An Act to amend an act entitled "An Act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness absence or other temporary disability" approved the twenty-sixth day of May Anno Domini one thousand eight hundred ninety-seven by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

Which was committed to the Committee on Judiciary Special.

House Bill No. 149 (Senate Bill No. 1091), entitled

An Act to amend an act, approved the twenty-eighth day of May, one thousand nine hundred thirteen, entitled "An Act authorizing and empowering township supervisors, in townships of the second class to enter into contract with electric, gas, or other light companies, for the purpose of lighting and illuminating the streets, highways, and other public places in any village in said township; and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited;" by providing also for the levying of a tax upon taxable residents in the district benefited.

Which was committed to the Committee on Judiciary Special.

House Bill No. 758 (Senate Bill No. 1092), entitled

An Act fixing the salary of the clerk of the county commissioners in counties having a population between one hundred thousand and one hundred and fifty thousand inhabitants

Which was committed to the Committee on Judiciary General.

House Bill No. 768 (Senate Bill No. 1093), entitled

An Act to refund to Friedman Manufacturing Company of Pittsburgh Allegheny County money paid for a license to sell oleomargarine.

Which was committed to the Committee on Appropriations.

House Bill No. 1147 (Senate Bill No. 1094), entitled

An Act validating certain satisfactions of mortgages heretofore entered in good faith at the instance of the mortgagee.

Which was committed to the Committee on Judiciary General.

House Bill No. 1285 (Senate Bill No. 1095), entitled

An Act to amend article 6 of the second section of an act approved the eleventh day of March one thousand eight hundred and ninety-one entitled 'An Act to regulate the issue of policies of insurance and certificates of inspection made by steam boiler insurance companies in all cities of the first class."

Which was committed to the Committee on Insurance.

House Bill No. 1305 (Senate Bill No. 1096), entitled

An Act to amend the title of an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, entitled "An Act amending section one of an act, approved the seventeenth day of April, one thousand nine hundred and five, entitled 'An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees, between the municipal corporations and telegraph, telephone, or light or power companies;' extending the provisions thereof to street passenger railway, motor traction, gas, or water companies."

Which was committed to the Committee on Judiciary General.

House Bill No. 1347 (Senate Bill No. 1097), entitled

An Act to amend an act approved the twenty-second day of July one thousand nine hundred and thirteen entitled "An Act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth."

Which was committed to the Committee on Public Roads and Highways.

BILLS INTRODUCED.

Mr. McNICHOL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 1089, entitled

An Act to amend an act approved the second day of July, 1895, entitled "An Act to amend an act entitled 'An Act to carry into effect section five, of article fourteen, of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury, in counties containing over 150,000 inhabitants,' approved 31st day of March, 1876, providing for assistant district attorneys, and fixing the salary of the same, and increasing the salary of county solicitor, clerk of the courts, recorder of deeds, register of wills and treasurer, county prison warden or jailor, county commisisoners, controllers, coroners, county directors of the poor, jury commissioners and county detective, and decreasing the salaries of auditors and county surveyor," by fixing salary of county prison warden.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 1090, entitled

An Act creating a Division of Dairy and Food in the State Department of Health; abolishing the office of Dairy and Food Commissioner and the Division of Dairy and Food in the State Agriculture Department; and transferring all powers and duties now by law vested in and imposed upon the Dairy and Food Commissioner and the Dairy and Food Division of the State Department of Agriculture.

Which was committed to the Committee on Judiciary Special.

REPORTS FROM COMMITTEE.

Mr. McNICHOL. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1088 (House Bill No. 1805), entitled

An Act to amend an act entitled "An Act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness, absence of other temporary disability," approved the 26th day of May, A, D. 1897, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1089, entitled

An Act to amend an act approved the 2nd day of July, 1895, entitled "An Act to amend an act, entitled 'An Act to carry into effect section five, of article fourteen of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasury, in counties containing over one hundred and fifty thousand inhabitants,' approved 31st March, 1876, providing for assistant district attorneys, and fixing the salary of the same, and increasing the salary of county solicitor, clerk of the courts, recorder of deeds, register of wills and treasurer, county prison warden or jailor, county commissioners, controllers, coroners, county directors of the poor, jury commissioners and county detective, and decreasing the salaries of auditors and county surveyor," by fixing salary of county prison warden.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1090, entitled

An Act creating a Division of Dairy and Food in the State Department of Health; abolishing the office of Dairy and Food Commissioner and the Division of Dairy and Food in the State Agriculture Department; and transferring all powers and duties now by law vested in and imposed upon the Dairy and Food Commissioner and the Dairy and Food Division of the State Department of Agriculture.

BILLS ON FIRST READING.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 1089, entitled

An Act to amend an act approved the second day of July, one thousand eight hundred and ninety-five, entitled "An Act to amend an act, entitled 'An Act to carry into effect section five, of article fourteen, of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasury, in counties containing over one hundred and fifty thousand inhabitants,' approved thirty-first March, one thousand eight hundred and seventy-six, providing for assistant district attorneys, and fixing the salary of the same, and increasing the salary of county solicitor, clerk of the courts, recorder of deeds, register of wills and treasurer, county prison warden or jailor, county commissioners, controllers, coroners, county directors of the poor, jury commissioners and county detective, and decreasing the salaries of auditors and county surveyors," by fixing salary of county prison warden.

be read the first time.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1089, entitled

An Act to amend an act approved the second day of July, one thousand eight hundred and ninety-five, entitled "An Act to amend an act, entitled 'An Act to carry into effect section five, of article fourteen, of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasury, in counties containing over one hundred and fifty thousand inhabitants,' approved thirty-first March, one thousand eight hundred and seventy-six, providing for assistant district attorneys, and fixing the salary of the same, and increasing the salary of county solicitor, clerk of the courts, recorder of deeds, register of wills and treasurer, county prison warden or jailor, county commissioners, controllers, coroners, county directors of the poor, jury commissioners and county detective, and decreasing the salaries of auditors and county surveyors," by fixing salary of county prison warden.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 1090, entitled

An Act creating a Division of Dairy and Food in the State Department of Health; abolishing the offices of Dairy and Food Commission and the Division of Dairy and Food in the State Agriculture Department; and transferring all powers and duties now by law vested in and imposed upon the Dairy and Food Commissioner and the Dairy and Food Division of the State Department of Agriculture.

be read the first time.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1090, entitled

An Act creating a Division of Dairy and Food in the State Department of Health; abolishing the offices of Dairy and Food Commission and the Division of Dairy and Food in the State Agriculture Department; and transferring all powers and duties now by law vested in and imposed upon the Dairy and Food Commissioner and the Dairy and Food Division of the State Department of Agriculture.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 1088 (House Bill No. 1805), entitled

An Act to amend an act, entitled "An Act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the twenty-sixth day of May, Anno Domini one thousand eight hundred ninety-seven, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

be read the first time.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1088 (House Bill No. 1805), entitled

An Act to amend an act, entitled "An Act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the twenty-sixth day of May, Anno Domini one thousand eight hundred ninety-seven, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. CROW. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Banks and Building and Loan Associations, re-reported as committed, Senate Bill No. 877, entitled

An Act providing that the capital of certain national banks authorized to act in trust capacities shall be taken and considered as security for the faithful performance of the duties of such trusts and making such capital liable for any default.

Also, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency the Governor of the Commonwealth:

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Pierce A. Lacey to be a Justice of the Peace in and for the Borough of Loretto, County of Cambria, to serve until the first Monday in January, 1918, vice Bernard W. Wills, deceased.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 2, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, George M. Hill to be a Justice of the Peace in and for the Township of Chillisquaque, County of Northumberland, to serve until the first Monday in January, 1918, vice N. F. Furman, deceased.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 2, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael A. McNamara, to be a Justice of the Peace in and for the Borough of South Bethlehem, County of Northampton, to serve until the first Monday in January, 1918, vice Hugh Kelly, deceased.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 2, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Frank J. Gordon, to be a Justice of the Peace in and for the Township of West Deer, County of Allegheny, to serve until the first Monday in January, 1918, vice C. D. Allen, resigned.

MARTIN G. BRUMBAUGH.

MEMBER OF THE STATE BOARD FORESTRY RESERVATION COMMISSION.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 1, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Edward Bailey, of Harrisburg, to be a member of the State Board, Forestry Reservation Commission, for the term of four years to be computed from the date of confirmation, vice George B. Lewis, deceased.

MARTIN G. BRUMBAUGH.

SUPERINTENDENT OF THE STATE POLICE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 7, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John C. Groome, of Philadelphia, to be Superintendent of the State Police for a term of four years to be computed from May 1, 1917, vice John C. Groome, resigned.

MARTIN G. BRUMBAUGH.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. CROW,

That Rule 38 which requires nominations made by the Governor to lie over one day, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. CROW,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Baldwin,	Graff, J. F.,	McNichol,	Stewart,
Beales,	Graff, W. P.,	Nason,	Tompkins,
Buckman,	Hackett,	Patton,	Vare,
Burke,	Haldeman,	Salus,	Warner,
Catlin,	Hindman,	Sassaman,	Wasbers,
Craig,	Hemsher,	Semmens,	Weaver,
Crow,	Jenkins,	Smith, R. E.,	Whitten,
Daix,	Kline,	Snyder,	Beidleman,
DeWitt,	Leiby,	Sones,	Pres. pro tem.
Endsley,	Martin,	Sproul,	
Eyre,	McConnell,		

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Governor be informed accordingly.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 563, entitled

An Act authorizing the attorney general to appoint investigators to investigate estates of inmates of institutions for the support and maintenance of whom the Commonwealth may be liable in whole or in part and to ascertain the relatives of such inmates who may be liable for the support and maintenance of such inmates defining the powers and duties of such investigators and providing penalties.

be recommitted to the Committee on Judiciary Special.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. McNICHOL. Mr. President, I move that the Senate do now adjourn until 10:30 o'clock to-morrow morning.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:25 o'clock until Tuesday morning, May 8, 1917, at 10:30 o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY, May 7, 1917.

The House met at 9 o'clock P. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Rev. Harry Nelson Bassler of Harrisburg offered the following prayer:

Heavenly Father, with all Thy blessing and mercies, known and unknown to us, we give Thee thanks; but especially for the blessings of this day, for reasonable health and strength, and for the privilege that we now enjoy of assembling together in Thy name and in this capacity. Lift up the light of Thy countenance upon us, we pray Thee, and bring into our hearts and souls the gift of Thy spirit, that we may understand Thy guidance and Thy direction. Grant, O Father, that the words of our mouths and the meditations of our hearts may all be acceptable in Thy sight; that serving Thee here on earth in our day and generation, we may be permitted at last through Thy grace to enter into Thy presence and serve Thee over yonder in a world without end. Bless this body of men, we pray Thee, and keep them here in health and strength, and when Thou are through with us, do Thou gather us safely to Thyself. With our life's labor done, with our work finally finished, bring us safely over yonder, we pray Thee, and let us dwell together in a world without end. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, May 3, 1917.

The Clerk proceeded to read the Journal of the proceedings of Thursday, May 3, 1917, when, on motion of Mr. Scott, the further reading was dispensed with, and the Journal was approved.

BILL INTRODUCED.

Mr. POWELL. Mr. Speaker and gentlemen of the House, at this time I want to call your attention to a condition that has existed in Luzerne County within the past week. As fast as our farmers plant their seed potatoes and cabbage plants, some one immediately during the night time, sees fit to remove them. Therefore I am going to ask your unanimous consent at this time to offer a bill that I hope will prove a remedy for these thefts.

The SPEAKER. The Chair hears no objections, and the bill will be received.

BILLS INTRODUCED.

Mr. STERN. Mr. Speaker and gentlemen of the House, I have two bills here, one bill which enables the City of Philadelphia to acquire the art gallery of the late John G. Johnson, valued at ten million of dollars, and the other bill which enables the United States Government to take over Tincum Island, on the Delaware River, and I ask unanimous consent to introduce these bills at this time.

The SPEAKER. Is there any objection? The Chair hears none, and the bills will be received.

BILLS INTRODUCED AND REFERRED.

By Mr. POWELL. House Bill No. 1858.

An Act making it a misdemeanor to take, remove, steal or destroy any seed or plants after the same have been sown or planted.

Referred to the Committee on Agriculture.

By Mr. STERN. House Bill No. 1859.

An Act to amend section 1 of an act approved May 6th, Anno Domini one thousand eight hundred and eighty-seven, entitled "An Act to provide for the better collection of collateral inheritance taxes" as heretofore amended, so as to include the Commonwealth of Pennsylvania and any city or other municipal or geographical sub-division of said Commonwealth among the beneficiaries taking an estate or any part thereof to which the said act shall not apply; and providing that estates, or parts thereof, which have heretofore passed to or for the use of the Commonwealth of Pennsylvania, or any city or other municipal or geographical sub-division of said Commonwealth and on which such tax shall not have been paid before the approval of this act shall not be subject to the said duty or tax.

Referred to the Committee on Ways and Means.

By Mr. STERN. House Bill No. 1860.

An Act giving consent of the Commonwealth of Pennsylvania to the purchase by the United States of land belonging to the City of Philadelphia on the Island of Tinicum, in the Township of Tinicum, Delaware County, authorizing the City of Philadelphia to sell and make conveyance thereof; ceding jurisdiction over said land and providing for the retention of concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States, on said land, for the service of legal processes thereupon.

Referred to the Committee on Municipal Corporations.

REPORTS FROM COMMITTEES.

Mr. SNOWDEN, from the Committee on Electric Railways, reported as committed House Bill No. 1725, entitled

An Act to amend sections one, four and five of an act entitled "An Act empowering cities of the first class to purchase, lease, locate, construct, and equip, or otherwise acquire, transit facilities and to own, maintain, use, and operate the same within their corporate limits, and within the limits of adjacent cities, boroughs, and townships; to exercise the right of eminent domain in connection therewith, and prescribing the manner of ascertaining the damages sustained in connection with such exercise; to sell, pledge, or lease transit facilities; to grant licenses for the use of same; to enter into agreements for the construction and operation of the same; to connect the tracks of railways with the tracks of railroad or railway companies, and under certain conditions to use portions of the tracks of the latter; and empowering railroad, railway, and motor power companies to sell, purchase, and lease transit facilities to and from said cities, and to contract with said cities respecting the acquisition, construction, operation, and use of transit facilities," approved the 17th day of June, 1913, so as to extend the provisions of the said act to railroads in said cities operated or organized to be operated on the principle generally known as the "Belt Line" principle.

Mr. WHITAKER, from the Committe on Manufactures, re-reported as amended House Bill No. 1323, entitled

An Act creating a Division of Building Inspection within the Department of Labor and Industry and Divisions of Building Inspection in the third class cities and providing for the creation of such divisions in certain of the counties boroughs and townships of the Commonwealth of Pennsylvania providing for the promulgation of rules and regulations by the Industrial Board to effectuate the purposes of this act establishing an examining and advisory committee within the Division of Building Inspection providing for the appointment of officers and employes for the enforcement of the provisions of this act defining the authority and powers of said Division of Building Inspection and Examining and Advisory Committee and the duties and powers of their officers and employes providing penalties

for the violation of the provisions of this act and of the aforesaid rules and regulations of the Industrial Board and repealing all acts or parts of acts relating to cities of the first and second class are hereby repealed.

Mr. HEYBURN, from the Committee on Agriculture, reported as committed House Bill No. 1858, entitled

An Act making it a misdemeanor to take, remove, steal or destroy any seed or plants after the same have been sown or planted.

BILL ON FIRST READING.

Mr. POWELL asked and received unanimous consent to have House Bill No. 1858 read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1858, entitled

An Act making it a misdemeanor to take, remove, steal or destroy any seed or plants after the same have been sown or planted.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

LEAVES OF ABSENCE.

Mr. HOWARTH asked and obtained leave for Mr. Jack.
Mr. FOWLER asked and obtained leave of absence for Mr. David F. Davis.

RESOLUTION ENDORSING FREE GOVERNMENT FOR IRELAND.

Mr. WELLS offered the following resolution, which was twice read, and by unanimous consent considered and agreed to:

RESOLUTION ENDORSING THE WORLD MOVEMENT FOR A FREE GOVERNMENT FOR THE PEOPLE OF IRELAND.

Whereas The United States of American, foremost free nation of the earth, has taken arms in the Great War to spread the spirit of democracy and freedom and to obliterate forever the agencies that now menace the common human rights of life, liberty and the pursuit of happiness, and

Whereas, The people of a free nation such as this cannot but feel a deep and real sympathy for the people of any other land who struggle to attain the rights now enjoyed here, and

Whereas The bond of sympathy and understanding that has existed between the people of the United States of America and the people of Ireland, in the long and noble effort of the latter to achieve the right to govern themselves, is such as justify the people of the United States in using their influence in the cause of Irish freedom, and

Whereas The Government of the United States is now dealing directly with high commissioners from the Government of its ally, Great Britain, with a view of finding the best methods of bringing this war to a prompt and successful termination, and

Whereas It is the sense of the General Assembly of the Commonwealth of Pennsylvania that the greatest possible degree of enthusiastic co-operation between the peoples of the United States and of Great Britain is vitally essential to the attainment of the purposes of the alliance, and

Whereas, It is also the sense of the General Assembly of the Commonwealth of Pennsylvania that no other single act by the Government of Great Britain could produce a greater degree of enthusiastic approval or evoke a more lasting admiration on the part of the American people, than the prompt settlement of the Irish question to the satisfaction of the Irish people, therefor

Be it Resolved (if the Senate concur), That the Secretary of the Commonwealth of Pennsylvania be and he is hereby directed to make known to the high representative of Great Britain the Right Honcrable Arthur Balfour, that such is the sense of the people of the Commonwealth of Pennsylvania, as expressed through their representatives in General Assembly met, with the request that he make the fact known to his Government, the Government of Great Britain, and that he exert his great influence and power to impress upon the Government of Great Britain the necessity of a prompt solution of the Irish problem.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION NO. 17.

Mr. McVICAR. Mr. Speaker, I desire to call up at this time Resolution No. 17, File Folio 4813.

The SPEAKER. The Clerk will read the resolution.

The Clerk then read the resolution as follows:

Whereas The allies of the United States in the great war now pending are in need of money, food and men; and

Whereas Our National Government, with commendable celerity has made provision to help our allies with money and food; and

Whereas The need for help of men is reported to be very urgent and the Honorable Theodore Roosevelt, ex-President of the United States, has offered to raise a volunteer expeditionary force of approximately one hundred and thirty thousand men, ready for transportation to France, there to be trained and used as soon as competent for active service; therefore

Be it Resolved (of the Senate concur) That, if our National Government deems it wise to send an expeditionary force into France, that it is the sense of the General Assembly that the offer of the Honorable Theodore Roosevelt should be immediately accepted and that such changes in the measure pending before Congress should be promptly made as are necessary for the accomplishment of the purpose.

Resolved further, That copies of this resolution be transmitted by the Secretary of the Commonwealth to the President of the United States, and the Senate and House of Representatives of the United States.

On the question,
Will the House agree to the resolution?

Mr. REITZEL. Mr. Speaker, this resolution here might carry with it considerable military importance and from all the information we have it is not entirely in keeping with the military policy of our Federal Government and I don't think that it would be wise to start a discussion of any kind on a resolution like this at this time; and if it be possible to evolve something definite along this line we might do so later by having it referred to the Military Committee, and, Mr. Speaker, I think it would be proper to do so.

RESOLUTION RECOMMITTED.

I therefore move that this resolution be referred to the Committee on Military.

Mr. SPANGLER. Mr. Speaker, I second the motion.

The motion was agreed to.

MOTION TO RECOMMIT BILL.

Mr. STRAUSS offered a motion, which was twice read, as follows:

Moved by Mr. Strauss, seconded by Mr. Baker, that House Bill No. 1579, File Folio 5017, on page 34 of to-day's calendar, bills on second reading, entitled

An Act imposing a State tax on coal; providing for the assessment and collection of the said tax annually; dedicating fifty per centum of the fund received from said tax and appropriating the same to the construction, maintenance, improvement and repair of State and State-aid Highways; providing penalties for the violation of this act.

be recommitted to the Committee on Ways and Means for the purpose of a hearing.

On the question,
Will the House agree to the motion?
It was not agreed to.

BILL ON THIRD READING (SPECIAL ORDER).

The SPEAKER. If there is no objection we will take up the special order, the first bill on to-night's calendar. The Chair hears no objection.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 690, entitled

An Act making an appropriation to carry out the provisions of an act approved the twenty-ninth day of April, one thousand nine hundred thirteen, entitled "An Act applicable to all counties of this Commonwealth, to provide monthly payments, as approved by the trustees, to indigent, widowed, or abandoned mothers, for partial support of their children in their own homes. The manner of appointment of the trustees; the administration of the trust; amount of appropriations, proportioning appropriations co-ordinate appropriations; amounts to be paid, form of records, eligibility, penalties and reports, as set forth," and the amendments thereto.

On the question,
Will the House agree to the bill on third reading?

Mr. VICKERMAN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 2, page 2, line 15, by striking out "containd" and inserting in lieu thereof "contained."
Amend section 2, page 2, line 23, by striking out "arministration" and inserting in lieu thereof "administration."
Amend section 3, page 3, line 20, by striking out "avalied" and inserting in lieu thereof "availed."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded on the consideration on final passage of House Bill No. 1272, as follows:

An Act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person of sound mind and of the age of twenty-one years or upwards whether married or single may dispose by will of his or her real estate whether such estate is held in fee simple or for the life or lives of any other person or persons and whether in severalty joint tenancy or common and also of his or her personal estate

Section 2 Every will shall be in writing and unless the person making the same shall be prevented by the extremity of his last sickness shall be signed by him at the end thereof or by some person in his presence and by his express direction and in all cases shall be proved by the oaths or affirmations of two or more competent witnesses otherwise such will shall be of no effect Provided That the presence of dispositive or testamentary words or directions or the appointment of an executor or the like after the signature to a will whether written before or after the execution thereof shall not invalidate that which precedes the signature

Section 3 If the testator be unable to sign his name for any reason other than the extremity of his last sickness a will to which his name is subscribed in his presence by his direction and authority and to which he makes his mark or cross unless unable so to do in which case the mark or cross shall not be required shall be as valid as though he had signed his name thereto Provided That such will shall be proved by the oaths or affirmations of two or more competent witnesses

Section 4 Personal estate may be bequeathed by a nuncupative will under the following restrictions

(a) Such will shall in all cases be made during the last sickness of the testator and in the house of his habitation or dwelling or where he has resided for the space of ten days or more next before the making of such will except where such person shall be surprised by sickness being from his own house

(b) Where the sum or value bequeathed shall exceed one hundred dollars it shall be proved that the testator at the time of pronouncing the bequest did bid the persons present or some of them to bear witness that such was his will or to that effect and in all cases the foregoing requisites shall be proved by two or more witnesses who were present at the making of such will

(c) No testimony shall be received to prove any nuncupative will after six months elapsed from the speaking of the alleged testamentary words unless the said testimony or the substance thereof were committed to writing within six days after the making of said will

Section 5 Notwithstanding this act any mariner being at sea or any soldier being in actual military service may dispose of his movables wages and personal estate as he might have done before the making of this act

Section 6 No estate real or personal shall be bequeathed or devised to any body politic or to any person in trust for religious or charitable uses except the same be done by will attested by two credible and at the time disinterested witnesses at least thirty days before the decease of the testator and all dispositions of property contrary hereto shall be void and go to the residuary legatee or devisee heirs of next of kin according to law A disinterested witness within the meaning of this section is a witness not interested in such religious or charitable use this section not being intended to apply to a witness interested in some other devise or bequest in the same instrument

Section 7 The emblements or crops growing on lands held by a widow in dower or by any other tenant for life may be disposed of by will as other personal estate Rents and other periodical payments accruing to any tenant for life or to any other person entitled under the laws of this Commonwealth regulating the decent and partition of real estate may so far as the same may have accrued on the day of death of such tenant for life or other person be disposed of by will in like manner

Section 8 (a) Every person competent to make a will being the father or adopting father of any minor child unmarried may appoint a testamentary guardian for such child during his or her minority or for any shorter period Provided That such testamentary guardian shall not be entitled to the custody of the person of such child unless the mother or adopting mother if surviving shall relinquish such custody or unless the best interests of the child shall require that such surviving mother or adopting mother should not retain the custody of the person of such child

(b) Every person competent to make a will being the mother or adopting mother of any minor child unmarried may appoint a testamentary guardian for such child during his or her minority or for any shorter period whenever the father or adopting father of such child shall be deceased and has not appointed such a guardian Such mother or adopting mother who shall leave to such child an estate either real or personal may appoint a testamentary guardian for such estate of the child whether the father or adopting father of such child shall be living or dead and whether he shall or shall not have appointed a testamentary guardian for such child

(c) No father who shall have for one year or upwards previous to his death wilfully neglected or refused to provide for his child or children and no mother who shall

have for a like period deserted her child or children or failed to perform her parental duties shall have the right to appoint any testamentary guardian for such child or children

Section 9 Every will shall be construed with reference to the real and personal estate comprised in it to speak and take effect as if it had been executed immediately befor the death of the testator unless a contrary intention shall appear by the will

Section 10 The real estate acquired by a testator after making his will shall pass by a general devise unless a contrary intention be manifest on the face of the will

Section 11 A general devise of the real estate of the testator or of the real estate of the testator in any place or in the occupation of any person mentioned in his will or otherwise described in a general manner shall be construed to include any real estate or any real estate to which such description shall extend as the case may be which he may have power to appoint in any manner he may think proper and shall operate as an execution of such power unless a contrary intention shall appear by the will In like manner a bequest of the personal estate of the testator or any bequest of personal property described in a general manner shall be contrued to include any personal estate or any personal estate to which such description shall extend as the case may be which he may have power to appoint in any manner he may think proper and shall operate as an execution of such power unless a contrary intention shall appear by the will

Section 12 All devises of real estate shall pass the whole estate of the testator in the premises devised although there be no words of inheritance or of perpetuity unless it appears by a devise over or by words of limitation or otherwise in the will that the testator intended to devise a less estate

Section 13 Whenever by any devise an estate in fee tail would be created according to the common law of this State such devise shall be taken and construed to pass an estate in fee simple and as such shall be inheritable and freely alienable

Section 14 In any devise or bequest of real or personal estate the words "die without issue" or "die without leaving issue" or "have no issue" or any other words which may import either a want or failure of issue of any person in his lifetime or at the time of his death or an indefinite failure of his issue shall be construed to mean a want or failure of issue in the lifetime or at the death of such person and not an indefinite failure of his issue unless a contrary intention shall appear by the will in which such devise or bequest is made

Section 15 (a) No devise or legacy in favor of a child or children or other lineal descendant or descendants of any testator whether such children or descendants be designated by name or as class shall lapse or become void by reason of the decease of such legatee or devisee in the lifetime of the testator if such devisee or legatee shall leave issue surviving the testator but such devise or legacy shall be good and available in favor of such surviving issue with like effect as if such devisee or legatee had survived the testator unless the testator shall in the will direct otherwise

(b) Where any testator shall not leave any lineal descendants who would receive the benefit of any lapsed or void devise or legacy no devise or legacy made in favor of a brother or sister or of brothers or sisters of such testator or in favor of the children of a brothers or sister of such testator whether such brothers or sisters or children of brothers or sisters be designated by name or as a class shall be deemed or held to lapse or become void by reason of the decease of such devisee or legatee in the lifetime of the testator if such devisee or legatee shall leave issue surviving the testator but such devise or legacy shall be good and available in favor of such surviving issue with like effect as if such devisee or legatee had survived the testator unless the testator shall in the will direct otherwise

(c) Unless a contrary intention shall appear by the will such real or personal estate or interests therein as shall be comprised or intended to be comprised in any devise or bequest in such will contained which shall fail or be void by reason of the death of the devisee or legatee in the lifetime of the testator or by reason of such devise or bequest being contrary to law or otherwise incapable of taking effect or which shall be revoked by the testator shall be included in the residuary devise or bequest if any contained in such will In any case where such devise or bequest which shall fail or be void or shall be revoked as aforesaid shall be contained in the residuary clause of such will it shall pass to and be divided among the other residuary devisees or legatees if any there be in proportion to their respective interests in such residue

Section 16 (a) Whenever in any will a bequest or devise shall be made to the child or children of testator without naming such child or children such bequest or devise shall be construed to include any adopted child or children of the testator unless a contrary intention shall appear by the will

(b) Whenever in any will a bequest or devise shall be made to the child or children of any person other than the testator without naming such child or children such bequest or devise shall be construed to include any adopted child or children of such other person who were adopted before the date of the will unless a contrary intention shall appear by the will

Section 17 All pecuniary legacies contained in any will shall be charged upon and payable out of any real estate not specifically devised where the personal estate is insufficient for their payment or where the personal estate though originally sufficint has been wasted or misapplied by the executor unless a contrary intention shall appear by the will

Section 18 Unless the testator shall otherwise direct by his will the devisee of real estate which is subject to mortgage shall take subject thereto and shall not be entitled to exoneration out of the other estate of the testator real or personal and this whether the mortgage was created by the testator or by a previous owner or owners and notwithstanding any general direction by the testator that his debts be paid

Section 19 All income whatsoever devised or bequeathed by any will so as to be free from liability for the debts contracts or engagements of the beneficiary or so as not to be subject to execution attachment sur judgment sequestration or other process shall notwithstanding such testamentary provisions be subject to and liable for the support and maintenance of the wife and minor children of the beneficiary and for the value of necessaries furnished to them or any of them where said beneficiary has refused or neglectd to provide suitably for them and all of the income of said beneficiary shall be subject to all legal process issued by any court of this Commonwealth having jurisdiction in the premises in order to enforce such liability of said beneficiary

Section 20 (a) No will in writing concerning any real estate shall be repealed nor shall any devise or directions therein be altered otherwise than by some other will or codicil in writing or other writing declaring the same executed and proved in the manner hereinbefore provided or by burning cancelling obliterating or destroying the same by the testator himself or by someone in his presence and by his express direction

(b) No will in writing concerning any personal estate shall be repealed nor shall any bequest or direction therein be altered otherwise than as hereinbefore provided in the case of real estate except by a nuncupative will made under the circumstances set forth in section four of this act and also committed to writing in the lifetime of the testator and after the writing thereof read to or by him and allowed by him and proved to be so done by two or more witnesses

Section 21 When any person male or female shall make a last will and testament and afterward shall marry or shall have a child or children not provided for in such will and shall die leaving a surviving spouse and such child or children or either a surviving spouse or such child or children although such child or children be born after the death of their father every such person so far as shall regard the surviving spouse or child or children born after the making of the will shall be deemed and construed to die intestate and such surviving spouse child or children shall be entitled to such purparts shares and dividends of the estate real and personal of the deceased as if such person had actually died without any will

Section 22 No person who shall be finally adjudged guilty either as principal or accessory of murder of the first or second degree shall be entitled to take any part of the real or personal estate of the person killed as devisee or legatee or otherwise under the will of such person

Section 23 (a) When any person shall died testate leaving a surviving spouse who shall elect to take against the will such surviving spouse shall be entitled to such interests in the real and personal estate of the deceased spouse as he or she would have been entitled to had the testator died intestate Provided That nothing herein contained shall affect the right or power of a married woman by virtue of any authority or appointment contained in any deed or will to bequeath or devise any property held in trust for her sole and separate use

(b) A surviving spouse electing to take under or against the will of the decedent shall in all cases manifest the election by a writing signed by him or her duly acknowledged before an officer authorized by law to take the acknowledgment of deeds and delivered to the executor or administrator of the estate of such decedent within two years after the issuance of letters testamentary or of administration, Neglect or refusal or failure to deliver such writing within said period shall be deemed an election to take under the will

(c) No payment from the estate of such decedent except the exemption allowed by law to the widow shall be required to be made to any surviving spouse unless his or her election shall have been first duly executed acknowledged and delivered as provided in clause (b) of this section

(d) The orphans' court on the application of any person interested in the estate of a decedent may issue a citation at any time after six months from the death of the testator to the surviving spouse of the testator to apear at a certain time not less than one month thereafter in the said court to make his or her election to take under or against the will which election shall be filed of record and shall be conclusive If the surviving spouse shall neglect or refuse to appear on such citation then upon due proof being made to the court of the service thereof the said neglect or refusal shall be deemed an election to take under the will and the decree of the court to that effect shall be conclusive

(e) The election by a surviving spouse or a certified copy of the final decree of any orphans' court in cases where there shall have been an election in accordance with clause (d) hereof or a neglect or refusal to elect within the time prscribed by the order of the said court shall at the cost of the estate be recorded by the personal repre-

sentative of the decedent in the office for the recording of deeds of the county where the decedent's will is probated in the deed book and shall be indexed by the recorder in the grantor's index under the name of the decedent and in the grantees' index under the name of the surviving spouse and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate if any there be in said county The chrages for recording and registering shall be the same as are provided by law for similar services The election or decree of the court or a certified copy of either may also be recorded in any office for the recording of deeds within the Commonwealth with the same effect as if a duly signed and acknowledged declaration to the effect stated therein had been made by the person authorized to elect and at his or her request recorded in said office according to law After the said election shall have been recorded in the office for the recording of deeds as aforesaid the said election at the cost of the estate shall be filed in the office of the clerk of the orphans' court and a record made of such filing by the said clerk

Section 24 Nothing in this act contained shall be construed to apply to the disposition of personal estate by a testator whose domicile at the time of his death was out of this Commonwealth

Section 25 This act shall be known and may be cited as the Wills Act of 1917

Section 26 This act shall take effect on the thirty-first day of December one thousand nine hundred and seventeen and shall apply to the wills of all persons dying on or after said day As to the wills of all persons dying before that day the existing laws shall remain in full force and effect

Section 27 The following acts and parts of acts of assembly are hereby repealed as respectively indicated but so far only as relates to the estates real and personal of any person or persons dying on or after the thirty-first day of December one thousand nine hundred and seventeen The repeal of the first section of an act shall not repeal the enacting clause

Sections three four six and seven of an act entitled "An act concerning the probates of written and unucupative wills and for confirming devises of lands' passed in seventeen hundred and five one Smith's Laws thirty-three absolutely

Section twenty-three of an act entitled "An act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nineteenth seventeen hundred and ninety-four three Smith's Laws one hundred and forty-three absolutely

Section ten of an act entitled "An act supplementary to the act entitled 'An act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned' " passed April fourth seventeen hundred and ninety-seven three Smith's Laws two hundred and ninety-six absolutely

Section eleven of an act entitled "An act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned" approved April seventh eighteen hundred and seven (Pamphlet Laws one hundred and fifty-five) absolutely

An act entitled "An act to prevent devises and legacies from lapsing in certain cases" approved March nineteenth eighteen hundred and ten (Pamphlet Laws ninety-six) absolutely

Section one of an act entitled "An act relative to dower and for other purposes" approved April first eighteen hundred and eleven (Pamphlet Laws one hundred and ninety-eight) absolutely

Section eleven of an act entitled "An act relating to registers and registers' courts" approved March fifteenth one thousand eight hundred and thirty-two (Pamphlet Laws one hundred and thirty-five) absolutely

Section thirty-five of an act entitled "An act relating to orphans' courts" approved March twenty-ninth one thousand eight hundred and thirty-two (Pamphlet Laws one hundred and ninety) absolutely

An act entitled "An act relating to last wills and testaments" approved April eighth one thousand eight hundred and thirty-three (Pamphlet Laws two hundred and forty-nine) absolutely

Section two of an act entitled "An act further to regulate proceedings in courts of justice and for other purposes" approved May sixth one thousand eight hundred and forty-four (Pamphlet Laws five hundred and sixty-four) absolutely

An act entitled "A supplement to an act relating to last wills and testaments passed the eighth day of April eighteen hundred and thirty-three" approved January twenty-seventh eighteen hundred and forty-eight (Pamphlet Laws sixteen) absolutely

Sections seven and eleven of an act entitled "A supplement to an act entitled 'An act relative to the Le-Raysville Phalanx" passed March Anno Domini one thousand eight hundred and forty-seven and relative to obligors and abligees to secure the right of married women in relation to defalcation and to extend the boundaries of the borough of Ligonier" approved April eleventh eighteen hundred and forty-eight (Pamphlet Laws five hundred and thirty-six) absolutely

Section eleven of an act entitled "An act relating to corporations and to estates held for corporate religious and charitable uses" approved April twenty-sixth eighteen hundred and fifty-five (Pamphlet Laws three hundred twenty-eight) in so far as it relates to estates real or personal bequeathed or devised

Section one of an act entitled "An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate" approved April twenty-seventh eighteen hundred and fifty-five (Pamphlet Laws three hundred and sixty-eight) in so far as it relates to devises

Sections one and six of an act entitled "An act relating to certain duties and rights of husband and wife and parents and children" approved May fourth eighteen hundred and fifty-five (Pamphlet Laws four hundred thirty) absolutely

Section one of an act entitled "An act relating to dowers" approved April twentieth eighteen hundred and sixty-nine (Pamphlet Laws seventy-seven) absolutely

An act entitled "A supplement to an act relating to last wills and testaments approved the eighth day of April one thousand eight hundred and thirty-three providing for the time from which wills shall speak and take effect for the vesting of lapsed or void devises of real estate in the residuary devisee and for the execution of powers over real and personal estate by the person in whom such powers are vested" approved June fourth one thousand eight hundred and seventy-nine (Pamphlet Laws eighty-eight) absolutely

An act entitled "An act to enable mothers in certain cases to appoint testamentary guardians" approved June tenth eighteen hundred eighty-one (Pamphlet Laws ninety-six) absolutely

An act entitled "An act to enable mothers in certain cases to appoint testamentary guardians being a supplement to an act bearing the same title approved June tenth one thousand eight hundred and eighty-one and also a supplement to an act entitled "An act relating to certain duties and rights of husband and wife and parents and childrens' approved May fourth one thousand eight hundred and fifty-five" approved May twenty-fifth eighteen hundred and eighty-seven (Pamphlet Laws two hundred sixty-four) absolutely

Section five of an act entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" approved June eighth eighteen hundred and ninety-three (Pamphlet Laws three hundred and forty-four) absolutely

An act entitled "An act declaring the construction of words in a deed will or other instrument importing a failure of issue" approved July ninth eighteen hundred and ninety-seven (Pamphlet Laws two hundred and thirteen) in so far as it relates to devises or bequests of real or personal estate

An act entitled "An act to amend section two of an act entitled 'An act further to regulate proceedings in courts of justice and for other purposes approved the sixth day of May Anno Domini one thousand eight hundred and forty-four relating to devises and legacies to brothers or sisters or the children of brothers or sisters of any testator and preventing the lapse thereof in the case of the death of such devisee or legatee during the lifetime of the testator" approved July twelfth eighteen hundred and ninety-seven (Pamphlet Laws two hundred and fifty-six) absolutely

An act entitled "An act relating to elections by surviving husbands or wives to take under or against the wills of decedents to the recording thereof and of final decrees where parties have failed or refused to elect when required so to do and forbidding payments to such parties until they have made and filed their elections" approved April twenty-first nineteen hundred and eleven (Pamphlet Laws seventy-nine) absolutely

An act entitled "An act to amend section eleven of an act entitled "An act relating to corporations and to estates held for corporate religious and charitable uses' approved the twenty-sixth day of April one thousand eight hundred and fifty-five" approved June seventh nineteen hundred and eleven (Pamphlet Laws seven hundred and two) in so far as it relates to estates real or personal bequeathed or devised

An act entitled "An act to amend an act approved the eighth day of April one thousand eight hundred and thirty-three entitled 'An act relating to last wills and testaments' by conferring the same rights upon the mother as upon the father" approved April fifteenth nineteen hundred and fifteen (Pamphlet Laws one hundred and twenty-four) absolutely

An act entitled "An act to amend an act approved the tenth day of June one thousand eight hundred eighty-one entitled 'An act to enable mothers in certain cases to appoint testamentary guardians' by extending certain rights to mothers" approved April twenty-first nineten hundred and fifteen (Pamphlet Laws one hundred and forty-five) absolutely

All other acts of assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part therof are hereby repealed so far as relates to the estates real and personal of any person or persons dying on or after the thirty-first day of December nineteen hundred and seventeen

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187.

Aron,	Glass,	Mearkle,	Sinclair,
Arthur,	Golder,	Mehring,	Smith, E. R.,
Aston,	Goodnough,	Mervine,	Smith, J. W.,
Baker,	Goodwin,	Michel,	Smith, L.,
Baldi,	Gormley,	Miller, Allan,	Smith, O. W.,
Baldridge,	Graeff,	Miller, C. G.,	Snowden,
Barner,	Graham,	Miller, G. J. A.,	Snyder,
Bechtold,	Gransback,	Milner,	Somerman,
Bell,	Haight,	Mitchell,	Sones,
Benchoff,	Haldeman,	Morgan, T. J.,	Spangler,
Benninger,	Hecht,	Murphy,	Speicher,
Beyer,	Heffernan,	Musser,	Sprowls,
Bidelspacher,	Helt,	Neary,	Stadtlander,
Black,	Hess.	Ogden,	Steedle,
Bouton, V. B.,	Heyburn,	Palmer,	Sterling,
Bovee,	Hibshman,	Patterson,	Stern,
Boyd,	Hoffman,	Perry,	Stites,
Brady,	Hollern,	Phillips,	Stoffiet,
Brumbaugh,	Hollingsworth,	Pickering,	Strauss,
Burnett,	Horne,	Powell,	Sullivan,
Campbell, J. O.,	Horton,	Ramsey,	Swartz,
Campbell, T.,	Hough,	Reichenbacker,	Sweitzer,
Canon,	Howarth,	Reitzel,	Taylor,
Chestnut,	Isherwood,	Reynolds,	Thomas,
Christman,	Jennings,	Rhoads, H. L.,	Ulsh,
Coldsmith,	Jones,	Rhodes, W. M.,	Urich,
Conner,	Kennedy,	Rich,	Vickerman,
Cox,	Lafferty,	Richards,	Wagner,
Crosby,	Lanius,	Ringler,	Walker,
Cummins,	Laucks,	Rininger,	Wallace,
Curry,	Lauler,	Rinn,	Walter,
Davis, W.,	Leary,	Robertson,	Weimer,
Dawson,	Lewis,	Rogers,	Wells,
Dell,	Lohr,	Ross,	West,
Dewey,	Luppert.	Rothenberger,	Whitaker,
Donneley,	Mangan,	Ruddy,	Whitaker,
Drake,	Marvin,	Rudisill,	Williams, G. W.
Drinkhouse,	Maurer,	Sampsel,	Williams, J. P.,
Dunn,	McArdle,	Sarig,	Wobensmith,
Ehrhardt,	McCaig,	Schaeffer, A. C.,	Wood,
Erdman,	McCullough.	Scott,	Woodward,
Fackler,	McCurdy,	Shaffer, C. A.,	Wylie,
Fitzgibbon,	McKay,	Shattuck,	Wynne,
Flynn,	McKinney,	Showalter,	Zanders,
Franklin,	McNichol,	Shunk,	Baldwin,
Fretz,	McPeake,	Siggins,	Speaker.
Geary,	McVicar,	Simpson,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1273, as follows:

An Act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom

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Section	26	Repealer

Section 1 (a) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person who shall be elected or appointed to the office of register of wills before he shall enter upon the duties of the office shall make oath or affirmation to support the Constitution of the United States and the Constitution of this Commonwealth and to perform the duties of the office of register with fidelity

(b) 1 He shall also with one or more sureties to be approved by the judge or judges if there be more than one of the orphans' court of the county for which the register shall be elected or appointed and also by the Governor give a joint and several bond to the Commonwealth in a sum equal to half the sum prescribed by law for the official bond of the sheriff for the time being of the same county with condition faithfully to execute the duties of his said office and well and truly to account for and pay according to law all moneys received by him for the use of the Commonwealth and to deliver up the books seals records and other writings belonging to his said office whole safe and undefaced to his successor in office which said bond shall be for the use of all persons concerned and for the relief of all who may be aggrieved by the acts or neglect of such register

2 Every person elected or appointed as aforesaid shall cause the bond hereinbefore prescribed being duly acknowledged by him and his sureties before a judge of the orphans' court of the county to be recorded by the recorder of deeds of the county and as soon afterwards as convenient to be transmitted into the office of the Secretary of the Commonwealth for custody of which transmission he shall be entitled to receive the secretary's certificate without fee or reward

3 Copies of the record of the official bond of any register acknowledged and recorded as aforesaid and duly certified by the recorder of deeds for the time being shall be good evidence in any action brought against him or his sureties on such bond according to its form and effect in the same manner as the original would be if produced and offered in evidence

4 The provisions of this clause shall not apply to registers of wills in counties having over eight hundred thousand and under one million five hundred thousand inhabitants according to the last preceding United States census

(c) Whenever letters testamentary or of administration shall have been heretofore or shall be hereafter granted by the register of wills of any of the counties in this Commonwealth by the direction and in pursuance of an order of the orphans' court and conformably thereto the said register and his sureties shall not be liable on the register's official bond for any loss or damage which may have accrued or which may hereafter accrue to any person in consequence of the compliance of said register with the said order of the orphans' court

Section 2 Every register shall appoint and keep a deputy to officiate in his absence for whose conduct he and his sureties shall be accountable and such deputy shall be capable in law to take the probate of wills and testamentary papers and to grant letters testamentary and of administration and to do whatever else by law appertains to the office of register

Section 3 Every register qualified to act as aforesaid shall have jurisdiction within the county for which he shall have been elected or appointed of the probate of wills and testamentary papers of the granting of letters testamentary and of administration of the passing and filing of the accounts of executors and administrators and of any other matter whereof the jurisdiction may be at any time expressly annexed to his said office and the act of any register in any matter whereof another register has the exclusive jurisdiction shall be void and of no effect

Section 4 Wills shall be probated only before the register of wills of the county within which was the family or principal residence of the decedent at the time of his decease and if the decedent has no such residence in this Commonwealth then only before the register of the county where the principal part of the goods and estate of such decedent within this Commonwealth shall be

Section 5 Any register of wills shall have power to revoke letters of administration granted by him whenever it shall be made to appear to him that such letters have been granted to or on the nomination of persons who are not the next of kin of the decedent entitled to administer or whenever after the granting of letters of administration a will of the decedent shall be duly proved and admitted to probate

Section 6 No nuncupative will shall be admitted to probate nor shall letters testamentary thereon be issued till fourteen days after the day of the death of the decedent be fully expired nor shall any nuncupative will at any time be admitted to probate unless process have first issued to call in the surviving spouse of the decedent if any and such of his

or her relations or next of kin as would be entitled to the administration of his or her estate in case of intestacy to contest the same if they please

Section 7 Copies of wills and testaments proved in any other state territory or possession of the United States of America or any foreign country according to the laws thereof and duly authenticated may be offered for probate before any register having jurisdiction and proceedings thereon may be had with the same effect so far as respects the granting of letters testamentary or of administration with the will annexed as upon the originals and if the executor or other person producing any such copy shall produce also therewith a copy of the record of the proceedings for the probate of the original and of the letters testamentary or other authority to administer issued thereon attested by the person having power to receive the probate of such original in the place where it was proved with the seal of office if there be one annexed together with the certificate of the chief judge or presiding magistrate of the state country county or district where such original was proved that the same appears to have been duly proved and to be of force and that the atestation is in due form such copies and proceedings shall be deemed sufficient proof unless the contrary be shown for the granting of letters testamentary or of administration with the will annexed as the case may require without the production or examination of the witnesses attesting such will

Section 8 The register having jurisdiction as aforesaid shall at the instance of any person interested issue a citation to any person having the possession or control of a testamentary writing alleged to be the last will and testament of a decedent requiring him to produce and deposit the same in his office for probate and if such person shall conceal or withhold such writing during the space of fifteen days after being personally served with a citation issued in the manner aforesaid it shall be the duty of the register forthwith to certify the record of the proceeding to the orphans' court of said county and the said court upon petition of any person interested shall proceed to enforce obedience to said citation by attachment as in cases of citations issued from said court

Section 9 Whenever any testamentary writing shall be offered for probate or application shall be made for letters testamentary or of administration before any register having jurisdiction thereof such register shall have power to issue a subpoena with or without a clause of duces tecum to any person whose name may be subscribed to such testamentary writing as a witness or who may be alleged to him to be otherwise capable of proving the due execution of such testamentary writing or to any person who may be a material witness in the matter of such probate or of the granting of leters testamentary or of administration commanding him under a penalty of three hundred dollars to appear before said register at his office at a day certain not less than five days from the service of such subpoena and depose and testify what he may know concerning the execution of such writing or otherwise concerning the execution of such writing or otherwise concerning such probate or the granting of letters and if such person being subpoenaed as aforesaid shall refuse or neglect to appear as commanded the register shall have power to issue an attachment against such witness to compel his appearance or the party aggrieved may have an action against said witness to recover the said penalty in the manner allowable by law in cases of subpoenas issued to witnesses by the courts of common pleas Witnesses appearing before the register in obedience to subpoenas as aforesaid shall be entitled to the same fees and mileage as are allowed by law to witnesses in the orphans' court

Section 10 On the application of any person interested every register shall have power to issue commissions or rules to take the depositions of witnesses in other counties or states or in foreign countries in all cases within his jurisdiction

Section 11 All original wills after probate and the copies of all original wills produced under the provisions of this act shall be recorded and filed by the register of the respective county and shall remain in his office except when required to be had before a higher tribunal by certiorari or otherwise and if removed for such cause they shall be returned in due course to the office where they belong and the copies of all the probates thereof under the public seals of the courts or officers where the same may have been or shall be so taken or granted respectively except copies of probates of such wills and testaments as shall appear to be annulled disproved or revoked shall be adjudged and are hereby enacted to be matter of record and good evidence to prove the gift or devise thereby made

Section 12 (a) Any and all person or persons who shall offer for probate any will or codicil or who shall offer any other written or printed instrument to be recorded in any register's office in this Commonwealth or to be filed in said office as required by law which will codicil or instrument shall be in any other than the English language shall furnish at his her of their expense to the register a sworn translation in English of such instrument and the register shall attach or cause to be attached such translation to the original and file both the original and the translation of record in his office in all cases where filing is now or hereafter may be required by law but in all cases where recording is now or hereafter may be required both the original and the translation in English shall be recorded

(b) The register of wills shall not file or mark filed record or mark recorded any written or printed instrument in violation of this section nor shall any paper filed or recorded in violation of this section be notice to any person in any legal proceeding whatever nor be received or considered in evidence in any proceeding at law in equity or in the orphans' court

Section 13 It shall be the duty of the registers of wills of the several counties of this Commonwealth to record all inventories and appraisements of the estate of any decedent filed in the office of the register of wills by the executor or administrator of any decedent's estate in a book to be prodvided for that purpose and the same shall be indexed by such register of wills in an index book provided for that purpose and true and attested copies or examplifications of all such inventories and appraisements so enrolled certified under the hand and seal of such register of wills shall be allowed in all courts when produced and are hereby declared and enacted to be as good evidence and as valid and effectual in law as the original inventory and appraisement themselves and the said register of wills shall be allowed for performing such duties the same fees as are now allowed by law to such officers for performing similar services

Section 14 It shall be the duty of every register to make and certify under the seal of his office true copies of all bonds inventories accounts actings and procedings whatsoever remaining in his office being thereunto required by any person having an interest therein and to deliver the same within a reasonable time to such person applying therefore on receiving the fee allowed to him by law for such copy or copies and if any register shall refuse after the tender of his lawful fees to make or deliver such copy or copies as aforesaid the orphans' court of the county may on petition filed by the person so applying to the register make and enforce such order upon said register as may be necessary to enforce his duty as aforesaid

Section 15 In any case in which a last will or testamentary paper shall have been duly proved before the register of wills for any county of this Commonwealth and shall relate to real estate in any county thereof it shall be lawful to take from the office of such register a copy of said will or paper and of the probate thereof duly certified by such register under his seal of office to be a full and perfect copy of the same and to file the said copy in the office of the register of wills in any county in which any of the real estate owned by the testator may be which said register shall forthwith record the said copy And the record of such copy shall be and is hereby declared to be as valid and effectual in law as the original will or paper after probate or its duly certified copy or its record would be for all purposes of vesting title of evidence and of notice

Like procedings may be had at the instance of any party interested to obtain the certification of all subsequent proceedings appearing in the records of the register of wills concerning such probate

Section 16 (a) The probate or refusal of probate by the register of the proper county of any will or any other paper purporting to be a will or codicil thereto shall be conclusive as to all property real or personal devised or bequeathed by such will or codical or other paper unless within two years from the date of such probate or refusal of probate those interested shall appeal from the decree of the register as herein provided Provided That all persons who would be sooner barred by this section taking immediate effect shall not be thereby barred before two years from the date thereof

(b) The last will of any decedent may be offered for probate at any time Provided That if such will shall not have been offered for probate within three years from the date of the death of the testator the same shall be void and of no effect against a bona fide conveyance or mortgage of the real estate of said decedent duly recorded before the date of the offering of said will for probate

Section 17 Whenever a caveat shall be entered against the admission of any testamentary writing to probate and the person entering the same shall allege as the ground thereof any matter of fact touching the validity of such writing it shall be lawful for the register at the request of any person interested to issue a precept to the court of common pleas of the respective county directing an issue to be formed upon the said fact or facts and also upon such others as may be lawfully objected to the said writing in substantially the following form viz

(LS) County ss The Commonwealth of Pennsylvania To the judges of the court of common pleas of the said county greeting Whereas A B on the day of in the year et cetera presented to G. H. our register of wills of said county for probate a certain writing hereto annexed purporting to have been made the day of in the year et cetera (or otherwise describing the paper in question) which said writing the said A B avers is the last will and testament of the said C D and whereas E. D. who is a son and heir of the said C D (or intermarried with F D who is a daughter and heir et cetera according to the fact) hath objected before our said register that the said writing was procured by duress and constraint (stating the matters of fact objected) and whereas the said A B (or E D) hath requested that an issue may be directed into our said court to try by a jury the validity of the said writing and the matters of fact which may be objected thereto in our said court therefore we commend you that you cause an action to be entered upon the records of our said court as of the day of the delivery of this our precept into the office of the prothonotary of our said court between the said A B and the said E D so that an issue therein may be formed upon the merits of the controversy between the said parties and tried in due course according

to the practice of our said courts in actions commenced by writ and further that you cause all other persons who may be interested in the estate of the said C D as heirs relations or next of kin devisees legatees or executors to be warned so that they may come into our said court and become party to the said action if they shall see cause and that you certify the result of the trial so had in the premises into the office of our said register

Attest G H Register of Wills of the said county

And the facts established by the trial had and certified to the register as aforesaid shall not be re-examined by the said register nor upon any appeal from his decision

Section 18 Where a caveat is entered against the probate of any last will or testamentary paper or where there is a dispute as to such probate or as to the granting of letters testamentary or of administration the orphans' court of the county in which said will or testamentary paper has been offered for probate or said letters testamentary or administration have been applied for may by general rule or by special order in the case on the petition of the register of wills of said county or of any party interested direct said register to certify the entire record there to pertaining to said court which shall then determine whether the will or testamentary paper shall be admitted to probate or an issue devisavit vel non be directed to the court of common pleas of said county or whether said letters testamentary or of administration shall be granted in like manner is if the said will or testamentary paper had ben admitted to probate or said letters testamentary or of administration had been granted by said register and an appeal been taken to the orphans' court from his decree The record may be thus certified at any stage of the proceedings before the register and after its removal to the orphans' court no letters of administration pendente lite shall be granted by the register except by leave of the orphans' court on cause shown by any party interested

Section 19 Where objections are made or a caveat is entered against the probate of any last will and testament and no precept for an issue is directed by the register into the court of common pleas as aforesaid or where objections are made to the granting of letters testamentary or of administration to any person applying therefor or where any question of kindred or other disputable and difficult matter comes into controversy before any register he may certify the entire record thereto pertaining to the orphans' court of the county for the determination by said court of such disputable and difficult matter giving convenient notice of the time when the matter will be heard in said court to all persons interested

Section 20 (a) It shall not be lawful for any register of wills having jurisdiction of the probate of wills and the granting of letters testamentary and of administration within this Commonwealth to entertain consider or regard any caveat against the probate of any last will and testament or the granting of letters testamentary or of administration or any appeal from the probate of any such will or from the grant of any letters testamentary or of administration unless such caveator or caveators appellant or appellants shall within ten days after the filing of such caveat or appeal enter into a bond in the name of the Commonwealth of Pennsylvania with at least two sufficient sureties to be approved by the register in a penal sum of not less than five hundred dollars and not to exceed five thousand dollars as may be determined by the said register conditioned for the payment of all or any costs which may be occasioned by reason of such caveat or appeal and which may be decreed by such register or by the orphans' court to be paid by such caveator or appellant which bond shall remain on file in the office of such register

(b) In case no bond such as aforesaid shall be filed with the register within ten days after the filing of any caveat or appeal as aforesaid such caveat or appeal shall be considered as abandoned and shall be dismissed and proceedings may be had in all respects as if no such caveat or appeal had been filed

(c) Such registers of wills and the orphans' court of the proper county in all cases of appeal from the decree of the register shall have power and they are hereby directed in all cases which may be instituted or adjudicated before them or any of them and in all proceedings which may be had upon or by reason of any such caveat or appeal to determine what amount of costs has been incurred or occasioned by the proceeding and to direct by whom such costs shall be paid and when such costs or any part thereof shall be finally adjudged and decreed to be paid by any aveator or appellant as aforesaid any party to whom such costs are due and payable or who may have advanced money to pay the same as the proceedings shall have progressed may institute an action in the proper court upon such bond for his own benefit or that of all other parties interested and may proceed thereon to final judgment and execution if the same shall be necessary as in other cases

(d) All the orders and decrees of the said register of wills relating to the amount and sufficiency of the security to be required by this section and to the taxation of costs in proceedings upon caveats and appeals before him as aforesaid shall be subject to the right of appeal to the orphans' court of the proper county by or on behalf of any and every person who may appear or have appeared before him as litigants or who may be affected by such order or decree

Section 21 (a) From all the judicial acts and proceedings of the several registers including all decisions granting an issue devisavit vel non in a contest concerning the validity of a will appeals may be taken to the orphans' court of the respective county within the term of two years Provided That any party entitled to appeal may be cited by such court to show cause why he should not appeal within six months from the date of such citation and on the failure of such party to show cause said court may make an order limiting the time for such appeal by said party to said period of six months

(b) No appeal from any decree of the register concerning the validity of a will or the right to administer shall suspend the powers or prejudice the acts of any executor or administrator to whom letters have been granted

Section 22 In counties wherein separate orphans' courts are now or may be established the said courts shall establish a bill of costs to be chargeable to parties and to estates for the probate of wills and testaments and granting of letters testamentary and of administration and for all the services of the register of wills of such county in the transaction of the business of his office Provided That the tax to be paid to and received by the register for the use of the Commonwealth shall not be less than the sum now or hereafter fixed by law And provided further That in counties wherein no separate orphans' courts have been or shall be established the law as to fees to be charged by registers of wills shall remain as heretofore

Section 23 Whenever any proceedings before a register shall be wholly ended and the fees and costs accrued thereon shall remain during the space of thirty days thereafter due and unpaid such register may file a bill thereof under his hand and the seal of his office in the orphans' court of the county and upon the docketing thereof an execution may be issued in the name of the Commonwealth to levy the amount of the said bill in like manner as executions may issue out of the orphans' court to enforce payment of decrees of that court for the payment of money

Section 24 On the probate of any will and the granting of letters testamentary thereon also on the granting of any letters of administration every register shall demand and receive for the use of the Commonwealth in each case the sum of fifty cents

Section 25 This act shall be known and may be cited as the Register of Wills Act of 1917.

Section 26 The following acts and parts of acts of assembly are hereby repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause

Sections one two five and eight of an act entitled "An act concerning the probates of written and nuncupative wills and for confirming devises of lands," passed one thousand seven hundred five one Smith's Laws thirty-three absolutely

Sections fourteen fifteen and sixteen of an act entitled "An Act for establishing orphans' courts" passed March twenty-seventh one thousand seven hundred thirteen one Smith's Laws eighty-one absolutely

An act entitled "An act for establishing in the city of Philadelphia and in each county of this State an office for the probate and registering of wills and granting letters of administration and an office for the recording of deeds" passed March fourteenth one thousand seven hundred seventy-seven one Smith's Laws four hundred forty-three in so far as it relates to registers of wills

Section five of an act entitled "An act to confer on certain associations of the citizens of this Commonwealth the powers and immunities of corporations or bodies politic in law" passed April sixth one thousand seven hundred ninety-one three Smith's Laws twenty absolutely

Section two of an act entitled "A supplement to the act entitled 'An act to establish the judicial courts of this Commonwealth in conformity to the alterations and amendments in the constitution'" passed September thirtieth one thousand seven hundred ninety-one three Smith's Laws fifty-eight absolutely

Section five of an act entitled "An act for the levy and collection of taxes upon proceedings in courts and in the offices of register and recorder and for other purposes" approved April sixth one thousand eight hundred thirty (Pamphlet Laws two hundred seventy-two) absolutely

Sections one to five inclusive seven to thirteen inclusive seventeen twenty-five thirty-one thirty-two thirty-six thirty-eight thirty-nine forty-two and forty-three of an act entitled "An act relating to registers and registers' courts" approved March fifteenth one thousand eight hundred thirty-two (Pamphlet Laws one hundred thirty-five) absolutely

Section ten of an act entitled "An act supplementary to an act passed the twenty-ninth day of March one thousand eight hundred and thirty-two entitled 'An act relating to orphans' courts' and relating to contracts of decedents and escheats in certain cases and relative to the district court of the city and county of Philadelphia and to registers of wills" approved April third one thousand eight hundred and fifty-one (Pamphlet Laws three hundred and five) absolutely

Sections four and five of an act entitled "An act for the preservation of the records of the courts" approved April nineteenth one thousand eight hundred and fifty-six (Pamphlet Laws four hundred and fifty-eight) absolutely

Section seven of an act entitled "An Act for the greater certainty of title and more secure enjoyments of real estate" approved April twenty-second one thousand eight hundred and fifty-six (Pamphlet Laws five hundred and thirty-two) absolutely

An act entitled "An act relating to the fees and official bond of the register of wills in counties wherein separate orphans' courts are or may be herafter established"

approved March twenty-fourth one thousand eight hundred and seventy-seven (Pamphlet Laws thirty-seven) absolutely

An act entitled "An act to provide for the recording of inventories and appraisements of decedents estates by the register of wills approved June twenty-fourth one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and fifty-five) absolutely

An act entitled "An act to authorize registers of wills and orphans courts to require security for costs and to apportion costs in cases of caveats and appeals" approved June sixth one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred and fifty-nine) absolutely

An act entitled "An act to provide for the recording of exemplifications of wills relating to real estate in the office of the register of wills for any county of this Commonwealth in which said real estate is situate and giving to the records of such exemplifications the same effect as the original wills or their duly certified copies or their records" approved April twenty-third one thousand eight hundred and eighty-nine (Pamphlet Laws forty-eight) absolutely

An act entitled "An act requiring all public records within this Commonwealth to be kept in the English language" approved May thirty-first one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and eighty-eight) in so far as it relates to wills and other instruments offered for probate or recording in the office of the register of wills

An act entitled "An act amending section seven of an act entitled 'An act for the greater certainty of title and more secure enjoyments of real estate' approved twenty-second day of April Anno Domini one thousand eight hundred and fifty-six relating to the time when the probate or refusal to probate a will shall be conclusive as to realty" approved June twenty-fifth one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and five) absolutely

An act entitled "An act authorizing appeals to orphans' courts from decisions of registers of wills granting issues devisavit vel non in cases of contested wills" approved February twenty-eighth one thousand nine hundred and five (Pamphlet Laws twenty-six) absolutely

An act entitled "An act providing that the last will of any decedent to be effective against bona fide conveyances or mortgages of the real or personal estate of the decedent must be offered for probate within three years from the date of the death of the testator or before the date of the recording of such conveyance or mortgage" approved April first one thousand nine hundred and nine (Pamphlet Laws seventy-nine) absolutely

An act entitled "An act to amend the second section of an act approved the twenty-fourth day of March Anno Domini one thousand eight hundred and seventy-seven entitled 'An act relating to the fees and official bond of the register of wills in counties wherein separate orphans' courts are or may be hereafter established' by removing the restriction as to population of the counties affected by the act" approved April twenty-seventh one thousand nine hundred and eleven (Pamphlet Laws eighty-seven) absolutely

All other acts of Assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz::

YEAS—181.

Albee,	Flynn,	McNichol,	Siggins,
Aron,	Franklin,	McPeake,	Simpson,
Arthur,	Fretz,	McVicar,	Sinclair,
Aston,	Geary,	Mearkle,	Smith, E. R.,
Baker,	Glass,	Mehring,	Smith, J. W.,
Baldi,	Golder,	Miller, A. D.,	Smith, L.,
Baldridge,	Goodnough,	Miller, Allan,	Smith, O. W.,
Barner,	Goodwin,	Miller, C. G.,	Snowden,
Bechtold,	Gormley,	Miller, G. J. A.,	Snyder,
Bell,	Graham,	Mitchell,	Somerman,
Benchoff,	Gransback,	Morgan, T.,	Sones,
Bennett,	Haight,	Morgan, T. J.,	Spangler,
Beyer,	Haldeman,	Murphy,	Speicher,
Bidelspacher,	Hecht,	Musser,	Sprowls,
Black,	Heffernan,	Neary,	Stadtlander,
Bovee,	Helt,	Palmer,	Steedle,
Boyd,	Hess,	Patterson,	Sterling,
Brady,	Heyburn,	Perry,	Stern,
Brumbaugh,	Hibshman,	Phillips,	Stites,
Burnett,	Hoffman,	Pickering,	Strauss,
Campbell, J. O.,	Hollern,	Powell,	Sullivan,
Campbell, T.,	Hollingsworth,	Ramsey,	Swartz,
Canon,	Horne,	Reichenbacher,	Sweitzer,
Chestnut,	Horton,	Reitzel,	Taylor,
Christman,	Hough,	Reynolds,	Thomas,
Clements,	Isherwood,	Rhoads, H. L.,	Ulsh,
Coldsmith,	Jennings,	Rhodes, W. M.,	Urich,
Conner,	Jones,	Rich,	Vickerman,
Corbin,	Kennedy,	Richards,	Vodges,
Cox,	Lafferty,	Ringler,	Wagner,
Crosby,	Lanius,	Rininger,	Walker,
Cummins,	Lauler,	Rinn,	Walter,
Curry,	Leary,	Robertson,	Weimer,
Davis, W.,	Lewis,	Rogers,	West,
Dawson,	Lohr,	Ross,	Whitaker,
Dean,	Luppert,	Rothenberger,	Wickman,
Dell,	Mangan,	Ruddy,	Williams, G. W.
Dithrich,	Marvin,	Rudisill,	Williams, J. P.,
Donneley,	Maurer,	Sampsel,	Wobensmith,
Drinkhouse,	McArdle,	Sarig,	Wood,
Dunn,	McCaig,	Schaeffer, A. C.,	Woodward,
Ehrhardt,	McCullough,	Scott,	Wylie,
Erdman,	McCurdy,	Shattuck,	Wynne,
Fackler,	McKay,	Showalter,	Zanders,
Fitzgibbon,	McKinney,	Shunk,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 94.

Mr. COX asked and received the unanimous consent to offer the following motion, which was twice read, considered and agreed to:

Moved by Mr. Cox, seconded by Mr. Wells, that the vote by which House Bill No. 94, File Folio 2009, page 31 of the calendar of Thursday, May 1, entitled

An Act to amend section two of an act approved the sixth day of February one thousand eight hundred four entitled "An Act to provide for the erection of a house for the employment and support of the poor in the county of York" (Pamphlet Laws sixty-five) by regulating the term and election of directors of the poor

was defeated on third reading and final passage, be reconsidered.

On the question recurring,

Shall the bill pass finally?

Mr. LANIUS. Mr. Speaker and gentlemen of the House, this bill, House Bill No. 94, the vote on which has just been reconsidered, is the bill which was defeated by this House last Tuesday morning. At that time the bill was debated at length by the sponsor and my colleague on this side of the House and myself, and I am sure that the House understands the measure very well. The question raised at that time was one of its constitutionality and I take it, Mr. Speaker, that when a bill has been defeated upon its constitutionality that that point should be upheld by the House. I believe that the House owes itself the courtesy of supporting its own opinion.

It is not my intention to go into details but I desire to call to the House's mind the one section which seemed to have been the one upon which the fight or the argument or the debate hinged: that is, whether this bill is the sort of special legislation prohibited by the Constitution or not. The sponsor of this bill stated that he had had this bill advertised and in that fact he admitted that it was special legislation. The thing for this body to decide is whether we have the power to extend the term of a county office by an act of the Legislature. My colleague stated that one section of the Constitution provided that the Legislature had the power of creating and abolishing an office and then went on to cite a case where this had been done. That the Legislature has the power of creating and abolishing an office is very true but it does not have the power of extending the time. In 1913, Mr. Speaker, in accordance with this section we created the office of County Controller in certain counties and we abolished the office of Auditor in certain counties; and in the body of that act the time of election for the Controller, as I understand it or recall it, was two years. The Constitution, while admitting and permitting the creation and abolishing did not permit the setting of the time of two years for the office of this Controller. In Northampton County, Mr. Young, who was then the controller, was defeated by Mr. Walter. He carried his case to the Supreme Court and this year that court decided that while the Legislature had the power of creating the office of Controller and abolishing the office of Auditor it did not have the power of setting the time, that that time was clearly set forth in the Constitutional Amendment of 1909 as being four years.

Now, Mr. Speaker, if this House is going to uphold the section of the Constitution which prohibits that special act as pertaining to county affairs and is going to recognize the Constitutional Amendment of 1909 which provides that no office shall be extended for more than four years or

shall be less than four years, Mr. Speaker, they are going by the Constitution, and I say this: I would not believe that this body, after carefully studying over the facts and listening to the debate on last Tuesday, needs any further argument on it. This is a simple act of special legislation, particularly designed for York County, and, Mr. Speaker, I would say that the people of York County are not so ignorant that they need special legislation. I believe we can well go under the laws of Pennsylvania and we do not need to have any special legislation; and there is no demand for this act; and this act, gentlemen, is decidedly unpopular with the people of York County, irrespective of any party. It is absolutely unpopular and it is not wanted. It is uncalled for. The people of York County asked the right given them under the Constitution to elect their officers for themselves and they do not want to have a man legislated into office and put on their hands. If this gentleman who desires to be retained has real merit there is no question, if he submits his candidacy to the people, that he will receive the proper answer.

Now, Mr. Speaker, in concluding I ask the House, in all sincerity, to stand by its decision and show that it upholds its own opinion.

Mr. SPANGLER. Mr. Speaker, this bill has been amply discussed before and I don't propose to take any of the time of the House to-night to discus it any further. As I stated before, the gentleman from York on the other side has not stated a single case in defence of the point of unconstitutionality. The House does not decide the question of the constitutionality of it because any office created by the Legislature, the House has the power to abolish or has the power to regulate or to alter. The Poor Board of York County is not a constitutional office, therefore it is a legislative office and the Legislature can change it at will. We are only asking for a minority representative on this Board. This idea of playing the whole hog or none is a bad idea whether it be by a Republican or a Democratic standard. There should be a minority representative on every administrative board. That is all we are asking and I hope you gentlemen will agree with me in voting in favor of the passage of this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

Mr. LAUCKS. Mr. Speaker, I call for the verification of the roll.

The SPEAKER. This roll will be verified.

Whereupon, the roll was verified as follows:

YEAS—139.

Aron,	Franklin,	McCaig,	Smith, E. R.,
Arthur,	Fretz,	McCullough,	Smith, J. W.,
Aston,	Gans,	McKay,	Smith, L.,
Baker,	Geary,	McNichol,	Snyder,
Baldi,	Glass,	McPeake,	Somerman,
Baldridge,	Golder,	McVicar,	Sones,
Bechtold,	Goodnough,	Mearkle,	Spangler,
Benchoff,	Goodwin,	Mehring,	Speicher,
Bennett,	Gormley,	Michel,	Sprowls,
Benninger,	Graeff,	Miller, A. D.,	Stadtlander,
Beyer,	Graham,	Miller, C. G.,	Steedle,
Bidelspacher,	Gransback,	Milner,	Sterling,
Bovee,	Haight,	Mitchell,	Stern,
Boyd,	Haldeman,	Morgan, T. J.,	Stites,
Brady,	Hecht,	Murdoch,	Sullivan,
Campbell, T.,	Heffernan,	Neary,	Swartz,
Clements,	Hess,	Ogden,	Taylor,
Coldsmith,	Heyburn,	Palmer,	Thomas,
Conner,	Hibshman,	Patterson,	Ulsh,
Corbin,	Hoffman,	Perry,	Urich,
Cox,	Hollingsworth,	Phillips,	Vodges,
Crosby,	Horton,	Pickering,	Walker,
Cummins,	Hough,	Powell,	Weimer,
Curry,	Howarth,	Ramsey,	Wells,
Davis, W.,	Jennings,	Reichenbacher,	Whitaker,
Dawson,	Jones,	Reitzel,	Wickman,
Dean,	Kennedy,	Reynolds,	Williams, G. W
Dewey,	Lafferty,	Rininger,	Williams, J. P.,
Dithrich,	Lauler,	Robertson,	Wobensmith,
Drinkhouse,	Lewis,	Rogers,	Wood,
Ehrhardt,	Lohr,	Sampsel,	Woodward,
Fackler,	Luppert,	Scott,	Wylie,
Fitzgibbon,	Mangan,	Shattuck,	Zanders,
Flynn,	Marvin,	Siggins,	Baldwin.
Fowler,	McArdle,	Sinclair,	Speaker.

NAYS—30.

Barner,	Isherwood,	Musser,	Shaffer, C. A.,
Bell,	Lanius,	Rhodes, W. M.,	Shunk,
Black,	Laucks,	Ringler,	Simpson,
Burnett,	Maurer,	Rinn,	Smith, O. W.,
Canon,	McCurdy,	Rothenberger,	Stoffiet,
Chestnut,	McKinney,	Rudisill,	Sweitzer.
Donneley,	Mervine,	Sarig,	Wynne,
Hollern,	Murphy,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1274, as follows:

An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the real and personal estate of a decedent whether male or female remaining after payment of all just debts and legal charges which shall not have been sold or disposed of by will or otherwise limited by marriage settlement shall be divided and enjoyed as follows namely

(a) Where such intestate shall leave a spouse surviving and one child only or shall leave a spouse surviving and no children but shall leave descendants of one deceased child the spouse shall be entitled to one-half part of the real and personal estate

(b) Where such intestate shall leave a spouse surviving and more than one child or one child and the descendants of a deceased child or children or the descendants of more than one deceased child the surviving spouse shall be entitled to one-third part of the real and personal estate

Section 2 (a) Where such intestate shall leave a spouse surviving and other kindred but no issue the surviving spouse shall be entitled to the real or personal estate or both to the aggregate value of five thousand dollars in addition in the case of a widow to the widow's exemption as allowed by law and if such estate shall exceed in value the sum of five thousand dollars the surviving spouse shall be entitled to the sum of five thousand dollars absolutely to be chosen by him or her from real or personal estate or both and in addition thereto shall be entitled to one-half part of the remaining real and personal estate Provided That the provisions of this clause shall apply only to cases of actual intestacy of husband or wife entire or partial and not to cases where the surviving spouse shall elect to take against the will of the deceased spouse

(b) The appraisement and setting apart of the said five thousand dollars in value of property shall be made by two appraisers who shall be appointed by the orphans' court having jurisdiction of the accounts of the personal representatives of such intestate and shall be sworn or affirmed to appraise the property which the surviving spouse shall choose under the provisions of this act Each of such appraisers shall receive as compensation for each day or fraction thereof necessarily employed in the performance their duties the sum of two dollars and fifty cents and such additional amount as may be allowed by said court

(c) Upon due proof of compliance with such requirements as to notice by advertisement or otherwise as may be prescribed by the orphans' court by general rule or otherwise such court may confirm such appraisement and set apart such personal or real estate or both to the surviving spouse subject to claims of creditors of the decedent and to the lien of debts of the decendent

(d) Whenever the surviving spouse of any intestate shall claim the said five thousand dollars in value or any part thereof under the provisions of this act out of real estate left by said intestate and the real estate appraised cannot be divided so as to set apart the amount so claimed in value without prejudice to or spoiling the whole or any parcel of said real estate and the appraisers shall appraise and value the same at any sum exceeding the amount so claimed it shall be lawful for the orphans' court to which such application shall be made to confirm such appraisement and to set apart for the use of the surviving spouse such real estate conditioned however that the said surviving spouse shall pay the amount of the valuation or appraisement in excess of the amount so claimed within one year from the date of confirmation of such valuation If the said surviving spouse shall refuse to take the real estate at such appraisement or shall fail to make payment as above provided the court on application of any person interested shall direct the executor or administrator to sell the same and the procedure in such case shall be the same as is provided by law in cases of sales of real estate for the payment of debts of a decedent

(e) The real estate if taken by the surviving spouse as aforesaid shall vest in him or her and his or her heirs or assigns upon his or her paying the surplus over and above the sum of five thousand dollars or such part thereof as may be claimed out of the real estate to the parties entitled thereto Where the real estate is sold as provided in clause (d) of this section the sum of five thousand dollars or such part thereof as may be claimed out of the real estate shall be paid out of the purchase money to the surviving spouse and the balance after payment of costs and expenses shall be distributed to the heirs or other persons legally entitled thereto

(f) In all cases where the appraisement of property real or personal or both is confirmed and the property set apart to the surviving spouse under the provisions of this section said surviving spouse shall be entitled to receive for his or her own use the net rents income interest and dividends thereof from the date of the death of such intestate Where the property set apart shall consist of real estate appraised at a sum in excess of five thousand dollars or such part thereof as may be claimed out of the real estate and the surviving spouse shall fail to pay the excess over the amount so claimed as provided in clause (d) of this section and the property shall thereupon be sold there shall be deducted from the sum to be paid to said surviving spouse out of the proceeds of such sale a proportionate part of the rents and income of such real estate received by such surviving spouse

(g) Whenever the surviving spouse of any intestate shall claim the said five thousand dollars in value or any part thereof under the provisions of this section out of real estate left by said intestate and lying in any county of this state other than the county wherein said intestate shall be domiciled at the time of his or her death and the orphans court having jurisdiction of the accounts of the personal representatives of said intestate shall be satisfied upon petition filed of the propriety of allowing such claim the court may make a decree authorizing such surviving spouse to file his or her petition in the orphans court of the county wherein such real estate may lie or in a case where the real estate is divided by a county line in the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county praying for the appointment of two appraisers

Upon the filing of such petition duly verified the latter court shall appoint such appraisers who shall be duly sworn or affirmed and shall appraise said real estate and shall be compensated as provided in clause (b) of this section and proceedings shall thereupon be had in said court and subject to its supervision and control in the same manner and with the same effect as is provided in clauses (c) (d) (e) and (f) of this section In every such case a certified copy of the decree confirming such appraisement or if such decree of sale and the confirmation thereof as the case may be shall forthwith be filed with the clerk of the orphans court having jurisdiction of the accounts of the personal representatives of said intestate

The court having jurisdiction of the accounts shall in all cases have exclusive jurisdiction of the distribution of the surplus paid by such surviving spouse or of the proceeds of such sale after the payment of costs and expenses as the case may be

(h) In all cases where a decree shall be entered by any orphans court confirming an appraisement of real estate and setting apart the same for the use of the surviving spouse a certified copy of such decree shall be recorded in the office of the recorder of deeds of each county where such real estate shall lie in the deed book and shall be indexed by the recorder in the grantors index under the name of the decedent and in the grantees index under the name of the surviving spouse and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate if any there be in said county and the charges for recording and registering shall be the same as are provided by law for similar services and shall be paid by said surviving spouse

Section 3 The shares of the estate directed by this act to be allotted to the widow shall be in lieu and full satisfaction of her dower at common law so far as relates to land of which the husband died seised and her share in lands aliened by the husband in his lifetime without her joining in the conveyance shall be the same as her share in lands of which the husband died seised The widow shall be entitled to the same share in an estate in remainder vested in interest in the husband during his lifetime although the particular estate shall not terminate before the death of the husband

Section 4 The shares of the estate directed by this act to be allotted to the surviving husband shall be in lieu and full satisfaction of his curtesy at common law The surviving husband shall be entitled to the same share in an estate in remainder vested in interest in the wife during her lifetime as in property of which she dies seised although the particular estate shall not terminate before the death of the wife

Section 5 No husband who shall have for one year or upwards previous to the death of his wife wilfully neglected or refused to provide for his wife or shall have for that period or upwards wilfully and maliciously deserted her shall have the right to claim any title or interest in her real or personal estate after her decease under the provisions of this act

Section 6 No wife who shall have for one year or upwards previous to the death of her husband wilfully and maliciously deserted her husband shall have the right to claim any title or interest in his real or personal estate after his decease under the provisions of this act

Section 7 The real and personal estate of such intestate not hereinbefore given to the surviving spouse if any there be distributed among his or her issue according to the following rules and order of succession namely

(a) If such intestate shall leave children but no other descendant being the issue of a deceased child the estate shall descend to and be distributed among such children

(b) If such intestate shall leave grandchildren but no child or other descendant being the issue of a deceased grandchild the estate shall descend to and be distributed among such grandchildren

(c) If such intestate shall leave descendants in other degrees of consanguinity however remote from him and all in the same degree of consanguinity to him the estate shall descend to and be distributed among such descendants

(d) If such intestate shall leave descendants in different degrees of consanguinity to him the more remote of them being the issue of a deceased child grandchild or other descendant the estate shall descend to and be distributed among them as follows namely

1 Each of the children of such intestate shall receive such share as such child would have received if all the children of the intestate who shall then be dead leaving issue had been living at the death of such intestate

2 Each of the grandchildren if there shall be no children in like manner shall receive such share as he or she would have received if all the other grandchildren who shall then be dead leaving issue had been living at the death of the intestate and so in like manner to the remotest degree

3 In every such case the issue of such deceased child grandchild or other descendant shall take by representation of their parents respectively such shares only as would have descended to such parents if they had been living at the death of the intestates.

Section 8 In default of issue as aforesaid the real and personal estate of such intestate not hereinbefore given to the surviving spouse if any there be shall go to and be vested in the father and mother of such intestate or if either the father or mother be dead at the time of the death of the intestate the parents surviving shall take such real and personal estate.

Section 9 In default of issue father and mother the real and personal estate of such intestate not hereinbefore given to the surviving spouse if any there be shall descend to and be distributed among the collateral heirs and kindred of such intestate without distinction between those of the whole and those of the half blood according to the following rules and order of succession namely

(a) If such intestate shall leave brothers and sisters or either and no nephew or niece or child of a deceased nephew or niece being the issue of a deceased brother or sister the real and personal estate shall descend to and be distributed among such brothers and sisters

(b) If such intestate shall leave neither brother nor sister and no child of any deceased nephew or niece being the issue of a deceased brother or sister but nephews or nieces being the children of such deceased brother or sister the real and personal estate shall descend to and be distributed among such nephews and nieces

(c) If such intestate shall leave neither brother nor sister nor any nephew or niece being the child of such deceased brother or sister but children of deceased nephews or nieces the real and personal estate shall descend to and be distributed among such children of deceased nephews or nieces

(d) If such intestate shall leave brothers or sisters and nephews or nieces being children of a deceased brother or sister and children of deceased nephews or nieces being issue of deceased brothers and sisters or shall leave members of any two of these three classes the real and personal estate shall descend to and be distributed among such brothers and sisters nephews and nieces and children of deceased nephews and nieces as follows namely

Each brother and sister shall receive such share as he or she would have received if all the brothers and sisters who died before the intestate leaving children or children of deceased children surviving the intestate had been living at the death of the intestate

Each nephew and niece if the intestate shall leave any brother or sister shall receive an equal portion of the share which his or her parent would have taken if then living which portion shall be what he or she would have taken if all the children of his or her parent who died before the intestate leaving children surviving the intestate had been living at the death of the intestate but if such intestate shall leave neither brother nor sister the nephews and nieces shall take per capita

Each child of a deceased nephew or niece whether the intestate shall leave members of one or both of the other classes shall receive an equal portion of the share at the death of the intestate

Section 10 In default of all persons hereinbefore described the real and personal estate of the intestate shall descend to and be distributed among the grandparents or descendants of deceased grandparents of such intestate and in default thereof to the next of kin to such intestate

Section 11 The grandchildren of brothers and sisters and the children of uncles and aunts shall be entitled to take by representation the shares of real and personal estate which their parents would have taken if living but except as hereinafter provided there shall be no representation admitted among collaterals after the grandchildren of brothers and sisters and the children of uncles and aunts

Section 12 If the next of kin of an intestate entitled to take under the provisions of this act shall be one or more than one grandparent of such intestate and there shall be living at the time of the decease of such intestate children or other descendants of any deceased grandparent then the children or other descendants of any such deceased grandparent shall represent the grandparent so deceased and shall take the share of real or personal estate to which such deceased grandparent would be entitled if living

The issue of any such deceased grandparent shall take according to the following rules of succession namely

(a) If there be only children of such deceased grandparent the share of such deceased grandparent shall descend to and be distributed among such children

(b) If there be grandchildren of such deceased grandparent and no other decedents being children of a deceased grandchild and no child the share of such deceased grandparent shall descend to and be distributed among such grandchildren

(c) If there be decendants of such deceased grandparent in any other degree however remote from him and all in the same degree of consanguinity to him the share of such deceased grandparent shall descend to and be distributed among such descendants

(d) If there be descendants of such deceased grandparent in different degrees of consanguinity to him the more remote of them being the issue of a deceased child grandchild or other descendant the share of such deceased grandparent shall descend to and be distributed among them as follows namely

1 Each of the children of such deceased grandparent shall receive such share as such child would have received if all the children of such deceased grandparent who shall then be dead leaving issue had been living at the death of the intestate

2 Each of the grandchildren if there shall be no children of such deceased grandparent in like manner shall receive such share as he or she would have received if all the other grandchlidren who shall then be dead leaving issue had been living at the death of the intestate and so in like manner to the remotest degree

3 In every such case the issue of such deceased child grandchild or other descendant of such deceased grandparent shall take by representation of their parents respectively such share only as would have descended to such parents if they had been living at the death of the intestate

Section 13 In all cases where under the provisions of this act the real estate shall decend to and the personal estate shall be distributed among the next of kin of an intestate the real as well as the personal estate shall pass to and be enjoyed by such next of kin without regard to the ancestor or other relation from whom such estate may have come it being the true intent and meaning of this act that the rule excluding from the inheritance of real estate persons not of the blood of the ancestor or other relation from whom such real estate descended or by whom it was given or devised to the intestate be abrogated and that the heir at common law shall not take in any case to the exclusion of other heirs and kindred standing in the same degree of consanguinity with him to the intestate

Section 14 Except as otherwise provided in section fifteen the foregoing provisions of this act relative to descent and distribution of real and personal estate among the heirs and next to kin of intestates shall be construed to mean such persons only as may have been born in lawful wedlock

Section 15 (a) The mother of an illegitimate child her heirs and next of kin the maternal grandfather and grandmother of said illegitimate child and said illegitimate child its heirs and next of kin shall have capacity to take or inherit from each other personal estate as next of kin and real estate as heirs under the foregoing provisions of this act in the same manner and to the same extent as if said child or children had been born in lawful wedlock

(b) Every illegitimate child shall be considered as a brother or sister to every other child of its mother legitimate or illegitimate

(c) The intent of this section is to legitimate an illegitimate child only so far as is provided by clauses (a) and (b) hereof This section is not intended to change the existing law with regard to the father of such a child and his heirs and next of kin

(d) In any and every case where the father and mother of an illegitimate child or children shall enter into the bonds of lawful wedlock or shall heretofore have entered into the bonds of lawful wedlock such child or children shall be legitimated for all purposes of inheritance by from or through such child or children under the provisions of this act as if he or they had been born during the wedlock of his or their parents

Section 16 (a) Any minor or adult person adopted according to law and the adopting parent or parents shall respectively inherit and take by devolution from and through each other personal estate as next of kin and real estate as heirs under the provisions of this act as fully as if the person adopted had been born a lawful child of the adopting parent or parents

(b) The person adopted shall for all purposes of inheritance and taking by devolution be a member of the family of the adopting parent or parents The adoptive relatives of the person adopted shall be entitled to inherit and take from and through such person to the exclusion of his or her natural parents grandparents and collateral relatives but the surviving spouse of such adopted person and the children and descendants of such adopted person shall have all his her and their respective rights under this act Adopted persons shall not be entitled to inherit or take from or through their natural parents grandparents or collateral relatives but each adopted person shall have all his or her rights under this act in the estates of his or her spouse children and descendants

Section 17 (a) In default of known heirs or kindred competent as aforesaid the real estate of such intestate shall be vested in the surviving spouse of such intestate if any and the surviving spouse shall be entitled to the whole of the personal estate

(b) If any person shall die or has died intestate leaving a surviving spouse and no known heirs or kindred such surviving spouse his or her heirs or legal representatives may at any time after the expiration of one year from the death of such intestate and after final settlement of the administration accounts of such intestate present a petition to the orphans' court of the county wherein any real estate of such intestate may lie or in the case of personal estate to the orphans' court having jurisdcition of said administration accounts setting forth that the said intestate died leaving no known heirs or kindred and seised or possessed of real or personal estate which by virtue of this act vested in such surviving spouse Such petition shall be verified by the oath or affirmation of the party petitioning or of some other person knowing the facts

Upon the presentation of said petition the said court shall grant a citation to all the heirs or other persons interested or claiming any interest in said estate to appear in said court at some time certain and show cause why a decree should not be made ordering and directing in the case of real estate that the title thereto be adjudged to be in such surviving spouse his or her heirs or in the case of personal estate that the administrator or administrators of the estate of said intestate shall pay over to such surviving spouse his or her legal representatives the balance of such intestates estate in his or their hands Notice of such citation shall be published for such length of time and in such manner as the court in its discretion shall think proper

If upon the return of the citation and due proof of publication thereof agreeably to the order of the court no heirs or kindred claiming said estate shall appear nor any good cause be shown to the contrary the court shall order and decree as aforesaid and in the case of real estate a certified copy of such decree shall be recorded in the office of the recorder of deeds of the county where said real estate shall lie in the deed book and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name of the surviving spouse and shall be registered in the survey bureau or with the proper authorities empowered to keep a register of real estate if any there be in said county The charges for recording and registering shall be the same as are provided by law for similar services The record of such decree shall be deemed and held to be prima facie proof of the facts therein set forth with like force and effect as such citation any person or persons shall appear in court claiming to be heirs or kindred of such intestate whose rights to the said estate shall be disputed by such surviving spouse his or her heirs or legal representatives then the court may direct an issue to determine the matter or may make such order therein as they shall think proper

In all cases the decree of such court entered upon the failure of any heirs or kindred to appear or after the trial of such an issue or otherwise shall not be subject to be reopened by said court after the expiration of six months from the date of its entry except as herinafter provided Any such cause may be remived by appeal to the Supreme Court or Superior Court in the same manner as appeals are now taken by law in cases determined in the orphans' court or tried by jury upon issues directed by that court Where the record in such cause is thus removed to an appellate court the six months' period within which the decree is subject to be reopened by the orphans' court shall cease to run until the return of the record from the appellate court

Section 18 The real estate of such intestate shall be vested in the person or persons entitled thereto under the provisions of this act for such estate as the intestate had therein and such person or persons shall be entitled to the personal estate absolutely

Section 19 Wherever real or personal estate shall descend to or be distributed among several persons whether lineal or collateral heirs or kindred standing in the same degree of consanguinity to the intestate if there shall be only one of such degree he shall take the whole of such estate and if there shall be more than one they shall take in equal shares and if real estate shall hold the same as tenants in common

Section 20 Descendants and relatives of an intestate begotten before the death of the intestate and born thereafter shall in all cases inherit and take in like manner as if they had been born in the lifetime of such intestate

Section 21 All relatives and persons concerned in the estate of any intestate who shall not lay legal claim to their respective shares of the personal estate within seven years of the decease of the intestate shall be debarred from the same forever Provided That if any such relative or person shall at the time of the decease of the intestate be within the age of twenty-one years he or she shall be entitled to receive and recover the same if he or she shall lay legal claim thereto within seven years after coming to full age

Section 22 If any person other than a surviving spouse entitled under the provisions of this act to inherit or take real or personal property from such intestate shall have any estate by settlement of such intestate or shall have been advanced by him in his lifetime either in real or personal estate the amount of such settlement or advancement shall be charged against the share of the person who shall have received it so that the total amount received by him including the amount of such settlement or advancement shall not exceed the amount received by each of the other persons who are equally entitled under the provisions of this act to inherit or take from said intestate

Section 23 No person who shall be finally adjudged guilty either as principal or accessory of murder of the first or second degree shall be entitled to inherit or take any part of the real or personal estate of the person killed as surviving spouse heir or next of kin to such person under the provisions of this act

Section 24 In default of all such known heirs or kindred or surviving spouse competent to take as aforesaid the real and personal estate of such intestate shall go to and be vested in the Commonwealth by escheat

Section 25 Nothing in this act contained relative to a distribution of personal estate among kindred shall be construed to extend to the personal estate of an intestate whose domicile at the time of his death was out of this Commonwealth

Section 26 This act shall be known and may be cited as the Intestate Act of nineteen hundred and seventeen

Section 27 This act shall take effect on the thirty-first day of December nineteen hundred and seventeen and shall apply to the estates real and personal of all persons dying intestate on or after said day As to the estates real and personal of all persons dying before that day the existing laws shall remain in full force and effect

Section 28 This act of Assembly is intended as an entire and complete system for the descent and distribution of the estates real and personal of persons dying intestate The following acts and parts of acts of assembly are hereby repealed as respectively indicated but so far only as relates to the estates real and personal of any person or persons dying intestate on or after the thirty-first day of December nineteen hundred and seventeen The repeal of the first section of an act shall not repeal the enacting clause

Sections three to thirteen inclusive and eighteen of an act entitled "An act directing the descent of intestates' real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nineteenth seventeen hundred and ninety-four three Smith's Laws one hundred forty-three absolutely

Sections five six and seven of an act entitled "An act supplementary to the act entitled 'An act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned' " passed April fourth seventeen hundred and ninety-seven three Smith's Laws two hundred ninety-six absolutely

An act entitled "An act for the settlement of the estates of intestates where some of the heirs reside out of the State" approved March thirteenth eighteen hundred and fifteen (Pamphlet Laws on hundred and seventy-three) absolutely

An act entitled "An act relative to escheated estates" approved January twenty-first eighteen hundred and nineteen (Pamphlet Laws twenty-five) absolutely

An act entitled "A supplement to an act entitled 'An act relative to escheated estates' passed the twenty-first of January eighteen hundred and nineteen" approved April sixth eighteen hundred and thirty-three (Pamphlet Laws two hundred and seven) absolutely

An act entitled "An act relating to the descent and distribution of the estates of intestates" approved April eighth eighteen hundred and thirty-three (Pamphlet Laws three hundred and fifteen) absolutely

Section nine of an act entitled "A supplement to an act entitled 'An act relative to the LeRaysville Phalanx' passed March Anno Domini one thousand eight hundred and forty-seven and relative to obligors and obligees to secure the right of married women in relation to defalcation and to extend the boundaries of the borough of Ligonier" approved April eleventh eighteen hundred and forty-eight (Pamphlet Laws five hundred and thirty-six) in so far as it relates to the distribution of the personal estate of a deceased married woman and section ten of said act absolutely

Section two of an act entitled "An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate" approved April twenty-seventh eighteen hundred and fifty-five (Pamphlet Laws three hundred sixty-eight) absolutely and section three of said act in so far as it relates to inheritance

Section five and the proviso to section seven of an act entitled "An act relating to certain duties and rights of husband and wife and parents and children" approved May fourth eighteen hundred and fifty-five (Pamphlet Laws four hundred and thirty) absolutely

An act entitled "An act to legitimate children born out of lawful wedlock" approved May fourteenth eighteen hundred and fifty-seven (Pamphlet Laws five hundred and seven) in so far as it relates to inheritance

An act entitled "An act permitting illegitimates to inherit from each other in certain cases" approved June fifth eighteen hundred and eighty-three (Pamphlet Laws eighty-eight) absolutely

An act entitled "An act to facilitate the proof and record of the title of real estate vested in the heirs of certain intestates" approved June twentieth eighteen hundred and eighty-three (Pamphlet Laws one hundred and thirty-one) absolutely

An act entitled "An act providing for the manner in which estates of intestates shall be distributed where the distributees stand in the same degree of consanguinity to the intestate" approved June thirtieth eighteen hundred and eighty-five (Pamphlet Laws two hundred and fifty-one) absolutely

An act entitled "An act relating to the mode of inheriting from through or by a child or children adopted according to law and being a supplement to an act entitled 'An act relating to certain duties of husband and wife and parents and children' approved the fourth day of May one thousand eight hundred and fifty-five" approved April thirteenth eighteen hundred and eighty-seven (Pamphlet Laws fifty-three) absolutely

The proviso to section one of an act entitled "An act amending section seventh of an act entitled 'An act relating to certain duties of husband and wife and parents and children' approved the fourth day of May one thousand eight hundred and fifty-five" approved April thirteenth eighteen hundred and eighty-seven (Pamphlet Laws fifty-three) absolutely

The proviso to section one of an act entitled "An act amending section seventh of an act entitled 'An act relating to certain duties and rights of husband and wife and parents and children' approved the fourth day of May Anno Domini one thousand eight hundred and fifty-five providing that married men or women in case of drunken-

ness or profligacy of husbands or wives may consent to the adoption of their children" approved May nineteenth eighteen hundred and eighty-seven (Pamphlet Laws one hundred twenty-five) absolutely

An act entitled "An act relating to estates of intestates providing that children and descendants of deceased grandparents shall represent such deceased grandparents whenever grandparents are entitled as next of kin to intestates" approved May twenty-fifth eighteen hundred and eighty-seven (Pamphlet Laws two hundred and sixty-one) absolutely

The first proviso to section one of an act entitled "An act relating to the adoption of any person as an heir" approved May ninth eighteen hundred eighty-nine (Pamphlet Laws one hundred and sixty-eight) absolutely

An act entitled "An act to amend the third section of the act entitled 'An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate' approved the twenty-seventh day of April Anno Domini one thousand eight hundred and fifty-five providing that illegitimate children shall take their mother's name and she and her mother and they and their issue shall be capable to take or inherit from each other" approved June fourteenth eighteen hundred and ninety-seven (Pamphlet Laws one hundred and forty-two) in so far as it relates to inheritance

An act entitled "An act to allow legitimate and illegitimate children born from the same mother dying without children to inherit real and personal property from each other in exclusion to the grandmother of the illegitimate child or children as though they had been born in lawful wedlock" approved June tenth nineteen hundred and one (Pamphlet Laws five hundred fifty-one) absolutely

Sections two three and four of an act entitled "An act to regulate and define the legal relations of an illegitimate child or children its or their heirs with each other and the mother and her heirs" approved July tenth nineteen hundred and one (Pamphlet Laws six hundred and thirty-nine) absolutely

An act entitled "An act to amend an act entitled 'An act to regulate and define the legal relations of an illegitimate child or children its or their heirs with each other and the mother and her heirs' approved the tenth day of July Anno Domini one thousand nine hundred and one and applying and extending it to all cases now pending where the estate of such illegitimate or mother has not been actually paid to and received collateral heirs or the Commonwealth" approved March twenty-sixth nineteen hundred and three (Pamphlet Laws seventy) absolutely

The proviso to section one of an act entitled "An act to amend an act entitled 'An act amending section seventh of an act entitled 'An act relating to certain duties and rights of husband and wife and parents and children" approved the fourth day of May Anno Domini one thousand eight hundred and fifty-five providing that married men or women in case of drunkenness or profligacy of husbands or wives may consent to the adoption of their children" approved April twenty-second nineteen hundred and five (Pamphlet Laws two hundred and ninety-seven) absolutely

An act entitled "An Act relating to the descent and distribution of the estates of intestates' passed and approved April eighth one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestate" approved April first nineteen hundred and nine (Pamphlet Laws eighty-seven) absolutely

Sections three and four of an act entitled "An Act relating to the adoption of adult persons as heirs" approved June first nineteen hundred and eleven (Pamphlet Laws five hundred and thirty-nine) in so far as they relate to inheritance and devolution under the intestate laws

An act entitled "A supplement to an act entitled 'An act to amend section one of an act entitled "An act relating to the descent and distribution of the estates of intestates" passed and approved April eighth one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestate' approved April first Anno Domini one thousand nine hundred and nine" approved July twenty-first nineteen hundred and thirteen (Pamphlet Laws eight hundred and seventy-two) absolutely

An act entitled "An act amending article two of section one of an act entitled 'An act relating to the descent and distribution of the estates of intestates' approved the eighth day of April one thousand eight hundred and thirty-three as amended by further regulating the appointment and number of appraisers" approved July twenty-first nineteen hundred and thirteen (Pamphlet Laws eight hundred and seventy-five) absolutely

An act entitled "An act to amend an act approved the fourth day of May one thousand eight hundred and fifty-five entitled 'An act relating to certain duties and rights of husband and wife and parents and children'" approved May third nineteen hundred and fifteen (Pamphlet Laws two hundred and thirty-four) absolutely

An act entitled "An act amending section one of an act entitled 'An Act amending section seven of an act entitled "An act relating to certain duties and rights of husband and wife and parents and children" approved the fourth day of May Anno Domini one thousand eight hundred and fifty-five providing that married men or women in case of drunkenness or profligacy of husbands or wives may consent to the adoption of their children' approved the nineteenth day of May Anno Domini one thousand eight hundred and eighty-seven" approved May twenty-eighth nineteen hundred and fifteen (Pamphlet Laws five hundred and eighty) in so far as it relates to inheritance and devolution under the intestate laws

All other acts of assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed so far as relates to the estates real and personal of any person or persons dying intestate on or after the thirty-first day of December nineteen hundred and seventeen

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Aron,	Franklin,	McNichol,	Simpson,
Arthur,	Fretz,	McPeake,	Sinclair,
Aston,	Gans,	McVicar,	Smith, E. R.,
Baker,	Geary,	Mearkle,	Smith, J. W.,
Baldi,	Glass,	Mehring,	Smith, L.,
Baldridge,	Golder,	Mervine,	Smith, O. W.,
Barner,	Goodnough,	Michel,	Snowden,
Bechtold,	Goodwin,	Miller, A. D.,	Snyder,
Bell,	Gormley,	Miller, Allan,	Somerman,
Benchoff,	Graeff,	Miller, C. G.,	Sones,
Bennett,	Gransback,	Milner,	Spangler,
Benninger,	Haight,	Mitchell,	Speicher,
Beyer,	Haldeman,	Morgan, T.,	Sprowls,
Bidelspacher,	Hecht,	Morgan, T. J.,	Stadtlander,
Black,	Heffernan,	Murdoch,	Steedle,
Bovee,	Helt,	Murphy,	Sterling,
Brady,	Hess,	Musser,	Stern,
Brumbaugh,	Heyburn,	Ogden,	Stites,
Burnett,	Hibshman,	Palmer,	Stoffiet,
Campbell, T.,	Hoffman,	Patterson,	Strauss,
Canon,	Hollern,	Perry,	Sullivan,
Chestnut,	Hollingsworth,	Phillips,	Swartz,
Christman,	Horne,	Pickering,	Sweitzer,
Clements,	Horton,	Powell,	Taylor,
Coldsmith,	Hough,	Ramsey,	Thomas,
Conner,	Howarth,	Reichenbacher,	Ulsh,
Corbin,	Isherwood,	Reitzel,	Vickerman,
Cox,	Jennings,	Reynolds,	Vogdes,
Crosby,	Jones,	Rhodes, W. M.,	Wagner,
Cummins,	Kennedy,	Rich,	Walker,
Curry,	Lafferty,	Ringler,	Wallace,
Davis, W.,	Lanius,	Ritinger,	Walter,
Dawson,	Laucks,	Rinn,	Weimer,
Dean,	Lauler,	Robertson,	Wells,
Dell,	Leary,	Rogers,	West,
Dewey,	Lewis,	Ross,	Whitaker,
Dithrich,	Lohr,	Rothenberger,	Wickman,
Drake,	Luppert,	Ruddy,	Williams, G. W.,
Drinkhouse,	Malle,	Rudisill,	Williams, J. P.,
Dunn,	Mangan,	Sampsel,	Wobensmith,
Eby,	Marvin,	Sarig,	Wood,
Ehrhardt,	Maurer,	Shaffer, C. A.,	Woodward,
Erdman,	McCaig,	Scott,	Wylie,
Fackler,	McCullough,	Schaeffer, A. C.,	Wynne,
Fitzgibbon,	McCurdy,	Shattuck,	Zanders,
Flynn,	McKay,	Shunk,	Baldwin,
Fowler,	McKinney,	Siggins,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No 1275, as follows:

An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales judgments and executions therefor sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers

duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That as used in this act the term "fiduciary" shall include executors administrators guardians and trustees whether domiciliary or ancillary subject to the jurisdiction of the orphans' court of any county of this Commonwealth

Section 2 (a) Letters testamentary and of administration shall be grantable only by the register of wills of the county within which was the family or principal residence of the decedent at the time of his decease and if the decedent had not such residence in this Commonwealth then ancillary letters testamentary or of administration shall be grantable only by the register of the county where the principal part of the goods and estate of such decedent within this Commonwealth shall be

(b) No letters testamentary or of administration shall in any case be originally granted upon the estate of any decedent after the expiration of twenty-one years from the day of his decease except on the order of the orphans' court upon due cause shown

(c) Whenever letters of administration are by law necessary the register having jurisdiction shall grant them in such form as the case shall require to the widow if any of the decedent or to such of his relations or kindred as by law may be entitled to the residue of his personal estate or to a share or shares therein after payment of his debts or he may join with the widow in the administration such relations or kindred or such one or more of them as he shall judge will best administer the estate preferring always of those so entitled such as are in the nearest degree of consanguinity with the decendent and also preferring males to females and in case of the refusal or incompetency of every such person to one or more of the principal creditors of the decedent applying therefor or to any fit person at his discretion Provided That if such decedent was a married woman her husband shall be entitled to the administration in preference to all other persons and Provided further That in all cases of an administration with a will annexed where there is a general residue of the estate bequeathed the right to administer shall belong to those having the right to such residue and the administration in such case shall be granted by the register to such one or more of them as he shall judge will best administer the estate

(d) Every application to any register of wills for the issuance of letters testamentary or of administration shall be in the form of a petition duly verified by affidavit setting forth the residence and citizenship and the place day and hour of death of the decedent the estimated value of his property real and personal the location of his real

property and in the case of an intestacy the names and residences of the surviving spouse if any and of the next of kin of the intestate together with an averment that the persons named are the surviving spouse and all the next of kin of the intestate

Section 3 (a) Whenever the executors named in any last will and testament shall all refuse or renounce the trust and execution thereof the register having jurisdiction as aforesaid may receive the probate of such will and grant letters of administration with it annexed to the persons by law entitled thereto

(b) Whenever a sole executor or the survivor of several executors shall die leaving goods or estate of his testator unadministered the register having jurisdiction shall notwithstanding such executor may have made his last will and testament and appointed an executor or executors thereof grant letters of administration of all such goods and estate in the same manner as if the executor had died without having made any testament or last will and the executor of such deceased executor shall in no case be deemed executor of the first testator

(c) In all cases where the administration of the estate of any decedent shall become vacant by reason of death or of any decree of the orphans' court or from any other cause the register having jurisdiction shall on proper proof being made of the fact grant new letters in such form as the case shall require to the person or persons by law entitled thereto

(d) All and singular the powers duties and liabilities of executors are hereby extended to administrators with a will annexed

(e) Administrators de bonis non with or without a will annexed shall have power to demand and recover from their predecessors in the administration or their legal representatives all moneys goods and assets remaining in their hands due and belonging to the estate of the decedent and to commence and prosecute actions upon promises made to such predecessors in their representative character and to take and defend appeals and sue forth and defend writs of scire facias and writs of execution upon judgments obtained by or in the name of the executors or administrators into whose place they may have come and also to proceed with and perfect all unexecuted executions which may have been issued thereon at the instance of such predecessors Provided That when any suit shall have been brought by an administrator de bonis non for the recovery of moneys goods or assets remaining in the hands of his predecessors or their legal representatives before they shall have settled their final administration account the court in which such action shall be brought shall have power to stay the proceedings therein on the defendants' filing such an account in the register's office of the proper county within a reasonable time to be fixed by said court until said account shall have been finally settled and confirmed and on the production of a certified copy of said account so settled and confirmed the court in which such suit shall be pending is hereby authorized and required to render judgment for the balance which shall thereby appear to be due to either party

Section 4 The register of wills having jurisdiction may when the circumstances of the case require grant to any fit person or persons letters of administration durante minoritate durante absentia or pendente lite security to be entered as in other cases of administration

Section 5 All such acts of administration as would be in due course of law in case of intestacy if done in good faith and without notice of a will and all such acts of any executor as would be in due course of law if the will under which letters testamentary were issued were the last will of the testator and if done in good faith and without notice of a later will shall not be impeached though a will or a later will should afterward be discovered and established

Section 6 (a) Whenever hereafter any person shall be presumed to be dead on account of absence for seven or more years from the place of his or her last domicile whether the same be within this Commonwealth or in any other state territory or possession of the United States or in any foreign country any person entitled under the last will and testament of such presumed decedent or under the intestate laws to any share in his or her estate within this Commonwealth or the escheater for the Commonwealth may present a petition to the orphans' court of the county of such person's last residence or where the presumed decedent was a non-resident of this Commonwealth in the orphans' court of the county where the greater part of his property within this Commonwealth may be situated setting forth the facts which raise the presumption of death The said court if satisfied as to the person who would be entitled to letters testamentary or of administration were the presumed decedent in fact dead shall cause to be advertised in a newspaper published in said county once a week for four successive weeks together with such other advertisement as the court according to the circumstances of the case shall deem expedient or advisable the fact of such application together with notice that on a day certain which shall be at least two weeks after the last appearance of said advertisement the court or master appointed by the court for that purpose will hear evidence concerning the alleged absence of the presumed decedent and the circumstances and duration thereof

(b) Whenever hereafter letters of administration or letters testamentary shall have been granted in any other state territory or possssion of the United States or in any foreign country on the estate of a resident thereof presumed to be dead on account of absence for seven or more years from the place of his last domicile it shall be lawful for the person or persons or trust company to whom such letters have been granted to present a petition to the orphans' court of the county within this Commonwealth in which all or the greater portion of the estate of said presumed decedent may be found accompanied by a complete exemplification of the record of the grant of such letters praying for the grant of ancillary letters testamentary or of administration upon the estate of such presumed decedent situate owing or belonging to him within this Commonwealth The said court if satisfied that the person or trust company proposed in such petition would be a fit person or company to whom such letters might be issued shall cause publication to be made in the manner and for the period as provided in clause (a) of this section of the fact of such application together with notice that on a day certain which shall be at least two weeks after the last appearance of said advertisement the court or a master appointed for the purpose will hear evidence concerning the alleged absence of the presumed decedent and the circumstances and duration threof

(c) At the hearing in either of the cases provided for in the preceding clauses of this section the orphans' court shall take such legal evidence as shall be offered for the purpose of ascertaining whether the presumption of death is established or may appoint a master to take such testimony and report his findings thereon and no person shall be disqualified to testify by reason of his or her relationship as husband or wife to the presumed decedent or of his or her interest in the estate of the presumed decedent

(d) If satisfied upon such hearing or upon the report of such master that the legal presumtion of death is made out the court shall so decree and the court may determine in such decree the date when such presumption arose and shall forthwith cause to be published for three successive weeks in the manner provided in clause (a) of this section a notice requiring the presumed decedent i falive to produce in court satisfactory evidence of his continuance in life such evidence to be produced within twelve weeks from the date of the last publication of the notice in the case of an original application for the grant of letters and within four weeks from such date in the case of an application for ancillary letters

(e) If within said period evidence satisfactory to the orphans' court of the continuance in life of the presumed decedent shall be presented said decree shall be vacated but if such evidence shall not be forthcoming such decree shall be confirmed absolutely and it shall be the duty of the court to order the register of wills to issue letters of administration to the person thereto entitled or to receive for probate the last will and testament of such presumed decedent and if duly proved to admit the same to probate and issue letters testamentary thereunder and the said letters until revoked and all acts done in pursuance thereof and in reliance thereupon shall be as valid as if the presumed decedent were really dead.

(f) Whenever the said court shall enter a decree that the presumption of death of any person has been established and such decree shall be confirmed absolutely the real estate of the presumed decedent shall pass and devolve as in the case of actual death and the persons entitled by will or under the intestate laws may enter and take possession In case the presumption of death is thereafter rebutted by adequate proof that the presumed decedent is in fact alive and said decree is vacated said real estate shall revert to him as fully as though such decree had never been entered subject however to payment of the costs and expenses of the proceedings and advertisement aforesaid Such decree when confirmed absolutely may be recorded in the office of the recorder of deeds of the proper county in the deed-book and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the names of the persons taking the real estate and if so recorded and the persons taking the real estate sell or mortgage the same the purchaser or mortgagee shall take a good title free and discharged of any interest or claim of the presumed decedent but the persons taking such real estate shall not sell convey or mortgage the same or any part thereof without first giving bond in an amount to be fixed by the orphans' court and with sureties to be approved by said court conditioned to account for and pay over to the presumed decedent in case he is actually alive the value of the real estate sold or conveyed or in case of the making of a mortgage to pay the amount of the mortgage and interest thereon or in case of a foreclosure of such mortgage to account for and pay over the value of the real estate mortgaged When the presumed decedent shall have been absent and unheard of for twenty-one years such bond shall be taken without sureties

(g) The executor or administrator to whom letters have been issued upon the estate of a presumed decedent as aforesaid shall administer the estate in the same manner and with the same effect as the same would be' administered under existing laws of this Commonwealth if the presumed decedent were in fact dead and the orphans' court at the audit of the account of an ancillary administrator of a presumed decedent shall decree the balance if any shown thereby to the expense of administration and the debts of the presumed decedent due to residents of this Commonwealth and the overplus if any to the executor or administrator of said presumed decedent in the foreign jurisdiction for the purpose of administration and distribution

(h) Before any distribution of the proceeds of the estate of such presumed decedent the persons other than creditors entitled to receive the same shall respectively give sufficint real or personal security to be approved by the orphans' court having jurisdiction in such sum and form as the court shall direct with condition that if

the said presumed decedent shall in fact be at the time alive they will respectively refund the amounts received by each on demand with interest thereon If any person or persons entitled to reseive the same shall refuse or neglect or be unable to enter such security the orphans' court may upon petition of any person interested and upon due notice to all persons interested so far as such notice can reasonably be given appoint a suitable person or corporation as trustee to receive and hold the share of the distributee refusing or neglecting or being unable to enter security as aforesaid until the further order of the court such trustee not to be an insurer of the trust fund and to be liable to be person or persons interested therein only for such care prudence and diligence in the execution of the trust as other trustees are liable for If the said court shall be satisfied from the evidence adduced at the hearing to ascertain whether the presumption of death is established or from the report of the master that there is no likelihood of the presumed decedent's being still alive then the said court may at its discretion accept refunding bonds from the distributees of the presumed decedent's estate without requiring sureties thereon

(i) The orphans' court may revoke the said letters and vacate the decree that the presumption of death has been established at any time on due and satisfactory proof that the presumed decedent is in fact alive After such revication all the powers of the executors or administrator shall cease but all receipts or disbursements of assets and other acts previously done by him shall remain as valid as if the said letters were unrevoked The executor or administrator shall settel an account of his administration down to the time of such revocaton and shall transfer all assets remaining in his hands to the person as whose executor or administrator he has acted or to his duly authorized agent or attorney Nothing in this section contained shall validate the title of any person to any money or property received as surviving spouse next of kin heir legatee or devisee of such presumed decedent but the same may be recovered from such prson in all cases in which such recovery would be had if this act had not been passed

(j) After revocation of the letters and vacation of the decree that the presumption of death has been established the person erroneously presumed to be dead may on suggestion filed of record of the proper facts be substituted as plaintiff or petitioner in all actions or proceedings at law in equity or in any orphans' court brought by the executor or administrator whether prosecuted to judgment or decree or otherwise He may in all actions or proceedings previously brought against the executor or administrator be substituted as defendant or respondent on proper suggestion filed by himself or by proper service of writ or other process but shall not be compelled to go to trial in less than three months from the time of such suggestion filed or process served Judgments or decrees recovered against the executor or administrator before revocation and vacation as aforesaid of the letters and decree may be opened on application by the presumed decedent made within three months from the said revocation and supported by affidavit denying specifically on the knowledge of the affiant the cause of action or specifically alleging the existence of facts which would be a valid defense but if within the said three months such application shall not be made or being made the facts exhibited shall be adjudged an insufficient defense the judgment or decree shall be conclusive to all intents saving the defendant's right to have it reviewed as in other cases on appeal Notwithstanding the substitution of the presumed decedent as defendant in any judgment or decree as aforesaid it shall continue as a lien upon his real estate in the county for the period of five years from the date of its entry as other judgments unless and until it shall be set aside by the court below or reversed in the proper appellate court

(k) Whenever hereafter letters testamentary or of administration shall be issued upon the estate of any person presumed to be dead on account of absence of seven years or more from the place of his last domicile in accordance with the foregoing provisions of this section the person having custody of any will which may have been left by such presumed decedent in case letters of administration have been issued or of any later will in case letters testamentary have been issued or any creditor or any person interested in the estate may file a petition in the orphans' court in which the proceedings to establish the death by presumption have been held as aforesaid setting forth the facts of the case a copy of said will or later will or an averment that such will exists and the names of all persons interested in the estate of the presumed decedent Upon the filing of such petition said court after due notice to all parties in interest may enter an order directing the register of wills to receive proof in support of the averments of said petition and if established to admit said will or later will to probate and if an executor be named in said will to revoke said letters of administration or in case an earlier will shall have been admitted to probate to set aside such probate and revoke the letters testamentary issued thereunder

(l) Thereupon the register of wills shall issue a citation to the person to whom letters of administration or letters testamentary have been issued as aforesaid and to all persons interested in the estate of the presumed decedent to appear upon a day fixed and to show cause why the said alleged will or later will should not be admitted to probate

(m) Upon the return of the citation if the register of wills shall be satisfied from all the evidence that may be adduced that the proposed will was in fact the last will and testament made by the presumed decedent before his departure or disappearance from his residence the said will shall be admitted to probate as if the testator were in fact dead If upon such probate it appears that an executor is named in the will the letters of amdinistration previously granted shall be revoked and letters testamentary shall be issued to said executor in the same manner and form as if the testator were in fact dead but if no executor shall be named in such will then a certified copy of said will shall be attached to the letters of administration theretofore issued or to a certified copy of such letters Thereafter the executor or administrator shall execute the said will according to its terms and all property of the decedent shall be distributed and pass as provided by said will to the several legatees and devisees named therein In case an earlier will shall have been admitted to provate the letters testamentary issued thereunder shall be revoked and letters shall be issued under the said last will or if no executor shall be named in said last will then letters of administration with the will annexed shall be issued to the person or persons entitled thereto

(n) The costs attending the issuance or revocation of letters shall be paid out of the estate of the presumed decedent and costs arising upon an application for letters which shall not be granted shall be paid by the applicant

Section 7 (a) Before any register shall issue letters of administration letters testamentary or of administration with the will annexed he shall administer an oath or affirmation to the person or persons receiving the same in the following form namely You do swear (or affirm) that as executor of the last will and testament (or as administrator of the estate) of A B deceased (as the case may be) you will well and truly [illegible] chattels rights and credits of said deceased according to law and also will diligently and faithfully regard and well and truly comply with the provisions of the law relating to collateral inheritances.

(b) In all cases where a corporation is or shall be charged with the execution of any trust the president vice-president trust officer secretary treasurer or actuary of such corporation shall make the oath or affirmation directed to be taken by private persons in such cases

Section 8 (a) It shall be the duty of every register upon his granting any letters of administration domiciliary or ancillary of the goods and chattels of any person dying intestate to take a bond or bonds from the person or persons receiving such letters with two or more sufficient individual sureties or sufficient corporate security or the register may in his discretion permit any corporation to which letters are granted to give its own bond without surety In fixing the amount of any bond respect shall be had to the value of the estate and all bonds shall be in the name of the Commonwealth with a condition in the following form namely The condition of this obligation is that if the above-bounden A B administrator of all and singular the goods chattels and credits of C D deceased do make or cause to be made a true and perfect inventory of all and singular the goods chattels and credits of the said deceased which have come or shall come to the hands possession or knowledge of him said A B or into the hands and possession of any other person or persons for him and the same so made do exhibit or cause to be exhibited into the registers office in the county of within thirty days from the date hereof and the same goods chattels and credits and all other the goods chattels and credits of the said deceased at the time of his death which at any time after shall come to the hands and possession of the said A B or into the hands and possession of any other person or persons for him do well and truly administer according to law and further do make or cause to be made a just and true account of his said administration at the expiration of six months from the date hereof or when thereunto required by the orphans court and all the rest and residue of the said goods chattels and credits which shall be found remaining upon the said administrators account the same being first examined and allowed by the orphans court of the county having jurisdiction shall deliver and pay unto such person or persons as the said orphans court by their decree or sentence pursuant to law shall limit and appoint and shall well and truly comply with the laws of this Commonwealth relating to collateral inheritances and if it shall hereafter appear that any last will and testament was made by the said deceased and the same shall be proved according to law if the said A. B. being thereunto required do surrender the said letters of administration into the registers office aforesaid then this obligation to be void otherwise to remain in full force Provided That in every case of special administration the form of the foregoing condition shall be modified so as to suit the circumstances of such case

(b) It shall be the duty of the register of wills in granting letters of administration with the will annexed to take a bond as prescribed in the foregoing clause that shall include adequate security for the faithful accounting for the proceeds of any sales of real estate the administrator may make under such will and the sureties taken shall be liable therefor as well as for any personal effects to come into the hands of the administrator who shall settle his account thereof before the orphans' court

(c) Before the register shall issue letters testamentary to any executor not being an inhabitant of this Commonwealth he shall take from him a bond with two or more sufficient individual sureties being inhabitants of this Commonwealth or with sufficient corporate security or the register may in his discretion permit any corporation to which such letters are granted to give its own bond without surety In fixing the amount of any bond respect shall

be had to the value of the estate to be administered and all bonds shall be in the name of the Commonwealth with the following condition namely The condition of this obligation is that the said A B executor of the last will and testament of C D deceased shall make a true and perfect inventory of all and singular the goods chattels and credits of the said deceased being within this Commonwealth which have come or shall come to his hands possession or knowledge or into the hands and possession of any other person for him and the same so made do exhibit into the office of the register of the county of.....within thirty days from the date hereof and the same goods do well and truly administer according to law and make a just and true account of all his actings and doings therein at the expiration of six months from the date hereof or when thereunto legally required and shall faithfully account for the proceeds of any sales of real estate he may make under such will and shall well and truly comply with the laws of this Commonwealth relating to collateral inheritances and in all other respects with the laws of this Commonwealth relating to his duty as executor then this obligation to be void otherwise to remain in full force

(d) If any register shall grant letters testamentary to any person not being an inhabitant of of this Commonwealth or shall grant any letters of administration to any person or persons whatsoever without having in either case taken a bond in the manner hereinbefore prescribed such letters shall be void and every person acting under them shall be deemed and may be sued and in all respects treated as an executor of his own wrong and the register granting the same and his sureties shall be liable to pay all damages which shall accrue to any person by reason thereof

(e) In any case where application is made for letters testamentary or of administration on the estate of a decedent who was at the time of his death a fiduciary it shall be within the discretion of the register of wills to whom such application is made to require the person or corporation to whom such letters are issued to enter in addition to any other bond required by this act a bond in a sufficient amount with sureties as aforesaid or in case of a corporation its own bond with or without sureties condition for the proper application of the property held by such decedent as fiduciary and coming into the hands and possession of the person or corporation to whom such letters are issued

(f) All bonds taken by any register in pursuance of this act from any executor or administrator may be excepted to before such register by any person interested in respect of the sufficiency of the sureties therein or the amount of the bond or for any other cause Whenever any such exception shall be so made to any such bond the register shall give notice thereof to the executor or administrator and require him to appear before him in a reasonable time not exceeding ten days and show cause against the allowance of such exception If upon the hearing of the objections of all persons interested and of such executor or administrator or of such of them as shall appear such register shall see cause he shall order such executor or administrator to find additional sureties or to give security in a larger amount or make such other order as the case may require If such executor or administrator shall refuse to comply with such order or if he shall neglect so to do during the space of thirty days after the making thereof the register shall revoke the letters granted to him and grant other letters in such form as the case shall require to the person by law next entitled thereto such person giving to such register the security by him ordered as aforesaid No such exception shall be so made or proceedings thereunto be had before the register after three months elapsed from the time of the filing of a full and perfect inventory by such executor or administrator of the whole of the estate in question

Section 9 (a) All bonds given or hereafter to be given by fiduciaries shall be held in trust for the use of the Commonwealth and such person or persons as may be interested therein and suits may be brought thereon from time to time by all persons interested therein as provided in the sixth section of the act entitled "An Act relating to bonds with penalties and official bonds" approved the fourteenth day of June eighteen hundred and thirty-six

(b) Whenever any fiduciary has heretofore given or shall hereafter give any bond conditioned for the due performance of his duties or for the accounting for money in his hands such fiduciary or any creditor beneficiary or other party in interest may present a petition to the orphans' court of the proper county alleging that the amount of such bond is greater than the exigencies of said trust require and setting forth the facts and circumstances upon which such allegation is based and praying that such bond be reduced to an amount which shall be stated in the petition At the hearing of said petition after such notice as the court may require if any the court may at its discretion reduce the bond to such an amount as it may deem proper and necessary to give adequate protection to all parties concerned but not to an amount lower than that specified in said petition The costs of said proceeding shall at the discretion of the court be paid out of the estate to protect which said bond was given or by the petitioner

(c) Any fiduciary required by law or by the order of any orphans' court to give a bond as such may include as a part of the lawful expense of executing his trust such reasonable sum paid to a company authorized under the laws of this State so to do for becoming his surety on such bond as may be allowed by the court in which he is required to account not exceeding however one per centum per annum on the amount of such bond

Section 10 The executors or administrators of every decedent shall immediately after the granting of letters testamentary or of administration to them cause notice thereof to be given in one newspaper published at or near the place where such decedent resided once a wek during at least six successive weeks together with their names and places of residence and in every such notice they shall request all persons having claims or demands against the estate of the said decedent to make known the same and all persons indebted to the said decedent to make payment to them without delay

Section 11 (a) It shall be the duty of the said executors or administrators to make a true and perfect inventory of all the goods chattels and credits of the deceased as far as they may know or can ascertain them and file the same in the register's office within thirty days from the time of administration granted Provided That in the case of a will of a decedent not resident at the time of his decease within this Commonwealth proved in another state or in a foreign country where of letters testamentary or of administration with the will annexed may be granted in this state or in a case of ancillary administration of the estate of a non-resident intestate the inventory herein mentioned shall be of the goods chattels and credits of the deceased within this Commonwealth

(b) In case of the failure or refusal of any executor or administrator to file an inventory as aforesaid the orphans' court shall have power on petition of any creditor of the decedent or any party in interest to issue a citation to such executor or administrator to show cause why he should not file such inventory and if no sufficient cause be shown on the return of such citation said court may order the filing of such inventory and may enforce such order by attachment as in other cases

(c) All bonds notes and other evidences of debt also all other claims and demands for money or any other personal property owned or held by the deceased at the time of his decease shall as far as the same may be known to his executors or administrators be included in the inventory to be made and returned as aforesaid

(d) The apointment of any person to be an executor shall in no case be deemed a release or extinguishment of any debt or demand which the testator may have had against him but such debt shall be included in the inventory and be subject to distribution like other personal estate

(e) The rents of any real estate accruing to any person as tenant for life of such estate who had demised the same for a term or time not fully expired at his decease shall go to and be vested in the executors or administrators of such tenant and the due proportion of such accruing rent to be computed according to the time elapsed at the decease of such tenant shall be included in the inventory of personal assets

(f) The arrearages of any rent-charge or other rent or reservation in nature of a rent due at the death of any tenant of such rent in fee-simple of fee-tail or for term of life or lives shall go to and be vested in the executors or administrators of such tenant and be included in the inventory and appraised as personal assets

(g) All estates in lands or tenements of which the decedent was seised at the time of his decease for the life or lives of another person or persons shall unless such estate have been limited to the decedent and his heirs go to the executors or administrators of such decedent and be included in the inventory and be subject to distribution in like manner as leases for terms of years

(h) Whenever personal property or assets of any kind not contained in the inventory made and returned as aforesaid shall afterwards come to the possession or knowledge of the executor or administrator he shall make an inventory thereof and file the same in the office of the proper register within thirty days from the time of the discovery thereof

(i) Every executor or administrator shall cause a just appraisement to be made by two or more appraisers of the goods chattels and credits of the decedent of which an inventory is to be made agreeably to the preceding clauses of this section and the said appraisers shall be sworn or affirmed well and truly and without prejudice or partiality to value and appraise said goods chattels and credits and in all respects to perform their duty as appraisers to the best of their skill and judgment

(j) It shall be the duty of the executors and administrators having given convenient notice to the appraisers of the decedent's estate of a time and place for making the inventory and appraisement thereof to produce or make known to them in the presence of such of the persons interested in the estate as may attend the whole of the personal estate of the decedent which may have come to their possession or knowledge and the inventory and appraisement thereof being finished and certified by the appraisers to file the same in the office of the proper register

(k) The appraisers of the estate of a descendent shall be respectively entitled to receive therefrom as compensation for their services in appraising the estate as aforesaid such sum as the orphans' court having jurisdiction of the accounts of the executors or administrators shall deem proper taking into consideration the labor skill and responsibility involved

Section 12 (a) The widow if any or if there be no widow or if she has forfeited her rights then the children forming part of the family of any decedent dying testate of intestate within this Commonwealth or dying outside of this Commonwealth but whose estate is settled in this Commonwealth may retain or claim either real or personal property or the proceeds of either real or personal property belonging to said estate to the value of five hundred dollars and the property so retained or claimed shall not be sold but suffered to remain for the use of the widow or children It shall be the duty of the executor or administrator of such

decedent to have the said property if personal appraised and set apart to said widow or children by the appraisers appointed to appraise the other personal estate of the decedent or if real then by two appraisers to be appointed by the orphans' court who may be the same persons appointed to appraise the personal estate If said five hundred dollars or any part thereof shall be claimed out of money or the proceeds of real or personal property belonging to the estate it shall be the duty of the executor or administrator to set apart to said widow or children the amount so claimed out of said money or out of the proceeds of said real or personal property after he shall have sold the same Should any or all of the appraisers of the other personal estate be unable to make the appraisement of personal property provided for by this section or should there be no such appraisers the orphans' court of the proper county may appoint a properly qualified appraiser or appraisers of the other personal estate of the decedent.

(b) The provisions of this section allowing the widow or children of a decedent to retain real property or the proceeds thereof to the value of five hundred dollars shall not affect or impair any liens for the purchase money of such real property

(c) Such appraisers shall be sworn or affirmed to appraise the property claimed by the widow or children of the decedent under the provisions of this act The compensation of such appraisers for making an appraisement of personal property shall be included in the compensation allowed by the orphans' court for the performance of their duties as appraisers of the other personal estate of the decedent and shall be paid out of the decedent's estate and the compensation of appraisers appointed by the orphans' court as aforesaid shall be fixed by said court and shall be paid out of the decedent's estate

(d) Upon due proof of compliance with such requirements as to notice by advertisement or otherwise as may be prescribed by the orphans' court of the proper county by general rule or otherwise such court may enter a decree directing the payment of the money or confirming the appraisement of the personal or real estate chosen by said widow or children and said appraisement signed and certified by the appraisers and approved by the court shall be filed among the records thereof Provided That all expenses of such advertisement or notice shall be paid out of the decedent's estate

(e) 1 In the case of any decedent leaving to survive him any minor child or children forming part of his family and no widow his administrator or executor without request made to him by any one shall have appraised and set aside for the use and benefit of all such minor children of said decedent property to the full value of five hundred dollars

2 The guardian of said child or children and if there be none the administrator or executor with the appraisers shall make selection of the property to be set aside and in so doing the said guardian or the said administrator or executor with the appraisers shall be governed by the necessities of such child or children under the circumstances of each case

(f) When any decedent shall leave to survive him a widow or children and an estate not exceeding in value five hundred dollars it shall be lawful for such widow or for such children by any next friend or guardian if to said children the right belongs to petition the orphans' court of the proper county for the appointment of two appraisers who shall appraise and set aside any property of said decedent selected by such widow or by such next friend or guardian in the same manner and with the same effect as if letters testamentary or of administration had issued and the appraisers been selected in the usual way Such appraisers shall be sworn or affirmed and shall receive for their services such compensation as shall be allowed by said court

(g) Whenever the widow or children of any decedent shall claim the sum of five hundred dollars in value or any part thereof under the provisions of this act out of real estate left by said decedent and the real estate appraised cannot be divided so as to set apart the amount so claimed in value without prejudice to or spoiling the whole or any parcel of said real estate and the appraisers may have appraised or shall appraise and value the same at an amount equal to or exceeding the amount claimed by said widow or children out of said real estate over and above the liens that are upon it the orphans court to which such application shall be made may confirm such appraisement and set apart for the use of the widow or children such real estate subject to whatever liens may be against the same conditioned however that the widow or children shall pay the amount of the valuation or appraisement over and above the liens that may be against the said real estate in excess of the amount claimed by said widow or children out of said real estate within one year from the date of confirmation of such valuation If the widow or children making such claim shall fail to make payment as above provided the court on application of any person interested shall direct the executor or administrator to sell the said real estate and the procedure in such case shall be the same as is provided by law in cases of sales of real estate for the payment of debts of a decedent

(h) The real estate if taken by the widow or children as aforesaid shall vest in her or them and her or their heirs or assigns subject to any liens upon it on her or their paying the surplus over and above the amount claimed by her or them out of said real estate to the parties entitled thereto Should the real estate be sold as provided in clause (g) of this section then the sum of five hundred dollars or such part thereof as may be claimed out of the real estate shall be paid out of the purchase money to the widow or children and the balance after payment of costs and expenses distributed to the heirs or other persons legally entitled thereto

(i) In all cases where the appraisement of property real or personal or both is confirmed and the property set apart to the widow or children under the provisions of this section said widow or children shall be entitled to receive for her or their own use the net rents income interest and dividends thereof from the date of the death of such decedent Provided That where the property so set apart shall consist of real estate appraised at an amount exceeding the amount claimed by said widow or children out of said real estate over and above the liens that are upon it and the widow or children shall fail to pay the excess over the amount so claimed as provided in clause (g) of this section and the property shall thereupon be sold there shall be deducted from the sum to be paid to said widow or children out of the proceeds of such sale a proportionate part of the rents and income of such real estate received by such widow or children

(j) Whenever the widow or children of any decedent shall claim the said five hundred dollars in value or any part thereof under the provisions of this section out of the real estate left by the said decedent and lying in any county of this State other than the county wherein said decedent shall be domiciled at the time of his death and the orphans court having jurisdiction of the accounts of the personal representatives of said decedent shall be satisfied upon petition filed of the propriety of allowing such claim it shall be lawful for such court to make a decree authorizing such widow or children to file her or their petition in the orphans' court of the county wherein such real estate may lie or in a case where the real estate is divided by a county line in the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county praying for the appointment of two appraisers Upon the filing of such petition duly verified it shall be the duty of the latter court to appoint such appraisers who shall be duly sworn or affirmed and shall appraise said real estate and shall be compensated as directed by said court and proceedings shall thereupon be had in said court and subject to its supervision and control in the same manner and with the same effect as is provided in clauses (g) (h) and (i) of this section In every such case a certified copy of the decree confirming such appraisement or of such decree of sale and the confirmation thereof as the case may be shall forthwith be filed with the clerk of the orphans' court having jurisdiction of the accounts of the personal representatives of the said decedent The latter court shall in all cases have exclusive jurisdiction of the distribution of the surplus paid by such widow or children or of the proceeds of such sale after the payment of costs and expenses as the case may be

(k) In all cases where a decree shall be entered by any orphans' court confirming an appraisement of real estate and setting apart the same for the use of the widow or children a certified copy of such decree shall be recorded in the office of the recorder of deeds of each county where such real estate shall lie in the deed book and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name or names of the widow or children and shall be registered in the survey bureau or with the proper authorities empowered by law to keep a register of real estate if any there be in each of said counties The charges for recording and registering shall be the same as are provided by law for similar services and shall be paid out of the estate of the decedent

Section 13 (a) All debts owing by any person within this State at the time of his decease shall be paid by his executors or administrators so far as they have assets in the manner and order following namely One Funeral expenses medicine furnished and medical attendance given during the last illness of the decedent and servants wages not exceeding one year Two Rents not exceeding one year Three All other debts without regard to the quality of the same except debts due to the Commonwealth which shall be last paid

(b) No executor or administrator shall be compelled to pay any debt of the decedent except such as are by law preferred in the order of payment to rents until six months be fully elapsed from the granting of the administration of the estate

Section 14 Rents of real estate accruing after the death of the owner of such real estate who shall die on or after the day on which this act shall go into effect shall be assets for the payment of debts of such decedent whenever the personal estate shall be insufficient therefor Wherever the personal estate of such decedent shall appear to be probably insufficient for the payment of debts the orphans' court having jurisdiction of the accounts of the executor or administrator shall upon application of any creditor of the decedent or upon application of the executor or administrator or of any other person interested authorize and direct the executor or administrator to collect such rents for such period as the court shall fix In such case the executor or administrator shall have power to collect such rents by action at law distress or otherwise as the decedent in his lifetime might have done as to rents of such real estate and rents so collected shall be accounted for by the executor or administrator in his account of the personal estate of the decedent

Section 15 (a) No debts of a decedent including the cost of settlement of the estate and the funeral expenses of the decedent except as provided in clauses (b) (g) and (h) hereof shall remain a lien on the real estate of such decedent longer than one year after the decease

of such debtor unless within said period an action for the recovery thereof be brought against the executor or administrator of such decedent and such action shall be indexed within said period against the decedent and such executor or administrator in the judgment index in the county in which such action is brought and also in the county in which the real estate sought to be charged is situate and be duly prosecuted to judgment and then to be a lien only for the period of five years unless the same be revived by writ of scire facias against the decedent his heirs executors or administrators and the devisee alienee or owner of the land sought to be charged in the manner now provided in the case of the revival of judgments

The plaintiff may at his election join such surviving spouse and heirs and the devisee alienee or owner of the land in such original action in which event such action shall be indexed as aforesaid against all defendents so joined

(b) No bond covenant debt or demand which it not payable within the said period of one year after the decease of the debtor shall remain a lien upon the real estate of such decedent longer than one year after his death unless within said period after his decease a copy or particular written statement thereof be filed in the office of the prothonotary of the county where the real estate to be charged is situate and be indexed against the decedent and the executor or administrator in the judgment index in the county where the executor or administrator resides and also in the county in which the real estate sought to be charged is situate and then to be a lien only for the period of one year after the said bond covenant debt or demand becomes due unless within said period of one year an action for the recovery thereof be brought indexed and duly prosecuted to judgment as provided in clause (a) of this section

(c) The provisions of clause (a) of this section shall be retroactive Provided however That in case of any bond covenant debt or demand that would be sooner barred an action for the recovery thereof may be commenced within one year after passage of this act in manner as provided in clause (a) of this section

(d) It shall be the duty of the prothonotary of any county of this Commonwealth when an action is brought or statement is filed as aforesaid in his office upon praecipe of the plaintiff or his attorney to index the same against the decedent his executor or administrator and any other defendants therein in the judgment index as other liens are indexed and to certify the same as liens in any certificate of liens that he may be required to make by virtue of his office The prothonotary of any court in which said action may be brought shall upon request furnish a copy of such praecipe which when duly certified under the seal of the court may be filed in any other county of this Commonwealth in which the real estate sought to be charged with the debts of such decedent may be situate and when so filed shall be indexed against the parties named therein upon the judgment index in such county

(e) No execution for the levy or sale of any real estate of any decedent shall be issued upon any judgment obtained in an action against his personal representatives under the forgoing clauses of this section unless the surviving spouse and heirs and the devisee alienee or owner of the land sought to be charged and the guardians of such as are minors shall have been made parties to such action or if they shall not have been so made parties unless they shall be warned by a writ of scire facias issued against them on such judgment If any of the parties reside outside of the county the court may by general rule or special order direct service of such writ of scire facias by publication or otherwise

(f) Judgments which were not liens on the real estate of the decedent by entry or revival by due process of law within five years prior to the death of such decedent shall not be revived as liens of record against real estate by the death of the defendant but shall rank and be treated simply as ordinary debts not of record and the lien thereof shall be continued after the expiration of one year from the decease of such debtor only by writ of scire facias to revive issued within one year after the death of the decedent indexed as provided in clauses (a) and (d) of this section and duly prosecuted to judgment and then to be a lien only for the period of five years unless the same be revived by writ of scire facias as provided in clause (a) of this section

(g) All judgments which at the time of the death of a decedent shall be liens on real estate owned by said decedent at the time of his death or on real estate which shall have been conveyed by deed not duly recorded during his lifetime shall continue to bind such real estate during the term of five years from his death although such judgments be not revived by scire facias or otherwise after his death Such judgments shall during such term rank according to their priority at the time of such death and after the expiration of such term such judgments shall not continue liens on the real estate of such decedent unless revived by scire facias or otherwise according to the laws regualting the revival of judgments Any judgment against such decedent which may be a lien upon real estate sold or aliened by such decedent during his life may be revived by writ of scire facias according to law and for the purpose of any such revival the writ of scire facias may be issued in the name of such decedent with the same force and effect as if it were issued in the name of his executors administrators or legal representatives but before any judgment shall be entered thereon the legal representatives shall be made parties defendant and a scire facies shall be served on such legal representatives

(h) Nothing contained in this section shall in any way affect or impair the lien of any mortgage given and executed and duly recorded during the lifetime of any decedent but the bond secured by such mortgage except as to real estate on which said mortgage is a lien shall be subject to all the provisions hereof

(i) No execution for the levy or sale of any real or personal estate of any decedent shall be issued upon any judgment obtained against him in his lifetime unless his personal representatives have been first warned by a writ of scire facias to show cause against the issuing thereof notwithstanding the teste of such execution may bear date antecedently to his death

(j) In all cases where property real or personal of a decedent is sold upon an execution and more money raised than is sufficeint to pay off liens of record the balance shall be paid over to the executor or administrator for distribution but before any such payment shall be made such executor or administrator shall give bond to the satisfaction of the court conditioned for the legal distribution of such money Provided always That such money shall be distributed as the real estate of which it is the proceeds would have been

(k) In every case of an execution against the executors or administrators of a decedent whether founded upon a judgment obtained against such decedent in his lifetime or upon a judgment obtained against them in their representative character if it shall be made to appear to the satisfaction of the court issuing such execution that there is reason to believe that the personal assets and the rents of real estate are insufficient to pay all just demands upon the estate such court shall thereupon stay all proceedings upon such execution until the executors or administrators shall have made application to the proper orphans' court for the sale of the real estate of the decedent or for the apportionment of the assets or both as the case may require

(l) It shall be competent for the court in the cases aforesaid on application of the plaintiff in such judgment or of any other person interested as heir devisee or otherwise to order the executors of administrators to make application to the orphans' court for the purpose as is hereinbefore mentioned and to enforce such order by attachment

Section 16 (a) Whenever it shall satisfactorily appear to the executor or administrator that the personal estate of the decedent together with the rents of real estate is insufficient to pay all just debts and the expenses of the administration he shall proceed without delay in the manner hereinafter provided to sell or mortgage under the direction of the orphans' court having jurisdiction of his accounts so much of the real estate as shall be necessary to supply the deficiency

(b) The orphans' court which possesses jurisdiction of the accounts of an executor or administrator shall have power to authorize a sale or mortgage of real estate by such executor or administrator in the following cases viz

1 On the application of the executor or administrator setting forth that the personal estate and the rents of real estate of the decedent are insufficient for the payment of debts

2 On the application of such executor or administrator or of any creditor of the decedent setting forth that on the final settlement of the administration account it appears that the personal assets together with the rents of real estate of the decedent are insufficient to pay the balance appearing to be due from the estate of such decedent either to the accountant or creditors

(c) No authority for the sale or mortgage of real estate for the payment of debts of a decedent shall be granted until the executor or administrator shall have exhibited to the court having jurisdiction of his accounts a true and perfect inventory and conscionable appraisement of all the personal estate whatsoever of the decedent together with a full and correct statement of all the real estate of such decedent wherever situated which has come to his knowledge and of the rental value of such real estate and also a just and true account upon oath or affirmation of all the debts of the decedent which have come to his knowledge

(d) When a mortgage authorized under the provisions of this section shall fall due or shall be about to fall due the orphans' court which authorized such mortgage may on the application of the executor or administrator or of any party in interest and although the period of the lien of the decedent's debts may have expired at the time of such application authorize the refunding of such mortgage and the making of a new bond and mortgage the proceeds of which may be used for the payment and satisfaction in whole or in part of the said existing mortgage and necessay expenses Such new mortgage may be for such period and on such terms as to said court shall seem advisable

(e) In all cases where an application shall be made to the court for a decree authorizing the sale or mortgage of real estate under the provisions of this section the court may appoint a suitable person as master to investigate the facts of the case and to report upon the expediency of granting the application and the amount to be raised by such sale or mortgage and upon such report being made the court may decree accordingly

(f) In all cases where the carrying out of any decree of the orphans' court under the provisions of this section shall involve the receipt of money by the person carrying it out the court shall direct the person acting under the decree to file a bond to the Commonwealth in a sufficient amount conditioned for the proper application of all moneys

to be received which bond shall inure to the benefit of all parties interested and be executed by two individual sureties or by one corporate surety approved by the court and no such decree shall be executed until such bond with sureties as may be required shall be filed Provided That where a corporation duly authorized by law shall be designated to carry out any such decree the court may in lieu of security as aforesaid permit such corporation to enter its own bond without surety

(g) Whenever by the provisions of this section it shall be lawful for the court to order the public sale of real estate public notice of such sale shall be given by the person who is to make the sale once a week for a period of three weeks before the day appointed therefor by advertisement in at least one newspaper published in the county if there be one or if there be none then in an adjoining county and in all cases notice shall also be given by handbills one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such estate

(h) Whenever under the provisions of this section the court has power to authorize or confirm a sale of real estate the same may be made upon such terms as the court shall approve all unpaid purchase money to be secured on the premises by mortgage

(i) All deeds or mortgages executed in pursuance of any decree of the court under the provisions of this section may be acknowledged before any officer or person now or hereafter authorized by the laws of this Commonwealth to take the acknowledgement of deeds and other instruments of writing to be recorder therein

(j) 1 In all cases where the sale of real estate shall be made by an executor or administrator under an order of or confirmed by the orphans' court or where the making of a mortgage by such executor or administrator shall be authorized by said court under the provisions of this section and the letters testamentary or of administration shall be revoked or the executor or administrator shall be removed by the court or shall die or become insane or otherwise be incapable before a conveyance is made to the purchaser or before a mortgage is executed and delivered it shall be lawful for the successor of such executor or administrator having first given security to be approved by the said court for the faithful appropriation of the proceeds of such sale or mortgage to execute and deliver to the purchaser a deed of conveyance for the estate or sold on the purchaser's full compliance with the terms and conditions of sale or to execute and deliver said mortgage If there shall be no such successor who shall have given security as aforesaid the said court shall have power on petition of the purchaser to direct the clerk of the court to execute and deliver to the purchaser the necessary deed of conveyance on his full compliance with the terms and conditions of sale paying into court the moneys payable and executing and delivering to the clerk any bond and mortgage required by the said terms and conditions which moneys and bond and mortgage shall remain subject to the disposition of the court or where the making of a mortgage by an executor or administrator shall be authorized by said court the court under the circumstances aforesaid shall have power to direct the clerk of the court to execute and deliver such mortgage The like proceedings may be had where an executor or administrator shall neglect or refuse to execute and deliver such deed or mortgage for the space of thirty days after due notice of an order of the court requiring him to execute and deliver the same

2 In all cases where the sale of real estate shall be made by co-executors or co-administrators under an order of or confirmed by the orphans' court or where the making of a mortgage by such co-executors or co-administrators shall be authorized by said court under the provisions of this section and one or more of such co-executors or co-administrators shall be removed by said court or shall die or become insane or otherwise be incapable before a conveyance is made to the purchaser or before such mortgage is executed and delivered said court may upon the facts being made to appear by petition duly verified authorize the surviving or remaining executor or executors administrator or administrators to execute and deliver to the purchaser a deed of conveyance for the real estate so sold on the purchaser's full compliance with the terms and conditions of sale or to execute and deliver such mortgage

3 Where authority is or shall be given by decree of any orphans' court to executors or administrators to sell real estate under the provisions of this section and any of such executors or administrators shall have died been removed become insane or otherwise be incapable or cease to act before a sale is effected in all such cases said court may upon the facts being made to appear by petition duly verified authorize the surviving or remaining executor or executors administrator or administrators to effect such sale with as full effect in all particulars as if effected or executed by the executors or administrators in office at the time the sale was originally decreed

4 Every sale made and every deed or mortgage executed and delivered in pursuance of and agreeably to the provisions of this section shall vest the property therein described in the grantee or mortgagee as fully and effectually as if the same had been made executed and delivered by all the executors or administrators to whom the authority to sell or mortgage was originally given

5 In all cases of sales or mortgages under the order of or confirmed by the orphans' court under the provisions of this section the title of the purchaser or mortgagee shall not be affected by the subsequent revocation of the letters testamentary or of administration of the executor or administrator making such sale or mortgage or by the subsequent removal of the executor or administrator making such sale or mortgage

6 Whenever in pursuance of proceedings in the orphans' court of any county under the provisions of this section any person therein described as an executor or administrator shall grant and convey or mortgage any real estate in which proceedings security shall be duly entered by him or her under the order or decree of the court no irregularity or defect in his or her original appointment or the absence of any proper qualification in respect thereto shall affect the title of the grantee or purchaser or the liability of the sureties but the same shall be as valid in all respects as if such irregularity or defect had not existed

(k) Whenever any orphans' court having jurisdiction under this section to decree a sale or mortgage of real estate shall issue its order to any executor or administrator to sell or mortgage such real estate and shall in any case within its jurisdiction give authority to any executor or administrator to bid at such sale and shall confirm the sale to such fiduciary or shall authorize the making of such mortgage to any executor or administrator the said court may make an order directing its clerk to execute a deed or mortgage as the case may be for said real estate to such purchaser or mortgagee who shall give security and shall account for the amount of said purchase money or mortgage money in the settlement of his accounts to said court

(l) 1 When the real estate with respect to which application shall be made to the orphans' court having jurisdiction of the accounts of the executor or administrator in cases of sales or mortgages for the payment of debts of decedents under clause (b) of this section is situated in the same county the said court may order the sale or mortgage of such part or so much of such real estate as to them shall appear necessary When the real estate is situated wholly in another county or counties and the orphans' court to which such application shall be made shall be satisfied of the propriety of a sale or mortgage of some portion of such real estate not within their jurisdiction it shall be lawful for such court to make a decree authorizing the raising of so much money as the said court may think necessary from real estate situated in such county or counties as they may designate and thereupon it shall be the duty of the orphans' court of the county wherein the real esate so designated is situated upon the petition of such executor or administrator to make an order for the sale or mortgage as they shall think expedient of so much and such parts of such real estate as shall in their opinion be necessary to raise the specified sum and such executor or administrator shall in all cases make return of his proceedings in relation to such sale or mortgage to the orphans' court of the county in which the real estate so sold or mortgaged lies Provided That where the orphans' court to which such application shall be made shall make a decree authorizing the raising of money from real estate which is wholy without the county where such application shall be made and is divided by a county line the further proceedings shall be in the orphans' court of the county where the mansion house is situated or if there is no mansion house in the county where the principal improvements are or if there be no improvements in either county

2 When application shall hereafter be made to the orphans' court having jurisdiction of the accounts of any executor or administrator for leave to sell or mortgage the real estate of a decedent or any part of the same for the payment of debts of such decedent under the provisions of this section and any part of said real estate is situated partly in the county where said application shall be made and partly in one or more other counties by reason of a county line or lines running through the same the said court shall have power to order and direct the sale or mortgage of the whole or any part of said tract of land irrespective of the county boundary lines and such sale or mortgage shall be as effectual to pass the title of such real estate to the purchaser or mortgagee as if the whole of said tract of land had been within the boundaries of the county having jurisdiction of the accounts of the executor or administrator Notices of said sale or mortgage as required by this section shall be given in all the counties in which the land is situated and a certified copy of all proceedings in connection with said sale or mortgage shall be filed in the orphans' court of each county in which said land is situated Any mortgage taken by such executor or administrator to secure the purchase money or any part thereof shall be duly recorded in each of the counties in which said lands lie as now required by law

(m) 1 The orphans' courts of the several counties of this Commonwealth in all cases where under the provisions of this section such courts have power to order the sale of real estate may authorize or direct a private sale if in the opinion of the court under all the circumstances a better price can be obtained at private than at public sale as where the interest shall be undivided or for any other sufficient cause

2 Before authorizing or directing any private sale of real estate for payment of debts of a decedent public notice thereof shall be given by advertisement printed in at least one newspaper published in the county where such real estate is situated once a week for a period of three weeks prior to the date fixed by such order for authorizing or directing such sale and also written or printed notices one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the

vicinity of such real estate and before authorizing or directing such sale the court shall require proof by affidavit to be filed in such proceeding that notice as aforesaid has been given Such notice shall specify the location and description of the real estate proposed to be sold the name of the proposed purchaser and the price agreed to be paid

3 On the day fixed by such order and notice for authorizing or directing such private sale any creditor of such decedent or party interested as heir devisee or intending purchaser or any legatee whose legacy is by the express terms of the will or by law charged on such real estate may appear and object to such private sale on account of the insufficiency of the price and if such objection be sustained may offer to give or pay a substantial increase for such property and the court at its discretion may thereupon authorize or direct such sale or refuse to authorize or direct the same and accept any substantially increased offer and may authorize the sale of such property to such new bidder upon compliance with the conditions of sale and giving such security as shall be directed by the court or such creditor party interested or legatee may appear as aforesaid and object to such sale on any legal or equitable grounds Provided That nothing herein contained shall be construed to affect the existing law with respect to objections to public sales

(n) All public sales of real estate under the provisions of this section shall be subject to confirmation by the court but in the case of private sales authorized or directed under the provisions of this section no return or confirmation shall be necessary

(o) All public or private sales of real estate under the provisions of this section shall have the effect of judicial sales as to the discharge of liens upon the real estate so sold Provided That the court may decree a sale of the real estate freed and discharged from the lien of any mortgage otherwise preserved from discharge by existing law if the holder of such mortgage by writing filed in said court shall consent to the sale being so made

(p) Whenever a public or private sale of real estate shall be authorized or directed by any orphans court under the provisions of this section the person or persons purchasing the real estate so sold and taking title thereto in pursuance of the decree of the court shall take such title free and discharged of any obligation to see to the application of the purchase money

Section 17 (a) It shall and may be lawful for any executor administrator trustee or any party interested in the real estate of any decedent to present a petition to any court having jurisdiction of the settlement of such estate setting forth all the particulars and also that there are just and reasonable grounds for believing that said decedent left no debts not of record and that it is desirable to have the real estate of said decedent relieved from any lien now given by law for such debts

(d) Said court may hear and determine the same or refer such petition to a master whose duty it shall be to inquire diligently into the facts and circumstances alleged in such petition and report the same to said court The court may in its discretion direct such notices to be given of such application by publication or otherwise as it may deem necessary

(c) It shall be the duty of said court upon being fully satisfied as to the truth and justice of the matters alleged in any such petition to decree that the real estate of such decedent shall be held and enjoyed free and clear of any lien of debts not of record of said decedent and said court shall require the person or persons entitled to said real estate to enter bond in such form and amount and with or without sureties as the court may in its discretion determine conditioned for the payment by such person or persons of an amount sufficient to pay any debts of the decedent not of record which may thereafter be proved and which would have been liens upon said real estate but for such decree

Section 18 (a) Where any person shall have by contract in writing agreed to sell and convey any real estate in this Commonwealth and died seised or possessed thereof or of an undivided interest therein or where any person shall have purchased in writing any real estate in this Commonwealth and died without paying the purchase money therefor it shall be lawful in all such cases for the executor or administrator of the deceased vendor or for the vendor when the purchaser may have died or for the purchaser of such real estate or when he has died for his executor or administrator or for any other person interested in such contract to petition the orphans' court having jurisdiction of the accounts of the executor or administrator of the deceased vendor or the deceased purchaser as the case may be setting forth the facts of the case After due notice of such petition to the persons interested according to the nature of the proceeding to appear in such court on a day certain and answer the petition of such court shall have power if the facts be sufficient in equity no sufficient cause being shown to the contrary to decree specific performance of such contract according to the true intent and meaning thereof

(b) The aforesaid remedy by petition to the orphans' court shall hereafter be exclusive

(c) When any petition for the specific performance of any such contract shall have been filed it shall be the duty of the prothonotary of the court of common pleas of the county in which such real estate or any part thereof shall lie on being certified by the clerk of the orphans' court in which such petition shall have been filed of the fact of such filing to enter the same upon the judgment index under the name of the respondent in such petition and to certify the same as lis pendens in any certificate of search that he may be required to make by virtue of his office

(d) When such order or decree for the specific performance of any such contract shall have been made and the purchase money paid or secured to be paid according to the terms of such contract it shall be the duty of the vendor or when he shall be deceased of his executors or administrators to execute such deed of conveyance as shall be directed by the court in conformity with the intention of such contract Such deed being so made by such executors or administrators shall have the same force and effect to pass and vest the estate intended as if the same had been executed by the decedent in his lifetime In the case of an order or decree for specific performance by the executors or administrators of a deceased vendee the court shall enter a decree for payment by such executors or administrators out of the estate of their decedent of the amount of purchase money with interest if any which decree may be enforced in like manner as other decrees of the orphans court for the payment of money The liability for the costs of such proceedings shall be in the discretion of the court

(e) Like proceedings may be had in all respects wherever any parol contract shall have been entered into by any person for the conveyance of real estate within this Commonwealth and the purchaser shall have died without fully executing such contract or wherever any person may have made such parol agreement and died seised or possessed of such real estate and no sufficient provision for the performance of such contract shall have been made by the decedent in all cases where such parol contract shall have been so far executed that it would be against equity to rescind the same

(f) In all cases of specific performance of contract which may hereafter be decreed by any orphans' court under the provisions of this section where the party to whom the deed is to be made is an executor or administrator of the deceased vendor the deed shall be made as in other cases by the co-executor or co-administrator if there be one and if there be none the court may make an order directing its clerk to execute such deed and deliver the same to the grantee therein named upon such terms as the court shall se fit to require from the grantee as executor or administrator of the decedent for securing the faithful appropriation of the unpaid purchase money

Section 19 Whenever a devise or bequest shall be made to any corporate body by any last will and testament the executors thereof shall within three months after they undertake the execution of such will make known by letter addressed to such corporate body the nature and amount of such devise and bequest together with their names and places of residence

Section 20 If after deducting the amount of debts of the testator and the expenses of administration the residue shall not be sufficient to discharge all the pecuniary legacies bequeathed an abatement shall be made in proportion to the legacies so given unless it shall be otherwise provided by the will

Section 21 Legacies if no time be limited by the will for the payment thereof shall in all cases be deemed to be due and payable at the expiration of six months from the death of the testator Interest on all pecuniary legacies whether bequeathed directly or in trust shall unless a contrary intention appear by the will begin to run from the expiration of one year from the death of the testator except that if the account of the executor be filed and confirmed and distribution awarded before the end of such year then interest on such legacies shall run from the date of the award Provided That where a pecuniary legacy is bequeathed to or for the use of the widow of the testator or any child or descendant of the testator or any person toward whom the testator in his lifetime stood in loco parentis or for the maintenance of any person interest shall unless a contrary intention appear by the will begin to run from the date of the death of the testator

Section 22 All annuities and all payments of rents income interest or dividends of any real or personal property directed by any will to be made during the lifetime of the beneficiary or for the life or lives of another person or persons or for a term of years shall like interest on money lent be considered as accruing from day to day and shall be apportioned to the date of the death of such beneficiary or of such cestui que vie or to the end of such term of years

Section 23 Whenever any person is or shall be entitled to the income from the proceeds of the sale of a decedent's real estate and whenever any personal property or the increase of profits or dividends thereof has been or shall hereafter be bequeathed to any person for life or for a term of years or for any other limited period or upon a condition or contingency the executor or executors administrator with the will annexed trustee or trustees under such will or trustee appointed by the orphans' court to make such sale of real estate as the case may be shall deliver the property so bequeathed to the person entitled thereto upon such person giving security in the orphans' court having jurisdiction in such form and amount as in the judgment of the court will sufficiently secure the interests of the person or persons entitled in remainder whenever the same shall accrue or vest in possession Should such person or legatee refuse or neglect or be unable to enter such security the court may upon petition of any person interested including the owner of any subsequent interest vested or contingent in such proceeds of real estate personal property or the increase profits or dividends thereof and upon due notice to all persons interested so far as such notice can reasonably be given appoint a suitable person or corporation as trustee to receive and hold such proceeds of sale or personal property invest the same in securities authorized by law pay the income thereof after deducting all legal charges to the person entitled thereto and upon the termination of the trust account

for and pay to the persons entitled thereto the corpus of the trust fund or transfer and deliver to them the securities in which it is invested as the court may direct after deducting all legal charges thereon Such trustee shall enter such security as the court may direct He shall not be an insurer of the trust fund and shall be liable to the persons interested in the income or corpus of the trust fund only for such care prudence and diligence in the execution of the trust as other trustees are liable for

Section 24 The remedy for the collection or enforcement of payment or delivery of all legacies whether pecuniary specific or otherwise aid whether charged on land or not shall hereafter be exclusively in the orphans' court saving the jurisdiction of other courts in actions which may be pending at the time of the approval of this act

Section 25 (a) In all cases in which by the provisions of any last will and testament or by the provisions of this act or by proceedings in the orphans' court in any county any legacy or any money payable at a future period or any money the interest on which is payable to any person is or shall be hereafter charged upon or payable out of real estate it shall be lawful for the legatee or the person entitled to such money or interest to apply by petition to the orphans' court having jurisdiction of the accounts of the fiduciary On the presentation of such petition the court having caused due notice to be given to such fiduciary and the devisee or heir as the case may be and the present owner of the real estate charged with such legacy sum of money or interest and to such persons interested in the estate or property as justice may require may proceed according to equity to make a decree directing such devisee heir or owner to pay the amount of such legacy sum of money or interest then due within a time to be limited by such decree and providing that in case such devisee heir or owner shall fail to make payment within such time the fiduciary or a trustee to be appointed by said court in its discretion shall after giving public notice of such sale once a week for a peroid of three weeks before the day appointed therefor by advertisement in at least one newspaper publishd in the county if there be one or if there be none then in an adjoining county and by hand bills posted at a conspicuous place on the real estate proposed to be sold and in at least three of the most public places in the vicinity of such estate make sale of said real estate or so much thereof as may be necessary for the purpose of payment of such legacy sum or money or interest The proceeds of such sale shall be distributed under the direction of said court as in other cases of judicial sales to the persons legally entitled to receive the same In the case of money charged upon real estate the interest on which is payable to any person the court may instead of directing a sale of such real estate as aforesaid make such decree or order to enforce payment of said interest as shall be just and proper

(b) If the real estate charged with such legacy sum or money or interest shall be situated in a county or counties other than that the orphans' court of which has jurisdiction of the accounts of the fiduciary and the devisee heir or owner against who such decree has been made shall fail to comply therewith according to the terms thereof such decree may be certified to the orphans' court of any county in which such real estate is situated or in case such real estate is divided by a county line then to the orphans' court of the county where the mansion house may be situated or if there be no mansion house to the county where the principal improvements may be or if there be no improvements to either county Upon such certification and petition filed by the legatee or the person entitled to such money or to such interest it shall the the duty of the said orphans' court to make an order for the sale of so much and such parts of such real estate as shall in their opinion be necessary to raise the specified sum and to direct the fiduciary or a trustee to be appointed by said court to make such sale after public notice as aforesaid given in each of the counties in which the real estate is situated Such fiduciary or trustee shall in all cases make return of his proceedings in relation to such sale to the orphans' court making such order of sale when if the same be approved by said court it shall be conffirmed but the proceeds of such sale shall be distributed under the direction of the court having jurisdiction of the accounts of the fiduciary or trustee as provided in clause (a) of this section In the case of money charged upon real estate the interest on which is payable to any person the orphans' court to which the decree is certified as aforesaid may instead of directing a sale of such real estate as aforesaid make such decreee or order to enforce payment of said interest as shall be just and proper

(c) Before such legatee or other person shall be entitled to the benefit of any decree made under the provisions of this section for payment by the devisee heir or owner of the real estate of the amount of such legacy sum of money or interest he or she shall give such security as the court in which application was originally made shall direct for the indemnity of the devisee heir or owner or other persons interested in the event of any debt due by the testator being recovered for the payment of which such real estate would be liable

Section 26 (a) Whenever any testator shall have heretofore by his last will and testament duly proven given or bequeathed any annuity or annuities to any person or persons or directed the payment of an annuity or annuities by his executors or by trustees or bequeathed legacies of principal sums payable at a future period or upon contingencies or under other cricumstances by which the payment or discharge and satisfaction of such legacies may be postponed or may not take place until a distant period after the death of such testator and either by the express words of the will or by the rules of law in the construction thereof such annuities or legacies are made or become a charge upon all the residuary real or personal estate of the testator and whenever any testator shall hereafter make any such bequest and provisions in any such case it shall be lawful, for the executors of any such will or for any such annuitant or legatee or for any person interested in such residuary estate at any time after the expiration of six months from the granting of letters testamentary to apply by petition to the orphans' court having jurisdiction of the accounts of such executors setting forth the facts and praying relief

(b) Upon the filing of such petition the court may order a citation to be issued to the parties interested to appear at a day certain to show cause why the relief prayed for should not be granted and upon the return of such citation if all the anuitants legatees and other persons interested shall have had due notice of the application the court may itself inquire into the circumstances the amount and condition of the estate and the expediency and propriety of exempting any part or portion of the residuary real or personal estate from the lien and charge of such annuities and legacies or either of them having due regard to the absolute and ultimate security of such annuities and legacies or the court may at its discretion refer the case to a master with directions to inquire into the matters aforesaid and to report thereupon

(c) After such inquiry by the court or if the case is referred to a master after his report has been made and after notice thereof to all persons interested it shall be lawful for the court to make a decree in the premises and if it shall appear that all the debts of the testator have been paid or sufficiently secured the court may enter a decree that such part or parts of the residuary real estate or such real securities or investments in public stocks or bonds or such securities as now are or may hereafter be authorized by law as investments by trustees shall be set apart or appropriated or that such part of the residuary estate shall be so invested as in the judgment of the court shall appear to be and with reasonable probability continue to be adequate and sufficient beyond all charges expenses and deductions for the payment of such annuities and legacies providing always a sufficient surplus to meet any contingent diminution or depreciation in the value or income of the estate and securities so set apart

(d) When such decree shall rave been made it shall be further lawful for the court to order and decree that all the remaining real or personal estate of the testator or both not so specifically set apart shall be and remain discharged and exonerated from the lien and charge of any and every such annuity and legacy and such decree shall have the force and effect of discharging and exonerating all such real or personal estate or both accordingly Provided That an appeal from a decree granting or refusing such petition may be taken to the proper appellate court within six months after the entry of the same as in other cases and Provided fruther That nothing in this section contained shall be deemed or held to authorize the exoneration of any real estate which may have been or may be specifically charged by a testator with the payment of any annuity or legacy

(e) The real estate securities and investments set apart and appropriated by order of the court as aforesaid shall be and continue in the possession charge and management of the executors trustees or other persons to whom the same may have been devised or bequeathed by the testator as aforesaid under and subject to the charge of such annuities and legacies It shall be the duty of every such executor trustee and other person upon request of any person interested to file with said court at the expiration of one year after such decree shall have been made and at the expiration of every year thereafter until the termination of such trust an account setting forth the situation and circumstances of such estate securities and investments and the annual income therefrom, and the payments thereof If upon such account it shall appear to the court that the said income exceeds in any considerable degree the amount of the existing annuities and other charges and expenses payable thereout it shall be lawful for the court to order and decree that such surplus income may be paid over to such persons as may be entitled to the residuary estate under the provisions of the will or the court may in their discretion order and decree that the same be invested in real securities public stocks or bonds or such securities as now are or may hereafter be authorized by law as investments by trustees for the further or additional security of such annuitants or legatees

(f) Upon the application of any person interested in any residuary estate set apart as aforesaid setting forth that by reason of the decease of any such annuitant or by the happening of any other event the charge of any annuity or legacy as aforesaid has become extinguished in fact or law it shall be lawful for the said court from time to time after due notice and inquiry into the facts to make an order and decree for the exoneration and discharge of such part or portion or so much of the real estate securities and investments so set apart and appropriated as may appear to such court to be beyond the amount requisite or proper for the purpose of providing a sufficient continuing security for the payment of the remaining annuities and legacies Every such order or decree shall have the same force and effect in respect to the real estate securities and investments therein and therby exonerated and discharged as is declared in clause (d) of this section in respect to the residuary estate not specifically set apart and appropriated An appeal from the entry of or refusal to enter such order or decree may

be taken to the proper appellate court within six months as in other cases

(g) Nothing in this section contained or in any decree or order made by any orphans court by the authority of this section shall be deemed or held to affect in any way the legal or equitable rights of any person or persons interested in the residuary estate set apart and appropriated as aforesaid but all such rights to the ultimate enjoyment of such estate shall remain and continue as before the passage of this act so far as the provisions of this section are concerned

Section 27 (a) 1 In all cases in which under any proceeding in any orphans court of this Commonwealth or by any last will and testament or by the provisions of this act any dower legacy recognizance or ther charge shall have been imposed upon land or any part thereof and such charge is due and payable and the person or persons to whom such payment is due cannot be found after diligent and erasonable search it shall be lawful for the owner of the land charged to apply by petition to the orphans court of the county where said land is situated or in case said land is divided by a county line to the orphans court of the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county setting forth the circumstances of the case the name or names of the person or persons to whom such payment is due or the fact that such names are unknown and the time when such legacy or charge or any part thereof became due and payable and a description of the land subject to the charge Thereupon said court shall make an order directing such petitioner to give public notice of the facts set forth in such petition by publication once a week for four successive weeks in one or more newspapers published within or nearest to said county or within or nearest to each of said counties requiring the person or persons to whom such legacy or charge or any part thereof is due and payable or who wish to lay claim to the moneys as aforesaid to appear in court on a day designated not less than twenty days after the last publication of said notice and show cause why the amount so due and payable as set forth in said petition should not be paid into said court

2 If no persons shall appear to show cause as aforesaid or if the person or persons appearing shall fail to show that he or they are entitled to such moneys the court being satisfied of the truth of the facts set forth in said petition shall enter a decree that the amount of such legacy or charge or part othereof due and payable to the time of final decree be paid into court and that upon such payment such real estate shall be discharged from the lien of such legacy or charge or from so much thereof as shall be so paid into court When the amount of such legacy or other charge does not appear as a matter of record the court may by appointment of a master or by investigation in open court ascertain and fix such amount. A certified copy of such decree may be recorded in the deed book in the office for recording deeds in every county where such real estate or any part thereof is situated in the same manner and with like effect as deeds of conveyance of real estate are recorded and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name of the owner of the land and the charges for recording shall be the same as are provided by law for similar services

(b) 1 In all cases in which under any proceeding in any orphans' court of this Commonwealth or by any last will and testament or by the provisions of this act any dower legacy recognizance or other charge shall have been imposed upon land payable presently or at a future time and such charge shall have been paid or a period of twenty years shall have elapsed after the principal of such charge has become due and payable and no payment shall have been made within such period on account of such charge by the owner or owners of the land and no sufficient satisfaction release acquittance or acknowledgment of payment thereof shall be of record in the county in which the land is situated it shall be lawful for the orphans' court of said county or in case said land is divided by a county line then the orphans' court of the county wherein the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county to entertain a petition for the discharge of said land from the lien of said charge

2 Such petition shall be presented by the owner or owners of said land or any part thereof shall be duly verified by affidavit and shall set forth the facts and allege that said charge has been paid or that no payment of principal or interest has been made within said period of twenty years on account of said charge by the present owner or owners or so far as can be ascertained by his or their predecessors in title and shall state the names of all known parties interested in such charge their places of residence if known and a description of the lands subject to the charge and sought to be released and discharged

3 Upon the presentation of such petition it shall be lawful for said court to issue a citation in the manner authorized by law to all such parties which citation shall be served as other citations are required to be served and shall require the parties to appear in court on a day designated to show cause why said land should not be discharged from the lien of such dower legacy or other charge

4 If the court aided if necessary by the report of a master shall determine at a hearing held in pursuance of said citation that such dower legacy or other charge has been paid or is otherwise no longer chargeable upon the land by reason of any presumption of payment or if no person shall appear to answer the citation or if all parties in interest shall have joined in the petition upon which such citation was issued the court being satisfied of the truth of the allegations of the petition shall decree that the land subject to the charge or any part thereof sought to be released or discharged shall be released and discharged from the same and the payment thereof and a certified copy of such decree may be recorded in the office for recording deeds in each county where such land or any part thereof is situated upon the terms and with the effect provided in clause (a) paragraph two of this section.

(c) Whenever any dower legacy recognizance or other charge has been or shall be charged upon or payable out of real estate by virtue of any last will and testament by the provisions of this act or under any proceeding in any orphans' court of this Commonwealth or whenever it shall be claimed that such charge exists it shall be lawful for said court in any case not provided for by the preceding clauses of this section on petition of the devisee or heir of such real estate or any owner thereof claiming under such devisee or heir to authorize such petitioner to pay into said court the full amount of such legacy or other charge whereupon the said court shall make a decree discharging such real estate from the lien of such legacy or other charge or from so much thereof as shall be so paid into court and a certified copy of such decree may be recorded in the office for recording deeds in any county where such land or any part thereof is situated upon the terms and with the effect provided in clause (a) paragraph two of this section

(d) All moneys when paid into court under the provisions of any of the preceding clauses of this section shall remain therein until the legatee or other person claiming the same shall present a petition for the distribution thereof whereupon the court shall after due notice to all parties interested make distribution of said moneys to the persons legally entitled to receive the same or may in its discretion appoint an auditor for the purpose of making such distribution

(e) All costs of proceedings under the provisions of any of the clauses of this section shall be paid as may be directed by the court

(f) Any party aggrieved by any definite order or decree entered by the court under any of the provisions of this section may appeal from such order or decree to the proper appellate court as in other cases

Section 28 (a) The executors of the last will of any decedent to whom is given thereby a naked authority only to sell any real estate shall take and hold the same interests therein and have the same power and authorities over such estate for all purposes of sale and conveyance and also of remedy by entry by action or otherwise as if the same had been thereby devised to them to be sold saving always to every testator the right to direct otherwise

(b) All powers to sell or let real estate on groundrent contained in any will shall be deemed and taken to authorize sales conveyances or leases either public or private unless expressly restricted by the said instrument to one or the other mode

(c) All powers authorities and directions relating to real estate contained in any last well and not given to any person by name or by description shall be deemed to have been given to the executors thereof but no such power authority or direction shall be exercised or carried into effect by them except under the control and direction of the orphans' court having jurisdiction of their accounts and after the entry of security if the court shall so direct

(d) In all cases wherein testators shall have devised their real estate or any part thereof to their executors to be sold or shall have authorized or directed such executors to sell and convey such real estate or shall have directed such real estate to be sold without naming or declaring who shall sell the same if one or more of such executors shall die refuse renounce or be dismissed or discharged it shall be lawful for the surviving acting or remaining executor or executors or for the administrator or administrators with the will annexed if such there be to bring action for the recovery of possession of such real estate and against trespassers thereon to sell and convey such real estate or manage the same for the benefit of the persons interested therein and otherwise act respecting the same as fully and completely as he or they together with such dying refusing renouncing dismissed or discharged co-executor or co-executors would be empowered to do if there had been no death refusal renunciation dismissal or discharge or in the case of an administrator with the will annexed as fully and amply as if all the executors named in the will had joined therein Provided That nothing in this clause shall be deemed or taken to prevent any testator from directing by his last will and testament otherwise than is herein declared and enacted

Section 29 Any fiduciary with power to convey lands or tenements in this Commonwealth may make conveyance under such power by and through an attorney or attorneys duly constituted and such conveyances shall be of the same validity as if executed personally by the constituent and all conveyances so heretofore bona fide made by such fiduciaries are hereby confirmed Provided That nothing herein contained shall authorize any fiduciary to delegate to others the discretion vested in himself for the general management of his trust

Section 30 Whenever any person seised of real estate situated in this Commonwealth has died or shall die having first made and published his last will and testament wherein said real estate is devised to executors or trustees named therein in trust to make sale thereof or wherein the sale

of real estate is authorized or directed but no person is designated to make such sale and the executors have complied with the provisions of section twenty-eight clause (c) of this act or wherein said executors or trustees are authorized to make sale of said real estate convert the same into money and distribute the proceeds of such sale or sales or any part thereof or hold the same in trust for any particular purpose or for the use of any particular person or persons named in said last will and testament the person or persons purchasing the real estate so sold from the executors or trustees named in said last will and testament under the power of sale or direction to sell contained therein shall take title thereto free and discharged of any obligation to see to the application of the purchase money

Section 31 Unless it be otherwise provided by the will any testamentary trustee shall have power to make a lease of real estate included in the trust for a term not exceeding five years and any guardian shall have power to make a lease of real estate belonging to his ward for a term not exceeding five years that shall expire before the minor if living would attain his majority If any testamentary trustee or guardian shall deem it advisable to make such lease for a longer period than aforesaid the orphans' court of the county wherein such real estate shall be situated on the application of such trustee or guardian being aided where necessary by the report of a master may authorize such trustee or guardian to lease such real estate on such terms and conditions at such rental and for such period as shall appear just and equitable to said court with the same force and effect as though said lease were made by the beneficial owner or owners and he or they were sui juris and owned the property in fee In all cases where such application shall be approved by any orphans' court the court may direct said trustee or guardian before making such lease to file his bond in said court in such sum as the court shall direct and with good and sufficient corporate security or with two good and sufficient individual sureties approved by said court conditioned for the faithful application or payment by him of all rents to be received under said lease Provided That where such trustee or guardian shall be a corporation duly authorized by law the court may in lieu of security as aforesaid permit such corporation to enter its own bond without surety.

Section 32 (a) Whenever by the provisions of any last will and testament admitted to probate in any county of this Commonwealth any of the real estate of the testator is ordered or directed to be sold and the proceeds therefrom are bequeathed or are payable or distributable in whole or in part to any minor or minors or cestuis que trust and it is the desire of all the legatees and beneficiaries interested in said proceeds to elect to take said real estate in lieu of the several bequests or legacies or interests it shall be lawful for the orphans' court having jurisdiction of the accounts of the executor of said will upon the petition of any fiduciary interested to authorize and empower said fiduciary on behalf of his ward or cestui que trust to enter into an election in writing to take said real estate or part thereof in fee in lieu of the legacy or legacies interest or interests bequeathed or payable or distributable as aforesaid taking and being entitled to an estate in said real estate commensurate with the interest said minor or cestui que trust would have had in the fund derived from the sale of said real estate if the same had been sold in accordance with the provisions of said will Such election shall be duly acknowledged and recorded in the deed book in the office of the recorder of deeds for the county in which such real estate is situated and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name of the ward or cestui que trust the charges for recording to be the same as are provided by law for similar services and shall then be filed in the office of the clerk of the said orphans' court

(b) Whenever by the provisions of any last will and testament admitted to probate in any county of this Commonwealth money is directed to be laid out or invested in real estate for the use of any minor or minors or cestui que trust and it is the desire of all the beneficiaries interested to elect to take said money instead of the real estate it shall be lawful for the orphans' court having jurisdiction of the accounts of the executor of said will upon petition of any guardian or trustee interested to authorize and empower said guardian or trustee on behalf of his ward or cestui que trust to enter into an election in writing which shall be filed in the office of the clerk of said court to take said money in lieu of the real estate taking and being entitled to an interest in said money commensurate with the estate said minor or cestui que trust would have had in the real estate if the same had been purchased in accordance with the provisions of said will

(c) All elections to take real estate in lieu of legacies or interests or money instead of real estate heretofore made by any guardian or trustee pursuant to an order of any orphans' court in this Commonwealth are hereby ratified confirmed and validated

Section 33 (a) Whenever in any last will and testament the testator has directed or shall direct all or any part of his real estate to be appraised and sold or has devised or shall devise such real estate to any person or persons at an appraisement to be made or has given or shall give to any person or persons the right to take such real estate at an appraisement directed by the testator to be made but has not indicated or shall not indicate by whom such appraisement shall be made it shall be lawful for any of the parties interested in such real estate or in the sum to be paid therefor to apply by petition to the orphans' court of the county in which said real estate is situated or in case the real estate is divided by a county line in the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county setting forth the terms and character of such devise or direction of the testator and also the names and residences when known of all parties interested

(b) Upon the presentation of such petition said court shall appoint two or more disinterested and competent persons citizens of the county to make such appraisement unless the testator has designated the number of persons to make such appraisement in which case the court shall appoint the number of persons so designated and the court shall by general rule or by special order in the particular case provide for notice to be given to all parties interested of the time and place of making such appraisement

(c) The appraisers so appointed shall be sworn or affirmed well and truly and without prejudice or partiality to value and appraise such real estate and each of such appraisers shall receive as compensation for his services such amount as may be allowed by said court such compensation to be paid out of the estate of the decedent as part of the costs of administration

(d) The appraisement so made shall be returned to the said orphans' court and if confirmed by said court shall be conclusive on all the parties interested in said real estate unless an appeal be taken from such decree of confirmation to the proper appellate court within six months after the date thereof

(e) Upon the return and confirmation of such appraisement the court shall issue its citation to the person or person entitled to take such real estate on compliance with the terms of the will to appear at a time fixed by said court to accept or refuse the same If upon the return of such citation duly served such person or persons shall appear and accept such real estate at the appraisement and shall pay or secure the payment of the amount thereof at such time and upon such terms as shall be fixed by said court then the court shall adjudge such real estate to such person or persons If such person or persons shall fail or neglect to appear and accept such real estate at the appraisement or shall refuse to accept it or having accepted shall fail to pay or secure the amount of such appraisement as aforesaid then the court shall adjudge such real estate to the person or persons entitled thereto under the provisions of the will in the event of such real estate not being taken at the appraisement directed by the testator or if the will contains no provision for such event then the court shall adjudge such real estate to the persons legally entitled thereto Any such decree may be recorded in the deed book in the office for recording deeds of any county in which such real estate is situated with the same effect as deeds are recorded and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name or names of the person or persons accepting such real estate at the appraisement or of the person or persons entitled thereto in the event of such real estate not being taken at the appraisement or of the person or persons legally entitled thereto where the will contains no provision for a failure to take at the appraisement as the case may be and shall be registered in the survey bureau or with the proper authorities empowered by law to keep a register of real estate if any there be in said county and the charges for recording and registering shall be the same as are provided by law for similar services

(f) In all cases of wills heretofore or hereafter made and duly proved and recorded wherein the testator has given or shall give the right to one or more persons to take any or all of his real estate at a certain valuation therein named and has appointed or shall appoint such person or persons as executor or executors to whom letters testamentary are issued such person or persons may present his or their petition to the orphans' court of the county in which such real estate is situated or in a case where the real estate is divided by a county line in the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county setting forth the terms and character of such devise or direction that he or they have been appointed executor or executors of the will that letters testamentary have been issued to him or them and formally accepting such real estate at such valuation. Upon the presentation of such petition the court shall have power to adjudge the real estate to such person or persons and to decree that he or they shall account for the valuation thereof in the settlement of his or their accounts in the orphans' court having jurisdiction of such accounts

(g) Whenever any orphans' court shall have heretofore made a decree adjudging real estate to certain persons in any case mentioned and provided for in clauses (e) and (f) of this section such decree shall be valid and available to vest in the person or persons to whom such real estate was adjudged all the right title and interest of the testator who had died leaving a will wherein the right to accept such real estate was given

Section 34 (a) Whenever by any last will and testament any dwelling-house or other building is devised to any person or persons without defining the boundaries of the curtilage or lot appurtenant to such building and necessary for the use and enjoyment of the same it shall be lawful for any of the parties interested to apply by petition to the orphans' court of the county in which such building is situate for the appointment of commissioners to designate the boundaries of the curtilage or lot appurtenant to such building and necessary for the convenient use of the same for the purposes for which it was intended

(b) It shall be the duty of the said court on presentation of such petition to appoint two or more disinterested and competent persons as they shall think proper for the purposes aforesaid which persons shall be sworn or affirmed faithfully to perform their duties as commissioners and shall be respectively entitled to receive from the estate of the testator for their services as commissioners such sum as the said court shall deem proper

(c) It shall be the duty of the commissioners so appointed to give reasonable notice to all parties interested of the time at which they will examine said dwelling-house or other building for the purposes aforesaid and to make report to the court in pursuance of the order to them directed In such report they shall sufficiently designate and describe by metes and bounds with their courses and distances and by draft if necessary the limits and extent of ground necessary for the convenient use of such building for the purposes for which it was intended If such report shall be approved by the court a decree of confirmation shall be entered a certifiy copy whereof shall be recorded in the deed book in the office for recording deeds of the county in which said building is situate in like manner as deeds are recorded and with same effect and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name of the devisee of such dwelling-house or other building and shall be registered in the survey bureau or with the proper authorities empowered by law to keep a register of real estate if any there be in such county upon paymnt of fees for such recording and registration at the rates fixed by law for similar services and the devise of such building shall take the same estate in the ground thus set apart as is devised to him in the building

(d) All costs of proceedings under this section including the fees for recording and registration shall be paid out of the estate of the testator and shall be considered as part of the costs of administration of the estate

Section 35 (a) No personal action hereafter brought except actions for slander and for libels and no action for mesne profits or for trespass to real property shall abate by reason of the death of the plaintiff or the defendant but the executor or administrator of the deceased party may be substituted as plaintinff or as defendant as the case may be and the suit prosecuted to final judgment and satisfaction

(b) Executors or administrators shall have power to commence and prosecute all actions for mesne profits or for trespass to real property and all personal actions which the decedent whom they represent might have commenced and prosecuted except actions for slander and for libels and they shall be liable to be sued in any such action except as aforesaid which might have been maintained against such decedent if he had lived

(c) In all actions of ejectment which may be pending at the time of the death of any vendor of real estate when the object is to enforce the payment of purchase money due and owing upon an agreement of sale of such real estate it shall and may be lawful for the executors and administrators of the deceased vendor to sustain the same in their own names to the same extent and in like manner as their testator or intestate if living could do

(d) The executors or administrators of every person who was the proprietor of any rent-charge or other rent or reservation in nature of a rent in fee or otherwise as mentioned in section eleven clause (f) of this act shall and may have an action for the arrearages of such rent due to the decedent at the time of his decease against the person who ought to have paid such rent or his executors or administrators or they may distrain therefor upon the lands or tenements which were charged with the payment thereof and liable to the distress of such decedent so long as such lands of tenements remain and are in the seisin or possession of the tenant who ought to have paid such rent or in the possession of any other person claiming the same from or under the same tenant by purchase gift or descent in like manner as such decedent might have done if he had lived

(e) The executors or administrators of any tenant for life who shall die before or on a day on which any rent was reserved or made payable upon any demise or lease of any real estate which determined on the death of such tenant for life may have an action to recover from the lessee or under-tenant of such real estate if such tenant for life die on the day on which the same was made payable the whole or if before the day a proportion of such rent for the last year or quarter of a year or other current period of payment according to the time elapsed at the decease of such tenant for life as aforesaid

(f) The executors or administrators of any person who at the time of his decease was a party plaintiff petitioner defendant or respondent in any action or legal or equitable proceeding pending in any court of this Commonwealth shall have full power if the cause of action shall by law survive to or against them to become party thereto and prosecute or defend such suit or proceeding to final judgment or decree as fully as such decedent might have done if he had lived and if such party die after judgment certificate or decree in his favor his executors or administrators may proceed to execution thereupon as such party might have done if he had lived

(g) The court in which any action or legal or equitable proceeding may be pending at the time of the decease of a party plaintiff petitioner defendant or respondent shall have power to require by writ of scire facias the executors or administrators of such party within twenty days after the service thereof to become party to such action or proceeding or to show cause why they should not be made party thereto by judgment of the court and further proceedings be had in such action or proceeding but in every such case the executors or administrators who shall become party as aforesaid shall be entitled to a reasonable continuance of such action or proceeding according to the circumstances of the case

(h) Whenever the executor or administrator of a deceased plaintiff petitioner defendant or respondent in any action or legal or equitable proceeding pending in any court of this Commonwealth resides without the jurisdiction of the said court the writ of scire facias provided by the preceding clauses of this section may be served on such executor or administrator by the sheriff of the county where he is resident if in the opinion of the proper court such service may be reasonably practicable but if otherwise and also where the said executor or administrator resides in some other state of the United States such service may be made by publication in one or more public newspapers as in the opinion of the court will be most likely to give notice to the said executors or administrators the said manner of service herein provided to have the same force and effect as the manner of service provided by the said clauses

(i) No action or other legal or equitable proceeding commenced by or against fiduciaries or in which fiduciaries are parties shall abate or be otherwise defeated by reason of the death dismissal removal resignation or renunciation of any one or more of them nor by reason of the annulling or revoking of the letters or powers granted to them or any of them but such suit or proceeding may be prosecuted to final judgment or decree by or against such other person or persons as may have been joined with them in the administration or trust or by or against such person or persons as may be their successors therein in all cases in like manner as if no such change had occurred or act been done and in all cases of vacancy in the administration or trust as aforesaid the successors therein shall be made party to such action or proceeding in the manner provided by clauses (f) (g) and (h) of this section

(j) The omission of an executor or administrator to plead to any action brought against him in his representative character that he has fully adminstered the estate of the decedent or any other matter relative to the assets shall not be deemed an admission of assets to satisfy the demand made in such action also the omission of the plaintiff to reply to any such matter when pleaded shall not be deemed an admission of the want of assets as aforesaid nor shall such omission otherwise prejudice either party and no mispleading or lack of pleading by executors or administrators shall make them liable to pay any debt or damages recovered against them in their representative character beyond the amount of the assets which in fact have come or may come or should have come into their hands

(k) In any suit now pending or hereafter to be brought in any court of this state if the plaintiff be dead or shall die during the pendency thereof and no letters testamentary or of administration have been or shall be taken out in this state within one year after the suggestion of the death of such plaintiff upon the record it shall not be the duty of the defendant to raise an administrator for the purpose of prosecuting the same but the court in which such suit is or shall be pending may after due service upon the executors named in the will of such plaintiff if known to defendant or upon the next of kin of the decedent entitled to administration of a rule to show cause enter an order that said suit shall abate unless before the return day of such rule letters testamentary or of administration shall be duly issued

Section 36 The statute of limitations shall begin to run against a debt or demand arising or falling due to the estate of a decedent after his or her death from the time such debt or demand shall arise or fall due as aforesaid notwithstanding that letters testamentary or letters of administration have not been granted on such estate

Section 37 In all cases where executors administrators guardians or trustees shall not reside within the county the orphans' court of which has jurisdiction of their accounts proceedings may be had and suits may be brought against them by creditors and others interested in the estates in the counties where such accounts are to be settled and process may be served on said fiduciaries in any other county by the sheriff of such county who shall be deputized for that purpose by the sheriff of the county in which the process issues or process may be served upon any surety on the official bounds of such fiduciaries

Section 38 Where one of two or more fiduciaries shall be personally or individually indebted obligated or liable to the estate which he represents it shall be lawful for the other fiduciaries or either of them to institute an action at law bill in equity or other appropriate legal or equitable proceeding on behalf of the said estate against such fiduciary individually to recover or enforce the said indebtedness obligation or liability in the same manner as though such fiduciary were not connected with the said estate Provided That this shall not in anywise affect the duty or liability of such fiduciary to account therefor in the office of the register of wills or in the orphans' court in the manner now provided by law the remedy herein provided being in addition to other remedies legal or equitable already existing

Section 39 In all cases where a creditor has appointed or shall appoint his judgment debtor his executor or where such judgment debtor has been or shall be appointed administrator of the creditor and the said judgment is a lien on the real estate of such executor or administrator and

the same is bequeathed specifically to a legatee or generally in the residuary clause of such testator's will or where any testator or intestate having a judgment situated as aforesaid shall have creditors interested in preserving the lien of such judgment such legatee or creditor or the next of kin of an intestate interested in such judgment may suggest his or their interest in the same upon the record thereof and issue a writ of scire facias against the defendant to revive the same and continue the lien thereof at any time when such proceedings shall be necessary under the laws of this Commonwealth which judgment so revived shall remain for the use of all persons interested therein

Section 40 Whenever it shall be proposed to compromise or settle any claim whether in suit or not by or against a minor or the estate of a decedent or to compromise or settle any question or dispute concerning the validity or construction of any last will and testament or the distribution of any decedents estate the orphans court having jurisdiction of the accounts of the fiduciary shall be authorized and empowered on petition by such fiduciary setting forth all the facts and circumstances of such claim or question and proposed compromise or settlement and duly verified by oath or affirmation and after due notice to all parties interested and after due consideration aided if necessary by the report of a master if satisfied that such compromise or settlement will be for the best interests of such minor or of the estate of such decedent to enter a decree authorizing the same to be made which decree shall operate to relieve the fiduciary of responsibility in the premises

Section 41 (a) 1 When a fiduciary shall have in his hands any moneys the principal or capital whereof is to remain for a time in his possession or under his control and the interest profits or income whereof are to be paid away or to accumulate or when the income of real estate shall be more than sufficient for the purpose of the trust such fiduciary may invest such moneys in the stock or public debt of the United States or in the public debt of this Commonwealth or in bonds or certificates of debt now created or hereafter to be created and issued according to law by any of the counties cities boroughs townships or school districts of this Commonwealth or in mortgages or ground rents in this Commonwealth Provided That nothing herein contained shall authorize any fiduciary to make any investment contrary to the directions contained in the will of the decedent in regard to the investment of such moneys

2 When a fiduciary shall have in his hands any moneys as aforesaid he may present a petition to the orphans court having jurisdiction of his accounts stating the circumstances of the case and the amount or sum of money which he is desirous of investing whereupon it shall be lawful for the court upon due proof aided if necessary by the report of a master to make an order directing the investment of such moneys in real estate in this Commonwealth other than ground-rents or in the bonds or certificates of debt now created or hereafter to be created and issued according to law by any other state of the United States or by any of the counties or cities of such other state at such prices or on such rates of interest and terms of payment respectively as the court shall think fit Provided That no such investment shall be directed unless it shall be the opinion of the court that it will be for the advantage of the estate and no change be made in the course of succession by such investment as regards the heirs or next of kin of the cestui que trust and Provided further That nothing herein contained shall authorize the court to make an order contrary to the directions contained in any will in regard to the investment of such moneys

3 In case the said moneys shall be invested as set forth in paragraph one of this clause or conformably to the directions of the court under paragraph two of this clause the said fiduciary shall be exempted from all liability for loss on the same in like manner as if such investments had been made in pursuance of directions in the will creating the trust it being hereby declared that the investments mentioned in this section are legal investments of moneys by fiduciaries

(b) Any fiduciary required by law by the order of any orphans court or by the provisions of any last will and testament under or by authority of which such fiduciary is acting to invest funds within his control in mortgages or other securities may include as a part of the lawful expense of executing his trust a reasonable sum paid to a company authorized under the laws of this state so to do for guaranteeing the payment of the principal and interest of such mortgage or other securities not exceeding one-half of one per centum upon the principal of such mortgage or other securities

Section 42 (a) Fiduciaries may themselves or jointly with others organize a corporation to carry on the business of the decedent whether he die testate or intestate whether the business was owned solely by him or in partnership with others if such business be one for which a charter could have been obtained in the life time of the decedent and may contribute all or part of the property of the estate which was invested in the business at the time of the death of the decedent as capital to such corporation and except stock in the corporation in lieu thereof

(b) No such corporation shall be organized without the approval of the orphans court having jurisdiction of the accounts of such fiduciaries first had and obtained upon petition filed setting forth all the facts and circumstances and the proposed terms and conditions of the organization Such notice as shall be prescribed by said court shall be given to all persons having any beneficial interest vested or contingent in the estate of the decedent who are in being at the time of the filing of such petition and the said court shall approve such organization only after inquiring into the circumstances and the proposed terms and conditions of such organization aided if necessary by the report of a master and only with the written consent of all persons interested who shall be sui juris and of the guardians or committee of such as shall be under age or non compos mentis

(c) The stock of any such corporation issued to such fiduciaries shall be held by them for the same uses trusts and persons as the estate and property were held before the organization of such corporation they shall have the same right and power to vote such stock subject to the same control by the court as prescribed by section forty-three of this act regarding shares of stock belonging to the decedent and they shall have the right to sell such stock under the direction of the court

Section 43 Fiduciaries whether appointed by last will and testament or by decree of the orphans court shall have the same right and power either in person or by proxy at all corporate meetings to vote any and all shares of stock held by them in a fiduciary capacity in any corporation organized under the laws of this Commonwealth as the deceased or legal owner thereof had in his lifetime And where such stock is registered on the books of such corporation in the name of or has passed by operation of law or by virtue of any last will and testament to more than two fiduciaries and dispute shall arise among them the said shares of stock shall be voted by a majority of such fiduciaries and in such manner and for such purpose as such majority shall authorize direct or desire the same to be voted If the number of fiduciaries shall be even they shall be equally divided upon the question of voting such stock it shall be lawful for the orphans court having jurisdiction of their accounts upon petition filed by any of such fiduciaries or by any party in interest to direct the voting of such stock in the manner which in the opinion of said court will be for the best interests of the parties beneficially interested in the stock

Section 44 (a) No executor or administrator shall be liable to pay interest but for the surplusage of the estate remaining in his hands or power when his accounts are or ought to be filed Provided That nothing herein contained shall be construed to exempt an executor or administrator from liability to pay interest where he may have made use of the funds of the estate for his own purposes

(b) The amount of interest to be paid in all cases by fiduciaries shall be determined by the orphans' court under all the circumstances of the case but shall not in any instance exceed the legal rate of interest for the time being

Section 45 In all cases where the same person shall under a will fulfill the duties of executor and trustee it shall not be lawful for such person to receive or charge more than one commission upon any sum of money coming into or passing through his hands or held by him for the benefit of other parties and such single commission shall be deemed a full compensation for his services in the double capacity of executor and trustee Provided That any such trustee shall be allowed to retain a reasonable commission on the income he may receive from any estate held by him in trust as aforesaid

Section 46 (a) It shall be the duty of every executor and administrator to file in the registers office a just account of the administration of the estate at the expiration of six months from the time of administration granted or when thereunto required by the orphans court and any executor or administrator may be cited to file his account after the expiration of six months from the date of issuance of letters testamentary or of administration on petition of any person having an interest present or future vested or contingent in the estate of the decedent or on petition of any creditor of the decedent

(b) The several orphans courts of this Commonwealth shall have power by general rule or special order to appoint one or more examiners to make periodical or special examination of the assets of estates in the hands of fiduciaries and power to require all persons in whose custody or control such assets may be held to present them for such examination The examiners so appointed shall be compensated by reasonable fees to be fixed by the court and to be paid out of the respective estates

(c) The several orphans courts of this Commonwealth shall by general rule provide that any person who claiming to be interested in the estate of any decedent as creditor legatee next of kin or otherwise has given written notice of his claim to the executor administrator or trustee or his attorney shall be entitled to receive actual notice from said executor administrator or trustee or his attorney of the filing of his account or such rule of court may provide for the filing of such claims with and the giving of notice by the register of wills or the clerk of the orphans court

(d) Every register with whom an account has been or shall be filed shall transmit the same to the orphans court of the respective county at its next stated meeting being not less than thirty days distant from the time of such filing of all which he shall give notice to all persons concerned in the following manner namely by an advertisement enumerating all the accounts to be presented at any one time to the said court in at least two secular newspapers if there be two published in the respective county or if there be but one newspaper published in such county then in that one or if there be none then in one printed nearest to the said county at least once a week during the four weeks immediately preceding the meeting of the court at which such account shall be presented setting forth in substance that the accountants naming them and the character in which they respectively act have filed their accounts in the office of the said register and that the same will be presented to the orphans court for confirmation at

a certain time and place mentioning the same and also by setting up conspicuously in his office and in at least six other of the most public places in the county at least four weeks before the time appointed for the presentation of such accounts as aforesaid fairly written or printed copies of such advertisement The actual expenses of such advertisement according to the usual rates of advertising in such newspapers and the setting up of such notices shall be divided among all the accounts presented at the same court and the proper portion only shall be charged in any of the said accounts and allowed to the register as the cost of such advertisement and notices

(e) When any of the heirs legatees distributees or creditors of a decedent reside out of this state or out of the United States or from other circumstances it may be expedient to that additional or further notice should be given of the settlement of the account of a fiduciary or of the disposition of the assets or surplusage of the estate it shall be in the discretion of the orphans court to require such further or additional notice to be given by such accountant as they may think proper to appear in court or before the auditor or auditors by them appointed as the case may be at such times as shall be fixed for the examination of such account or for the distribution of the assets or the surplusage of the estate

(f) No account of an executor administrator or guardian shall be confirmed and allowed by the orphans court unless it shall appear at the presentation of such account that notice of such presentation has been given conformaly to the directions of this act

(g) All trustees who are subject to the jurisdiction of the orphans' court shall file their accounts in the court appointing them or in the case of testamentary trustees in the orphans' court of the county where the will is or shall be probated The orphans' court shall have exclusive jurisdiction of the accounts of all trustees appointed by such court and of all testamentary trustees whether such trusts are vested in executors or administrators virtute officii or in trustees named in the will saving however the jurisdiciton of the courts of common pleas under existing laws in cases of trustees who have filed their accounts in such courts before the approval of this act and cases of substituted testamentary trustees appointed by any court of common pleas before the approval of this act

(h) All trustees who are subject to the jurisdiction of the orphans' court may hereafter triennially from the date of their appointment file their accounts in said court which accounts shall be duly audited and confirmed absolutely to that date This clause shall apply to and permit all such trustees who have been acting in such capacity for more than three years before the passage of this act to file their accounts which shall be audited and confirmed absolutely to the date of such filing and in like manner to file their accounts triennially thereafter

(i) Due notice of the filing of any account of a trustee in the orphans' court of any county shall be given by advertisement as prescribed by rule of said court and in such other manner as the said court may in each particular case direct to all persons interested in the estate and absolute confirmation of such account shall not be entered unless all such persons interested are legally competent and qualified either personally or by their guardians or committees to appear in court and object to said account if they so desire

Section 47 (a) The judges of the orphans' courts of this Commonwealth respectively shall have power and are hereby authorized to establish in their discretion such rules and regulations as they may deem proper for the publication of advertisements of notices of the auditing of accounts of fiduciaries and shall have supervision of and regulate the cost of such publication in all such cases as well by special order in particular cases as by general rules

(b) In any county in which a separate orphans' court shall be established all accounts filed in the office of the register of wills or in the orphans' court by fiduciaries shall be examined and audited by the court without expense to the parties except where all parties in interest in a pending proceding shall nominate an auditor whom the court may in its discretion appoint

(c) In any county in which a separate orphans' court shall not be established all accounts filed in the office of the register of wills or in the orphans' court by fiduciaries shall be examined by the court and if not excepted to shall after due consideration be confirmed If any person interested in the estate shall except to the account or any of the parties shall desire to refer the account to an auditor the court shall decide whether the matter calls for such reference and if so the court may appoint a suitable person as auditor The auditor so appointed shall be sworn or affirmed to perform his duties with fidelity and shall have power to administer oaths or affirmations to parties and witnesses in the matter referred to him

Section 48 Within five years after the final decree confirming the original or supplementary account of any fiduciary which has been or may be hereafter passed upon petition of review being presented by such fiduciary or his legal repreesntatives or by any person interested therein alleging errors in such account or in any adjudication of the orphans' court or any report of an auditor of such account which errors shall be specifically set forth in said petition of review said petition and errors being verified by oath or affirmation the orphans' court shall grant a rehearing of so much of said account adjudication or auditor's report as is alleged to be error in said petition of review and give such relief as equity and justice may require by reference to auditors or otherwise with like right of appeal to the proper appellate court as in other cases Provided That this act shall not extend to any cause when the balance found due shall have been actually paid and discharged by any fiduciary

Section 49 (a) No executor or administrator shall be compelled to make distribution of the estate of his testator or intestate until six months be fully expired from the granting of the letters testamentary or of administration in the estate After the expiration of said period distribution may be ordered by the orphans' court having jurisdiction of the accounts of the executor or administrator on petition of any person having an interest in the assets to be distributed or on petition of any creditor of the decedent

(b) Executors or administrators may make distribution and pay or deliver legacies without the audit of their accounts upon such security as may be satisfactory to them nevertheless at their own risk but without liability to any creditors of the decedent who shall not have given written notice to the executor or administrator within six months after the granting of letters testamentary or of administration provided that such executor or administrator has complied with the provisions of section ten of this act Where distribution of a decedent's estate is awarded by the orphans' court after audit and confirmation of any account of the executors or administrators such decree of distribution shall protect the executors or administrators from personal liability with respect to the property so distributed In making distribution under such a decree the executors or administrators shall not be entitled to demand refunding bonds from the distributees except in the cases specially provided for by this act and in other cases in which the court shall direct the giving of refunding bonds

(c) When the personal estate of a decedent does not exceed the value of three hundred dollars the executor or administrator may after the expiration of one year after the date of granting the letters testamentary or of administration present his petition to the proper orphans' court with an annexed account showing the administration and legal distribution of the estate the statements in the petjtion and the account to be verified by the affidavit of such executor or administrator Thereupon the court may upon satisfactory proof or acknowledgment of notice to all parties known to be interested in said estate that said petition and account have been presented order at the end of thirty days from the date of filing the petition and account the discharge of the executor or administrator and his sureties from future liability without the expense of proceedings as in a formal account unless during said period of thirty days exceptions be filed to the account

(d) No creditor of a decedent who shall neglect or refuse to present his claim at the audit of the account of the executor or administrator held not less than six months after the grant of letters testamentary or of administration of which public notice has been given as provided in section ten of this act or at an audit held after actual notice to such creditor of the filing of such account as provided in section forty-six clause (c) of this act shall be entitled to receive any share of the assets distributed in pursuance of such audit whether the estate of the decedent be solvent or insolvent

(e) 1 Whenever it shall appear at the audit and distribution of an estate in the orphans' court that the balance after payment of debts includes stock bonds or other securities which for reasons satisfactory to said court have not been converted by the accountants it shall be lawful for said court to direct distribution of such assets in kind to and among those lawfully entitled thereto including fiduciaries

2 Where stocks bonds or other securities have been distributed in kind as above provided to any fiduciary it shall be the duty of such fiduciary to use reasonable diligence in converting such securities as shall not be investments now or hereafter authorized by law and if such fiduciary be doubtful as to the propriety of making sale of such securities he may apply to the orphans' court having jurisdiction of his accounts by petition for authority and direction to sell the same whereupon after due notice to all parties interested the said court shall make such order in the premises as to it may appear proper

(f) It shall be lawful for any employer in this Commonwealth at any time not less than thirty days after the death of his employe to pay all wages due to such deceased employe to the wife children father or mother sister or brothers (preference being given in the order named) of the deceased employe without requiring letters testamentary or of administration to be issued upon the estate of said deceased employe where such wages due do not exceed seventy-five dollars in amount If such deceased employe shall not leave a wife or any of said relatives surviving him then it shall be lawful for the employer in like manner to pay such wages to the creditors of the decedent as follows undertaker physician boarding-house keeper and nurse each his or her pro rata share upon affidavit of fact furnished The payment of such wages as aforesaid shall be a full discharge and release to the employer from any further claim for such wages

Section 50 (a) Where any fiduciary has been required or hereafter shall be required upon the receipt of money to give a refunding bond it shall be lawful for such fiduciary upon paying over such money to creditors or to parties beneficially interested to require under the direction of the orphans' court having jurisdiction from each person receiving such money to indemnify such fiduciary to the amount such person may receive

(b) In all cases where refunding bonds shall be given upon the distribution of the estate of any decedent no action or suit thereon shall be brought after the expiration of six years from the date of such bond Provided That where the creditors or other persons entitled to the protection of said

bonds shall be within the age of twenty-one years non compos mentis imprisoned or from or without the United States of America or where a creditor whose debt shall not mature within such period shall file within the said period in the office of the clerks of the orphans' court where said distribution shall have been made a copy or particular statement of any bond covenant debt or demand upon which his claim arises then and in any such cases an action may be brought by the creditor at any time not exceeding two years from the coming of age or removal of such disability of the creditor or other person entitled to the protection of said bonds or the maturing of the debt or demand aforesaid

Section 51 (a) It shall be the duty of the prothonotaries of the courts of common pleas to file and docket whenever the same shall be furnished by any parties interested certified transcripts or extracts from the record showing the amount appearing to be due from or in the hands of any fiduciary on the settlement of his accounts in the orphans' court of the same or any other county or by virtue of a decree of said court which transcripts or extracts so filed shall constitute judgments which shall be liens against the real estate of such fiduciary from the time of such entry until payment distribution or satisfaction Executions may be issued thereon out of said court of common pleas against the real estate only of such fiduciary by any person or persons interested for the recovery of so much as may be due to them respectively The liens of such judgments shall cease at the expiration of five years from the time of the entry aforesaid unless revived by scire facias in the manner by law directed in the cases of judgments in the courts of common law

In case of an appeal from the orphans' court the judgment shall be for no more than the amount finally decreed by the appellate court to be due and it shall be the duty of the prothonotary of the common pleas on such decree of the appellate court being certified to him to enter on his docket the amount so found due and decreed by the appellate court If such amount be greater than that decreed by the orphans' court the judgment for such excess shall take effect only from the time of entering the decree of the appellate court but if the amount be reduced by the final decree of the appellate court the prothonotary shall reduce the amount originally entered on his judgment docket and index accordingly and such final decree upon appeal being certified and filed in said court of common pleas the said term of five years shall be counted from the time of such entry

(b) When the fiduciary shall have fully paid and discharged the amount of such judgment the parties who have received payment shall acknowledge satisfaction thereof on the record of the court of common pleas in case of neglect or refusal so to do for the space of thirty days after request in writing and tender of all the costs the orphans' court on due proof to them made that the entire amount due from such fiduciary according to the final settlement of the said account has been fully paid and discharged may make an order for his relief from such recorded judgment which order being certified to the court of common pleas shall be entered on their records and shall operate as a full satisfaction and discharge of such judgment

Section 52 (a) Any fiduciary whose accounts shall have been settled and confirmed and who shall have paid and transferred the remainder of the property in his hands to his successor in the administration or trust if any or to the persons legally entitled thereto may on petition be discharged by the orphans' court having jurisdiction of his accounts from the duties of his appointment and his sureties may be discharged from future liabilitiy with respect thereto Provided That in every case of the petition of a guardian for his discharge during the minority of his ward it shall be the duty of the court to appoint some suitable person to appear and act for the ward in respect thereto

(b) Whenever one or more of several joint fiduciaries shall die or be discharged or removed by the proper orphans' court the said court upon the application of any party interested shall have power to discharge from future liabliitiy said discharged or deceased fiduciary and his surety or sureties and require new or additional security of the remaining fiduciary or fiduciaries with a like result in case of failure to comply as is provided by this act when new or additional security is for any cause required by such court Provided That such discharge shall not affect liabilities existing at the time of the discharge of such fiduciary or fiduciaries surety or sureties

Section 53 (a) Any orphans' court having jurisdiction of the accounts of executors administrators guardians or trustees shall have exclusive power to remove such executor or administrator and vacate the letters testamentary or of administration or to remove such guardian or trustee as the circumstances of the case may require in any of the following cases

1 When such fiduciary is wasting or mismanaging the estate or property under his charge or is like to prove insolvent or has neglected or refused to exhibit true and perfect inventories or render full and just accounts of such estate or property come to his hands or knowledge

2 When such fiduciary has been duly declared a lunatic habitual drunkard or weak-minded person

3 When such fiduciary has become incompetent to discharge the duties of his trust by reason of sickness or physical or mental incapacity and it shall appear to the satisfaction of the court that such incompetency is likely to continue to the injury of the estate under his control

4 When such fiduciary has removed from this state or has ceased to have any known place of residence therein during the period of one year or more

5 When any guardian whether testamentary or otherwise mismanages the minor's estate or misconducts himself in respect to the maintenance education or moral interests of the minor

6 When such fiduciary fails or neglects to pay over the principal or income of the estate according to his duty under the trust or fails or neglects to comply with any order or direction of the court made in relation to said trust

7 When any trustee of property held in trust under the provisions of any last will and testament for religious educational or charitable purposes or for use as a burying ground neglects or abuses such trust

8 When for any reason the interests of the estate or property are likely to be jeopardized by the continuance of any such fiduciary

9 When all the cestuis que trust or a majority of them having the life estate under any trust shall desire the removal of the trustee or trustees upon any substantial ground not hereinbefore enumerated and the court upon petition filed by them or any of them shall be satisfied that such substantial ground for removal exists in which case the court may remove said trustee or trustees and appoint another or others as chosen by said parties

Provided however That nothing herein contained shall be construed to effect the jurisdiction of any court of common pleas in proceedings pending at the date of the approval of this act

(b) Whenever it shall be made to appear to the orphans' court having jurisdiction of the accounts of any fiduciary on the oath or affirmation of any person interested that there exists any one or more of the grounds for removal of such fiduciary enumerated in the last preceding clause of this section such court may issue a citation to such fiduciary requiring him to appear on a day certain to answer the charge so preferred and may make all such necessary rules and orders as the said court may deem proper for bringing the matter complained of to a hearing If on such hearing the said court shall be satisfied of the truth of the matters charged it may remove such executor or administrator and vacate the letters testamentary or of administration or remove such guardian or trustee as aforesaid and direct the issuance of new letters testamentary or of administration or appoint a new guardian or trustee and make such orders for the security of the trust property and for the delivery of such property and the books accounts papers and moneys belonging or relating to the trust to the successor of such fiduciary as the circumstances of the case may require

(c) Any orphans' court having jurisdiction of the accounts of any fiduciary shall have power in a case of emergency when the exigencies of the case shall appear to the satisfaction of the court to require it in order that the rights of creditors and parties interested in the assets of the estate shall be protected summarily to remove such executor or administrator and vacate the letters testamentary or of administration or summarily to remove such guardian or trustee on any of the grounds enumerated in clause (a) of this section and to direct the issuance of new letters or to appoint a successor to such guardian or trustee on the ex parte petition of any creditor or party interested in the estate and further to make such orders for the security of the trust property and for the delivery of such property and the books accounts papers and moneys belonging or relating to the trust to the successor of such fiduciary as the circumstances of the case may require Provided That it shall be lawful for any such fiduciary so removed to apply by petition to said court to have such decree of removal vacated and to be reinstated in his office

(d) No decree removing one of several co-fiduciaries shall suspend the power or prejudice the acts of any of the other fiduciaries

(e) If such superseded fiduciary shall neglect or refuse to comply with any order or decree of the court made under the provisions of this section the court shall have power to enforce obedience thereto by attachment with or without sequestration execution or otherwise as to such court shall seem necessary and proper for the due protection of the rights and interests of any and all parties interested or the succeeding fiduciary may proceed at law against the superceded fiduciary and his sureties if any there be or against any other person who may be possessed of any goods or chattels belonging to the estate of the decedent or minor as the case may be or be indebted to him or the remedies by execution and suit at law may be pursued at the same time if the case so require until the end be fully attained

Section 54 (a) 1 In any of the cases enumerated in section fifty-three clause (a) of this act the court may upon the return of the citation require such security of an executor or such other and further security of an administrator guardian or trustee as they may think reasonable conditioned for the performance of the trust which security shall be taken in the name of the Commonwealth of Pennsylvania and filed in the said court and shall be deemed and considered in trust for the benefit of all persons interested in such estate Provided That it it shall be made to appear to the said court that such fiduciary is about to remove from this Commonwealth or that the property under his charge may be wasted or materially injured before he can be reached by the ordinary process of the court it shall be lawful for such court to issue a writ of attachment under which the

same proceedings may take place as in other cases of attachment on mesne process in the orphans' court and on the return of such attachment the court may proceed as on the return to the citation

2 If such fiduciary shall neglect or refuse to give such security or such further security so ordered then the said court may remove such executor or administrator and vacate such letters testamentary or of administration or remove such guardian or trustee and direct the issuance of new letters or appoint a new guardian or trustee as aforesaid

(b) Application may be made to the orphans' court in any of the cases mentioned in clause (a) of section fifty-three of this act by any surety on the bond of such fiduciary and upon the petition of such surety duly verified by oath or affirmation the like proceedings may be had for the purpose of compelling such fiduciary to give security and thereupon the court may order such fiduciary to give such counter-securities as they shall judge necessary to indemnify the surety against loss by reason of his suretyship If such fiduciary shall refuse or fail to give such security within such reasonable time as the court shall order it shall be lawful for the court to direct such fiduciary to pay or deliver over forthwith to such surety or to some other person for him all of the property moneys books accounts and papers whatsoever for which such surety may be accountable or which may belong or relate to the trust Provided That such surety shall first give to the satisfaction of the court sufficient security faithfully to preserve and account therefor and deliver and dispose of the same according to the order of the court

(c) It shall be lawful for the orphans' court having jurisdiction of the accounts of any fiduciary on the petition of any surety of such fiduciary or of the personal representatives of a deceased surety to issue a citation requiring such fiduciary at the return thereof not less than thirty days' notice to be given of the presentation of such petition to file an account of his management of the trust or estate The said citation upon such petition and affidavit filed of the facts connected with the execution and position of the trust funds or estate shall further direct the said fiduciary to show cause why the petitioner or his estate should not be discharged from all future liability if the court after due notice to all parties interested deem it reasonable and proper If the court on due consideration shall discharge such surety or his estate the fiduciary shall thereupon give a new bond with surety or sureties as the court shall order and on failure or refusal so to do within such time as is ordered by the court shall be removed from the trust and some other person or corporation appointed When a new bond is required under the provisions of this clause the surety in the prior bond or his estate shall be liable for all breaches of the conditions thereof committed before the new bond is approved according to law

Section 55 In case any surety or sureties or the personal representatives of any deceased surety or sureties upon the bond of any fiduciary or any person interested in the trust shall apply to the fiduciary for a complete and detailed statement of the nature and character of the securities in which the trust funds are invested and the said fiduciary shall fail for the space of ten days to furnish such statement or if such statement having been furnished it shall appear to the said surety or sureties or the representatives of said surety or sureties or other person interested in said trust that the funds in the hands of the said fiduciary are badly invested so as to be likely to result in a loss to the trust the said surety or sureties or the representatives of said surety or sureties or other person interested in the trust may present a petition to the orphans' court having jurisdiction of said trust praying that an order be made requiring the said fiduciary to file an account of the administration of his trust which account shall include a complete and detailed statement of the manner and securities in which said trust funds are invested within twenty days after the service of said order unless the time be enlarged by the court Thereupon the said court shall make such order and if upon the audit of such account it shall appear to the court that the said fiduciary has been guilty of any act of fraud or mismanagement or has invested the trust funds in securities not authorized by law or by the will of the testator or has made investments which are likely to cause a loss to the trust said court may remove the said fiduciary and order payment of the assets to his successor or into court

Section 56 (a) Whenever by the provisions of any last will and testament admitted to probate a trust has been or shall be declared of and concerning any real or personal estate to be executed by a trustee or trustees named in said will or by the executor or executors of said will whether by virtue of their office or otherwise and any of the said executors or trustees shall die renounce resign be dismissed from or refuse to act in the said trust leaving the other executor or executors trustee or trustees continuing therein it shall be lawful for the orphans' court having jurisdiction of the accounts of such executors or trustees on the application of any party in interest and with the consent of such continuing executor or executors trustee or trustees with notice to all persons interested so far as such notice can reasonably be given to appoint a trustee or trustees in the place of the executor or executors trustee or trustees so dying renouncing resigning dismissed or refusing to act and to require the person or persons so appointed to enter sufficient security for the faithful performance of the trust The trustee or trustees so appointed shall have the same power and interest over and in the property in trust as the executor or executors trustee or trustees in whose stead he or they shall be so appointed as aforesaid It shall also be lawful for the said court to appoint a successor or successors to such trustee or trustees from time to time whenever from death resignation or otherwise the same shall be necessary or expedient

(b) Whenever in any of the cases enumerated in clause (a) of this section all of the said executors or trustees shall die renounce resign be dismissed from or refuse to act in the said trust it shall be lawful for the orphans' court having jurisdiction of the accounts of such executors or trustees on the application of any party interested and with notice to all persons interested so far as such notice can reasonably be given to appoint a trustee or trustees in place of the executor or executors trustee or trustees so dying renouncing resigning dismissed or refusing to act and to require the person or persons so appointed to enter sufficient security for the faithful performance of the trust the trustee or trustees so appointed shall have the same power and interest over and in the property in trust as the executor or executors trustee or trustees in whose stead he or they shall be so appointed as aforesaid It shall also be lawful for the said court to appoint a successor or successors to such trustee or trustees from time to time whenever from death resignation or otherwise the same shall be necessary or expedient

(c) In all cases of trusts created by will and annexed to the office of executor such executor may decline to accept the trust or be discharged therefrom without affecting his office of executor and the orphans court of the proper county shall have power to fill the vacancy by appointment and if a trust fund or estate is committed to an executor or other trustee in which several cestuis que trust have or are entitled to enjoy a separate interest and a vacancy should in any manner occur in the office of the trustee thereof the said court may appoint one or more trustees of such estate or fund for each of the said cestuis que trust on his or her application and the said trustee shall give security as in other cases

(d) The jurisdiction of proceedings under the provisions of this section shall be exclusively in the proper orphans' court Provided however That nothing herein contained shall be construed to affect the jurisdiction of any court of common pleas in proceedings pending at the date of the approval of this act

Section 57 (a) Any fiduciary appointed by any orphans' court of this Commonwealth or by virtue of any last will and testament probated within this Commonwealth may if resident within this Commonwealh lawfully execute the duties of his trust whether or not he is a resident of the county in which the trust was created or in which the decedent has his domicile The court having jurisdiction may in its discretion appoint or refuse to appoint as trustee or guardian any person who is not a resident of this Commonwealth or a corporation of any state of the United States of America other than Pennsylvania duly authorized by its charter or by law to act as such fiduciary and shall require in all cases of a nine-resident of this Commonwealth or of such corporation a bond with sufficient sureties conditioned for the faithful discharge of the duties of the trust but the court may in its discretion permit such corporation to give its own bond without sureties Every appointment by will of a trustee or guardian who is a nonresident of this Commonwealth shall be subject to the approval of such court and the court may require the entry of such bond No such apointment shall be made of nor shall letters testamentary be issued to a corporation of another state unless such corporation shall first file with the clerk of said cour or with the register of wills as the case may be an appointment in writing of an attorney-in-fact resident within the respective county upon whom service of process and notices may be made

(b) When the trustee or trustees of any estate shall reside out of this Commonwealth and any part of the trust estate property or fund is situated within this State the proper orphans' court may on the petition of any of the parties interested in said trust property appoint one or more trustees resident within this Commonwealth to act in conjunction with said non-resident trustee or trustees in the management and disposition of said trust and the said court shall have the same power over said trustee or trustees so appointed that it has in other cases of trust

Section 58 (a) Except as hereinafter provided no letters testamentary or of administration or otherwise which may be granted out of this Commonwealth purporting to authorize any person to intermeddle with the estate of a decedent shall confer upon such person any of the powers and authorities possessed by an executor or administrator under letters granted within this State nor except as hereinafter provided shall any appointment of a trustee of a decedent's estate or any part thereof by will probated out of this Commonwealth or by any court out of this Commonwealth confer upon such person any of the powers and authorities possessed by a trustee under a will probated within this State or appointed by an orphans' court of this State

(b) Except as hereinafter provided no appointment of a guardian made or granted by any authority out of this State shall athorize the person so appointed to interfere with the estate or control the person of a minor in this State Provided That such foreign guardian may at the discretion of the orphans' court having jurisdiction be appointed by said court on giving security for the due performance of his trust

(c) It shall be lawful for any executor administrator trustee or other person duly authorized to take charge or possession of the personal estate of any decedent or for

any guardian or other legal representative of the estate of a minor acting under letters testamentary or of administration or other authority granted by or under the laws of any other state territory or possession of the United States of America or of any foreign country to assign and transfer and to receive the dividends or interest of any public debt or loan of the Commonwealth of Pennsylvania or of any county city borough township or school district thereof or any stocks or bonds of any corporation incorporated under the laws of this Commonwealth standing in the name of or belonging to the decedent minor or cestui que trust or any mortgage debt or indenture of mortgage held by or belonging to the decedent minor or cestui que trust upon real estate situate within this Commonwealth and to enter or cause to be entered satisfaction upon the record of such indenture of mortgage Before any such act shall be done by any such executor administrator trustee guardian or other person there shall be filed in the office of the register of wills for the county in which is located the office for the transfer of such loans stocks or bonds or in the case of a mortgage of the county where the mortgaged real estate may be situated when such person is acting under letters or other authority granted by or under the laws of any other state territory or possession of the United States of America a copy of the will probate and letters issued thereon or of such other grant of authority duly authenticated in accordance with the Acts of Congress or when such person is acting under letters or other authority granted by or under the laws of any foreign country a copy of such will probate and letters issued thereon or of such other grant of authority certified by the official custodian of such documents or records under his official seal if any to be a true and correct copy of the originals thereof in his possession or under his control together with the certificate of the presiding judge or the officer having jurisdiction or authority over such custodian that the attestation is in due form and by the proper officer Provided That before any such executor administrator or trustee shall assign or transfer any such loans stocks bonds or mortgages or receive any interest or dividends thereon or enter satisfaction of any such mortgage he shall also file with said register of wills an affidavit stating that the said decedent is not indebted to any person in this Commonwealth and that the proposed transfer assignment receipt or entry of satisfaction is not made for the purpose of removing any of the assets of said decedent beyond the reach of any of the creditors in this Commonwealth and any such transfer assignment receipt or entry of satisfaction without first making and filing such affidavit shall be void

(d) Whenever a citizen of the United States non-resident in the Commonwealth of Pennsylvania shall have died owning real estate in this Commonwtalth and by his last will and testament shall have empowered his executor or trustee to sell and convey his real estate it shall be lawful for said executor or trustee or his duly appointed successor although not a resident in this Commonwealth from and after the expiration of one year from the death of such decedent to execute any power of sale contained in said last will and testament and to sell and convey to the purchaser the whole or any part of such real estate located in this Common wealth Provided That before executing the power of sale a copy of the last will probate and letters testamentary and of the decree appointing such successor if any there be duly authenticated as provided in clause (c) of this section shall be filed in the office of the register of wills of the county where the land is situated Provided further That nothing in this clause shall change or modify the Acts of Assembly relating to collateral inheritances

(e) It shall be lawful for foreign executors or administrators to cause to be issued in their names as such executors or administrators writs of scire facias within this Commonwealth on all judgments in favor of their decedents the lien of which judgments is about expiring Provided That before any further proceedings are had letters testamentary or of administration must be granted within this Commonwealth as provided by law

(f) It shall be lawful for the orphans' court having jurisdiction of the accounts of any fiduciary to award personal property to the foreign executor or administrator of a deceased non-resident creditor legatee or distributee when it shall appear to the satisfaction of the court by affidavit or other evidence that there are no creditors of such non-resident decedent within this Commonwealth and when it shall further appear by certificate of the register of wills surrogate or court of the proper jurisdiction duly authenticated as required by the Acts of Congress if the domicile of such non-resident creditor legatee or distributee was in another state territory or possession of the United States of America or by the proper diplomatic or consular officer appointed by the United States of America under hi sofficial seal if such domicile was in a foreign country that the person claiming to receive such award is authoried under the laws of such state territory possession or country to receive the property of his decedent Provided That the benefits of this clause shall not extend to any case in which it shall appear that the rights of any resident of this Commonwealth may be adversely affected by such transfer of property to such foreign executor or administrator

(g) 1 In all cases where any guardian and his ward or trustee and his cestui que trust or committee and his lunatic or any other fiduciary and the person in whose interest he is acting shall both be non-residents of this state and such ward or cestui que trust shall be entitled to money personal property of any description or the proceeds of any sale of real estate in this state under the control or jurisdiction of any orphans court and such guardian trustee or other fiduciary shall produce satisfactory proof to said court by certificates that he has given bond and security with special reference to the money or personal property to be removed in the state or country in which he and his ward or cestui que trust reside in double the amount of such money or of the value of such property as guardian trustee or other fiduciary and it shall be found that a removal of the property will not conflict with the terms or limitations attending the right by which the ward or cestui que trust owns the same and that no right of any resident of this Commonwealth will be prejudiced by such removal then any such guardian trustee or other fiduciary may demand or sue for and remove any such money or property to the place of residence of himself and his ward or cestui que trust If such guardian trustee or other fiduciary and his ward or cestui que trust reside in another state territory or possession of the United States of America such certificate shall be authenticated as required by the Acts of Congress and if they reside in a foreign country shall be made by the court having jurisdiction of such guardian trustee or other fiduciary and authenticated by and under the official seal of a diplomatic or consular officer appointed by the United States of America and residing in such country Provided That if it shall appear by such certificate that under the laws of such state territory possession or foreign country such guardian trustee or other fiduciary is not required to enter security but that the interests of his ward or cestui que trust are safeguarded by a deposit of the money or property in the court having proper jurisdiction then it shall be lawful for the orphans' court of the proper county in this state to cause suitable orders to be made authorizing the delivering and passing over of such money or property to such court without the entry of security

2 When such non-resident guardian or trustee shall produce an exemplification under the seal of the office if there be a seal of the proper court in the state or country of his residence containing all the entries on record in relation to his appointment and giving bond and authenticated as required by the Acts of Congress or by a diplomatic or consular officer appointed by the United States of America as provided in paragraph one of this clause the orphans' court of the proper county in this state may cause suitable orders to be made discharging any resident fiduciary and authorizing the delivering and passing over of such personal property and also requiring receipts to be passed and filed if deemed advisable Provided That in all cases thirty days' notice shall be given to the resident fiduciary if such there be of the intended application for the order of removal and the court may reject the application and refuse such order whenever it is satisfied that it is for the interest of the ward or cestui que trust that such removal shall not take place or that the claims of residents of this Commonwealth are not fully protected

(h) When all the persons for whose benefit a valid trust shall have been created by will for a term of years or for life shall have removed from this state into any other state territory or possession of the United States to reside permanently therein the orphans' court having jurisdiction of such trust is hereby authorized and empowered on application by or on behalf of all the persons interested in the trust to direct the trustee or trustees appointed in and by said will to pay over said trust moneys or transfer the securities in which they may have been invested to a trustee or trustees duly appointed by the court of such other state territory or possession upon the production to said court of satisfactory proof by certificates of the appointment of such trustee or trustees in the other state terriory or possession the authority of such trustee or trustees to receive such moneys or securities and the entry of bond and security of proof of the fact that under the laws of such state territory or possession security is not required such certificate to be authenticated in the manner provided in clause (g) paragraph one of this section and upon the production of satisfactory proof that the removal of the property will not conflict with the terms or limitations attending the rights which the cestuis que trust have in such money or securities

Section 59 (a) The orphans' court of each county shall have the care of the persons of minors resident within said county and of their estates and shall have power to admit such minors over the age of fourteen when and as often as there shall be occasion to make choice of guardians and to appoint guardians for such as are under the age of fourteen or otherwise incompetent to make choice for themselves Such appointment or admission of a guardian by the orphans' court of the county in which the minor resides shall have the like effect in every other county in this Commonwealth as in that by the orphans' court of which he shall have been so admitted or appointed

(b) Persons of the same religious persuasion as the parents of the minors shall in all cases be preferred by the court in their appointment as guardians of the persons of such minors

(c) No executor administrator or trustee shall be admitted or appointed by the orphans' court guardian of a minor having an interest in the estate under the care of such fiduciary Provided That nothing herein contained shall be construed to extend to the case of a testamentary guardian

(d) The orphans' court shall not appoint the father or the mother of a minor as guardian of the estate of said minor Provided That nothing herein contained shall be construed to extend to the case of a testamentary guardian And provided further That where the estate of the minor shall be of the value of one hundred dollars or less the court may in its discretion authorize payment or delivery thereof to the natural guardian of the minor or the person by whom the minor is maintained without the appointment of a guardian by the court or the entry of security

(e) The orphans' court of each county shall have power to appoint guardians of the estates of minors residing out of the Commonwealth in all cases where such minors are possessed of estates lying within the jurisdiction of said court upon the petition of the minors if over the age of fourteen and if it be reasonably practicable for such minors to present their own petitions and in other cases on the petitions of persons qualified to act as their next friends without requiring the said minors to appear in court to make choice of such guardian

(f) The orphans' court of each county shall have power to appoint guardians of the persons and estates of minors residents of such county who may be absent in the service of the United States or who may be physically unable to appear and choose for themselves or who may be so distant from the seat of justice of the county as to make it unnecessarily expensive for them to appear upon the petition of the minors if over the age of fourteen and if it be reasonably practicable for such minors to present their own petitions and in other cases on the petitions of persons qualified to act as their next friends without requiring the said minors to appear in court to make choice of such guardians Provided That when the appointment shall be made on petition of a next friend the minor if of the age of fourteen or on attaining that age may subsequently appear and choose his guardian

(g) The orphans' court having jurisdiction whenever they may deem it proper may require a bond with good and sufficient corporate security or with two good and sufficient individual sureties from every guardian of a minor whether admitted or appointed by the court or appointed by will or in the case of a corporation duly authorized by its charter or by law to act as guardian said court may permit such corporation to give its own bond without surety Guardians' bonds shall be filed in the office of the clerk of the court and be considered in trust for all persons interested the bonds shall be taken to the Commonwealth in such penalties as the court shall direct and the condition shall be in the following form

The condition of this obligation is such that if the above-bounded A B guardian of C D a minor child of E F (late of deceased) shall at least once in every three years and at any other time when required by the orphans' court for the county of render a just and true account of the management of the property and estate of the said minor under his care and shall also deliver up the said property agreeably to the order and decree of the said court or the directions of law and shall in all respects faithfully perform the duties of guardian of the said C D then the above obligation shall be void otherwise it shall be and remain in full force and virtue

Provided That nothing in this act contained shall be construed to deprive a minor of any action or remedy to which he may be entitled at the common law against his guardian for any cause whatever

(h) Every guardian shall within thirty days after any property of his ward shall have come into his hands or possession or into the hands and possession of any person for him file in the office of the clerk of the court a just and true inventory and statement on oath or affirmation of all such property or estate

(i) When any one shall die leaving an infant child or children without having made an adequate provision for the support and education of such child or children during their minority the orphans' court may direct a suitable periodical allowance out of the minor's estate for the support and education of such minor according to the circumstances of each case which order may from time to time be varied by the court according to the age of the minor and the circumstances of the case

(j) 1 Every guardian whether required by the court to give security or not shall at least once in every three years and at any other time when so required by the court render an account of the management of the minor's property under his care which accounts shall be filed in the office of the clerk of the orphans' court for the information of the court and the inspection of all parties concerned

2 After the filing of such account or accounts such guardian or any person qualified to act as next friend of the minor may petition the orphans' court of the respective county for leave to have said account or accounts examined or audited and confirmed with the same force and effect as executors' administrators and trustees' accounts are examined or audited and confirmed

3 Such petition shall set forth the reason why such account or accounts should be examined or audited and confirmed and shall contain full information as to who may be next of kin or nearest relative of age to such minor or minors and all others interested in the minor's estate together with their addresses if it is possible to give them

4 The court may thereupon direct to whom and what notice if any shall be given to such next of kin or nearest relative of age or the parties interested in said minor's estate including the minor or minors if fourteen years of age or over of the filing of said account or accounts and presentation of said petition

5 After the filing of due proof of the service of said notice if any be required by the court the court may if it be satisfied that any reasonable necessity exists for the examination of audit and confirmation of such account or accounts asked by said petition thereupon appoint some suitable person to act as guardian ad litem for the minor or minors interested in said account or accounts and the same shall be thoroughly examined by said guardian ad litem who shall make report to the court of the result of his examination or the court may examine and audit said account itself and after said examination or audit is completed a final decree of confirmation as to the matters contained in said account or accounts and said report or reports and said audit or audits shall be made by the court which decree of confirmation shall be final and conclusive as to matters contained in said accounts reports or audits and decrees with the same force and effect or such decrees now have in respect to the accounts of executors administrators and trustees and the audits thereof

6 The costs of said audits or examinations including a fee for said guardian ad litem to be fixed by the court shall be allowed as part of the administration expenses and be paid by such guardians out of the property of the ward in their hands and allowed as credits in said decrees or the said costs shall in the discretion of the court be paid by the said guardians personally

7 Appeals from such decrees and rehearings of such accounts shall be allowed in the same manner and form and with the same force and effect as are allowed in the similar cases of other fiduciaries

8 Every such guardian unless previously discharged or removed shall on the arrival of his ward at full age file in the register's office a full and complete account of his management of the minor's property under his care including all the matters embraced in each partial account except where an examination or audit and final decree of confirmation has taken place as hereinbefore provided in which case said final account shall include only such matters as were not included in such former accounts and decrees aforesaid And the decree of the orphans' court upon such final account shall like other decrees of the court be conclusive upon all parties unless reversed modified or altered on appeal

(k) In all cases in which proceedings may be had in any orphans' court affecting the interest of a minor notice of such proceedings shall be given to the guardian of such minor in the same manner as is provided by law in the case of persons of full age If such minor has no guardian appointed by an orphans' court of this Commonwealth or by will probated within this Commonwealth the orphans' court in which such proceedings shall be pending shall appoint a guardian ad litem for such minor in the same manner as is provided by this act in the case of ordinary applications for the appointment of guardians If such minor or his next friend shall fail or refuse to apply for the appointment of a guardian ad litem as aforesaid then such guardian shall be appointed by said court on petition filed by any person interested in such proceedings Notice shall be served as aforesaid upon such guardian ad litem whenever notice shall be requisite

Section 60 (a) Whenever it shall be made known to the orphans' court of the county in which shall be found all or the greater portion of the estate within this Commonwealth of any person who has been a resident either of this Commonwealth or of any other state territory or possession of the United States or of any foreign country and who has absented himself from his usual place of abode by the petition verified by affidavit of the husband wife or next of kin of such person or other persons interested in the order named such petition being supported by the affidavits of at least two disinterested residents of the city borough township or other territorial subdivision where such person was last known to reside that such person has been absent from his usual place of abode for the space of one year that his whereabouts is not and has not been known for the space of one year and he has left an estate either real or personal or both situated owing or belonging to him within this Commonwealth without any person to take charge of or manage the same it shall be lawful for said court to appoint one or more trustees who shall take charge of and manage the estate of such person so being absent and who shall be under the control and direction of said court

(b) Such trustee or trustees before taking charge of such estate shall give bond in twice the amount of the personal property and seven years' rental of real estate with sufficient corporate security or two sufficient individual sureties to be approved by said court for the faithful discharge of his or their duties and shall within thirty days after his or their appointment file an inventory of said estate and render an account at least once in three years or oftener if required by said court Provided That in the case of a corporation duly authorized by its charter or by law to act as such trustee said court may permit such corporation to give its own bond without surety

(c) If such person so being absent shall return before the expiration of seven years from the time when he was last heard of or before letters testamentary or of administration shall have been issued in his estate on the ground of his presumed death or in case such letters shall have been so issued before the said trustee or trustees shall have paid or delivered over the property or estate to the excutors or administrators so appointed then said trustee or trustees shall render an account and restore to such person the property and estate after deducting the reasonable expenses of said trust and compensation of said trustee or trustees If such absent person shall die within such period of seven years and letters testamentary or of administration shall be duly issued in his estate or if after the expiration of said period of seven years letters testamentary or of administration shall be issued in his estate on the ground of his presumed death then said trustee or trustees shall render an account and pay and deliver over to the executors or administrators of such person the property and estate after deducting expenses and compensation as aforesaid

Section 61 No immaterial variation from the forms given and prescribed in and by this act shall vitiate or render void any proceedings in which said forms shall be used

Section 62 This act shall be known and may be cited as the Fiduciaries Act of 1917

Section 63 The following acts and parts of acts of Assembly are hereby repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause

An act entitled "An Act directing the order of payment of debts of persons deceased" passed January twelfth one thousand seven hundred five and six two Statutes at Large one hundred and ninety-eight Chapter one hundred and thirty-four absolutely

Sections two to seven inclusive and ten to thirteen inclusive of an act entitled "An Act for establishing orphans' courts" pased March twenty-seventh, one thousand seven hundred and thirteen one Smith's Laws eighty-one absolutely.

An Act entitled "An Act for the more easy recovery of legacies" passed March twenty-first one thousand seven and eighty-three absolutely

Section five of an act entitled "An Act for prevention of frauds and perjuries" passed March twenty-first one thousand seven hundred and seventy-two one Smith's Laws three hundred and eighty-nine absolutely

An Act entitled "An Act for continuing an act entitled 'An Act for the more easy recovery of legacies'" passed October ninth one thousand seven hundred and seventy-nine one Smith's Laws four hundred and seventy-three absolutely

Section eight of an act entitled "An Act to establish the judicial courts of this Commonwealth in conformity to the alterations and amendments in the Constitution" passed April thirteenth one thousand seven hundred and ninety-one three Smith's Laws twenty-eight absolutely

An Act entitled "An Act to enable executors and administrators by leave of court to convey lands and tenements contracted for with their decedents and for other purposes therein mentioned" passed March thirty-first one thousand seven hundred and ninety-two three Smith's Laws sixty-six absolutely

Sections one two and fourteen to twenty-one inclusive of an act entitled "An Act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nineteenth one thousand seven hundred and ninety-four three Smith's Laws one hundred and forty-three absolutely

Sections one to four inclusive and nine of an act entitled "An Act supplementary to the act entitled 'An Act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned'" passed April fourth one thousand seven hundred and ninety-seven three Smith's Laws two hundred and ninety-six absolutely

An Act entitled "An Act declaring the power and authority given by any last will and testament to executors to sell and convey real estates to be and remain in the survivors or survivor of them unless otherwise expressed in the will of the testator and for other purposes therein mentioned" passed March twelfth one thousand eight hundred three Smith's Laws four hundred and thirty-three absolutely

An act entitled "An act authorizing executors and administrators in certain cases to convey lands sold by their decedents by order of orphans' court" approved April second eighteen hundred and two Pamphlet Laws one hundred and thirty-three absolutely

An Act entitled "A Supplement to the act entitled 'An Act to enable executors and administrators by leave of court to convey lands and tenements contracted for with their decedents and for other purposes therein mentioned'" approved March twelfth eighteen hundred and four Pamphlet Laws two hundred and seventy-one absolutely

Section three of an act entitled "An Act to amend certain parts of an act entitled 'An Act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned'" approved March twenty-sixth eighteen hundred and eight Pamphlet Laws one hundred and forty-four absolutely

Section two of an act entitled "An Act relative to dower and for other purposes" approved April first eighteen hundred and eleven Pamphlet Laws one hundred and ninety-eight absolutely

An Act entitled "A Supplement to the act entitled 'An Act declaring the power and authority given by any last will and testament to executors to sell and convey real estates to be and remain in the survivors or survivor of them unles otherwise expressed in the will of the testator and for other purposes therein mentioned'" approved February seventh eighteen hundred and fourteen Pamphlet Laws forty-four absolutely

An Act entitled "An Act to compel trustees to account in certain cases and for other purposes" approved February seventeenth eighteen hundred and eighteen Pamphlet Laws one hundred and four in so far as it relates to testamentary trustees

An Act entitled "A Further Supplement to the act entitled 'An Act to enable executors and administrators by leave of the court to convey lands and tenements contracted for with their decendents and for other purposes'" approved March tenth eighteen hundred and eighteen Pamphlet Laws one hundred and eighty-three absolutely

Section seven of an act entitled "An Act to compel assignes to settle their accounts and for other purposes" approved March twenty-fourth eighteen hundred and eighteen Pamphlet Laws two hundred and eighty-five in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

Section two of an act entitled "An Act to limit the time of appeal in cases of divorce and of the settlement of the accounts of guardians executors and administrators" approved February eighth eighteen hundred and nineteen Pamphlet Laws fifty-eight absolutely

Section two of an act entitled "A Further Supplement to an act approved 'An Act to enable the executors and administrators by leave of court to convey lands and tenements contracted for with their decedents and for other purposes therein mentioned' passed the thirty-first of March one thousand seven hundred and ninety-two" approved February fifth eighteen hundred and twenty-one Pamphlet Laws twenty-five absolutely

An Act entitled "An Act relative to guardians of minor children" approved March thirtieth eighteen hundred and twenty-one Pamphlet Laws one hundred and fifty-three absolutely

Section two of an act entitled "An Act to encourage domestic industry and promote the comfort of the poor" approved March thirty-first eighteen hundred and twenty-one Pamphlet Laws one hundred and seventy-eight absolutely

An act entitled "A Further Supplement to the act entitled 'An Act directing the descent of intestates' real estates and distribution of their personal estates and for other purposes therein mentioned'" approved April first one thousand eight hundred and twenty-three Pamphlet Laws two hundred and eighty-six absolutely

Section one of an act entitled "An Act to enable executor administrators guardians and other trustees to invest their trust moneys" approved February eighteenth eighteen hundred and twenty-four Pamphlet Laws twenty-five in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An act entitled "An Act to prevent the failure of trusts" approved March twenty-second eighteen hundred and twenty-five Pamphlet Laws one hundred and seven in so far as it relates to testamentary trustees

Section one of an act entitled "A Supplement to the intestate law of this Commonwealth" approved April eighth eighteen hundred and twenty-six Pamphlet Laws two hundred and fifty-five absolutely

Section three of an act entitled "An Act for the relief of the poor" approved April tenth eighteen hundred and twenty-eight Pamphlet Laws two hundred and eighty-five absolutely

Sections one and two of an act entitled "An Act to prevent the failure of trusts to provide for the settlement of accounts of trustees and for other purposes" approved April fourteenth eighteen hundred and twenty-eight Pamphlet Laws four hundred and fifty-three in so far as they relate to testamentary trustees

Sections one and two of an act entitled "An Act concerning executors" approved April third eighteen hundred and twenty-nine Pamphlet Laws one hundred and twenty-two absolutely

An act entitled "A Further Supplement to the act directing the descent of intestates' real estate and distribuion of heir personal estates and for other purposes therein mentioned passed the nineteenth day of April seventeen hundred and ninety-four" approved April seventh eighteen hundred and thirty Pamphlet Laws three hundred and forty-seven absolutely

Sections six fourteen fifteen sixteen eighteen to twenty-four inclusive twenty-six to thirty inclusive forty-three and forty-four of an act entitled "An Act relating to registers and registers' courts" approved March fifteenth eighteen hundred and thirty-two Pamphlet Laws one hundred and thirty-five absolutely

Sections five to thirty-four inclusive forty-seven fifty-three and fifty-four of an act entitled "An Act relating to orphans' courts" approved March twenty-ninth eighteen hundred and thirty-two Pamphlet Laws one hundred and ninety absolutely

Sections one to forty-one inclusive, forty-three forty-five to sixty-one inclusive sixty-six sixty-seven and sixty-eight of an act entitled "An Act relating to executors and administrators" approved February twenty-fourth eighteen hundred and thirty-four Pamphlet Laws seventy-three absolutely

Sections one and three of an act entitled "Supplement to the act passed the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts'" approved April fourteenth eighteen hundred and thirty-five Pamphlet Laws two hundred and seventy-five absolutely

Sections twelve and thirteen of an act entitled "A Supplement to the act entitled 'An Act to establish the district court for the city and county of Philadelphia' passed the twenty-eighth day of March one thousand eight hundred and thirty-five" approved March eleventh eighteen hundred and thirty-six Pamphlet Laws seventy-six in so far as they relate to testamentary trustees

Sections fifteen to twenty-one inclusive and twenty-three to twenty-six inclusive of an act entitled "An Act relating to assignees for the benefit of creditors and other trustees" approved June fourteenth eighteen hundred and thirty-six Pamphlet Laws six hundred and twenty-eight in so far as they relate to testamentary trustees

Section three of an act entitled "An Act supplementary to the various acts relating to orphans' and registers courts and executors and administrators and the act relating to the measurement of grain salt and coal" approved June sixteenth eighteen hundred and thirty-six Pamphlet Laws six hundred and eighty-two absolutely

Section two of an act entitled "An Act to empower the court of common pleas for the City and County of Philadelphia to appoint assignees or trustees in the place of the deceased assignees or trustees of John Vaughan and for

other purposes" approved March seventeenth eighteen hundred and thirty-eight Pamphlet Laws eighty in so far as it relates to the orphans' court

Sections one and two of an act entitled "A Further Supplement to an act entitled 'An Act relating to orphans' courts' passed the twenty-ninth day of March one thousand eight hundred and thirty-two and the supplement thereto passed the fourteenth day of April one thousand eight hundred and thirty-five and for other purposes" approved April thirteenth eighteen hundred and forty Pamphlet Laws three hundred and nineteen absolutely

Section one of an act entitled "An Act relating to orphans' courts and for other purposes" approved October thirteenth eighteen hundred and forty Pamphlet Laws (eighteen hundred and forty-one) one absolutely

Section five of an act entitled "A Further Supplement to the act entitled 'An Act to establish the district court of the City and County of Philadelphia' passed the twenty-eighth day of March one thousand eight hundred and thirty-five and for other purposes" approved March twelfth eighteen hundred and forty-two Pamphlet Laws sixty-six absolutely

Section fifty-two of an act entitled "An Act concerning the trust estate of Hugh Roberts deceased and for other purposes" approved July sixteenth eighteen hundred and forty-two Pamphlet Laws three hundred and seventy-four absolutely

Section twenty-two of an act entitled "An Act to authorize the Governor to incorporate the Delaware Canal Company and for other purposes" approved April thirteenth eighteen hundred and forty-three Pamphlet Laws two hundred and forty-three Pamphlet Laws two hundred and thirty-seven absolutely

Section nine of an act entitled "An Act in regard to certain entries in ledgers in the City of Pittsburgh and relating to the publishing of sheriffs' sales and for other purposes" approved April twenty-second eighteen hundred and forty-six Pamphlet Laws four hundred and seventy-six absolutely

Section one of an act entitled "An Act relative to the appointment of trustees by orphans' court and for other purposes" approved April twenty-second eighteen hundred and forty-six Pamphlet Laws four hundred and eighty-three absolutely

An Act entitled "An Act to enable the executors and administrators of decedents to perfect title to real estate in certain cases" approved February eighth eighteen hundrd and forty-eight Pamphlet Laws twenty-seven absolutely

Section nine of an act entitled "A Supplement to an act entitled 'An Act relative to the LeRaysville Phalanx' passed March Anno Domini one thousand eight hundred and forty-seven and relative to obligors and obligees to secure the right of married women in relation to defalcation and to extend the boundaries of the Borough of Ligonier" approved April eleventh eighteen hundred and forty-eight Pamphlet Laws five hundred and thirty-six in so far as it relates to letters of administration

An Act entitled "An Act relative to sales made by persons acting in a fiduciary capacity" approved March fourteenth eighteen hundred and forty-nine Pamphlet Laws one hundred and sixty-four in so far as it relates to powers to sell or let real estate on ground rent contained in any will or testamentary writing

Section two of an act entitled "A Further Supplement to an act entitled 'An Act authorizing the Governor to incorporate the Mill Creek and Mine Hill Navigation and Railroad Company' passed the seventh day of February Anno Domini one thousand eight hundred and twenty-eight and in relation to orphans' court deeds' 'approved April ninth eighteen hundred and forty-nine Pamphlet Laws five hundred and eleven absolutely

Sections five thirteen and sixteen of an act entitled "A Supplement to an act relative to the venders of mineral waters and an act relative to the Washington Coal Company to sheriffs' sales of real estate to the substitution of executors and trustees when plaintiffs to partition in the courts of common pleas and for other purposes" approved April ninth eighteen hundred and forty-nine Pamphlet Laws five hundred and twenty-four absolutely

Section two of an act entitled "An Act relative to sheriff's sales and to the appointment of trustees in the County of Philadelphia and to the appointment of trustees incorporating the First Presbyterian Church of Pottstown Montgomery County and changing the venue of a certain suit in Huntingdon county" approved April tenth eighteen hundred and forty-nine Pamphlet Laws five hundred and ninety-seven absolutely

Section one of an act entitled "An Act relating to conveyances by trustees" approved March fourteenth eighteen hundred and fifty Pamphlet Laws one hundred and ninety-five in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

Sections one five and forty-four of an act entitled "An Act relating to the bail of executrixes to partition in the orphans 'court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rent to trustees of married women to appeals from awards of arbitrators by corporations to hawkers and pedlers in the Counties of Butler and Union to the payment of costs in actions by informers in certain cases to taxing lands situate in different townships and in relation to fees of county treasurers of Lycoming Clinton and Schuylkill to provide for recording the accounts of executors administrators guardians and auditors' reports and to amend and alter existing laws relative to the administration of justice in this Commonwealth" became a law April twenty-fifth eighteen hundred and fifty by reason of the Governor's failure to return it within ten days Pamphlet Laws five hundred and sixty-nine absolutely

Sections twenty-two and twenty-three of an act entitled "An Act to incorporate the Wyoming County Mutual Insurance Company relating to Library street in the City of Philadelphia giving jurisdiction to the court of common pleas in Tioga County in a certain divorce case and relating to paving in front of the prison in the County of Philadelphia" approved April twenty-sixth eighteen hundred and fifty Pamphlet Laws five hundred and seventy-seven except in so far as they relate to recognizances in partition and section twenty-five of said act absolutely

Section eight of an act entitled "An Act relative to the Columbia Lyceum and Mechanics Institute to the act relating to inspections to the claims of David King of Venango County and of the heirs of John Bennett of Lycoming County deceased to authorize James T. Crabb to sell gun-powder in the County of Philadelphia relative to the estate of Francis Harley senior deceased and a supplement to an act relating to registers and registers' court passed March fifteenth one thousand eight hundred and thirty-two" approved May fifteenth one thousand eight hundred and fifty Pamphlet Laws seven hundred and sixty-four absolutely

Section six of an act entitled "An Act supplementary to an act passed the twenty-ninth day of March one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts' and relating to contracts of decedents and escheats in certain cases and relative to the district court of the City and County of Philadelphia and to registers of wills" approved April third eighteen hundred and fifty-one Pamphlet Laws three hundred and five absolutely

Section five of an act entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to actions of ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supreme Court to appeals relating to wards boroughs and township officers to the acknowledgments of deeds and sequestration of life estates" approved April fourteenth eighteen hundred and fifty-one Pamphlet Laws six hundred and twelve absolutely

Section eighteen of an act entitled "An Act to incorporate a company to erect a bridge over the River Schuylkill at Spring Mill in Montgomery County relative to the nineteenth section of 'An Act regulating certain election districts et cetera' approved March twenty-ninth eighteen hundred and fifty-one to school directors in Philadelphia County to actions for damages sustained by injuries done to the person by negligence or default relative to the accounts of John Humes deceased to authorize the trustees of the Seventh Presbyterian Church of Philadelphia to convey certain real estate to security for moneys loaned by wives to husbands to unpaid school taxes in Bradford County and relative to service of process on agents of joint stock companies" approved April fifteenth eighteen hundred and fifty-one Pamphlet Laws six hundred and sixty-nine absolutely

An Act entitled "A Supplement to an act relating to executors and administrators passed February twenty-fourth one thousand eight hundred and thirty-four" approved February second eighteen hundred and fifty-three Pamphlet Laws thirty-one absolutely

An Act entitled "An Act to give power to the orphans' court to grant relief in certain cases" approved February twenty-third eighteen hundred and fifty-three Pamphlet Laws ninety-eight absolutely

Section one of an act entitled "An Act relating to bringing suits by creditors and others against executors administrators assignees and other trustees in certain cases and serving notices and for satisfaction of mortgages and opening judgments in certain cases" approved March twenty-seventh eighteen hundred and fifty-four Pamphlet Laws two hundred and fourteen in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

Section two of an act entitled "An Supplement to an act entitled 'An Act relating to the sale and conveyance of real estate' " approved April thirteenth eighteen hundred and fifty-four Pamphlet Laws three hundred and sixty-eight in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "A Supplement to the act relating to executors and administrators" approved May fifth eighteen hundred and fifty-four Pamphlet Laws five hundred and seventy absolutely

Sections two to five inclusive of an act entitled "A Supplement to an act relating to assignees for the benefit of creditors and other trustees" approved May third eighteen hundred and fifty-five Pamphlet Laws four hundred and fifteen in so far as they relate to testamentary trustees

Section four of an act entitled "An Act relating to the rights of property of husband and wife" approved April eleventh eighteen hundred and fifty-six Pamphlet Laws three hundred and fifteen absolutely

An act entitled "An Act respecting the estates of non-resident wards" approved April twenty-first eighteen hundred and fifty-six Pamphlet Laws four hundred and ninety-five absolutely

Section eight of an act entitled "An Act for the greater certainty of title and more secure enjoyments of real estate" approved April twenty-second one thousand eight hundred fifty-six Pamphlet Laws five hundred and thirty-two absolutely

An act entitled "An Act relating to testamentary trustees" approved March thirteenth one thousand eight hundred and fifty-nine Pamphlet Laws six hundred eleven absolutely

Section one of an act entitled "An Act relative to orphans' courts" approved March twenty-second one thousand eight hundred and fifty-nine Pamphlet Laws two hundred and seven absolutey

An Act entitled "A Supplement to the act entitled 'An Act relating to executors and administrators approved the twenty-fourth day of February Anno Domini one thousand eight hundred and thirty-four" approved April sixth one thousand eight hundred and fifty-nine Pamphlet Laws three hundred and eighty-four absolutely

An Act entitled "An Act to extend the jurisdiction of the orphans' court in case of testamentary trusts" approved April seventh one thousand eight hundred and fifty-nine Pamphlet Laws four hundred and six absolutely

An act entitled "An Act relative to the exemption of three hundred dollars and to the widows and children of decedents' approved April eighth one thousand eight hundred and fifty-nine Pamphlet Laws four hundred and twenty-five in so far as it relates to the exemption allowed to the widow or children of any decedent

An act entitled "An Act relating to executors administrators and guardians" approved April thirteenth one thousand eight hundred and fifty-nine Pamphlet Laws six hundred and four absolutely

An act entitled "An Act relative to the lien of legacies" approved May first one thousand eight hundred and sixty-one Pamphlet Laws four hundred and twenty absolutely

An act entitled "An Act authorizing surviving executors and administrators to execute and deliver deeds of conveyance in certain cases" approved May first one thousand eight hundred and sixty-one Pamphlet Laws four hundred and thirty-one in so far as it relates to fiduciaries subject to the jurisdiction of the orphans 'court

An act entitled "An Act relating to executors and other trustees" approved May first one thousand eight hundred and sixty-one Pamphlet Laws six hundred and eighty in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An act entitled "An Act regulating certain charges of executors and trustees" approved March seventeenth one thousand eight hundred and sixty-four Pamphlet Laws fifty-three absolutely

An act entitled "An Act extending the provisions of the second section of the act of April tenth one thousand eight hundred and forty-nine entitled 'An Act relative to sheriffs' sales and the appointment of trustees in the County of Philadelphia et cetera' to the several counties of this Commonwealth" approved April twenty-third one thousand eight hundred and sixty-four Pamphlet Laws five hundred and fifty absolutely

An act entitled "An Act relating to the appointment of guardians" approved August twenty-fifth one thousand eight hundred and sixty-four Pamphlet Laws one thousand twenty-nine absolutely

An Act entitled "An Act providing additional remedies against trustees of a trust created for life or during marriage and providing a remedy for the protection of their sureties" approved March twenty-seventh one thousand eight hundred sixty-five (Pamphlet Laws forty-four) in so far as it relates to testamentary trustees

An act entitled "An Act supplementary to the act to set apart for the use of the widow or children of a decedent three hundred dollars of the estate of said decedent approved April fourteenth one thousand eight hundred and fifty-one" approved November twenty-seventh one thousand eight hundred sixty-five Pamphlet Laws one thousand eight hundred sixty-six one thousand two hundred twenty-seven absolutely

An act entitled "Supplement to an act entitled 'An Act providing additional remedies against trustees of a trust created for life or during marriage and providing a remedy for the protection of their sureties approved March twenty-seventh one thousand eight hundred and sixty-five" approved April seventeenth one thousand eight hundred and sixty-six (Pamphlet Laws one hundred and eleven) in so far as it relates to trustees subject to the jurisdiction of the orphans court

An act entitled "An Act enlarging the powers of the orphans court so as to discharge liens on real estate" approved May seventeenth one thousand eight hundred sixty-six Pamphlet Laws one thousand ninety-six absolutely

An act entitled "A Supplement to the act of the fifteenth of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to registers and register courts'" approved April fifteenth one thousand eight hundred sixty-seven Pamphlet Lews eighty-six absolutely

An act entitled "An Act to authorize the court of common pleas and orphans court of the City of Philadelphia to appoint and remove trustees" approved April ninth one thousand eight hundred sixty-eight Pamphlet Laws seven hundred eighty-five in so far as it relates to trustees subject to the jurisdiction of the orphans court

An act entitled "An Act relating to orphans' courts conferring upon said courts power to define boundaries in certain cases of devises and conveyances for life or term of years" approved April fourteenth one thousand eight hundred sixty-eight Pamphlet Laws ninety-seven absolutely

Section one of an act entitled "An Act relating to the appointment of auditors in the courts of the County of Montgomery" approved February eighteenth one thousand eight hundred sixty-nine Pamphlet Laws one hundred eighty-three absolutely

An act entitled "An Act relative to actions of trespass and for mesne profits" approved April twelfth one thousand eight hundred sixty-nine Pamphlet Laws twenty-seven absolutely

An act entitled "An Act for the protection of contingent interest" approved April seventeenth one thousand eight hundred sixty-nine Pamphlet Laws seventy absolutely

An act entitled "An Act relating to the appraisement of real estate devised by any last will and testament within this Commonwealth" approved April seventeenth one thousand eight hundred sixty-nine Pamphlet Laws seventy-two absolutely

An act entitled "A Supplement to an act relating to assignees for the benefit of creditors and other trustees approved June fourteenth one thousand eight hundred and thirty-six" approved May seventeenth one thousand eight hundred seventy-one Pamphlet Laws two hundred sixty-nine insofar as it relates to fiduciaries appointed by the orphans court or by virtue of any last will or testament

An Act entitled "A Further Supplement to an act entitled 'An Act relating to executors and administrators' approved twenty-fourth February one thousand eight hundred and thirty-four" approved May seventeenth one thousand eight hundred seventy-one (Pamphlet Laws two hundred sixty-nine) absolutely

An Act entitled "A Further Supplement to an Act entitled 'A Further Supplement to an act relating to orphans courts' passed the twenty-ninth day of March one thousand eight hundred and thirty-two and the supplement passed fourteenth of April one thousand eight hundred and thirty-five and the further supplement passed fourteenth of April one thousand eight hundred and forty" approved May twenty-fifth one thousand eight hundred seventy-one (Pamphlet Laws two hundred seventy-nine) absolutely

An Act entitled "An Act providing for the entry of certain proceedings on the judgment indexes ofthe several courts of this Commonwealth" approved June fifteenth eighteen hundred and seventy-one Pamphlet Laws three hundred and eighty-seven in so far as it relates to proceedings to revive and continue the lien of debts against a decedent's real estate

An Act entitled "An Act relating to foreign executors administrators guardians and representatives of decedents and wards" approved April eighth eighteen hundred and seventy-two Pamphlet Laws forty-four absolutely

An Act entitled "An Act to provide for the recording of deaths of testators and intestates in the office of register of wills" approved May fifeenth eighteen hundred and seventy-four Pamphlet Laws one hundred and ninety-four absolutely

An Act entitled "An Act relative to the transfer of the loans of this Commonwealth and of the City of Philadelphia and to amend the provisions of the twenty-second section of an act entitled 'An Act to authorize the Governor to incorporate the Delaware Canal Company and for other purposes' approved the thirteenth day of April eighteen hundred and forty-three and extending the same to the holders of any loans of this Commonwealth or of the City of Philadelphia domiciled or resident out of this Commonwealth who shall have heretofore died or hereafter die" approved May fifteenth eighteen hundred and seventy-four Pamphlet Laws one hundred and ninety-five absolutely

The proviso to section six of "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth eighteen hundred and seventy-four Pamphlet Laws two hundred and six absolutely

An Act entitled "An Act to validate sales and conveyances under the decrees of courts of this Commonwealth by persons irregularly or improperly appointed or defectively qualified" approved April twenty-eighth eighteen hundred and seventy-six Pamphlet Laws fifty in so far as it relates to proceedings in the orphans' court

An Act entitled "A Further Supplement to an act entitled 'An Act relating to orphans court' approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two designed to extend the fourteenth section of said act so as to authorize investments by executors trustees and other persons holding property in a fiduciary capacity in bonds or certificates of debt created by any of the counties cities or municipal corporations of this Commonwealth" approved May eighth eighteen hundred and seventy-six Pamphlet Laws one thousand and thirty-three absolutely

An Act entitled "An Act relating to the execution of trusts by corporations" approved February sixteenth eighteen hundred and seventy-seven Pamphlet Laws three in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

Sections one and two of an act entitled "An Act to provide for and validate the execution and delivery of deeds and conveyances of real estate in cases in which administrators executors guardians and trustees may die or have died between the time of sale and the time appointed for the payment of purchase money and delivery of the conveyance and also in cases in which the administrator executor guardian or trustee may have received authority from the proper court to purchase real estate sold by him either under the provisions of any last will and testament or by the authority or under the direction of any court having jurisdiction to make a decree directing such real estate to be sold" approved May twenty-second eighteen hundred and seventy-eight Pamphlet Laws eighty-three in so far as they relate to the orphans' court

Sections one two and three of an act entitled "An Act to provide for the appointment of trustees durante absentia and defining the powers and duties of the same " approved April eleventh eighteen hundred and seventy-nine Pamphlet Laws twenty-one absolutely

An Act entitled "An Act to regulate the compensation of auditors and commissioners" approved June fourth eighteen hundred and seventy-nine Pamphlet Laws eighty-four in so far as it relates to auditors and commissioners appointed by the orphans' court

An Act entitled "A Supplement to extend the provisions of an act entitled 'An Act providing additional remedies against trustees of a trust created for life or during marriage and providing a remedy for the protection of their sureties' approved the twenty-seventh day of March Anno Domini one thousand eight hundred and sixty-five to the orphans' court of the respective counties of this Commonwealth" approved May tenth eighteen hundred and eighty-one Pamphlet Laws fourteen in so far as it relates to trustees subject to the jurisdiction of the orphans' court

An Act entitled "A Supplement to an act approved April thirteenth one thousand eight hundred and fifty-nine entitled 'An Act relating to executors administrators and guardians'" approved June tenth eighteen hundred and eighty-one Pamphlet Laws one hundred and six absolutely

An Act entitled "An Act to confer power on the several orphans' courts having jurisdiction of the accounts of executors and administrators to order and direct a sale for the payment of the debts of such decedent of any lands lying partly in two or more counties" approved June fourth eighteen hundred and eighty-three Pamphlet Laws sixty-five absolutely

An Act entitled "An Act providing the manner in which widows and childrens exemption in decedents estates shall and may be set aside to them in certain cases" approved June fourth eighteen hundred and eighty-three Pamphlet Laws seventy-four absolutely

An Act entitled "An Act to permit foreign executors or administrators to issue scire facias to preserve and continue the lien or liens of judgments in favor of decedents within this Commonwealth and before letters of admistration have been taken out within this State" approved June twenty-seventh eighteen hundred and eighty-three Pamphlet Laws one hundred and sixy-three absolutely

An Act entitled "An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domocile" approved June twenty-fourth eighteen hundred and eighty-five Pamphlet Laws one hundred and fifty-five absolutely

An Act entitled "An Act limiting the time within which action may be brought upon refunding bonds given upon the distribution or partition of estates of decedents" approved June thirtieth eighteen hundred and eighty-five Pamphlet Laws two hundred and three absolutely

An act entitled "An Act authorizing executors or trustees to unite with others in the organization of corporations" approved April twenty-second eighteen hundred and eighty-nine Pamphlet Laws forty-two absolutely

An act entitled "An Act to authorize courts having cognizance of trusts created by deed or will to direct trust funds to be placed in the custody of trustees appointed by the courts of another state or territory of the United States in cases where the person or persons beneficially interested in such trust have removed to such other state or territory of the United States" approved May eighteenth eighteen hundred and eighty-nine Pamphlet Laws one hundred and twenty-three in so far as it relates to trusts created by will

An Act entitled "An Act relating to orphans' court sales" approved May ninth eighteen hundred and eighty-nine Pamphlet Laws one hundred and eighty-two absolutely

An act entitled "An Act amending an act entitled 'An Act respecting the estate of non-resident wards' approved the twenty-first day of April Anno Domini one thousand eight hundred and fifty-six extending the provisions thereof so that the same may apply to trustees and cestui que trusts" approved May thirteenth eighteen hundred and eighty-nine Pamphlet Laws one hundred and ninety absolutely

Section two of an act entitled "An Act relating to judicial sales and the presentation of the lien of mortgages" approved May nineteenth eighteen hundred and ninety-three Pamphlet Laws one hundred and ten absolutely

An act entitled "An Act to enable the surety of any trustee committee guardian assignee receiver administrator executor or other trustee or any person interested in the trust to require the filing of statements exhibiting the manner of the investment of the trust funds and providing for the removal of such trustee committee guardian assignee receiver administrator executor or other trustee by the court" approved June third eighteen hundred and ninety-three Pamphlet Laws two hundred and seventy-three in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' courts

An act entitled "An Act regulating the satisfaction extinguishment or discharge of dowers legacies or other charges upon land by judicial decree where the legal presumption of payment of the same exists from lapse of time or where payment of the same has been made in full and no satisfaction extinguishment release thereof appears of record" approved June eighth eighteen hundred and ninety-three Pamphlet Laws three hundred and fifty-six absolutely

An act entitled "An Act to limit the duration of the lien of the debts of decedents other than those of record on their real estate" approved June eighth eighteen hundred and ninety-three Pamphlet Laws three hundred and ninety-two absolutely

An act entitled "An Act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owners or owners of the land sought to be released and discharged and no sufficient release is of record in the county and regulating proceedings for such release and discharge" approved May eighteen hundred and ninety five Pamphlet Laws forty-four in so far as it relates to the orphans' courts

An act entitled "A Supplement to an act entitled "An Act relating to executors and administrators' approved February twenty-fourth one thousand eight hundred and thirty-four relating to the lien of judgments against decedents" approved June eighteenth eighteen hundred and ninety-five Pamphlet Laws one hundred and ninety-seven absolutely

Section one of an act entitled "An Act providing that the right of action for injury wrongfully done to the person shall survive against the personal representatives of the wrongdoer and limiting the time within which suit for such injury must be brought" approved June twenty-fourth eighteen hundred and ninety-five Pamphlet Laws two hundred and thirty-six absolutely

An act entitled "An act to allow receivers assignees guardians committees trustees executors and administrators to include in the lawful expenses of executing their trusts such reasonable sum paid a company authorized under the laws of this state so to do for becoming their surety as may be by court allowed not exceeding one per centum per annum on the amount of such bonds' approved June twenty-fourth eighteen hundred and ninety-five Pamphlet Laws two hundred and forty-eight in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act to authorize executors and trustees non-residents of the Commonwealth to convey real estate" approved June twenty-third eighteen hundred and ninety-seven Pamphlet Laws two hundred absolutely

An act entitled "An Act authorizing the payment into the orphans' court of the money due on dowers legacies or other charge upon land where the person or persons to whom the dower legacy or other charge upon land is due and payable cannot be found and providing for the satisfaction extinguishment or discharge thereof and to ascertain the amount thereof" approved July fourteenth eighteen hundred and ninety-seven Pamphlet Law two hundred and sixty-nine absolutely

An act entitled "An Act enlarging the powers of the orphans' court and to provide a further remedy for the collection on dower interest due to widows" approved April twenty-eighth eighteen hundred and ninety-nine Pamphlet Laws one hundred and twenty absolutely

An act entitled "An Act authorizing the orphans' courts of the Commonwealth to decide specific performance of written contracts and also parol contracts when so far executed that it would be inequitable to rescind for the sale of real estate where the vendor has died without conveying and in cases where the vendee has died without having paid the purchase money and authorizing the recording of the decrees in such cases in the counties where the real estate lies" approved April twenty-eighth eighteen hundred and ninety-nine Pamphlet Laws one hundred and fifty-seven absolutely

An Act entitled "An Act to allow an executor administrator guardian assignee or trustee to institute an action at law or other legal or equitable proceedings against a co-executor administrator guardian assignee or trustee to recover or enforce any debt or obligation individually due the estate which he represents' 'approved May eleventh nineteen hundred and one Pamphlet Laws one hundred and sventy-four in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act to confer on the several orphans' courts having jurisdiction of the accounts of guardians power to order and direct a mortgage or a public or private sale for the payment of debts or for other purposes of any lands lying partly in two or more counties divided by county lines" approved May twenty-first nineteen hundred and one Pamphlet Laws two hundred and seventy-two absolutely

An Act entitled "An Act to amend the first section of an act entitled "An Act to limit the duration of the lien of the debts of decedents other than those of record on their real estate' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three and to extend the provisions of said act so as to limit the duration of the lien upon real estate of the decedents other than those secured by mortgage or by judgment entered or revived by scire facias within five years prior to the death of such decedent" approved June fourteen nineteen hundred and one Pamphlet Laws five hundred and sixty-two absolutely

Section one of an act entitled "An Act authorizing the orphans' court to adjudge real estate to persons to whom the right to take the same at a certain valuation has been given in a will and who are appointed executors of the same will providing for the payment of the purchase money and confirming titles to real estate heretofore taken under similar proceedings" approved March fifth nineteen hundred and three Pamphlet Laws ten absolutely

An Act entitled "An Act providing for the voting of shares of stock incorporations in this Commonwealth held by executors administrators guardians and trustees and the manner of voting the same" approved March sixteenth nineteen hundred and five Pamphlet Laws forty-two in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act to amend the first section of an act approved the eleventh day of April Anno Domini one thousand eight hundred and seventy-nine entitled 'An Act to provide for the appointment of trustees durante absentia and defining the powers and duties of the same' providing for the appointment of a trustee of the estate of any absentee who has been a resident of this Commonwealth or of any other state territory or foreign country who has left either real or personal estate or both in this Commonwealth" approved March thirtieth nineteen hundred and five Pamphlet Laws seventy-seven absolutely

An Act entitled "An Act to regulate the transfer of funds from executors and administrators in this Commonwealth to foreign executors and administrators" approved March

thirty-first nineteen hundred and five Pamphlet Laws ninety-one absolutely

An Act entitled "An Act to extend the statute of limitations to debts or demands arising or falling due to the estate of a decedent after the death of such decedent" approved April sixth one thousand nine hundred and five Pamphlet Laws one hundred and fourteen absolutely

An Act entitled "A Supplement to an act entitled 'An Act relating to the granting of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile' approved June twenty-fourth one thousand eight hundred and eighty-five providing for the probate of a will of a person whose death by presumption has been established and for attachment of such will to letters of administration granted in the case" approved April fourteenth one thousand nine hundred and five Pamphlet Laws one hundred fifty-three absolutely

An Act entitled "An Act to amend an act approved the seventeenth day of May one thousand eight hundred and sixty-six entitled 'An Act enlarging the powers of the orphans' court so as to discharge liens on real estate' so as to include charges on real estate by the provisions of a last will and testament or otherwise" approved March twenty-second one thousand nine hundred and seven Pamphlet Laws twenty-nine absolutely

An Act entitled "An Act authorizing employers to pay to the wife children brother or sister father or mother boarding-house keeper undertaker nurse or physician wages due a deceased employe" approved May twenty-third one thousand nine hundred and seven Pamphlet Laws two hundred and one absolutely

An Act entitled "An Act to allow receivers assignees guardians committees trustees executors and administrators to include in the lawful expenses of executing their trust such reasonable sum paid a company authorized under the laws of this State so to do for guaranteeing the payment of the principal and interest of mortgages or other securities in which they are required to invest the funds of their estate not exceeding one-half of one per centum per annum on the principal of such mortgage or other securities" approved May twenty-eighth one thousand nine hundred seven Pamphlet Laws two hundred seventy-one in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act to provide for the discharge of sureties upon bonds of trustees committees guardians assignees receivers executors administrators and other fiudciaries" approved June first one thousand nine hundred seven Pamphlet Laws three hundred eighty-four in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act authorizing the parties in interest or their counsel to select auditors and masters needed in judicial proceedings except in divorce cases" approved April first one thousand nine hundred and nine Pamphlet Laws ninety-five in so far as it relates to proceedings in the orphans' court

An Act entitled "An Act to amend sections twenty-nine and thirty of an act approved the twenty-ninth day of March Anno Domini eighteen hundred and thirty-two entitled 'An Act relating to orphans' courts and validating execution and attachment execution process issued out of the courts of common pleas of the Commonwealth upon transcripts from any orphans' court of this Commonwealth for balances due from or in the hands of any executor administrator guardian or other accountant on the settlement of their respective accounts in the orphans' court" approved April twenty-seventh one thousand nine hundred nine Pamphlet Laws two hundred two except in so far as it relates to proceedings begun prior to its date

An Act entitled "An Act to limit the duration upon real estate of the debts of decedents including the expenses of the settlement of the estate and to provide under what conditions the lien may be continued" approved May third one thousand nine hundred nine Pamphlet Laws three hundred eighty-six absolutely

An Act entitled "An Act to provide for the filing auditing and confirmation in certain cases of accounts of trustees and of committees of lunatics and of habitual drunkards" approved May third one thousand nine hundred nine Pamphlet Laws three hundred ninety-one in so far as it relates to trustees subject to the jurisdiction of the orphans' court

An Act entitled "An Act providing that the widow or children of any decedent dying outside of this Commonwealth but whose estate is settled in this Commonwealth may retain either real or personal property belonging to said estate to the value of three hundred dollars" approved May sixth one thousand nine hundred nine Pamphlet Laws four hundred fifty-nine absolutely

Section one two and three of an act entitled "An Act relating to private sales of real estate ordered decreed or approved by the orphans' court and providing a method of giving notice of such sales and validating such private sales of real estate heretofore made under the authority of the orphans' courts for the payment of debts" approved June ninth one thousand nine hundred eleven Pamphlet Laws seven hundred twenty-four absolutely

An Act entitled "An Act to amend section ten of an act approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts' so as to permit the accounts of the guardians of minors' property therein mentioned and described to be examined and audited and the matters therein contained confirmed by decree of orphans' court with the same force and effect as the partial accounts of executors administrators and temporary trustees are audited examined allowed and confirmed" approved June ninth one thousand nine hundred eleven Pamphlet Laws seven hundred forty-four absolutely

An Act entitled "An Act to confer power on the several orphans' courts having jurisdiction thereof when the balance for distribution in an estate after the debts are paid includes stocks bonds and other securities to make distribution of the same in kind to parties entitled thereto to authorize subsequent sales thereof and to validate such distribution heretofore made" approved June tenth one thousand nine hundred eleven Pamphlet Laws eight hundred seventy absolutely

An Act entitled "An Act to provide that persons buying real estate in this Commonwealth from executors or trustees named in the last will and testament of any person dying testate and who hold the same in trust under the provisions thereof and who make sale of same under the power of sale in said last will and testament contained shall take title to said real estate free and discharged of any obligation to see to the application of the purchase money" approved June tenth one thousand nine hundred eleven Pamphlet Laws eight hundred seventy-four absolutely

An Act entitled "An Act to amend an act approved the eighth day of April Anno Domini one thousand eight hundred and seventy-two entitled 'An Act relating to foreign executors administrators guardians and representatives of decedents and wards' by extending the provisions thereof to the assignment and satisfaction of record of mortgage debts and indentures of mortgage and to the receipt of the interest thereon" approved June thirteenth one thousand nine hundred eleven Pamphlet Laws eight hundred ninety absolutely

An Act entitled "An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred thirty-four entitled 'An Act relating to executors and administrators'" approved May twenty-third one thousand nine hundred thirteen Pamphlet Laws three hundred forty-four absolutely

An Act entitled "An Act relating to the real estate of persons presumed to be dead and providing a method of freeing such estate from all claim or interest of such persons" approved May twenty-eighth one thousand nine hundred thirteen Pamphlet Laws three hundred sixty-nine absolutely

An Act entitled "A Supplement to an act entitled 'An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile' approved June twenty-fourth one thousand eight hundred and eighty-five providing for the grant of ancillary letters of administration in this Commonwealth upon the estates of persons presumed to be dead by reason of long absence from their former domicile in any other state territory or foreign country who have left personal estate within this Commonwealth" approved May twenty-eighth one thousand nine hundred thirteen Pamphlet Laws three hundred seventy-three absolutely

An act entitled "An Act to amend an act approved the ninth day of June one thousand nine hundred and eleven entitled 'An Act relating to private sales of real estate ordered decreed or approved by the orphans courts and providing a method of giving notice of such sales and validating such private sales of real estate heretofore made under the authority of the orphans courts for the payment of debts'" approved June twelfth one thousand nine hundred and thirteen Pamphlet Laws four hundred seventy absolutely

An act entitled "An Act to amend an act approved the fourteenth day of April one thousand eight hundred fifty-one entitled 'An Act relating to the commencement of actions to judgments and decree for the payment of money to the widows and children of decedents to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to actions of ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the supreme court to appeals relating to wards boroughs and township officers to the acknowledgements of deeds and sequestration of life estates' by regulating the appointment and number of appraisers" approved July twenty-first one thousand nine hundred thirteen Pamphlet Laws eight hundred seventy-seven absolutely

Section one of an act entitled "An Act authorizing the several orphans' courts to empower guardians and trustees of estates of minors to elect in writing to take land in fee which has been ordered to be sold by the provisions of any duly probated will in lieu of legacies bequeathed or distributable to said minors from the proceeds of such sale and validating certain elections to take land in lieu of legacies heretofore made pursuant to an order of court" approved July twenty-second one thousand nine hundred and thirteen Pamphlet Laws nine hundred eight absolutely

An act entitled "An Act authorizing the orphans court to reduce under certain circumstances the bond of any fiduciary imposing duties on registers of wills in connection therewith" approved May third one thousand nine hundred fifteen Pamphlet Laws two hundred eighteen absolutely

An act entitled "An Act relative to estates of decedents" approved May sixth one thousand nine hundred fifteen Pamphlet Laws two hundrd sixty-five absolutely

An act entitled "An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred thirty-four entitled 'An Act relating to executors and administrators' as amended" approved May sixth one thousand nine hundred fifteen Pamphlet Laws two hundred sixty-seven absolutely

An act entitled "An Act to amend an act entitled 'An Act to limit the duration upon real estate of the debts of decedents including the expenses of the settlement of the

estate and to provide under what conditions the lien may be continued' approved the third day of May one thousand nine hundred and nine so as to restrict the revival of judgment liens by the death of the debtor to real estate still owned by said decedent at the date of his death" approved May fourteenth one thousand nine hundred fifteen Pamphlet Laws four hundred seventy-five absolutely

An act entitled "A Supplement to an act approved the fourteenth day of April one thousand eight hundred and fifty-one entitled 'An Act relating to the commencement of actions to judgments and decree for the payment of money to the widows and children of decedents to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to actions of ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supreme Court to appeals relating to wards boroughs and township officers to the acknowledgments of deeds and sequestration of life estates' providing a method of allowing a widows' exemption where the property consists of real estate not readily divided" approved June first one thousand nine hundred fifteen Pamphlet Laws six hundred eight-two absolutely

An act entitled "An Act to amend section three of an act approved the fourteenth day of April Anno Domini one thousand nine hundred and five entitled 'A Supplement to an act entitled 'An act relating to the granting of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eighty-five providing for the probate of a will of a person whose death by presumption has been established and for attachment of such will to letters of administration granted in the case' by providing for the issuance of letters testamentary to the executor named in such will in the same manner and form as if such supposed decedent were actually dead" approved June first one thousand nine hundred and fifteen Pamphlet Laws six hundred eighty-nine absolutely

An act entitled "An Act to amend section five of an act entitled 'An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile' approved the twenty-fourth day of June Anno Domini one thousand eight hundred and eighty-five by authorizing the several orphans courts of this Commonwealth to accept refunding bonds from the distributees without sureties in certain cases" approved June eleventh one thousand nine hundred fifteen Pamphlet Laws nine hundred forty-five absolutely

All other acts of Assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Albee,	Fackler,	McNichol,	Simpson,
Aron,	Fitzgibbon,	McPeake,	Sinclair,
Arthur,	Fowler,	McVicar,	Smith, E. R.,
Aston,	Franklin,	Mearkle,	Smith, J. W.,
Baker,	Fretz,	Mervine,	Smith, L.,
Baldi,	Gans,	Michel,	Smith, O. W.,
Baldridge,	Geary,	Miller, A. D.,	Snyder,
Barner,	Golder,	Miller, C. G.,	Somerman,
Bechtold,	Goodnough,	Milner,	Sones,
Bell,	Goodwin,	Mitchell,	Spangler,
Benchoff,	Gormley,	Morgan, T.,	Speicher,
Bennett,	Graham,	Morgan, T. J.,	Sprowls,
Benninger,	Gransback,	Murdoch,	Stadtlander,
Beyer,	Haight,	Murphy,	Steedle,
Bidelspacher,	Haldeman,	Musser,	Sterling,
Black,	Hecht,	Neary,	Stern,
Bovee,	Heffernan,	Ogden,	Stites,
Boyd,	Helt,	Palmer,	Stofflet,
Brady,	Hess,	Patterson,	Strauss,
Brumbaugh,	Heyburn,	Perry,	Sullivan,
Burnett,	Hibshman,	Phillips,	Swartz,
Campbell, T.,	Hoffman,	Pickering,	Sweitzer,
Canon,	Hollingsworth,	Powell,	Taylor,
Chestnut,	Horne,	Ramsey,	Thomas,
Christman,	Hough,	Reichenbacker,	Ulsh,
Clements,	Howarth,	Reitzel,	Urich,
Coldsmith,	Isherwood,	Reynolds,	Vickerman,
Conner,	Jennings,	Rhoads, H. L.,	Wagner,
Corbin,	Jones,	Rhodes, W. M.,	Walker,
Cox,	Kennedy,	Rich,	Wallace,
Crosby,	Lafferty,	Ringler,	Walter,
Cummins,	Laucks,	Rininger,	Weimer,
Curry,	Lauler,	Rinn,	Wells,
Davis, W.,	Leary,	Robertson,	West,
Dawson,	Lewis,	Rogers,	Whitaker,
Dean,	Lohr,	Rothenberger,	Wickman,
Dell,	Luppert,	Ruddy,	Williams, G. W.
Dewey,	Malie,	Rudisill,	Williams, J. P.,
Dithrich,	Mangan,	Sarig,	Wobensmith,
Donneley,	Marvin,	Schaeffer, A. C.,	Wood,
Drake,	Maurer,	Scott,	Woodward,
Drinkhouse,	McCaig,	Shaffer, C. A.,	Wylie,
Dunn,	McCullough,	Shattuck,	Wynne,
Eby,	McCurdy,	Showalter,	Zanders,
Ehrhardt,	McKay,	Shunk,	Baldwin,
Erdman,	McKinney,	Siggins,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1372 (Senate Bill No. 480), as follows:

An Act to amend section five of an act approved the seventh day of June one thousand nine hundred and fifteen entitled "An Act to amend revise and consolidate the law providing for the burial of certain honorably discharged soldiers sailors and marines at the expense of the counties in which they shall die or have a legal residence at the time of their death to provide a system for effecting the burial of such soldiers sailors and marines to provide headstones and markers for the graves of such soldiers sailors and marines and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers sailors and marines"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred seventy) entitled "An Act to amend revise and consolidate the law providing for the burial of certain honorably discharged soldiers sailors and marines at the expense of the counties in which they shall die or have a legal residence at the time of their death to provide a system for effecting the burial of such soldiers sailors and marines to provide headstones and markers for the graves of such soldiers sailors and marines and to authorize the county commisioners of the several counties to purchase plots of ground for the burial of such soldiers sailors and marines" which reads as follows

"Section 5 It shall also be the duty of the county commissioners of each county in this State upon the death of any soldier sailor or marine who shall be buried within their counties under the provisions of this act to cause a headstone to be placed at the head of the grave of each such deceased soldier sailor or marine containing his name and if possible the organization to which he belonged or in which he served to be of such material and design as they may deem suitable and the expense for the same shall be paid out of the funds of the county in which such soldier sailor or marine died or shall have had his legal residence Provided however That the expense shall not exceed the sum of fifteen dollars for each headstone and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone" be and the same is hereby amended to read as follows

Section 5 It shall also be the duty of the county commissioners of each county in this State upon the death of any soldier sailor or marine who shall be buried within their counties under the provisions of this act to cause a headstone to be placed at the head of the grave of each such deceased soldier sailor or marine containing his name and if possible the organization to which he belonged or in which he served to be of such material and design as they may deem suitable and the expense for the same shall be paid out of the funds of the county in which such soldier sailor or marine died or shall have had his legal residence Provided however That the expense shall not exceed the sum of twenty-five dollars for each headstone and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expenses in favor of the party or parties furnishing such headstone And provided further That the county commissioners are hereby authorized to pay to any relatives or friends of such deceased soldier sailor or marine a sum not exceeding twenty-five dollars for each headstone or monument erected by such relatives or friends and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184.

Albee,	Fowler,	McNichol,	Smith, E. R.,
Aron,	Franklin,	McPeake,	Smith, F. I.,
Arthur,	Fretz,	McVicar,	Smith, J. W.,
Aston,	Gans,	Mearkle,	Smith, L.,
Baker,	Geary,	Mehring,	Smith, O. W.,
Baldi,	Golder,	Miller, A. D.,	Snowden,
Baldridge,	Goodnough,	Miller, C. G.,	Snyder,
Barner,	Goodwin,	Milner,	Somerman,
Benchoff,	Gormley,	Mitchell,	Sones,
Bennett,	Graeff,	Morgan, T.,	Spangler,
Benninger,	Graham,	Morgan, T. J.,	Speicher,
Beyer,	Gransback,	Murdoch,	Sprowls,
Bidelspacher,	Haight,	Murphy,	Stadtlander,
Black,	Haldeman,	Musser,	Steedle,

Bovee,	Hecht,	Neary,	Sterling,
Boyd,	Heffernan,	Ogden,	Stern,
Brady,	Helt,	Palmer,	Stites,
Brumbaugh,	Hess,	Patterson,	Stofflet,
Burnett,	Heyburn,	Perry,	Strauss,
Campbell, J. O.,	Hibshman,	Phillips,	Sullivan,
Campbell, T.,	Hoffman,	Powell,	Swartz,
Canon,	Hollern,	Ramsey,	Taylor,
Chestnut,	Hollingsworth,	Reichenbacker,	Thomas,
Christman,	Horne,	Reitzel,	Ulsh,
Clements,	Horton,	Reynolds,	Urich,
Coldsmith,	Hough,	Rhoads, H. L.,	Vickerman,
Conner,	Howarth,	Rhodes, W. M.,	Vodges,
Corbin,	Isherwood,	Rich,	Walker,
Cox,	Jennings,	Richards,	Wallace,
Cummins,	Jones,	Ringler,	Walter,
Curry,	Lafferty,	Rininger,	Weimer,
Davis, W.,	Lanius,	Rinn,	Wells,
Dawson,	Laucks,	Robertson,	Whitaker,
Dean,	Lauler,	Rogers,	Wickman,
Dell,	Leary,	Ross,	West,
Dewey,	Lewis,	Ruddy,	Williams, G. W.
Dithrich,	Lohr,	Rudisill,	Williams, J. P.,
Donneley,	Luppert,	Sampsel,	Wobensmith,
Drinkhouse,	Malie,	Sarig,	Wood,
Dunn,	Mangan,	Scott,	Woodward,
Eby,	Marvin,	Shaffer, C. A.,	Wylie,
Ehrhardt,	Maurer,	Shattuck,	Wynne,
Erdman,	McArdle,	Showalter,	Zanders,
Fackler,	McCullough,	Siggins,	Baldwin,
Fitzgibbon,	McCurdy,	Simpson,	Speaker.
Flynn,	McKay,	Sinclair,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 758, as follows:

An Act fixing the salary of the clerk of the county commissioners in counties having a population between one hundred thousand and one hundred and fifty thousand inhabitants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of the clerk of the county commissioners in counties having a population of not less than one hundred thousand and not more than one hundred and fifty thousand inhabitants shall be one thousand five hundred dollars per annum

Section 2 All acts and parts of acts general local or special inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Albec,	Glass,	Mearkle,	Smith, E. R.,
Aron,	Golder,	Mehring,	Smith, J. W.,
Arthur,	Goodnough,	Mervine,	Smith, L.,
Baker,	Goodwin,	Michel,	Smith, O. W.,
Baldi,	Gormley,	Miller, C. G.,	Snowden,
Baldridge,	Graeff,	Milner,	Sones,
Barner,	Gransback,	Mitchell,	Spangler,
Bell,	Haight,	Morgan, T.,	Speicher,
Bennett,	Haldeman,	Morgan, T. J.,	Sprowls,
Beyer,	Hecht,	Murdoch,	Stadtlander,
Bidelspacher,	Heffernan,	Murphy,	Steedle,
Black,	Helt,	Musser,	Sterling,
Bovee,	Hess,	Neary,	Stern,
Boyd,	Heyburn,	Ogden,	Stites,
Brady,	Hibshman,	Palmer,	Stofflet,
Brumbaugh,	Hoffman,	Patterson,	Strauss,
Burnett,	Hollern,	Perry,	Sullivan,
Campbell, T.,	Hollingsworth,	Phillips,	Swartz,
Canon,	Horne,	Pickering,	Sweitzer,
Christman,	Horton,	Powell,	Taylor,
Clements,	Hough,	Ramsey,	Thomas,
Coldsmith,	Howarth,	Reichenbacher,	Ulsh,
Conner,	Isherwood,	Reitzel,	Urich,
Cox,	Jennings,	Reynolds,	Vickerman,
Crosby,	Jones,	Rhoads, H. L.,	Vodges,
Cummins,	Kennedy,	Rhodes, W. M.,	Wagner,
Curry,	Lafferty,	Rich,	Walker,
Davis, W.,	Lanius,	Ringler,	Wallace,
Dawson,	Lauler,	Rininger,	Walter,
Dell,	Leary,	Rinn,	Weimer,
Dewey,	Lewis,	Robertson,	Wells,
Dithrich,	Lohr,	Rogers,	West,
Donneley,	Luppert,	Ross,	Whitaker,
Drinkhouse,	Malie,	Ruddy,	Wickman,
Dunn,	Mangan,	Rudisill,	Williams, G. W.
Eby,	Marvin,	Sampsel,	Williams, J. P.,
Ehrhardt,	Maurer,	Sarig,	Wobensmith,
Fackler,	McArdle,	Schaeffer, A. C.,	Wood,
Fitzgibbon,	McCaig,	Scott,	Woodward,
Flynn,	McCullough,	Shattuck,	Wylie,
Fowler,	McCurdy,	Shunk,	Wynne,
Franklin,	McKay,	Siggins,	Zanders,
Fretz,	McKinney,	Simpson,	Baldwin,
Gans,	McNichol,	Sinclair,	Speaker.
Geary,	McPeake,		

NAYS—2.

Benchoff, Chestnut,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1147, as follows:

An Act validating certain satisfactions of mortgages heretofore entered in good faith at the instance of the mortgagee

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all satisfactions of mortgages heretofore entered in good faith at the instance of any mortgagee or assignee of record on the record of any mortgage by virtue of an authorization acknowledging the receipt of the amount due on the mortgage or in any other manner other than by a satisfaction entered by the mortgagee personally or by the recorder of deeds acting under a letter or power of attorney duly executed and acknowledged are hereby declared to be good and valid and to operate as a complete satisfaction of such mortgage in like manner as if such mortgage had been personally satisfied by the mortgagee on the margin of the record as provided by law Provided That said acknowledgment of the receipt of the amount due and a statement of the mortgagee's or assignee's desire to have said mortgage satisfied shall be duly signed and acknowledged by said mortgagee or assignee in due form of law as deeds and mortgages are now signed and acknowledged

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Aron,	Flynn,	McKinney,	Simpson,
Arthur,	Fowler,	McNichol,	Sinclair,
Aston,	Franklin,	McPeake,	Smith, E. R.,
Baker,	Fretz,	McVicar,	Smith, F. I.,
Baldi,	Gans,	Mearkle,	Smith, J. W.,
Baldridge,	Geary,	Mehring,	Smith, L.,
Barner,	Goodnough,	Mervine,	Smith, O. W.,
Bechtold,	Goodwin,	Michel,	Snowden,
Bell,	Gormley,	Miller, C. G.,	Snyder,
Benchoff,	Graeff,	Milner,	Somerman,
Bennett,	Graham,	Mitchell,	Sones,
Benninger,	Gransback,	Morgan, T.,	Spangler,
Beyer,	Haight,	Murdoch,	Sprowls,
Bidelspacher,	Haldeman,	Murphy,	Stadtlander,
Black,	Hecht,	Murphy,	Steedle,
Bovee,	Heffernan,	Neary,	Sterling,
Boyd,	Helt,	Ogden,	Stern,
Brady,	Hess,	Palmer,	Stites,
Brumbaugh,	Heyburn,	Patterson,	Stofflet,
Burnett,	Hibshman,	Perry,	Strauss,
Campbell, T.,	Hoffman,	Phillips,	Sullivan,
Canon,	Hollern,	Pickering,	Swartz,
Chestnut,	Hollingsworth,	Powell,	Sweitzer,
Christman,	Horne,	Ramsey,	Taylor,
Clements,	Horton,	Reichenbacher,	Thomas,
Coldsmith,	Hough,	Reitzel,	Ulsh,
Conner,	Howarth,	Reynolds,	Urich,
Corbin,	Isherwood,	Rhodes, W. M.,	Vickerman,
Cox,	Jennings,	Rich,	Wagner,
Crosby,	Jones,	Ringler,	Walker,
Cummins,	Lafferty,	Rininger,	Wallace,
Curry,	Lanius,	Rinn,	Walter,
Davis, W.,	Lauler,	Robertson,	Weimer,
Dawson,	Leary,	Rogers,	Wells,
Dean,	Lewis,	Ross,	Whitaker,
Dell,	Lohr,	Rothenberger,	Wickman,
Dewey,	Luppert,	Ruddy,	Williams, G. W.
Dithrich,	Malie,	Rudisill,	Wobensmith,
Donneley,	Mangan,	Sarig,	Wood,
Drinkhouse,	Marvin,	Schaeffer, A. C.,	Woodward,
Dunn,	Maurer,	Scott,	Wylie,
Eby,	McArdle,	Shaffer, C. A.,	Wynne,
Ehrhardt,	McCullough,	Showalter,	Zanders,
Fackler,	McCurdy,	Shunk,	Baldwin,
Fitzgibbon,	McKay,	Siggins,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MR. FLYNN IN THE CHAIR.

BILLS ON THIRD READING.

Mr. BEYER. Mr. Speaker, I ask unanimous consent to call up out of order House Bill No. 1805, File Folio 4963, on top of page 31 of to-days' calendar, bills on third reading.

Mr. LANIUS. Mr. Speaker, I object.

Mr. BEYER. Mr. Speaker, I desire to make an explanation, after which I think probably the gentleman from York, Mr. Lanius, may withdraw his objection. This bill was introduced in order to cover a very serious condition of affairs existing at the present time in the prothonotary's office in the City of Philadelphia. Mr. Fletcher, the deputy prothonotary for the last twenty-five or twenty-eight years, in active service, has been taken seriously ill and there is no one there to fill that position as the first deputy of the office. Under the existing act there is no authority for the prothonotary to appoint some one temporarily during his sickness. It is only to enable him to make that appointment, inasmuch as it requires immediate action here in the House of Representatives that the matter may be passed upon, and I hope the gentleman will withdraw his objections under the circumstances.

Mr. LANIUS. Mr. Speaker, my reason for the objection is to avoid establishing the precedent of calling up a bill out of order. I accept the gentleman's explanation, apologize to him and withdraw my objection.

Mr. BEYER. Mr. Speaker, an apology is not necessary.

The SPEAKER. The Chair hears no objection and the House will take the bill up on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1805, entitled

An Act to amend an act entitled "An Act relating to prothonotaries and their duties, and to their deputies, and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the twenty-sixth day of May, Anno Domini one thousand eight hundred ninety-seven, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192.

Aron,	Franklin,	McKinney,	Shunk,
Arthur,	Fretz,	McNichol,	Siggins,
Aston,	Gans,	McPeake,	Simpson,
Baker,	Geary,	McVicar,	Sinclair,
Baldi,	Glass,	Mearkle,	Smith, E. R.,
Baldridge,	Golder,	Mehring,	Smith, J. W.,
Barner,	Goodnough,	Mervine,	Smith, L.,
Bechtold,	Goodwin,	Michel,	Smith, O. W.,
Bell,	Gormley,	Miller, A. D.,	Snowden,
Benchoff,	Graeff,	Miller, C. G.,	Snyder,
Bennett,	Graham,	Milner,	Somerman,
Benninger,	Gransback,	Mitchell,	Sones,
Beyer,	Haight,	Morgan, T.,	Spangler,
Bidelspacher,	Haldeman,	Morgan, T. J.,	Speicher,
Black,	Hecht,	Murdoch,	Sprowls,
Bovee,	Heffernan,	Murphy,	Stadtlander,
Boyd,	Helt,	Musser,	Steedle,
Brady,	Hess,	Neary,	Sterling,
Brumbaugh,	Heyburn,	Ogden,	Stern,
Burnett,	Hibshman,	Palmer,	Stites,
Campbell, T.,	Hoffman,	Patterson,	Strauss,
Canon,	Hollern,	Perry,	Sullivan,
Chestnut,	Hollingsworth,	Phillips,	Swartz,
Christman,	Horne,	Pickering,	Taylor,
Clements,	Horton,	Powell,	Thomas,
Coldsmith,	Hough,	Ramsey,	Ulsh,
Conner,	Howarth,	Reichenbacher,	Urich,
Corbin,	Isherwood,	Reitzel,	Vickerman,
Cox,	Jack,	Reynolds,	Vodges,
Crosby,	Jennings,	Rhoads, H. L.,	Wagner,
Cummins,	Jones,	Rhodes, W. M.,	Walker,
Curry,	Kennedy,	Rich,	Wallace,
Davis, W.,	Lafferty,	Ringler,	Walter,
Dawson,	Lanius,	Rininger,	Weimer,
Dean,	Laucks,	Rinn,	Wells,
Dell,	Lauler,	Robertson,	West,
Dewey,	Leary,	Rogers,	Whitaker,
Dithrich,	Lewis,	Ross,	Wickman,
Donneley,	Lohr,	Rothenberger,	Williams, G. W.
Drake,	Luppert,	Ruddy,	Williams, J. P.,
Drinkhouse,	Malie,	Rudisill,	Wobensmith,
Dunn,	Mangan,	Sampsel,	Wood,
Eby,	Marvin,	Sarig,	Woodward,
Ehrhardt,	Maurer,	Schaeffer, A. C.,	Wylie,
Erdman,	McArdle,	Scott,	Wynne,
Fackler,	McCaig,	Shaffer, C. A.,	Zanders,
Fitzgibbon,	McCullough,	Shattuck,	Baldwin,
Flynn,	McCurdy,	Showalter,	Speaker.
Fowler,	McKay,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1347, entitled

An Act to amend an act approved the twenty-second day of July one thousand and nine hundred and thirteen entitled "An Act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth"

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Aron,	Fowler,	McKinney,	Sinclair,
Arthur,	Franklin,	McNichol,	Smith, E. R.,
Aston,	Fretz,	McPeake,	Smith, F. I.,
Baker,	Gans,	McVicar,	Smith, J. W.,
Baldi,	Geary,	Mearkle,	Smith, L.,
Baldridge,	Glass,	Mehring,	Smith, O. W.,
Barner,	Golder,	Mervine,	Snowden,
Bechtold,	Goodnough,	Michel,	Snyder,
Bell,	Goodwin,	Miller, C. G.,	Somerman,
Benchoff,	Gormley,	Milner,	Sones,
Bennett,	Graham,	Mitchell,	Spangler,
Benninger,	Gransback,	Morgan, T.,	Speicher,
Beyer,	Haldeman,	Morgan, T. J.,	Sprowls,
Bidelspacher,	Hecht,	Murdoch,	Stadtlander,
Black,	Heffernan,	Murphy,	Steedle,
Bovee,	Helt,	Musser,	Sterling,
Boyd,	Hess,	Neary,	Stern,
Brady,	Heyburn,	Ogden,	Stites,
Brumbaugh,	Hibshman,	Palmer,	Stofflet,
Burnett,	Hoffman,	Patterson,	Strauss,
Campbell, J. O.,	Hollern,	Perry,	Sullivan,
Campbell, T.,	Hollingsworth,	Pickering,	Swartz,
Canon,	Horne,	Powell,	Sweitzer,
Chestnut,	Horton,	Ramsey,	Taylor,
Christman,	Hough,	Reichenbacher,	Thomas,
Clements,	Howarth,	Reitzel,	Ulsh,
Coldsmith,	Isherwood,	Rhoads, H. L.,	Vickerman,
Conner,	Jennings,	Rhodes, W. M.,	Vodges,
Corbin,	Jones,	Rich,	Wagner,
Cox,	Kennedy,	Ringler,	Walker,
Crosby,	Lafferty,	Rininger,	Wallace,
Cummins,	Lanius,	Rinn,	Walter,
Curry,	Laucks,	Robertson,	Weimer,
Davis, W.,	Lauler,	Rogers,	Wells,
Dawson,	Leary,	Ross,	West,
Dean,	Lewis,	Rothenberger,	Whitaker,
Dell,	Lohr,	Rudisill,	Wickman,
Dewey,	Luppert,	Sampsel,	Williams, G. W.
Dithrich,	Malie,	Sarig,	Williams, J. P.,
Drake,	Mangan,	Schaeffer, A. C.,	Wobensmith,
Drinkhouse,	Marvin,	Scott,	Wood,
Dunn,	Maurer,	Shaffer, C. A.,	Woodward,
Eby,	McArdle,	Shattuck,	Wylie,
Ehrhardt,	McCaig,	Showalter,	Wynne,
Erdman,	McCullough,	Shunk,	Zanders,
Fackler,	McCurdy,	Siggins,	Baldwin,
Fitzgibbon,	McKay,	Simpson,	Speaker.
Flynn,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WALTER. Mr. Speaker, I desire to call up at this time from page 33 of to-day's calendar, bills on third reading postponed, Senate Bill No. 662 (House Bill No. 1440), File Folio 1437, for the purpose of amendment.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1440 (Senate Bill No. 662), entitled

An Act regulating the packing of apples providing penalties for violations and imposing certain duties upon the Department of Agriculture

On the question,
Will the House agree to the bill on third reading?

Mr. WALTER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend Section 1, line 6 by striking out after the word "repacked" the words "in addition to the other marks" and insert in lieu thereof the words "and shall be marked as."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. HESS. Mr. Speaker, I desire at this time to call up from the third reading postponed calendar, page 33, House Bill No. 1165,

Agreeably to order,
The House recurred the consideration on third reading of House Bill No. 1165, entitled

An Act exempting agricultural corporations from the payment of a bonus and of State taxes upon their capital stock

And said bill having been read at length the third time, considered and agreed to

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—43.

Aston,	Erdman,	Hollingsworth,	Milner,
Bell,	Fackler,	Horne,	Mitchell,
Beyer,	Franklin,	Jennings,	Ramsey,
Chestnut,	Golder,	Lafferty,	Reitzel,
Conner,	Goodwin,	Lohr,	Ringler,
Corbin,	Gransback,	Malie,	Rinn,
Cox,	Hess,	Marvin,	Rothenberger,
Curry,	Heyburn,	McCurdy,	Strauss,
Davis, W.,	Hibshman,	McKay,	Weimer,
Eby,	Hoffman,	McNichol,	Wood,
Ehrhardt,	Hollern,	Mearkle,	

NAYS—75.

Aron,	Goodnough,	Musser,	Snyder,
Arthur,	Gormley,	Ogden,	Somerman,
Baldridge,	Horton,	Patterson,	Sones,
Barner,	Hough,	Perry,	Speicher,
Benchoff,	Howarth,	Rhodes, W. M.,	Sprowls,
Benninger,	Isherwood,	Rich,	Stadtlander,
Bidelspacher,	Jones,	Robertson,	Sterling,
Black,	Kennedy,	Rogers,	Stites,
Bovee,	Lanius,	Ruddy,	Swartz,
Brumbaugh,	Lauler,	Sampsel,	Sweitzer,
Clements,	Leary,	Schaeffer, A. C.,	Taylor,
Coldsmith,	Luppert,	Shunk,	Vodges,
Crosby,	McCaig,	Siggins,	Wallace,
Cummins,	McCullough,	Simpson,	Walter,
Dean,	McKinney,	Sinclair,	Whitaker,
Dithrich,	McPeake,	Smith, F. I.,	Williams, G. W.
Fitzgibbon,	Michel,	Smith, J. W.,	Wobensmith,
Flynn,	Miller, A. D.,	Smith, L.,	Wylie,
Glass,	Miller, C. G.,	Smith, O. W.,	Baldwin, Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

CONSIDERATION OF VOTE ON SENATE BILL NO. 480.

Mr. SIGGINS. Mr. Speaker, I move that the vote by which Senate Bill No. 480, House Bill No. 1372, file folio 2807, entitled

An Act to amend section five of an act approved the fifteenth day of June, one thousand nine hundred and fifteen, entitled "An Act to amend, revise, and consolidate the law providing for the burial of certain honorably discharged soldiers, sailors and marines, at the expense of the counties in which they shall die or have a legal residence at the time of their death; to provide a system for effecting the burial of such soldiers, sailors, and marines; to provide headstones and markers for the graves of such soldiers, sailors, and marines; and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers, sailors and marines."

passed finally be re-considered.

Mr. C. A. SHAFFER. Mr. Speaker, I second the motion.

On the question,
Will the House agree to the motion?

Mr. SIGGINS. Mr. Speaker and gentlemen of the House, I wish to say that the other day when this bill was up on third reading, I offered some amendments to the bill. The amendments were not printed in the bill as it appears upon to-day's calendar; portions of the amendments were printed but not all of them, consequently I desire to have the vote reconsidered in order that the bill may be properly prepared.

On the question recurring,
Will the House agree to the motion.

It was agreed to.

Mr. SIGGINS. Mr. Speaker, I move that the vote by which Senate Bill No. 480, House Bill No. 1372, file folio 2807, passed on third reading be reconsidered.

Mr. C. A. SHAFFER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,
Will the House agree to the bill on third reading?

Mr. SIGGINS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:—

Amend section 5, page 3, by inserting after the word "authorized" in line 25, the words "and required."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserrted in accordance with the instructions of the House.

On the question,
Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1285, entitled

An Act to amend article 6 of the second section of an act approved the eleventh day of March one thousand eight hundred and ninety-one entitled "An Act to regulate the issue of policies of insurance and certificates of inspection made by steam boiler insurance companies in all cities of the first class"

On the question,
Will the House agree to the bill on third reading?

It was agreed to,

On the question,
Shall the bill pass finally?

Mr. PHILLIPS. Mr. Speaker, I would like to have the sponsor of this bill, the gentleman from Philadelphia, explain its provisions.

Mr. McNICHOL. Mr. Speaker, in the early part of the session a bill was introduced providing for the inspection of steam boilers in cities of the first class. That bill was known as House Bill No. 341. There was considerable objection to that bill on the part of those who own manufacturing plants because the provision of that bill called for an inspection by the state inspector, and one by the insurance company, and the closing down of the plant in order to permit the provisions of that bill to be operative would have been a hardship. The manufacturers made an objection, and I as sponsor of the bill, 341, arranged for a hearing between those who own boilers and the state authorities. The result of that conference is the measure that is now called for final action on the part of the House. everybody agreeing and satisfied, there being absolutely no objection. The purpose of this bill is a revenue raiser.

Those who are familiar with conditions in Philadelphia know that there are extensive improvements in contemplation and in operation, and in order to relieve real estate of an extra burden of taxation provision has been made to raise some money by an imposition of a tax that has been agreed to by all concerned.

Mr. STERN. Mr. Speaker and gentlemen of the House, contrary to the usual custom, my friend and I will not lock horns on this bill. We have agreed to make up and shake hands, and we all have agreed that this is a good bill.

On the question recurring
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Aron,	Eby,	McNichol,	Simpson,
Arthur,	Ehrhardt,	McPeake,	Sinclair,
Aston,	Erdman,	McVicar,	Smith, E. R.,
Baker,	Fackler,	Mearkle,	Smith, F. I.,
Baldi,	Fitzgibbon,	Mehring,	Smith, J. W.,
Baldridge,	Flynn,	Mervine,	Smith, L.,
Barner,	Fowler,	Miller, A. D.,	Smith, O. W.,
Bechtold,	Franklin,	Miller, C. G.,	Snowden,
Bell,	Fretz,	Miller, G. J. A.,	Somerman,
Benchoff,	Geary,	Milner,	Sones,
Bennett,	Glass,	Morgan, T.,	Speicher,
Benninger,	Goodnough,	Morgan, T. J.,	Sprowls,
Beyer,	Goodwin,	Murdoch,	Stadtlander,
Bidelspacher,	Gormley,	Murphy,	Sterling,
Black,	Graeff,	Musser,	Stern,
Bouton, V. B.,	Graham,	Neary,	Stites,
Bovee,	Gransback,	Ogden,	Stofflet,
Boyd,	Hecht,	Patterson,	Strauss,
Brady,	Heffernan,	Perry,	Sullivan,
Brumbaugh,	Hess,	Phillips,	Swartz,
Burnett,	Heyburn,	Pickering,	Sweitzer,
Campbell, J. O.,	Hollern,	Powell,	Thomas,
Campbell, T.,	Hollingsworth,	Ramsey,	Ulsh,
Canon,	Horne,	Reichenbacker,	Urich,
Chestnut,	Horton,	Reitzel,	Vickerman,
Christman,	Hough,	Rhodes, W. M.,	Wagner,
Clements,	Howarth,	Rich,	Walker,
Coldsmith,	Isherwood,	Ringler,	Wallace,
Conner,	Jennings,	Rininger,	Weimer,
Corbin,	Jones,	Rinn,	Wells,
Cox,	Kennedy,	Robertson,	West,
Crosby,	Lafferty,	Ross,	Whitaker,
Cummins,	Leary,	Rothenberger,	Wickman,
Curry,	Lewis,	Ruddy,	Williams, G. W.
Davis, D. F.,	Luppert,	Rudisill,	Williams, J. P.,
Davis, W.,	Malie,	Sampsel,	Wobensmith,
Dawson,	Marvin,	Sarig,	Wood,
Dean,	Maurer,	Schaeffer, A. C.,	Woodward,
Dell,	McArdle,	Scott,	Wylie,
Dithrich,	McCaig,	Shaffer, C. A.,	Wynne,
Donneley,	McCullough,	Shattuck,	Zanders,
Dean,	McCurdy,	Showalter,	Baldwin,
Drinkhouse,	McKay,	Siggins,	Speaker.
Dunn,			

NAYS—7.

Gans,	Hibshman,	Lohr,	Taylor,
Golder,	Lanius,	McKinney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 768, entitled

An Act to refund to Friedman Manufacturing Company of Pittsburgh Allegheny County money paid for a license to sell oleomargarine

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191.

Aron,	Flynn,	McNichol,	Siggins,
Arthur,	Franklin,	McPeake,	Simpson,
Aston,	Fretz,	McVicar,	Sinclair,
Baker,	Gans,	Mearkle,	Smith, E. R.,
Baldi,	Geary,	Mehring,	Smith, F. I.,
Baldridge,	Glass,	Mervine,	Smith, J. W.,
Barner,	Golder,	Michel,	Smith, L.,
Bechtold,	Goodnough,	Miller, A. D.,	Snowden,
Bell,	Goodwin,	Miller, C. G.,	Snyder,
Benchoff,	Gormley,	Miller, G. J. A.,	Somerman,
Bennett,	Graeff,	Milner,	Sones,
Benninger,	Graham,	Mitchell,	Spangler,
Beyer,	Gransback,	Morgan, T.,	Speicher,
Bidelspacher,	Haight,	Morgan, T. J.,	Sprowls,
Black,	Haldeman,	Murdoch,	Stadtlander,
Bouton, V. B.,	Hecht,	Murphy,	Steedle,
Bovee,	Heffernan,	Musser,	Sterling,
Boyd,	Helt,	Neary,	Stern,
Brady,	Hess,	Ogden,	Stites,
Brumbaugh,	Heyburn,	Palmer,	Stofflet,
Burnett,	Hibshman,	Patterson,	Strauss,
Campbell, J. O.,	Hoffman,	Perry,	Sullivan,
Campbell, T.,	Hollern,	Phillips,	Swartz,
Canon,	Hollingsworth,	Pickering,	Sweitzer,
Chestnut,	Horne,	Powell,	Thomas,
Christman,	Horton,	Ramsey,	Ulsh,
Clements,	Howarth,	Reichenbacher,	Urich,
Coldsmith,	Isherwood,	Reitzel,	Vickerman,
Conner,	Jennings,	Reynolds,	Vogdes,
Corbin,	Jones,	Rhoads, H. L.,	Wagner,
Cox,	Kennedy,	Rhodes, W. M.,	Walker,
Crosby,	Lafferty,	Rich,	Wallace,
Cummins,	Lanius,	Richards,	Walter,
Curry,	Laucks,	Ringler,	Weimer,
Davis, D. F.,	Lauler,	Rininger,	West,
Davis, W.,	Leary,	Robertson,	Whitaker,
Dawson,	Lewis,	Rogers,	Wickman,
Dean,	Lohr,	Rothenberger,	Williams, G. W.
Dell,	Luppert,	Ruddy,	Williams, J. P.,
Dithrich,	Malie,	Rudisill,	Wobensmith,
Donneley,	Mangan,	Sampsel,	Wood,
Drake,	Marvin,	Sarig,	Woodward,
Drinkhouse,	Maurer,	Schaeffer, A. C.,	Wylie,
Dunn,	McArdle,	Scott,	Wynne,
Eby,	McCaig,	Shaffer, C. A.,	Zanders,
Ehrhardt,	McCullough,	Shattuck,	Baldwin,
Erdman,	McCurdy,	Showalter,	Speaker.
Fackler,	McKay,	Shunk,	
Fitzgibbon,	McKinney,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 149, as follows:

An Act to amend an act approved the twenty-eighth day of May one thousand nine hundred thirteen entitled "An act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited" by providing also for the levying of a tax upon taxable residents in the district benefited

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-eighth day of May one thousand nine hundred thirteen (Pamphlet Laws three hundred seventy-one) entitled "An Act authorizing and empowering supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighing and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives in General Assembly met and it is hereby enacted by the authority of the same That the township supervisors of any township of the second class in this Commonwealth are hereby authorized and empowered on the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within said township to enter into contract with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said villages with electric light gas light or other illuminant" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the township supervisors of any township of the second class in this Commonwealth are hereby authorized and empowered on the petition of the owners of a majority of the lineal feet frontage or on the petition of a majority of the taxable residents along any highway or portion thereof in any village within said township to enter into contract with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said villages with electric light gas light or other illuminant

Section 2 That section two of said act which reads as follows

"Section 2 The township supervisors shall levy for the maintenance of said lights an annual tax upon the property abutting upon the said streets highways and other public places in the district benefited thereby based upon the assessment for county purposes Such tax (shall become a lien against such property to the same extent and with the same effect as other liens for taxes now authorized by law and) shall be collected in the same manner as other taxes the collector of taxes to receive the same commission as on the road tax Provided That no tax as herein provided shall be levied against any farm land nor shall any property be assessed hereunder or included in the provisions hereof unless the residence thereon shall be within five hundred feet of such highway" be and the same is hereby amended to read as follows

Section 2 The township supervisors shall levy for the maintenance of said lights an annual tax upon the property abutting upon the said streets highways and other public places and upon all residents taxable for township purposes in the district benefited thereby based upon the assessment for county purposes Such tax shall be collected in the same manner as other taxes for township purposes the collector of taxes to receive the same commission as on the road tax Provided That no tax as herein provided shall be levied against any farm land nor shall any property be assessed hereunder or included in the provisions hereof unless the residence thereon shall be within five hundred feet of such highway

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WILLIAM DAVIS. Mr. Speaker, I would like to ask the sponsor of this bill to explain the purposes of it.

Mr. STRAUSS. Mr. Speaker, and gentlemen of the House, the bill to which this is an amendment was passed in 1913. This bill does not enlarge the scope of the Act of 1913. The Act of 1913 left it all to the property owners within the limits to which the act would apply, it left it all to them. The amendment that I have offered here allows all within the limits to which the bill applies to have the right of saying whether they want the lights. And then as to the payment,—the payment for the lights was only to be made by the real estate owners. This taxes all, because all have the benefit of the light and they should equally pay. In other words, it gives every person living within the limits equal rights, and imposes equal obligations upon the parties.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Aron,	Fitzgibbon,	McNichol,	Sinclair,
Arthur,	Flynn,	McVicar,	Smith, E. R.,
Baker,	Franklin,	Michel,	Smith, F. I.,
Baldi,	Fretz,	Miller, C. G.,	Smith, J. W.,
Baldridge,	Gans,	Miller, G. J. A.,	Smith, O. W.,
Barner,	Golder,	Morgan, T.,	Somerman,
Bechtold,	Gormley,	Morgan, T. J.,	Sones,
Bennett,	Graeff,	Musser,	Sprowls,
Beyer,	Gransback,	Neary,	Stadtlander,
Black,	Heffernan,	Palmer,	Stern,
Bovee,	Hess,	Perry,	Stites,
Boyd,	Heyburn,	Pickering,	Stofflet,
Brady,	Hoffman,	Powell,	Strauss,
Brumbaugh,	Hollern,	Ramsey,	Swartz,
Campbell, J. O.,	Hough,	Reitzel,	Thomas,
Campbell, T.,	Howarth,	Rich,	Ulsh,
Canon,	Jones,	Richards,	Urich,
Christman,	Kennedy,	Ringler,	Vogdes,
Coldsmith,	Lafferty,	Rininger,	Weimer,
Conner,	Lanius,	Robertson,	West,
Cox,	Lauler,	Rothenberger,	Whitaker,
Curry,	Leary,	Ruddy,	Wickman,
Davis, D. F.,	Lewis,	Rudisill,	Wobensmith,
Dawson,	Luppert,	Sarig,	Woodward,
Dithrich,	Mangan,	Schaeffer, A. C.,	Wylie,
Donneley,	Maurer,	Scott,	Wynne,
Drinkhouse,	McCaig,	Shattuck,	Zanders,
Dunn,	McCullough,	Shunk,	Baldwin,
Ehrhardt,	McCurdy,	Siggins,	Speaker.
Fackler,	McKinney,		

NAYS—28.

Aston,	Drake,	Marvin,	Smith, L.,
Bell,	Glass,	McKay,	Snyder,
Bidelspacher,	Goodnough,	Miller, A. D.,	Wallace,
Chestnut,	Goodwin,	Ogden,	Walter,
Cook,	Horne,	Phillips,	Williams, G. W.
Corbin,	Horton,	Reichenbacher,	Williams, J. P.,
Dale,	Lohr,	Sampsel,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1305, as follows:

An Act to amend the title of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen entitled "An Act amending section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled 'An act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations and telegraph telephone or lgiht or power companies' extending the provisions thereof to street passenger railway motor traction gas or water companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of an act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-one) entitled "An Act amending section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled 'An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations and telegraph telephone or light or power companies' extending the provisions thereof to street passenger railway motor traction gas or water companies" which reads as follows

"An act amending section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations and telegraph telephone or light or power companies' extending the provisions thereof to street passenger railway motor traction gas or water companies" is hereby amended to read as follows

An act amending sections one three and six of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations and telegraph telephone or light or power companies" extending the provisions thereof to street passenger railway motor traction gas or water companies

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SIMPSON. Mr. Speaker, I would like to have the sponsor of this bill explain the provisions of it, and the necessity for that change.

Mr. GOODWIN. Mr. Speaker and gentlemen of the House, this act simply proposes to amend the title of the act of 1913. The act of July 6th, 1913, amended the act of April 17th, 1905. It amended sections one, three and six of the act of 1905, but the title of the act of 1913 only referred to section one; and this act is to amend the title of the act of 1913 so as to correspond with the body of the act.

Mr. SIMPSON. Mr. Speaker, I would like to have the sponsor of this bill explain the necessity for this or whether or not the passage of this bill will not deprive the municipalities of their police power over street railways and motor vehicles and in the granting of franchises for the purpose of laying tracks.

Mr. GOODMAN. Mr. Speaker, the present bill makes no change in the body of the act of 1913 whatsoever, only to make the title correspond to the body of the act. It has been doubted by some of our courts whether or not the act of 1913 would be constitutional as to sections three and six because the title of the act did not refer to those sections. The title of the act of 1913 only refers to section one of the act amended, whereas the body of the act also amends sections three and six. This act, the present bill, is to amend said title so as to cover the body of the act amending sections one, three and six. It is simply amending the title.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Aron,	Dell,	Hough,	Reichenbacher,
Arthur,	Dewey,	Isherwood,	Rhodes, W. M.,
Aston,	Donneley,	Jennings,	Rich,
Baker,	Drinkhouse,	Kennedy,	Rininger,

Baldi,	Dunn,	Lafferty,	Rinn,
Bechtold,	Eby,	Laucks,	Robertson,
Bell,	Ehrhardt,	Lewis,	Rudisill,
Benchoff,	Erdman,	Malie,	Sarig,
Bennett,	Fackler,	Marvin,	Scott,
Beyer,	Fitzgibbon,	McCaig,	Shaffer, C. A.,
Bidelspacher,	Flynn,	McCullough,	Shunk,
Black,	Fowler,	McKay,	Siggins,
Bovee,	Franklin,	McKinney,	Smith, E. R.,
Brady,	Fretz,	McNichol,	Smith, F. I.,
Brumbaugh,	Gans,	McVicar,	Snyder,
Campbell, J. O.,	Glass,	Mearkle,	Somerman,
Campbell, T.,	Golder,	Mehring,	Sones,
Canon,	Goodnough,	Mervine,	Spangler,
Chestnut,	Goodwin,	Miller, A. D.,	Stadtlander,
Christman,	Gormley,	Miller, C. G.,	Sterling,
Clements,	Graeff,	Miller, G. J. A.,	Stern,
Coldsmith,	Gransback,	Mitchell,	Strauss,
Conner,	Haldeman,	Morgan, T. J.,	Sweitzer,
Cook,	Hecht,	Murdoch,	Taylor,
Corbin,	Heffernan,	Murphy,	Ulsh,
Cox,	Helt,	Musser,	Urich,
Crosby,	Hess,	Neary,	Wallace,
Cummins,	Heyburn,	Ogden,	Weimer,
Curry,	Hibshman,	Palmer,	Whitaker,
Davis, D. F.,	Hoffman,	Patterson,	Williams, G. W.
Davis, W.,	Hollern,	Perry,	Wood,
Dawson,	Hollingsworth,	Powell,	Zanders,
Dean,	Horne,	Ramsey,	

NAYS—25.

Baldridge,	Jones,	Pickering,	Smith, O. W.,
Barner,	Lanius,	Ringler,	Sprowls,
Benninger,	Lauler,	Ross,	Stofflet,
Burnett,	Leary,	Rothenberger,	Walter,
Dithrich,	Lohr,	Sampsel,	Wickman,
Graham,	McCurdy,	Simpson,	
Howarth,	Phillips,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded in the third reading and consideration of House Bill No. 1326 (Senate No. 273), as follows:

An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties

Definitions.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

(1) "Retirement System" shall mean the arrangement for the payment of retirement allowances under the provisions of this act

(2) "Retirement Association" shall mean the employes' retirement association provided for in section three of this act

(3) "Retirement Board" shall mean the employes' retirement board provided for in section four of this act

(4) "Superintendent of Public Instruction" shall mean the Superintendent of Public Instruction of the Commonwealth of Pennsylvania

(5) "Public School" shall mean any class school high school normal school training school vocational school truant school parental school and any or all classes or schools within the State of Pennsylvania conducted under the order and superintendence of the Department of Public Instruction of the Commonwealth of Pennsylvania and of a duly elected or appointed board of public education board of school directors or board of trustees of the Commonwealth or of any school district or normal school district thereof and shall include the offices of the State Department of Public Instruction and the State Board of Education

(6) "Employer" shall mean the Commonwealth school district normal school district board or other committee by which the employe is paid

(7) "Employe" shall mean any teacher principal supervisor supervising principal county superintendent district superintendent assistant superintendent any member of the staff of the State normal schools or of the staff of the State Department of Public Instruction or of the staff of the State Board of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or under contract or engagement to perform one or more of these functions provided that no person shall be deemed an employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods In all cases of doubt the retirement board shall determine whether any person is an employe as defined in this act

(8) "Present Employe" shall mean any employe as defined in paragraph seven of this section employed in any capacity in connetcion with the public schools at the time this bill becomes a law and any employe who was employed prior to such time and who shall become a contributor within three years from the date of expiration of such employment.

(9) "New Entrant" shall mean any employe as defined in paragraph seven of this section appointed or elected or contracting or otherwise legally engaging to serve in any capacity in connection with the public schools after this bill becomes a law

(10) "Contributor" shall mean any person who has an account in the annuity savings fund

(11) "Beneficiary" shall mean any person in receipt of a retirement allowance or other benefit as provided in this act

(12) "School Service" shall mean any service as an employe as defined by paragraph (seven) of this section

(13) "Prior Service" shall mean all school service completed not later than the thirteenth day of June nineteen hundred eighteen

(14) "School Year" shall mean the official school year of the school district in which an employe is employed

(15) "Disablity Retirement" shall mean retirement as defined in section twelve of this act

(16) "Superannuation Retirement" shall mean retirement as defined in section thirteen of this act

(17) "Final Salary" shall mean the average annual salary not exceeding two thousand dollars earnable by a contributor as an employe for the ten years of service immediately preceding retirement

(18) "Accumulated Deductions" shall mean the total of the amounts deducted from the salary of a contributor and credited to his individual account in the annuity savings fund together with the regular interest thereon

(19) "Regular Interest" shall mean interest at four per cent per annum compounded annually

(20) "State Annuity" shall mean payments for life derived from contributions made by the Commonwealth of Pennsylvania as provided in this act

(21) "Employe's Annuity" shall mean payments for life derived from contributions made by a contributor as provided in this act

(22) "Retirement Allowance" shall mean the state annuity plus the employe's annuity

(23) "State Annuity Reserve" shall mean the present value computed on the basis of such mortality tables as shall be adopted by the retirement board with regular interest of the future payments to be made on account of any state annuity granted and based on contributions made by the Commonwealth of Pennsylvania

(24) "Employe's Annuity Reserve" shall mean the present value computed on the basis of such mortality tables as shall be adopted by the retirement board with regular interest of the future payments to be made on account of any employe's annuity granted and based on the accumulated deductions of the contributor

(25) "Expense Fund" shall mean the fund provided for in paragraph number two in section eight of this act

(26) "Contingent Reserve Fund" shall mean the fund provided for in paragraph number three in section eight of this act

(27) "State Annuity Reserve Fund" shall mean the fund provided for in paragraph number four in section eight of this act

(28) "State Annuity Reserve Fund Number Two" shall mean the fund provided for in paragraph number five in section eight of this act

(29) "Employe's Annuity Savings Fund" shall mean the fund provided for in paragraph number six in section eight of this act

(30) "Employe's Annuity Reserve Fund" shall mean the fund provided for in paragraph number seven in section eight of this act

Retirement System.

Section 2 The retirement system shall be established on the first day of July nineteen hundred eighteen

Employe's Retirement Association

Section 3 An employes' retirement association is hereby organized the membership of which shall consist of the following

1 All present employes except those specifically excluded by paragraph three of this section who by written application to the Superintendent of Public Instruction shall elect before the first day of July nineteen hundred eighteen to be covered by the retirement system

2 All new entrants except those specifically excluded by paragraph three of this section

3 Present employes who are members and new entrants who become members of a retirement system maintained under the laws of the Commonwealth from appropriations or contributions made wholly or in part by any employer and existing at the time this bill becomes a law shall be excluded from membership in this retirement association But should two-thirds of all the members participating in any such retirement system apply for membership in the retirement association by a petition duly signed and verified approved by their employer and filed with the retirement board all the persons included in the membership of such retirement system shall become members of the retirement association at such time within three months

after the filing of such petition as the retirement board shall designate Thereupon the retirement system of which they were members at the time they were included in the retirement association provided by this act shall be dissolved and discontinued as follows

The payment of retirement allowances or other benefits which were in effect at the time of such discontinuance shall become an obligation of the employer shall be continued as formerly provided by such retirement system and shall be paid out of such moneys excepting further contributions of members as were formerly available for such payment and the employer shall appropriate for such purpose such other moneys as shall be required

All present assets of such retirement system at the time of its discontinuance shall be transferred to the employer to be held and invested as a trust fund and disbursed only in payment to the before-mentioned retired members except that if the amount of such present assets exceed the present value of the future retirement allowances or other benefits of such retired members computed on the basis of such tables as the retirement board shall have adopted for similar classes of annuitants and of regular interest the amount of the excess shall thereupon be transferred to State annuity reserve fund number two. Upon the retirement of any contributor of the retirement association established by this act who has not received back any contributions which he made to such discontinued retirement system there shall be paid from State annuity reserve fund number two into employes' annuity reserve fund the amount of such contributions and he shall receive therefor such annuity or other benefit purchasable therewith as he may elect in addition to the other benefits provided by this act

The Retirement Board.

Section 4 A retirement board of seven members is hereby constituted which shall consist of the following

(a) The Superintendent of Public Instruction

(b) The Treasurer of the Commonwealth of Pennsylvania

(c) One member who shall be appointed by the Governor of the Commonwealth of Pennsylvania who shall serve until his successor is appointed

(d) Three members of the retirement association elected from among their number in a manner to be approved by the Superintendent of Public Instruction the State Treasurer and the member of the retirement board appointed by the Governor one to serve for one year one for two years and one for three years and whose successors shall be elected for a term of three years from among the members of the retirement association in a manner to be approved by the retirement board

(e) One member not an employe nor officer or employe of the State shall be elected annually by the board to serve for a term of one year

A vacancy occurring during a term shall be filled for the unexpired term by the appointment of a successor in the same manner as his predecessor Until the organization of the retirement association and the election of three representatives therefrom the Superintendent of Public Instruction the State Treasurer and the member appointed by the Governor are empowered to perform the duties of the retirement board

2 The members of the retirement board shall serve without compensation but shall be reimbursed from the expense fund for any necessary expenditures and no contributor shall suffer loss of salary or wages through serving on the retirement board

3 The retirement board shall elect from its membership a chairman and shall appoint a secretary an actuary and such medical clerical and other employes as may be necessary

4 The compensation of all persons employed by the retirement board shall be fixed by said retirement board

5 Subject to the limitations of this act and of law the retirement board shall from time to time establish rules and regulations for the administration of the funds created by this act and for the transaction of its business

6 The retirement board shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds created by this act

7 In the years nineteen hundred twenty and nineteen hundred twenty-three and in every fifth year thereafter the actuary of the retirement board shall make an actuarial investigation into the mortality and service experience of the contributors and beneficiaries as defined in this act and shall make a valuation of the various funds created by this act and on the basis of such investigation and valuation the retirement board shall

(a) Adopt for the retirement system one or more mortality tables and such other tables as shall be deemed necessary

(b) Certify the rates of deduction from salary necessary to pay the annuities authorized under the provisions of this act and

(c) Certify the rates of contribution expressed as a percentage of the salary of new entrants at various ages which shall be made by the Commonwealth to the contingent reserve fund

8 Immediately after the passage of this act the actuary of the retirement board shall make such investigation of the mortality service and salary experience of the employes of the public schools as he shall recommend and the retirement board shall authorize for the purpose of determining upon the proper tables to be prepared and submitted to the retirement board for adoption On the basis of such investigation and recommendation the retirement board shall adopt such tables and certify such rates as are required in subsections a b and c of paragraph seven immediately preceding On the basis of such tables the actuary of the retirement board shall immediately after the first day of July nineteen hundred eighteen make a valuation of the various funds created by this act

9. The retirement board shall publish annually a report showing the condition of the various funds created by this act and setting forth such other facts recommendations and data as may be of use in the advancement of knowledge concerning employes' pensions and annuities and said retirement board shall submit said report to the Governor of the Commonwealth of Pennsylvania and shall file copies thereof in the offices of the State Department of Public Instruction of the State Insurance Department and of each employer for use of the employes and the public

10. Each member of the retirement board shall take an oath of office that he will so far as it devolves upon him diligently and honestly administer the affairs of said retirement board and that he will not knowingly violate or wilfully permit to be violated any of the provisions of law applicable to this act Such oath shall be subscribed by the member making it and certified by the officer before whom it is taken and shall be immediately filed in the office of the Secretary of State

11 The retirement board shall keep a record of all of of its proceedings which shall be open to inspection by the public

12. The retirement board shall perform such other functions as are required for the execution of the provisions of this act

Corporate Powers

Section 5 For the purposes of this act the retirement board shall possess the powers and privileges of a corporation The Attorney General of the Commonwealth of Pennsylvania shall be the legal adviser of said retirement board

Management of the Funds

Section 6 The funds created by this act shall be managed as follows

1 The members of the retirement board shall be the trustees of the several funds created by this act and shall have full power to invest the same subject however to all the terms conditions limitations and restrictions imposed by this act upon the making of investments and subject also to the terms conditions limitations and restrictions imposed by law upon savings banks in the making and disposing of their investments and subject to like terms conditions limitations and restrictions said trustees shall have full power to hold purchase sell assign transfer or dispose of any of the securities and investments in which any of the funds created by this act shall have been invested as well as of the proceeds of said investments and of any moneys belonging to said funds

2 The retirement board shall annually allow regular interest on the mean amount for the preceding year in each of the funds created in accordance with the provisions of this act with the exception of the expense fund The amount so allowed shall be due and payable to such funds and shall be annually credited there to by the retirement board

3 The treasurer of this Commonwealth shall be the custodian of the several funds created by this act

4 All payments from the funds created by this act shall be made by the State Treasurer only upon warrants signed by the chairman of the retirement board and countersigned by the secretary of the retirement board and on warrant shall be drawn except by order of the retirement board duly entered in the record of its proceedings

5 For the purpose of meeting disbursements for annuities and other payments in excess of the receipts there may be kept an available fund not exceeding ten per centum of the total amount in the several funds created by this act on deposit in any bank in this Commonwealth organized under the laws thereof or under the laws of the United States or with any trust company incorporated by any law of this Commonwealth provided said bank or trust company shall furnish adequate security for said funds and provided that the sum so deposited in any one bank or trust company shall not exceed twenty-five per centum of the paid-up capital and surplus of said bank or trust company

6 Except as herein provided no trustee or any person connected with the retirement board shall have any interest direct or indirect in the gains or profits of any investment made by the retirement board nor as such directly or indirectly receive any pay or emoluments for his or her services And no trustee or person connected with said retirement board directly or indirectly for himself or herself or as an agent or partner of others shall borrow any of its funds or deposits or in any manner use the same except to make such current and necessary payments as are authorized by the board of trustees nor shall any trustee or person connected with said retirement board become an endorser or surety or become in any manner an obligor for moneys loaned by or borrowed of said retirement board

Duties of the Employer

Section 7 Each employer shall before employing any person to whom this act may apply notify such person of his or her duties and obligations under this act as a condition of his or her employment.

2 During September of each year each employer shall certify to the retirement board the name of all employes to whom this act applies

3 Each employer shall on the first day of each calendar month notify the retirement board of the employment of new employes' removals withdrawals and changes in salary of employes that shall have occurred during the month

4 Under the direction of the retirement board each employer shall furnish such other information as the board may require in the discharge of its duties

5 Each employer shall cause to be deducted on each and every payroll of a contributor for each and every payroll period subsequent to June thirtieth nineteen hundred eighteen such per centum of the total amount of salary earnable by the contributor in such payroll period as shall be certified to said employer by the retirement board as proper in accordance with the provisions of this act No deductions shall be made from that part of the salary earnable by any contributor which is at a rate in excess of two thousand dollars per annum In determining the amount earnable by a contributor in a payroll period the retirement board may consider the rate of salary payable to such contributor on the first day of each regular payroll period as continuing throughout such payroll period and it may omit salary deductions for any period less than a full payroll period in cases where the employe was not a contributor on the first day of the regular payroll period and to facilitate the making of the deductions it may modify the deduction required of any contributor by such amount as shall not exceed one-tenth of one per centum of the salary upon the basis of which the deduction is to be made the deductions provided herein shall be made notwithstanding that minimum salaries provided for by the laws ordinances resolutions or other acts of the Commonwealth or of any other employer shall be reduced thereby each employer shall certify to the treasurer of said employer on each and every payroll a statement as voucher for the amounts so deducted and shall send a duplicate of such statement to the secretary of the retirement board

6 The treasurer of each employer on receipt from the employer of the voucher for deductions from the salaries of employes provided in paragraph five of this section shall transmit monthly or at such times as the retirement board shall designate the amounts specified in such voucher to the secretary of the retirement board The secretary of the retirement board after making a record of all such receipts shall pay them to the treasurer of the Commonwealth for use according to the provisions of this act

7 Each employer shall keep such records as the retirement board may require

Funds

Section 8 The funds hereby created are the expense fund the contingent reserve fund State annuity reserve fund State annuity reserve fund number two the employes' annuity savings fund and the employes' annuity reserve fund

2 The expense fund shall consist of such amounts as shall be paid by the Commonwealth on the basis of estimates submitted by the retirement board to defray the expenses of the administration of this act exclusive of the payment of retirement allowances and of the other benefits provided for in this act

3 In the month of July nineteen hundred nineteen for a period covering the twelve months next preceding and semi-annually thereafter covering the six months next preceding the Commonwealth of Pennsylvania shall pay into a fund to be known as the contingent reserve fund on account of each new entrant who was a contributor for one or more months of such respective periods such amount as shall be certified by the retirement board as necessary to provide by such method of payment during the prospective active service of such new entrant the State annuity reserve required at the time of retirement for the disability or superannuation State annuity allowable by the said Commonwealth under the provisions of this act The amount so certified by the retirement board shall be computed to bear a ratio to the salary earnable by such new entrant during the period for which the amount is certified which shall remain constant during his entire period of prospective active service and shall be based on such mortality and other tables as shall be adopted by the retirement board and on regular interest

4 Upon the retirement of a new entrant an amount equal to his or her State annuity reserve shall be transferred from the contingent reserve fund into a fund to be known as State annuity reserve fund his or her State annuity shall be paid from said State annuity reserve fund Should said new entrant be subsequently restored to active service his or her State annuity reserve shall thereupon be transferred from State annuity reserve fund to the contingent reserve fund Should the State annuity of any such new entrant be otherwise reduced or discontinued in accordance with the provisions of this act his or her State annuity reserve or such proportionate part of his or her State annuity reserve as corresponds to the amount of the reduction in his or her State annuity shall be transferred from State annuity reserve fund to the contingent reserve fund

5 Beginning with the month of July nineteen hundred eighteen and continuing until the accumulated reserve equals the present value as computed by the actuary of the retirement board and approved by the retirement board of all State annuity payments thereafter payable by the Commonwealth on account of present employes then retired or to be retired on State annuities as provided in this act the said Commonwealth shall pay semi-annually into a fund to be known as State annuity reserve fund number two an amount equal to two and eight-tenths (2.8) per-centum of the total compensation paid to all contributors for service during the preceding school year and in every case an amount at least three percentum greater than the second preceding semi-annual payment provided that in every case the amount shall be sufficient when combined with that in the fund to provide the pensions payable by the Commonwealth during the half-year then current to present employes then retired or to be retired as provided in this act Upon the retirement of a present employe his State annuity shall be paid from State annuity reserve fund number two

6 The employes' annuity savings fund shall consist of the accumulated deductions from the salaries of contributors made under such rules and regulations as the retirement board shall prescribe as follows

From the salary of each employe who is a contributor there shall be deducted such percentum of his or her earnable salary not exceeding two thousand dollars per annum as shall be computed to be sufficient with regular interest to procure for him or her on superannuation retirement at age sixty-two an employe's annuity equal to one one-hundred sixtieth (1-160) of his or her final salary for each year of service after the thirtieth day of June nineteen hundred eighteen except that if the deduction so computed shall exceed five percentum of his or her earnable salary and the employe shall so elect there shall be deducted five percentum of his or her earnable salary and further provided that a beneficiary restored to school service shall not be required to contribute at a percentum rate of his or her earnable salary which is greater than the percentum thereof which he or she was required to contribute prior to his or her retirement the rate percentum of said deduction from his or her salary shall be based on such mortality and other tables as the retirement board shall adopt together with regular interest and shall be computed to remain constant during the prospective school service of the contributor

7 Upon the retirement of a contributor his or her accumulated deductions shall be transferred from the employes' annuity savings fund to a fund to be known as the employes' annuity reserve fund his or her employes' annuity shall be paid out of said employes' annuity reserve fund Should said contributor be subsequently restored to active service his or her employes' annuity reserve shall thereupon be transferred from the employes' annuity reserve fund to the employes' annuity savings fund

8 No contributor shall be required to continue to contribute to the employes' annuity savings fund after he shall have become eligible for superannuation retirement all contributions made thereafter to said fund shall be voluntary

State Guaranty

Section 9 Regular interest charges payable the creation and maintenance of reserves in the contingent reserve fund and the maintenance of employers' annuity reserves and State annuity reserves as provided for in this act and the payment of all retirement allowances and other benefits granted by the retirement board under the provisions of this act are hereby made obligations of the Commonwealth of Pennsylvania All income interest and dividends derived from deposits and investments authorized by this act shall be used for the payment of the said obligations of the Commonwealth The retirement board shall prepare and submit to the Legislature on or before the thirty-first day of January in each odd-numbered year an itemized estimate of the amounts necessary to be appropriated by the Commonwealth to the various funds to complete the payment of the said obligations of said Commonwealth accruing during the biennium beginning July first of the same year and it shall be the duty of said legislature to make an appropriation sufficient to provide for such obligations of the Commonwealth and the amounts so appropriated shall be included in the general appropriation bill and shall be paid by the Treasurer of the Commonwealth into the various funds created by this act For the biennium beginning July first nineteen hundred seventeen there is hereby appropriated to the expense fund created by section eight paragraph two of this act such sum not to exceed twenty thousand dollars as shall be certified to the Treasurer of the Commonwealth by the retirement board as necessary to meet the expenses of establishing the retirement system constituted by the provisions of this act For said biennium there is hereby appropriated and the Treasurer of the Commonwealth of Pennsylvania is hereby authorized and directed to pay into pension reserve fund number two the amounts which shall become due in such period from the Commonwealth of Pennsylvania to such fund under the provision of section eight paragraph five of this act

Service Allowance

Section 10 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each contributor by the retirement board for each school year of service as an employe as defined in section one paragraph seven of this act Under such rules and regulations as the retirement board shall adopt each employe shall file with the retirement board a detailed statement of all such service rendered by him or her As soon as practicable thereafter the retirement board shall verify such statement as to prior service and shall issue to each employe a certificate certifying to the aggregate length of his or her prior service Such certificate shall be final and conclusive as to his or her prior service unless thereafter modified (a) by the retirement board upon application by the employe or (b) by the State Superintendent of Public Instruction upon appli-

cation by the employe or by the retirement board provided such application for modification be made to said State Superintendent of Public Instruction within one year after the issuance of a certificate or a modified certificate by the retirement board A certificate for prior service issued to a present employe shall certify the total number of completed years of prior service allowance for said present employe to and including the thirtieth day of June nineteen hundred eighteen The time during which an employe is absent without pay shall not be counted in computing the prior service the total service or the average salary of a contributor unless allowed by the employer by whom said contributor was employed at the time said leave of absence was granted and further unless said allowance is approved by the retirement board

Withdrawal

Section 11 Should a contributor by resignation or dismissal or in any other way than by death or retirement separate from the school service he or she shall be paid on demand (a) the full amount of the accumulated deductions standing to the credit of his or her individual account in the annuity savings fund or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity which shall be the actuarial equivalent of said accumulated deductions His or her membership in the retirement association shall thereupon cease

2 Should an employe so separated from the school service return within three years and restore to the annuity savings fund his or her accumulated deductions as they were at the time of his or her separation the annuity rights forfeited by cumulated deductions shall be paid to his or her estate or to him of her at that time shall be restored

3 Should a contributor die before retirement his or her accumulated deductions shall be paid to his or her estate or to such person as he or she shall have nominated by written designation duly executed and filed with the retirement board

Disability Retirement

Section 12 Retirement upon disability shall be made and discontinued as follows

1 Upon the application of a contributor who is an employe or of one acting in his or her behalf or upon the application if the employer of a contributor the retirement board shall retire said contributor on a disability allowance if he or she is under the age of sixty-two years and on a superannuation allowance if he or she has attained or passed such age provided the physician or physicians designated by said board after a medical examination of said contributor made at the place of residence of said contributor or at a place mutually agreed upon shall certify to the retirement board that said contributor is physically or mentally incapacitated for the performance of duty and that said contributor ought to be retired and provided further that said contributor has had ten or more school years of school service

2 Once each year the retirement board may require any disability annuitant while still under the age of sixty-two years to undergo medical examination by a physician or physicians designated by the retirement board said examination to be made at the place of residence of said beneficiary or other place mutually agreed upon Should such physician or physicians thereupon report and certify to the retirement board that such disability beneficary is no longer physically or mentally incapacitated for the performance of duty or that such disability beneficiary is able to engage in a gainful occupation and should the retirement board concur in such report then the amount of the State annuity shall be discontinued or reduced to an amount that shall be not in excess of the amount by which the amount of the last year's salary of the beneficiary as an employe exceeds the present earning capacity of the contributor

3 Should any disability annuitant while under the age of sixty-two years refuse to submit to at least one medical examination in any year by a physician or physicians designated by the retirement board his or her State annuity shall be discontinued until the withdrawal of such refusal and should such refusal continue for one year all his or her rights in and to the State annuity constituted by this act shall be forfeited

4 Upon application of any beneficiary under the age of sixty-two years drawing a retirement allowance under the provisions of this act said beneficiary may be restored to active service by the employer by whom he or she was employed at the time of his or her retirement Upon the restoration of a beneficiary to active service his or her retirement allowance shall cease

Allowance on Disability Retirement

5 On retirement for disability a contributor who is an employe shall receive a retirement allowance which shall consist of

(a) An employe's annuity which shall be the acturial equivalent of his or her accumulated deductions and

(b) A State annuity which together with the employe's annuity shall be sufficient to produce a retirement allowance of one-ninetieth of his or her final salary multiplied by the number of his or her years of service but in any case not less than thirty per centum of said final salary shall exceed eight-ninths of the rate of retirement allowance to which the employe might have been entitled had retirement been deferred until age sixty-two then the State annuity granted shall be such as to make the rate of the total retirement allowance equal to eight-ninths of the rate of allowance to which the employe might have been entitled had retirement been deferred until age sixty-two

Superannuation Retirement

Section 13 Retirement for superannuation shall be as follows

1 Any contributor who is an employe sixty-two years of age or older may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at which time subsequent to the execution of said application he or she desires to be retired Said application shall retire said contributor at the time so specified or in the discretion of the retirement board at the end of the school term in which the time so specified occurs

2 Each and every contributor who has attained or shall attain the age of seventy years shall be retired by the retirement board for superannuation forthwith or at the end of the school term in which said age of seventy years is attained

Allowance on Superannuation Retirement

3 On retirement for superannuation a contributor who is an employe shall receive a retirement allowance which shall consist of

(a) A teacher's annuity which shall be the actuarial equivalent of his or her accumulated deduction and

(b) A State annuity of one one-hundred sixtieth (1-160) of his or her final salary for each year of service prior to the age of sixty-two years and

(c) In addition thereto if a present employe a further State annuity of one one-hundred sixtieth (1-160) of his or her final salary for each year of prior service as certified to said present employe in the certificate issued to him or her by the retirement board under the provisions of section ten of this act but in no event shall the total State annuity exceed fifty percentum of his or her final salary

Options

Section 14 At the time of his or her retirement any contributor may elect to receive his or her benefits in a retirement allowance payable throughout life or he or she may on retirement elect to receive the actuarial equivalent at that time of his employe's annuity his or her State annuity or his retirement allowance in a lesser employe's annuity or a lesser State annuity or a lesser retirement allowance payable throughout life with the provision that

Option 1 If he or she die before he has received in payments the present value of his or her employe's annuity his State annuity or his or her retirement allowance as it was at the time of his retirement the balance shall be paid to his or her legal representatives or to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 2 Upon his or her death his employe's annuity his State annuity or his or her retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 3 Upon his or her death one-half of his or her employe's annuity his or her State annuity or his or her retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 4 Some other benefit or benefits shall be paid to either the contributor of such other person or persons as he or she shall nominate provided such other benefit or benefits shall together with such lesser employe's annuity or lesser State annuity or lesser retirement allowance be certified by the actuary of the retirement board to be equivalnt actuarial value and shall be approved by the retirement board

Monthly Payments

Section 15 An employes' annuity a State annuity or a retirement allowance granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed except as otherwise provided in this act

State Supervision

Section 16 The various funds created by this act shall be subject to the supervision of the State Department of Insurance

Exemptions from Execution

Section 17 The right of a person to an employe's annuity a State annuity or retirement allowance to the return of contributions any benefit or right accrued or accruing to any person under the provisions of this act and the moneys in the various funds created under this act are hereby exempt from any State or municipal tax and exempt from levy and sale garnishment attachment or any other process whatsoever and shall be unassignable except as in this act specifically otherwise provided

Section 18 Any person who shall knowingly make any false statement or shall fasify or permit to be falsified any record or records of this retirement system in any attempt to defraud such system as a result of such act

shall be guilty of a misdemeanor and shall be punishable for such under the laws of the Commonwealth of Pennsylvania Should any such change in records or any mistake in records result in any employe or beneficiary receiving from the retirement system more or less than he or she would have been entitled to receive had the records been correct then on the discovery of any such error the retirement board shall correct such error, and so far as practicable shall adjust the payments which may be made for and to such person in such a manner that the actuarial equivalent of the benefit to which he or she was correctly entitled shall be paid.

Section 19 This act shall take effect immediately

On the question,

Will the House agree to the bill on third reading.

BILL RECOMMITTED.

Mr. RAMSEY. Mr. Speaker, as this bill carries with it an appropriation and as it is the desire of the Appropriation Committee that they might have this bill in order to provide the appropriation necessary, I move you that it be recommitted to the Committee on Appropriations.

Mr. EDGAR R. SMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration of House Bill No. 1127, entitled

An Act empowering cities and boroughs to provide for the licensing of cats

And said bill having been read at length the second time and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—80.

Aron,	Dunn,	Leary,	Smith, F. I.,
Baker,	Fitzgibbon,	McArdle,	Sprowls,
Baldi,	Flynn,	McCurdy,	Stadtlander,
Baldridge,	Franklin,	McKay,	Sterling,
Bennett,	Gans,	McNichol,	Stern,
Benninger,	Glass,	McPeake,	Stites,
Beyer,	Golder,	Mehring,	Stofflet,
Bidelspacher,	Graeff,	Milner,	Strauss,
Black,	Graham,	Morgan, T. J.,	Taylor,
Brady,	Gransback,	Perry,	Vogdes,
Campbell, T.,	Haight,	Phillips,	Wagner,
Canon,	Helt,	Powell,	Walker,
Christman,	Hess,	Rich,	Wallace,
Conner,	Hibshman,	Rogers,	Wells,
Corbin,	Hoffman,	Ross,	Whitaker,
Crosby,	Hollern,	Rudisill,	Wickman,
Davis, W.,	Howarth,	Schaeffer, A. C.,	Wobensmith,
Dean,	Jones,	Shunk,	Wood,
Dithrich,	Kennedy,	Simpson,	Zanders,
Drinkhouse,	Lanius,	Sinclair,	

NAYS—64.

Arthur,	Hough,	Neary,	Shaffer, C. A.,
Aston,	Lafferty,	Ogden,	Shattuck,
Barner,	Lewis,	Palmer,	Siggins,
Bechtold,	Lohr,	Patterson,	Smith, E. R.,
Benchoff,	Malie,	Pickering,	Snyder,
Brumbaugh,	Mangan,	Ramsey,	Sones,
Chestnut,	Marvin,	Reichenbacher,	Speicher,
Clements,	McCullough,	Reitzel,	Sweitzer,
Coldsmith,	McKinney,	Rhodes, W. M.,	Ulsh,
Ehrhardt,	McVicar,	Ringler,	Vickerman,
Erdman,	Miller, A. D.,	Rininger,	Walter,
Fretz,	Miller, G. J. A.,	Rinn,	Williams, G. W.
Goodnough,	Mitchell,	Robertson,	Williams, J. P.,
Haldeman,	Murdoch,	Rothenberger,	Woodward,
Heyburn,	Murphy,	Sampsel,	Baldwin.
Hollingsworth,	Musser,	Scott,	Speaker.
Horton,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1380, as follows:

An Act to amend section one of an act approved the fifteenth day of July one thousand eight hundred ninety-seven entitled "An Act to provide revenue by taxation"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the fifteenth day of July one thousand eight hundred ninety-seven (Pamphlet Laws two hundred and ninety-two) entitled "An Act to provide revenue by taxation" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the twentieth day of June in each and every year make to the Auditor General a report in writing verified by the oath or affirmation of the president cashier or treasurer setting forth the full number of shares of the capital stock subscribed for or issued by such bank or savings institution and the actual value thereof which shall be ascertained as hereinbefore provided whereupon it shall be the duty of the Auditor General to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares The Auditor General shall have the power and it shall be his duty in case he shall not be satisfied with the correctness of the report as made by the officers of any bank or savings institution to summon the officers of said bank or savings institution to appear before him upon notice to do so on a day to be fixed by him and to bring with them the books of said bank or savings institution for his examination and he shall have the right to have further evidence to satisfy himself as to the correctness of the report made to him on the question of the value of the shares of stock of such bank or savings institution according to the rule hereinbefore stated After the Auditor General shall have fixed the value of the shares of stock in any bank or savings institution by the method hereinbefore provided and settled an account according to law he shall thereupon transmit to the president cashier or treasurer of such bank or savings institution a copy of such settlement showing the valuation and assessment so made by him and the amount of tax due the Commonwealth on all such shares And it shall be the duty of the president cashier or treasurer of any such bank or savings institution immediately upon the receipt of said settlement to post the same in a conspicuous place in such bank or savings institution so as to give notice to the shareholders of such valuation and it shall be the duty of the Auditor General to hear any shareholder upon the subject of the valuation of such shares of stock at the Auditor General's office within a period of thirty days from the date of said settlement It shall be the duty of every bank or savings institution within a period of forty days after the date of such settlement by the Auditor General at its option to pay the amount of said tax to the State Treasurer from its general fund or collect the same from its shareholders and pay over to the State Treasurer Provided That if any such bank or savings institution shall fail or refuse to make such report or to pay such tax at the time herein specified or shall make any false statement in such report or shall fail or refuse by its officers to appear before the Auditor General upon notice as aforesaid or shall fail or refuse to produce its books for examination when required to do so by the Auditor General he shall after having ascertained the actual value of each share of the capital stock of such bank or savings institution from the best information he can obtain add thereto fifty per centum as a penalty assess the tax as aforesaid and proceed according to law to collect the same from such bank or savings institution Provided further That if the president cashier or treasurer of any such bank or savings institution shall neglect or refuse to post the copy of the settlement in a conspicuous place in such bank or savings institution immediately upon the receipt of the same so as to give notice to the shareholders such president cashier or treasurer shall be adjudged to be in default and as a penalty for such default such bank or savings institution shall be responsible to the Commonwealth for the amount of the tax assessed against the shareholders of such bank or savings institution And provided further That in case any bank or savings institution having capital stock incorporated under the law of this States or of the United States shall collect annually from the shareholders thereof said tax of four mills on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the rule hereinbefore stated that has been subscribed for or issued and pay the same into the State Treasury on or before the first day of March in each year the shares and so much of the capital and profits of such bank or savings institution as shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon Except however that any bank or savings institution incorporated as aforesaid in lieu of the method hereinbefore set out for ascertaining the actual value of the shares of capital stock thereof may elect to collect annually from the stockholders thereof a tax of ten mills on the

dollar upon the par value of all shares of said bank that have been subscribed for or issued and pay the same into the State Treasury on or before the first day of March in each year and the shares of such bank or savings institution and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempted from local taxation under the laws of this Commonwealth" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every bank or savings institution having capital stock incorporated by or under any law of this Commonwealth or under any law of the United States and located within this Commonwealth shall on or before the twentieth day of June in each and every year make to the Auditor General a report in writing verified by the oath or affirmation of the president cashier or treasurer setting forth the full number of shares of the capital stock subscribed for or issued by such bank or savings institution and the actual value thereof which shall be ascertained as hereinbefore provided whereupon it shall be the duty of the Auditor General to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the State that is to say at the rate of four mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares The Auditor General shall have the power and it shall be his duty in case he shall not be satisfied with the correctness of the report as made by the officers of any bank or savings institution to summon the officers of said bank or savings institution to appear before him upon notice to do so on a day to be fixed by him and to bring with them the books of said bank or savings institution for his examination and he shall have the right to have further evidence to satisfy himself as to the correctness of the report made to him on the question of the value of the shares of stock of such bank or savings institution according to the rule hereinbefore stated After the Auditor General shall have fixed the value of the shares of stock in any bank or savings institution by the method hereinbefore provided and settled an account according to law he shall thereupon transmit to the president cashier or treasurer of such bank or savings institution a copy of such settlement showing the valuation and assessment so made by him and the amount of tax due the Commonwealth on all such shares And it shall be the duty of the president cashier or treasurer of any such bank or savings institution immediately upon the receipt of said settlement to post the same in a conspicuous place in such bank or savings institution so as to give notice to the shareholders of such valuation and it shall be the duty of the Auditor General to hear any shareholder upon the subject of the valuation of such shares of stock at the Auditor General's office within a period of thirty days from the date of said settlement It shall be the duty of every bank or savings institution within a period of forty days after the date of such settlement by the Auditor General at its option to pay the amount of said tax to the Stae Treasurer from is general fund or collect the same from its shareholders and pay over to the State Treasurer Provided That if any such bank or savings institution shall fail or refuse to make such report or to pay such tax at the time herein specified or shall make any false statement in such report or shall fail or refuse by its officers to appear before the Auditor General upon notice as aforesaid or shall fail or refuse to produce its books for examination when required to do so by the Auditor General he shall after having ascertained the actual value of each share of the capital stock of such bank or savings institution from the best information he can obtain add thereto fifty per centum as a penalty assess the tax as aforesaid and proceed according to law to collect the same from such bank or savings institution Provided further That if the president cashier or treasurer of any such bank or savings institution shall neglect or refuse to post the copy of the settlement in a conspicuaus place in such bank or savings institution immediately upon the receipt of the same so as to give notice to the shareholders such president cashier or treasurer shall be adjudged to be in default and as a penalty for such default such bank or savings institution shall be responsible to the Commonwealth for the amount of the tax assessed against the shareholders of such bank or savings institution And provided further That in case any bank or savings institution having capital stock incorporated under the law of this State or of the United States shall collect annually from the shareholders thereof said tax of four mills on the dollar upon the actual value of all the shares of stock of said bank or savings institution according to the rule hereinbefore stated that has been subscribed for or issued and pay the same into the State Treasury on or before the first day of March in each year the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate shall be exempt from local taxation under the laws of this Commonwealth and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation and shall not be required to pay any tax thereon

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question.

Shall the bill pass finally?

Mr. DEAN. Mr. Speaker and gentlemen of the House, this bill is a revenue bill. The banks at the present time have the privilege of paying in two ways, one by paying four mills on their capital stock, surplus and undivided profits, or they may pay ten mills on the capital stock and nothing on the surplus and undivided profits. That means that a number of banks in the state have profited by paying the ten mills, and the state is deprived of the revenue. There were two hundred and six national banks in 1915 that availed themselves of the privilege of paying the ten mills, and thirty of the state banks paid the ten mills. I think this is a just bill and a revenue measure. I have no interest in the matter except in the interest of the state. I have not presented the bill for any other purpose and I hope that it will pass.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—171.

Aron,	Goodnough,	McPeake,	Smith, E. R.,
Arthur,	Goodwin,	McVicar,	Smith, F. I.,
Aston,	Gormley,	Mearkle,	Smith, J. W.,
Baker,	Graeff,	Mehring,	Smith, O. W.,
Baldi,	Graham,	Mervine,	Snowden,
Baldridge,	Gransback,	Michel,	Somerman,
Bechtold,	Haight,	Miller, C. G.,	Sones,
Bell,	Haldeman,	Milner,	Spangler,
Benchoff,	Hecht,	Mitchell,	Speicher,
Benninger,	Heffernan,	Morgan, T.,	Sprowls,
Beyer,	Helt,	Murdoch,	Stadtlander,
Black,	Hess,	Murphy,	Sterling,
Brumbaugh,	Heyburn,	Musser,	Stern,
Burnett,	Hibshman,	Neary,	Stites,
Campbell, T.,	Hoffman,	Ogden,	Stofflet,
Canon,	Hollern,	Palmer,	Strauss,
Chestnut,	Hollingsworth,	Patterson,	Swartz,
Clements,	Horne,	Perry,	Sweitzer,
Coldsmith,	Horton,	Phillips,	Taylor,
Conner,	Hough,	Pickering,	Thomas,
Corbin,	Howarth,	Powell,	Ulsh,
Cox,	Isherwood,	Ramsey,	Urich,
Crosby,	Jennings,	Reichenbacker,	Vickerman,
Curry,	Jones,	Reitzel,	Vogdes,
Davis, W.,	Kennedy,	Rhoads, H. L.,	Wagner,
Dawson,	Lafferty,	Rhodes, W. M.,	Walker,
Dean,	Lanius,	Rich,	Wallace,
Dell,	Laucks,	Ringler,	Walter,
Dewey,	Lauler,	Rininger,	Weimer,
Dithrich,	Leary,	Rinn,	Wells,
Drinkhouse,	Lewis,	Robertson,	West,
Dunn,	Lohr,	Rogers,	Whitaker,
Eby,	Luppert,	Ross,	Wickman,
Ehrhardt,	Malie,	Rothenberger,	Williams, G. W.
Erdman,	Mangan,	Ruddy,	Williams, J. P.,
Fackler,	Marvin,	Rudisill,	Wobensmith,
Fitzgibbon,	Maurer,	Schaeffer, A. C.,	Wood,
Flynn,	McArdle,	Scott,	Woodward,
Franklin,	McCaig,	Shattuck,	Wylie,
Fretz,	McCullough,	Shunk,	Wynne,
Gans,	McCurdy,	Siggins,	Zanders,
Geary,	McKay,	Simpson,	Baldwin,
Glass,	McKinney,	Sinclair,	Speaker.
Golder,	McNichol,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPEAKER BALDWIN IN THE CHAIR.

ANNOUNCEMENT.

The SPEAKER. The Chair desires to announce to the House that he has received a telephone message that General Joffre and his accompanying representatives of France have been delayed through a wreck and will not be able to keep the appointment tomorrow at 1:00 o'clock, but probably tomorrow morning the Chair will be able to announce the time at which they will arrive.

MR. FLYNN IN THE CHAIR.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1268, as follows:

An Act authorizing any city of the first class to acquire street railway transit facilities within such city or adjacent thereto and the franchises for operating the same by the exercise of the power of eminent domain providing for the determination by The Public Service Commission subject to appeal of the amount of compensation to be paid for the properties and franchises taken and empowering such city to operate maintain use lease license or contract for the operation of the facilities so acquired

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "Street Railway Transit Facilities" as used in this act includes every railroad and railway by whatsoever power operated or any extension or extensions thereof for public use in the conveyance of passengers and property or both being mainly located upon over above below across through or along any street avenue road highway bridge or public place and the facilities plant and equipment thereof including tunnels subways bridges elevated structures tracks poles wires conduits power houses sub-stations lines for the transmission of power car-lines shops yards sidings turn-outs switches stations and approaches thereto cars and motive equipment and all works buildings appliances and appurtenances necessary and convenient for the proper construction equipment maintenance and operation of such railroad or railway

Section 2 For the purpose of operating any street railway transit facility or any part thereof any city of the first class within this Commonwealth shall have the power to enter upon take appropriate occupy and use any street railway transit facility and any franchise for the operation of the same within the corporate limits of such city and with the consent of the local authorities any existing street railway transit facility and any franchise for the operation of the same within the corporate limits of any adjacent city borough or township if such street railway transit facility or part thereof and franchise within such adjacent city borough or township is connected with and a part of a street railway transit facility within the corporate limits of such city of the first class or reasonably necessary as a connecting part of a street railway transit facilitiy intended to be purchased constructed or taken and appropriated by such city

Section 3 Whenever any city of the first class shall desire to enter upon take appropriate occupy and use any street railway transit facility and the franchise for the operation of the same under the provisions of this act it shall declare its intention so to do by ordinance duly enacted and the compensation or damages arising from its entry upon taking appropriating occupying and using such street railway transit facility and franchise shall be considered ascertained determined and paid in the manner hereinafter provided

Section 4 If the city and the owner owners of any street railway transit facility and the franchise for operating the same about to be taken under the powers conferred by this act shall agree upon the amount of compensation or damages to be paid by the said city for the said street railway transit facility or part thereof and franchise and the method of paying such compensation or damages they shall join in a petition to The Public Service Commission of the Commonwealth of Pennsylvania for the confirmation of the said agreement and The Public Service Commission shall confirm the same unless it shall believe that the amount agreed upon is excessive or that the method of payment is unlawful or unjust or unreasonable to the city

Section 5 (a) If the city and the owner or owners of the street railway transit facility and the franchise for operating the same about to be taken under the powers conferred by this act cannot agree as to the compensation or damages to be paid and the method of paying the same or if because of the absence or legal incapacity of such owner or owners or of any owner if there be more than one the amount of compensation or damages cannot be agreed upon or if although the amount and method of payment have been agreed upon The Public Service Commission shall have refused to confirm the same the said city may tender its bond in such legal sum as it may deem proper to the said owner or owners or the agent of any absent owner or owners or to the guardian or committee of any owner or owners under legal incapacity

(b) If the owner or owners shall not accept said bond as tendered the said city shall present its petition to The Public Service Commission to ascertain fix and determine the amount and character of the bond to be given to the owner or owners and when The Public Service Commission shall have fixed and determined the amount of such bond the city may file such bond with The Public Service Commission

(c) If the owner or any of the owners is absent unknown or under a legal incapacity or for any reason cannot have a bond tendered to him her or it The Public Service Commission shall upon proper petition setting forth the facts direct the filing of a bond to the Commonwealth of Pennsylvania in an amount to be fixed by the said Commission for the use of such owner or owners

(d) The condition of any bond provided for in this section shall be that the said city will pay or cause to be paid such amount of compensation or damages as the owner or owners shall be entitled to receive after the same shall have been agreed upon by the parties and confirmed or assessed in the manner provided by this act

(e) Upon the acceptance of any bond by the owner or owners or the filing thereof as provided by this section the city shall have the right to enter upon take use occupy and appropriate the street railway transit facility and franchise for the operation of the same mentioned in the said bond and the title acquired by virtue of the provisions of this act shall be the fee simple of absolute title

Section 6 If the amount of the compensation or damages for the said taking and appropriation has not been agreed upon and confirmed as hereinbefore provided the city shall petition The Public Service Commission to assess and determine the proper amount thereof and the said Public Service Commission shall after due notice to all parties interested and after such public hearings thereon as it shall deem necessary assess and determine the amount of compensation or damages to be paid by the city to the owners or owners aforesaid

Section 7 In ascertaining assessing and determing the amount of compensation or damages to be paid by the city the said Public Service Commission may determine every fact matter or thing which in its judgment does or may have any bearing on the fair amount of the compensation among other things the original cost of construction particularly with reference to the amount expended in existing and useful permanent improvements with such consideration for the amount in market value of the owner's bonds and stocks if the owner be a corporation the probable earning capacity of the property under particular rates prescribed by statute or ordinance or other municipal contract or fixed or proposed by The Public Service Commission and for the items of expenditures for obsolete equipment and construction as the circumstances and the historical development of the enterprise may warrant the reproduction cost of the property based upon the fair average price of materials property and labor and the development and going concern value of such street railway transit facility and these and other elements of value shall be given such weight by the commission as may be just and right in each case

Section 8 Within thirty days after the filing of any determination by The Public Service Commission of the amount of compensation or damages to be paid by any city for taking and appropriating any street railway transit facility and franchise for operating the same as provided by this act unless application for a rehearing be pending and then within thirty days after the refusal of such application any party to the proceedings may appeal therefrom to the Superior Court and the said court shall have the power to confirm the commission's determination or to direct the commission to reconsider the question and file a new determination modified and corrected in such manner as the court shall prescribe

If however any party shall desire a trial by jury such party within thirty days after the filing by The Public Service Commission of its determination or if an application for a rehearing shall have been made within thirty days after the refusal of such application shall take an appeal to the court of common pleas of the county containing the street railway transit facility or part thereof and franchise in question demanding a jury trial according to the course of the common law Upon any such trial the determination of The Public Service Commission and any opinion rendered by the said commission in connection therewith shall be admissible in evidence Upon the entry of final judgment on any issue had upon any such trial either party shall have the right to an appeal to the Superior or Supreme Court as in other cases

Section 9 When the amount of the compensation or damages to be paid to the owner or owners of any street railway transit facility and franchise for operating the same taken and appropriated under the provisions of this act shall have been agreed upon and confirmed as provided by this act such city of the first class shall make payment in the manner agreed upon and confirmed or if the amount to be paid shall not have been agreed upon payment shall be made in such manner and in such amounts as The Public Service Commission or the court as the court as the case may be shall have determined

Section 10 Any city of the first class which shall have taken and appropriated any street railway transit facility and the franchise for operating the same shall have the power to own maintain use operate and lease the same or to grant licenses for the operation thereof or to enter into operating agreements therefor

Section 11 If any of the powers conferred on any city of the first class by section ten of this act shall be deemed unconstitutional the court's decision holding the same unconstitutional shall not affect the validity of the remaining provisions of this act it being the intention of the Legislature that every power conferred upon any city of the first class by this act is a separate and distinct power

On the question.

Will the House agree to the bill on third reading?

It was agreed to.

On the question.

Shall the bill pass finally?

BILL POSTPONED.

Mr. HECHT. Mr. Speaker, I have agreed to postpone this bill for the present and I therefore move that further consideration of it be postponed for the present.

Mr. STERN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1424, as follows:

An Act for the imposition and collection of certain inheritance taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all estates real personal and mixed of every kind whatsoever situated within this Commonwealth whether the person dying seized thereof be domiciled within or without this Commonwealth and all such estates situated in another State, territory or country when the person dying seized thereof shall have his domicile within this Commonwealth passing from any person who may die seized or possessed of such estates either by will or under the intestate laws of this Commonwealth or any part of such estates or interests therein transferred by deed grant bargain or sale made or intended to take effect in possession or enjoyment after the death of the grantor or bargainer to or for the use of father mother husband wife children lineal descendants born in lawful wedlock children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed or to legally adopted children are hereby made subject to a tax of two ($2) dollars on every hundred dollars of the clear value of such estates and at the same rate for any less amount to be paid to the use of the Commonwealth

The tax hereinbefore provided is also imposed on any estate passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such illegitimate child his wife or widow Such tax also applies to any estate passing from an illegitimate child to his mother

Section 2 The register of wills of the county in which letters testamentary or of administration are granted shall appoint an appraiser whenever occasion may require to fix the value of the estates hereinbefore subjected to tax Such appraiser shall make a fair conscionable appraisement of such estates and assess and fix the cash value of all annuities and life estates growing out of said estates upon which annuities and life estates the tax imposed by this act shall be immediately payable out of the estate at the rate of such valuation

Section 3 The compensation of such appraisers shall be as follows namely For each day during which an appraiser shall actually be engaged in making appraisements of property subject to the tax he shall receive the sum of two dollars If it shall be necessary for the appraiser to travel from his place or residence to appraise property subject to the tax he shall be allowed such actual necessary traveling expenses as he may incur which expenses shall be itemized in a sworn statement to be returned to the register and subject to the final approval of the auditor general

Section 4 Whenever because of the complicated nature of an estate subject to the payment of such tax the interest of the Commonwealth shall require the appointment as appraiser of such estate of a person possessed of expert or technical knowledge to ascertain the value thereof reasonable additional compensation shall be allowed such appraiser for the exercise of such expert or technical knowledge In case where after the appointment of an appraiser it shall appear that the proper appraisement of said estate will require the services of a person possessed of expert or technical knowledge whereof the appraiser appointed is not possessed the appraiser may employ the services of a person possessed of expert or technical knowledge to assist him in the appraisement and for such services the person so employed shall receive reasonable compensation In all such cases the register of will appointing the appraiser shall certify to the auditor general that there is an actual necessity for the appointment of an appraiser possessed of expert or technical knowledge or that the appraiser already appointed to appraise the estate in question should be assisted by a person possessed of such knowledge No person shall be appointed as such expert appraiser or as expert assistant to the appraiser until the approval of the auditor general of said appointment is first obtained nor shall any payment be made to any appraiser or to any person employed by him under this section until an itemized statement of the services performed and the compensation recommended shall have been rendered under oath or affirmation to the auditor general for his approval and shall have received the same No clerk or other person employed in the office of a register of wills shall be appointed as an expert appraiser of an estate subject to the payment of such tax nor as an expert to assist the appraiser of such estate

Section 5 It shall be a misdemeanor for an appraiser to take any fee or reward from any executor or administrator legatee lineal descendent or heir of any decedent and for any such offense the register shall dismiss him from such service Upon conviction of such misdemeanor such appraiser shall be fined not exceeding five hundred dollars or imprisoned not exceeding one year or both

Section 6 Any person not satisfied with any appraisement may appeal within thirty days to the orphans' court on paying or giving security to pay all costs together with whatever tax shall be fixed by the court Upon such appeal the court may determine all questions of valuation and of the liability of the appraised estate for such tax subject to the right of appeal to the supreme or superior court

Section 7 The register of wills shall enter in a book to be provided at the expense of the Commonwealth which shall be a public record the returns made by all appraisers under the provisions of this act opening an account in favor of the Commonwealth against each decedent's estate The register may give certificates of payment of such tax from such record The register shall transmit to the auditor general on the first day of each month a statement of all returns made by appraisers during the preceding month upon which the taxes have been paid or remain unpaid which statement shall be entered by the auditor general in a book to be kept for that purpose Whenever any such tax shall have remained due and unpaid for one year the register may apply to the orphans' court by bill or petition to enforce the payment of the same whereupon the court having caused notice to be given to the owner of the real estate charged with the tax and to such other person as may be interested shall proceed according to equity to make such decrees or orders for the payment of the tax out of such real estate as shall be just and proper

Section 8 If the register shall discover that any tax imposed by this act has not been paid the orphans' court may cite the executors or administrators of the decedent whose estate is subject to the tax to file an account or to appear on a certain day and show cause why the tax should not be paid When personal service cannot be had notice shall be given for four weeks once a week in at least one newspaper published in the county If the tax shall be found to be due the delinquent shall pay the tax and costs The register or the auditor general shall employ an attorney of the county to sue for the recovery of the amount of such tax The auditor general in the settlement of accounts of any register may allow him costs of advertising and other reasonable fees and expenses incurred in the collection of the tax

Section 9 Where there is a devise descent or bequest liable to the tax hereinbefore imposed which devise descent or bequest is to take effect in possession or to come into actual enjoyment after the expiration of one or more life estates or a period of years the tax on such estate shall not be payable nor shall interest begin to run thereon until the person liable for the same shall come into actual possession of such estate by the termination of the estates for life or years The tax shall be assessed upon the value of the estate at the time the right of possession accrues to the owner but the owner may pay the tax at any time prior to his coming into possession In such cases the tax shall be assessed on the value of the estate at the time of the payment of the tax after deducting the value of the life estate or estates for years The tax on real estate shall remain a lien on the real estate on which the same is chargeable until paid The owner of any personal estate shall make a full return of the same to the register of wills within one year from the death of the decedent and within that time enter into security for the payment of the tax to the satisfaction of such register In case of failure so to do the tax shall be immediately payable

Section 10 If the tax is paid within three months after the death of the decedent a discount of five per centum shall be allowed If the tax is not paid at the end of one year from the death of the decedent interest shall be charged at the rate of twelve per centum per annum on such tax Where because of claims made upon the estate litigation or other unavoidable cause of delay the estate of any decedent or any part thereof cannot be settled up at the end of the year interest at the rate of six per centum shall be charged upon the tax arising from the unsettled part thereof from the end of such year until there be default Where real or personal estate withheld by reason of litigation or other cause of delay in manner aforesaid from the parties entitled thereto subject to such tax has not been productive to the extent of six per centum per annum the proper parties shall not pay a greater amount as interest to the Commonwealth than they have realized or shall realize from such estate during the time the same has been or shall be withheld as aforesaid

Section 11 The executor or administrator or other trustee paying any legacy or share in the distribution of any estate subject to the said tax shall deduct therefrom at the rate of two dollars in every hundred dollars upon the whole legacy or sum paid or if not money he shall demand payment of a sum to be computed at the same rate upon the appraised value thereof No executor or administrator shall be compelled to pay or deliver any specific legacy or article to be distributed subject to tax except on the payment into his hands of a sum computed on its value as aforesaid In case of neglect or refusal on the part of such legatee to pay the same such specific legacy or article or so much thereof as shall be necessary shall be sold by such executor or administrator at public sale after notice to such legatee and the balance that may be left in the hands of the executor or administrator shall be distributed as is or may be directed by law Every sum of money retained by any executor or administrator or paid into his hands on account of any legacy or distributive share for the use of the Commonwealth shall be paid by him without delay

Section 12 When a legacy subject to tax under this act is given to any person for life or for a term of years or for any other limited period upon a condition of contingency of the same be money the tax thereon shall be retained upon the whole amount but if not money application shall be made to the orphans court to make apportionment if the case require it of the sum to be paid by such legatees and for such further order relative theerto as equity shall require

Whenever any such legacy shall be charged upon or payable out of real estate the heir or devisee before paying the same shall deduct therefrom at the rate aforesaid and pay the amount so deducted to the executor and the same shall remain a charge upon such real estate until paid and the payment thereof shall be enforced by the decree of the orphans' court in the same manner as the payment of such legacy may be enforced

Section 13 Whenever any real estate of which any decedent may die seized shall be subject to the tax the executors and administrators shall give information thereof to the register of the county where administration has been granted within six months after they undertake the execution of their respective duties or if the fact be no known to them within that period then within one month after the same shall have come to their knowledge The owners of such estate immediately upon its vesting shall give information thereof to the register having jurisdiction of the granting of administration

Section 14 Any executor or administrator on the payment of said tax shall take duplicate receipts from the register both of which shall be forwarded forthwith to the auditor general who shall charge the register receiving the money with the amount and seal with the seal of his office and countersign the original receipt and transmit it to the executor or administrator whereupon it shall be a proper voucher in the settlement of the estate In no event shall an executor or administrator be entitled to a credit in his account by the register unless the receipt is so sealed and countersigned by the auditor general

Section 15 Whenever any foreign executor or administrator or trustee shall assign or transfer any stocks or loans in this Commonwealth standing in the name of the decedent or in trust for the decedent which shall be liable for the tax imposed by this act such tax shall be paid on the transfer thereof to the register of the county where such transfer is made otherwise the corporation permitting such transfer shall become liable to pay such tax

Section 16 Whenever debts shall be proved against the estate of a decedent after distribution of legacies from which the tax has been deducted in compliance with this act and the legatee is required to refund any portion of a legacy a portion of the said tax shall be repaid to him by the executor or administrator if the tax has not been paid into the state or county treasury or by the county treasurer if it has been so paid

Section 17 The registers of wills upon their filing with the auditor general the bond hereinafter required shall be the agents of the Commonwealth for the collection of the said tax For services rendered in collecting and paying over the same they shall be allowed to retain for their own use five per centum upon the tax collected if such amount to a sum of fifty thousand ($50,000) dollars or less three percentum on the amounts collected in excess of fifty thousand ($50,000) dollars and not exceeding one hundred thousand ($100,000) dollars two percentum on the amounts collected in excess of one hundred thousand ($100,000) dollars and not over two hundred thousand ($200,000) dollars and one percentum on the amounts collected in excess of two hundred thousand ($200,000)

Section 18 Each register shall give bond to the Commonwealth in such penal sum as the orphans court may direct with two or more sufficient sureties for the faithful performance of the duties hereby imposed and for the regular accounting and paying over of the amounts to be collected and received This bond when executed and approved shall be forwarded to the auditor general

Until such bond and security be given the said tax shall be collected by the county treasurer In such cases all the provisions of this act relating to collection and payment by registers shall apply to the county treasurer

Section 19 Each register of wills shall on the first Monday of each month make return to the Auditor General and return and payment to the state treasurer of all taxes imposed under this act received stating for what estate paid All taxes collected by him and not paid over within one month after his quarterly return of the same he shall pay interest at the rate of twelve per centum per annum until paid

Section 20 The lien of the said tax shall continue until the tax is settled and satisfied and shall be limited to the property chargeable therewith All such taxes shall be sued for within fixe years after they are due otherwise they shall be presumed to have been paid and cease to be a lien as against any purchasers of real estate

Section 21 In all cases where any amount of such tax is paid erroneously to the register of wills the state treasurer on satisfactory proof rendered to him by said register of wills of such erroneous payment may refund and pay over to the person paying such tax the amount erroneously paid All such applications for the repayment of such tax erroneously paid in the treasury shall be made within two years from the date of payment except when the estate upon which such tax has been erroneously paid shall have consisted in whole or in part of a partnership or other interest of uncertain value or shall have been involved in litigation by reason whereof there shall have been an over-valuation of that portion of the estate on which the tax has been assessed and paid which overvaluation could not have been ascertained within said period of two years in such case the application for repayment shall be made to the state treasurer within one year from the termination of such litigation or ascertainment of such over-valuation

Section 22 This act does not repeal or effect the tax imposed and collected under the act approved May sixth one thousand eight hundred eighty-seven enttiled "An Act to provide for the better collection of collateral inheritance taxes" its amendments and supplements

Section 23 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Aron,	Golder,	McPeake,	Smith, E. R.,
Arthur,	Goodnough,	McVicar,	Smith, F. I.,
Aston,	Goodwin,	Mearkle,	Smith, J. W.,
Baker,	Gormley,	Mehring,	Smith, L.,
Baldi,	Graeff,	Michel,	Smith, O. W.,
Bechtold,	Graham,	Miller, A. D.,	Snowden,
Bell,	Gransback,	Miller, C. G.,	Somerman,
Benchoff,	Haight,	Miller, G. J. A.,	Spangler,
Benninger,	Haldeman,	Milner,	Sprowls,
Beyer,	Hecht,	Mitchell,	Stadtlander,
Black,	Heffernan,	Morgan, T. J.,	Steedle,
Brady,	Helt,	Murdoch,	Sterling,
Campbell, T.,	Hess,	Murphy,	Stern,
Christman,	Heyburn,	Musser,	Stites,
Clements,	Hibshman,	Neary,	Strauss,
Coldsmith,	Hoffman,	Ogden,	Swartz,
Conner,	Hollern,	Palmer,	Sweitzer,
Corbin,	Hollingsworth,	Patterson,	Taylor,
Cox,	Horne,	Perry,	Thomas,
Crosby,	Horton,	Pickering,	Ulsh,
Cummins,	Hough,	Powell,	Vickerman,
Curry,	Howarth,	Ramsey,	Vogdes,
Davis, W.,	Isherwood,	Reichenbacher,	Wagner,
Dawson,	Jennings,	Reitzel,	Walker,
Dean,	Jones,	Rhodes, W. M.,	Walter,
Dewey,	Lafferty,	Rich,	Weimer,
Dithrich,	Lauler,	Ringler,	Wells,
Donneley,	Leary,	Rininger,	West,
Drinkhouse,	Lewis,	Robertson,	Whitaker,
Dunn,	Lohr,	Rogers,	Wickman,
Ehrhardt,	Luppert,	Rothenberger,	Williams, G. W.
Erdman,	Malie,	Sarig,	Williams, J. P.,
Fackler,	Mangan,	Schaeffer, A. C.,	Wobensmith,
Fitzgibbon,	Marvin,	Scott,	Woodward,
Flynn,	McCaig,	Shaffer, C. A.,	Wylie,
Franklin,	McCullough,	Shattuck,	Wynne,
Fretz,	McCurdy,	Shunk,	Zanders,
Gans,	McKay,	Siggins,	Baldwin,
Geary,	McKinney,	Simpson,	Speaker.
Glass,	McNichol,	Sinclair,	

NAYS— 12.

Baldridge,	Chestnut,	Ross,	Speicher,
Bidelspacher,	Phillips,	Sampsel,	Wallace,
Canon,	Rinn,	Sones,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1301 (Senate No. 624), entitled

An Act dividing the Middle Coal-Field Poor District into four districts, and providing for the nomination and election of a director and auditor from each district and one director-at-large to be elected by the voters of all the districts; fixing the time when such nominations and elections shall be held and when those elected shall take office; providing for appointments and filling of vacancies; placing the affairs of the districts under the supervision and control of the court of quarter sessions of Carbon county; making it lawful to erect new or additional buildings for said district after the approval of the court of quarter sessions of Carbon County, and repealing certain acts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191.

Arthur,	Goodnough,	Miller, A. D.,	Smith, L.,
Baker,	Goodwin,	Miller, C. G.,	Smith, O. W.,
Baldridge,	Graeff,	Miller, G. J. A.,	Snowden,
Barner,	Graham,	Milner,	Snyder,

Bell,	Gransback,	Mitchell,	Somerman,
Benninger,	Haight,	Morgan, T.,	Sones,
Beyer,	Haldeman,	Morgan, T. J.,	Spangler,
Bidelspacher,	Hecht,	Murdoch,	Speicher,
Black,	Heffernan,	Murphy,	Sprowls,
Boyd,	Helt,	Musser,	Stadtlander,
Brady,	Hess,	Neary,	Steedle,
Campbell, T.,	Heyburn,	Palmer,	Sterling,
Canon,	Hibshman,	Patterson,	Stern,
Chestnut,	Hoffman,	Phillips,	Stites,
Christman,	Hollern,	Pickering,	Stoffiet,
Clements,	Hollingsworth,	Powell,	Strauss,
Coldsmith,	Horton,	Ramsey,	Sullivan,
Conner,	Hough,	Reichenbacker,	Swartz,
Corbin,	Howarth,	Reitzel,	Sweitzer,
Cox,	Isherwood,	Reynolds,	Taylor,
Crosby,	Jennings,	Rhoads, H. L.,	Thomas,
Cummins,	Jones,	Rhodes, W. M.,	Ulsh,
Curry,	Kennedy,	Rich,	Vickerman,
Davis, W.,	Lafferty,	Ringler,	Vodges,
Dawson,	Lanius,	Rininger,	Wagner,
Dean,	Laucks,	Rinn,	Walker,
Dell,	Lauler,	Robertson,	Wallace,
Dewey,	Leary,	Rogers,	Walter,
Dithrich,	Lohr,	Ross,	Weimer,
Donneley,	Luppert,	Rothenberger,	Wells,
Drinkhouse,	Malie,	Rudisill,	West,
Dunn,	Mangan,	Sampsel,	Whitaker,
Eby,	Marvin,	Sarig,	Wickman,
Ehrhardt,	Maurer,	Schaeffer, A. C.,	Williams, G. W.
Erdman,	McArdle,	Scott,	Williams, J. P.,
Fackler,	McCullough,	Shaffer, C. A.,	Wobensmith,
Fitzgibbon,	McCurdy,	Shattuck,	Wood,
Flynn,	McKinney,	Shunk,	Woodward,
Fowler,	McNichol,	Siggins,	Wylie,
Franklin,	McVicar,	Simpson,	Wynne,
Fretz,	Mearkle,	Sinclair,	Zanders,
Geary,	Mehring,	Smith, E. R.,	Baldwin,
Glass,	Mervine,	Smith, J. W.,	Speaker.
Golder,	Michel,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1325 (Senate No. 203), entitled

An Act defining and regulating boxing and wrestling contests

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126.

Baker,	Gormley,	McCullough,	Shunk,
Baldi,	Graeff,	McNichol,	Sinclair,
Bennett,	Graham,	McPeake,	Smith, E. R.,
Benninger,	Gransback,	Mearkle,	Smith, J. W.,
Beyer,	Haight,	Mehring,	Snowden,
Bovee,	Haldeman,	Miller, A. D.,	Sones,
Brady,	Heffernan,	Miller, C. G.,	Spangler,
Campbell, J. O.,	Helt,	Miller, G. J. A.,	Speicher,
Campbell, T.,	Heyburn,	Milner,	Sprowls,
Clements,	Hibshman,	Murphy,	Stadtlander,
Conner,	Hoffman,	Musser,	Sterling,
Cox,	Hollern,	Neary,	Stern,
Crosby,	Hollingsworth,	Ogden,	Stites,
Cummins,	Horne,	Palmer,	Stoffiet,
Curry,	Horton,	Patterson,	Strauss,
Davis, W.,	Hough,	Perry,	Taylor,
Dawson,	Howarth,	Powell,	Thomas,
Donneley,	Jennings,	Ramsey,	Vodges,
Drinkhouse,	Jones,	Reichenbacker,	Wagner,
Dunn,	Lafferty,	Reynolds,	Walker,
Ehrhardt,	Lanius,	Ringler,	Walter,
Erdman,	Laucks,	Robertson,	Weimer,
Fackler,	Lauler,	Rogers,	Wells,
Fitzgibbon,	Leary,	Rothenberger,	West,
Flynn,	Lewis,	Ruddy,	Whitaker,
Franklin,	Luppert,	Rudisill,	Wickman,
Gans,	Malie,	Sampsel,	Williams, J. P.,
Geary,	Mangan,	Sarig,	Wobensmith,
Glass,	Marvin,	Schaeffer, A. C.,	Woodward,
Golder,	Maurer,	Scott,	Wynne,
Goodnough,	McArdle,	Shaffer, C. A.,	Zanders,
Goodwin,	McCaig,		

NAYS—28.

Arthur,	Coldsmith,	McKay,	Siggins,
Baldridge,	Corbin,	Mitchell,	Sweitzer,
Bell,	Dean,	Phillips,	Vickerman,
Benchoff,	Hess,	Pickering,	Wallace,
Black,	Kennedy,	Reitzel,	Williams, G. W.
Canon,	Lohr,	Rich,	Wood,
Chestnut,	McCurdy,	Ross,	Wylie,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1401, entitled

An Act to provide for the regulation of rag shops second hand paper shops and junk shops in cities of the first class and providing a penalty for the violation of this act

On the question,

Will the House agree to the bill on third reading?

Mr. DUNN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, page 1, line 1, by striking out the words "To provide" and inserting in lieu thereof the following: "For the protection of the public health by providing"

Amend title, page 1, line 1, by inserting after the word "regulation" the words "and licensing"

Amend section 1, page 1, line 8, by striking out the word "lass" and inserting in lieu thereof the word "class"

Amend section 1, page 1, line 8, by striking out the word "permit" and inserting in lieu thereof the word "license"

Amend section 1, page 1, lines 11 and 12 by striking out the word "permit" and inserting in lieu thereof the word "licenses"

Amend by adding the following section, and renumbering succeeding sections accordingly:

Section 2. The fee for a license as provided for in this act shall be ten dollars per annum for each rag shop, second hand paper shop, and junk shop; the license shall not be transferable as to person or place, and shall be revocable upon failure to comply with the rules and regulations of such board of health.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Cair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

ADJOURNMENT.

Mr. RAMSEY. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and (at 11.30 o'clock P. M.) the House adjourned until to-morrow morning at 11.00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

VOL. 4. HARRISBURG, PA., TUESDAY, MAY 8, 1917. No. 51.

SENATE.

TUESDAY, May 8, 1917.

The Senate met at 10.30 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Frank B. McClain) in the Chair.

PRAYER.

At the request of the Chaplain, Rev. Thomas W. Davis, the Rev. F. M. C. Bedell, Rector of the Episcopal Church of Shamokin, offered the following prayer:

Almighty God, our Heavenly Father, we commend to Thy Almighty care this Commonwealth in general and all who belong thereto, the Governor, the Senate, the House of Representatives and all who hold official positions. Those of the army and navy, those who are giving themselves to the service of the country. We commend to Thy care also our allies and grant that the war which we and they wage together, waging for righteousness and truth, may be brought to a successful conclusion. Bless and comfort those who suffer. Further all means which we may use. Bless this country, our President and all the American people. Oh Lord, into Thy hands we commend ourselves, beseeching Thee that all that is done may be for Thy glory and for the good of this country. For the sake of Jesus Christ our blessed Lord who has taught us to pray, "Our Father who art in Heaven, Hallowed be Thy name, Thy kingdom come Thy will be done on earth as it is in Heaven; Give us this day our daily bread and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation but deliver us from evil, for Thine is the kingdom and the power and the glory, forever and ever. Amen."

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. ENDSLEY, the further reading was dispensed with, and the Journal was approved.

PETITIONS FAVORING APPROPRIATION TO THE VILLAGE FOR FEEBLE-MINDED WOMEN OF CHILD BEARING AGE AT LAURELTON, ALSO FAVORING APPROPRIATION FOR THE INSTITUTIONS FOR FEEBLE-MINDED AT POLK AND SPRING CITY.

The Chair presented petitions of citizens of Berks County favoring appropriation to the Village for Feeble-Minded Women of Child Bearing Age at Laurelton, sufficient to insure its immediate completion and to maintain it adequately during the years 1917 and 1918 and also by making an appropriation sufficient for the development and maintenance of the State Institutions for Feeble-Minded at Polk and Spring City.

Which were referred to the Committee on Appropriations.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor Frank B. McClain) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 9, entitled

An Act to provide for the change of object of the corporate existence and authorizing and providing a mode for the dissolution and surrender of charters of fire companies.

Senate Bill No. 52, entitled

An Act to prohibit the unauthorized use of certain containers in the sale exchange or delivery of milk or cream or their products or any other products and prescribing penalties.

Senate Bill No. 119, entitled

An Act providing for filling of vacancies in the office of tax collector in boroughs and townships by the county commissioners and repealing certain acts inconsistent therewith.

Senate Bill No. 217, entitled

An Act preventing the manufacture sale or transportation within the Commonwealth of adulterated or misbranded paris greens lead arsenates lime-sulphur compounds and other insecticides and fungicides and regulating traffic therein providing for inspection of such materials and imposing penalties.

Senate Bill No. 256, entitled

An Act to amend paragraph "a" of section four and paragraph one of section five of an act entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record; providing for non-partisan nominations and elections for said offices; abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners, and election officers and clerks; and providing penalties for the violation of the provisions hereof, and the punishment of certain offenses," approved the twenty-fourth day of July, Anno Domini one thousand nine hundred and thirteen, so as to change the time for circulating and filing nomination petitions.

Senate Bill No. 257, entitled

An Act to amend the first, sixth and seventh sections of an act, entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States, and the payment by the several counties and their reimbursement by the State of the expenses of the same; authorizing the State committee of a political party to make and to alter, amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation," approved the twelfth day of July, Anno Domini one thousand nine hundred and thirteen, so as to change the time of filing petitions of nomination and the time for the organization of the State committees.

Senate Bill No. 579, entitled

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining

same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve and maintain the same; and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways, providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," and further providing that the State Highway Commissioner, and the several counties, townships, boroughs or incorporated towns shall have authority to make and enter into contracts to reconstruct or improve a State Highway or portion thereof, in the same manner as a State-aid highway; and authorizing counties, townships, boroughs or incorporated towns to incur indebtedness and pay their respective shares of the cost thereof, and making valid all such contracts heretofore made; such highway to remain a State Highway.

Senate Bill No. 583, entitled

An Act to further amend section sixteen of an act approved the thirteenth day of June one thousand eight hundred thirty-six entitled "An Act relating to lunatics and habitual drunkards" as amended.

Senate Bill No. 560, entitled

An Act amending sections eight and ten of an act approved the 19th day of March, 1909, entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," as amended, by providing for the extension of time necessary for graduation; by revising the fee for reciprocity licenses; and by further regulating the preliminary educational requirements for matriculation into colleges.

Senate Bill No. 595, entitled

An Act regulating the practice and procedure of the sheriff or deputy sheriff under writs of inquisition condemnation inquiry of damages lunacy or habitual drunkard proceedings partition proceedings or by virtue of any other writ or process issued by the courts of this Commonwealth wherein the existing laws require the sheriff to be present in person.

Senate Bill No. 675, entitled

An Act validating marriages contracted on or before the 1st day of January, 1896, within or without the State of Pennsylvania, between parties resident within the State of Pennsylvania at the time of the approval of this act, where continuous cohabitation of the parties contracting the marriage for a period of twenty-one years has followed such marriage, notwithstanding any impediment or obstacle which may have existed under the law of Pennsylvania at the time such marriage was performed, and making legitimate all children born of parents whose marriages are validated under this act.

Senate Bill No. 680, entitled

An Act to amend section two of an act, entitled "An Act providing for the appointment by the district attorney in counties having a population of over one million and less than one million five hundred thousand inhabitants of a chief county detective, an assistant county detective and special county detectives; defining their duties; fixing their salaries, and authorizing the payment of the same, together with the necessary traveling expenses by the county and providing for additional salary and expenses."

Senate Bill No. 698, entitled

An Act to prevent the incorporation of societies and associations not for profit with names styles or titles identical with or similar to the names styles or titles of State boards commissions or other activities and the use by such societies and associations already incorporated of such names styles or titles where such identity or similarity is calculated to result or has resulted in a confusion in the public mind between the recommendation and operations of such societies and associations and those of said State boards commissions or other activities.

Senate Bill No. 700, entitled

An Act to provide for the classification of inspectors of the Department of Labor and Industry according to qualifications determined by a Committee of the Department of Labor and Industry and fixing the salaries of inspectors within the several classifications.

Whereupon,

The PRESIDENT (Lieutenant-Governor Frank B. McClain) in the presence of the Senate signed the same.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

T. E. Clinton, Pittsburgh.
Miss Nellie E. Critchlow, Pittsburgh.
Miss Bertha F. Meyers, Pittsburgh.

BEAVER COUNTY.

R. H. McCaskey, Freedom.

BLAIR COUNTY.

Miss Blanche M. Davis, Hollidaysburg.

BRADFORD COUNTY.

Innocenzio Cerio, Sayre.

CAMERON COUNTY.

James B. Mulcahy, Emporium.

CHESTER COUNTY.

J. Paul MacElree, West Chester.

LEHIGH COUNTY.

Miss M. Constance Erdman, Allentown.

PHILADELPHIA COUNTY.

William A. Dau, Philadelphia.
Chas. C. W. Idler, Philadelphia.
J. K. Lockwood, Philadelphia.
Benjamin Seigel, Philadelphia.
F. C. V. Stuetz, Philadelphia.
Miss Grace M. Woodruff, Philadelphia.

SCHUYLKILL COUNTY.

Elisha Filer, Jr., Mahanoy City.

WESTMORELAND COUNTY.

L. J. Peterson, So. Huntingdon Twp.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public

for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their names, respectively:

BERKS COUNTY.

Raymond K. Derr, Reading, June 10, 1917.

DELAWARE COUNTY.

Charles Parker, Swarthmore, June 16, 1917.

LAWRENCE COUNTY.

J. Q. L. Roberts, New Castle, June 4, 1917.

LEHIGH COUNTY.

John L. Cutshall, Allentown, May 28, 1917.

M'KEAN COUNTY.

James George, Bradford, May 20, 1917.

MONROE COUNTY.

Miss Elizabeth G. Martin, Stroudsburg, June 10, 1917.

NORTHAMPTON COUNTY.

John J. Shonk, Bethlehem, May 28, 1917.

PHILADELPHIA COUNTY.

William M. Rockey, Philadelphia, June 10, 1917.
Jules DeWaele, Jr., Philadelphia, June 11, 1917.
Arthur Hagon Miller, Philadelphia, June 24, 1917.

WESTMORELAND COUNTY.

Earl V. Baum, Jeannette, June 17, 1917.

MARTIN G. BRUMBAUGH.

EXECUTIVE SESSION.

By unanimous consent

A motion was made by Mr. HOMSHER,

That Rule 38, which requires nominations made by the Governor to be referred to proper committees, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. HOMSHER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Graff, J. F.,	McConnell,	Smith, R. E.,
Beales,	Graff, W. P.,	McNichol,	Snyder,
Beidleman,	Haldeman,	Miller,	Sproul,
Catlin,	Homsher,	Nason,	Tompkins,
Craig,	Jenkins,	Patton,	Vare.
Crow,	Kline,	Phipps,	Warner,
Daix,	Leiby,	Salus,	Wasbers,
DeWitt,	Lynch,	Schantz,	Weaver,
Endsley,	Martin,	Semmens,	Whitten,
Eyre,			

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORTS FROM COMMITTEES.

Mr. JENKINS, from the Committee on Judiciary General, reported as committed Senate Bill No. 965 (House Bill No. 682), entitled

An Act concerning townships and revising, amending and consolidating the law relating thereto.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 940 (House Bill No. 1032), entitled

An Act validating certain proceedings and elections of any town, township or borough held to submit and determine the question of becoming a city of the third class, held pursuant to an act, entitled "An Act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," approved the twenty-seventh day of June, one thousand nine hundred and thirteen, as amended by the act approved the thirteenth day of May, one thousand nine hundred and fifteen, and validating letters patent issued or to be issued in pursuance thereof.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 984 (House Bill No. 1144), entitled

An Act to amend section one of an act approved the twenty-first day of March, one thousand nine hundred and seven, entitled "An Act authorizing the county commissioners of the several counties, or the town councils of the several boroughs, of this Commonwealth, or both, to appropriate annually a sufficient sum of money to each Post of the Grand Army of the Republic, in their respective counties or boroughs, to aid in defraying the expenses of Memorial Day," as amended; by requiring the commissioners to make appropriations also to Memorial day or similar organizations where there was heretofore an established Post.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 985 (House Bill No. 1146), entitled

An Act authorizing William R. Shellenberger and Emma L. Shellenberger, his wife, of the Township of Athens, Bradford County, Pennsylvania, to bring suit against the Commonwealth.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 987 (House Bill No. 1170), entitled

An Act authorizing R. B. Taylor, of Bellefonte, Centre County, to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

Mr. PHIPPS, from the Committee on Judiciary General, re-reported as committed Senate Bill No. 15, entitled

An Act relating to costs in certain cases of summary conviction before aldermen, magistrates and justices of the peace, providing for the assessment of such costs upon the prosecutor or defendant and their commitment in case of default and providing for the payment of such costs by counties in certain cases.

Also from the Committee on Forestry, reported as committed Senate Bill No. 979 (House Bill No. 1080), entitled

An Act to amend the first section of an act approved the twenty-first day of April, Anno Domini one thousand nine hundred and fifteen, entitled "An Act extending the powers and duties of foresters, forest rangers, game protectors, deputy game protectors, special deputy game protectors, fish-wardens and deputy fish-wardens of this Commonwealth."

Mr. CRAIG, from the Committee on Judiciary General, reported as committed Senate Bill No. 980 (House Bill No. 1084), entitled

An Act authorizing J. A. Croup, of Concord Township, Butler County, Pennsylvania, to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Butler County.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 986 (House Bill No. 1151), entitled

An Act authorizing Frederick E. Windsor, of the Borough of Warren, County of Warren, to sue the Commonwealth.

Mr. MILLER, from the Committee on Public Health and Sanitation, reported as committed Senate Bill No. 959, entitled

An Act amending and supplementing an act approved the 22nd day of July, 1913, entitled "An Act relating to domestic animals; defining domestic animals so as to include poultry; providing methods of improving the quality thereof, and of preventing, controlling and eradicating diseases thereof, imposing certain duties upon practitioners of veterinary medicine in Pennsylvania; regulating the manufacture use and sale of tuberculin, mallein and other biological products for use with domestic animals, defining the powers and duties of the State Livestock Sanitary Board and the officers and employes thereof; fixing the compensation of the Deputy State Veterinary and providing penalties for the violation of this act."

Also from the Committee on Public Health and Sanitation, reported as committed Senate Bill No. 978 (House Bill No. 1058), entitled

An Act authorizing the establishment of contagious disease hospitals in the several counties of the Commonwealth to be constructed and maintained out of county funds.

Mr. PATTON, from the Committee on Judiciary General, re-reported as amended Senate Bill No. 898 (House Bill No. 1117), entitled

An Act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania or by any county municipality or school district thereof in its civil service who have a wife children or parents dependents upon them for support shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment in the army or navy of the United States in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the army or navy directing that one-half of the salaries or wages of such officers or employes not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents thereof authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 975 (House Bill No. 1001), entitled

An Act to amend part of section two of an act approved the fifth day of March, one thousand seven hundred and ninety-one, entitled "An Act to enable the Governor to appoint notaries public and for other purposes therein mentioned."

Mr. WEAVER, from the Committee on Public Roads and Highways, re-reported as amended Senate Bill No. 894 (House Bill No. 1017), entitled

An Act prohibiting the handling or driving of horses or other animals or teams or vehicles on the public highways of the Commonwealth by an intoxicated person and providing penalties therefor.

Mr. DAIX, from the Committee on Judiciary General, reported as committed Senate Bill No. 1006, entitled

An Act authorizing registers of wills to deputize the register of wills of another county to take affidavit of witnesses to wills for the proof of such wills.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 882, entitled

An Act making it unlawful for any person, firm or corporation, to dismiss or discharge any employee from his or their employment because of absence for jury duty and providing a penalty therefor.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 928, entitled

An Act to authorize county commissioners to appropriate from moneys received from dog taxes certain sums to societies for the prevention of cruelty to animals.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 971 (House Bill No. 913), entitled

An Act authorizing Mildred J. Barclay, a resident of the City of Pittsburgh, in the County of Allegheny in her own right as well as for the benefit of her minor daughter, Mildred J. Barclay, to bring suit in the court of common pleas of Allegheny County against the Commonwealth of Pennsylvania.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 972 (House Bill No. 923), entitled

An Act authorizing Edward A. Woods, of Edgeworth, Allegheny County, Pennsylvania, to bring suit in the court of common pleas of Allegheny County against the Commonwealth of Pennsylvania.

Mr. SEMMENS, from the Committee on Education, reported as committed Senate Bill No. 915, entitled

An Act to amend section one thousand four hundred and four of the act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same; and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by giving justices of the peace, aldermen, and magistrates jurisdiction in certain actions between school districts.

Also from the Committee on Education, reported as committed Senate Bill No. 981 (House Bill 1121), entitled

An Act to amend section fourteen hundred twelve of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be, inconsistent therewith," as amended.

Also from the Committee on Education, reported as committed Senate Bill No. 1004 entitled

An Act to amend sections one hundred six and one hundred seven of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Mr. WHITTEN, from the Committee on Judiciary General, reported as committed Senate Bill No. 1092 (House Bill No. 758), entitled

An Act fixing the salary of the clerk of the county commissioners in counties having a population between one hundred thousand and one hundred and fifty thousand inhabitants.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 289, entitled

An Act to further amend part of section one of an act, approved the eleventh day of July, one thousand nine hundred and one, entitled "An Act to regulate and establish the fees to be charged by sheriffs in this Commonwealth, and to provide for the taxation and collection of the same," as amended.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 938 (House Bill No. 794), entitled

An Act to provide for the extradition of persons of unsound mind and to make uniform the laws of the States which enact the same.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 989 (House Bill No. 1261), entitled

An Act to amend section one of an act entitled "An Act to provide for the removal of judges of the Supreme Superior common pleas and orphans' court permantly disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" approved eleventh day of May one thousand nine hundred and one as amended by an act entitled "An Act to amend section one of an act entitled 'An Act to provide for the removal of judges of the Supreme Superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives" approved twenty-third day of June one thousand nine hundred and eleven so as to provide that any judge of the Supreme or Superior court who has served in judicial office for twenty or more years shall be entitled to receive the benefits of said act immediately after his honorable retirement from office by expiration of term resignation or otherwise whether said service be continuous or not

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 1058, entitled

An Act amending section three of an act entitled "A Supplement to an act entitled 'An Act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection and disbursement of taxes and water rents or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the

board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for,'" approved May twelfth, one thousand nine hundred and eleven, as amended by the amendment of June fifteenth, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-six).

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 1012 (House Bill No. 1344), entitled

An Act to regulate the conduct and prescribing the duties of drivers or operators of automobiles, motor cycles or other vehicles on public highways who shall injure any person or persons while so driving on said highways and providing penalties for violations of this act.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 1059, entitled

An Act empowering cities of the second class under certain conditions to lease streets or highways along navigable streams or streets or highways created by Act of Assembly, to private persons for a limited time, and to receive a rental therefor.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 1060, entitled

An Act amending section one of an act, entitled "An Act for the government of cities of the second class," approved the seventh day of March, Anno Domini one thousand nine hundred and one, as amended by the act of May eleventh, one thousand nine hundred eleven (Pamphlet Laws two hundred thirty-eight).

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 1070, entitled

An Act establishing nine County Industrial Farms Work Houses and Reformatories; dividing the State into districts for such purpose; authorizing the purchase of sites and the erection and equipment of buildings and works for such institution; providing for their government and control and for the commitment, admission, employment and discharge of inmates; providing for an apartment for inebriates, and the admission and commitment of inmates thereto; imposing the cost of maintenance on the inmates in certain cases; imposing the cost of the institutions and the maintenance of certain inmates on the counties; and conferring certain powers and duties on certain county officers.

Mr. EYRE, from the Committee on Public Roads and Highways, reported as committed Senate Bill No. 1055 (House Bill No. 1494), entitled

An Act to amend section thirty of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpike or toll roads forming all or part of any State Highway and procedure therein; providing for work or improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in improvement of township or county roads; defining highways and State-aid highways; providing method of application for state aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth covering same; providing for the minimum width of State highways and State aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the Act; and providing for the repeal of certain acts relating to highway department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act."

Mr. SNYDER, from the Committee on Public Roads and Highways, reported as committed Senate Bill No. 758 (House Bill No. 820), entitled

An Act requiring the erection of detour signs by the authorities by whose direction any public highway may be closed and providing penalties for failure to comply with the provisions of this act.

Mr. ENDSLEY, from the Committee on Railroads, reported as committed Senate Bill No. 1080, entitled

An Act declaring ministers of religion and clergymen who hold themselves in readiness to answer the call of any transportation company in case of accident or sickness, employes of such company; and providing that special, reduced or lower rates may be granted by transportation companies to such ministers and clergymen.

Mr. HINDMAN, from the Committee on Judiciary General, reported as committed Senate Bill No. 956, entitled

A Joint Resolution proposing an amendment to the Constitution of this Commonwealth in accordance with the provisions of the eighteenth (XVIII) article thereof.

Also from the Committee on Judiciary General, re-reported as committed Senate Bill No. 988 (House Bill No. 1176), entitled

An Act providing for the establishment in cities of the third class of a house or houses of detention for witnesses and untried prisoners for the commitment of such prisoners and witnesses thereto and for the payment of the cost of establishing and maintaining the same by the county wherein said cities are situated.

Mr. TOMPKINS, from the Committee on Judiciary General, reported as committed Senate Bill No. 970 (House Bill No. 903), entitled

An Act authorizing prothonotaries in counties containing over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants to appoint deputy prothonotaries; fixing their salary and prescribing their duties.

Mr. BEIDLEMAN, from the Committee on Corporations, reported as committed Senate Bill No. 547 (House Bill No. 195), entitled

An Act to amend an act approved the ninth day of April one thousand nine hundred and fifteen entitled "An Act to amend an act entitled 'An Act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled 'An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other state of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for manufacturing purposes' approved the ninth day of June Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate granite stone or rocks or for dressing polishing working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-three" approved the nineteenth day of April Anno Domini one thousand nine hundred and one extending the same to companies formed for the purposes of manufacturing and selling chemicals foodstuffs cement and cement products and the quarrying of cement rock' approved May twenty-eighth one thousand nine hundred and seven extending the same to companies incorporated for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electrictiy or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control of use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business"' approved the twenty-third day of June one thousand nine hundred and eleven by extending the same to companies incorporated for the purpose of refining manufacturing or sale of petroleum and petroleum products" extending the same to companies engaged in packing manipulating or manufacturing tobacco or manufacturing cigars cigarettes or other tobacco products or for the purpose of briquetting coal or other minerals or for the purpose of manufacturing of rubber in any form.

Mr. LEIBY, from the Committee on Judiciary General, reported as committed Senate Bill No. 1048 (House Bill No. 706), entitled

An Act to repeal a portion of the twenty-fourth clause of section one of the act of May thirty-first, one thousand eight hundred forty-four (Pamphlet Laws five hundred eighty-five), entitled "An Act to provide for the ordinary expenses of government repair of the canals and railroads of the State and other claims upon the Commonwealth."

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 967 (House Bill No. 879), entitled

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to township supervisors of townships and requiring townships to pay the expenses in connection therewith.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 1053 (House Bill No. 1154), entitled

An Act authorizing the judges of the separate orphans' court in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants to fix and determine the salaries of assistant clerks in said court.

Mr. SONES, from the Committee on Public Roads and Highways, reported as committed Senate Bill No. 921 (House Bill No. 694), entitled

A Supplement to an act approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four), entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expenses thereof; prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road," authorizing boroughs, towns and townships to enter into contracts to aid in the construction and maintenance of such roads or highways.

Mr. BUCKMAN, from the Committee on Appropriations, re-reported as committed Senate Bill No. 724, entitled

An Act authorizing the board of public accounts to consider petitions for the return of moneys erroneously or inadvertently paid or covered into the State Treasury and to make such order thereon as shall seem just and proper, providing for the payment by the Commonwealth of such claim and claims heretofore adjusted and making an appropriation.

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1037, entitled

An Act making an appropriation to Carroll R. Williams, J. H. Shoemaker, and A. Morton Cooper of Philadelphia, for services as attorneys for the Dairy and Food Commissioner.

BILLS INTRODUCED.

Mr. McCONNELL read in his place and presented to the Chair Senate Bill No. 1098, entitled

An Act amending sections one and ten of an act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen, entitled "An Act to establish a State village for feeble-minded women; providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve, and to erect and furnish buildings on the same, and to manage said institution; and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years; defining the power and duties of the board of managers; and making an appropriation for the purposes aforesaid, also for the expenses of maintenance until June one, one thousand nine hundred and fifteen."

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 1099, entitled

An Act to amend section two hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the appointment of school directors at the time of the establishment of the same, and providing for the election of school directors thereafter.

Which was committed to the Committee on Education.

Mr. McKEE read in his place and presented to the Chair Senate Bill No. 1100, entitled

An Act authorizing the several counties of this Commonwealth to impose license fees for all poles, wires, conduits or cables placed or maintained by any person or corporation on the public roads or highways improved and maintained by the several counties as county roads.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 1101, entitled

An Act to further amend section twenty-one of an act, entitled "An Act relating to motor-vehicles; regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania; providing for their registration, and the licensing of operators, by the State Highway Department; establishing the rights of motor-vehicles upon the public highways, with relation to other vehicles, regulating the service of process and of proceedings in actions for damages arising therefrom; prescribing the penalties for violation of the provisions of this act, and providing for the disposition of fines imposed thereunder," approved the twenty-seventh day of April, Anno Domini one thousand nine hundred and nine, as the same was amended by an act approved the twenty-third day of May, Anno Domini one thousand nine hundred and thirteen; providing that a portion of the moneys collected in each county under the provisions of said act shall be paid to county for county road purposes.

Which was committed to the Committee on Public Roads and Highways.

Mr. BURKE read in his place and presented to the Chair Senate Bill No. 1102, entitled

An Act further amending an act approved the seventh day of June, one thousand nine hundred and one, entitled "An Act providing for the examination, licensure and registration of person, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cess pools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof," as amended, which act was extended to cities of the third class by an act approved the fourteenth day of May, one thousand nine hundred and nine, entitled "An Act amending sections one, two, eight, twenty-one, twenty-five, twenty-nine, thirty-five, thirty-six, sixty, sixty-one, sixty-two, sixty-six, seventy and seventy-one of an act, entitled 'An Act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage, and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof,' approved the seventh day of June, Anno Domini one thousand nine hundred and one; extending the provisions of said act to cities of the third class, having a system of water-supply and sewerage, of this Commonwealth; and providing further rules, regulations and requirements for the construction or reconstruction of plumbing, house drainage, and cesspools; and providing penalties and forfeitures for violation thereof."

Which was committed to the Committee on Public Health and Sanitation.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 1103, entitled

An Act to further amend section two of an act approved the fourteenth day of April, one thousand nine hundred and three, "An Act to establish a Department of Mines in Penn-

sylvania; defining its purposes and authority; providing for the appointment of a Chief of said Department, and assistants, and fixing their salaries and expenses."

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1104, entitled

An Act fixing the fees of the constables of the Commonwealth of Pennsylvania for certain services and providing for the payment of the same.

Which was committed to the Committee on Judiciary General.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 1105, entitled

An Act to repeal an act entitled "An Act providing for the return of taxes on seated lands in counties, poor districts, boroughs, incorporated towns and townships, for county, poor, borough, town or township taxes, respectively; and providing for the sale of such lands for taxes," approved the twenty-first day of May, one thousand nine hundred and thirteen.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 1106, entitled

An Act to supplement an act entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens, and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," approved the fourth day of June, one thousand nine hundred and one, providing an additional method for the enforcement and collection of county, poor, school, borough, town or township taxes against seated lands, authorizing the return of taxes on seated lands in counties, poor districts, school districts, boroughs, incorporated towns and townships for county, poor, school, borough, town or township taxes, respectively, and providing for the sale of such lands for such taxes.

Which was committed to the Committee on Judiciary General.

Mr. VARE (by request) read in his place and presented to the Chair Senate Bill No. 1107, entitled

A further supplement to the act entitled "An Act concerning divorces" approved the thirteenth day of March, one thousand eight hundred and fifteen, hereby giving to the Courts of Common Pleas the power to grant decrees of annulment where either party at the date of the marriage ceremony was insane.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 1108, entitled

An Act to regulate the salaries of certain officers of the Senate and House of Representatives for regular biennial sessions of the Legislature, which may be in excess of one hundred and fifty (150) days

Which was committed to the Committee on Judiciary Special.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 834, as follows:

An Act making it a misdemeanor for a parent wilfully to neglect to support a child born out of lawful wedlock whether such child shall have been begotten or shall have been born within or without this Commonwealth providing punishment therefor and empowering the court to make an order for support and to enforce the same And making it a misdemeanor to make false declarations as to who is the parent of the child and providing punishment therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any parent who shall wilfully neglect or refuse to contribute reasonably to the support and maintenance of a child born out of lawful wedlock shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding $500 or imprisonment not exceeding one year or both with or without hard labor in the discretion of the court

Section 2 Proceedings under this act may be instituted upon complaint made under oath or affirmation by one parent of such child or by any other person having knowledge of the facts

Section 3 This act shall apply whether such child shall have been begotten or shall have been born within or without this Commonwealth

Section 4 Before the trial with the consent of the defendant endorsed on the bill of indictment as now provided by law or at the trial on entry of a plea of guilty or after conviction instead of imposing the fine herein provided or in addition thereto the court in its discretion having regard to the circumstances and to the financial ability and earning capacity of the defendant shall have the power to make an order which shall be subject to change by the court from time to time as circumstances may require directing the defendant to pay a certain sum periodically for such time and to such person as the court may direct and the court shall have the power to suspend the sentence therein provided and release the defendant from custody on probation in a manner provided by "An Act for relief of wives and children deserted by their husbands and fathers within this Commonwealth" approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven and the supplements thereto provided that the defendant has entered into a recognizance in such sum with or without surety as the court shall direct for compliance with such order

Section 5 Whenever a parent is paying for the support of a child under an order of court made in any other proceeding civil criminal or quasi-criminal said parent shall not be subject to proceedings for support for the same child under this act Provided however That if said parent as defendant in such other proceedings has failed to obey such order of court said parent shall be subject to all the provisions of this act

Section 6 Any person who shall at any stage of the proceedings under this act knowingly make false statements as to who is the parent of a child shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding one year

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,	Eyre,	McConnell,	Semmens,
Beales,	Graff, J. F.,	McKee,	Snyder,
Buckman,	Graff, W. P.,	McNichol,	Sones,
Burke,	Hackett,	Miller,	Stewart,
Catlin,	Homsher,	Nason,	Tompkins,
Craig,	Jenkins,	Patton,	Vare,
Crow,	Kline,	Phipps,	Warner,
Daix,	Leiby,	Salus,	Weaver,
DeWitt,	Lynch,	Sassaman,	Whitten,
Endsley,	Martin,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. W. P. GRAFF. Mr. President, I ask that Senate Bill No. 107, on third reading, entitled

An Act fixing the salary of the Governor of the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 507, on third reading, entitled

An Act to provide reserves for outstanding liability losses of insurance companies transacting the business of insuring any one against loss or damage resulting from accident to or injury suffered by an employe or other person for which the person insured is liable and also for outstanding losses incurred under the Workmen's Compensation Act of one thousand nine hundred fifteen and repealing existing laws.

be recommitted to the Committee on Appropriations.

Mr. LYNCH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 608 (House Bill No. 300), as follows:

An Act to regulate and restrain the hawking vending and peddling of fish fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to hawk vend or peddle upon the highways streets lanes alleys avenues roads or pavements of any city of the first class any fish fruit or vegetable or other merchandise except a license therefor shall have been previously obtained as hereinafter provided

Section 2 Licenses shall only be granted under this act to citizens of the United States and shall be for the current calendar year

Section 3 For each and every wagon cart dray wheelbarrow or any vehicle used for the purpose of hawking vending and peddling fish fruit and vegetables or other merchandise a separate license shall be first had and obtained by the owner thereof and in all cases where more than one license is taken out by any person co-partnership or corporation that fact shall be noted upon said additional license stub in its numerical order and every vehicle shall be conspicuously marked with the name and address of the licensee and shall have prominently displayed hereon a license plate numbered the same as the license which was granted for the same

Section 4 The councils of the cities of the first class after the passage of this act shall be empowered and shall be required to fix by ordinance the amount to be paid for a license under this act and the time the same shall be paid and also describe and regulate the manner of payment thereof into the treasury of the said city

Section 5 Any person or persons using any vehicle that is not the property of the licensee under this act for hawking vending or peddling of any merchandise whatsoever in the cities of the first class and which is not properly marked and which does not have prominently displayed thereon the proper license plate shall be liable on conviction to be imprisoned for not more than five days or fined not more than one hundred dollars or both or either in the discretion of the court Provided That nothing contained in this act shall prevent any citizen of this Commonwealth from hawking vending and peddling the products of his or her or their farm or garden Provided however That he she or they shall be required to make personal appearance and execute an affidavit to that effect before the properly accredited officials and display prominently on the vehicle used a license plate for which however no charge shall be made

Section 6 The act of Assembly approved April fifteenth one thousand eight hundred and ninety-one Pamphlet Laws seventeen entitled An Act to regulate and restrain the hawking vending and peddling of fish fruit and vegetables in the cities of the first class in this Commonwealth and all other acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Hackett,	McKee,	Snyder,
Beales,	Haldeman,	Miller,	Sones,
Buckman,	Homsher,	Nason,	Stewart,
Catlin,	Jenkins,	Patton,	Tompkins,
Craig,	Kline,	Phipps,	Vare,
Daix,	Leiby,	Salus,	Warner,
DeWitt,	Lynch,	Sassaman,	Wasbers,
Eyre,	Martin,	Schantz,	Weaver,
Graff, J. F.,	McConnell,	Semmens,	Whitten,
Graff, W. P.,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 809, entitled

An Act to provide for the regulation of rag shops second hand paper shops and junk shops in cities of the first class and providing a penalty for the violation of this act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Baldwin,	Eyre,	Martin,	Snyder,
Beales,	Graff, J. F.,	McConnell,	Sones,
Beidleman,	Graff, W. P.,	McKee,	Sproul.
Buckman,	Haldeman,	Miller,	Stewart,
Burke,	Hindman,	Nason,	Tompkins,
Catlin,	Homsher,	Patton,	Vare,
Craig,	Jenkins,	Phipps,	Warner,
Daix,	Kline,	Sassaman,	Wasbers,
DeWitt,	Leiby,	Semmens,	Weaver,
Endsley,	Lynch,	Smith, R. E.,	Whitten,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 811, on third reading, entitled

An Act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children under the jurisdiction of the Courts of Quarter Sessions of the Peace or other courts sitting as Juvenile Courts and to acquire land therefor by purchase or by condemnation defining the scope and character of such schools regulating the proceedings for the establishment maintenance and management thereof authorizing the County Commissioners to make appropriations levy taxes and to incur indebtedness therefor and providing that all such schools heretofore established by any county shall be continued and maintained under the authority of this act removing the persons in charge thereof and providing that any property heretofore acquired for any such schools shall be held and used for the schools provided for in this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 856 (House Bill No. 398), entitled

An Act relating to the collection of county taxes in cities of the third class providing for a notice of taxes due and providing for rebates and penalties on such taxes in certain cases.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. BEIDLEMAN. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 860 (House Bill No. 891), entitled

An Act authorizing the Committee on Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to other such hospitals and providing for maintenance of patients after transfer.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Baldwin,	Eyre,	McConnell,	Snyder,
Beales,	Graff, J. F.,	McKee,	Sones,
Beidleman,	Graff, W. P.,	McNichol,	Sproul,
Buckman,	Hackett,	Miller	Stewart,
Burke,	Haldeman,	Nason,	Tompkins,
Catlin,	Homsher,	Patton,	Vare,
Craig,	Jenkins,	Phipps,	Warner,
Crow,	Kline,	Sassaman,	Wasbers,
Daix,	Leiby,	Schantz,	Weaver,
DeWitt,	Lynch,	Semmens,	Whitten,
Endsley,	Martin,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 869, on third reading, entitled

An Act providing for the admission of soldiers to practice in the several courts of the common pleas of Pennsylvania.

be recommitted to the Committee on Judiciary General.

Mr. HALDEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 873, entitled

An Act to amend section two hundred and twenty-six of an act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Endsley,	Martin,	Semmens,
Beales,	Eyre	McConnell,	Sones,
Buckman,	Graff, J. F.,	McKee,	Sproul,
Burke,	Graff, W. P.,	Miller,	Vare,
Catlin,	Hackett,	Nason,	Warner,
Craig,	Haldeman,	Patton,	Wasbers,
Crow,	Homsher,	Phipps,	Weaver,
Daix,	Jenkins,	Salus,	Whitten,
DeWitt,	Lynch,	Sassaman,	

NAYS—3.

Beidleman,	Leiby,	Stewart,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 877, entitled

An Act providing that the capital of certain national banks authorized to act in trust capacities shall be taken and considered as security for the faithful performance of the duties of such trusts and making such capital liable for any default.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,	Graff, J. F.,	Martin,	Smith, R. E.,
Beales,	Graff, W. P.,	McConnell,	Snyder,
Beidleman,	Hackett,	McKee,	Sones,
Buckman,	Haldeman,	McNichol,	Tompkins,
Catlin,	Homsher,	Miller,	Vare,
Daix,	Jenkins,	Nason,	Wasbers,
DeWitt,	Kline,	Patton,	Weaver,
Endsley,	Leiby,	Phipps,	Whitten,
Eyre,	Lynch,		

NAYS—1.

Craig,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 941 (House Bill No. 1181), entitled

An Act making the fraudulent conversion of property or the proceeds of property a misdemeanor prescribing the penalties therefor and regulating the procedure therein.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,	Eyre,	McConnell,	Snyder,
Beales,	Graff, J. F.,	McKee,	Sones,
Beidleman,	Graff, W. P.,	McNichol,	Stewart,
Buckman,	Haldeman,	Miller,	Tompkins,
Burke,	Homsher,	Nason,	Vare,
Catlin,	Jenkins,	Patton,	Warner,
Craig,	Kline,	Phipps,	Wasbers,
Daix,	Leiby,	Sassaman,	Weaver,
DeWitt,	Lynch,	Schantz,	Whitten,
Endsley,	Martin,	Semmens,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1007, entitled

An Act to validate certain sales and leases of real estate situate in this Commonwealth heretofore made by corporations incorporated in this Commonwealth for the carrying on of any mechanical mining quarrying manufacturing or other business.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,	Eyre,	Lynch,	Smith, R. E.,
Beales,	Graff, J. F.,	Martin,	Snyder,
Beidleman,	Graff, W. P.,	McConnell,	Sones,
Buckman,	Haldeman,	McKee,	Tompkins,
Burke,	Hindman,	McNichol,	Vare,
Catlin,	Homsher,	Nason,	Warner,
Craig,	Jenkins,	Sassaman,	Wasbers,
Crow,	Jones,	Schantz,	Weaver,
Daix,	Kline,	Semmens,	Whitten,
Endsley,	Leiby,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

TIME OF NEXT MEETING.

Mr. VARE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 8, 1917.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday evening, May fourteenth, at nine o'clock; and when the House of Representatives adjourns this week, it reconvene on Monday evening, May fourteenth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL INTRODUCED.

Mr. McNICHOL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 1109, entitled

A Joint Resolution providing for the appointment of a commission to study, investigate and revise the Insurance Laws of the Commonwealth; prescribing the powers and duties of the commission, and making an appropriation.

Which was committed to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 627, entitled

An Act providing for the incorporation and government of cities of the third class.

Also from the Committee on Municipal Affairs, reported as committed Senate Bill No. 1018 (House Bill No. 1030), entitled

An Act constituting the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania a commission to act as a joint commission with similar commissions of any other contiguous state or states or as an independent commission for the purpose of planting and accomplishing the erection or building of one or more bridges or tunnels as may be suitable and necessary over or under any navigable stream or river which is one of the boundaries of this Commonwealth and providing for the acquisition of ground for the site and approaches of said bridge or tunnel and for the maintenance of the same by the county or counties wherein it is located.

Also from the Committee on Municipal Affairs, reported as committed Senate Bill No. 1022, entitled

An Act to authorize and require the improvement of streets, roads and highways in all cities of the Commonwealth where owners of land abutting thereon desire to improve and build upon said land.

Also from the Committee on Municipal Affairs, reported as committed Senate Bill No. 1023, entitled

An Act providing for the payment of damages for necessary adjustments to property affected by change of grade, where property was improved on the natural surface of the ground without conforming to the established grade regulation, where said regulation had been established for more than three years.

Mr. J. FRANK GRAFF. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. J. FRANK GRAFF, from the Committee on Insurance, reported as committed Senate Bill No. 568, entitled

A Supplement to the act approved the seventh day of June, one thousand nine hundred and fifteen (Pamphlet Laws eight hundred ninety-eight), entitled "An Act to supervise the operations of fire insurance rate-making bureaus and providing for their examination by the Insurance Commissioner; prohibiting discrimination in fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate-making bureaus; requiring inspection and survey by such bureaus of all risks specifically rated; and regulating agreements between companies or other insurers with respect to fixing and collecting fire insurance rates; and repealing existing laws."

Mr. SEMMENS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SEMMENS, from the Committee on Education, reported as committed Senate Bill No. 1099, entitled

An Act to amend section two hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," providing for the appointment of school directors by the court for independent school districts at the time of the establishment of the same, and providing for the election of school directors thereafter.

Mr. ENDSLEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ENDSLEY, from the Committee on Public Roads and Highways, reported as amended Senate Bill No. 1019, entitled

An Act to amend an act, entitled "A Supplement to an act, entitled 'An Act relating to roads, highways and bridges,' approved the 13th day of June, A. D. 1836," approved the 5th day of May, 1911, so as to provide for the construction, change or alteration of parts of public roads in counties, boroughs or townships without the formality of a view where the costs and expenses to such county, borough or township including damages shall not exceed three hundred dollars.

Mr. MILLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MILLER, from the Committee on Public Health and Sanitation, reported as committed Senate Bill No. 1102, entitled

An Act further amending an act approved the seventh day of June, one thousand nine hundred and one, entitled "An Act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cess pools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof," as amended, which act was extended to cities of the third class by an act approved the fourteenth day of May, one thousand nine hundred and nine, entitled "An Act amending sections one, two, eight, twenty-one, twenty-five, twenty-nine, thirty-five, thirty-six, sixty, sixty-one, sixty-two, sixty-six, seventy and seventy-one of an act, entitled "An Act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage, and cesspools, in cities of the second class, and imposing fines, penalties, and forfeitures for violation thereof," approved the seventh day of June, Anno Domini one thousand nine hundred and one; extending the provisions of said act to cities of the third class, having a system of water-supply and sewerage, of this Commonwealth; and providing further rules, regulations and requirements for the construction or reconstruction of plumbing, house drainage, and cesspools; and providing penalties and forfeitures for violation thereof.

Mr. KLINE. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 857 (House Bill No. 468), entitled

An Act fixing the salaries of the county engineer and deputy county engineer in counties containing a population of more than eight hundred thousand and less than one million four hundred thousand.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 1105, entitled

An Act to repeal an act, entitled "An Act providing for the return of taxes on seated lands in counties, poor districts, boroughs, incorporated towns and townships, for county, poor, borough, town, or township taxes, respectively; and providing for the sale of such lands for taxes," approved the twenty-first day of May, one thousand nine hundred and thirteen.

Also from the Committee on Judiciary General, reported as committed Senate Bill No. 1106, entitled

An Act to supplement an act, entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvement, and for the removal of nuisances, the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," approved the fourth day of June, one thousand nine hundred and one, providing an additional method for the enforcement and collection of county, poor, school, borough, towns or township taxes against seated lands, authorizing the return of taxes on seated lands in counties, poor districts, school districts, boroughs, incorporated towns and townships for county, poor, school, borough, town or township taxes, respectively, and providing for the sales of such lands for such taxes.

Mr. McNICHOL. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1108, entitled

An Act to regulate the salaries of certain officers of the Senate and House of Representatives for regular buennial sessions of the Legislature, which may be in excess of one hundred and fifty (150) days.

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 1098, entitled

An Act amending sections one and ten of an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, entitled "An Act to establish a State village for feeble-minded women; providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve, and to erect and furnish buildings on the same, and to manage said institution, and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years; defining the powers and duties of the board of managers; and making an appropriation for the purposes aforesaid, also for the expenses of maintenance until June first, one thousand nine hundred and fifteen."

Also from the Committee on Judiciary Special, reported as committed Senate Bill No. 1109, entitled

A Joint Resolution providing for the appointment of a Commission to study, investigate and revise the Insurance Laws of the Commonwealth; prescribing the powers and duties of the Commission, and making an appropriation.

BILLS ON FIRST READING.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 1108, entitled

An Act to regulate the salaries of certain officers of the Senate and House of Representatives for regular biennial sessions of the Legislature, which may be in excess of one hundred and fifty (150) days.

be read the first time.

Mr. KLINE. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1108, entitled

An Act to regulate the salaries of certain officers of the Senate and House of Representatives for regular biennial sessions of the Legislature, which may be in excess of one hundred and fifty (150) days.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 1098, entitled

An Act amending sections one and ten of an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, entitled "An Act to establish a State village for feeble-minded women; providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve, and to erect and furnish buildings on the same, and to manage said institution, and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years; defining the powers and duties of the board of managers; and making an appropriation for the purposes aforesaid, also for the expenses of maintenance until June first, one thousand nine hundred and fifteen."

be read the first time.

Mr. KLINE. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1098, entitled

An Act amending sections one and ten of an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, entitled "An Act to establish a State village for feeble-minded women; providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve, and to erect and furnish buildings on the same, and to manage said institution, and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years; defining the powers and duties of the board of managers; and making an appropriation for the purposes aforesaid, also for the expenses of maintenance until June first, one thousand nine hundred and fifteen."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 1109, entitled

A Joint Resolution providing for the appointment of a Commission to study, investigate and revise the Insurance Laws of the Commonwealth; prescribing the powers and duties of the Commission, and making an appropriation.

be read the first time.

Mr. KLINE. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1109, entitled

A Joint Resolution providing for the appointment of a Commission to study, investigate and revise the Insurance Laws of the Commonwealth; prescribing the powers and duties of the Commission, and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE.

Mr. McNICHOL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed Senate Bill No. 969 (House Bill No. 902), entitled

An Act to amend section one of an act approved the third day of May, one thousand nine hundred and nine, entitled "An Act amending an act, entitled 'An Act fixing the salaries of county poor directors in counties of over one hundred and fifty thousand population,' approved the eighth day of June, one thousand nine hundred and seven, by providing for compensation according to population and granting power to employ counsel."

BILLS ON SECOND READING.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 779, as follows:

An Act to permit street passenger railway companies and motor power companies operating the property and facilities of any street passenger railway company to operate

omnibuses in connection with the lines of railways operated by them with the consent of the local authorities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be lawful for any street passenger railway company incorporated under the laws of this Commonwealth and owning leasing or operating a street passenger railway or any motor power company incorporated under the laws of this Commonwealth operating the property and facilities of any street passenger railway company to operate a line or lines of omnibuses in connection with or as feeders to any system of street railways which it may control or operate Provided however That the consent of the proper authorities of the city borough or township of the first class shall be first obtained approving of the route or routes over which such lines are to be operated and Provided further That such route or routes shall not include any street or streets avenues or highways already occupied by the tracks of street passenger railway companies without the consent of the company owning or leasing and operating the tracks of said company

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 805, entitled

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth.

The first section of the bill was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article nine which reads as follows

"Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiency in revenue shall never exceed in the aggregate at any one time one million dollars" be amended so as to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiency in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth

On the question,

Will the Senate agree to the section?

Mr. SPROUL. Mr. President, I move to amend section 1, page 1, line 2, by inserting after the word "Assembly" the word "met"; also line 9, by striking out the word "invasions" and inserting in lieu thereof the word "invasion"; also line 11, by striking out the word "deficiency" and inserting in lieu thereof the word "deficiencies"; also page 2, line 1, by inserting after the word "million" the word "of"; also page 2, line 5, by striking out the word "invasions" and inserting in lieu thereof the word "invasion"; also line 7, by striking out the word "deficiency" and inserting in lieu thereof the word "deficiencies"; also line 22, by striking out the word "elections" and inserting in lieu thereof the word "election."

Mr. EYRE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 Said proposed amendment shall be submitted to the qualified electors of the State at the general election to be held on the Tuesday next following the first Monday of November in the year nineteen hundred and eighteen for the purpose of deciding upon the approval and ratification or the rejection of said amendment Said election shall be opened held and closed upon said election day at the places and within the hours at and within which said elections is directed to be opened held and closed and in accordance with the provisions of the laws of Pennsylvania governing elections and amendments thereto Such amendment shall be printed upon the ballots in the form and manner prescribed by the election laws of Pennsylvania and shall in all respects conform to the requirements of such laws

The title of the bill was read as follows and agreed to:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 939 (House Bill No. 991), entitled

An Act authorizing and empowering the State Highway Commissioner to take over abandoned rights of way or any part or parts thereof owned or controlled by railroad or railway companies for the use of the State Highway Department for the purpose of locating or relocating and constructing State Highways and providing a method of acquiring the same.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1033, as follows:

A Supplement to an act entitled "An Act to promote the safety of travellers and employes upon railroads by compelling common carriers by railroads to properly man their trains" approved the nineteenth day of June Anno Domini one thousand nine hundred and eleven and providing that the provisions of said act shall not be in force during the time the government of the United States is engaged in war with a foreign government or power and for a period of six months after the close of such war

Whereas By act of Congress war now exists between the Imperial German Government and the United States of America and

Whereas The State and Nation are suffering from a shortage of labor owing to the extraordinary demands made upon industry by virtue of the state of war now existing and by the enlistment of large numbers of our citizens in the Army and Navy of the United States and

Whereas It is believed that the industrial situation may be relieved to a large extent by the suspension for a specified period of labor laws and

Whereas It is provided by Article one section twelve of the Constitution of the Commonwealth that no power of suspending laws shall be exercised unless by the legislature or by its authority Now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the provisions of the act approved the nineteenth day of June Anno Domini one thousand nine hundred and eleven entitled "An Act to promote the safety of travelers and employes upon railroads by compelling common carriers by railroad to properly man their trains" shall not be in force during the time that the Government of the United States is engaged in war with a foreign government or power and for a period of six months after the close of such war

Section 2 That all acts or parts of acts inconsistent herewith or supplied hereby are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BURKE. Mr. President, I move that Senate Bill No. 1033, the bill just read, be recommitted to the Committee on Railroads for a public hearing.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1056 (House Bill No. 1580), entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1088 (House Bill No. 1805), entitled

An Act to amend an act entitled "An Act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness absence or other temporary disability" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-seven by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1089, as follows:

An Act to amend an act approved the second day of July one thousand eight hundred and ninety-five entitled "An act to amend an act entitled 'An Act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants,' approved thirty-first March one thousand eight hundred and seventy-six providing for assistant district attorneys and fixing the salary of the same and increasing the salaries of county solicitor clerk of the courts recorder of deeds register of wills and treasurer county prison warden or jailor county commissioners controllers coroners county directors of the poor jury commissioners and county detective and decreasing the salaries of auditors and county surveyor" by fixing the salary of county prison warden

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the second day of July one thousand eight hundred and ninety-five (Pamphlet Laws four hundred twenty-four) entitled "An Act to amend an act entitled 'An Act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants' approved thirty-first March one thousand eight hundred and seventy-six providing for assistant district attorneys and fixing the salary of the same and increasing the salary of county solicitor clerk of the courts recorder of deeds register of wills and treasurer county prison warden or jailor county commissioners controllers coroners county directors of the poor jury commissioners and county detective and decreasing the salaries of auditors and county surveyor" which reads as follows

"The salaries of all county officers in the counties to which this act applies which shall have less than two hundred and fifty thousand and over one hundred and fifty thousand inhabitants each shall be as follows namely

"Of district attorney four thousand dollars

"First assistant district attorney eighteen hundred dollars

"Second assistant district attorney twelve hundred dollars when such office is found necessary by the salary board

"Of sheriff six thousand dollars

"Of prothonotary six thousand dollars

"Of clerk of courts four thousand dollars

"Of register of wills and ex-officio clerk of the orphans' court four thousand dollars

"Of recorder of deeds four thousand dollars

"Of county treasurer five thousand dollars

"Of county surveyor three hundred dollars

"Of county commissioners each twenty-five hundred dollars

"Of county auditors where there is a controller each one hundred dollars

"Of county solicitor one thousand dollars

"Of county prison warden two thousand dollars

"Of coroner two thousand dollars

"Of county directors of the poor each fifteen hundred dollars

"Of jury commissioners each five hundred dollars

"Of county controller where such office exists or may be created four thousand dollars

"Of county detective eighteen hundred dollars" be amended to read as follows

The salaries of all county officers in the counties to which this act applies which shall have less than two hundred and fifty thousand and over one hundred and fifty thousand inhabitants each shall be as follows namely

Of district attorney four thousand dollars

First assistant district attorney eighteen hundred dollars

Second assistant district attorney twelve hundred dollars when such office is found necessary by the salary board

Of sheriff six thousand dollars

Of prothonotary six thousand dollars

Of clerk of courts four thousand dollars

Of register of wills and ex-officio clerk of the orphans' court four thousand dollars

Of recorder of deeds four thousand dollars

Of county treasurer five thousand dollars

Of county surveyor three hundred dollars

Of county commissioners each twenty-five hundred dollars

Of county auditors where there is a controller each one hundred dollars

Of county solicitor one thousand dollars

Of county prison warden two thousand five hundred dollars

Of coroner two thousand dollars

Of county directors of the poor each fifteen hundred dollars

Of jury commissioners each five hundred dollars

Of county controller where such office exists or may be created four thousand dollars

Of county detective eighteen hundred dollars

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1090, as follows:

An Act creating a Division of Dairy and Food in the State Department of Health abolishing the office of Dairy and Food Commissioner and the Division of Dairy and Food in the State Agriculture Department and transferring all powers and duties now by law vested in and imposed upon the Dairy and Food Commissioner and the Dairy and Food Division of the State Department of Agriculture

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby established a Bureau of Dairy and Food in the State Department of Health

Section 2 This bureau shall consist of a Dairy and Food Commissioner as provided for by the act approved the twenty-sixth day of May one thousand eight hundred and ninety-three by the act approved the thirteenth day of March one thousand eight hundred and ninety-five and by the act approved the eighteenth day of May one thousand nine hundred and fifteen who shall be appointed by the State Commissioner of Health and who shall have as many assistants and employes as are now required by the division as operated in the State Department of Agriculture

Section 3 All the powers and duties now by law vested in and imposed upon the Division of Dairy and Food and the office of Dairy and Food Commissioner under the laws creating and regulating that division of the State Department of Agriculture are hereby transferred to the Dairy and Food Commissioner and the Division of Dairy and Food in the State Department of Health and the division and office in the State Department of Agriculture are hereby abolished

Section 4 All laws relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale of exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious food shall hereafter be enforced by the Dairy and Food Commissioner of the State Department of Health

Section 5 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 731, entitled

An Act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks, private bankers and trust companies doing business within this Commonwealth and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 865, entitled

An Act to authorize corporations organized for profit under the laws of Pennsylvania to continue the salaries of employes enlisting or enrolling in any branch of the military or naval service of the United States or other protective organizations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 885 (House Bill No. 662), entitled

An Act to amend an act approved the ninth day of April, one thousand nine hundred fifteen, entitled "An Act to amend an act entitled 'An act to amend an act entitled "An Act to amend an act entitled 'An Act to amend an act entitled "An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel, or glass to erect and maintain buildings and manufacturing establishments, and to take, have, and hold real estate necessary and proper for manufacturing purposes,' approved the ninth day of June, Anno Domini one thousand eight hundred and eighty-one; extending the same to companies formed for the purpose of quarrying slate, granite, stone, or rocks, or for dressing, polishing, working, or manufacturing the same, or any of them, and to mineral springs companies, incorporated for the purpose of bottling and selling natural mineral springs water, approved the sixteenth day of June, Anno Domini one thousand eight hundred and ninety-three," approved the nineteenth day of April, Anno Domini one thousand nine hundred and one; extending the same to companies formed for the purpose of manufacturing and selling chemicals, foodstuffs, cement, and cement products, and the quarrying of cement rock, approved May twenty-eighth, one thousand nine hundred and seven; extending the same to companies incorporated for the manufacture, buying, selling, leasing, using, and operation of electrical apparatus and machinery, and articles of every kind appertaining to or in any wise connected with the production, use, regulation, control, distribution, or application of electricity or electrical energy or products for any use or purpose, constructing, acquiring, using, selling, buying, or leasing any works, construction, or plant, or part thereof, connected with or involving such use, distribution, regulation, control or application of electricity or the control or use of electrical apparatus for any purpose; and of producing, furnishing, and supplying electricity or electrical apparatus in any form and for any purpose, and to carry on a general manufacturing business,' approved the twenty-third day of June one thousand nine hundred and eleven; by extending the same to companies incorporated for the purpose of refining, manufacturing, or sale of petroleum and petroleum products," by extending the same to corporations incorporated for the manufacture of leather or articles containing leather.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 929 (House Bill No. 187), entitled

An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 974 (House Bill No. 986), entitled

An Act making a deficiency appropriation to the Department of Agriculture.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 991 (House iBll No. 1310), entitled

An Act to confer additional powers upon fire insurance companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 993 (House Bill No. 40), entitled

An Act amending an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein, and appeals therefrom and providing for the expenses thereof" by increasing the amount of salary to be paid to the judges of the municipal court of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 995, entitled

An Act regulating the licensing of persons and institutions in the business of receiving, boarding or keeping children under the age of fourteen years for hire or reward; providing that such licenses shall be obtained annually from the director or president of the board of health in all cities of the second and third classes, boroughs, towns, and all townships of the first class, and in the case of township of the second class, from the Commissioner of the State Department of Health; authorizing the making of rules and regulations for the issuing and registering of such licenses, for the conduct of such business and for the inspection of the premises in which said business is conducted; making the violation of the act and the rules and regulations made thereunder a misdemeanor, and prescribing the penalty therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 997, entitled

An Act to amend section 23 of an act, entitled "An Act to provide for the incorporation and regulation of certain corporations," approved April 29th, 1874, as amended by the 5th section of an act, entitled "A Supplement to an act, approved April 29th, 1874, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' providing for the further regulation of such corporations, and for the incorporation and regulation of certain additional corporations," approved April 17th, 1876, as amended by section 1 of an act, entitled "An Act to amend section 23 of an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved April 29th, 1874, as amended by the 5th section of an act, entitled 'A Supplement to an act, approved April 29th, 1874, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' providing for the further regulation of such corporations, and for the incorporation and regulation of certain additional corporations,' approved April 17th, 1876; requiring the filing of all reports required by the Auditor General of the Commonwealth of Pennsylvania, by certain corporations, up to and including the date of the proposed sale, assignment, disposition and conveyance of the franchises and property of such corporations before the return authorizing such sale, assignment, disposition, and conveyance shall be filed in the office of the Secretary of the Commonwealth;" approved June 2d, 1915 (P. L. 724).

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1002, entitled

An Act to exempt playgrounds not used for private or corporate profit from taxation where the entire revenue is

applied to support said playgrounds and to increase the efficiency and improvement thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1024, entitled

An Act providing for the payment of consequential damages arising from the taking injury or destruction of private property by municipal corporations in the construction or enlargement of their works highways or improvements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1025, entitled

An Act amending section one of the Act of June 23, 1885, (P. L. 145), entitled "An Act to protect oil, gas and water wells, tanks, pipes, and machinery connected therewith and to prevent wilful and malicious injury thereto;" extending the provisions thereof to reservoirs, standpipes, pumping stations, power houses, and other buildings or appliances used for the supply of water or electric current.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1027, entitled

An Act to amend an act, entitled "An Act relating to prothonotaries and their duties, and to their deputies, and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the 26th day of May, A. D. 1897, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1044 (House Bill No. 751), entitled

An Act to fix the compensation for members of the General Assembly.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1052 (House Bill No. 1140), entitled

An Act to revise, amend and consolidate the law relating to fish and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL INTRODUCED.

Mr. CATLIN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 1110, entitled

An Act providing for the distribution and use for the promotion of biological science and for the discovery of new methods of treatment in medicine and surgery of the bodies of deceased physicians and surgeons; and providing penalties for neglect or refusal to comply with the provisions of this act.

Which was committed to the Committee on Elections.

HOUSE MESSAGE.

HOUSE CONCURS IN SENATE BILL NO. 624.

The Clerk of the House of Representatives, being introduced, returned to the Senate Senate Bill No. 624, entitled

An Act dividing the Middle Coal-field Poor District into four districts and providing for the nomination and election of a director and auditor from each district, and one director at large to be elected by the voters of all districts; fixing the time when such nominations and elections shall be held and when those elected shall take office; providing for appointments and filling of vacancies; placing the affairs of the district under the supervision and control of the court of quarter sessions of Carbon County; making it lawful to erect new or additional buildings for said district after the approval of the court of quarter sessions of Carbon County; and repealing certain acts.

with the information that the House has passed the same without amendment.

SENATE BILL NO. 203 RETURNED WITH AMENDMENTS.

He also returned to the Senate Senate Bill No. 203, entitled

An Act defining and regulating boxing and wrestling contests

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "contest" includes any contest bout match or exhibition of boxing or sparring or wrestling

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. McCONNELL. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. EYRE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments, having been printed as required by the Constitution, were twice read as follows:

Amend section 9, page 3, line 17, by striking out the word "ten" and inserting in lieu thereof the word "five;" also section 17, page 6, line 3, by striking out the word "eight" and inserting in lieu thereof the word "six."

On the question,
Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Graff, J. F.,	McKee,	Sones,
Beales,	Haldeman,	McNichol,	Sproul,
Burke,	Homsher,	Miller,	Stewart,
Catlin,	Jenkins,	Nason,	Vare,
Crow,	Kline,	Patton,	Warner,
Daix,	Leiby,	Phipps,	Wasbers,
DeWitt,	Lynch,	Sassaman,	Weaver,
Endsley,	Martin,	Schantz,	Whitten,
Eyre,	McConnell,	Snyder,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVAL OF RESOLUTION RECALLING SENATE BILL NO. 205 FROM THE GOVERNOR.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 18, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing for the recall of Senate Bill No. 205.

MARTIN G. BRUMBAUGH.

RECONSIDERATION OF SENATE BILL NO. 205.

Mr. SPROUL. Mr. President, I move to reconsider the vote by which Senate Bill No. 205, entitled

An Act authorizing Louis Gumbiner a resident of Philadelphia County State of Pennsylvania to sue the Common-

wealth of Pennsylvania in the court of Common Pleas of Dauphin County for the amount of such part if any of a certain wholesale liquor license fee as required by and paid by him to the Treasurer of the City and County of Philadelphia in excess of the amount of such fee as was justly and legally due and payable.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. SPROUL. Mr. President, I voted "aye".

Mr. McNICHOL. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. McNICHOL. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

BILL RECOMMITTED.

Mr. SPROUL. Mr. President, in the absence of the Senator from Philadelphia, who is interested in this bill, I move that it be recommitted to the Committee on Judiciary General.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE.

AMENDMENTS TO HOUSE BILL NO. 775, RECALLED FROM THE GOVERNOR.

The Clerk of the House of Representatives, being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 775, entitled

An Act to fix and determine the salary of the several clerks of the courts of common pleas of the County of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth.

said bill having been recalled from the Governor for amendment.

The vote had on final passage and third reading on said bill were reconsidered in the House of Representatives and the bill amended, in which amendments the concurrence of the Senate is requested.

BILL RECOMMITTED.

Mr. VARE. Mr. President, I move that Senate Bill No. 782 (House Bill No. 775), entitled

An Act to fix and determine the salary of the several clerks of the courts of common pleas of the County of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth.

be recommitted to the Committee on Municipal Affairs.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

RECESS.

Mr. BEIDLEMAN. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. LYNCH. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILL INTRODUCED.

Mr. SALUS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1111, entitled

An Act to fix and determine the salary of the several clerks of the municipal court of the County of Philadelphia, in accordance with article five, section seven of the Constitution of this Commonwealth, and the act of Assembly of July twelfth, one thousand nine hundred thirteen, section four (Pamphlet Laws seven hundred and eleven).

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. KLINE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 1050 (House Bill No. 1057), entitled

An Act granting certain powers to cities of the second class in relation to underground tunnels, tubes and subways, including their construction, maintenance, and operation, and the leasing thereof or parts thereof and providing for the ascertaining of the damages by reason of such construction or by reason of the taking, using or appropriating of land necessary and incidental thereto; conferring the power of eminent domain in connection therewith and providing for the approval of the contracts provided for herein by the Public Service Commission.

Also from the Committee on Municipal Affairs, reported as committed Senate Bill No. 1051 (House Bill No. 1060), entitled

An Act empowering cities of the second class to purchase, lease, locate, construct and equip or otherwise acquire transit facilities and to own, maintain, use and operate the same within their corporate limits and within the limits of adjacent cities, boroughs and townships; to exercise the right of eminent domain in connection therewith, and prescribing the manner of ascertaining the damages sustained in connection with such exercise, to sell, pledge, or lease transit facilities, to grant licenses for the use of the same, to enter into agreements for the construction and operation of the same, to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad, railway and motor power companies to sell, purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition, construction, operation and use of transit facilities subject to the provisions of "The Public Service Company Law" of July twenty-sixth, one thousand nine hundred and thirteen and its supplements and amendments.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 400 (Senate Bill No. 1112), entitled

An Act to protect the public health by prohibiting the use of public cigar cutters.

Which was committed to the Committee on Judiciary Special.

House Bill No. 619 (Senate Bill No. 1113), entitled

An Act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bull-frogs tad-poles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid.

Which was committed to the Committee on Game and Fisheries.

House Bill No. 1380 (Senate Bill No. 1114), entitled

An Act to amend section one of an act approved the fifteenth day of July one thousand eight hundred ninety-seven entitled "An Act to provide revenue by taxation."

Which was committed to the Committee on Finance.

House Bill No. 1424 (Senate Bill No. 1115), entitled

An Act for the imposition and collection of certain inheritance taxes.

Which was committed to the Committee on Finance.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 866.

He also presented communication from the House of Representatives informing the Senate that the House has

concurred in amendments made by the Senate to House Bill No. 866, entitled

An Act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "Drug" and "Poisons" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality, strength and purity.

ADJOURNMENT.

Mr. KLINE. Mr. President, I move that the Senate do now adjourn until ten o'clock to-morrow morning.

Mr. EYRE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12.26 o'clock P. M. until Wednesday morning, May 9, 1917, at ten o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, May 8, 1917.

The House met at 11 o'clock A. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

O, Thou that dwellest in the Heavens, we gladly come to Thy feet with our homage and bring to Thee our hearts' praise. We would consecrate this day with a record of worthy deeds, of faithfulness, of kindness, of unselfishness and real Christian patriotism. Preserve us from impatience, from outbreaks of temper, from quarrelsomeness, from all harsh and bitter speech. Help us to live together affectionately, forbearing one another, restraining anger and unkindly feeling, and manifesting only thoughtfulness, gentleness and sweetness of spirit. May it be our earnest endeavor to be a centre of holy influences, which shall flow to all nations, kindreds and tongues, giving light, warmth and cheer, so that the blessings of Thy love be revealed and understood. Magnify our vision of the universal brotherhood of man and general fatherhood of God, and save us all. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Edgar R. Smith, the further reading was dispensed with, and the Journal was approved.

BILL INTRODUCED AND REFERRED.

Mr. GANS. Mr. Speaker, I ask unanimous consent to introduce a bill at this time. This is an amendment to the Registration Act, affecting cities of the first and second class.

The SPEAKER. The Chair hears no objection and unanimous consent is granted.

By Mr. GANS. House Bill No. 1861.

An Act to amend the third, fifteenth and sixteenth sections of an act, entitled "An Act to provide for the personal registration of electors and their enrollment as members of political parties, in cities of the first and second classes of this Commonwealth; to make such registration a condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities; and providing for the payment of witness fees for persons summoned before the commissioners; to provide penalties for violations of its provisions; and to repeal acts inconsistent therewith."

Referred to the Committee on Elections.

RESOLUTION EXTENDING SYMPATHY TO THE FAMILY OF THE HON. FRANK W. MOHR.

Mr. RINGLER asked and received unanimous consent for the immediate consideration of the following resolution, which was twice read, considered and agreed to:

In the House of Representatives, May 8, 1917.

Whereas, The Hon. Frank W. Mohr, late of the City of Reading, formerly a member of this body, was called to his rest Sunday, May 6, 1917; and

Whereas, It is proper and fitting that this House should make a minute of the decease of one of its former members; therefore,

Be it resolved by the House of Representatives in General Assembly met, That the members of the House of Representatives hereby extend to the family of the Hon. Frank W. Mohr of the City of Reading, formerly a member of this body, their sincere sympathy in the loss they have sustained;

Resolved, That a copy of this resolution, certified by the Chief Clerk, be forwarded to the family of the deceased, and that a copy be spread upon the Journal of the House.

REPORTS FROM COMMITTEES.

Mr. BRADY, from the Committee on Insurance, reported as committed House Bill No. 1552 (Senate Bill No. 531), entitled

An Act authorizing insurance companies upon any increase of capital to issue the same at a price in excess of par; to require payment of such price as a condition to the right to subscribe; and also to sell in such manner as the board of directors may prescribe for not less than such price any unsubscribed stock.

Mr. HEYBURN, from the Committee on Education, reported as committed House Bill No. 1507 (Senate Bill No. 784), entitled

An Act authorizing the Superintendent of Public Instruction to appoint one clerk, who shall be an expert stenographer, and for stenographers, and fixing their salaries.

Mr. PALMER, from the Committee on Elections, reported as committed House Bill No. 1861, entitled

An Act to amend the third, fifteen and sixteenth sections of an act, entitled "An Act to provide for the personal registration of electors, and their enrollment as members of political parties, in cities of the first and second classes of this Commonwealth; to make such registration a condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities; and providing for the payment of witness fees for persons summoned before the commissioners; to provide penalties for violations of its provisions; and to repeal acts inconsistent herewith."

Mr. J. W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1769, entitled

An Act to repeal article three, section three, clause D of an act, entitled "The Public Service Company Law," approved the twenty-sixth day of July, Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four).

Mr. J. W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1856 (Senate Bill No. 910), entitled

An Act to repeal section five of an act, entitled "Supplement to the act incorporating the Borough of Doylestown, entitled 'An Act authorizing the Governor to incorporate the Bristol Steam Tow Boat and Transportation Company and for other purposes,' " approved the thirteenth day of March, one thousand eight hundred and sixty-seven (Pamphlet Laws four hundred and fourteen).

Mr. J. W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1857 (Senate Bill No. 911), entitled

An Act providing for the ascertainment and assessment of damages and benefits in proceedings to lay out, open, widen, vacate, extend, grade or changing the grade or lines of streets, lanes and alleys in boroughs; providing that this act shall apply to all proceedings when the damages shall not have been actually and finally ascertained and repealing all acts, general, local or special, conflicting therewith.

Mr. J. W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1829 (Senate Bill No. 652), entitled

An Act to amend the first and second sections of "An Act to further amend an act approved April ninth one thousand eight hundred and seventy 'requiring railroad canal

navigation and telegraph companies to make uniform reports to the Auditor General' which act as amended by the Act of April thirteenth one thousand eight hundred and eighty-nine extended its provisions to telephone companies and conforming to the requirements of the Constitution provided for the filing of such reports with the Secretary of Internal Affairs and regulating the time for the filing of the same which said act is now further amended as to the time of forwarding blanks for such reports and the provisions of said act are extended to include all corporations owning or operating lines of railways canals transportation telegraphs or telephones located in whole or in part in Pennsylvania" approved the nineteenth day of April Anno Domini one thousand eight hundred and ninety-seven by changing the time of the forwarding of blanks and the filing and transmitting of annual reports.

Mr. SIMPSON, from the Committee on Appropriations, reported as committed House Bill No. 1067 (Senate Bill No. 285), entitled

An Act for the printing, binding and distribution of the "Analytical Index of the Official Opinions of the Attorney General's Department," and making an appropriation.

BILL ON FIRST READING.

Mr. GANS asked and received unanimous consent to have a bill read the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1861, entitled

An Act to provide for the personal registration of electors, and their enrollment as members of political parties, in cities of the first and second classes of this Commonwealth; to make such registration a condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities; and providing for the payment of witness fees for persons summoned before the commissioners; to provide penalties for violations of its provisions; and to repeal acts inconsistent therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 680

An Act to amend section two of an act approved the fifteenth day of June, one thousand nine hundred and eleven, entitled "An Act providing for the appointment by the district attorney in counties having a population of over one million and less than one million five hundred thousand inhabitants of a chief county detective, an assistant county detective and special county detectives; defining their duties; fixing their salaries and authorizing the payment of the same together with the necessary traveling expenses by the county and providing for additional salary and expenses.

Senate Bill No. 698

An Act to prevent the incorporation of societies and associations not for profit with names, styles and titles identical with or similar to the names, styles or titles of State boards, commissioners or other activities and the use by such societies and associations already incorporated of such names, styles or titles where such identity or similarity is calculated to result or has resulted in a confusion in the public mind between the recommendations and operations of such soceities and associations and those of said State boards, commissions or other activities.

Senate Bill No. 560

An Act amending sections eight and ten of an act approved the nineteenth day of March, one thousand nine hundred nine, entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania, to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act," as amended, by providing for the extension of time necessary for graduation by revising the fee for reciprocity licenses and by further regulating the preliminary educational requirements for matriculation into colleges.

Senate Bill No. 52

An Act to prohibit the unauthorized use of certain containers in the sale, exchange or delivery of milk or cream or their products or any other products and prescribing penalties.

Senate Bill No. 700

An Act to provide for the classification of inspectors of the Department of Labor and Industry according to qualifications determined by a Committee of the Department of Labor and Industry and fixing the salaries of inspectors within the several classifications.

Senate Bill No. 119

An Act providing for the filling of vacancies in the office of tax collector in boroughs and townships by the county commissioners and repealing certain acts inconsistent therewith.

Senate Bill No. 217

An Act preventing the manufacture sale or transportation within the Commonwealth of adulterated or misbranded paris greens lead arsenates lime-sulphur compounds and other insecticides and fungiciles and regulating traffic therein providing for inspection of such materials and imposing penalties.

Senate Bill No. 579

A Supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Departments and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" and further providing that the State Highway Commissioner and the several counties townships boroughs or incorporated towns shall have authority to make and enter into contracts to reconstruct or improve a State Highway or portion thereof in the same manner as a State-aid Highway and authorizing counties townships boroughs or incorporated towns to incur indebtedness and pay their respective shares of the cost thereof and making valid all such contracts heretofore made such highway to remain a State Highway.

Senate Bill No. 675

An Act validating marriages contracted on or before the first day of January one thousand eight hundred and ninety-six within or without the State of Pennsylvania between parties resident within the State of Pennsylvania at the time of the approval of this act where continuous cohabitation of the parties contracting the marriage for a period of twenty-one years has followed such marriage notwithstanding any impediment or obstacle which may have existed under the law of Pennsylvania at the time such marriage was performed and making legitimate all children born of parents whose marriages are validated under this act.

Senate Bill No. 9

An Act to provide for the change of object of the corporate existence of volunteer fire companies and firemen's relief associations connected with volunteer fire departments and authorizing and providing a mode for the dissolution and surrender of the charter of said companies and associations.

Senate Bill No. 256

An Act to amend paragraph "a" of section four and paragraph one of section five of an act entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record providing for non-partisan nominations and elections for said offices abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses" approved the twenty-fourth day of July Anno Domini one thousand nine hundred and thirteen so as to change the time for circulating and filing nomination petitions.

Senate Bill No. 257

An Act to amend the first, sixth and seventh sections of an act, entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same, authorizing the State committee of a political party to make and to alter, amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation," approved the twelfth day of July, Anno Domini one thousand nine hundred and thirteen, so as to change the time for filing petitions of nomination and the time for the organization of the State committees.

Senate Bill No. 583

An Act to further amend section sixteen of an act approved the thirteenth day of June, one thousand eight hundred and thirty-six, entitled "An Act relating to lunatics and habitual drunkards," as amended.

Senate Bill No. 595

An Act regulating the practice and procedure of the sheriff or deputy sheriff under writs of inquisition, condemnation, inquiry of damages, lunacy or habitual drunkard proceedings, partition proceedings or by virtue of any other writ or process issued by the courts of this Commonwealth wherein the existing laws require the sheriff to be present in person.

Whereupon,

The SPEAKER in the presence of the House signed the same.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 847.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen. I return herewith, without my approval House Bill No. 847, entitled "An Act to amend section two thousand six hundred twenty of an act approved the eighteenth day of May, one thousand nine hundred eleven entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith.' "

The purpose of this bill is to compel auditors of school funds to complete their work and file an itemized statement not later than September 1, 1917.

Under present law these auditors must begin their duties on the first Monday in July each year and promptly audit the accounts of the school district. It is not conceivable that two months are required for any such audit unless there is some appeal to the courts in which case the audit will in any event be incomplete until the findings of the court become known. To add an additional law for a purpose so obviously unnecessary is not economy. The present act is adequate.

For these reasons the bill is not approved.

MARTIN G. BRUMBAUGH.

Mr. JONES. Mr. Speaker, I move that this veto together with the bill be laid on the table.

Mr. HOUGH. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 354.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed House Bill No. 354, entitled "An Act authorizing the Legislative Reference Bureau to continue the work commenced under the provisions of an act approved the twentieth day of May one thousand nine hundred and thirteen entitled 'An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the assistant director and making an appropriation therefor' fixing the powers and duties of the bureau therein and making an appropriation."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 856.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed House Bill No. 856, entitled "An Act to further amend section fifteen of an act approved the twenty-second day of June one thousand eight hundred and ninety-one entitled 'An Act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor' as amended fixing the maximum for maintenance weekly per capita."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 612.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed House Bill No. 612, entitled "An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 451.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed House Bill No. 451, entitled "An Act exempting free from the claims of all creditors the proceeds of certain life insurance and annuity contracts bona fide taken out by any person not exceeding one hundred dollars per month.

Whereas It is to the interest of the Commonwealth and the various counties and municipal divisions thereof to encourage its citizens to reasonably provide for their own support during old age whereby the financial burden of their maintenance may be avoided therefore."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 392.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 392, entitled "An Act to amend an act entitled 'A Supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five authorizing and establishing a board of recreation for the creation organization care management conduct and supervision of recreation facilities of cities of the first class except as herein provided" approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred and thirty-nine) by changing the number of the members of the board of recreation their length of term and the officers to be elected."

MARTIN G. BRUMBAUGH.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF HOUSE BILL NO. 738.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 738, entitled "An Act vesting in the persons appointed by the county commissioners of the several counties of this Commonwealth to inspect and repair county roads improved and maintained by such counties the power and authority now vested by law in the constables of the several cities boroughs and townships of this Commonwealth for the preservation of the peace in and along such roads and for the enforcement of acts of Assembly regulating the speed of automobiles and other vehicles thereon and for the enforcement of rules and regulations governing the use of such roads designating such persons county road caretakers and providing for badges evidencing their authority."

MARTIN G. BRUMBAUGH.

SENATE MESSAGE.

HOUSE BILL RECALLED FROM THE SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Repersentatives numbered and entitled as follows, viz:

House Bill No. 375

An Act to amend section one thousand two hundred and ten and to repeal sections one thousand two hundred and eleven, one thousand two hundred and thirteen and two thousand eight hundred and five of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith."

Said bill having been recalled from the Senate for the purpose of amendment.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 375.

Mr. DELL. Mr. Speaker, I move that the vote by which House Bill No. 375, File Folio 1469, passed finally be reconsidered.

Mr. SIGGINS. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. DELL. Mr. Speaker, I move that the vote by which House Bill No. 375, File Folio 1469, passed the House on third reading be reconsidered.

Mr. SIGGINS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. DELL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend line 27, page 2, by striking out "fifty and ($50.00)" and inserting in lieu thereof "forty-five ($45.00)."

Amend page 3, line 3, by striking out "sixty-five and ($65.00)" and inserting in lieu thereof "sixty ($60.00)."

Amend page 3, by striking out all of section 2.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 1573

An Act to carry into effect the amendment to section eight of article nine of the Constitution of Pennsylvania adopted by the people at an election held on the second day of November, one thousand nine hundred and fifteen; to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum in excess of three per centum upon the assessed valuation of taxable property in said city, for the specific purposes authorized by said amendment; regulating the manner of making such increase of indebtedness, and providing for the redemption of the same; validating elections held in said city since the adoption of said amendment in the manner provided by this act, or by the act of the General Assembly approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the supplements and amendments thereto; and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued, pursuant to authority conferred by the electors at any such election.

House Bill No. 648

An Act to amend section one thousand four hundred thirty-nine of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewtih" as amended and adding thereto section one thousand four hundred forty.

House Bill No. 770

An Act providing fees and mileage for witnesses attending coroners inquests and providing for the payment thereof by the several counties.

House Bill No. 119

An Act authorizing a State Association of Township Supervisors and providing for the payment of the expenses thereof by the respective counties.

With information that the Senate has passed the same without amendments.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows, viz:

Senate Bill No. 700

An Act to provide for the classification of inspectors of the Department of Labor and Industry according to qualifications determined by a Committee of the Department of Labor and Industry and fixing the salaries of inspectors within the several classifications.

Senate Bill No. 560

An Act amending sections eight and ten of an act approved the nineteenth day of March one thousand nine hundred nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by providing for the extension of time necessary for graduation by revising the fee for reciprocity licenses and by further regulating the preliminary educational requirements for matriculation into colleges.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 866

An Act to regulate the practice of Pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "Drug" and "Poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity.

With information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend section 13, page 9, line 26, by striking out "wholesale grocers."
Page 11, strike out all of section 16.
Page 11, line 23, strike out "17" and insert "16."
Page 12, line 7, strike out "18" and insert "17,"
Page 13, line 18, strike out "19" and insert "18,"
Page 13, line 25, strike out "20" and insert "19,"
Page 14, line 4, strike "21" and insert "20,"
Page 14, line 13, strike "22" and insert "20."
Page 14, line 21, strike out "23" and insert "22,"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185.

Aron,	Franklin,	McVicar,	Shunk,
Arthur,	Fretz,	Mearkle,	Siggins,
Aston,	Gans,	Mehring,	Simpson,
Baker,	Glass,	Mervine,	Sinclair,
Baldi,	Golder,	Michel,	Smith, E. R.,
Baldridge,	Goodnough,	Miller, A. D.,	Smith, F. I.,
Bechtold,	Goodwin,	Miller, C. G.,	Smith, J. W.,
Benchoff,	Gormley,	Miller, G. J. A.,	Smith, L.,
Bennett,	Graeff,	Milner,	Smith, O. W.,
Benninger,	Graham,	Mitchell,	Snowden,
Beyer,	Gransback,	Morgan, T.,	Snyder,
Bidelspacher,	Haldeman,	Morgan, T. J.,	Somerman,
Black,	Hecht,	Murdoch,	Sones,
Bovee,	Heffernan,	Murphy,	Spangler,
Boyd,	Helt,	Musser,	Speicher,
Brady,	Hess,	Neary,	Sprowls,
Brumbaugh,	Heyburn,	Ogden,	Stadtlander,
Burnett,	Hibshman,	Palmer,	Steedle,
Campbell, J. O.,	Hoffman,	Patterson,	Sterling,
Campbell, T.,	Hollingsworth,	Perry,	Stern,
Canon,	Horne,	Phillips,	Stites,
Chestnut,	Horton,	Pickering,	Stofflet,
Christman,	Hough,	Powell,	Sullivan,
Clements,	Howarth,	Ramsey,	Swartz,
Coldsmith,	Isherwood,	Reichenbacher,	Sweitzer,
Conner,	Jennings,	Reitzel,	Thomas,
Corbin,	Jones,	Reynolds,	Ulsh,
Cox,	Kennedy,	Rhoads, H. L.,	Urich,
Crosby,	Lafferty,	Rhodes, W. M.,	Vickerman,
Cummins,	Lanius,	Rich,	Vogdes,
Curry,	Lauler,	Ringler,	Wagner,
Davis, W.,	Leary,	Rininger,	Walker,
Dawson,	Lewis,	Rinn,	Wallace,
Dean,	Lohr,	Robertson,	Walter,
Dell,	Luppert,	Rogers,	Weimer,
Dewey,	Malie,	Ross,	Wells,
Dithrich,	Mangan,	Rothenberger,	West,
Donneley,	Marvin,	Ruddy,	Wickman,
Drinkhouse,	Maurer,	Rudisill,	Williams, G. W.
Dunn,	McArdle,	Sampsel,	Williams, J. P.,
Eby,	McCaig,	Sarig,	Wobensmith,
Ehrhardt,	McCurdy,	Schaeffer, A. C.,	Wood,
Erdman,	McKay,	Scott,	Woodward,
Fackler,	McKinney,	Shaffer, C. A.,	Wynne,
Fitzgibbon,	McNichol,	Shattuck,	Zanders,
Flynn,	McPeake,	Showalter,	Baldwin,
Fowler,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING.

The SPEAKER. In accordance with the resolution of last week, we will proceed to consider the revenue bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1577, as follows:

An Act imposing a State tax upon crude petroleum providing for the settlement and collection of said tax annually and dedicating the same to the construction maintenance improvement and repair of State and State-aid Highways and providing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act an annual tax of two per centum (2%) is hereby imposed upon all crude petroleum produced in this Commonwealth

Section 2 It shall be the duty of the individual or the superintendent or other officer in charge of any and every well in this Commonwealth from which crude petroleum is obtained to ascertain daily the number of barrels of said crude petroleum which is produced at such well or wells and to fix the value thereof The said individual superintendent or other officer in charge of any such well shall make report in writing under oath on the first day of each month and a total report on the first day of January in each and every year hereafter to the Auditor General of the number of barrels of crude petroleum hereby made taxable and the assessed value thereof during the calendar year then next preceding the time when the same was produced or obtained and the amount of the tax assessed by him thereon Provided That the report made on the first day of January one thousand nine hundred and eighteen shall be for the portion of the year one thousand nine hundred and seventeen after the approval of this act The said individual superintendent or other officer in charge of any such well or wells shall be entitled to receive as compensation for the services herein imposed upon him one per centum of the amount of the tax collected which said sum shall be paid upon the warrant of the Auditor General out of the taxes so collected

If the individual superintendent or other officer in charge of any such well or wells shall fail or refuse to assess the said tax or to make the monthly or annual reports as herein provided the Auditor General is hereby authorized to appoint some person to go upon the ground and to assess from time to time the crude petroleum made taxable by this act who shall make report to him of the same The Auditor General may require the production of such books papers and reports as may be necessary for the ascertainment valuation assessment and settlement of the tax as herein provided and may make an estimated settlement of the said tax either with or without the production of said books papers and reports The person firm association or corporation being the owner lessee or operator of the well shall see that the individual superintendent or other officer in charge of any such well performs the duties herein imposed thereon For failure to assess the said tax and make report as required by this act and the Auditor General shall disallow the compensation for said assessment and shall add ten per centum to the tax when settled as a penalty for such failure If any individual superintendent or other officer in charge of any such well or wells shall

fail to assess said tax or if any person firm corporation limited partnership or joint-stock association or any other owner operators or lessees of any such well or wells or the members or directors thereof shall fail to cause the same to be done or to make reports required by this act he or they shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of five hundred dollars ($500) or to undergo an imprisonment not exceeding one year or both at the discretion of the court

Section 3 The tax hereby imposed shall be settled and collected as other State taxes are settled and collected An appeal from the settlement of any tax imposed by this act may be taken and prosecuted in the same manner as appeals are taken and prosecuted from the settlement of other State taxes This section does not authorize an appeal from any settlement estimated when no report is made and filed

Section 4 Any person firm association or corporation being the owner of the gas at the well shall pay the tax imposed by this act into the State Treasury within sixty days after the same has been settled The tax imposed by this act shall bear interest until paid at the rate of twelve per centum per annum from sixty days from the date of settlement therefor and any judgment recovered thereon shall bear interest at the rate of twelve per centum per annum The payment of the interest shall not relieve any person firm association or corporation from the penalty prescribed for the neglect or refusal to make the assessment and reports hereinbefore required or to see that such assessments and reports are made

Section 5 The moneys derived from time to time from the tax collected under the provisions of this act are hereby permanently dedicated to the construction maintenance improvement and repairs of the State and State-aid Highways of the Commonwealth and shall be kept in a special fund for that purpose in the State Treasury separate and apart from the general revenues of the Commonwealth The State Treasurer and his bondsman shall be responsible for the safe-keeping of and accounting for said fund in the same manner and under the same penalties as for the safe-keeping and accounting for other revenues of the Commonwealth The State Treasurer shall on the first business day of each and every month make report to the State Highway Commissioner of the money in said fund available for the use of the State Highway Department and the State Treasurer and Audtior General shall credit the amount so certified as available to an account for the construction and improvement of State and State-aid Highways When so certified by the State Treasurer the fund shall be available for requisition and expenditure and shall be requisitioned expended settled and vouched as provided by general law for funds appropriated from the general revenues of the Commonwealth

Section 6 All act or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1576, as follows:

An Act to further amend an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering purposes and imposing a tax of one mill on certain capital stock of cergranted corporations limited partnerships and joint-stocks associations organized for manufacturing and laundering purposes and appropriating the money received from such tax for State and State-aid Highway purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the twenty-first section of an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and three) entitled "An Act to amend section twenty-one of an act approved the first day of June one thousand eight hundred eighty-nine entitled 'A further supplement of an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' as amended" which reads as follows

"Section 21 That every corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the Treasury of the Commonwealth annually a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section and it shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within thirty days from the date of the settlement of the account by the Auditor General and the State Treasurer Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided also That corporations limited partnerships and joint-stock associations liable to tax on capital stock under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals And provided further That the provisions of this section shall not apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations orginazed for laundering or manufacturing purposes which is invested in and actually and exclusively employed in carrying on laundering or manufacturing within the State excepting companies engaged in the brewing or distilling of spirits or malt liquors and such as enjoy and exercise the right of eminent domain but every laundering or manufacturing corporation limited partnership or joint-stock association shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to its laundering or manufacturing business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the laundering or manufacturing plant and business Provided further In case of fire and marine insurance companies the tax imposed by this section shall be at the rate of three mills upon each dollar of the actual value of the whole capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania" is hereby further amended to read as follows

Section 21 That every corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the Treasury of the Commonwealth annually a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section and it shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within thirty days from the date of the settlement of the account by the Auditor General and the State Treasurer Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided also That corporations limited partnerships and joint-stock associations liable to tax on capital stock under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals And provided further In the case of fire and marine insurance companies the tax imposed by this section shall be at the rate of three mills upon each dollar of the actual value of the whole capital stock

Every manufacturing corporation limited partnership or joint-stock association engaged in laundering or manufacturing except as hereinafter provided shall be subject to and pay into the State Treasury annually a tax of one mill on each dollar of the actual value of so much of their capital stock as is invested in and actually and exclusively employed in carrying on laundering or manufacturing within the State

All the capital stock without exception of corporations limited partnerships and joint-stock associations engaged in the brewing or distilling of spirits and malt liquors and such as enjoy and exercise the right of eminent domain and so much of the capital stock of every other corporation limited partnership and joint-stock association engaged in laundering and manufacturing as is not invested in and actually and exclusively employed in carrying on laundering or manufacturing in this Commonwealth shall be subject to the tax of five mills hereinbefore provided

All moneys received by the State Treasurer from the one mill tax hereinbefore imposed on corporations limited

partnerships and joint-stock associations engaged in laundering and manufacturing shall be kept in a separate fund and shall be used only for the construction improvement maintenance and repair of State and State-aid roads The moneys so received from such one mill tax is hereby specfically appropriated to the State Highway Department to be paid by the State Treasurer upon requisition of the State Highway Commissioner after audit and approval by the Auditor General in the usual manner

Nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1578, as follows:

An Act imposing a State tax upon natural gas providing for the settlement and collection of said tax annually and dedicating the same to the construction maintenance improvement and repair of State-aid Highways and providing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act an annual tax of two per centum (2%) is hereby imposed upon all natural gas produced in this Commonwealth

Section 2 It shall be the duty of the individual or the superintendent or other officer in charge of any and every well in this Commonwealth from which natural gas is obtained to ascertain daily the number of cubic feet of said natural gas which is produced at such well or wells and to fix the value thereof The said individual superintendent or other officer in charge of any such well shall make report in writing under oath on the first day of each month and a total report on the first day of January in each and every year hereafter to the Auditor General of the number of cubic feet of natural gas hereby made taxable and the assessed value thereof during the calendar year then next preceding the time when the same was produced or obtained and the amount of the tax assessed by him thereon Provided That the report made on the first day of January one thousand nine hundred and eighteen shall be for the portion of the year one thousand nine hundred and seventeen after the approval of this act The said individual superintendent or other officer in charge of any such well or wells shall be entitled to receive as compensation for the services herein imposed upon him one per centum of the amount of the tax collected which said sum shall be paid upon the warrant of the Auditor General out of the taxes so collected

If the individual superintendent or other officer in charge of any such well or wells shall fail or refuse to correctly assess the said tax or to make the monthly or annual reports as herein provided the Auditor General is hereby authorized to appoint some person to go upon the ground and to assess from time to time the natural gas made taxable by this act who shall make report to him of the same The Auditor General may require the production of such books papers and reports as may be necessary for the ascertainment valuation assessment and settlement of the tax as herein provided and may make an estimated settlement of the said tax either with or without the production of said books papers and reports The person firm association or corporation being the owner lessee or operator of the well shall see that the individual superintendent or other officer in charge of any such well performs the duties herein imposed thereon For the failure to assess the said tax and make report as required by this act the Auditor General shall disallow the compensation for said assessment and shall add ten per centum to the tax when settled as a penalty for such failure If any individual superintendent or other officer in charge of any such well or wells shall fail to assess said tax or if any person firm corporation limited partnership or joint stock association or any other owner operator or lessees of any such well or wells or the members or directors thereof shall fail to cause the same to be done or to make reports required by this act he or they shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of five hundred dollars ($500) or to undergo an imprisonment not exceeding one year or both at the discretion of the court

Section 3 The tax hereby imposed shall be settled and collected as other State taxes are settled and collected

An appeal from the settlement of any tax imposed by this act may be taken and prosecuted in the same manner as appeals are taken and prosecuted from the settlement of other State taxes This section does not authorize an appeal from any settlement estimated when no report is made and filed

Section 4 Any person firm association or corporation being the owner of the gas at the well shall pay the tax imposed by this act into the State Treasury within sixty days after the same has been settled

The tax imposed by this act shall bear interest until paid at the rate of twelve per centum per annum from sixty days from the date of settlement therefor and any judgment recovered thereon shall bear interest at the rate of twelve per centum per annum The payment of the interest shall not relieve any person firm association or corporation from the penalty perscribed for the neglect or refusal to make the assessment and reports hereinbefore required or to see that such assessments and reports are made

Section 5 The moneys derived from time to time from the tax collected under the provisions of this act are hereby permanently dedicated to the construction maintenance improvement and repairs of the State and State-aid Highways of the Commonwealth and shall be kept in a special fund for the purpose in the State Treasury separate and apart from the general revenues of the Commonwealth The State Treasurer and his bondsman shall be responsible for the safe-keeping and accounting for other revenues of the Commonwealth The State Treasurer shall on the first business day of each and every month make report to the State Highway Commissioner of the money in said fund available for the use of the State Highway Department and the State Treasurer and Auditor General shall credit the amount so certified as available to an account for the construction and improvement of State and State-aid Highways When so certified by the State Treasurer the fund shall be available for requisition and expenditure and shall be requisitioned expended settled and vouched as provided by general law for funds appropriated from the general revenues of the Commonwealth

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1579, as follows:

An Act imposing a State tax on coal providing for the assessment and collection of the said tax annually dedicating fifty per centum of the fund received from said tax and appropriating the same to the construction maintenance and repair of State and State-aid highways providing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act each and every ton of coal of the weight of two thousand two hundred and forty pounds avoirdupois mined in this Commonwealth shall be subject to an annual tax of two (2%) per centum of the value thereof when prepared for market which said tax shall be assessed at the time when said coal has been mined or washed and is ready for shipment or market

Section 2 It shall be the duty of the superintendent or other officer or person in charge of any mine mines or washery to assess the tax hereby imposed from time to time as the said coal is mined or washed or prepared and ready for shipment or market and to ascertain and assess daily the number of gross tons of coal so mined or washed and prepared and ready for shipment or market and to fix the value thereof That hereafter the said superintendent officer or other person in each of said mine or mines or washery shall make report in writing under oath on the first day of each month and a detailed report on or before the tenth day of January in each and every year for the year preceding to the Auditor General on blanks to be prepared by the Auditor General of the number of gross tons of coal hereby made taxable and the assessed value thereof during the month in the case of monthly reports and the calendar year in the case of yearly reports next preceding showing the time when the said coal was mined or washed or made ready for shipment or for market the number of gross tons thereof and the amount of tax assessed thereon Provided The total to be made on or before the tenth day of January one thousand nine hundred eighteen shall be for the portion of the year one thousand nine hundred seventeen after the approval of this act The said superintendent officer or other person in charge of such mine or mines or washery shall be entitled to receive as compensation for the services herein imposed upon him one per centum of the amount of tax collected which said sum shall be paid upon the warrant of the Auditor General out of the taxes so collected

If the superintendent officer or other person in charge of any mine or mines or washery shall fail or refuse to assess the said tax or to make the monthly and annual reports as herein provided the Auditor General is hereby authorized to appoint some person to go upon the ground and to assess from time to time coal made taxable by this act who shall make report to him of the same The Auditor General may require the production of such books papers and reports as may be necessary for the ascertainment valuation assessment and settlement of the tax as now provided by law and may make an estimated settlement of the said tax either with or without the production of said books papers and reports The person firm association or corporation being the owner lessee or operator of any such mine shall see that the assessments and reports

are made at the time and in the manner hereinbefore provided For every failure to assess said tax and to make report as required by this act the Auditor General shall disallow the compensation for the said assessment and shall add ten (10%) per centum to the tax when settled as a penalty for such failure If any superintendent officer or other person in charge of any mine mines or washery shall fail to assess the said tax or if any person firm corporation limited partnership or joint-stock association or any other owners operators or lessees of any mine mines or washery or the members officers or directors thereof shall fail to cause the same to be done or make the reports required by this act he or they shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of five hundred ($500) dollars and undergo an imprisonment not exceeding one year or both or either at the discretion of the court

Section 3 The tax hereby imposed shall be settled and collected as other State taxes are settled and collected An appeal from the settlement of any tax imposed by this act may be taken and prosecuted in the same manner as appeals are taken and prosecuted from the settlement of other States taxes This section does not authorize an appeal from any settlement estimated when no report is made and filed

Section 4 Any person firm association or corporation being the owner of the coal at the mine or washery shall pay the tax imposed by this act into the State Treasury within sixty days after the same has been settled

The tax imposed by this act shall bear interest until paid at the rate of twelve per centum per annum from sixty days from the date of settlement therefor and any judgment recovered thereon shall bear interest at the rate of twelve per centum per annum The payment of the interest shall not relieve any person firm association or corporation from the penalty prescribed for the neglect or refusal to make the assessment and reports hereinbefore required or to see that such assessments and reports are made

Section 5 Fifty per centum of the moneys derived from time to time from the tax collected under the provisions of this act is hereby permanently dedicated to the construction maintenance improvement and repairs of the State and State-aid highways of the Commonwealth and shall be kept in a special fund for such purpose in the State Treasury separate and apart from the general revenues of the Commonwealth The State Treasurer and his bondsmen shall be responsible for the safe-keeping of and accounting for said fund in the same manner and under the same penalties as for the safe-keeping of an accounting for other revenues of the Commonwealth The State Treasurer shall on the first business day of each and every month make report to the State Highway Commissioner of the money in said fund available for the use of the State Highway Department and the State Treasurer and Auditor General shall credit one-half (½) of the amount so certified as available to an account for the construction and improvement of State and State-aid highways and one-half (½) to an account for the maintenance and repair of State and State-aid highways When so certified by the State Treasurer the funds shall be available for requisition and expenditure and shall be requisition expended settled and vouched as provided by general law for funds appropriated from the general revenues of the Commonwealth

Section 6 The several sections or provisions of this act are hereby declared to be independent of each other and it is the intent of the Legislature that if any of said provisions shall be declared invalid it shall not affect any other section or provision hereof

Section 7 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 400, entitled

An Act to protect the public health by prohibiting the use of public cigar cutters.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129.

Aron,	Dawson,	Hoffman,	Rich,
Arthur,	Dell,	Hollern,	Rininger,
Aston,	Dewey,	Hollingsworth,	Rinn,
Baker,	Donneley,	Horton,	Robertson,
Baldi,	Drake,	Hough,	Ross,
Baldridge,	Drinkhouse,	Isherwood,	Shaffer, C. A.,
Barner,	Dunn,	Jennings,	Shattuck,
Bechtold,	Eby,	Jones,	Showalter,
Bell,	Ehrhardt,	Kennedy,	Siggins,
Benchoff,	Erdman,	Lafferty,	Simpson,
Bennett,	Fackler,	Lauler,	Smith, E. R.,
Benninger,	Fitzgibbon,	Lewis,	Smith, F. L.,
Beyer,	Flynn,	Lohr	Smith, J. W.,
Bidelspacher,	Fowler,	Malie,	Somerman,
Black,	Franklin,	McCaig,	Speicher,
Bovee,	Fretz,	McCullough,	Stadtlander,
Boyd,	Gans,	McCurdy,	Stites,
Brady,	Glass,	McKay,	Swéitzer,
Brumbaugh,	Golder,	McKinney,	Taylor,
Burnett,	Goodnough,	McNichol,	Urich,
Campbell, T.,	Goodwin,	McPeake,	Walker,
Canon,	Gormley,	Mearkle,	Wallace,
Chestnut,	Graeff,	Mehring,	Walter,
Christman,	Graham,	Miller, C. G.,	Weimer,
Clements,	Gransback,	Milner,	Wells,
Coldsmith,	Haight,	Mitchell,	West,
Conner,	Haldeman,	Morgan, T. J.,	Whitaker,
Cook,	Hecht,	Murdoch,	Wickman,
Corbin,	Heffernan,	Neary,	Williams, G. W.
Cox,	Helt,	Ogden,	Wobensmith,
Crosby,	Hess,	Perry,	Wood,
Cummins,	Heyburn,	Pickering,	Wynne.
Curry,	Hibshman,	Powell,	Zanders,
Davis, W.,			

NAYS—14.

Horne,	Mervine,	Reitzel,	Sampsel,
Lanius,	Musser,	Rothenberger,	Sones,
Mangan,	Palmer,	Rudisill,	Stofflet,
Marvin,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MR. WALTER IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 619, as follows:

An Act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bull-frogs tad-poles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person to catch take or kill any bull-frogs or tad-poles from the first day of November to the first day of July both dates inclusive and terrapin from the fifteenth day of March to the first day of November both dates inclusive in each year in any of the waters within this Commonwealth or in the boundary water thereof

Section 2 From and after the passage of this act it shall be unlawful for any person to catch kill or have in possession in any one day more than twenty-five bull-frogs or more than fifty in any one season Any person violating any of the provisions of this act shall on conviction as provided in section eight of this act be subject to a penalty of ten dollars for each and every frog so taken caught or had in possession

Section 3 From and after the passage of this act it shall be unlawful for any one person to catch take or kill more than twenty-five tad-poles in any one day or have more than twenty-five tad-poles in possession at any one time Any person violationg any of the provisions of this section shall on conviction as provided in section eight of this act be subject to a penalty of ten dollars for each and every tad-pole so taken caught or had in possession

Section 4 From and after the passage of this act it shall be unlawful for any one person to catch take or kill more than five terrapin in any one day or more than fifty in any one season Any person violating any of the provisions of this act shall on conviction as provided in section eight of this act be subject to a penalty of ten dollars for each and every terrapin so taken caught or had in possession

Section 5 From and after the passage of this act it shall be unlawful to catch take or kill any bullfrogs by the use of a light at night Any person violating any of the provisions of this section shall on conviction thereof as provided in section eight of this act be subject to a penalty of twenty-five dollars

Section 6 The several sections of this act are to be deemed independent of each other and in the event of any section hereof being declared unconstitutional it is hereby declared as the intention of the Legislature that such section may be eliminated therefrom without affecting any other portion of this act

Section 7 That from and after the passage of this act any fish commissioner fish warden special fish warden sheriff deputy sheriff constable or any special officer or any peace

officer of this Commonwealth is hereby authorized and commanded to forthwith seize any net nets or device whatever that may be used in any violation of any of the provisions of this act and turn the same over to the Department of Fisheries and they are hereby authorized and commanded to forthwith apprehend and arrest any person or persons who may be guilty of violating any of the provisions of this act and take him or them before any justice of the peace magistrate or other legally constituted authority, and thereupon make charge of such violation of the law or of any of the provisions thereof and the magistrate shall forthwith hear and determine the charge as provided in this act and in case any fish commissioner fish warden or other officer named above fails to prove his case and the defendant or defendants are discharged the county shall pay the costs and in case the defendant or defendants are convicted and are sent to jail in lieu of the payment of the fine or fines penalty or penalties the county in which the case is heard shall pay the costs without however relieving any defendant or defendants sentenced to pay the same Such arrests may also be made on Sunday in which case the person or persons shall be taken before the proper officer and proceeded against on a week day following the arrest All fines penalty or penalties paid to any justice of the peace alderman or magistrate shall forthwith be paid over by him to the Commissioner of Fisheries and by him deposited into the State Treasury where it shall be kept as part of a fund separate and apart to be used solely under the direction of the Department of Fisheries for the purpose of defraying any of the necessary expenses incurred in the purpose of fish propagation and protection All boats and nets or devices forfeited to the Department of Fisheries shall be sold and the moneys received therefrom by the department shall be paid into the State Treasury where it shall be kept as part of a fund separate and part to be used solely under the direction of the Department of Fisheries for the purpose of defraying any of the necessary expenses incurred in the purpose of fish propagation and protection All illegal devices not preserved for exhibition purposes are to be destroyed under the direction of the Commissioner of Fisheries

Section 8 That any justice of the peace alderman or magistrate upon information or complaint made to him by affidavit of one or more persons charging any person or persons with having violated any of the provisions of this act or any of the rules and regulations adopted and promulgated by the Commissioner of Fisheries pursuant to this act is hereby authorized and required to issue his warrant under his hand and seal directed to any constable peace officer or warden and cause such person or persons to be arrested and brought before such justice alderman or magistrate who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted upon such charge shall be sentenced by said justice alderman or magistrate severally to pay the fine or fines penalty or penalties provided in this act for such violations together with the costs of suit The whole of said fine shall be paid over forthwith to the Commissioner of Fisheries who shall deposit the same into the State Treasury where it shall be kept as part of a fund separate and apart to be used solely under the direction of the Department of Fisheries for the purpose of defraying any of the necessary expenses incurred in the purpose of fish propagation and protection Provided That in case the defendant or defendants shall neglect to pay at once the fine or fines so imposed said defendant or defendants shall forthwith be sentenced to undergo imprisonment in the county jail of the county where such conviction takes place for a period of one day for each dollar of fine so imposed and unpaid unless the defendant or defendants upon conviction shall give notice of intention to appeal when such defendant or defendants shall be permitted to enter into good and sufficient recognizance to appear before such justice alderman or magistrate on or before the expiration of five days if such appeal is not taken by them or on the final determination of such appeal if it be not sustained for execution of sentence Provided also That all actions for any violation of any of the provisions of this act must be taken within one year from the time the offense was committed and when necessary to properly conduct any case before any alderman justice of the peace magistrate or any court the Commissioner of Fisheries is authorized to employ legal counsel

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—125.

Arthur,	Gans,	McCurdy,	Smith, J. W.,
Baldi,	Geary,	McKinney,	Snowden,
Baldridge,	Goodnough,	McNichol,	Somerman,
Barner,	Goodwin,	McPeake,	Speicher,
Bell,	Gormley,	McVicar,	Sprowls,
Bennett,	Graham,	Mervine,	Stadtlander,
Benninger,	Gransback,	Michel,	Sterling,
Bidelspacher,	Haight,	Miller, G. J. A.,	Stern,
Black,	Haldeman,	Milner,	Stites,
Bovee,	Hecht,	Morgan, T.,	Strauss,
Brady,	Heffernan,	Murphy,	Swartz,
Brumbaugh,	Hess,	Musser,	Sweitzer,
Campbell, T.,	Hibshman,	Palmer,	Thomas,
Canon,	Hoffman,	Patterson,	Ulsh,
Chestnut,	Hollern,	Perry,	Urich,
Christman,	Hollingsworth,	Phillips,	Vickerman,
Coldsmith,	Horne,	Pickering,	Vodges,
Cox,	Horton,	Powell,	Wagner,
Crosby,	Hough,	Rhodes, W. M.,	Walker,
Cummins,	Howarth,	Rininger,	Walter,
Curry,	Jones,	Rinn,	Weimer,
Davis, W.,	Kennedy,	Robertson,	Wells,
Dawson,	Lanius,	Rogers,	West,
Dell,	Laucks,	Ross,	Whitaker,
Dithrich,	Lewis,	Ruddy,	Wickman,
Dunn,	Lohr,	Shaffer, C. A.,	Williams, G. W.
Ehrhardt,	Luppert,	Shunk,	Wobensmith,
Fackler,	Marvin,	Siggins,	Woodward,
Fitzgibbon,	McArdle,	Sinclair,	Wylie,
Flynn,	McCaig,	Smith, E. R.,	Wynne,
Franklin,	McCullough,	Smith, F. I.,	Zanders,
Fretz,			

NAYS—26.

Aston,	Eby,	Mitchell,	Rothenberger,
Benchoff,	Glass,	Neary,	Sampsel,
Conner,	Heyburn,	Ogden,	Showalter,
Cook,	Isherwood,	Reichenbacher,	Sones,
Corbin,	Jennings,	Reitzel,	Williams, J. P.,
Dewey,	McKay,	Rich,	Wood,
Donneley,	Miller, A. D.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 886, as follows:

An Act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering providing for the appointment by the Governor of an examining board defining the powers and duties of said board regulating barber shops barber schools and barber colleges and apprentices and students therein and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to follow the occupation of a barber in this Commonwealth unless he or she shall have first passed an examination and obtained a certificate of registration as provided in this act Nothing contained in this act however shall apply to or affect any person who is now actually engaged in such occupation except as hereinafter provided

Section 2 A board of examiners to consist of five persons is hereby created to carry out the purposes and enforce the provisions of this act The board shall be appointed by the Governor the appointees to be chosen from practical barbers who have for at least ten years prior to their appointment followed the occupation and have been residents of this Commonwealth for a period of five years Each member of the board shall serve for a term of three years and until his successor is appointed and qualified Of the first board appointed two of the appointees shall be for a term of one year two for a term of two years and one for the term of three years, Vacancies in the board occurring from any cause whatsoever shall be filled by the Governor for the unexpired portion of the term Each member of the board shall take the oath provided by law for public officers

Section 3 The board may appoint deputies to assist in carrying out the provisions of this act The salary of such deputies shall be fixed by the board in a sum not to exceed five dollars for each day so employed

Section 4 The board shall elect a president secretary and treasurer and shall have its headquarters at such place in the Commonwealth as the board may determine The board shall have a common seal and may administer oaths A majority of the board may in meeting duly assembled perform the duties and exercise the powers devolving upon the board under the provisions of this act The secretary of the board shall receive a salary of fifteen hundred dollars annually The members of the board shall receive for their compensation six dollars per diem and such expenses actually and necessarily incurred

Section 5 The board shall make a report annually to the Governor which shall set forth in full the receipt and disbursements of the board in itemized account and shall contain a full statement of its doings and proceedings and such recommendations as to it may deem proper looking to the better carrying out of the purposes of this act A copy thereof shall be furnished to the Legislature.

Section 6 All moneys received by the board from fees or otherwise shall be deposited with the State Treasurer within thirty days from its receipt All disbursements shall be paid on warrants of the Auditor General on the State Treasurer upon the requisition of the board of examiners

Section 7 The board shall hold public examinations on the first Tuesdays in March June September and December in the cities of Philadelphia Pittsburgh Scranton Harrisburg and Erie at such hours as the board shall prescribe

Section 8 Every person now engaged in the occupation of a barber shall within ninety days after the board is appointed file with the secretary of the board two affidavits The one shall be made by the applicant and shall set forth his or her name age residence and length of time during which and the place where he or she has practiced said occupation The other shall be made by a practicing physician and shall set forth that the applicant was examined and is free from all contagious and infectious disease The applicant at the time of filing these affidavits shall pay to the secretary of the board the sum of one dollar Thereupon the board shall issue to such applicant a certificate of registration entitling him or her to practice such occupation

Section 9 Any person not holding a license under the provisions of the preceding section and desiring to obtain a license under this act shall make application in such form as the board shall prescribe and shall be verified by the applicant as to the truth of the statement or answers therein made to the board Such application shall be accompanied by an affidavit which shall be made by a practicing physician and shall set forth that the applicant was examined and is free from all contagious and infectious disease The applicant at the time of filing such application and affidavit shall pay to the secretary of the board an examination fee of five dollars and shall present him or herself at the next regular meeting of said board for examination of applicants The board shall thereupon proceed to examine such person If satisfied that he or she is above the age of nineteen years of good moral character free from contagious and infectious disease and has either (a) studied the occupation for a period of three years as apprentice under a qualified and practicing barber or (b) studied the occupation in a properly appointed and conducted barber school under the instruction of a competent barber for a period of at least three years (c) practiced the occupation in another State for a period of at least three years and is possessed of requisite skill in said occupation to properly perform all the duties thereof including his or her knowledge and ability in the antiseptic preparation of tools shaving hair cutting and all the duties and services incident thereto and is possessed of sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said occupation the board shall enter his or her name in the register hereinafter provided for and shall issue a certificate of registration to him or her authorizing him or her to practice such occupation

Section 10 Any person who holds a certificate of registration granted after examination by a board of barber examiners of any other State who shall present credentials showing that he or she is a qualified barber under the laws of this Commonwealth and who shall file an affidavit made by a practicing physician as hereinbefore provided may be granted a certificate of registration by said board without practical examination upon the payment of the registration fee of one dollar

Section 11 Nothing in this act shall prohibit any person from serving as an apprentice in such occupation under a registered barber of this Commonwealth or from serving as a student in any berber school for the training of students in said occupation under the training of a duly registered barber authorized to practice such occupation in this Commonwealth provided that such apprentice or student shall apply to the board to have his or her name registered with said board in a book which shall be kept by the board for the registering of apprentices and students and secure a permit to practice as an apprentice or student under a duly registered barber such permit to tbe displayed in front of his or her working chair After having practiced the occupation for three years under a registered barber such apprentice or student shall be eligible to become a registered barber and shall present him or herself at the next meeting of the board held nearest to him or her for the examination of applicants and pay the fee as provided for in section nine of this act

Section 12 The board shall furnish to each person to whom a certificate of registration is issued a card bearing the seal and signature of said board certifying that the holder thereof is entitled to practice the occupation of a barber The holder of such card shall paste the same in a conspicuous place in front of his or her working chair where it may be readily seen by all persons whom he or she may serve

Section 13 The card shall be removed on or before the first day of January in each year and the holders of said certificates of registration shall pay the secretary of said board the sum of one dollar for a renewal card and at the same time shall file an affidavit made by a practicing physician setting forth that at the time of making application for such card the applicant was free from all contagious and infectious disease Upon the failure of any holder of a certificate of registration to apply for a renewal of his or her card or to file the physician's affidavit as herein required on or before the first day of January in each year his or her certificate of registration shall be revoked by the board and a new certificate of registration shall not be issued to such person until he or she shall again comply with all the provisions of this act in the same manner as if he or she had never been registered

Section 14 The board may revoke any certificate of registration granted by it under this act for (a) conviction of crime (b) habitual drunkenness (c) having or imparting any contagious or infectious disease (d) doing work in an unsanitary or filthy manner or (e) gross incompetence Before any certificate shall be revoked for any of the reasons contained in this section the holder thereof shall have notice in writing of the charge or charges against him or her and shall at a day specified in said notice which shall be at least five days after the service thereof be given a public hearing before the board with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose certificate of registration has been so revoked may after the expiration of ninety days on application have the same reissued to him or her, upon satisfactory showing that the disqualification has ceased except where such certificate was revoked for having or imparting any contagious or infectious disease in which case a new certificate shall not be issued for a period of at least one year and then only after the provisions of this act have been fully complied with by such person in the same manner as if he or she had never been registered

Section 15 The board may adopt reasonable rules and regulations prescribing the sanitary requirements of each barber shop barber school or barber college subject to the approval of the Department of Health and shall cause the rules and regulations so approved to be printed in a suitable form and shall transmit a copy thereof to the proprietor or person operating each barber school or barber college which shall at all times be kept conspicuously displayed in such shop school or college Any member of the board or duly authorized deputy may enter and make reasonable examination of any barber shop barber school or barber college during the business hours for the purpose of ascertaining the sanitary condition thereof Any barber shop barber school or barber college in which tools appliances and furnishings in use therein are kept in an unclean and unsanitary condition as to be a danger to health is hereby declared to be a public nuisance and the proprietor thereof or any person operating such barber shop barber school or barber college shall be subject to prosecution and punishment therefor

Section 16 The board shall keep a register in which shall be entered the names of all persons to whom certificates of registration or permits for serving apprenticeship or as students are issued under this act The register shall at all times be open to public inspection

Section 17 In no barber shop shall there be more than one apprentice to two barbers authorized under this act to practice such occupation All barber shops having but one chair shall be entitled to at least one apprentice All barber schools or barber colleges shall have not less than one teacher or instructor for every ten students All barber schools or barber colleges shall keep prominently displayed a sign reading "Barber College" or "Barber School" Any copartnership corporation or person desiring to operate or conduct a barber school or barber college shall first secure from the board a permit to do so and shall keep the same prominently displayed The board may pass upon the qualifications appointments and course of study in said college which shall be not less than three years There shall be no money charged or collected by the college or by any of its students or teachers in the practice of the trade therein taught

Section 18 To shave or to trim the beard or to cut shampoo or singe the hair or to massage the face or head by either manual or mechanical means or to apply hot cloths to the face of any person for reward received by the person performing such service for any other persons shall be considered as practicing the occupation of a barber within the meaning of this act

Section 19 Any barber apprentice or student who shall practice the occupation of barber while suffering from contagious or infectious disease or who shall knowingly serve any person afflicted with any such disease or any person who shall permit himself to be served knowing at the time that he is afflicted with any such contagious or infectious disease shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo an imprisonment not exceeding one year or both at the discretion of the court

Any barber apprentice or student who shall infect any person or who shall impart any contagious or infectious disease by reason of carlessness or negligence in the practice of such occupation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding two years or both at the discretion of the court

Any person who shall violate any of the other provisions of this act except as herein otherwise provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or to undergo an imprisonment not exceeding ninety days or both at the discretion of the court

Section 20 This act shall become effective on the first day of July one thousand nine hundred and seventeen

Section 21 All acts and parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PALMER. Mr. Speaker, I would ask that the sponsor of this bill explain it.

Mr. BENNETT. Mr. Speaker, this bill is one which will not be a detriment to the barber or work any hardship. It is a health and sanitation bill absolutely, one which

will drive out of existence any barber who may have an infectious and contagious disease. In reference to the board which is appointed, that board of examination is one which will drive out the so-called barber colleges that may come into the State and turn out a barber inside of eight weeks. It also prevents any one practicing the art of barbering as you might call it, under the age of nineteen. In reference to the questions which they may ask, they will be upon things which pertain to the art of barbering or hairdressing. They will be questioned along these lines: What are antiseptics? What are tweezers? How will tweezers be sterilized? How will a brush or a razor be sterilized? It is a very meritorious bill, gentlemen, and one for which I think you should all vote.

Mr. PALMER. Mr. Speaker, the explanation as given by the gentleman from Philadelphia is a very satisfactory one, and I see no reason why every man in this House should not support the measure.

On the question recurring,

Shall the bill pass finally?

Mr. SHATTUCK. Mr. Speaker, I move that this bill be indefinitely postponed.

Mr. REICHENBACKER. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. PHILLIPS. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. BENNETT. I will, Mr. Speaker.

Mr. PHILLIPS. Mr. Speaker, I would like to ask what provisions there are in this bill for enforcing it, who is supposed to enforce this bill?

Mr. BENNETT. Mr. Speaker, the act in itself would be enough to enforce it. We have allowed for a collection of a dollar from each barber, which would give the board about fifty thousand dollars. They would appoint deputies to see to its enforcement, and that is the one reason that the bill is made the way it is. There would be no reason to have an act if we had no way to enforce it.

Mr. NEARY. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. BENNETT. I will, Mr. Speaker.

Mr. NEARY. Mr. Speaker, I would like to ask the gentleman whether this is a good bill or a bad bill.

Mr. BENNETT. Mr. Speaker, I consider it a good bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—83.

Arthur,	Dunn,	Laucks,	Rhodes, W. M.,
Aston,	Ehrhardt,	Lauler,	Rich,
Baker,	Fackler,	McArdle,	Robertson,
Baldridge,	Fitzgibbon,	McCaig,	Rogers,
Bennett,	Fowler,	McCullough,	Ross,
Beyer,	Franklin,	McKay,	Ruddy,
Black,	Fretz,	McNichol,	Rudisill,
Boulton, H.,	Gans,	McPeake,	Smith, E. R.,
Brady,	Geary,	McVicar,	Sones,
Brumbaugh,	Glass,	Mehring,	Sprowls,
Burnett,	Golder,	Michel,	Stadtlander,
Campbell, T.,	Goodwin,	Miller, C. G.,	Steedle,
Clements,	Graham,	Milner,	Sterling,
Conner,	Gransback,	Murphy,	Stern,
Cox,	Haldeman,	Neary,	Stites,
Crosby,	Hecht,	Ogden,	Thomas,
Cummins,	Heffernan,	Palmer,	Vogdes,
Curry,	Helt,	Patterson,	Wickman,
Davis, W.,	Hollingsworth,	Perry,	Wobensmith,
Dawson,	Hough,	Phillips,	Zanders,
Dithrich,	Lanius,	Powell,	

NAYS—77.

Barner,	Haight,	Morgan, T.,	Simpson,
Bechtold,	Hess,	Morgan, T. J.,	Sinclair,
Bell,	Heyburn,	Musser,	Smith, J. W.,
Benchoff,	Hibshman,	Pickering,	Smith, O. W.,
Benninger,	Hoffman,	Ramsey,	Snyder,
Bouton, V. B.,	Hollern,	Reichenbacker,	Spangler,
Bovee,	Horne,	Reitzel,	Speicher,
Canon,	Horton,	Ringler,	Sweitzer,
Chestnut,	Jennings,	Rininger,	Taylor,
Christman,	Kennedy,	Rinn,	Ulsh,
Coldsmith,	Leary,	Rothenberger,	Wagner,
Corbin,	Lewis,	Sampsel,	Wallace,
Dean,	Lohr,	Sarig,	Walter,
Dewey,	Luppert,	Scott,	Weimer,
Donneley,	Marvin,	Shaffer, C. A.,	Wells,
Drinkhouse,	McCurdy,	Shattuck,	West,
Eby,	McKinney,	Showalter,	Williams, G. W.
Erdman,	Miller, A. D.,	Shunk,	Wood,
Flynn,	Mitchell,	Siggins,	Wynne,
Gormley,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Mr. BEYER. Mr. Speaker, I desire to call up at this time House Bill No. 853, File Folio 2505, on page 26 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 853, entitled

An Act requiring the Commonwealth, and all counties thereof and all public institutions owned, managed and controlled by the Commonwealth or any county thereof, to purchase supplies and certain materials from State correctional institutions; providing for the administration of this act by the Prison Labor Commission and others; and making it unlawful under certain circumstances for the Auditor General of the Commonwealth or any County Controller or the Treasurer of any Public Institution to approve any bill for such materials or supplies purchased elsewhere.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SIGGINS. Mr. Speaker and gentlemen of the House, the purpose back of this bill is very commendable, as the prisoners of this State should be permitted to work and manufacture goods, and a proper market should be provided for their products; but the bill as drawn appears to me as being very dangerous. In the first place, it provides that all counties thereof and all public institutions owned, manager and controlled by the Commonwealth or any county thereof shall purchase from the institutions, the correctional institutions, all supplies needed by them, and all building materials needed for and in connection with the construction and repear, etc. That to me, gentlemen, is too broad. It would require any county desiring to purchase any kind of material to purchase it from a correctional institution. The act does not state that they shall only be required to purchase such material as is manufactured or produced in a correctional institution, but provides a central purchasing agency whereby the county is required, and all public institutions are required, to buy from that central purchasing agency. It is true the act provides that the commissioners can purchase elsewhere, that the county or hospital authorities can purchase elsewhere if a lower price can be obtained, but the act provides that in case these correctional institutions can furnish a subtsantial equivalent these institutions, the county must purchase from these institutions or the prison labor commission. That carries the provisions of the act too far. There is another provision in the act. In the last section it is made the duty of the Auditor General to refuse payment of the State's moneys to these institutions unless there is attached to the request a statement setting forth that the institutions cannot furnish these supplies. I agree with the men back of this bill that it is entirely feasible and entirely proper that prison-made goods should be furnished to counties and public institutions, such as hospitals, when these goods are manufactured or produced by a prison or the prisoners therein, but when you come to enact a law which provides that all institutions and all counties shall purchase all supplies from this central purchasing agency, then, gentlemen, it is going too far. It destroys the competitive bids and destroys the executive ability of your counties and public institutions, and therefore, gentlemen, I hope that this bill will not pass as it now stands.

Mr. BEYER. Mr. Speaker and gentlemen of the House, I am sorry to hear my good friend oppose this bill. This bill has been drawn by the Pennsylvania Prison Reform League and was handed to me and introduced into this House. The only possible fear that I had concerning the bill lay in the fact that probably some organized effort might be made to defeat it by the labor interests of this

Commonwealth. I was agreeably surprised to learn that all of the laboring organizations of the State are in hearty accord with this bill inasmuch as the labor of the prisoners does not come into contact with free labor on the outside and only confines its activities to State correctional institutions.

Now, in this proposition of prison labor this good old State of ours is far behind the times. We are undoubtedly one of the very last to take up this proposition. In the State of Arkansas they have a mandatory requirement that the board of commissioners for the management of the state penitentiary shall establish such industries as are provided for in this bill. In the State of Colorado they have a similar proposition; in the State of Illinois they have a Board of Prison Industry that works along the same line as this bill; in Indiana they have a Board of Managers for this purpose; in Massachusetts, in Missouri, in New Jersey, in New York, in Ohio, in Tennessee and Wisconsin.

Now, the purpose of this bill is to encourage industry on the part of those who happen to be unfortunate enough to be behind prison walls. It does not put into the market nor into any State correctional institution or any State department of government any inferior grade of goods because the prison goods have got to come up to the same standard as goods made on the outside, and if they don't the institutions do not have to take the goods made by the prison workers. All that the bill requires is that at a certain period of the year a statement shall be made by the various State institutional authorities as to what their needs will be for the coming year to the prison board in order that arrangements can be made to do the work and furnish the goods that may be required. At this time, when every effort is being made to build up and correct the manhood in our prison walls and to give these men an opportunity to labor, this, to my mind, appears to be a step in the right direction. I am sorry any opposition has been made to the bill. I hope the bill will pass because I think it will reflect credit upon the State. As we have seen, it is the right use to make of the prisoners rather than leaving them idle. All of the wardens of the various penitentiaries have for years complained that the prisoners have been looking for something to do. Another proposition will probably come before you in the next few weeks when the bill is reported out of committee which gives institutions a chance to put an army of them on the farms—if the bill goes through in time—in aid of the farmers that need help in this time of great national crisis. Whether that bill passes or not, I do not know because the bill is in committee and I only mention the fact because that shows the tendency of the times to make the best possible use of prison labor we can. It costs the State nothing and it helps rather than hurts it; and if there is anything in favor of the bill it seems to me the last proposition is the one which ought to help to pull it through the House.

Mr. STITES. Mr. Speaker and gentlemen of the House, it seems to me that this bill ought to have the favorable consideration of everybody in the House animated by the progressive, up-to-date principle or theory underlying this bill, and the Prison Reform Association is behind it, that there should be something done to stimulate the work of the prisoners who are incarcerated for long periods of years; that it is better for the mental, moral and physical development of the men prisoners that they have useful and profitable employment.

As I said, it has the backing of the State Prison Reform Association. Similar rules are in force and similar laws are followed in many of the great progressive States of the West, and the principle underlying the bill has the sanction and approval of men engaged in the interests of prisoners the country over. There is nothing in this bill that can be harmful, so far as I can see, and I have looked it over very carefully. It seems to me that it is a just principle that the State should purchase from these prisoners this material, provided it does not pay a higher price. There is nothing in the bill to indicate that there will be any sacrifice to any private interests; rather, it has underneath it the humane consideration of benefit to the prisoner and the benefit to the State; and I do feel that this bill ought to have the active support of every member of this House.

Mr. ERDMAN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Beyer.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Beyer, permit himself to be interrogated?

Mr. BEYER. Mr. Speaker, I will.

Mr. ERDMAN. Did I understand the gentleman from Philadelphia to say that the labor people of the Commonwealth favored this bill?

Mr. BEYER. Mr. Speaker, I do, yes, sir; and I want to say, if I may be pardoned in saying it at this time, that I talked with one of our own Representatives last evening, who does not happen to be here just now and who is more directly the representative of labor than probably any other member of this House, and he assured me that they were for this bill and that he would try and have a representative here to endorse this bill.

Mr. FLYNN. Mr. Speaker and gentlemen of the House, I wish to say just a word about this bill to explain a principle that has not been covered. I, for one, believe in affording the prisoners in the several correctional institutions employment. I believe that they should be given something to do. But why, may I ask, should the product of their labor be forced upon the counties and municipalities and institutions of this Commonwealth? Why not sell them in the open market, may I ask? Instead of that, this bill selects certain classes of State institutions, including the boroughs, cities, counties and all municipalities which are singled out and compelled to purchase the product of the prisons. Why not sell them directly in the open market?

I say this bill is unfair in principle; it is defectively drawn; it is in conflict with the right of contract provided by the Constitution and if the bill were passed it could never become a law.

Mr. WALKER. Mr. Speaker and gentlemen, this bill has been very carefully drawn by a man who is one of the ablest lawyers in the country; it was drawn by one of the best lawyers in Pennsylvania; one of our very best students has been active in the preparation and in the promulgation of doctrines contained in this bill.

Mr. FLYNN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Walker.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. Speaker.

Mr. FLYNN. Mr. Speaker, I desire the gentleman from Philadelphia to give us the name of this very able gentleman.

Mr. WALKER. Mr. Speaker, the gentleman is William Draper Lewis, former Dean of the University of Pennsylvania.

Mr. FLYNN. Mr. Speaker, I desire to further interrogate the gentleman from Philadelphia, Mr. Walker.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Walker, permit himself to be further interrogated?

Mr. WALKER. I will, Mr. Speaker.

Mr. FLYNN. Mr. Speaker, I desire to ask the gentleman whether this was the gentleman who recently was a candidate for Governor and withdrew.

Mr. WALKER. Mr. Speaker, yes, sir. He withdrew in favor of the candidate of the Democratic party.

Mr. WALKER. This legislation is not new; and furthermore, I desire to say that this legislation has been approved of in great States famous throughout the Union for the character of their judges. I refer to a list of States having a law almost, if not entirely, similar to our own: The State of Arkansas, the State of Colorado, the State of Illinois—and, Mr. Speaker, it is a well known fact to any lawyer that the decisions of the Supreme Court of the State of Illinois are accepted by the Supreme Court of the United States;—in Indiana, in Massachusetts—and it is said that the Supreme Adjudicator of Massachusetts is one of the finest courts in the entire United States on law questions and they have approved a law similar to this;—the State of Missouri, the State of New Jersey, the State of New York, the State of Ohio, and the State of Wisconsin.

It seems to me, sir, that some interest should be given to what are the advantages in this system. Under the "State use system" each man in a prison or penitentiary is required to work at the trade or occupation for which he is best fitted. In the Eastern Penitentiary, gentlemen of the House, there were a few weeks ago 1,440 men and of those 1,440 men only 60 were employed because that is all that could be employed with the work they have down there to do. Under this act it is possible for the whole 1,440 to

be employed, and none of us have forgotten the old adage that our mothers used, "That the Devil finds mischief still for idle ones to do."

When a man is put into an institution to be corrected what will help him more in his correction than to teach him a trade and keep him busy and that is what this act purports to do. Furthermore, the prison is not only a manufactory but also a trade school and the industries should be sufficiently numerous to fit the peculiarities of the many classes of workmen. Again, the products of prison shops are not sold in the open market, and there is no direct competition with the products of free labor. When this bill was before the committee on Judiciary General the President of the Federation of Labor of the State of Pennsylvania came before that Committee and gave his unqualified approval to it. I would like very much if the thing could be arranged that the labor of a convict should be out in the open market, but the State of Pennsylvania cannot pay the wages that labor should have and must receive, and, therefore when the restriction as provided in this act was restrained under these institutions which are public in their nature organized labor said we are in favor of that bill. Now then another thing this act provides is that no convict ever does any work for private profit; he works for the State and inasmuch as his compensation is less than that which is paid organized labor every man in this House and every man's constituent in this House would be benefited by the passage of this bill. No longer should be great and high prices be demanded by contractors for the work done if you have in your counties this work in these public institutions when the State has been organized by the four thouasnd able bodied men who are incarcerated in these institutions and who are able to work. You can see that the constituents of your districts will be benefited because your taxes and their taxes will be lowered and God knows that is it pretty nearly time that we should help in the reduction of the taxes of the people. This bill will help that; it will not injure but rather aid organized labor, and it will help the people and save money in taxation. For these reasons alone every man in this House should be in favor of this bill.

Mr. SIGGINS. Mr. Speaker, as much has been said as to the advisability of employing convicts, I have no dispute with the gentleman along those lines and am heartily in accord with the principle back of this bill, but the bill itself I am against. It has been stated here on the floor of this House that a county or a public institution would not be required to purchase goods from this central purchasing agency unless a substantial equivalent would be furnished by them. I desire to call your attention to that portion of the first section which contains that language, "That all public institutions owned, managed and controlled by the Commonwealth or any county thereof shall purchase from a State correctional institution of this Commonwealth all supplies needed by them and all building materials needed for or in connection with the construction or repair of any State or county institution or any materials needed for industrial training or instruction or required in the manufacture and production of crushed stone, brick, tile, culvert, pipe or other material used for or in connection with building or draining the roads of the State whenever such materials or supplies or a substantial equivalent thereof can be furnished from such correctional institution."

The question is under this act, who is to be judge as to whether a particular commodity is a substantial equivalent of what can be purchased in the open market. I submit that the prison labor commission are the judges of that in your counties and municipalities, and the public institutions have no say whatsoever as to whether the particular article is a substantial equivalent for the commodity purchased in the market or not. I desire to call your attention to that portion of the sixth section of the act which provides:

"Section 6 On and after the first day of January one thousand nine hundred and eighteen it shall not be lawful for the Auditor General of the Commonwealth or for the county controller or county auditors or for the treasurer of any public institution owned managed and controlled by the Commonwealth or any county thereof except as hereinafter otherwise provided to approve any bill for supplies or materials mentioned in this act and belonging to any class included in the annual list prepared by the Prison Labor Commission if purchased otherwise than from a State correctional institution during the year for which such list shall have been prepared unless there shall accompany such bill a letter from the Prison Labor Commission stating that it has been impossible for any State correctional institution of this Commonwealth to supply the particular materials or supplies desired or a substantial equivalent thereof" which puts the opportunity of saying whether this is a substantial equivalent thereof upon the Public Labor Commission.

Mr. BALDRIGE. Mr. Speaker, I would like to interrogate the gentleman who is the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Beyer, permit himself to be interrogated?

Mr. BEYER. Mr. Speaker, yes sir.

Mr. BALDRIGE. Mr. Speaker, I would like to ask the sponsor of this bill what becomes of the money derived from the sale of these goods?

Mr. BEYER. Mr. Speaker, there is a provision for the payment of certain wages which are proportioned to the prisoners upon the amount of work they actually do. I haven't in mind just the proportion or how it will work out that the prisoners will get the benefit of it.

Mr. BALDRIGE. Mr. Speaker, to my mind that is the mistake of this bill. If this bill would make some provision that in all cases the money that was earned was just what is necessary to maintain prisoners or would go to the State Treasury if there was any surplus, I would vote for it, but as the bill now stands, it simply puts a premium on the commission of crime. What right has any criminal or prisoner who is convicted of crime to be paid for work when he is sent there to do work? The warden of the Eastern Penitentiary said to the committee that it was absolutely unnecessary to pay them anything; that they were absolutely anxious and willing to work for nothing. If they had dependents at home and this money is used to pay these dependents, that would make it an incentive, at least more of an incentive and might not encourage them to commit crime.

Mr. SIMPSON. Mr. Speaker, I just want to add a word of protest; it is not surprising that Mr. Beyer would make the statement that he is surprised at anyone being in opposition to any of his bills. That, of course, is not surprising, but when we find a bill here for the purpose of employing criminals, in order that we might turn our institutions into machine shops and foundaries and brick molding establishments and everything of that kind for the purpose of going out in the open market in competition with labor, that kind of a proposition I am opposed to, especially when we find that we not only furnish the prisoners their employment, but we furnish them a market for their product. In a time like this when every social institution in the State is howling at the Legislature for appropriations for the purchase of grounds in order that the people may be out in the open in order to do their work in order to build up their bodies and minds in the open air, then we come in here with a bill for the purpose of housing them up in an institution and making material and goods to put on the market, to go into competition with men employed in the open market, and then say in that bill that we will not only furnish you employment after you have committed a crime against the State of Pennsylvania but we will furnish you a market for that material in opposition to every man who is working in the open market and pay you a certain price in order that you may again go back to the public after you have committed a depredation against them, and we will pay you right along and try to deprive the men who tried to support the government by their honest toil. I am bitterly opposed to turning any of our penal institutions into a machine shop, into any busy industrial center that might possibly come into competition with the open market, and at the same time furnish that institution with a market, that you cannot even deprive them of.

Mr. COX. Mr. Speaker, if that speech made by the gentleman from Allegheny County had been made two years ago, I would say "Amen" to it, but there is not a man in this House, who has studied the labor situation, that does not know that we are short forty per cent. of the men in this State necessary to keep up the industries

that are now being conducted in one manner or another for the governmnt or for our welfare. The paramount issue in this bill is the prisoner's welfare, but back of all that in times like this is the labor power, the man power, that is day by day being demanded by us in the production of goods not only for the individual but for the government itself. I say gentlemen of this House we should vote for this bill, for every man power that is released means added success to us in our various ventures in this warfare.

Mr. FLYNN. Mr. Speaker, I should like to interrogate the gentleman from Philadelphia, Mr. Cox.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Cox, permit himself to be interrogated?

Mr. COX. Mr. Speaker, with pleasure.

Mr. FLYNN. I just want to ask the gentleman from Philadelphia if he agrees with the principle that compels our State institutions to purchase these supplies.

Mr. COX. Mr. Speaker, I would answer the gentleman from Elk and say that I do. I believe that our State institutions should be supported—

Mr. FLYNN. Should be compelled ——

Mr. COX. Mr. Speaker, compelled to purchase goods made in the State in our penal institutions.

Mr. SIMPSON. Mr. Speaker, I should like to interrogate the gentleman from Philadelphia, Mr. Cox.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Cox, permit himself to be interrogated?

Mr. COX. Mr. Speaker, with pleasure.

Mr. SIMPSON. Mr. Speaker, at the time that the labor market is gutted, what would become of this bill?

Mr. COX. Mr. Speaker, I did not get that question.

Mr. SIMPSON. Mr. Speaker, at the time that the labor market is gutted, what would become of this bill?

Mr. COX. Mr. Speaker, I would say that if Mr. Simpson had studied the labor situation not only in Pennsylvania, but throughout the whole United States, he would find that within the next ten years nobody can guess how short we will be of labor. There is not a business in the whole world that is not now short of men power, and with the manner in which they are being killed in Europe, the question is almost an answer to itself, that we cannot find men to perform the duties which they will be called upon to do.

Mr. SIMPSON. Mr. Speaker, if he can cite me an instance where history has not repeated itself ——

Mr. COX. Mr. Speaker, I would say to the gentleman from Allegheny that history does repeat itself.

Mr. SIMPSON. Will it not repeat itself in this instance, and find us gutted with labor in the course of a few years, with this act still on the books?

Mr. COX. Mr. Speaker, I am not a prophet nor the son of a prophet and I cannot say whether the next twenty-five years will find us short of labor.

Mr. SIGGINS. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Cox, I mean the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Cox, permit himself to be interrogated?

Mr. COX. Mr. Speaker, I have been accused of many things, but I have never been accused of being from Allegheny County. I will with pleasure, Mr. Speaker.

Mr. SIGGINS. Mr. Speaker, I would ask the gentleman from Philadelphia as to whether he is in accord with the principle that municipalities should be compelled to purchase supplies from a central purchasing agent, whether the supplies were manufactured by the prisons or not?

Mr. COX. Mr. Speaker, I do not believe that that cuts very much figure in this bill.

Mr. SIGGINS. Mr. Speaker and gentlemen of the House, that is the point that I am against in this bill for the reason that the bill does not specify that these supplies are to be manufactured or produced by the prisoners.

Mr. BEYER. Mr. Speaker, I would like for the benefit of the gentleman from Allegheny to make one or two references to what the gentleman have said concerning this bill. Every one knows that the principle of prison labor is by no means new to Pennsylvania. The bill now before us simply enlarges the scope of the act which was passed two years ago, the Act of 1915. The Act of 1915 provides as follows: "Such labor shall be for the purpose of the manufacture and production of supplies for said institutions or for the Commonwealth, or for any county thereof, or for any public institution owned, managed and controlled by the Commonwealth, or for the preparation and manufacture of building material for the construction or repair of any State institution, or in the work of such construction or repair, or for the purpose of industrial training or instruction, or partly for one and partly for the other of such purposes, or in the manufacture and production of crushed stone, brick, tile and culvert pipe, or other material suitable for draining roads of the State, or in the preparation of road building and ballasting material." Now those words are almost identical with the bill before you, simply being re-enacted with the further provision that this act becomes mandatory. Here is a citation from a convention of organized labor held in 1897, when they went upon record before this bill went into the House: "The labor of any prisoner in any State prison, reformatory, penitentiary or jail shall be used for the manufacture of such articles as are required for use in the various State, penal or correctional and eleemosynary institutions, and where practical in the raising of such farm and garden products as are required for use in the above-named institutions." Now I take it for granted, gentlemen, that the representatives of labor got together to discuss their own organization, and that they knew a bit more from practical experience than some of us gentlemen here in the House, and when they went on record in 1897, twenty years ago, they knew whereof they were speaking. Now this bill and the bill of 1915 goes along the open road which we are now traveling, and I ask you to vote in favor of this bill.

Mr. RAMSEY. Mr. Speaker and gentlemen of the House, I do not believe there is any doubt in the mind of any member in this House, and no member is opposed to the principle of prison labor, but I believe that that is not the purpose of this bill. I am surprised to learn that organized labor, and we have heard much of organized labor in the support of this measure, I am surprised that they should support a measure of this kind any more than they would support a measure to permit prison labor to come into the open market. Gentlemen, I submit to you that that is not the purpose of this act. The work for the prisoner, the making of a prisoner a better citizen when he comes out of jail is not the purpose of this act. The purpose of this act is to create a purchasing department by the Prison Commission for the institutions of the State of Pennsylvania, and if you will read the act you will agree with me that it says this, that at the beginning of the year the Prison Commission shall furnish to all the treasurers of the institutions and all he controllers of the counties and all the controllers of the municipalities a list of the goods that can be furnished by the institutions of Pennsylvania, and then it is impossible for any county, municipality, borough or institution to purchase any goods that that commission can furnish anywhere else but from the commission. It is all right to say "Help the prisoner to become a better man," but it is wrong to appoint and elect men to positions to be trusted with the spending of the moneys of the people of Pennsylvania, and then create a purchasing department for the entire State and put it in the hands of the Prison Commission. I do hope that the House will not pass this bill for this reason.

Mr. SIMPSON. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Beyer.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. BEYER. Mr. Speaker, I will.

Mr. SIMPSON. Mr. Speaker, I would like to ask the gentleman that if his remarks in reference to the fact that they now furnish a market for the materials produced by this prison labor answer my argument.

Mr. BEYER. Mr. Speaker, is the gentleman through with his interrogation. I am at a loss to comprehend just what it is.

Mr. SIMPSON. Mr. Speaker, in the new act they furnish a market for these materials and for the purpose of answering my remarks the gentleman cited the old act. What I want to know is, does the old act answer that argument?

Mr. BEYER. Not by itself, Mr. Speaker. This goes a step further and provides a method by which this work shall be done.

Mr. SIMPSON. So then the only market that is furnished is the market that I spoke of that is furnished in the act that is now before us to-day.

Mr. BEYER. Mr. Speaker, the market furnished appears in the bill very plainly, and is, "all public institutions owned, managed and controlled by the Commonwealth, or any county thereof." That is as far as it goes. I want to say further in answer to that question that some reference was made here to boroughs. Boroughs and townships are not included in this bill. The bill only goes as far as counties and county institutions.

Mr. SIMPSON. The case that you cited is a case that is not new, it is twenty years old, is it not?

Mr. BEYER. Mr. Speaker, I do not believe that I cited any case.

Mr. SIMPSON. You read your reference.

Mr. BEYER. That to which I referred was a convention held about twenty years ago; yes, sir.

Mr. SIMPSON. Mr. Speaker, about the best thing to be said about those good old days is that they are gone.

Mr. BEYER. Mr. Speaker, that convention was held in 1897.

Mr. FOWLER. Mr. Speaker and gentlemen of the House, one of the gentlemen who spoke here said that Mr. Maurer had been before the committee and had favored this bill. I wish to state that organized labor is not for this bill, and in the absence of Mr. Maurer, who is attending this morning a convention of the State Federation of Labor, I would ask for the postponement of this bill for the present until Mr. Maurer has been given a chance to talk on it.

The SPEAKER. The motion does not appear to be seconded.

Mr. WALKER. Mr. Speaker, I did not mention, when I spoke, the name of any member of the House, I mentioned the president of the Pennsylvania Federation of Labor, but I would like the gentleman from Lackawanna to explain this: Has organized labor ever changed the utterances which it made in 1897 when it said the labor of any prisoner in any State prison, reformatory, penitentiary or jail shall be used for the manufacture of such articles as are required for use in the various State penal institutions, institutions of correction, or eleemosynary institutions wherever practicable, as are required for use in the above mentioned institutions. I presume that there has been no change in that. I presume that organized labor appreciates the curse of idleness in the prisons where no prisoner is allowed to engage in any occupation during the period of his imprisonment. And whenever organized labor has had that matter before it and has examined its purposes, it will find that there is no conflict between free labor and convict labor. One more point: The gentleman from Delaware made some reference to the Prison Labor Commission. In section two of this act there is a provision that "on or before the fifteenth day of December of each year the Prison Labor Commission of this Commonwealth shall prepare a list of the classes of supplies and materials which the various State correctional institutions will be prepared to furnish during the year commencing on the first day of January next ensuing." It does not provide for a list of everything, only those things which the State institutions are able to furnish, and in reply to an inquiry which I have heard about me, which seems to be very important to the various counties where they have county jails, this act does not prevent a county or county institution from purchasing materials or supplies from a county jail or workhouse located therein. Every county in this State that has within it a prison knows that it has to pay a certain amount of taxes to support the idle men in that prison, and get nothing out of it. And here is a chance for every county having the inmates of their jails work and thereby get back some of the taxes that they are compelled to pay. I see nothing unreasonable in the act, and if given a chance, in two years hence we will be glad to come back here and confirm its use.

Mr. STITES. Mr. Speaker and members of the House, I would like to ask your indulgence for just a moment. There have been certain points raised here that I think should be answered. The gentleman from Allegheny, Mr. Baldrige, raised the point that it was unfair and unjust for the State of Pennsylvania to pay its prisoners, and that a prisoner after coming out of prison ought not to have money earned while he was there. Do you, gentlemen of the House, think it is better for a man to come out of prison, after serving a sentence, penniless, without any money at all, and in the position to continue stealing, robbing and murdering, or if while in prison was allowed to learn a trade? Do you think it is not better to have seventy-five or a hundred dollars in his pocket to start life again, or to start penniless? So far as I am concerned, I thank God for the good sense of a State that provides that a man coming out of prison shall have a bit of money to start life again under new auspices. I think it is "forward looking legislation." Mr. Simpson had a great fear in his heart that prison labor might come in contact with or opposition to organized labor. When you consider the small number of men who are engaged in work or who are allowed to be engaged in work, it is a mere drop in the bucket when compared with the tremendous army of men outside of the prisons. It practically amounts to nothing, and it seems to me that the great cause of organized labor are in either in favor of it or regard it as a practically negligible quantity. You have heard the statements made by both sides as to this.

Now, the gentleman from Delaware, Mr. Ramsey, with his usual earnestness, is fearful that this act will create some jobs. From the first of it to the last of it there is not a word about a new job created. There is not a new position even and not a dollar will be spent by the State of Pennsylvania that has not already been spent. As a matter of fact, all this act requires is that the State Prison Commission shall furnish to the various State correctional institutions a list of the goods which the prison laborers can furnish, and the State is not required to buy a dollar's worth unless it buys on equal terms.

I say this bill is a good bill and ought to pass.

Mr. FLYNN. Mr. Speaker, I am glad that the gentleman from Montgomery has made the statement that there is no jobs in this bill because underneath all this that is just what there is—jobs—nothing but jobs. This is one of the most gigantic schemes for jobs that was ever presented to this House. In 1915 the Legislature created a Prison Board of patriotic gentlemen to serve without pay. Now then, we are offered this bill which provides something definite and tangible for them to do, something in the way of a job, and believe me, it will be some job to supply all of these institutions with their supplies.

Now, then, in a committee of this House, at this very moment, there lies a bill which provides a salary of $7,000 per annum for the members of this board. Let the gentleman from Montgomery explain that and he will explain what is really back of this bill.

Mr. HESS. The point has been made several times that this bill will enable the Prison Labor Association to supply institutions with their supplies. Now, it does not involve that at all. If you will read the last paragraph of Section three you will find this language: "It shall be the duty of the Prison Reform Commission promptly to reply in regard to all inquiries regarding the supplies and materials manufactured in State correctional institutions." It strictly limits what they can sell to other institutions to the material manufactured in those institutions; and I sincerely trust this bill will pass.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—90.

Aron,	Dunn,	Marvin,	Rudisill,
Arthur,	Erdman,	McArdle,	Sarig,
Baker,	Fackler,	McNichol,	Snowden,
Baldi,	Franklin,	McVicar,	Stadtlander,
Barner,	Gans,	Mearkle,	Sterling,
Bennett,	Glass,	Mehring,	Stern,
Beyer,	Golder,	Miller, A. D.,	Stites,
Bouton, V. B.,	Graham,	Milner,	Strauss,
Brady,	Gransback,	Mitchell,	Swartz,
Campbell, T.,	Haight,	Morgan, T.,	Ulsh,
Canon,	Hecht,	Musser,	Urich,
Chestnut,	Heffernan,	Neary,	Vickerman,
Conner,	Hess,	Ogden,	Vogdes,
Cook,	Hibshman,	Patterson,	Walker,
Corbin,	Hoffman,	Perry,	Wallace,
Cox,	Horne,	Phillips,	Walter,
Crosby,	Horton,	Reitzel,	Weimer,
Cummins,	Isherwood,	Reynolds,	Wells,
Curry,	Jennings,	Rich,	Whitaker,
Davis, W.,	Lanius,	Ringler,	Williams, G. W.
Dean,	Laucks,	Rinn,	Wobensmith,
Dell,	Lauler,	Ross,	Wylie,
Dewey,	Lewis,	Rothenberger,	Zanders,

NAYS—80.

Aston,	Fretz,	McPeake,	Simpson,
Baldridge,	Geary,	Mervine,	Sinclair,
Bell,	Goodnough,	Miller, C. G.,	Smith, E. R.,
Benchoff,	Gormley,	Morgan, T. J.,	Smith, F. I.,
Benninger,	Graeff,	Murphy,	Smith, J. W.,
Bidelspacher,	Haldeman,	Palmer,	Smith, O. W.,
Black,	Helt,	Pickering,	Snyder,
Boyd,	Heyburn,	Ramsey,	Sones,
Burnett,	Hollern,	Reichenbacker,	Spangler,
Christman,	Hollingsworth,	Rhodes, W. M.,	Speicher,
Clements,	Howarth,	Robertson,	Sprowls,
Coldsmith,	Jones,	Ruddy,	Stofflet,
Dawson,	Kennedy,	Sampsel,	Sweitzer,
Dithrich,	Leary,	Schaeffer, A. C.,	Taylor,
Donneley,	Lohr,	Scott,	Thomas,
Eby,	Luppert,	Shaffer, C. A.,	West,
Ehrhardt,	McCullough,	Shattuck,	Wickman,
Fitzgibbon,	McCurdy,	Showalter,	Williams, J. P.,
Flynn,	McKay,	Shunk,	Wood,
Fowler,	McKinney,	Siggins,	Wynne,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

MOTION TO RECONSIDER VOTE.

Mr. DELL. Mr. Speaker, I move that the vote by which House Bill No. 1127, File Folio 3353, entitled

An Act empowering cities and boroughs to provide for the licensing of cats.

was defeated on final passage on May 7th be reconsidered.

Mr. POWELL. Mr. Speaker, I second the motion.

The motion was not agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1438 (Senate Bill No. 696), entitled

An Act to amend the second section of an act approved April fourth, one thousand nine hundred and seven, entitled "An Act creating in counties having a population from three hundred thousand to one million a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments and divisions thereof; prescribing the powers and duties of said board and regluating appeals from the decision thereof," by providing that where said board as constituted by said act is composed of the county controller and county commissioners only the president of the board in case of a tie vote shall be entitled to a deciding vote.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Aron,	Goodnough,	Miller, G. J. A.,	Smith, J. W.,
Arthur,	Goodwin,	Milner,	Smith, L.,
Aston,	Gormley,	Morgan, T.,	Smith, O. W.,
Baker,	Graeff,	Morgan, T. J.,	Snowden,
Baldi,	Graham,	Murdoch,	Snyder,
Baldridge,	Gransback,	Murphy,	Somerman,
Bechtold,	Haldeman,	Musser,	Sones,
Bell,	Hecht,	Neary,	Spangler,
Bennett,	Heffernan,	Ogden,	Speicher,
Benninger,	Helt,	Palmer,	Sprowls,
Beyer,	Hess,	Patterson,	Stadtlander,
Bidelspacher,	Heyburn,	Perry,	Steedle,
Black,	Hibshman,	Phillips,	Sterling,
Brady,	Hoffman,	Pickering,	Stern,
Campbell, T.,	Hollern,	Powell,	Stites,
Canon,	Hollingsworth,	Ramsey,	Stofflet,
Clements,	Horne,	Reichenbacker,	Strauss,
Coldsmith,	Horton,	Reitzel,	Sullivan,
Conner,	Hough,	Reynolds,	Swartz,
Corbin,	Howarth,	Rhodes, W. M.,	Sweitzer,
Cox,	Isherwood,	Rich,	Taylor,
Crosby,	Jennings,	Ringler,	Thomas,
Cummins,	Jones,	Rininger,	Ulsh,
Curry,	Laucks,	Rinn,	Urich,
Davis, W.,	Lauler,	Robertson,	Vickerman,
Dawson,	Leary,	Rogers,	Vodges,
Dean,	Lewis,	Ross,	Wagner,
Dewey,	Luppert,	Rothenberger,	Walker,
Dithrich,	Malie,	Ruddy,	Wallace,
Donneley,	Mangan,	Rudisill,	Walter,
Drake,	Marvin,	Sampsel,	Weimer,
Drinkhouse,	McArdle,	Sarig,	Wells,
Dunn,	McCaig,	Schaeffer, A. C.,	West,
Ehrhardt,	McCullough,	Scott,	Whitaker,
Erdman,	McCurdy,	Shaffer, C. A.,	Wickman,
Fackler,	McKay,	Shattuck,	Williams, G. W.
Fitzgibbon,	McKinney,	Showalter,	Williams, J. P.,
Franklin,	McNichol,	Shunk,	Wobensmith,
Fretz,	McPeake,	Siggins,	Wood,
Gans,	McVicar,	Simpson,	Woodward,
Geary,	Mearkle,	Sinclair,	Wylie,
Glass,	Miller, A. D.,	Smith, E. R.,	Wynne,
Golder,	Miller, C. G.,	Smith, F. I.,	Zanders,
			Baldwin,
			Speaker.

NAYS—3.

Chestnut,	Christman,	Cook,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1352, entitled

An Act to amend the second section of an act approved the fifteenth day of April, one thousand nine hundred and thirteen, entitled "An Act to amend the second section of an act, entitled "An Act to amend section two of the act entitled "An Act for the relief of wives and children deserted by their husbands and fathers, within this Commonwealth," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-seven, by authorizing and empowering courts to fix the allowance for the support of wives and children, without limitation as to the amount thereof, by empowering courts to issue writs of attachment against the money or property belonging to, or which the husbands and fathers may be entitled to, whether under what is known as spendthrift trusts or otherwise," by empowering courts to issue writs of execution against any property real or personal, belonging to the defendant and writs of attachment execution against the money or property to which defendant may be entitled whether under what is known as a spendthrift trust or otherwise no matter when said trust was created and making same a continuing lien and levy for fifty per centum thereof until the order and costs are paid and abolishing the benefit of the exemption law in such case.

On the question,

Will the House agree to the bill on third reading?

Mr. MILNER. Mr. Speaker, I ask unanimous consent to offer amendments to this bill at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, page 1, line 1, by striking out "sction" and inserting in lieu thereof "section."

Amend title, page 1, line 3, by inserting "entitled" after "teen."

Amend title, page 1, line 4, by inserting before "entitled" the following: "approved the fifth day of March, Anno Domini one thousand nine hundred and seven."

Amend section 1, page 2, line 4, by inserting "the second" after "amend."

Amend section 1, page 2, line 5, by striking out "two."

Amend section 1, page 2, line 5, by inserting before "entitled" the following; "approved the fifth day of March, Anno Domini one thousand nine hundred and seven."

Amend section 1, page 2, line 12, by inserting after "thereof" and within the quotation marks the following: "by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trusts or otherwise."

Amend section 1, page 3, line 6, by inserting the following: "any property, real or personal, belonging to the defendant and its writ of attachment execution against."

Amend section 1, page 4, line 4, by inserting "way" after "any."

In section 2, page 3, line 15, after "sions" insert: "or other court having jurisdiction thereof."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1391, entitled

An Act to amend section five of an act, approved the tenth day of April, one thousand eight hundred seventy-nine, entitled "An Act relating to mutual saving fund, building and loan associations, regulating the mode of charging premiums, bonus or interest in advance, of withdrawals, of re-payment and collection of loans, also restricting the power to levy excessive fines, and defining the rights and liabilities of married women stockholders, and prescribing the non-application to these associations of the bonus tax and registry laws for corporations."

On the question,

Will the House agree to the bill on third reading?

Mr. MILNER. Mr. Speaker, I ask unanimous consent to offer amendments to this bill at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 5, by striking out the words "to these associations" being the first three words in the line.

Amend section 1, page 2, line 14, by inserting the word "of" before "the."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1130, entitled

An Act to amend section forty-five of the act approved the nineteenth day of May one thousand nine hundred and fifteen entitled "An Act relating to the sale of goods."

On the question,

Will the House agree to the bill on third reading?

Mr. MILNER. Mr. Speaker, I ask unanimous consent to offer amendments to this bill at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 9, by striking out "aright" and inserting in lieu thereof "a right."

Amend section 1, page 2, line 25, by striking out "diffeerent" and inserting in lieu thereof "different."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1415, as follows:

An Act to amend section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioner chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line descrbiing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and state aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to highway department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act."

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the some That so much of section six of an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which reads as follows

"Route one hundred From Emporium to Smethport Commencing in Emporium and running by way of Sizerville to a point on the dividing line between Cameron and McKean Counties thence to Gardeau thence to a point on the dividing line between McKean and Potter Counties thence to Forest House thence to a point on the dividing line between Potter and McKean Counties thence by way of Liberty Wrights Port Allegany Turtle point and Farmers Valley thence over route ninety-six into Smethport McKean County" is amended to read as follows

Route one hundred From Emporium to Smethport Commencing in Emporium and running by way of Sizerville to a point on the dividing line between Cameron and McKean Counties thence to Gardeau thence to a point on the

dividing line between McKean and Potter Counties thence to Forest House thence to a point on the dividing line between Potter and McKean Counties thence by way of Liberty Wrights Port Allegany Turtle Point Larabee Eldred Borough Prenticeville Rixford Dallas City and Corwin's Corners thence over route ninety-six into Smethport McKean County

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Aron,	Erdman,	McKay,	Shunk,
Arthur,	Fackler,	McKinney,	Siggins,
Aston,	Fitzgibbon,	McNichol,	Simpson,
Baker,	Flynn,	McPeake,	Sinclair,
Baldi,	Fowler,	McVicar,	Smith, E. R.,
Baldridge,	Franklin,	Mearkle,	Smith, F. I.,
Barner,	Fretz,	Mehring,	Smith, J. W.,
Bechtold,	Geary,	Mervine,	Smith, L.,
Bell,	Golder,	Michel,	Smith, O. W.,
Benchoff,	Goodnough,	Miller, A. D.,	Snyder,
Bennett,	Gormley,	Miller, C. G.,	Somerman,
Benninger,	Graeff,	Miller, G. J. A.,	Sones,
Beyer,	Graham,	Milner,	Spangler,
Bidelspacher,	Gransback,	Mitchell,	Speicher,
Black,	Haight,	Morgan, T.,	Sprowls,
Bouton, V. B.,	Haldeman,	Morgan, T. J.,	Stadtlander,
Bovee,	Hecht,	Murdoch,	Sterling,
Boyd,	Heffernan,	Murphy,	Stern,
Brady,	Helt,	Musser,	Stites,
Brumbaugh,	Hess,	Neary,	Stofflet,
Burnett,	Heyburn,	Palmer,	Strauss,
Campbell, T.,	Hibshman,	Patterson,	Swartz,
Canon,	Hoffman,	Perry,	Sweitzer,
Chestnut,	Hollern,	Pickering,	Taylor,
Christman,	Hollingsworth,	Powell,	Thomas,
Clements,	Horne,	Ramsey,	Ulsh,
Coldsmith,	Horton,	Reichenbacher,	Urich,
Conner,	Howarth,	Reitzel,	Vickerman,
Cook,	Isherwood,	Reynolds,	Wagner,
Corbin,	Jack,	Rhodes, W. M.,	Wallace,
Cox,	Jennings,	Rich,	Walter,
Crosby,	Jones,	Ringler,	Weimer,
Cummins,	Kennedy,	Rininger,	Wells,
Curry,	Lanius,	Rinn,	West,
Davis, W.,	Laucks,	Robertson,	Whitaker,
Dawson,	Lauler,	Rogers,	Wickman,
Dean,	Leary,	Ross,	Williams, G. W.
Dell,	Lewis,	Rothenberger,	Williams, J. P.,
Dewey,	Lohr,	Ruddy,	Wobensmith,
Dithrich,	Luppert,	Rudisill,	Wood,
Donneley,	Mangan,	Sampsel,	Woodward,
Drake,	Marvin,	Sarig,	Wylie,
Drinkhouse,	McArdle,	Schaeffer, A. C.,	Wynne,
Dunn,	McCaig,	Scott,	Zanders,
Eby,	McCullough,	Shaffer, C. A.,	Baldwin,
Ehrhardt,	McCurdy,	Shattuck,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 817, entitled

An Act relating to the consideration upon appeal by the Supreme and Superior Courts of testimony taken in proceedings in courts of record and providing for the making of such testimony a part of the record.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALLACE. Mr. Speaker, I would like to have the sponsor of this bill explain it.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 817.

Mr. WOBENSMITH. Mr. Speaker, instead of explaining the bill at this time, I would ask unanimous consent to offer amendments. I move that the vote by which this bill passed third reading be reconsidered.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WOBENSMITH. Mr. Speaker, I ask unanimous consent to offer amendment to this bill at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend the title by striking out the word "records" in the last line thereof and substitute therefor the word "record."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. I am informed by the desk that the bill is in shape for final passage, notwithstanding the amendment, as the amendment was merely striking out the letter "s".

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Aron,	Eby,	Marvin,	Rudisill,
Arthur,	Ehrhardt,	Maurer,	Sampsel,
Aston,	Erdman,	McCaig,	Sarig,
Baker,	Fackler,	McCullough,	Schaeffer, A. C.,
Baldi,	Fitzgibbon,	McCurdy,	Scott,
Baldridge,	Flynn,	McKay,	Shunk,
Barner,	Franklin,	McKinney,	Siggins,
Bechtold,	Fretz,	McNichol,	Sinclair,
Bell,	Gans,	McPeake,	Smith, E. R.,
Bennett,	Glass,	McVicar,	Smith, J. W.,
Benninger,	Golder,	Mearkle,	Smith, O. W.,
Beyer,	Goodnough,	Mehring,	Snowden,
Bidelspacher,	Goodwin,	Mervine,	Snyder,
Black,	Graeff,	Miller, Allan,	Somerman,
Bouton, V. B.,	Graham,	Miller, C. G.,	Sones,
Bovee,	Gransback,	Miller, G. J. A.,	Speicher,
Boyd,	Haight,	Milner,	Stadtlander,
Brady,	Haldeman,	Mitchell,	Sterling,
Burnett,	Hecht,	Morgan, T.,	Stern,
Campbell, T.,	Heffernan,	Morgan, T. J.,	Stites,
Canon,	Hess,	Murphy,	Stofflet,
Chestnut,	Heyburn,	Musser,	Strauss,
Christman,	Hibshman,	Neary,	Swartz,
Clements,	Hoffman,	Ogden,	Sweitzer,
Coldsmith,	Hollern,	Palmer,	Taylor,
Conner,	Hollingsworth,	Patterson,	Thomas,
Cook,	Horne,	Perry,	Ulsh,
Corbin,	Horton,	Phillips,	Urich,
Cox,	Hough,	Pickering,	Vodges,
Crosby,	Howarth,	Powell,	Wagner,
Cummins,	Isherwood,	Ramsey,	Weimer,
Curry,	Jennings,	Reichenbacher,	Wells,
Davis, W.,	Jones,	Reitzel,	Whitaker,
Dawson,	Kennedy,	Rich,	Wickman,
Dean,	Lanius,	Ringler,	Williams, G. W.
Dell,	Laucks,	Rininger,	Wobensmith,
Dewey,	Lauler,	Rinn,	Wood,
Dithrich,	Leary,	Robertson,	Wylie,
Donneley,	Lewis,	Ross,	Wynne,
Drake,	Luppert,	Rothenberger,	Zanders,
Drinkhouse,	Mangan,	Ruddy,	Baldwin,
Dunn,			Speaker.

NAYS—4.

Benchoff,	Showalter,	Walter,	West,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1435 (Senate Bill No. 55), entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Aron,	Erdman,	McKay,	Siggins,
Arthur,	Fackler,	McKinney,	Simpson,
Aston,	Fitzgibbon,	McNichol,	Sinclair,
Baker,	Fowler,	McPeake,	Smith, E. R.,
Baldi,	Franklin,	McVicar,	Smith, F. I.,
Baldridge,	Fretz,	Mearkle,	Smith, J. W.,
Barner,	Geary,	Mehring,	Smith, O. W.,
Bechtold,	Glass,	Mervine,	Snowden,
Bell,	Golder,	Miller, A. D.,	Snyder,
Benchoff,	Goodnough,	Miller, Allan,	Somerman,
Bennett,	Gormley,	Miller, C. G.,	Sones,
Benninger,	Graeff,	Miller, G. J. A.,	Speicher,
Beyer,	Graham,	Milner,	Sprowls,
Bidelspacher,	Gransback,	Mitchell,	Stadtlander,
Black,	Haight,	Morgan, T.,	Sterling,
Bouton, V. B.,	Haldeman,	Morgan, T. J.,	Stern,
Bovee,	Hecht,	Murdoch,	Stites,
Boyd,	Heffernan,	Murphy,	Stofflet,
Brady,	Helt,	Musser,	Strauss,
Brumbaugh,	Hess,	Neary,	Swartz,
Burnett,	Heyburn,	Palmer,	Sweitzer,
Campbell, T.,	Hibshman,	Patterson,	Taylor,
Canon,	Hoffman,	Perry,	Thomas,
Chestnut,	Hollern,	Phillips,	Ulsh,
Christman,	Hollingsworth,	Pickering,	Urich,
Clements,	Horton,	Powell,	Vickerman,
Coldsmith,	Hough,	Ramsey,	Vodges,
Conner,	Howarth,	Reichenbacher,	Wagner,
Cook,	Isherwood,	Reitzel,	Walker,
Corbin,	Jennings,	Reynolds,	Wallace,
Cox,	Jones,	Rhodes, W. M.,	Walter,
Crosby,	Kennedy,	Rich,	Weimer,
Cummins,	Lafferty,	Ringler,	Wells,
Curry,	Lanius,	Rininger,	West,
Davis, W.,	Laucks,	Rinn,	Whitaker,
Dawson,	Lauler,	Robertson,	Wickman,
Dean,	Leary,	Rogers,	Williams, G. W.
Dell,	Lewis,	Ross,	Williams, J. P.,
Dewey,	Lohr,	Rothenberger,	Wobensmith,
Dithrich,	Luppert,	Ruddy,	Wood,
Donneley,	Malie,	Rudisill,	Woodward,
Drake,	Marvin,	Sampsel,	Wylie,
Drinkhouse,	McArdle,	Sarig,	Wynne,
Dunn,	McCaig,	Scott,	Zanders,
Eby,	McCullough,	Shattuck,	Baldwin,
Ehrhardt,	McCurdy,	Shunk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

MOTION TO RECONSIDER VOTE.

Mr. WALLACE. Mr. Speaker, I move that the vote by which House Bill No. 817, File Folio 3551, passed finally be reconsidered.

Mr. BENCHOFF. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WALLACE. Mr. Speaker and gentlemen of the House, I believe when this bill was under consideration there were few members in the House that knew what it meant or had read it, and I think we were more or less deceived, not intentionally, but deceived nevertheless, by reason of the fact that a certain amendment was made to the bill. Now this is a bill that makes a great change in our legal procedure. This bill provides that ——

POINT OF ORDER.

Mr. RAMSEY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. RAMSEY. Mr. Speaker, the gentleman is discussing the merits of the bill. This is a motion to reconsider.

The SPEAKER. The Chair understands that the gentleman from Lawrence is stating the reasons why the vote should be reconsidered, and the point is not well taken. The gentleman from Lawrence will proceed, confining himself to the motion to reconsider the vote by which the bill passed the House finally.

Mr. WALLACE. Mr. Speaker, by reason of the almost revolutionary changes in our legal procedure, as provided in this bill, and by reason of the fact that the members were without an opportunity to discuss it and understand it fully, I think the vote ought to be reconsidered and this bill given careful consideration. I believe if the members of this House realy understood this bill and knew just what it meant and what it provides, that they will not support it, and I think the vote should be reconsidered so that we can discuss it carefully and wisely.

Mr. WOBENSMITH. Mr. Speaker, I was rather surprised to hear a motion come at this time to reconsider the vote by which this bill passed because any one who was paying any attention to the business of the House could not help but have known what was going on.

The Chair very clearly and distinctly and in a loud tone of voice announced that this amendment would only make a typographical change in the title, and therefore we could proceed with the immediate consideration of the bill on final passage.

Mr. WALLACE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Wobensmith, permit himself to be interrogated?

Mr. WOBENSMITH. Yes, sir, Mr. Speaker.

Mr. WALLACE. Did I not ask the gentleman from Philadelphia to explain the purposes of the bill?

Mr. WOBENSMITH. Not when it came up.

Mr. WALLACE. Did I not ask the gentleman, the sponsor of the bill, to explain what it means?

Mr. WOBENSMITH. After I had offered an amendment.

Mr. WALLACE. Did you not say that you did not care to discuss it then, as you were offering an amendment?

Mr. WOBENSMITH. The gentleman did not renew his request for an interrogation.

Mr. WALLACE. Did not the gentleman from Philadelphia offer an amendment?

Mr. WOBENSMITH. I did.

Mr. WALLACE. And isn't it the proper course that a bill that is amended should lie over for preparation for final passage?

Mr. WOBENSMITH. Mr. Speaker, that is a question that I do not want to decide. The Chair has decided the question, and there has been no appeal from the decision of the Chair.

Mr. REYNOLDS. Mr. Speaker, I hope that the members of the House will reconsider the vote by which this bill passed, because you have a bill applying to each and every citizen of the Commonwealth of Pennsylvania, and there should be very serious consideration of this bill. You are going to change your method of procedure on appeal, and I might say that four out of every ten cases that are not now appealed, will be brought before your Superior and Supreme Courts, and upon that appeal the records will go up. Mr. Speaker, for the information of those of the House who are not members of the bar I wish to say this: That at the present time our appellate jurisdiction does not extend to some cases where the amount involved is of very small moment or where the testimony taken would not make any material difference to the appellate court, for this reason—and it has so been decided—that the appellate courts have decided that the lower courts, having the witnesses before them, are best able to judge of the truth or the falsity of the statements made; and therefore the appellate courts will not pass upon that testimony because our courts of common pleas and quarter sessions act as chancellors and must decide the questions frequently of law and fact in the lower courts, and it is not to be passed upon by the appellate courts. Now in this act you change that entire procedure, and you bring up the record. Now it is a very serious question, gentlemen of the House, for you to pass on, and should not be passed upon lightly, but should have thorough argument and consideration. You may have nothing to do with it in all your lives, but every citizen of the Commonwealth who will have any matter, no matter of how small a moment, before any one of our lower courts, may be taken up on an appeal. You can readily see the injustice of this, because where the person is poor and an appeal is taken, that practically wipes him out. I go into this matter a little extensively because you are now voting on the reconsideration, and I want you to thoroughly understand this question before you reconsider this measure.

Mr. WOBENSMITH. Mr. Speaker, inasmuch as my good friend and colleague from Philadelphia has seen fit, in the discussion of the question of the reconsideration of the vote on this bill, to go into the merits of the bill, I think

that I should under the circumstances be permitted to say something on that subject. Now to listen to Mr. Reynolds, you would get the impression that there was something in this bill that was going to work an injustice, when as a matter of fact the real purpose and intent and operation of this act, if it becomes a law, will be to promote justice. The purpose of this bill is to act as a check on the judges of the lower courts, in many instances, when a judge has the right to pass upon the property, and in a great many cases, upon the liberty of the people without any appeal. If you have an unjust judge, and in some cases a judge who can be reached, he will decide the case, no matter how bad the testimony is against his decision, and you are wholly without remedy, because the lawyers all know that when you take an appeal in certain cases, the Supreme Court and the Superior Court will hold that they have nothing before them except the record, which does not include the testimony. All this provides is that the testimony is to be made a part of the record and taken up on the appeal for the consideration of the appellate courts.

QUESTION OF INFORMATION.

Mr. BOVEE. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. BOVEE. Mr. Speaker, I would like to ask if the gentleman from Lawrence made this motion to reconsider.

Mr. WALLACE. Mr. Speaker, I did.

Mr. BOVEE. How were you recorded as voting?

Mr. WALLACE. I was recorded as voting aye, having voted that way for the purpose of making this motion.

Mr. BOVEE. Is that according to the rules of this House? I will leave it to the members.

Mr. MITCHELL. Mr. Speaker, I hope that the members of this House will support this motion to reconsider the vote by which this bill was passed. I undoubtedly voted myself under a misapprehension. I voted aye, and may do so again after the bill has been explained, but after looking it over hurriedly I would like to have this bill discussed on the floor of the House before it is passed finally by the House. I think under the circumstances we ought to support this motion, in order not to put anything through in a high-handed manner. I do not think that is the intention of the sponsor. We ought to reconsider this bill because a great many of the members voted under a misapprehension. I could not hear what the Chair was saying at the time that it was announced that a vote would be taken on the bill. I voted aye, but I would like to have an opportunity to discuss this bill on the floor of the House. I may then vote as I voted before, and there may be other members of the same opinion, but I hope that you will support this motion.

On the question recurring,

Will the House agree to the motion?

The SPEAKER announced that the "nays" appeared to have it.

Whereupon,

A division was called for, and sixty-seven gentlemen having voted in the affirmative and eighty-six in the negative, the question was determined in the negative and the motion to reconsider the vote was not agreed to.

RECESS.

Mr. SCOTT. Mr. Speaker, I move that this House do now take a recess.

The motion was agreed to, and (at 1.35 P. M.) the House took a recess until 3.30 P. M.

AFTER RECESS.

The House reconvened at 3.30 o'clock P. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

The SPEAKER. The Chair will accept reports of committees at this time.

REPORTS FROM COMMITTEES.

Mr. COX, from the Committee on Judiciary Local, reported as committed House Bill No. 1475, entitled

An Act imposing the cost of commitment and maintenance of criminal insane in institutions on the county where the crime was committed; and authorizing the recovery of such costs from the estate of the criminal insane.

Mr. COX, from the Committee on Judiciary Local, reported as committed House Bill No. 1476, entitled

An Act to amend section one of an act approved the eighth day of June, one thousand nine hundred fifteen, entitled "An Act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons, and awaiting trial, charged with criminal offenses not amounting to felony, which persons are found to be insane; and further providing for the payment of the expense of such removal and return, and for the cost of the maintenance and care of such persons in such hospitals," by imposing all costs and expenses on the county.

Mr. SIGGINS, Jr., from the Committee on Counties and townships, reported as amended House Bill No. 325, entitled

An Act authorizing and requiring employers to deduct from the wages of employes, after notice, sums sufficient to pay delinquent township taxes on occupations, owing by such employes, and to pay over the same.

Mr. HESS, from the Committee on Judiciary Local, reported as committed House Bill No. 1628, entitled

An Act to amend an act, entitled "An Act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping, or attempting to escape, from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania, by the respective counties from whose courts the said escaping convicts or prisoners have been committed; and providing for the maintenance of such convicts under sentence for escape, et cetera," approved the twenty-second day of July, one thousand nine hundred and thirteen.

Mr. STERLING, from the Committee on Corporations, reported as committed House Bill No. 926, entitled

An Act to prevent discrimination by any person, copartnership association or corporation engaged in any public service business; prohibiting the refusal, cutting off or discontinuance of service in certain cases; and providing penalties.

Mr. BECHTOLD, from the Committee on Appropriations, reported as amended House Bill No. 1751, entitled

An Act authorizing the use of certain prisoners for work upon the roads and highways and upon farms; authorizing the county commissioners to make provision for the feeding of such prisoners; authorizing jail and prison authorities to provide guards; and providing for the pay of such prisoners.

Mr. WALKER, from the Committee on Judiciary General, reported as committed House Bill No. 1622, entitled

An Act empowering express companies to employ policement commissioned by the Governor with authority to act in all counties in the State wherein such companies carry on their business.

Mr. NEARY, from the Committee on Judiciary Local, reported as committed House Bill No. 1802, entitled

An Act fixing the compensation of constables for attendance at primary and general elections.

Mr. WALKER, from the Committee on Judiciary General, reported as committed House Bill No. 1708, entitled

An Act authorizing the judges learned in the law of the courts of common pleas and orphans courts of the counties having a population of more than one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants to employ suitable clerical assistance; and providing for the payment of such clerical assistance by the several counties.

Mr. THOMAS, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1778, entitled

An Act to protect the public health by requiring the parents, directors of the poor or other person responsible for the care and maintenance of any male child to have such child circumcised at or before reaching the age of three months; and fixing a penalty.

Mr. THOMAS, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1626, entitled

An Act for the prevention of fraud and deception by prohibiting the use of added artificial coloring matter in such edible alimentary pastes as macaroni spaghetti vermicelli and noodles.

Mr. GOLDEN, from the Committee on Municipal Corporations, reported as committed House Bill No. 1671, entitled

An Act fixing the pay of election officers in cities of the third class, boroughs, towns and townships.

Mr. JONES, from the Committee on Appropriations, reported as committed House Bill No. 1581, entitled

An Act to reimburse mine inspectors for the loss in salary and making an appropriation.

Mr. SWARTZ, from the Committee on Judiciary Special, reported as amended House Bill No. 1817, entitled

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven, entitled "An Act to fix the salaries of the judges of the Supreme Court, the judges of the Superior Court, the judges of the Courts of the Common Pleas and the judges of the Orphan's Courts."

Mr. SWARTZ, from the Committee on Judiciary General, reported as committed House Bill No. 1824, entitled

An Act authorizing Alber B. Smith of the Borough of Steelton, Dauphin County, Pennsylvania, to bring suit against and to recover from the Commonwealth of Pennsylvania, either in law or equity, in the Court of Common Pleas of Dauphin County, any sum or sums of money legally or justly due him for services rendered the Pennsylvania Commission to investigate Cold Storage.

Mr. WYNNE, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 895, entitled

An Act prohibiting the sale, giving away or otherwise disposing of explosives except under certain conditions; prohibiting the careless and negligent exposure and handling thereof; and providing penalties.

Mr. HORTON, from the Committee on Appropriations, reported as committed House Bill No. 1764, entitled

An Act authorizing the State Highway Commissioner to adopt and procure a seal for the State Highway Department; and providing that certified copies of all records, books, papers, documents and rulings of the Department shall be received in evidence.

Mr. McCAIG, from the Committee on Appropriations, reported as committed House Bill No. 1760, entitled

An Act prohibiting the payment of pensions by counties having a population of more than eight hundred thousand and less than one million five hundred thousand inhabitants in certain cases.

Mr. RUDDY, from the Committee on Counties and Townships, reported as committed House Bill No. 1524, entitled

An Act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor, steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers, to attend the annual meeting of the Association of Directors of the Poor and Charities and Corrections of Pennsylvania as part of their official duties, and providing for the payment of the expenses thereof.

Mr. STERN, from the Committee on Public Health and Sanitation, reported as amended House Bill No. 1790, entitled

An Act defining sodomy and prescribing penalties for its commission.

Mr. GANS, from the Committee on Insurance, reported as committed House Bill No. 1406, entitled

An Act imposing a tax on premiums of insurance and reinsurance in foreign insurance companies and associations not registered in this Commonwealth; providing the method of collection of such tax; and imposing penalties.

Mr. SIGGINS, from the Committee on Counties and Townships, reported as amended House Bill No. 1376, entitled

An Act relating to the election of county assessors, and the appointment of assistant assessors; their terms of office; their duties; their salaries; county rates and levies; duties of county commissioners in connection with county assessors; penalties for failure of county assessors and assistant assessor to perform their duties; powers and duties of election officers, and penalties for their non-compliance; and penalties for any elector wilfully making any false affidavit or statement.

Mr. WALKER, from the Committee on Judiciary General, reported as committed House Bill No. 930 (Senate Bill No. 139), entitled

An Act relating to division fences in suburban and similar districts of cities of the first class regulating the nature height materials and kind thereof defining the same and in certain cases dispensing with the same on whole or parts of boundary lines also prohibiting in the said districts the erection of fences or similar structures above a certain height except under a permit.

Mr. BECHTOLD, from the Committee on Municipal Corporations, reported as committed House Bill No. 1632 (Senate Bill No. 672), entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

Mr. WALKER, from the Committee on Judiciary General, reported as committed House Bill No. 933 (Senate Bill No. 140), entitled

An Act prohibiting the erection of fences or similar structures above a certain height in suburban or similar districts of cities of the first class except under a permit declaring certain fences a private nuisance and their erection a misdemeanor and prescribing penalties for violation of the provisions of this act.

Mr. PICKERING, from the Committee on Printing, reported as committed House Bill No. 1540 (Senate Bill No. 802), entitled

An Act regulating the time for advertising for and receiving proposals for furnishing paper cardboard cuts plates and other supplies for the use of the Commonwealth for executing the Public Printing and the time contracts for furnishing such supplies shall run.

Mr. JONES, from the Committee on Appropriations, reported as amended House Bill No. 1094 (Senate Bill No. 247), entitled

An Act to fix the salary of the Commission Clerk in the Executive Department of the Commonwealth.

Mr. PICKERING, from the Committee on Appropriations, reported as committed House Bill No. 1834 (Senate Bill No. 819), entitled

An Act to amend an act approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act providing for the establishment of the Pennsylvania Historical Commission defining its powers and duties and making an appropriation for its work" by enlarging its powers and duties and providing for publishing its report et cetera.

Mr. CHRISTMAN, from the Committee on Counties and Townships, reported as committed House Bill No. 1831 (Senate Bill No. 574), entitled

An Act requiring borough councils township commissioners township supervisors and school directors to file auditors' reports in the office of the clerk of quarter sessions requiring the county commissioners to furnish books for that purpose imposing certain duties on auditors fixing the fee of the clerk of the court and providing for removal from office in case of failure to comply herewith.

Mr. HEYBURN, from the Committee on Public Roads, reported as committed House Bill No. 1555 (Senate Bill No. 813), entitled

An Act relating to the assessment and payment of damages to owners of property abutting on State highways in certain counties damaged by a change of the existing lines and location of such State Highway imposing certain powers and duties upon the Highway Commissioner and the county commissioners and providing for the payment of such damages by such counties.

Mr. HEYBURN, from the Committee on Public Roads, reported as amended House Bill No. 1598 (Senate Bill No. 850), entitled

An Act to further amend an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer chief draughtsman superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part, requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Mr. HOUGH, from the Committee on Appropriations, reported as committed House Bill No. 1845 (Senate Bill No. 777), entitled

An Act making an appropriation for the purpose of placing caring for and removal of the exhibits of the institutions of Pennsylvania at the forty-fourth annual meeting of the National Conference of Charities and Correction to be held in the City of Pittsburgh Pennsylvania from the sixth to the thirteenth days of June one thousand nine hundred and seventeen.

Mr. MURPHY, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1630 (Senate Bill No. 543), entitled

An Act defining cold storage and regulating time of storage of certain articles of food and providing penalties for the violation of the provisions of this act.

Mr. POWELL, from the Committee on Counties and Townships, reported as committed House Bill No. 988, entitled

An Act providing that whenever the charter of any borough is annulled the territory embraced within the borough whose charter is annulled shall become a township of the same name and subject to the laws governing townships in this Commonwealth.

Mr. LOHR, from the Committee on Agriculture, reported with a negative recommendation House Bill No. 1729, entitled

An Act to repeal the act of Assembly approved the third day of June, Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-one), the act of Assembly approved the fifteen day of June, Anno Domini one thousand nine hundred and eleven (Pamphlet Laws nine hundred sixty-eight), and the act of Assembly approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws one hundred thirty-six).

Mr. DAWSON, from the Committee on Ways and Means, reported with a negative recommendation House Bill No. 602, entitled

An Act subjecting the real estate of all railroad, railway, canal, water, gas, electric light, telegraph, and telephone companies, and of all other public service corporations or companies to taxation for county, city, borough, township, school, poor, and other local purposes.

Mr. LOHR, from the Committee on Agriculture, reported with a negative recommendation House Bill No. 1183, entitled

An Act to repeal an act approved the fourteenth day of May, Anno Domini one thousand nine hundred and fifteen, entitled "An Act providing for taxing the owners and harborers of dogs in townships of the first class of the Commonwealth, and for the destroying of dogs."

BILL RE-REFERRED.

By Mr. VICKERMAN. House Bill No. 1664.

An Act to establish a commission to investigate sickness and accident, not compensated under the Workmen's Compensation Act of 1915 of employed persons and their families, and to make an appropriation for such commission.

Referred to the Committee on Appropriations.

SENATE MESSAGE.

AMENDED HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

Senate Bill No. 203

An Act defining and regulating boxing and wrestling contests.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate, being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 891

An Act authorizing the Commtitee on Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to other such hospitals and providing for maintenance of patients after transfer

House Bill No. 1181

An Act making the fraudulent conversion of property or the proceeds of property a misdemeanor prescribing the penalties therefor and regulating the procedure therein.

with information that the Senate has passed the same without amendment.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

TIME OF NEXT MEETING.

In the Senate, May 8, 1917.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May fourteenth, at nine o'clock, and when the House of Representatives adjourns this week it reconvene on Monday evening, May fourteenth at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL INTRODUCED AND REFERRED.

Mr. DAWSON asked and received unanimous consent to introduce a bill at this time.

By Mr. DAWSON. House Bill No. 1876.

An Act dedicating fifty per centum of the fund received from the tax on coal and appropriating the same to the several cities, boroughs and townships under which said coal is mined or in which the same is washed, and authorizing the use thereof by said cities, boroughs and townships.

Referred to the Committee on Counties and Townships.

BILL ON THIRD READING.

The SPEAKER. If there is no objection the Chair would like the House to take up consideration of Senate Bill No. 864, File Folio 2455, on page 19 of to-day's calendar. The Chair hears no objection.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1636 (Senate Bill No. 864), entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195.

Aron,	Fackler,	McCurdy,	Siggins,
Arthur,	Fitzgibbon,	McKay,	Simpson,
Aston,	Flynn,	McKinney,	Sinclair,
Baker,	Fowler,	McNichol,	Smith, E. R.,
Baldi,	Franklin,	McPeake,	Smith, F. J.,
Baldridge,	Fretz,	McVicar,	Smith, J. W.,
Barner,	Gans,	Mearkle,	Smith, L.,
Bechtold,	Geary,	Mehring,	Smith, O. W.,
Bell,	Glass,	Mervine,	Snowden,
Benchoff,	Golder,	Michel,	Snyder,
Bennett,	Goodnough,	Miller, Allan,	Somerman,
Benninger,	Goodwin,	Miller, C. G.,	Sones,
Beyer,	Gormley,	Miller, G. J. A.,	Spangler,
Bidelspacher,	Graeff,	Milner,	Speicher,
Black,	Graham,	Mitchell,	Sprowls,
Boulton, H.,	Gransback,	Morgan, T.,	Stadtlander,
Bouton, V. B.,	Haight,	Morgan, T. J.,	Steedle,
Bovee,	Haldeman,	Murdoch,	Sterling,
Boyd,	Hecht,	Murphy,	Stern,
Brady,	Heffernan,	Musser,	Stites,
Brumbaugh,	Helt,	Neary,	Stoffiet,
Burnett,	Hess,	Palmer,	Strauss,
Campbell, J. O.,	Heyburn,	Patterson,	Swartz,
Campbell, T.,	Hibshman,	Perry,	Sweitzer,
Canon,	Hoffman,	Phillips,	Taylor,
Chestnut,	Hollern,	Pickering,	Thomas,
Christman,	Hollingsworth,	Powell,	Ulsh,
Clements,	Horne,	Ramsey,	Urich,
Coldsmith,	Horton,	Reichenbacher,	Vickerman,
Conner,	Hough,	Reitzel,	Vodges,
Cook,	Howarth,	Rhodes, W. M.,	Wagner,
Corbin,	Isherwood,	Rich,	Walker,
Cox,	Jennings,	Ringler,	Wallace,
Crosby,	Jones,	Rininger,	Walter,
Cummins,	Kennedy,	Rinn,	Weimer,
Curry,	Lafferty,	Robertson,	Wells,
Davis, W.,	Lanius,	Rogers,	West,
Dawson,	Laucks,	Ross,	Whitaker,
Dean,	Lauler,	Rothenberger,	Wickman,
Dell,	Leary,	Ruddy,	Williams, G. W.
Dewey,	Lewis,	Rudisill,	Williams, J. P.,
Dithrich,	Lohr,	Sampsel,	Wobensmith,
Donneley,	Luppert,	Sarig,	Wood,
Drake,	Mangan,	Schaeffer, A. C.,	Woodward,
Drinkhouse,	Marvin,	Scott,	Wylie,
Dunn,	Maurer,	Shaffer, C. A.,	Wynne,
Eby,	McArdle,	Shattuck,	Zanders,
Ehrhardt,	McCaig,	Showalter,	Baldwin,
Erdman,	McCullough,	Shunk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 363.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval House Bill No. 363, entitled "An Act fixing the fee jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than fourteen hundred thousand for service in the courts of common pleas courts of quarter sessions and courts of oyer and terminer."

The purposes of this bill is to increase the fees of jurors in the several courts of over 500,000 and less than 1,400,000 population at $3.50 per day. The present fee in all parts of the State is $2.50 per day. Jurors in Federal Courts are paid $2.50 per day and in addition must furnish their own meals. There is no real basis for this classification. There is no reason why a juror in one county should be paid more than a juror in another county. It is a backward step from the uniformity established by the Act of 1907.

Jurors worthy of a place on a jury are there as a patriotic duty, not for the fee. No increase in fee will increase the quality of service. Men should go upon jury duty to serve the purposes of law and to help maintain the dignity of judicial regulation of life and of property.

For these reasons the Bill is not approved.

MARTIN G. BRUMBAUGH.

Mr. STADTLANDER. Mr. Speaker, I move that the bill, together with the veto, be laid upon the table.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor, being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 364.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval House Bill No. 364, entitled "An Act relative to the sale in bulk of the whole or a large part of the stock of goods wares or merchandise of any kind or of goods wares or merchandise of any kind and fixtures not in the ordinary course of business providing certain requirements therefor and imposing certain duties upon the seller and buyer and making their violation a misdemeanor."

This Bill is designed to regulate sales in bulk of merchandise and fixtures and is to supplant the present law (Act of March 28, 1905, P. L. p. 62). The Bill is carelessly drawn and omits necessary features to correct defects in existing law and is in some of its terms too drastic. It was developed at the hearing on this bill that it is not adequate to the ends desired by the credit men of the State and would in effect prevent or at least make difficult legitimate and necessary sales of this character. The enacting clause does not recite the provision for the purchaser to pay the creditors nor does it recite a method of doing so, and yet in section 3 these essentials are set forth. The title is defective. The Bill would not stand in the courts.

If the purchaser in advance pays any earnest money without first having complied with the provisions of the bill the sales is fraudulent and void. This earnest money may be only a nominal sum—usual in ordinary transfers of property—and yet it voids the sale. This is not wise legislation. It penalizes for an innocent and guiltless act.

The seller may require surety of the purchaser but the purchaser is left without means of requiring the seller to pay his bills or apply the purchase money to such payment. Defects in the present law are not met by this one and the purchaser is so hedged about as to make it practically impossible to consummate such sale. The Assembly should enact a complete and practical law governing such sales.

For these reasons the Bill is not approved.

MARTIN G. BRUMBAUGH.

Mr. STADTLANDER. Mr. Speaker, I move that the bill, together with the veto, be laid upon the table.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 308.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval House Bill No. 308, entitled "An Act to amend section one of an act approved the twenty-second day of April one thousand nine hundred thirteen entitled 'An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for the payment of expenses for such treatment heretofore incurred in good faith' by providing for payment of expenses for treatment of all persons bitten by dogs by the county from the fund collected from the taxation of dogs."

This Bill amends section 1 of the Act of April 22, 1913 (P. L. p. 111), which act provides for free treatment of indigent persons who are in danger of rabies or hydrophobia. This amendment provides for free treatment of all such persons whether indigent or not. Any one so menaced by reason of a dog-bite may go to any reputable physician and have free treatment—including the Pasteur treatment which is given at only a few populous centers— and the county must pay all the expenses. The cost to be paid by the county from the funds collected from taxation on dogs and now by law used to indemnify owners of sheep for loss or damage by dogs.

Why should a county pay for the medical and surgical treatment of a well-to-do person suffering from a dog-bite and not pay for any other injury? Why make the county pay for one of a hundred types of injury and not for others? Why pay at all if the person is able to pay his own doctor's bills?

Further—by law now all indigent persons must be cared for. Why limit the fund for such humane purpose to a special tax which may be inadequate to the service needed. This would make possible the defeat of the very necessary duty of providing adequately for the treatment of the indigent sufferers.

For these reasons the bill is not approved.

MARTIN G. BRUMBAUGH.

Mr. BEYER. Mr. Speaker, I move that the bill, together with the veto, be laid upon the table.

Mr. McCAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 266.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval House Bill No. 266, entitled "An Act to amend the first section of an act entitled 'An Act to amend the first section of an act approved the fourth day of April Anno Domini one thousand nine hundred and seven entitled "An Act to fix the salaries of the deputy register clerks and employes in the office of the register of wills of any county of this Commonwealth having a population of one million or over" so as to make it apply to counties containing a population of one million four hundred thousand or over' approved the fifth day of May Anno Domini one thousand nine hundred and eleven so as to change the salaries of the said deputy register clerks and employes of the office of register of wills of said counties."

This Bill increases the salaries of the present clerks and employes in the office of the register of wills in Philadelphia County. It also increases the number of such officers. It may be that this increased number of officers is needed. Not one iota of evidence to that effect is before me. It may be, and I incline to the belief that the present officers are not as well compensated as they should be. If they need relief it is the business of the City Councils to grant it. No city official has written or spoken for this Bill, and yet it adds a very large sum to the annual budget of the city government.

This Bill's merits should be presented to Councils who are the responsible agents by law in the matter. The State is not warranted in entering into local municipal affairs in this manner.

For these reasons the bill is not approved.

MARTIN G. BRUMBAUGH.

Mr. McCAIG. Mr. Speaker, I move that the bill, together with the veto, be laid upon the table.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 37.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval House Bill No. 37, entitled "An Act to further amend sections sixteen and twenty-five of an act approved the seventh day of February one thousand nine hundred and five entitled 'An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor' as amended."

This Bill amends sections 16 and 25 of the act of February 7, 1905 (P. L. p. 11) as amended by the Act of May 1, 1911 (P. L. p. 210). In effect it changes the size of all pink and white bills in transit from the present size, 8 x 12 inches to the smaller size of 6 x 9 inches. This Bill contains many important provisions and its purpose in the main is commendable. In conference last autumn with officers of the Legislature, Director of the Legislative Reference Bureau, and the then Superintendent of Printing its provisions in the main were agreed upon and it was expressly understood and definitely known that the bill should become a law prior to the time when by law a new contract for the state printing for the ensuing four years would be made. That time was February 27, 1917. The Bill only now comes to me. The contract for four years is made. This bill would if approved add at least $19,533.99 to the cost of the printing under present contract, and increase of 62½ per cent. in the printing of the white bills and 8 1-3 per cent. in the printing of the pink bills. The saving in paper is $3,075.35. The increased cost of printing is $22,609.34.

In a word this Bill by delay in passage negatives its good provisions and if now approved would add a very large sum to the cost of the State's printing. Had the bill passed in time to be applied to the present contracts it would have been approved.

For these reasons the bill is not approved.

MARTIN G. BRUMBAUGH.

Mr. McCAIG. Mr. Speaker, I move that the bill, together with the veto, be laid upon the table.

Mr. STADTLANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 300

An Act to regulate and restrain the hawking vending and peddling of fish fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth.

with information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 1, line 8, strike out the word "therefore" and insert the word "therefor."

Strike out all of section 4.

Renumber sections 5, 6 and 7 respectively, 4, 5 and 6.

In new section 5, line 29, after the word "plate" strike out the words "or any foot-peddler who does not prominently display on his person the proper badge duly issued to the said licensee."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190.

Aron,	Flynn,	McNichol,	Simpson,
Arthur,	Fowler,	McPeake,	Sinclair,
Aston,	Franklin,	McVicar,	Smith, E. R.,
Baker,	Fretz,	Mearkle,	Smith, F. I.,
Baldi,	Gans,	Mehring,	Smith, J. W.,

Baldridge,	Geary,	Mervine,	Smith, L.,
Barner,	Glass,	Michel,	Smith, O. W.,
Bechtold,	Golder,	Miller, A. D.,	Snowden,
Bell,	Goodnough,	Miller, Allan,	Snyder,
Benchoff,	Goodwin,	Miller, C. G.,	Somerman,
Bennett,	Gormley,	Miller, G. J. A.,	Sones,
Benninger,	Graeff,	Milner,	Spangler,
Beyer,	Graham,	Mitchell,	Speicher,
Bidelspacher,	Gransback,	Morgan, T.,	Sprowls,
Black,	Haight,	Morgan, T. J.,	Stadtlander,
Bouton, V. B.,	Haldeman,	Murdoch,	Steedle,
Bovee,	Hecht,	Murphy,	Sterling,
Boyd,	Heffernan,	Musser,	Stern,
Brady,	Helt,	Neary,	Stites,
Burnett,	Hess,	Palmer,	Stofflet,
Campbell, T.,	Heyburn,	Patterson,	Strauss,
Canon,	Hibshman,	Perry,	Swartz,
Chestnut,	Hoffman,	Phillips,	Sweitzer,
Christman,	Hollern,	Pickering,	Taylor,
Clements,	Hollingsworth,	Powell,	Thomas,
Coldsmith,	Horne,	Ramsey,	Ulsh,
Conner,	Horton,	Reichenbacher,	Urich,
Cook,	Howarth,	Reitzel,	Vickerman,
Corbin,	Isherwood,	Rich,	Vogdes,
Cox,	Jennings,	Ringler,	Wagner,
Crosby,	Jones,	Rininger,	Walker,
Cummins,	Kennedy,	Rinn,	Wallace,
Curry,	Lanius,	Robertson,	Walter,
Davis, W.,	Laucks,	Rogers,	Weimer,
Dawson,	Lauler,	Ross,	Wells,
Dean,	Leary,	Rothenberger,	West,
Dell,	Lewis,	Ruddy,	Whitaker,
Dewey,	Lohr,	Rudisill,	Wickman,
Dithrich,	Luppert,	Sampsel,	Williams, G. W.
Donneley,	Mangan,	Sarig,	Williams, J. P.,
Drake,	Marvin,	Schaeffer, A. C.,	Wobensmith.
Drinkhouse,	Maurer,	Scott,	Wood,
Dunn,	McArdle,	Shaffer, C. A.,	Woodward,
Eby,	McCaig,	Shattuck,	Wylie,
Ehrhardt,	McCullough,	Showalter,	Wynne,
Erdman,	McCurdy,	Shunk,	Zanders,
Fackler,	McKay,	Siggins,	Baldwin.
Fitzgibbon,	McKinney,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 932 (Senate Bill No. 115), entitled

An Act to promote uniformity in all courts of record in issuing writs and process for the beginning of civil actions.

On the question,

Will the House agree to the bill on third reading?

Mr. STERLING. Mr. Speaker, if there is anyone in the House who can explain the purpose of this bill I should like to have him do so.

Mr. BEYER. Mr. Speaker, this bill endeavors to make uniform, to promote uniformity in all courts of record in issuing writs, as in the Municipal Court of Philadelphia and the Courts of Common Pleas. It appears at the present time the only writs that have been issued by the Municipal Court of Philadelphia are writs of assumpsit and in trespass. There has always been some question whether the Municipal Court had a right to issue writs of replevin or writs of injunction. This bill makes them uniform and gives them the same right subject to the limitations of their jurisdiction.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Aron,	Franklin,	McNichol,	Simpson,
Arthur,	Fretz,	McPeake,	Sinclair,
Aston,	Gans,	McVicar,	Smith, E. R.,
Baker,	Glass,	Mearkle,	Smith, J. W.,
Baldi,	Golder,	Mehring,	Smith, L.,
Bechtold,	Goodwin,	Mervine,	Smith, O. W.,
Bell,	Gormley,	Michel,	Snyder,
Benchoff,	Graeff,	Miller, A. D.,	Somerman,
Bennett,	Graham,	Miller, G. J. A.	Sones,
Benninger,	Gransback,	Milner,	Spangler,
Beyer,	Haight,	Mitchell,	Speicher,
Bidelspacher,	Haideman,	Morgan, T.,	Sprowls,
Black,	Hecht,	Murdoch,	Stadtlander,
Bouton, V. B.,	Helt,	Musser,	Steedle,
Bovee,	Hess,	Neary,	Sterling,
Boyd,	Heyburn,	Palmer,	Stern,
Brady,	Hibshman,	Patterson,	Stites,
Brumbaugh,	Hoffman,	Perry,	Strauss,
Burnett,	Hollingsworth,	Pickering,	Sullivan,
Campbell, J. O.,	Horne,	Powell,	Swartz,
Campbell, T.,	Horton,	Ramsey,	Taylor,
Canon,	Hough,	Reitzel,	Thomas,
Chestnut,	Howarth,	Reynolds,	Ulsh,
Clements,	Isherwood,	Rhodes, W. M.,	Urich,
Coldsmith,	Jennings,	Rich,	Vickerman,
Conner,	Jones,	Ringler,	Vogdes,
Cook,	Kennedy,	Rininger,	Wagner,
Cox,	Lafferty,	Rinn,	Walker,
Crosby,	Lanius,	Robertson,	Wallace,
Cummins,	Laucks,	Rogers,	Walter,
Curry,	Lauler,	Ross,	Weimer,
Davis, W.,	Leary,	Rothenberger,	West,
Dawson,	Lewis,	Ruddy,	Whitaker,
Dean,	Lohr,	Rudisill,	Williams, G. W.
Dell,	Luppert,	Sampsel,	Williams, J. P.,
Donneley,	Mangan,	Sarig,	Wobensmith,
Drake,	Marvin,	Schaeffer, A. C.,	Wood,
Drinkhouse,	McArdle,	Scott	Woodward,
Dunn,	McCaig,	Shattuck,	Wylie,
Eby,	McCullough,	Showalter,	Wynne,
Ehrhardt,	McCurdy,	Shunk,	Zanders,
Fackler,	McKinney,	Siggins,	Baldwin,
Flynn.			Speaker.

NAYS—3.

Baldridge,	Dithrich,	Fitzgibbon,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 784 (Senate Bill No. 177), as follows

An Act authorizing overseers and directors of the poor to enter into contracts with certain associations for the care and maintenance of indigent deaf and dumb persons and conferring certain powers on the Board of Public Charities its officers and agents.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the overseers and directors of the poor of any poor district maintaining an almshouse for its indigent poor may enter into a contract with any association organized for the purpose of providing a home for deaf and dumb persons and being situated within the boundaries of the State of Pennsylvania for the care and maintenance at such home of any indigent deaf and dumb person who may be an inmate of the almshouse of any poor district or who may under the laws of Pennsylvania be entitled to relief from such poor district

Section 2 The contract as hereinbefore provided shall be entered into by the poor districts on its own motion with such qualified institution as they may select provided however that the Board of Public Charities or any of its authorized agents may direct any poor district to remove any deaf and dumb inmate of an almshouse to the care of an association qualified under this act and when such removal is so ordered the contract for maintenance and the removal of the inmate to such institution shall be made and carried out by the overseers or directors of the poor district or in the event of their failure to comply with such direction the said contract and the removal of such inmate may be made and carried out by the Board of Public Charities or its authorized agents

Section 3 Whenever a contract for such care and maintenance is made whether by any poor district or by the Board of Public Charities for any poor district the said poor district shall during the period such person may remain in said institution pay to such association annually a sum equal to the per capita cost of maintaining inmates in the almshouse of such poor district and all such costs for maintenance shall be collectible by process of existing laws

Section 4 This act shall take effect and be in force from and after the date of its passage

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Aron,	Franklin,	McNichol,	Simpson,
Arthur,	Fretz,	McPeake,	Sinclair,
Aston,	Gans,	Mearkle,	Smith, E. R.,

Baker,	Geary,	Mehring,	Smith, F. I.,
Baldi,	Glass,	Mervine,	Smith, J. W.,
Baldridge,	Golder,	Miller, A. D.,	Smith, L.,
Barner,	Goodnough,	Miller, C. G.,	Smith, O. W.,
Bechtold,	Goodwin,	Miller, G. J. A.,	Snowden,
Benchoff,	Gormley,	Milner,	Snyder,
Bennett,	Graeff,	Mitchell,	Somerman,
Benninger,	Graham,	Morgan, T. J.,	Sones,
Beyer,	Gransback,	Murdoch,	Spangler,
Bidelspacher,	Haight,	Murphy,	Sprowls,
Boulton, H.,	Haldeman,	Musser,	Stadtlander,
Bovee,	Hecht,	Ogden,	Steedle,
Boyd,	Heffernan,	Palmer,	Sterling,
Brady,	Helt,	Patterson,	Stern,
Brumbaugh,	Hess,	Perry,	Stites,
Burnett,	Heyburn,	Phillips,	Stofflet,
Campbell, T.,	Hibshman,	Pickering,	Sullivan,
Canon,	Hoffman,	Powell,	Swartz,
Chestnut,	Hollern,	Ramsey,	Sweitzer,
Christman,	Hollingsworth,	Reichenbacker,	Taylor,
Clements,	Horne,	Reitzel,	Thomas,
Coldsmith,	Horton,	Reynolds,	Ulsh,
Conner,	Hough,	Rhoads, H. L.,	Urich,
Cook,	Howarth,	Rhodes, W. M.,	Vickerman,
Corbin,	Isherwood,	Rich,	Vogdes,
Cox,	Jennings,	Ringler,	Wagner,
Crosby,	Jones,	Rininger,	Walker,
Cummins,	Kennedy,	Rinn,	Wallace,
Curry,	Lafferty,	Robertson,	Walter,
Davis, W.,	Lanius,	Rogers,	Weimer,
Dawson,	Lauler,	Ross,	Wells,
Dean,	Leary,	Rothenberger,	West,
Dell,	Lewis,	Ruddy,	Whitaker,
Dithrich,	Lohr,	Sampsel,	Wickman,
Donneley,	Luppert,	Sarig,	Williams, G. W.
Drake,	Mangan,	Schaeffer, A. C.,	Wobensmith,
Drinkhouse,	Marvin,	Scott,	Wood,
Dunn,	McArdle,	Shaffer, C. A.,	Woodward,
Eby,	McCaig,	Shattuck,	Wylie,
Ehrhardt,	McCullough,	Showalter,	Wynne,
Erdman,	McKay,	Shunk,	Zanders,
Fitzgibbon,	McKinney,	Siggins,	Baldwin,
Flynn,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

MR. WHITAKER IN THE CHAIR.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 500 (Senate Bill No. 69), entitled

A Supplement to the second section of an act entitled "A Supplement to the twenty-fourth section of an act, entitled 'An Act to provide revenue by taxation,' approved the seventh day of June, one thousand eight hundred and seventy-nine, approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," approved the twenty-eighth day of June, one thousand eight hundred and ninety-five, amending the same to provide for the payment of the net proceeds of the entire two per centum tax for the purpose indicated in the original act and supplement, including townships, among the distributees, and providing for certain conditions upon said distributions.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. BEYER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1359, entitled

An Act to amend an act approved May twenty-eighth one thousand nine hundred and fifteen entitled "An Act permitting the Commonwealth to intervene in any proceeding at law or in equity in which the Commonwealth may have an interest without giving security' for the purpose of correcting a clerical error.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—199.

Aron,	Fitzgibbon,	McNichol,	Showalter,
Arthur,	Flynn,	McPeake,	Shunk,
Aston,	Fowler,	McVicar,	Siggins,
Baker,	Franklin,	Mearkle,	Simpson,
Baldi,	Fretz,	Mehring,	Sinclair,
Baldridge,	Gans,	Mervine,	Smith, E. R.,
Barner,	Glass,	Michel,	Smith, F. I.,
Bechtold,	Golder,	Miller, A. D.,	Smith, J. W.,
Bell,	Goodnough,	Miller, C. G.,	Smith, L.,
Benchoff,	Goodwin,	Miller, G. J. A.,	Smith, O. W.,
Bennett,	Gormley,	Milner,	Snowden,
Benninger,	Graeff,	Mitchell,	Snyder,
Beyer,	Graham,	Morgan, T.,	Somerman,
Bidelspacher,	Gransback,	Morgan, T. J.,	Sones,
Black,	Haight,	Murdoch,	Spangler,
Bouton, V. B.,	Haldeman,	Murphy,	Speicher,
Bovee,	Hecht,	Musser,	Sprowls,
Boyd,	Heffernan,	Neary,	Stadtlander,
Brady,	Helt,	Ogden,	Steedle,
Brumbaugh,	Hess,	Palmer,	Sterling,
Burnett,	Heyburn,	Patterson,	Stern,
Campbell, T.,	Hibshman,	Perry,	Stites,
Canon,	Hoffman,	Phillips,	Stofflet,
Chestnut,	Hollern,	Pickering,	Strauss,
Christman,	Hollingsworth,	Powell,	Sullivan,
Clements,	Horne,	Ramsey,	Swartz,
Coldsmith,	Horton,	Reichenbacker,	Sweitzer,
Conner,	Hough,	Reitzel,	Taylor,
Cook,	Howarth,	Reynolds,	Thomas,
Corbin,	Isherwood,	Rhodes, W. M.,	Ulsh,
Cox,	Jennings,	Rich,	Urich,
Crosby,	Jones,	Richards,	Vickerman,
Cummins,	Kennedy,	Ringler,	Vogdes,
Curry,	Lafferty,	Rininger,	Wagner,
Davis, W.,	Lanius,	Rinn,	Walker,
Dawson,	Laucks,	Robertson,	Walter,
Dean,	Lauler,	Rogers,	Weimer,
Dell,	Leary,	Ross,	Wells,
Dewey,	Lewis,	Rothenberger,	West,
Dithrich,	Lohr,	Ruddy,	Whitaker,
Donneley,	Luppert,	Rudisill,	Wickman,
Drake,	Mangan,	Sampsel,	Williams, G. W.
Drinkhouse,	Marvin,	Sarig,	Williams, J. P.,
Dunn,	McArdle,	Schaeffer, A. C.,	Wobensmith,
Eby,	McCaig,	Scott,	Woodward,
Ehrhardt,	McCullough,	Shaffer, C. A.,	Baldwin,
Erdman,	McCurdy,	Shattuck,	Speaker.
Fackler,	McKinney,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1063, entitled

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of Common Pleas and the judges of the orphan's Courts."

On the question,

Will the House agree to the bill on third reading?

Mr. GRAEFF. Mr. Speaker, I ask unanimous consent to offer an amendment to this bill at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend title line 5, by striking out the word "the" before "Common."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. As the amendment is only the striking out of a word, the bill is ready for final passage.

On the question,

Shall the bill pass finally?

Mr. SNYDER. Mr. Speaker, I would like to inquire what the amendment was that was just passed upon.

The SPEAKER. The Clerk will again read the amendment.

The Clerk then again read the amendment as follows:

Amend title, line 5, by striking out the words "the" before "common."

Mr. SNYDER. Mr. Speaker, this bill is a salary raiser and covers but a few counties, and our county is included. In raises the salary of the judges from seven thousand dollars to eighty-five hundred dollars a year. I don't know of one lawyer in Westmoreland County—I do not believe there is one that would not accept that office at the present salary. It does not seems to me wise, therefore, to raise the salary of the judges unless we have money here that we do not know what to do with. For that reason this bill ought to be defeated. I think that same condition prevails in every county included under this bill.

Mr. GRAEFF. Mr. Speaker, the bill includes counties between two hundred and two hundred and fifty thousand. There are but two counties affected by it: one is Schuylkill and the other is Westmoreland. If the salaries will be raised, according to this bill, the judges of these two counties, now receiving seven thousand dollars, will be raised to eighty-five hundred. We all know that the judges in the other old counties in the Commonwealth of Pennsylvania are paid eighty-five hundred dollars a year, but, gentlemen of this Legislature, I wish to say that judges of Schuylkill County are doing exactly the same work and are devoting the same time to the duties of their offices as are the judges in Luzerne and Lackawanna Counties. There is no reason in all fairness why they should not receive the same amount of money for their services. As a test of the work of the judges in our county I want to show you that in the last appeal day before the Supreme Court in our county when the Supreme Court heard the appeals from Lackawanna, Luzerne and Schuylkill County, there was one case argued from Lackawanna, none frfom Luzerne and eighteen from Schuylkill.

Now that simply gives you an idea of the work our judges have to do. Not only that, when the Philadelphia County Courts are in session, their judges are enabled to arrange their work so they can take their usual vacation during the summer. My practice in the Schuylkill County Courts enables me to say to you that the judges of our county for the last three or four yeasr have been so overburdened with work that practically the whole summer vacation has been taken up with their referrring of cases before them. In view of the duties they have to perform, and the time they devote to it, and the amount of litigation before them, I certainly think they are entitled to some consideration and the same amount of money that the judges receive under like circumstances in the other coal counties. The purpose of this bill is simply to give them the $8,500 that is paid to other judges for doing the same work.

Mr. SNYDER. Mr. Speaker, I should like to interrogate the gentleman from Schuylkill, Mr. Graeff.

The SPEAKER. Will the gentleman from Schuylkill, Mr. Graeff, permit himself to be interrogated?

Mr. GRAEFF. Mr. Speaker, I will.

Mr. SNYDER. Mr. Speaker, do you have any lawyers in that county that would not accept that position at that figure?

Mr. GRAEFF. Mr. Speaker, in reply to the gentleman I want to say that the two judges who are now presiding on the bench of Schuylkill County could go before the bar, every one of them, and in practice earn more than $8,500 a year.

Mr. SNYDER. Mr. Speaker, I should like to have the gentleman answer my question.

Mr. GRAEFF. Mr. Speaker, I would like to have the question repeated.

Mr. SNYDER. My question was whether there would be one lawyer in the gentlemans' county that would not accept that position at $7,000.

Mr. GRAEFF. Mr. Speaker, in reply to the gentleman, I would say there are members of our bar who would be very glad to go on the bench, but you will find among the members of all bars in the State certain men who are not qualified to earn a living there or elsewhere, and certainly they would be willing to give up a bar practice for the position of judge, but that does not mean to say that these men will not earn the money that this bill proposes to pay them.

Mr. BOUTON. Mr. Speaker, I don't think that it is a question of whether any lawyer is willing to accept the position for any particular sum of money. I am a member of the bar of Westmoreland County, and I believe that if the members of the bar were polled on this question that the great majority of them would be very much in favor of this increase. I happen to know as a member of the bar, that the amount of business, the volume of business, in Westmoreland County that the judges have to do with is constantly on the increase and at times it becomes necessary for us to call in judges from the outside. We have only the three judges there, one Orphans' Court judge and two Common Pleas. Now then it is absolutely necessary that we have the very best material on the bench, and it is not a question of whether a lawyer would be willing to take a less sum or not. If you want to get good material you have got to pay for it, and they certainly ought to have as much as is paid in counties of the same size.

Mr. RUDISILL. Mr. Speaker, I want ot ask the members of this House to be fair to all in this State. We are daily passing salary raisers and at this time the State of Pennsylvania owes to the road districts of the State over $3,000,000 that has accumulated for the last seven years. Are you going to deal out the State's money to persons to whom you do not owe it, and refuse to pay what the State owes. Pay the just debts of the State. You might as well save this money and pay the States' debts.

Mr. GRAEFF. Mr. Speaker, I just want to correct the gentleman who has just spoken. This is not a salary raiser, it is a salary adjuster.

Mr. RUDISILL. Mr. Speaker, I would like to interrogate the gentleman from Schuylkill, Mr. Graeff.

The SPEAKER. Will the gentleman from Schuylkill, Mr. Graeff, permit himself to be interrogated?

Mr. GRAEFF. Mr. Speaker, I will.

Mr. RUDISILL. Mr. Speaker, I would like to ask the gentleman what the difference is between a salary raiser and a salary adjuster, doesn't it have the same effect?

Mr. GRAEFF. Mr. Speaker, this present bill is simply to pay the judges of Schuylkill County what they should have received under the act of 1911. That is the answer to the gentleman's question.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Aron,	Fackler,	McCaig,	Shattuck,
Arthur,	Fitzgibbon,	McKinney,	Showalter,
Baker,	Fowler,	McNichol,	Siggins,
Baldi,	Franklin,	McPeake,	Sinclair,
Baldridge,	Fretz,	McVicar,	Smith, E. R.,
Beehtold,	Gans,	Mervine,	Smith, J. W.,
Bell,	Geary,	Michel,	Snowden,
Bennett,	Glass,	Miller, A. D.,	Somerman,
Benninger,	Golder,	Miller, C. G.,	Sones,
Beyer,	Graeff,	Miller, G. J. A.,	Sprowls,
Bidelspacher,	Graham,	Milner,	Stadtlander,
Boulton, H.,	Gransback,	Morgan, T. J.,	Steedle,
Boyd,	Haight,	Murphy,	Sterling,
Brady,	Haldeman,	Neary,	Stern,
Brumbaugh,	Hecht,	Ogden,	Strauss,
Campbell, T.,	Heffernan,	Palmer,	Swartz,
Clements,	Heyburn,	Perry,	Thomas,
Conner,	Hibshman,	Phillips,	Ulsh,
Crosby,	Hollern,	Pickering,	Vogdes,
Cummins,	Hollingsworth,	Powell,	Wagner,
Curry,	Horne,	Ramsey,	Walker,
Davis, W.,	Horton,	Reichenbacher,	Wells,
Dawson,	Hough,	Reynolds,	West,
Dell,	Jennings,	Rininger,	Whitaker,
Dewey,	Jones,	Rinn,	Wickman,
Dithrich,	Lafferty,	Robertson,	Williams, J. P.,
Donneley,	Leary,	Rogers,	Wobensmith,
Drinkhouse,	Lewis,	Rothenberger,	Wood,
Dunn,	Luppert,	Ruddy,	Wylie,
Eby,	Mangan,	Schaeffer, A. C.,	Wynne,
Ehrhardt,	McArdle,	Scott,	Zanders,

NAYS—31.

Aston,	Cox,	Marvin,	Rudisill,
Benchoff,	Drake,	McCullough,	Sarig,

Canon,	Goodwin,	McCurdy,	Snyder,
Chestnut,	Hoffman,	McKay,	Speicher,
Christman,	Howarth,	Mitchell,	Sweitzer,
Coldsmith,	Lanius,	Musser,	Wallace,
Cook,	Lauler,	Rhodes, W. M.,	Walter,
Corbin,	Lohr,	Ringler,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 733, entitled

An Act to amend an act approved the eleventh day of June eighteen hundred and seventy-nine entitled "An Act to protect children from neglect and cruelty and relating to their employment protection and adoption" so that is shall not apply to discipline in the public schools.

On the question,

Will the House agree to the bill on third reading?

Mr. BRUMBAUGH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title line 2, by striking out "enghteen" and inserting in lieu thereof "eighteen."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1474, entitled

An Act to amend sections one four and five of an act approved the eighteenth day of May one thousand nine hundred and fifteen entitled "An Act establishing a State Commission of Agriculture defining its powers and duties inculding its powers relative to the Department of Agriculture and the State Lives Stock Sanitary Board."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Aron,	Erdman,	McKinney,	Siggins,
Arthur,	Fackler,	McNichol,	Simpson,
Aston,	Fitzgibbon,	McPeake,	Sinclair,
Baker,	Fowler,	McVicar,	Smith, E. R.,
Baldi,	Franklin,	Mearkle,	Smith, F. I.,
Baldridge,	Gans,	Mehring,	Smith, J. W.,
Barner,	Geary,	Mervine,	Smith, L.,
Bechtold,	Glass,	Miller, Allan,	Snyder,
Bell,	Golder,	Miller, C. G.,	Somerman,
Benchoff,	Goodnough,	Miller, G. J. A.,	Sones,
Bennett,	Goodwin,	Milner,	Speicher,
Benninger,	Gormley,	Mitchell,	Sprowls,
Beyer,	Graeff,	Morgan, T. J.,	Stadtlander,
Black,	Graham,	Murphy,	Sterling,
Bouton, V. B.,	Gransback,	Musser,	Stern,
Bovee,	Haight,	Neary,	Stites,
Boyd,	Haldeman,	Palmer,	Stofflet,
Brady,	Heffernan,	Patterson,	Strauss,
Brumbaugh,	Helt,	Perry,	Swartz,
Campbell, T.,	Hess,	Phillips,	Sweitzer,
Canon,	Heyburn,	Pickering,	Taylor,
Christman,	Hibshman,	Powell,	Thomas,
Clements,	Hoffman,	Ramsey,	Ulsh,
Coldsmith,	Hollingsworth,	Reichenbacher,	Urich,
Conner,	Horton,	Reitzel,	Vogdes,
Cook,	Hough,	Reynolds,	Wagner,
Corbin,	Howarth,	Rhodes, W. M.,	Walker,
Cox,	Isherwood,	Rich,	Wallace,
Crosby,	Jones,	Ringler,	Weimer,
Cummins,	Kennedy,	Rininger,	Wells,
Curry,	Lafferty,	Rinn,	West,
Davis, W.,	Lauler,	Robertson,	Whitaker,
Dawson,	Leary,	Rogers,	Wickman,
Dean,	Luppert,	Rothenberger,	Williams, G. W.
Dell,	Malie,	Ruddy,	Williams, J. P.,
Dithrich,	Mangan,	Rudisill,	Wobensmith,
Donneley,	Marvin,	Sarig,	Wood,
Drake,	McArdle,	Schaeffer, A. C.,	Woodward,
Drinkhouse,	McCaig,	Scott,	Wylie,
Dunn,	McCullough,	Shaffer, C. A.,	Wynne,
Eby,	McCurdy,	Showalter,	Zanders,
Ehrhardt,	McKay,	Shunk,	Baldwin, Speaker.

NAYS—6.

Bidelspacher,	Dewey,	Lewis,	Lohr,
Chestnut,	Jennings,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1051, as follows

An Act to amend an act approved the first day of June one thousand nine hundred eleven entitled "An Act designating the employes of the Insurance Department and fixing their salaries.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the first day of June one thousand nine hundred eleven (Pamphlet Laws five hundred ninety-eight) entitled "An Act designating the employes of the Insurance Department and fixing their salaries" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after June first nineteen hundred and eleven the employes of the Insurance Department in addition to the Insurance Commissioner shall be as follows

One deputy insurance commissioner at an annual salary of four thousand dollars

One actuary at an annual salary of five thousand dollars

One examiner-in-chief at an annual salary of four thousand dollars

One assistant examiner at an annual salary of three thousand dollars

Two assistant examiners at an annual salary of twenty-four hundred dollars each

One examiner of company's statements at an annual salary of two thousand dollars

Four examiners at an annual salary of eighteen hundred dollars each

Two inspectors at an annual salary of two thousand dollars each

One chief clerk at an annual salary of two thousand five hundred dollars

Twelve clerks at an annual salary of sixteen hundred dollars each

Three stenographers at an annual salary of twelve hundred dollars each

One messenger at an annual salary of twelve hundred dollars

Additional examiners or deputies may with the approval of the Governor be employed for special or temporary service at salaries not to exceed two hundred dollars per month for each month employed

Said salaries shall be paid monthly by the State Treasurer upon warrant of the Auditor General" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after June first one thousand nine hundred seventeen the employes of the Insurance Department in addition to the Insurance Commissioner shall be as follows

One deputy insurance commissioner at an annual salary of four thousand dollars

One actuary at an annual salary of five thousand dollars

One examiner-in-chief at an annual salary of four thousand dollars

One assistant examiner at an annual salary of three thousand dollars

Two assistant examiners at an annual salary of twenty-four hundred dollars each

One examiner of company's statements at an annual salary of two thousand dollars

Four examiners at an annual salary of eighteen hundred dollars each

Two inspectors at an annual salary of two thousand dollars each

One chief clerk at an annual salary of two thousand five hundred dollars

Six actuary clerks at an annual salary of two thousand dollars each

Six clerks at an annual salary of sixteen hundred dollars each

Three stenographers at an annual salary of twelve hundred dollars each

One messenger at an salary of twelve hundred dollars

Additional examiners or deputies may with the approval of the Governor be employed for special or temporary service at salaries not to exceed two hundred dollars per month for each month employed

Said salaries shall be paid monthly by the State Treasurer upon warrant of the Auditor General

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. COX. Mr. Speaker, at the request of the sponsor of this bill, I move that further consideration of this bill be postponed for the present.

Mr. McNICHOL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1329 (Senate Bill No. 471), entitled

An Act to authorize the payment by corporations to their directors of compensation for service rendered by them.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALTER. Mr. Speaker, this bill I notice permits the payment of salaries to directors of corporations. If there is any member of this body who could enlighten us as to the necessity for such legislation, I would like to hear from him.

Mr. WALKER. Mr. Speaker, in reply to the inquiry of the gentleman from Franklin, I would say there are certain corporations in the State of Pennsylvania which have not, either by charter nor by special grant any right to pay any compensation to their directors.

That question has even been mooted in the matter of building and loan associations. It is, however, a well-known question among certain corporations of the general second class, and in order to give the directors compensation for the work which they perform it is provided that the corporations, at such time as they may deem wise and proper, may pay a compensation to their directors to a certain extent. Instead of calling stockholders' meetings and having battles royal, this act gives them the opportunity of paying to the directors a reasonable compensation with that provision, however, which looks after the interest of the minority stockholders. I believe that it is a move in the right direction, for "the servant is worthy of his hire."

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Aron,	Fretz,	Mearkle,	Sinclair,
Arthur,	Gans,	Mehring,	Smith, E. R.,
Aston,	Geary,	Mervine,	Smith, F. I.,
Baker,	Glass,	Miller, Allan,	Smith, J. W.,
Baldi,	Golder,	Miller, C. G.,	Smith, L.,
Baldridge,	Goodwin,	Miller, G. J. A.,	Snowden,
Bechtold,	Gormley,	Milner,	Snyder,
Bell,	Graeff,	Mitchell,	Somerman,
Benchoff,	Graham,	Morgan, T. J.,	Sones,
Bennett,	Gransback,	Murphy,	Speicher,
Benninger,	Haight,	Musser,	Sprowls,
Beyer,	Haldeman,	Neary,	Stadtlander,
Bidelspacher,	Heffernan,	Ogden,	Steedle,
Black,	Helt,	Palmer,	Sterling,
Bouton, V. B.,	Hess,	Patterson,	Stern,
Bovee,	Heyburn,	Perry,	Stites,
Boyd,	Hibshman,	Phillips,	Stofflet,
Brady,	Hoffman,	Pickering,	Strauss,
Brumbaugh,	Hollingsworth,	Powell,	Swartz,
Campbell, T.,	Horne,	Ramsey,	Sweitzer,
Christman,	Horton,	Reichenbacher,	Taylor,
Clements,	Hough,	Reitzel,	Thomas,
Coldsmith,	Howarth,	Reynolds,	Ulsh,
Conner,	Isherwood,	Rhodes, W. M.,	Urich,
Cook,	Jennings,	Rich,	Vickerman,
Corbin,	Jones,	Ringler,	Wagner,
Cox,	Kennedy,	Rininger,	Vogdes,
Crosby,	Lanius,	Rinn,	Walker,
Cummins,	Laucks,	Robertson,	Wallace,
Curry,	Lauler,	Rogers,	Walter,
Davis, W.,	Leary,	Ross,	Weimer,
Dawson,	Lewis,	Rothenberger,	Wells,
Dean,	Luppert,	Ruddy,	West,
Dell,	Malie,	Rudisill,	Whitaker,
Dithrich,	Marvin,	Sampsel,	Wickman,
Donneley,	McArdle,	Sarig,	Williams, G. W.
Drake,	McCaig,	Schaeffer, A. C.,	Williams, J. P.,
Drinkhouse,	McCullough,	Scott,	Wobensmith,
Dunn,	McCurdy,	Shaffer, C. A.,	Wood,
Ehrhardt,	McKay,	Shattuck,	Woodward,
Erdman,	McKinney,	Showalter,	Wylie,
Fackler,	McNichol,	Shunk,	Wynne,
Fitzgibbon,	McPeake,	Siggins,	Zanders,
Flynn,	McVicar,	Simpson,	Baldwin,
Franklin,			Speaker.

NAYS—1.

Chestnut,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1336 (Senate Bill No. 671), entitled

An Act to amend an act entitled "An Act authorizing companies incorporated under the laws of any other State of the United States for certain purposes to erect and maintain bulidings and manufacturing establishments and to take have and hold real estate necessary and proper for such purposes approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteen.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Aron,	Fitzgibbon,	McNichol,	Shattuck,
Arthur,	Flynn,	McPeake,	Showalter,
Aston,	Fowler,	McVicar,	Shunk,
Baker,	Franklin,	Mearkle,	Siggins,
Baldi,	Fretz,	Mehring,	Simpson,
Baldridge,	Gans,	Mervine,	Sinclair,
Barner,	Geary,	Michel,	Smith, E. R.,
Bechtold,	Glass,	Miller, A. D.,	Smith, F. I.,
Bell,	Golder,	Miller, Allan,	Smith, J. W.,
Benchoff,	Goodwin,	Miller, C. G.,	Smith, O. W.,
Bennett,	Gormley,	Miller, G. J. A.,	Snyder,
Benninger,	Graeff,	Milner,	Somerman,
Beyer,	Graham,	Mitchell,	Sones,
Bidelspacher,	Gransback,	Morgan, T.,	Speicher,
Black,	Haight,	Morgan, T. J.,	Sprowls,
Bouton, V. B.,	Haldeman,	Murdoch,	Stadtlander,
Bovee,	Hecht,	Murphy,	Steedle,
Boyd,	Heffernan,	Musser,	Sterling,
Brady,	Helt,	Neary,	Stern,
Brumbaugh,	Hess,	Ogden,	Stites,
Campbell, T.,	Heyburn,	Palmer,	Stofflet,
Canon,	Hibshman,	Patterson,	Strauss,
Chestnut,	Hoffman,	Perry,	Swartz,
Christman,	Hollern,	Phillips,	Sweitzer,
Clements,	Hollingsworth,	Pickering,	Taylor,
Coldsmith,	Horton,	Powell,	Thomas,
Conner,	Hough,	Ramsey,	Ulsh,
Cook,	Howarth,	Reichenbacker,	Urich,
Corbin,	Isherwood,	Reitzel,	Vogdes,
Cox,	Jennings,	Reynolds,	Wagner,
Crosby,	Jones,	Rhodes, W. M.,	Walker,
Cummins,	Kennedy,	Rich,	Wallace,
Curry,	Lanius,	Ringler,	Walker,
Davis, W.,	Laucks,	Rininger,	Weimer,
Dawson,	Lauler,	Rinn,	West,
Dean,	Leary,	Robertson,	Whitaker,
Dell,	Lewis,	Rogers,	Wickman,
Dewey,	Lohr,	Ross,	Williams, G. W.
Dithrich,	Luppert,	Rothenberger,	Williams, J. P.,
Donneley,	Malie,	Ruddy,	Wobensmith,
Drake,	Marvin,	Rudisill,	Wood,
Drinkhouse,	McArdle,	Sampsel,	Woodward,
Dunn,	McCaig,	Sarig,	Wylie,
Eby,	McCullough,	Schaeffer, A. C.,	Wynne,
Ehrhardt,	McCurdy,	Scott,	Zanders,
Erdman,	McKay,	Shaffer, C. A.,	Baldwin,
Fackler,	McKinney,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1328 (Senate Bill No. 469), entitled

An Act authorizing any company incorporated under the laws of any other state for the manufacture of automobiles motor trucks or other motor vehicles or of any article appertaining to or entering into the construction thereof to erect and maintain in buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Aron,	Fowler,	McNichol,	Siggins,
Arthur,	Franklin,	McPeake,	Sinclair,
Aston,	Fretz,	McVicar,	Smith, E. R.,
Baker,	Gans,	Mearkle,	Smith, F. I.,
Baldi,	Geary,	Mehring,	Smith, J. W.,
Baldridge,	Glass,	Mervine,	Smith, L.,
Barner,	Golder,	Miller, A. D.,	Smith, O. W.,
Bechtold,	Goodnough,	Miller, Allan,	Snyder,
Bell,	Goodwin,	Miller, C. G.,	Somerman,
Bennett,	Gormley,	Miller, G. J. A.,	Sones,
Benninger,	Graeff,	Milner,	Spangler,
Beyer,	Graham,	Mitchell,	Sprowls,
Bidelspacher,	Gransback,	Morgan, T.,	Stadtlander,
Black,	Haight,	Morgan, T. J.,	Steedle,
Bouton, V. B.,	Haldeman,	Murdoch,	Sterling,
Bovee,	Hecht,	Murphy,	Stern,
Boyd,	Heffernan,	Neary,	Stites,
Brady,	Helt,	Ogden,	Stofflet,
Brumbaugh,	Hess,	Palmer,	Strauss,
Campbell, T.,	Heyburn,	Patterson,	Swartz,
Canon,	Hibshman,	Perry,	Sweitzer,
Chestnut,	Hoffman,	Phillips,	Taylor,
Christman,	Hollingsworth,	Powell,	Thomas,
Clements,	Horton,	Ramsey,	Ulsh,
Coldsmith,	Hough,	Reichenbacher,	Urich,
Conner,	Howarth,	Reitzel,	Vickerman,
Cook,	Isherwood,	Reynolds,	Vogdes,
Corbin,	Jennings,	Rhodes, W. M.,	Wagner,
Cox,	Jones,	Rich,	Walker,
Crosby,	Kennedy,	Ringler,	Wallace,
Cummins,	Lanius,	Rininger,	Walter,
Curry,	Laucks,	Rinn,	Weimer,
Davis, W.,	Lauler,	Robertson,	Wells,
Dawson,	Leary,	Rogers,	West,
Dell,	Lewis,	Ross,	Whitaker,
Dewey,	Lohr,	Rothenberger,	Wickman,
Dithrich,	Luppert,	Ruddy,	Williams, G. W.
Donneley,	Malie,	Rudisill,	Williams, J. P.,
Drake,	Mangan,	Sampsel,	Wobensmith,
Drinkhouse,	Marvin,	Sarig,	Wood,
Dunn,	McArdle,	Schaeffer, A. C.,	Woodward,
Ehrhardt,	McCaig,	Scott,	Wylie,
Erdman,	McCullough,	Shaffer, C. A.,	Wynne,
Fackler,	McCurdy,	Shattuck,	Zanders,
Fitzgibbon,	McKay,	Showalter,	Baldwin,
Flynn,	McKinney,	Shunk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1141, entitled

An Act authorizing Almeda G. Pickering of the Borough of Towanda Bradford County Pennsylvania to bring suit against the Commonwealth.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185.

Aron,	Franklin,	McVicar,	Sinclair,
Arthur,	Fretz,	Mearkle,	Smith, E. R.,
Aston,	Gans,	Mehring,	Smith, F. I.,
Baker,	Geary,	Mervine,	Smith, J. W.,
Baldi,	Glass,	Michel,	Smith, L.,
Baldridge,	Golder,	Miller, A. D.,	Smith, O. W.,
Barner,	Goodwin,	Miller, Allan,	Snowden,
Bechtold,	Gormley,	Miller, C. G.,	Snyder,
Bell,	Graeff,	Miller, G. J. A.,	Somerman,
Benchoff,	Graham,	Milliron,	Sones,
Bennett,	Gransback,	Mitchell,	Spangler,
Benninger,	Haight,	Morgan, T.,	Speicher,
Beyer,	Haldeman,	Morgan, T. J.,	Sprowls,
Bidelspacher,	Heffernan,	Murdoch,	Stadtlander,
Black,	Helt,	Murphy,	Steedle,
Bouton, V. B.,	Hess,	Musser,	Sterling,
Bovee,	Heyburn,	Neary,	Stern,
Boyd,	Hibshman,	Ogden,	Stites,
Brady,	Hoffman,	Palmer,	Stofflet,
Brumbaugh,	Hollern,	Patterson,	Strauss,
Campbell, T.,	Hollingsworth,	Perry,	Swartz,
Canon,	Horne,	Phillips,	Sweitzer,
Chestnut,	Hough,	Pickering,	Taylor,
Christman,	Howarth,	Powell,	Thomas,
Clements,	Isherwood,	Ramsey,	Ulsh,
Coldsmith,	Jennings,	Reichenbacker,	Urich,
Conner,	Jones,	Reitzel,	Vickerman,
Cook,	Kennedy,	Reynolds,	Vogdes,
Corbin,	Lafferty,	Rich,	Wagner,
Cox,	Lanius,	Ringler,	Walker,
Crosby,	Laucks,	Rininger,	Wallace,
Cummins,	Lauler,	Rinn,	Walter,
Curry,	Leary,	Robertson,	Weimer,
Davis, W.,	Lewis,	Rogers,	Wells,
Dawson,	Lohr,	Ross,	West,
Dell,	Luppert,	Rothenberger,	Whitaker,
Dewey,	Mangan,	Ruddy,	Wickman,
Dithrich,	Marvin,	Rudisill,	Williams, G. W.
Donneley,	McArdle,	Sarig,	Williams, J. P.,
Drake,	McCaig,	Schaeffer, A. C.,	Wobensmith,
Drinkhouse,	McCullough,	Shaffer, C. A.,	Wood,
Dunn,	McCurdy,	Shattuck,	Woodward,
Ehrhardt,	McKay,	Showalter,	Wylie,
Fackler,	McKinney,	Shunk,	Wynne,
Fitzgibbon,	McNichol,	Siggins,	Zanders,
Flynn,	McPeake,	Simpson,	Baldwin,
Fowler,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1498, entitled

An Act providing that retail and wholesale liquor licenses goodwills and leaseholds in connection therewith and the proceeds of the sale thereof shall be an asset for the payment of the debts of deceased licensee and for the transfer and holding of such license and for whose benefit such license shall be held and for the form of application thereof and liabilities of transferee.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALLACE. Mr. Speaker and gentlemen of the House, this next bill is one to which you should give close scrutiny. It is a bill of very great importance and should be defeated beyond question. It is a bill that undertakes to read into a liquor license or a special privilege something of right or of property value. As the law now stands and has always stood in this State, a liquor license is not a matter of right but a special privilege. No man has any right as a right to sell intoxicating liquors. It is only a special privilege granted to him under a law intended to regulate and restrain. Now there may come a time in the not very far distant future when that business may be at an end. When that time comes, then we are going to be face to face with the question of paying a man for something he never had or paying him under this bill for something that we to-day are giving to him. There you have the proposition of paying a man for a special privilege, which every man cannot enjoy, a privilege to make large sums of money and profits, and if we pass this bill to make that a matter of right, then we are going to have to pay for the loss of that right and the loss of that property if the time comes that that business is at an end. While this bill does not take away from the court the right

of approval before a transfer of license is granted, the bill does provide that when a man dies that the license itself, as well as the other things in connection therewith, shall be liable for the debts of the decedent. Now you cannot make anything liable for the debts of a person unless you breathe into that some property right or property valuation. Now we come right back to the same question whether or not a man has a right to sell a special privilege which has enabled him perhaps to get wealthy. Under out present law he has no such right. Now gentlemen, think carefully before you vote to-day to encourage a property right or property valuation in a special privilege, for if you do the time is coming before many years that every county in this Commonwealth is going to pay very dearly for the thing that you create. This is a dangerous step. This is not a very radical measure, but a step in a radical direction, and a dangerous direction, and we had better be very careful not to interfere with this Brooks High License Law, and not breathe into this thing some right which it never had and never was intended to have.

Mr. BEYER. Mr. Speaker, this bill is not meant to interfere in any manner with the Brooks High License Law. This is a bill, as I understand it, drawn up primarily for the protection of creditors and not in the interest of the liquor business. I have heard with considerable interest the cry of alarm from the gentleman from Lawrence calling attention to the fact that you were going to establish a precedent by supporting this bill which some time in the near future might come back to haunt you. I don't believe in any needless fear on his part or on mine. This bill is not for the purpose of creating anything that does not already exist as a proposition of law in our courts for this reason: in the Federal courts it has been held time and time again that liquor license is an asset.

Mr. WALLACE. Mr. Speaker, I would like to interrogate the sponsor of this bill, the gentleman from Philadelphia, Mr. Beyer.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Beyer, permit himself to be interrogated?

Mr. BEYER. Mr. Speaker, not at this time. I refuse to be interrogated until I get through.

The Federal courts have repeatedly held that a liquor license is an asset and in bankruptcy proceedings have even gone to the extent of exposing that license to public sale and selling the license to the highest bidder. The granting of the license, of course, is a matter of discretion with the courts of quarter sessions whether or not the purchaser is a fit person to conduct the business. I have always contended this, that once people get tired of the liquor business it will go out of business automatically and I am not here to favor any proposition, and I don't think that I ever will, which will provide that the State shall compensate any liquor dealer for going out of business. My pleas have always been on the part of the consumer rather than the man in business. When they get tired of using liquor in sufficient quantities here and there the saloon automatically shuts up. I do not believe in compensating saloon keepers if they are forced out of business by legislation. This bill is of an entirely different nature. It is for the protection of those who have given their money and goods in exchange for what they receive from the saloon keeper or the man engaged in the liquor business and they have a perfect right to be protected and it is in their behalf that I ask support for this bill and none others.

Mr. WALLACE. Just to answer the gentleman briefly, don't everybody in the House know that everything the man has now except his license is liable for the payment of his debts and if you do not breathe some right of property into that license what is this bill for? If under the law at the present time all the rest of his property is liable for his debts—that is unquestionable—then what is the use of passing this bill, and what is the necessity for this legislation if it is not to encourage a step in that direction at least. If it is not to add a little something to the special privilege, then why the necessity for this legislation?

Mr. BEYER. I might answer the interrogation of the gentleman from Lawrence. It is probably the question that he intended to put to me while I was addressing the House. Our courts—I am speaking now of our courts of quarter session—have taken under very serious consideration before granting to any one a transfer of license, time and time again, the question of whether or not the creditors have been taken care of; showing conclusively the interest in the rights of property recognized in the holding of what I may call a valuable franchise. The good will or the right to conduct a business in some given place means money and money value to the man who holds that license and to the man who may seek to have it when the other man gets tired of it and is willing to sell.

What is the use of beating around the bush and talking about a license not being property when time and time again it is recognized by the conduct of our courts in dealing with it on that basis. As I have said before, the United States courts for years established that precedent and while our courts have not gone to the point of deciding that it is property they have taken care of the creditors.

This goes a step further and the purpose of the act is the protection which those creditors are entitled to have.

Mr. MITCHELL. Mr. Speaker, and gentlemen of the House, I wish to call attention to the bare fact that the Supreme Court of Pennsylvania has decided and the courts of Pennsylvania and the United States Supreme Court, time and time again, that a license is not property and that it is not an asset of the estate of the decedent. In Grim's Estate, 181 Pa., page 233, the court held that a liquor license held in this State, being a personal privilege, was not even an asset of the estate of the deceased licensee and does not pass to the personal representatives and is not assignable unless expressly authorized by Act of Assembly. There is no reason why this act should pass at all unless it is for the purpose that has been stated upon the floor of this House, to recognize in a license property rights, to open up the way for a bill similar to the Urich Bill that was before this House a few days ago. I say the gentlemen of this House should vote against this bill and it should be passed by this House.

Mr. REYNOLDS. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Beyer.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Beyer, permit himself to be interrogated?

Mr. BEYER. I will, Mr. Speaker,

Mr. REYNOLDS. Mr. Speaker, I would like to ask the gentleman if in the fifth and sixth lines of the first section of this bill, page 2, it is not provided that the license shall be transferred to the executor or administrator of the deceased?

Mr. BEYER. Mr. Speaker, that is true.

Mr. REYNOLDS. Mr. Speaker, I would like to ask the gentleman if he can cite a case in the State of Pennsylvania where our courts of quarter session, under the Brooks High License Law, has ever permitted a license to be transferred to the executor or administrator.

Mr. BEYER. Mr. Speaker and gentlemen of the House, I might answer that question, yes and no. The primary purpose of the court is to take care of the family of the deceased and if there be in the family of the deceased some one applying for the license, whom in their judgment they consider a fit and proper person to conduct the business, that man is usually given the license under the present conditions as they exist.

Mr. REYNOLDS. Then, Mr. Speaker, I must ask my question in another form. I will ask the gentleman, then, if he has ever known where a licensee died and there were heirs and a widow surviving, if he has ever known in that case of the administrator being appointed as the holder of the license by our court of quarter sessions.

Mr. BEYER. Mr. Speaker, usually the widow or her nominee.

Mr. REYNOLDS. Now, Mr. Speaker, the gentleman from Philadelphia has clearly stated the purpose of this bill: It is to protect the creditors of the licensee. That is no doubt the purpose of this act, but, Mr. Speaker, our courts have uniformly refused, throughout the State of Pennsylvania, to transfer a license to the administrator or an executor. This bill provides that upon the death of the licensee the executor or administrator may hold a license or the appointee of the executor or the administrator, meaning this: That under this act the courts are directed to grant the license to the executor or administrator, which they have refused to do, time and time again, ever since the Brooks Law has been in existence. And why? Because they had held that whatever estate remains it belongs to the widow and the children of that licensee; and I think you gentlemen will bear me out,

our courts have been very careful, our court of quarter sessions, in the transfer of these licenses because they have said this. That no matter what the obligation may be to the wholesaler or the brewer, the widow and those children are entitled to every dollar that shall be realized from that license, and for that reason they have refused. Now I submit to you, Mr. Speaker, and gentlemen of the House, that the wholesaler and the brewer generally own the licensee while he lives and this is an attempt to own him after he dies.

I think you should stop it right here. Let me remind you as it is for the protection of the widow and such children as the licensee may leave after him so they may have an opportunity to be educated as a result solely of his business. I am not here to condemn that business. I have nothing to say about it, but I do say this: You gentlemen will not, if you are careful in this matter, change the law as it now stands to put this act on the statute books which will exclude the widow and exclude the heirs and bring in the appointed wholesaler and brewer to pay off their debts out of their obligations. I ask for the defeat of this bill.

Mr. STERN. Mr. Speaker and gentlemen of the House, I stand up for my colleague in defense of this bill who presented it so that a few words might be said plainly. A liquor license, I suppose, is the most valuable privilege that is granted under the laws of the State of Pennsylvania. There are automobile licenses, and there are licenses for one hundred and one other objects, but there is no license, which in the main, is as valuable and considered as much as an asset as a liquor license. There is no reason in the world why we should be afraid to face this situation that confronts us at this time. I think it may be true, as a matter of theory, that a liquor license is a privilege, yet I want to say, Mr. Speaker, and I defy my friend from Jefferson to deny this, that a liquor license has time and again been construed by the United States District Court, sitting for the Eastern District of Pennsylvania, to be an asset. It is true that the court said it is an asset for so much as it is worth, but in all bankruptcy assets the man who purchases it takes a chance—he makes the gamble. If a man in the saloon business or liquor business owes any money, I don't care whether he owes it to a pawnbroker, a butcher, a baker or candlestick maker, or the brewer, that is an honest debt just as much as any other kind of debt, which should be paid. If that man has a valuable asset, that asset ought to be charged with the payment of that debt. Under the present law, if this act is defeated, a license of a deceased person is transferred to the widow or the nominee, sometimes the nominee of the creditors. That is true; but the holder of the license, the transferee, the person to whom the court grants the privilege after running the gauntlet of inspection by the court as to his fitness, character and qualifications in general. He has to pay his bond in order that he may hold that license, and the man who holds that license bets it in his individual name, with a tacit understanding that he has to hold that license for the benefit of the creditors. That is the truth of the situation, and many a time the man who has this license in his personal name defeats the very ends of justice by refusing to meet the moral obligations that the law does not prescribe he shall pay. It is to meet that situation that this act is placed before this House and I don't care what business a man is in; whether he be in the liquor business or whether he shall be in the stockbroking business, any man in a business where he has a license and a privilege by the court ought to be made to pay his debts. We ought to be made to face this squarely for a license is a valuable privilege—valuable on one hand as well as the other hand, and that value whatever it may be ought to go to the proper people just the same as if the holder of that license were in the candle business or in the grain business or any other kind of business. I think it would be a step forward to pass an act of this kind.

Mr. BOYD. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Stern, permit himself to be interrogated?

Mr. STERN. Mr. Speaker, yes, sir.

Mr. BOYD. Mr. Speaker, a few moments ago the gentleman made a remark to which I make objection. He said that the liquor license is the most important and the most valuable license in the State of Pennsylvania. I would like to ask him if a marriage license is not of more value?

Mr. STERN. Mr. Speaker, I would not sell my marriage license for all the liquor licenses in Pennsylvania.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—79.

Arthur,	Fowler,	Mearkle,	Sarig,
Baker,	Franklin,	Mehring,	Shunk.
Baldi,	Gans,	Mervine,	Sinclair,
Bechtold,	Golder,	Michel,	Smith, F. I.,
Bennett,	Graham,	Miller, A. D.,	Smith, O. W.,
Benninger,	Gransback,	Miller, C. G.,	Speicher,
Beyer,	Heyburn,	Miller, G. J. A.,	Sprowls,
Bouton, V. B.,	Hibshman,	Neary,	Stadtlander,
Boyd,	Hollern,	Palmer,	Stern,
Brady,	Hough,	Patterson,	Strauss,
Christman,	Jones,	Pickering,	Swartz,
Conner,	Lafferty,	Powell,	Taylor,
Crosby,	Lauler,	Ramsey,	Thomas,
Curry,	Leary,	Reichenbacher,	Ulsh,
Davis, W.,	Luppert,	Ringler,	Vogdes,
Dawson,	McArdle,	Rinn,	West,
Dithrich,	McCaig,	Rogers,	Wobensmith,
Drinkhouse,	McKinney,	Rothenberger,	Wynne,
Erdman,	McNichol,	Ruddy,	Zanders,
Fackler,	McPeake,	Sampsel,	

NAYS—78.

Aston,	Eby,	Lohr,	Showalter,
Barner,	Ehrhardt,	Marvin,	Siggins,
Bell,	Fitzgibbon,	McCullough,	Smith, E. R.,
Benchoff,	Glass,	McCurdy,	Snyder,
Bidelspacher,	Goodnough,	McKay,	Sones,
Black,	Goodwin,	McVicar,	Sterling.
Brumbaugh,	Gormley,	Milner,	Stites,
Burnett,	Haight,	Mitchell,	Sweitzer,
Canon,	Helt,	Morgan, T.,	Vickerman,
Chestnut,	Hess,	Morgan, T. J.,	Walker,
Clements,	Hoffman,	Murphy,	Wallace,
Coldsmith,	Hollingsworth,	Musser,	Walter,
Cook,	Horne,	Ogden,	Wells.
Corbin,	Howarth,	Phillips,	Whitaker,
Cox,	Isherwood,	Reynolds,	Wickman,
Dean,	Jennings,	Rich,	Williams, G. W.
Dewey,	Kennedy,	Ross,	Williams, J. P.,
Donneley,	Lanius,	Rudisill,	Wood.
Drake,	Laucks,	Shattuck,	Wylie,
Dunn,	Lewis,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1191, entitled

An Act fixing the compensation of township auditors in townships of the first class and providing how said compensation is to be paid.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Arthur,	Fitzgibbon,	McKinney,	Siggins,
Baker,	Flynn,	McNichol,	Simpson,
Baldi,	Franklin,	McPeake,	Smith, E. R.,
Baldridge,	Fretz,	McVicar,	Smith, F. I.,
Bechtold,	Gans,	Mearkle,	Smith, J. W.,
Bell,	Glass,	Mehring,	Smith, L.,
Benchoff,	Golder,	Michel,	Smith, O. W.,
Bennett,	Goodnough,	Miller, A. D.,	Snowden,
Beyer,	Gormley,	Miller, C. G.,	Somerman,
Bidelspacher,	Graeff,	Miller, G. J. A.,	Sones,
Black,	Graham,	Milner,	Speicher,
Bouton, V. B.,	Gransback,	Mitchell,	Sprowls,
Bovee,	Haldeman,	Morgan, T.,	Stadtlander,
Boyd,	Hecht,	Morgan, T. J.,	Sterling,
Brady,	Heffernan,	Murdoch,	Stern,
Brumbaugh,	Helt,	Murphy,	Stites,
Burnett,	Hess,	Musser,	Strauss,
Campbell, T.,	Heyburn,	Ogden,	Sullivan,
Canon,	Hoffman,	Palmer,	Swartz,
Chestnut,	Hollern,	Patterson,	Sweitzer,
Christman,	Hollingsworth,	Perry,	Taylor,
Clements,	Horne,	Phillips,	Thomas,
Coldsmith,	Horton,	Pickering,	Ulsh,
Conner,	Hough,	Powell,	Urich,
Cook,	Howarth,	Ramsey,	Vickerman,
Corbin,	Isherwood,	Reichenbacher,	Vogdes,
Cox,	Jennings,	Reynolds,	Wagner,
Crosby,	Jones,	Rich,	Walker,

Cummins,	Kennedy,	Ringler,	Wallace,
Curry,	Lafferty,	Rininger,	Weimer,
Davis, W.,	Lanius,	Robertson,	Wells,
Dawson,	Laucks,	Rogers,	West,
Dean,	Lauler,	Ross,	Whitaker,
Dell,	Leary,	Ruddy,	Wickman,
Dewey,	Lewis,	Rudisill,	Williams, G. W
Dithrich,	Lohr,	Sampsel,	Williams, J. P.,
Drake,	Luppert,	Schaeffer, A. C.	Wood,
Drinkhouse,	Marvin,	Scott,	Woodward,
Dunn,	McArdle,	Shaffer, C. A.,	Wylie,
Eby,	McCaig,	Shattuck,	Wynne,
Ehrhardt,	McCullough,	Showalter,	Zanders,
Erdman,	McCurdy,	Shunk,	Baldwin,
Fackler,	McKay,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 344, entitled

An Act providing that automobiles when passing a standing street car from which a member of the crew has alighted shall not pass the car on the side on which the member of the crew is performing his duties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117.

Aron,	Fowler,	McArdle,	Siggins,
Arthur,	Fretz,	McCaig,	Smith, E. R.,
Aston,	Gans,	McCurdy,	Smith, J. W.,
Baldi,	Glass,	McKay,	Smith, O. W.,
Baldridge,	Golder,	McKinney,	Snowden,
Bechtold,	Goodnough,	McNichol,	Snyder,
Benchoff,	Graeff,	McPeake,	Somerman,
Bidelspacher,	Gransback,	McVicar,	Sones,
Black,	Haldeman,	Mehring,	Spangler,
Bouton, V. B.,	Hecht,	Michel,	Speicher,
Boyd,	Helt,	Miller, A. D.,	Sprowls,
Brady,	Hess,	Miller, C. G.,	Stadtlander,
Brumbaugh,	Heyburn,	Miller, G. J. A.,	Sterling,
Campbell, T.,	Hibshman,	Milner,	Stern,
Canon,	Hollingsworth,	Mitchell,	Stites,
Chestnut,	Horton,	Morgan, T.,	Strauss,
Coldsmith,	Hough,	Neary,	Swartz,
Cook,	Howarth,	Palmer,	Sweitzer,
Crosby,	Isherwood,	Phillips,	Ulsh,
Curry,	Jennings,	Reichenbacker,	Vickerman,
Davis, W.,	Jones,	Rich,	Wagner,
Dean,	Kennedy,	Ringler,	Wallace,
Dewey,	Lanius,	Rininger,	Weimer,
Dithrich,	Laucks,	Robertson,	Wells,
Drake,	Leary,	Rogers,	Whitaker,
Drinkhouse,	Lewis,	Sampsel,	Wickman,
Dunn,	Lohr,	Schaeffer, A. C.,	Williams, G. W.
Ehrhardt,	Malie,	Shaffer, C. A.,	Wood,
Erdman,	Mangan,	Shunk,	Woodward,
Fitzgibbon,			Zanders,

NAYS—1.

Ramsey,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1065, entitled

A Further Supplement to an act approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes and to prescribe the form of government for townships of each class," authorizing townships of the first class to make regulations for the construction of new buildings and repair to old ones; requiring approval of plans; providing for inspection; prescribing within which certain kinds of material may not be used; providing penalties for the violation thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131.

Aron,	Graeff,	Miller, A. D.,	Shunk,
Arthur,	Gransback,	Miller, C. G.,	Siggins,
Baker,	Hecht,	Miller, G. J. A.,	Simpson,
Baldi,	Heffernan,	Milner,	Sinclair,
Barner,	Helt,	Mitchell,	Smith, E. R.,
Bell,	Heyburn,	Morgan, T.,	Smith, J. W.,
Bennett,	Hibshman,	Morgan, T. J.,	Smith, L.,
Benninger,	Hoffman,	Murphy,	Snowden,
Bidelspacher,	Hollingsworth,	Musser,	Somerman,
Bouton, V. B.,	Horne,	Ogden,	Sones,
Boyd,	Hough,	Palmer,	Speicher,
Brady,	Howarth,	Patterson,	Sprowls,
Burnett,	Isherwood,	Perry,	Stadtlander,
Campbell, T.,	Jennings,	Pickering,	Sterling,
Christman,	Jones,	Powell,	Stern,
Coldsmith,	Kennedy,	Ramsey,	Stoffiet,
Conner,	Lafferty,	Reitzel,	Swartz,
Corbin,	Laucks,	Reynolds,	Taylor,
Cox,	Lauler,	Rhoads, H. L.,	Thomas,
Crosby,	Leary,	Rich,	Vickerman,
Cummins,	Lewis,	Ringler,	Vogdes,
Curry,	Luppert,	Rininger,	Walker,
Davis, W.,	Marvin,	Rinn,	Walter,
Dawson,	McArdle,	Robertson,	Wells,
Dean,	McCaig,	Rogers,	West,
Dithrich,	McCurdy,	Ross,	Wickman,
Donneley,	McKay,	Ruddy,	Williams, G. W.
Drinkhouse,	McNichol,	Sampsel,	Wobensmith,
Dunn,	McPeake,	Sarig,	Woodward,
Ehrhardt,	Mearkle,	Scott,	Wylie,
Franklin,	Mehring,	Shaffer, C. A.,	Wynne,
Gans,	Michel,	Shattuck,	Zanders,
Golder,		Showalter,	Baldwin,
Goodwin,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1408, entitled

An Act to amend sections one and three of an act approved the first day of May, one thousand nine hundred nine, entitled "An Act to regulate the manufacture and sale of commercial fertilizers; prescribing penalties for its violation, and repealing an act, entitled 'An Act to regulate the manufacture and sale of commercial fertilizers; providing for its enforcement, and prescribing penalties for its violation,' approved the twenty-fifth day of March, Anno Domini one thousand nine hundred and one."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136.

Aron,	Ehrhardt,	Luppert,	Rothenberger,
Arthur,	Fackler,	Marvin,	Sampsel,
Aston,	Fitzgibbon,	McArdle,	Sarig,
Baker,	Fowler,	McCaig,	Schaeffer, A. C.,
Baldi,	Franklin,	McCurdy,	Shattuck,
Baldridge,	Gans,	McKay,	Shunk,
Bechtold,	Glass,	McKinney,	Siggins,
Bell,	Golder,	McNichol,	Sinclair,
Bennett,	Goodnough,	McPeake,	Smith, F. I.,
Benninger,	Goodwin,	McVicar,	Smith, J. W.,
Bever,	Gormley,	Mehring,	Snowden,
Bidelspacher,	Graeff,	Michel,	Somerman,
Boulton, H.,	Graham,	Miller, A. D.,	Sones,
Bovee,	Gransback,	Miller, C. G.,	Speicher,
Brady,	Haight,	Miller, G. J. A.,	Stadtlander,
Brumbaugh,	Haldeman,	Milner,	Sterling,
Campbell, T.,	Hecht,	Mitchell,	Stern,
Canon,	Heffernan,	Morgan, T.,	Stites,
Chestnut,	Hess,	Morgan, T. J.,	Stoffiet,
Clements,	Heyburn,	Murphy,	Strauss,
Coldsmith,	Hibshman,	Musser,	Swartz,
Conner,	Hoffman,	Neary,	Thomas,
Cook,	Hollingsworth,	Ogden,	Ulsh,
Corbin,	Horne,	Palmer,	Urich,
Cox,	Hough,	Perry,	Vogdes,
Crosby,	Isherwood,	Phillips,	Walker,
Cummins,	Jennings,	Powell,	Walter,
Curry,	Jones,	Ramsey,	Weimer,
Davis, W.,	Kennedy,	Reitzel,	Whitaker,
Dawson,	Lafferty,	Reynolds,	Williams, G. W.
Dell,	Lanius,	Rhoads, H. L.,	Williams, J. P.,
Dithrich,	Lauler,	Rich,	Wood,
Donneley,	Lewis,	Rininger,	Wylie,
Drinkhouse,	Lohr,	Robertson,	Zanders,
Dunn,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1453, entitled

An Act to amend section one of an act approved the fifth day of May one thousand nine hundred eleven, entitled "An Act to amend section one of an act approved June twenty-second, one thousand eight hundred and ninety-seven entitled 'An Act to amend section four of an act approved June eighth, one thousand eight hundred and eighty-one, entitled "An Act to authorize the erection of a poor house by the Township of Jenkins, Borough of Pittston, and Township of Pittston, in the County of Luzerne," approved May eighth, one thousand eight hundred and fifty-seven, allowing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district,' authorizing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Aron,	Franklin,	Mehring,	Smith, E. R.,
Aston,	Gans,	Michel,	Smith, J. W.,
Baker,	Glass,	Miller, A. D.,	Smith, L.,
Baldridge,	Goodnough,	Miller, Allan,	Smith, O. W.,
Barner,	Goodwin,	Miller, G. J. A.,	Snowden,
Bell,	Gormley,	Milner,	Somerman,
Benchoff,	Graham,	Mitchell,	Sones,
Benninger,	Gransback,	Morgan, T. J.,	Spangler,
Beyer,	Haight,	Murphy,	Sprowls,
Bidelspacher,	Hecht,	Musser,	Stadtlander,
Boulton, H.,	Heffernan,	Ogden,	Sterling,
Bovee,	Hess,	Palmer,	Stern,
Brady,	Heyburn,	Patterson,	Stites,
Brumbaugh,	Hibshman,	Perry,	Strauss,
Campbell, J. O.,	Hollern,	Pickering,	Swartz,
Campbell, T.,	Hollingsworth,	Powell,	Sweitzer,
Chestnut,	Horton,	Ramsey,	Taylor,
Christman,	Hough,	Reichenbacker,	Thomas,
Coldsmith,	Howarth,	Reynolds,	Ulsh,
Conner,	Isherwood,	Rhoads, H. L.,	Urich,
Cook,	Jennings,	Rich,	Vickerman,
Corbin,	Jones,	Ringler,	Vogdes,
Cox,	Lafferty,	Rininger,	Wagner,
Crosby,	Lanius,	Rinn,	Wallace,
Cummins,	Laucks,	Robertson,	Walter,
Curry,	Leary,	Rogers,	Weimer,
Davis, W.,	Lewis,	Rothenberger,	Wells,
Dawson,	Lohr,	Ruddy,	West,
Dell,	Luppert,	Rudisill,	Whitaker,
Dewey,	Mangan,	Sampsel,	Wickman,
Donneley,	Marvin,	Sarig,	Williams, G. W
Drake,	McArdle,	Scott,	Wobensmith,
Drinkhouse,	McCullough,	Shattuck,	Woodward,
Eby,	McCurdy,	Showalter,	Wylie,
Ehrhardt,	McKinney,	Shunk,	Wynne,
Fackler,	McNichol,	Siggins,	Zanders,
Fitzgibbon,	McPeake,	Simpson,	Baldwin,
Fowler,	Mearkle,	Sinclair,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT FROM THE COMMITTEE ON RULES.

Mr. RAMSEY. Mr. Speaker, I desire to present the following report of the Committee on Rules.

The report was read by the Clerk as follows:

The Committee on Rules, after a careful inquiry into the Legislative situation, find about thirteen hundred House Bills still in Committee, with about two hundred on file.

The Committee was not able to find out what number of the Bills in Committee would probably come on the floor in the short time given to investigate the situation. The Committee did not have time to find the probable number of Bills that would come from the Senate. The Committee thinks that at this time it cannot wisely recommend any fixed day for adjournment.

It will continue its investigation, trying to secure the probable number of Bills that will yet come from the Committees, and the probable number of Bills that will come from the Senate.

Your Committee will make a final report next Monday evening, when it hopes to be able to lay before the House a clear, concise statement of the Legislative status, accompanied with their suggestions, as to a date that the present Legislature can conclude its Legislative work in a manner creditable to the State's interests and themselves.

WM. F. RAMSEY, Chairman.
W. J. McCAIG,
JOHN M. FLYNN,
JAS. J. HEFFERNAN,
SAMUEL WHITAKER.

Mr. STERN. Mr. Speaker, I move that the report of the Committee on Rules be accepted and filed.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1365, entitled

An Act requiring public adjusters engaged in the adjustment of claims for loss or damage by fire under a policy or policies of insurance upon property in this Commonwealth to be licensed by the Insurance Commissioner defining such public adjuster providing for the payment of a fee for the issuance of a license and prescribing penalties for any violation of the act.

On the question,

Will the House agree to the bill on third reading?

Mr. LEWIS. Mr. Speaker, I wish the sponsor of this bill would explain the provisions of it.

Mr. MEARKLE. Mr. Speaker and gentlemen of the House, the bill in question is a department measure, or bill. It does not create any new positions, nor does it raise anybody's salary. It is simply for the purpose of regulating the issuing of licenses by the Insurance Department to those who hold themselves out as public adjusters.

Mr. PALMER. Mr. Speaker and gentlemen, the gentleman from Allegheny has stated certain things about the bill, but the effect of the passage of this measure will be this: It effects a monopoly, or gives a monopoly, to a few men who can gain a license from the State department to adjust fire losses. It provides that the Insurance Commissioner shall say whether or not a person is competent. If he finds him competent, he shall grant this license at a fee of $25.00. Thus gentlemen, mark you, a man who has any insurance business cannot be called in to adjust a loss, he cannot give any advice to anybody relative to that loss unless he first gets this license and he pays $25.00, and then he cannot be connected with the fire insurance company, so that the effect of the measure is to put a monopoly into the hands of those who secure licenses to adjust. That is the plainest thing in the bill, and that is what this bill is for. I ask you to vote it down.

Mr. MEARKLE. Mr. Speaker, that is not the purpose of the bill at all. Anybody can take out a license to adjust fire losses. It does not prohibit, but he must hold himself up as a public adjuster. The real purpose of the bill was to prevent people who are writing agents for insurance companies to also be fire adjusters. Now we have in our city as many know, and I know very well, people who are writing agents and fire adjusters at the same time. They abuse their privileges in the adjustment of losses. If they can have the privilege of writing the insurance after the loss has been made, their is no question but what they can handle or hold it, and at the same time to pay the insured his loss, and if there were certain adjustments made they might have the writing of insurance after that and make a more liberal adjustment. Now the Insurance Department of the State has had considerable trouble along those lines, and they have asked that this measure be introduced. It is not really my measure at all, and I am not particularly interested, but you will notice in the bill that it does not prohibit a writing agent from adjusting certain losses of his own company, but if he sets himself up to be a public adjuster and charges a prescribed fee, then the Insurance Department thinks that they should have a right, and I believe they should have the right, to say whose those men shall be. It is not for the purpose of creating a monopoly, and it will not create a monopoly.

Mr. PALMER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Mearkle.

The SPEAKER. Will the Gentleman from Allegheny, Mr. Mearkle, permit himself to be interrogated?

Mr. MEARKLE. Mr. Speaker, I will.

Mr. PALMER. Mr. Speaker, isn't it true that if this measure passes no man who is connected with an insurance company can adjust any loss outside of that connected with his own business, or his own policy, and then he must adjust that without compensation.

Mr. MEARKLE. Mr. Speaker, that is the custom.

Mr. PALMER. Mr. Speaker, isn't it true that an attorney-at-law could not act in an adjustment of insurance losses under this bill.

Mr. MEARKLE. Mr. Speaker, not under this bill—

Mr. PALMER. Unless he first takes out a license.

Mr. MEARKLE. Mr. Speaker, that is right, he is not a public adjuster, he is an attorney-at-law.

Mr. WALTER. Mr. Speaker, this bill is designed to protect the public. Any time a man goes into the adjustment of insurance, he occupies a puasi-public position just the same as the lawyer does, and some one ought to have some supervision over the character of the men who engage in that business. For that reason this bill ought to pass. It would conduce to the public interest because it would protect the interest of the policy holder and secure him a fair adjustment, otherwise you would not know whether a man was representing the assured or the company. That is something that ought to be clear in every transaction. It is an old maxim that "no man can serve two masters," and under this bill you would know with whom you were dealing, whether or not he was merely an agent of the company or whether he was an adjuster, or whether he was your agent.

Mr. PALMER. Mr. Speaker, I desire to interrogate the gentleman from Franklin.

The SPEAKER. Will the gentleman from Franklin, Mr. Walter, permit himself to be interrogated?

Mr. WALTER. With pleasure, Mr. Speaker.

Mr. PALMER. Iisn't it true, that under this bill I would not be able to adjust any loss I might have myself, on my own property, without a license, if my own house were to burn down?

Mr. WALTER. Mr. Speaker, I do not understand that to be the purpose of the bill. It is where the man acts as a public adjuster and makes adjusting his business. If he is not in the business the bill would not apply to him. If he is, it ought to If he is merely a writing agent the bill would not apply. If he is a lawyer the bill would not apply.

Mr. PALMER. Does not the bill give a monopoly to the general adjustment bureau?

Mr. WALTER. I do not think so, it doesn't prevent the company from sending their own adjuster.

Mr. PALMER. Isn't this bill drawn for the purpose of putting out of business these men who know something about the adjusting of losses, the adjusting of small losses?

Mr. WALTER. I think not, and I do not believe that it would have the effect that the gentleman from Schuylkill apprehends.

Mr. COOK. Mr. Speaker, I would like to ask the sponsor of this bill a question.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. MEARKLE. Mr. Speaker, I will.

Mr. COOK. What is the main purpose of this bill?

Mr. MEARKLE. Mr. Speaker, I thought I explained that a moment ago It is simply for the purpose of regulating those who hold themselves up as public adjusters. It has to do with the men in that business, and in that line of business only. If you are not in that line of business it does not apply to you at all.

Mr. COOK. Doesn't it apply to any man?

Mr. MEARKLE. No, it applies exclusively to those in the fire adjusting business.

Mr. COOK. Mr. Speaker, I happen to be somewhat acquainted with the fire insurance companies in my native county, and I am opposed to the bill for the reason that it will raise the expenses of that company. For instance, the companies with which I am associated have their own fire adjusters, but in case there is a small loss at a distance of from twenty-five to thirty miles away from where these adjusters live, possibly in the center of the county, the director at that end of the county who is well qualified to adjust that small loss, according to this bill would be exempt, and it would mean no less than from eight to ten dollars expenses to adjust a loss that does not amount to over three dollars. The intent, as I read it in this bill, is simply to monopolize the business, and raises the expenses of fire adjustments. Because of that I am against the bill.

BILL POSTPONED.

Mr. MEARKLE. Mr. Speaker, in view of the fact that the gentleman who just proceded me does not fully comprehend or understand the bill before us for consideration at this time, and in order that those not in sympathy with this piece of legislation may have further opportunity to look into it, I would move that the further consideration of this bill be postponed for the present.

Mr. MANGAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker announced that the "ayes" appeared to have it,

Whereupon,

A division was called for, and sixty-one gentlemen having voted in the affirmative and sixty in the negative, the question was determined in the affirmative, and the motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. DUNN, from the Committee on Pensions and Gratuities, reported as committed House Bill No. 1727, entitled

An Act providing for the pensioning of certain soldiers, sailors and marines and the widows of certain soldiers, sailors and marines, who served in the Civil War and making an appropriation for the payment thereof.

Mr. HOFFMAN, from the Committee on Appropriations, reported as committed House Bill No. 1781, entitled

An Act making available for expenditure during the two fiscal years beginning June first, one thousand nine hundred and seventeen, the sum of fifteen thousand dollars ($15,000) remaining unexpended from appropriation made by section two of an act of Assembly approved the sixteenth day of June, one thousand nine hundred and fifteen.

Mr. McARDLE, from the Committee on Law and Order, reported as committed House Bill No. 1643, entitled

An Act forbidding the advertising publishing selling distribution or otherwise disseminating or imparting or attempting to disseminate or impart knowledge or information tending to interfere with or diminnsh the birth of human beings in the Commonwealth of Pennsylvania defining it as a misdemeanor and providing for its punishment.

Mr. THEODORE CAMPBELL, from the Committee on Public Heaith and Sanitation, reported as committed House Bill No. 1575, entitled

An Act prohibiting the sale, distribution and use of foods, drugs, and certain mixtures and preparations containing methyl or wood alcohol; and fixing penalties.

Mr. SONES, from the Committee on Manufactures, reported as committed House Bill No. 1822, entitled

An Act to amend section three hundred and fourteen of an act approved the second day of June, one thousand nine hundred and fifteen, entitled "An Act defining the liability of a employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder."

Mr. SONES, from the Committee on Manufactures, reported as amended House Bill No. 1821, entitled

An Act to amend section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder."

Mr. BENNINGER, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1535, entitled

An Act to further amend section five of an act approved the seventh day of May, one thousand nine hundred and seven, entitled "An Act regulating and defining the powers

and duties of the Dental Council and the State Board of Dental Examiners, providing for appointment of examiners; defining qualifications of applicants for examination; condition of granting licenses; regulating and limiting the practice of dentistry; prohibiting practice by, or employment of, unlicensed persons, and providing punishment therefor; and disposition of fees and fines, and fixing the appropriation to the Dental Council."

Mr. BOUTON, from the Committee on Manufactures, reported as committed House Bill No. 1640, entitled

An Act to amend the act approved the second day of June, one thousand nine hundred and fifteen, entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liabilitiy and compensation thereunder."

Mr. RAMSEY, from the Committee on Municipal Corporations, reported as committed House Bill No. 1846 (Senate Bill No. 666), entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

Mr. THEODORE CAMPBELL, from the Committee on Appropriations, reported as committed House Bill No. 1855 (Senate Bill No. 909), entitled

An Act making a deficiency appropriation to the Department of State Police for the payment of the salaries of the Superintendent and Deputy Superintendent of the Department and the salaries of the officers and enlisted men of the State Police force.

Mr. STRAUSS, from the Committe eon Judiciary General, re-reported as committed House Bill No. 1096 (Senate Bill No. 286), entitled

An Act to amend an act entitled "An Act to provide for retirement of State employes, permanently disqualified by reason of physical or mental disability to perform their official functions and duties, with half pay, under certain conditions, during the remainder of their lives, except State employes whose retirement has been or shall be otherwise provided for, and the filling of vacancies caused by such retirement," approved the 14th day of June, A. D. 1915, so as to extend the operation thereof to all employes in penitentiaries and other institutions operated by the Commonwealth as well as those more directly in the service thereof.

Mr. MICHEL, from the Committee on Law and Order, reported with a negative recommendation House Bill No. 1679, entitled

An Act to prohibit during the period of the present war the manufacture, sale and gift of intoxicating liquor except for certain purposes and under certain conditions; providing penalties for its violation and repealing all laws or parts of laws in conflict with the same.

ADJOURNMENT.

Mr. RAMSEY. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and (at 6 P. M.) the House adjourned until to-morrow morning at 11 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

VOL. 4. HARRISBURG, PA., WEDNESDAY, MAY 9, 1917. No. 52.

SENATE.

WEDNESDAY, May 9, 1917.

The Senate met at 10 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the Chair.

PRAYER.

The Chaplain, Rev. Thomas W. Davis, offered the following prayer:

Almighty God, we realize that eternal vigilance is the price of liberty. We realize also that universal sacrifice is the price that must be paid for world's democracy. Of those sacrifices none will be made that will command a larger offering than the ones to be made by our mothers. We pray Thy blessing upon the mothers of our State and of our nation, and indeed upon the mothers of the entire world. We pray Thy blessing upon all of our homes, and grant dear Heavenly Father that all over this great nation there may come from time to time that cheer and encouragement which will insure to our nation permanent victory. These blessings we ask in our Saviour's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOMSHER, the further reading was dispensed with, and the Journal was approved.

PETITIONS

FAVORING APPROPRIATION TO THE VILLAGE FOR FEEBLE-MINDED WOMEN OF CHILD BEARING AGE AT LAURELTON, AND ALSO FAVORING APPROPRIATION FOR THE STATE INSTITUTIONS FOR THE FEEBLE-MINDED AT POLK AND SPRING CITY.

The Chair presented petitions of citizens of Pennsylvania favoring appropriation to the Village for Feeble-Minded Women of Child Bearing Age at Laurelton, and also favoring appropriation for the State Institutions for the Feeble-Minded at Polk and Spring City.

Which were referred to the Committee on Appropriations.

HOUSE MEESSAGE.

TIME OF NEXT MEETING.

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 8, 1917.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday evening, May fourteenth, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, May fourteenth, at nine o'clock.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 300.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 300, entitled

An Act to regulate and restrain the hawking vending and peddling of fish fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth.

HOUSE CONCURS IN SENATE BILL NO. 55.

He also returned to the Senate Senate Bill No. 55, entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 115.

He also returned to the Senate Senate Bill No. 115, entitled

An Act to promote uniformity in all courts of record in issuing writs and process for the beginning of civil actions.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 469.

He also returned to the Senate Senate Bill No. 469, entitled

An Act authorizing any company incorporated under the laws of any other State for the manufacture of automobiles motor trucks or other motor vehicles or of any article appertaining to or entering into the construction thereof to erect and maintain buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 471.

He also returned to the Senate Senate Bill No. 471, entitled

An Act to authorize the payment by corporations to their directors of compensation for services rendered by them.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 671.

He also returned to the Senate Senate Bill No. 671, entitled

An Act to amend an act entitled "An Act authorizing companies incorporated under the laws of any other State of the United States for certain purposes to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for such purposes" approved the 13th day of May A. D. 1915.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 696.

He also returned to the Senate Senate Bill No. 696, entitled

An Act to amend the second section of an act approved April fourth, one thousand nine hundred and seven, entitled "An Act creating in counties having a population from three hundred thousand to one million, a Board to fix and

determine the number and compensation of employes in all county offices, boards, bureaus, departments and divisions thereof; prescribing the powers and duties of said Board, and regulating appeals from the decision thereof," by providing that, where said Board as constituted by said act is composed of the county controller and county commissioners only, the president of the board, in case of a tie vote shall be entitled to a deciding vote

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 864.

He also returned to the Senate Senate Bill No. 864, entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation.

with the information that the House has passed the same without amendment.

HOUSE MESSAGE.

SENATE BILL NO. 177 RETURNED WITH AMENDMENTS.

He also returned to the Senate Senate Bill No. 177, entitled

An Act authorizing overseers and directors of the poor to enter into contracts with certain incorporated associations for the care and maintenance of indigent deaf and dumb persons and conferring certain powers on the Board of Public Charities its officers and agents.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SONES. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives in the foregoing bill.

Mr. WASBERS. Mr. President, I second the motion.

The motion was agreed to.

Said amendments, having been printed as required by the Constitution, were twice read as follows:

Amend the title, line 2, by striking out the word "incorporated;" also section 1, page 1, line 6, by striking out the word "incorporated;" also section 2, page 2, line 10, by striking out the word "incorporated;" also section 3, page 2, line 23, by striking out the word "incorporated."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Eyre,	Lynch,	Sones,
Beales,	Graff, J. F.,	Martin,	Stewart,
Buckman,	Graff, W. P.,	McConnell,	Tompkins,
Catlin,	Hackett,	Miller,	Vare,
Craig,	Haldeman,	Salus,	Wasbers,
Crow,	Hindman,	Sassaman,	Weaver,
Daix,	Homsher,	Schantz,	Whitten,
DeWitt,	Jenkins,	Smith, R. E.,	Beidleman,
Endsley,	Kline,	Snyder,	Pres. pro tem.
	Leiby,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 177, entitled

An Act authorizing overseers and directors of the poor to enter into contracts with certain incorporated associations for the care and maintenance of indigent deaf and dumb persons and conferring certain powers on the Board of Public Charities its officers and agents.

Senate Bill No. 696, entitled

An Act to amend the second section of an act, approved April 4th, 1907, entitled "An Act creating, in counties having a population from three hundred thousand to one million, a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments and divisions thereof; prescribing the powers and duties of said board, and regulating appeals from the decision thereof," by providing that, where said board as constituted by said act is composed of the county controller and county commissioners only, the president of the board, in case of a tie vote, shall be entitled to a deciding vote.

Senate Bill No. 864, entitled

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation.

Senate Bill No. 55, entitled

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Senate Bill No. 115, entitled

An Act to promote uniformity in all courts of record in issuing writs and process for the begnning of civil actions

Senate Bill No. 469, entitled

An Act authorizing any company incorporated under the laws of any other State for the manufacture of automobiles motor trucks or other motor vehicles or of any article appertaining to or entering into the construction thereof to erect and maintain buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor.

Senate Bill No. 471, entitled

An Act to authorize the payment by corporations to their directors of compensation for services rendered by them.

Senate Bill No. 671, entitled

An Act to amend an act entitled "An Act authorizing companies incorporated under the laws of any other State of the United States for certain purposes to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for such purposes" approved the 13th day of May A. D. 1915.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the presence of the Senate signed the same.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives, being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 344 (Senate Bill No. 1116), entitled

An Act providing that automobiles when passing a standing street car from which a member of the crew has alighted shall not pass the car on the side on which the member of the crew is performing his duties.

Which was committed to the Committee on Judiciary General.

House Bill No. 817 (Senate Bill No. 1117), entitled

An Act relating to the consideration upon appeal by the Supreme and Superior Courts of testimony taken in proceedings in courts of record and providing for the making of such testimony a part of the record.

Which was committed to the Committee on Judiciary General.

House Bill No. 1063 (Senate Bill No. 1118), entitled

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme

Court the judges of the Superior Court the judges of the courts of Common Pleas and the judges of the Orphan's Courts."

Which was committed to the Committee on Judiciary Special.

House Bill No. 1065 (Senate Bill No. 1119), entitled

A further supplement to an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" authorizing townships of the first class to make regulations for the construction of new buildings and repair to old ones requiring approval of plans providing for inspection prescribing within which certain kinds of materials may not be used providing penalties for the violation thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 1141 (Senate Bill No. 1120), entitled

An Act authorizing Almeda G. Pickering of the Borough of Towanda Bradford County Pennsylvania to bring suit against the Commonwealth.

Which was committed to the Committee on Judiciary General.

House Bill No. 1191 (Senate Bill No. 1121), entitled

An Act fixing the compensation of township auditors in townships of the first class and providing how said compensation is to be paid.

Which was committed to the Committee on Judiciary General.

House Bill No. 1359 (Senate Bill No. 1122), entitled

An Act to amend an act approved May twenty-eighth one thousand nine hundred and fifteen entitled "An Act permitting the Commonwealth to intervene in any proceeding at law or in equity in which the Commonwealth may have an interest without giving security" for the purpose of correcting a clerical error.

Which was committed to the Committee on Judiciary General.

House Bill No. 1408 (Senate Bill No. 1123), entitled

An Act to amend sections one and three of an act approved the first day of May, one thousand nine hundred nine, entitled "An Act to regulate the manufacture and sale of commercial fertilizers; prescribing penalties for its violation and repealing an act, entitled 'An Act to regulate the manufacture and sale of commercial fertilizers; providing for its enforcement and prescribing penalties for its violation,' approved the twenty-fifth day of March, Anno Domini one thousand nine hundred and one."

Which was committed to the Committee on Agriculture.

House Bill No. 1415 (Senate Bill No. 1124), entitled

An Act to amend section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing the salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority of the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchasing or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and state aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to highway department and improvement of roads and of all acts and parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1453 (Senate Bill No. 1125), entitled

An Act to amend section one of an act approved the fifth day of May, one thousand nine hundred eleven, entitled "An Act to amend section one of an act approved June twenty-second, one thousand eight hundred and ninety-seven, entitled 'An Act to amend section four of an act approved June eighth, one thousand eight hundred and eighty-one, entitled "An Act to authorize the erection of a poor house by the Township of Jenkins, Borough of Pittston and Township of Pittston, in the County of Luzerne," approved May eighth, one thousand eight hundred and fifty-seven, allowing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district,' authorizing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district."

Which was committed to the Committee on Judiciary Special.

House Bill No. 1474 (Senate Bill No. 1126), entitled

An Act to amend sections one, four and five of an act approved the eighteenth day of May, one thousand nine hundred and fifteen, entitled "An Act establishing a State Commission of Agriculture; defining its powers and duties, including its powers relative to the Department of Agriculture and the State Livestock Sanitary Board."

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. J. FRANK GRAFF, from the Committee on Insurance, reported as committed Senate Bill No. 1077, entitled

An Act to authorize mutual insurance companies, so electing, to become members of rating bureaus and subject to the provisions of the laws relating thereto.

Also from the Committee on Insurance, re-reported as amended Senate Bill No. 623, entitled

An Act to amend the act approved the second day of June, one thousand nine hundred and fifteen, entitled "An Act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto, declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof."

Also from the Committee on Insurance, reported as committed Senate Bill No. 1067, entitled

An Act concerning life insurance; the persons who may place, sell or solicit life insurance, and be compensated or benefited therefor; making it unlawful for attorneys (officers, clerks, servants and employes, or persons otherwise hired and engaged, to receive compensation for life insurance placed, sold or solicited for the benefit of, or on the lives of their clients, partners, employers, master, or fellow attorneys, officers, clerks, servants, or employes; making it unlawful to pay such compensation; defining the time of such employment), fixing a penalty for violation of this act, and making said violation a misdemeanor; and repealing existing laws.

Mr. McCONNELL, from the Committee on Agriculture, reported as committed Senate Bill No. 716, entitled

An Act prohibiting holders of brewers licenses from having offices or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses.

Mr. SEMMENS, from the Committee on Insurance, reported as committed Senate Bill No. 1095 (House Bill No. 1285), entitled

An Act to amend article six of the second section of an act, approved the eleventh day of March, one thousand eight hundred and ninety-one, entitled "An Act to regulate the issue of policies of insurance and certificates of inspection made by steam boiler insurance companies in all cities of the first class."

Mr. CROW, from the Committee on Executive Nominations, reported with a favorable recommendation the following nomination, made by His Excellency, the Governor of the Commonwealth:

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 26, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John M. Robinson, to be a Justice of the Peace, in and for the Township of Derry, County of Montour, to serve until the first Monday in January, 1918, vice Thomas Kerswell, resigned.

MARTIN G. BRUMBAUGH.

BILLS INTRODUCED.

Mr. WEAVER read in his place and presented to the Chair Senate Bill No. 1127, entitled

An Act to protect trees growing by the roadsides and within the road limits; and providing a penalty for the unlawful killing, removal of, or injury to the same.

Which was committed to the Committee on Public Roads and Highways.

Mr. BALDWIN read in his place and presented to the Chair Senate Bill No. 1128, entitled

An Act to amend clause (h), section ten of an act approved the eighth day of June, one thousand nine hundred and fifteen, entitled "An Act relating to and regulating self-propelled traction-engines or tractors equipped with metal-tired wheels, and vehicles trailing after or propelled by traction-engines or tractors; providing for their registration and the licensing of certain operators by the State Highway Department; prohibiting the operation of any traction-engine or tractor by any person when intoxicated; forbidding the passage of any law laying a tax upon or requiring the registration of traction-engines or tractors by any county, city, borough or incorporated town or township; establishing the rights of traction-engines or tractors upon the public highways with relation to other vehicles; providing for their equipment and for the width of tires to be used upon vehicles trailing after, or propelled by traction-engines or tractors; regulating the service of process and proceedings in actions of damages arising therefrom; providing for arrest, and for service of process and proceedings for violation of this act; prescribing the penalties therefor, and providing for the disposition of fees and fines imposed thereunder."

Which was committed to the Committee on Public Roads and Highways.

Mr. W. P. GRAFF read in his place and presented to the Chair Senate Bill No. 1129, entitled

An Act to amend an act, entitled "An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the insane, to be erected west of the Allegheny Mountains, and to be known as the Western State Hospital for the Insane; providing for the management of the same, and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital," approved the eighteenth day of June, one thousand nine hundred fifteen (Pamphlet Laws page ten hundred fifty-five), so as to provide for the admission of patients to the Western State Hospital for the Insane.

Which was committed to the Committee on Appropriations.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 1130, entitled

An Act to further amend section eleven of an act approved the twelfth day of July, one thousand nine hundred and thirteen, entitled "An Act establishing a court for the County of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," as amended, by conferring jurisdiction on the municipal court in certain cases of desertion and non-support in cases of children suffering from epilepsy, nervous or mental defects, and in certain cases of fornication and bastardy proceedings; providing for the transfer by the court of quarter sessions to the municipal court of all cases of desertion and non-support, also in certain cases of fornication and bastardy, and empowering the municipal court to enforce all decrees, orders, judgments and sentences made by the court of quarter sessions.

Which was committed to the Committee on Judiciary Special.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 1131, entitled

An Act to amend and revise an act, entitled "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," approved the twenty-seventh day of June, one thousand nine hundred and thirteen, changing and modifying the qualifications of commissioners to be appointed by the court of quarter sessions for the division or creation of wards in cities of the third class.

Which was committed to the Committee on Municipal Affairs.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 1132, entitled

An Act to amend the fifth section of an act approved the first day of May, Anno Domini one thousand nine hundred and thirteen, entitled "An Act to amend the fourth, fifth, eighth and ninth sections of an act, entitled 'An Act to create a Board of Public Charities,' approved the twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-nine, so as to confer additional powers upon said board and its agents and to provide for the appointment of an inspector and fiscal agent, defining his duties and fixing his compensation."

Which was committed to the Committee on Appropriations.

Mr. BUCKMAN (by request of Mr. Lynch) read in his place and presented to the Chair Senate Bill No. 1133, entitled

An Act to regulate the sale of goods marked cut glass, cut crystal, or crystal.

Which was committed to the Committee on Judiciary General.

Also (by request of Mr. Lynch) read in his place and presented to the Chair Senate Bill No. 1134, entitled

An Act to amend section five hundred sixty of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

Also (by request of Mr. Lynch) read in his place and presented to the Chair Senate Bill No. 1135, entitled

An Act providing for change of venue in certain cases.

Which was committed to the Committee on Judiciary General.

SENATE BILL NO. 320 RECALLED FROM THE GOVERNOR.

Mr. PATTON offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 9, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 320, entitled "An Act amending sections one, three, four, seven, ten, eleven and repealing section eight of an act, entitled 'An Act relating to the collection of city, school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be collector of the said several taxes; prescribing his duties and fixing his compensation," approved the twentieth day of June, Anno Domini one thonsand nine hundred and one, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORTS FROM COMMITTEES.

Mr. NASON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NASON, from the Committee on Judiciary General, reported as committed Senate Bill No. 1034, entitled

An Act relating to the settlement and audit of accounts of officers of poor districts, townships and boroughs and reports thereof and appeals therefrom.

Mr. CATLIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1130, entitled

An Act to further amend section eleven of an act approved the twelfth day of July, one thousand nine hundred and thirteen, entitled "An Act establishing a court for the County of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein and appeals therefrom, and providing for the expenses thereof," as amended, by conferring jurisdiction on the municipal court in certain cases of desertion and non-support in cases of children suffering from epilepsy, nervous or mental defects, and in certain cases of fornication and bastardy proceedings; providing for the transfer by the court of quarter sessions to the municipal court of all cases of desertion and non-support, also in certain cases of fornication and bastardy, and empowering the municipal court to enforce all decrees, orders, judgments and sentences made by the court of quarter sessions.

BILL ON FIRST READING.

Mr. CATLIN. Mr. President, I move that Senate Bill No. 1130, entitled

An Act to further amend section eleven of an act approved the twelfth day of July, one thousand nine hundred and thirteen, entitled "An Act establishing a court for the County of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein and appeals therefrom, and providing for the expenses thereof," as amended, by conferring jurisdiction on the municipal court in certain cases of desertion and non-support in cases of children suffering from epilepsy, nervous or mental defects, and in certain cases of fornication and bastardy proceedings; providing for the transfer by the court of quarter sessions to the municipal court of all cases of desertion and non-support, also in certain cases of fornication and bastardy, and empowering the municipal court to enforce all decrees, orders, judgments and sentences made by the court of quarter sessions.

be read the first time.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1130, entitled

An Act to further amend section eleven of an act approved the twelfth day of July, one thousand nine hundred and thirteen, entitled "An Act establishing a court for the County of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein and appeals therefrom, and providing for the expenses thereof," as amended, by conferring jurisdiction on the municipal court in certain cases of desertion and non-support in cases of children suffering from epilepsy, nervous or mental defects, and in certain cases of fornication and bastardy proceedings; providing for the transfer by the court of quarter sessions to the municipal court of all cases of desertion and non-support, also in certain cases of fornication and bastardy, and empowering the municipal court to enforce all decrees, orders, judgments and sentences made by the court of quarter sessions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE.

Mr. CATLIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1014 (House Bill No. 1375), entitled

An Act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth.

BILLS OVER IN ORDER.

Mr. W. P. GRAFF. Mr. President, I ask that Senate Bill No. 107, on third reading, entitled

An Act fixing the salary of the Governor of the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCONNELL. Mr. President, I ask that Senate Bill No. 724, on third reading, entitled

An Act authorizing the board of public accounts to consider petitions for the return of moneys erroneously or inadvertently paid or covered into the State Treasury and to make such order thereupon as shall seem just and proper; providing for the payment by the Commonwealth of such claims and claims heretofore adjusted and making an appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LYNCH. Mr. President, I ask that Senate Bill No. 779, on third reading, entitled

An Act to permit street passenger railway companies and motor power companies operating the property and facilities of any street passenger railway company to operate omnibuses in connection with the lines of railways operated by them, with the consent of the local authorities.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 805, on third reading, entitled

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania; authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 811, entitled

An Act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children under the jurisdiction of the Courts of Quarter Session of the Peace or other courts sitting as Juvenile Courts, and to acquire land there for by purchase or by condemnation, defining the scope and character of such schools, regulating the proceedings for the establishment, maintenance and management thereof, authorizing the County Commissioners to make appropriations, levy taxes and to incur indebtedness therefor, and providing that all such schools heretofore established by any county shall be continued and maintained under the authority of this act, removing the persons in charge thereof and providing that any property heretofore acquired for any such schools shall be held and used for the schools provided for in this act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Endsley,	McConnell,	Smith, R. E.,
Beales,	Eyre,	McKee,	Snyder,
Buckman,	Graff, W. P.,	McNichol,	Sones,

Burke,	Hackett,	Miller,	Stewart,
Catlin,	Haldeman,	Nason,	Tompkins,
Craig,	Jenkins,	Patton,	Wasbers,
Crow,	Kline,	Phipps,	Weaver,
Daix,	Leiby,	Sassaman,	Whitten,
DeWitt,	Lynch,	Semmens,	Beidleman,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 898 (House Bill No. 1117), as follows:

An Act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania or by any county municipality or school district thereof in its civil service who have a wife children or parents dependents upon them for support, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment in the army or navy of the United States in time of war or contemplated war prohibiting the removal from their offices of employments of such officers and employed during the period of their service in the army or navy directing that one-half of the salaries or wages of such officers or employes not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents thereof authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any appointive officer or employe regularly employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality or school district within the Commonwealth shall in time of war or contemplated war enlist in the army or navy of the United States having a wife children or parents dependent upon him for support shall not be deemed or held to have thereby resigned from or abandoned his said office or employment nor shall he be removable therefrom during the period of his service in the army or navy but the duties of his said office or employment shall during said period be performed by a substitute who shall be appointed by the same authority who appointed such officer or employe if such authority shall deem the employment of such substitute necessary and such substitute shall receive so much of the salary or wages attached to said office or employment as shall not be paid to the dependent or dependents of said officer or employe as hereinafter provided and such substitute may receive such further compensation from appropriations made for that purpose or otherwise as may be required when added to the amount received under the provisions of this act to constitute a reasonable compensation for his services in the opinion of the authority appointing him

Section 2 Any said officer or employe so enlisting and having a dependent or dependents as aforesaid may at the time of his enlistment or immediately thereafter file with the head or chief of the department bureau commission or office in which he is employed a statement in writing executed under oath setting forth the fact and date of his enlistment his intention to retain his said office or employment and to resume the duties thereof after the expiration of his service in the army or navy and the names and addresses of his wife children and dependent parent or parents if any such he have and requesting and directing that one-half of the salary or wages of his said office or employment not exceeding two thousand ($2,000.00) dollars per annum shall be paid during his service in the army or navy as follows If he have a wife to his wife for her use and that of his children if he have children and no wife then to such person as he may designate for the use and benefit of his children If he have a dependent parent or parents then he shall direct such sum as he has theretofore been accustomed to contribute to their support to be paid to them and the amount payable to his wife or children if any he have shall be proportionately decreased If he have no wife or children he may direct the entire one-half of his said salary or wages not exceeding two thousand ($2,000.00) dollars per annum to be paid to his dependent parent or parents if any such he have all sums so directed to be paid shall be paid to the person designated in the same porportional installments as nearly as may be as the salary or wages of the soldier were theretofore paid to him With such statement he shall also file powers of attorney authorizing the proper dependents to receive their proportion of said salary or wages as aforesaid

Section 3 The statement required to be filed by section two of this act shall be prima facie evidence of the dependency of any person named as a dependent in said statement but the head of any department bureau commission or office may in case of doubt satisfy himself as to the fact of such dependency and if the person so nominated as a dependent was not in fact dependent upon the officer or employe enlisting in the army or navy at the time of his enlistment shall refuse to make any payment to such person on account of the salary or wages of such officer or employe Such head of a department bureau commission or office shall also satisfy himself before making payments to dependents under the provisions of this act that the officer or employe was alive during the period for which any payment is made No payment shall be made under the provisions of this act to any officer or employe enlisting as aforesaid and so much of the salary or wages of such officer or employe as is not paid under the provisions of this act to his dependents and his substitute shall be recovered back into the fund from which said salary or wages is paid

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Graff, J. F.,	Nason,	Sproul,
Beales,	Graff, W. P.,	Patton,	Stewart,
Buckman,	Homsher,	Phipps,	Tompkins,
Burke,	Jenkins,	Sassaman,	Warner,
Catlin,	Lynch,	Schantz,	Wasbers,
Craig,	Martin,	Semmens,	Weaver,
DeWitt,	McConnell,	Smith, R. E.,	Whitten,
Endsley,	McNichol,	Snyder,	Beidleman,
Eyre,	Miller,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 939 (House Bill No. 991), entitled

An Act authorizing and empowering the State Highway Commissioner to take over abandoned rights of way or any part or parts thereof owned or controlled by railroad or railway companies for the use of the State Highway Department for the purpose of locating or relocating and constructing State Highways and providing a method of acquiring the same.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,	Graff, J. F.,	McNichol,	Sones,
Beales,	Graff, W. P.,	Miller,	Sproul,
Buckman,	Haldeman,	Nason,	Stewart,
Burke,	Homsher,	Patton,	Warner,
Craig,	Jenkins,	Phipps,	Wasbers,
Crow,	Leiby,	Sassaman,	Weaver,
DeWitt,	Lynch,	Smith, R. E.,	Whitten,
Endsley,	McConnell,	Snyder,	Beidleman,
Eyre,	McKee,		Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. McCONNELL. Mr. President, I ask that Senate Bill No. 988 (House Bill No. 1176), on third reading, entitled

An Act providing for the establishment in cities of the third class of a house or houses of detention for witnesses and untried prisoners for the commitment of such prisoners

and witnesses thereto and for the payment of the cost of establishing and maintaining the same by the county wherein said cities are situated.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1056 (House Bill No. 1580), entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Graff, J. F.,	Nason,	Sproul,
Beales,	Graff, W. P.,	Patton,	Stewart,
Buckman,	Homsher,	Phipps,	Tompkins,
Burke,	Jenkins,	Sassaman,	Warner,
Catlin,	Lynch,	Schantz,	Wasbers,
Craig,	Martin,	Semmens,	Weaver,
DeWitt,	McConnell,	Smith, R. E.,	Whitten,
Endsley,	McNichol,	Snyder,	Beidleman,
Eyre,	Miller,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 1088 (House Bill No. 1805), on third reading, entitled

An Act to amend an act, entitled "An Act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the twenty-sixth day of May, Anno Domini one thousand eight hundred and ninety-seven, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1089, entitled

An Act to amend an act approved the second day of July, one thousand eight hundred and ninety-five, entitled "An Act to amend an act, entitled 'An Act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants,' approved thirty-first March, one thousand eight hundred and seventy-six, providing for assistant district attorneys and fixing the salary of the same and increasing the salary of county solicitor, clerk of the courts, recorder of deeds, register of wills and treasurer, county prison warden or jailor, county commissioners, controllers, coroners, county directors of the poor, jury commissioners and county detectives and decreasing the salaries of auditors and county surveyor," by fixing salary of county prison warden.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Graff, J. F.,	McKee,	Sproul,
Beales,	Graff, W. P.,	Nason,	Stewart,
Buckman,	Haldeman,	Patton,	Tompkins,
Craig,	Homsher,	Phipps,	Wasbers,
Crow,	Jenkins,	Sassaman,	Weaver,
Daix,	Kline,	Semmens,	Whitten,
DeWitt,	Leiby,	Snyder,	Beidleman,
Endsley,	Lynch,	Sones,	Pres. pro tem.
Eyre,	McConnell,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 1090, on third reading, entitled

An Act creating a Division of Dairy and Food in the State Department of Health; abolishing the office of Dairy and Food Commissioner and the Division of Dairy and Food in the State Agriculture Department and transferring all powers and duties now by law vested in and imposed upon the Dairy and Food Commissioner and the Dairy and Food Division of the State Department of Agriculture.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Mr. KLINE. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 15, on second reading postponed for the present, entitled

An Act relating to costs in certain cases of summary conviction before aldermen, magistrates and justices of the peace; providing for the assessment of such costs upon the prosecutor or defendant and their commitment in case of default and providing for the payment of such costs by counties in certain cases.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate resumed the second reading and consideration of Senate Bill No. 15, entitled

An Act relating to costs in certain cases of summary conviction before aldermen, magistrates and justices of the peace; providing for the assessment of such costs upon the prosecutor or defendant and their commitment in case of default and providing for the payment of such costs by counties in certain cases.

And the question recurring,

Will the Senate agree to the first section?

It was agreed to.

The second section of the bill was read as follows and agreed to.

Section 2 Whenever in such cases the evidence is not sufficient to convict and the defendant is discharged the alderman magistrate or justice of the peace shall assess all the costs against the complainant or against the defendant or he may assess them in equal or unequal proportions against the prosecutor and defendant as he deems just In default of payment the person so defaulting shall be committed to the county jail one day for each dollar of such costs or until such costs are paid or until such person is discharged according to law When any person is so committed for non-payment of costs the costs shall be paid out of the county treasury

The title of the bill was read as follows and agreed to:

An Act relating to costs in certain cases of summary conviction before aldermen, magistrates and justices of the peace; providing for the assessment of such costs upon the prosecutor or defendant and their commitment in case of default and providing for the payment of such costs by counties in certain cases.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 731, as follows:

An Act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is hereby duly authorized to appoint a commission of five persons two of whom shall be learned in the law and two of whom shall be either bankers of officers of a bank or trust company incorporated under the laws of this Commonwealth to codify and revise the law relating to banks private bankers aud trust companies doing business within this Commonwealth to report the same to the General Assembly at the session of one thousand nine hundred and nineteen and to recommend such changes in the existing law as may to such commission seem desirable

Section 2 The members of the commission shall receive no compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duties

Section 3 The commission may appoint a stenographer or law assistant or both at such reasonable compensation as it may determine

Section 4 To carry out the purposes of this act the sum of five thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to the use of the commission Payment of the money shall be on order of the chairman of the commission and on warrant of the Auditor General.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 865, as follows:

An Act to authorize corporations organized for profit under the laws of Pennsylvania to continue the salaries of employes enlisting or enrolling in any branch of the military or naval service of the United States or other protective organization

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act corporations organized for profit under the laws of the Commonwealth of Pennsylvania may continue the salaries of such of their emplcyes as may have enlisted or enrolled or may hereafter enlist or enroll in any branch of the military or naval service of the United States or any State thereof or in any other organization established for the protection of the lives and property of citizens of the United States during the term of such enlistment or enrollment or during such part thereof as the said employes may by reason of such enlistment or enrollment be unable to perform their duties as employes of said corporation

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 885 (House Bill No. 662), entitled

An Act to amend an act approved the ninth day of April one thousand nine hundred fifteen entitled "An Act to amend an act entitled 'An Act to amend an act entitled "An Act to amend an act, entitled 'An Act to amend an act entitled "An Act to amend an act, entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to make have and hold real estate necessary and proper for manufacturing purposes" approved the ninth day of June, Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks, or for dressing, polishing, working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June, Anno Domini one thousand eight hundred and ninety-three," approved the nineteenth day of April, Anno Domini one thousand nine hundred and one, extending the same to companies formed for the purposes of manufacturing and selling chemicals, foodstuffs, cement and cement products and the quarrying of cement rock,' approved May twenty-eighth, one thousand nine hundred and seven, extending the same to companies incorporated for the manufacture, buying, selling, leasing, using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production, use, regulation, control, distribution or application of electricity or electrical energy or products for any use or purpose constructing, acquiring, using, selling, buying or leasing any works, construction or plant or part thereof connected with or involving such use, distribution, regulation, control or application of electricity or the control or use of electrical apparatus for any purpose and of producing, furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business,' approved the twenty-third day of June, one thousand nine hundred and eleven, by extending the same to companies incorporated for the purpose of refining, manufacturing or sale of petroleum and petroleum products," by extending the same to corporations incorporated for the manufacture of leather or articles containing leather.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 894 (House Bill No. 1017), as follows:

An Act prohibiting the handling or driving of horses or other animals or teams or vehicles on the public highways of the Commonwealth by an intoxicated person and providing penalties therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person to ride drive lead or handle any horse or other animal or to drive or be in charge of any carriage wagon or other vehicle drawn by horses or other animals on any of the public highways of the Commonwealth when in an intoxicated condition and that any person so handling any animal or so driving or operating any vehicle when in an intoxicated condition shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than five ($5.00). dollars and not more than one hundred ($100.00) dollars or imprisonment for not more than three months or both at the discretion of the court

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McCONNELL. Mr. President, I move that Senate Bill No. 929 (House Bill No. 187), on second reading, entitled

An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions.

be recommitted to the Committee on Game and Fisheries.

Mr. BALDWIN. Mr. President, I second the motion

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 974 (House Bill No. 986), entitled

An Act making a deficiency appropriation to the Department of Agriculture.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 991 (House Bill No. 1310), as follows:

An Act to confer additional powers upon fire insurance companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act any joint stock or mutual fire insurance company heretofore organized under any general or special law of this Commonwealth or which may hereafter be organized shall in addition to the powers already possessed have the power to make insurance against loss or damage caused by bombardment invasion insurrection riot civil war or commotion and military or usurped power

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 993 (House Bill No. 40), entitled

An Act amending an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein, and appeals therefrom and providing for the expenses thereof" by increasing the amount of salary to be paid to the judges of the municipal court of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 995, entitled

An Act regulating the licensing of persons and institutions in the business of receiving, boarding or keeping children under the age of fourteen years for hire or reward; providing that such licenses shall be obtained annually from the director or president of the board of health in all cities of the second and third classes, boroughs, towns, and all townships of the first class, and in the case of township of the second class, from the Commissioner of the State Department of Health; authorizing the making of rules and regulations for the issuing and registering of such licenses, for the conduct of such business and for the inspection of the premises in which said business is conducted; making the violation of the act and the rules and regulations made thereunder a misdemeanor, and prescribing the penalty therefor.

The first, second, third, fourth and fifth sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is hereby made unlawful for any person persons or institution incorporated or unincorporated in any city of the second and third classes borough town or township to engage in the business of receiving boarding or keeping children under the age of fourteen years for hire or reward or to receive or take for such purpose more than two children unaccompanied by an adult caretaker or caretakers unless he she or it shall have first obtained a written or printed license so to do from the director or president of the board of health in such cities boroughs towns or townships of the first class and in the case of townships of the second class from the Commissioner of the State Department of Health or to engage or continue in such business or receive or retain more than two children after the revocation of said license

Section 2 It shall and may be lawful for the said director president or commissioner at his discretion after investigation to issue a license to any person or institution applying therefor for the purpose specified in section one of this act upon the payment by such person or institution of a fee of one dollar ($1.00) which license shall be revocable at all times by the authority issuing such license upon cause shown Application for such license must be made in writing at least ten (10) days before the first day of September in the year one thousand nine hundred and seventeen and annually thereafter Such applications shall state the name of the person persons or institution desiring the issuance of said license the place in which it is proposed that the said business shall be carried on and such other matters as may be precribed by the said director president or commissioner Such license when issued shall be for a period of one (1) year only from the first day of September and must be obtained annually and it shall authorize the person persons or institution therein to carry on said business only at the location stated in said application provided that the said director president or commissioner may provide for the issuing of original licenses for a part of any year to expire on the thirty-first day of August next following or for the transfer thereof to another place or places

Section 3 It shall be lawful for any member officer or agent of the State Board of Public Charities or the Department of Health in such cities boroughs towns or townships of the first class or of the State Department of Health or any probation officer of the juvenile court or any duly authorized officer of any incorporated society for the protection of children from cruelty at all times to enter and inspect the premises wherein any such children are boarded kept or received

Section 4 The said director or president of the boards of health in such cities boroughs towns and first class townships and the Commissioner of the State Department of Health are hereby authorized to make and adopt rules and regulations not inconsistent with this act with respect to application for the issuance exhibition and registration of such licenses for the conduct of the business of receiving boarding or keeping infant children under the age of fourteen years as hereinbefore provided and not inconsistent with the acts providing for inspection by the Board of Public Charities and for the inspection of the premises in which such business shall be conducted by the officers or agents of such departments at all times

Section 5 Any person who shall violate any of the provisions of this act or of the rules and regulations which may be adopted in pursuance hereof shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100.00)

The sixth section of the bill was read as follows:

Section 6 The act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act regulating the licensing of persons engaged in the business of receiving boarding or keeping infant children under the age of three years for hire or reward in cities of the first class providing that such licenses shall be granted annually by the Director of the Department of Public Health and Charities in such cities authorizing the making of rules and regulations for the issuing and registering of such licenses for the conduct of such business and for the inspection of the premises in which said business is conducted making the violation of the act and the rules and regulations made thereunder a misdemeanor and prescribing the penalty therefor" and the act approved the twenty-eighth day of May one thousand eight hundred and eighty-five entitled "An Act supplementary to an act entitled "An Act to protect children from neglect and cruelty and relating to their employment protection and adoption' approved the eleventh day of June one thousand eight hundred and seventy-nine providing for further protection of minors and regulating the boarding and maintaining of infant children for hire" insofar as it is inconsistent with or is supplied by the provisions of this act and all other acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the Senate agree to the section?

Mr. DAIX. Mr. President, I move to amend section 6, page 4, line 12, by striking out the following: "The act approved the twenty-seventh day of April one thousand nine hundred and nine entitled 'An Act regulating the licensing of persons engaged in the business of receiving boarding or keeping infant children under the age of three years for hire or reward in cities of the first class providing that such licenses shall be granted annually by the Director of the Department of Public Health and Charities in such cities authorizing the making of rules and regulations for the issuing and registering of such licenses for the conduct of such business and for the inspection of the premises in which said business is conducted making the violation of the act and the rules and regulations made thereunder a misdemeanor and prescribing the penalty therefor' and"; also page 5, line 2, by inserting after the word "for" the word "the".

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act regulating the licensing of person and institutions in the business of receiving boarding or keeping children under the age of fourteen years for hire or reward providing that such licenses shall be obtained annually from the director or president of the board of health in all cities of the second and third classes boroughs towns and all townships of the first class and in the case of townships

of the second class from the commissioners of the State Department of Health authorizing the making of rules and regulations for the issuing and registering of such licenses for the conduct of such business and for the inspection of the premises in which said business is conducted making the violation of the act and the rules and regulations made thereunder a misdemeanor and prescribing the penalty therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 997, entitled

An Act to amend section 23 of an act, entitled "An Act to provide for the incorporation and regulation of certain corporations," approved April 29th, 1874, as amended by the 5th section of an act, entitled "A Supplement to an act, approved April 29th, 1874, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' providing for the further regulation of such corporations, and for the incorporation and regulation of certain additional corporations," approved April 17th, 1876, as amended by section 1 of an act, entitled "An Act to amend section 23 of an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved April 29th, 1874, as amended by the 5th section of an act, entitled 'A Supplement to an act, approved April 29th, 1874, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' providing for the further regulation of such corporations, and for the incorporation and regulation of certain additional corporations,' approved April 17th, 1876; requiring the filing of all reports required by the Auditor General of the Commonwealth of Pennsylvania, by certain corporations, up to and including the date of the proposed sale, assignment, disposition and conveyance of the franchises and property of such corporations before the return authorizing such sale, assignment, disposition, and conveyance shall be filed in the office of the Secretary of the Commonwealth;" approved June 2d, 1915 (P. L. 724).

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' and for the incorporation and regulation of certain additional corporations" approved April seventeenth one thousand eight hundred and seventy-six as further amended by the first section of an act entitled "An act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations' approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all reports required by the Auditor General of the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corporations before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth" approved June second one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and twenty-four) which reads as follows

"Section 23 Any corporation created under the provisions of this act and any corporation of the classes named in the second section hereof that is now in existence by virtue of any law of this Commonwealth may reduce its capital stock or alter and change the par value of the shares thereof by a vote of the stockholders taken in the manner and under the regulations prescribed in the eighteenth nineteenth twentieth twenty-first and twenty-second sections of this act and it shall be lawful for any corporation in the same manner to sell assign dispose of and convey to any corporation created under or accepting the provisions of this act its franchises and all its property real personal and mixed and thereafter such corporation shall cease to exist and the said prpoerty and franchises not inconsistent with this act shall thereafter be vested in the corporation so purchasing as aforesaid Provided That the returns required by said section shall not be filed in the office of the Secretary of the Commonwealth until each and every corporation so selling assigning disposing and conveying such franchises and property shall have filed with the Secretary of the Commonwealth a certificate from the Auditor General of the Commonwealth setting forth that all reports required by the Auditor General of the Commonwealth have been duly filed to the date of the proposed sale assignment disposition and conveyance and that all taxes due the Commonwealth of Pennsylvania have been paid up to and including such date" be and the same is hereby amended to read as follows

Section 23 Any corporation created under the provisions of this act and any corporation of the classes named in the second section hereof that is now in existence by virtue of any law of this Commonwealth may reduce its capital stock or alter and change the par value of the shares thereof by a vote of the stockholders taken in the manner and under the regulations prescribed in the eighteenth nineteenth twentieth twenty-first and twenty-second sections of this act and it shall be lawful for any corporation in the same manner to sell assign dispose of and convey to any corporation created under or accepting the provisions of this act its franchises and all its property real personal and mixed and thereafter such corporation shall cease to exist and the said property and franchises not inconsistent with this act shall thereafter be vested in the corporation so purchasing as aforesaid Provided That the return of the election by the stockholders of said corporation so selling assigning disposing of and conveying its franchises and property and the papers required by law to be attached thereto shall be filed in the office of the Secretary of the Commonwealth within thirty days after said sale assignment disposition and conveyance (1) shall have been approved by the stockholders by said election and (2) shall also have been approved by any official commission department or body of the government of the Commonwealth of Pennsylvania the approval of which is necessary by law to the validity of the same but provided further That this act shall not be construed to require any approval now expressly required by law And provided further That the return of such sale assignment disposition and conveyance by the president or treasurer of such corporation shall be filed in the office of the Secretary of the Commonwealth within thirty days (1) after the date obtaining the certificate of the Auditor General of the Commonwealth as hereinafter required and (2) also after the deed or other instrument by which the said franchises and property shall be sold assigned disposed of and conveyed shall be recorded in the office of the recorder of deeds in and for the proper county or counties And provided further That the said last-mentioned return shall not be so filed as aforesaid unless and until there shall be filed therwith a certificate of the Secretary of the Commonwealth setting forth that all reports required by the Auditor General of the Commonwealth have been duly filed to the date of the proposed sale assignment disposition and conveyance which shall be the date of said deed or other instrument and that all taxes due the Commonwealth of Pennsylvania have been paid up to and including such date

On the question,

Will the Senate agree to the section?

Mr. SPROUL. Mr. President, I move to amend section 1, page 3, line 11, by inserting after the word "corporations" the words "providing for the further regulation of such corporations"; also line 27, by inserting the word "the" before the word "reports"; also page 4, line 1, by inserting after the word "Commonwealth" the following: "and the payment of all taxes due the Commonwealth"; also line 4, by striking out the word "corporations" and inserting in lieu thereof the word "corporation".

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 All acts and parts of acts inconsistent herewith be and the same are hereby repealed

The title of the bill was read as follows:

An Act to amend section twenty-three of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A Supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" approved April seventeenth one thousand eight hundred and seventy-six as amended by section one

of an act entitled "An Act to amend section twenty-three of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A Supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations' approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all reports required by the Auditor General of the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corporations before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth" approved June second one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and twenty-four) providing for the time of filing of returns in the office of the Secretary of the Commonwealth by certain corporations selling assigning disposing of and conveying their franchises and property and requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by said corporations up to and including the date of proposed sale assignment disposition of and conveyance of the franchises and property of said corporations and certification thereof before one of said returns shall be so filed.

On the question,

Will the Senate agree to the title?

Mr. SPROUL. Mr. President, I move to amend the title, page 2, line 9, by inserting the word "the" before the word "reports"; also line 10, by inserting after the word "Commonwealth" the following: "and the payment of all taxes due the Commonwealth"; also line 14, by striking out "porations" and inserting in lieu thereof "poration".

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1002, as follows:

An Act to exempt playgrounds not used for private or corporate profit from taxation where the entire revenue is applied to support said playgrounds and to increase the efficiency and improvement thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all playgrounds with the equipments and grounds thereto annexed necessary for the occupancy and enjoyment of the same found endowed or maintained by public or private charity applying the entire revenue derived by the same to their support and repair and to increase the efficiency and facilities thereof either in grounds or buildings or otherwise and for no other purpose be and the same are hereby exempt from county city borough county road school and poor taxes provided that all property real or personal other than that which is in actual use and occupation for the purpose aforesaid and from which any income or revenue is derived shall be subject to taxation same as heretofore

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1024, as follows:

An Act providing for the payment of consequential damages arising from the taking injury or destruction of private property by municipal corporations in the construction or enlargement of their works highways or improvements

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That viewers juries referees arbitrators or judges sitting at the trial of cases without juries to assess the damages caused by the taking injury or destruction of private property by municipal corporations in the construction or enlargement of their works highways or improvements shall include in their assessment of damages verdict or finding all loss suffered by the owners tenants or occupiers of property affected caused by or arising from temporary interference with access loss of rents loss of business expense of temporary adjustments loss by dirt dust water or other cause cost of moving additional expense of doing business loss or injury to goods merchandise stock or other personal property and all other loss or damage consequent upon or arising from said work during the time the same is going on or being performed

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1025, as follows:

An Act amending section one of the act of June twenty-three one thousand eight hundred and eighty-five (Pamphlet Laws one hundred forty-five) entitled "An Act to protect oil gas and water wells tanks pipes and machinery connected therewith and to prevent wilful and malicious injury thereto" extending the provisions thereof to reservoirs standpipes pumping stations power houses and other buildings or appliances used for the supply of water or electric current

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act of June twenty-three one thousand eight hundred and eighty-five (Pamphlet Laws one hundred forty-five) which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person shall wilfully and maliciously injure any well sunk for the production of oil or gas or water or any tank intended or used for the storage of oil or gas or water or any line of pipe intended or used for the transportation of oil or gas or water or any machinery connected with such wells tanks or lines of pipe he shall be guilty of a misdemeanor and upon being thereof convicted shall be sentenced to pay a fine not exceeding one thousand dollars and undergo imprisonment not exceeding three years or both or either at the discretion of the court" be and the same is hereby amended so that it shall read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person shall wilfully and maliciously injure or destroy or attempt to injure or destroy any well sunk for the production of oil or gas or water or any reservoir standpipe or tank intended or used for the storage of oil or gas or water or any pumping station valve or pipe-line intended or used for the transportation of oil or gas or water or any power house sub-station cable or wire intended or used for the manufacture or transportation of electric current or any machinery connected with such wells tanks lines of pipe reservoirs standpipes pumping stations compressing stations power houses sub-station cables or wires he shall be guilty of a misdemeanor and upon being thereof convicted shall be sentenced to pay a fine not exceeding one thousand dollars and undergo imprisonment not exceeding three years or both or either at the discretion of the court

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1027, entitled

An Act to amend an act, entitled "An Act relating to prothonotaries and their duties, and to their deputies, and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the 26th day of May, A. D. 1897, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness absence or other temporary disability" approved the twenty-sixth day of May Anno Domini one thousand eight hundred ninety-seven which reads as follows

"Section 1 That hereafter it shall be lawful in case of the sickness absence or other temporary disability of any prothonotary for the deputy of such prothonotary duly appointed by law to act in his place name and stead in all matters relating to the performance of duties of such prothonotary" be and the same is hereby amended so as to read as follows

Section 1 That hereafter it shall be lawful in case of the sickness absence or other temporary disability of any prothonotary for the principal deputy of such prothonotary duly appointed by law to act in his place name and stead in all matters relating to the performance of the duties of such prothonotary and in case of the sickness absence or other temporary disability of said principal deputy prothonotary it shall be lawful for said prothonotary and he is hereby authorized and empowered to appoint a second deputy prothonotary who shall possess and discharge during the disability of said principal deputy prothonotary all the rights powers and duties of said principal deputy prothonotary

On the question,

Will the Senate agree to the section?

Mr. DAIX. Mr. President, I move to amend section 1, page 2, line 1, by inserting before the word "that" the following: "Be it enacted, &c."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to amend an act entitled "An Act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness absence or other temporary disability" approved the twenty-sixth day of May Anno Domini one thousand eight hundred ninety-seven by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1044 (House Bill No. 751), entitled

An Act to fix the compensation for members of the General Assembly.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1052 (House Bill No. 1140), entitled

An Act to revise amend and consolidate the law relating to fish and providing penalties.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BALDWIN. Mr. President, I move that Senate Bill No. 1052 (House Bill No. 1140), the bill just read, be recommitted to the Committee on Game and Fisheries.

Mr. McCONNELL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1098, as follows:

An Act amending sections one and ten of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one thousand nine hundred and fifteen" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a State village for feeble-minded women for the care of feeble-minded women between the ages of sixteen and forty-five is hereby constituted and established the ground and buildings for which are hereby directed to be selected and constructed which village shall be governed and maintained in the manner hereinafter provided and shall be known as the Pennsylvania Village for Feeble-Minded Women That this institution shall be entirely and specially devoted to the reception segregation detention care and training of feeble-minded women of child-bearing age and shall be so planned in the beginning and construction as shall provide separate classification of the numerous groups embraced under the terms 'idiotic' 'imbecile' or 'feeble-minded' It is specially determined that the processes of an agricultural training shall be primarily considered in the educational department and that the employment of the inmates in the care and raising of stock and the cultivation of fruits vegetables roots et cetera shall be made tributary to the maintenance of institution" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a State village for feeble-minded women for the care of feeble-minded women is hereby constituted and established the grounds and buildings for which are hereby directed to be selected and constructed which village shall be governed and maintained in the manner hereinafter provided and shall be known as the Pennsylvania Village for Feeble-Minded Women That this institution shall be entirely and specially devoted to the reception segregation detention care and training of feeble-minded women and shall be so planned in the beginning and construction as shall provide separate classification of the numerous groups embraced under the terms "idiotic" "imbecile" or "feeble-minded" It is specially determined that the processes of an agricultural training shall be primarily considered in the educational department and that the employment of the inmates in the care and raising of stock and the cultivation of fruits vegetables roots et cetera shall be made tributary to the maintenance of institution

Section 2 Section ten of said act which reads as follows

"Section 10 The said board of trustees shall receive and care for as inmates of said village such idiotic and feeble-minded women between the age of sixteen and forty-five as may be committed thereto by any of the courts of quarter sessions of the counties of the Commonwealth as hereinafter provided and all such idiotic feeble-minded women between the age of sixteen and forty-five years may be transferred by the directors of any of the poor districts of any county of the Commonwealth as will be suitable inmates of the village It shall be lawful for the husband parent guardian or other person standing in loco parentis to such feeble-minded person her next of kin the county commissioners or the overseers of the poor or the managers or trustees of any institution having such person in charge or the district attorney of the county in which such person shall reside to apply by petition to the court of quarter sessions of the county in which said idiotic or feeble-minded person shall be resident setting forth in said petition the age and residence of such person and the address of the petitioner praying for the commitment of such per-

sons to the State village for feeble-minded women which said petition shall be accompanied by a certificate made under oath after a personal examination of such feeble-minded person by a reputable physician with an experience of at least five years in the actual practice of his profession setting forth that such person is an idiotic or feeble-minded and a proper subject for commitment to said village Thereupon the said court or a judge thereof shall appoint a day for the hearing of the said petition and shall cause notice thereof to be given to all parties in interest and if at the said hearing it shall be made to appear that said person is of feeble mind and a proper subject for commitment to said village and that the best interests of said person or the welfare of society require such commitment the court shall make an order committing such feeble-minded person to the said State village for feeble-minded women and direct her removal thereto by a proper officer or person at the cost of the said county

"At the said hearing the said court or judge shall inquire as to the estate of such feeble-minded person and if the same be sufficient for the purpose shall make an order directing the payment therefrom of the cost of maintaining such person in said village otherwise that such payment be made by the husband or parent of such or feeble-minded person if it appear that the circumstances of said husband or parent are such as to make such an order proper and advisable and any such order shall be enforceable in the same manner in which orders in desertion cases are now enforceable by law Where the estate of said feeble-minded idiotic or epileptic person is insufficient and the circumstances of her husband or his or her parents are not such as to warrant an order for maintenance on either of them the said or feeble-minded person shall be maintained and cared for in the said institution at the cost of the Commonwealth

"The cost of such hearing shall be paid by the county and the court may in its discretion allow a fee of five dollars ($5.00) to the physician making the examination and a fee of ten dollars ($10.00) to the attorney presenting the petition and appearing at the hearing which fee shall be paid by the county

"The board of trustees shall also receive all such or feeble-minded women as may be transferred to such institution from any other State institution by the Committee on Lunacy of the Board of Public Charities and the said Committee on Lunacy shall have authority to transfer any inmate of said institution to any other proper State institution

"When in the opinion of the board of trustees it appears probable that the mental condition of any inmate of said institution has so improved that her release will be beneficial to such inmate and not incompatible with the welfare of society the said board may recommend the discharge of such inmate to the court committing her to said institution which recommendation shall be accompanied by a record of the case of such inmate setting forth the date of her commitment the time of her detention the history of her case in the institution and the opinion of the superintendent and medical staff as to her present mental condition whereupon the said court may in its discretion after hearing all persons desirous of being heard in the premises issue an order under the seal of the court upon the said board to discharge the said inmate from the said institution" is hereby amended to read as follows

Section 10 The said board of trustees shall receive and care for as inmates of said village such idiotic and feeble-minded women as may be committed thereto by any of the courts of quarter sessions of the counties of the Commonwealth as hereinafter provided and all such idiotic feeble-minded women may be transferred by the directors of any of the poor districts of any county of the Commonwealth as will be suitable inmates of the village It shall be lawful for the husband parent guardian or other person standing in loco parentis to such feeble-minded person her next of kin the county commissioners or the overseers of the poor or the managers or trustees of any institution having such person in charge or the district attorney of the county in which such person shall reside to apply by petition to the court of quarter sessions of the county in which said idiotic or feeble-minded person shall be resident setting forth in said petition the age and residence of such person and the address of the petitioner praying for the commitment of such persons to the State Village for Feeble-Minded Women which said petition shall be accompanied by a certificate made under oath after a personal examination of such feeble-minded person by a reputable physician with an experience of at least five years in the actual practice of his profession setting forth that such person is an idiot or feeble-minded and a proper subject for commitment to said village Thereupon the said court or a judge thereof shall appoint a day for the hearing of the said petition and shall cause notice thereof to be given to all parties in interest and if at the said hearing it shall be made to appear that said person is of feeble mind and a proper subject for commitment to said village and that the best interests of said person or the welfare of society require such commitment the court shall make an order committing such feeble-minded person to the said State Village for Feeble-Minded Women and direct her removal thereto by a proper officer or person at the cost of the said county

At the said hearing the said court or judge shall inquire as to the estate of such feeble-minded person and if the same be sufficient for the purpose shall make an order directing the payment therefrom of the cost of maintaining such person in said village—otherwise that such payment be made by the husband or parent of such or feeble-minded person if it appear that the circumstances of said husband or parent are such as to make such an order proper and advisable and any such order shall be enforceable in the same manner in which orders in desertion cases are now enforceable by law Where the estate of such feeble-minded idiotic or epileptic person is insufficient and the circumstances of her husband or his or her parents are not such as to warrant an order for maintenance on either of them the said or feeble-minded person shall be maintained and cared for in the said institution at the cost of the Commonwealth

The costs of such hearing shall be paid by the county and the court may in its discretion allow a fee of five dollars ($5.00) to the physician making the examination and a fee of ten dollars ($10.00) to the attorney presenting the petition and appearing at the hearing which fee shall be paid by the county

The said board of trustees shall also receive all such or feeble-minded women as may be transferred to such institution from any other State institution by the Committee on Lunacy of the Board of Public Charities and the said Committee on Lunacy shall have authority to transfer any inmate of said institution to any other proper State institution

When in the opinion of the Board of trustees it appears probable that the mental condition of any inmate of said institution has so improved that her release will be beneficial to such inmate and not incompatible with the welfare of society the said board may recommend the discharge of such inmate to the court committing her to said institution which recommendation shall be accompanied by a record of the case of such inmate setting forth the date of her commitment the time of her detention the history of her case in the institution and the opinion of the superintendent and medical staff as to her present mental condition whereupon the said court may in its discretion after hearing all persons desirous of being heard in the premises issue an order under the seal of the court upon the said Board to discharge the said inmate from the said institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1108, as follows:

An Act to regulate the salaries of certain officers of the Senate and House of Representatives for regular biennial sessions of the Legislature which may be in excess of one hundred and fifty (150) days

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after June first one thousand nine hundred and seventeen the term regular biennial session of the Legislature for all officers of the Senate and House of Representatives who are paid a fixed salary for a regular biennial session shall mean a session of not more than one hundred and fifty (150) days

Section 2 All officers of the Senate and House of Representatives who may be paid a fixed salary for the regular biennial session of the Legislature shall at any regular biennial session longer than one hundred and fifty (150) days be paid for the excess time the same per diem compensation as is now by law allowed said officers for a special or extraordinary session of the Legislature

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1108, the bill just read, be recommitted to the Committee on Appropriations.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1109, as follows:

A Joint Resolution providing for the appointment of a commission to study investigate and revise the insurance laws of the Commonwealth prescribing the powers and duties of the commission and making an appropriation

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That there is hereby constituted a commission to be known as the Commission to Revise the Insurance Laws of the Commonwealth This Commission

shall be composed of two members of the Senate to be appointed by the President pro tempore of the Senate two members of the House of Representatives to be appointed by the Speaker of the House of Representatives and three prsons to be appointed by the Governor of the Commonwealth Any vacancy occurring in the membership of the Commission shall be filled by the remaining members of the Commission The Commission shall immediately after the appointment of all its members organize by the election of a chairman and secretary

Section 2 It shall be the duty of the Commission to study investigate and revise the laws of the Commonwealth relating to insurance and to report their findings to the next General Assembly and to recommend in such report such changes in the existing laws as to the Commission may seem desirable

Section 3 The members of the Commission shall receive no compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duties The Commission is authorized to appoint a stenographer and a law clerk at such reasonable compensation as it may determine

Section 4 To carry out the purposes of this act the sum of ten thousand ($10,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the use of the Commission Payment of the aforesaid appropriation shall be made on order of the chairman of the Commission and on warrant of the Auditor General on the State Treasurer in the usual manner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1109, the bill just read, be recommitted to the Committee on Appropriations.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Mr. KLINE. Mr. President, I move that Senate Bill No. 7, on second reading postponed for the present, entitled

An Act relating to criminal procedure before aldermen justices of the peace and magistrates in cases of certain indictable offenses and providing for the assessment of costs in such cases upon the prosecutor defendant or county and the commitment of the prosecutor or defendant in case of default.

be recommitted to the Committee on Judiciary General.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. KLINE. Mr. President, I move that Senate Bill No. 13, on second reading postponed for the present, entitled

An Act to amend section one of an act approved the twenty-fourth day of June one thousand eight hundred and eighty-five (P. L. 159) entitled "An Act relative to costs in suits before aldermen and justices of the peace and the collection of the same" as amended.

be recommitted to the Committee on Judiciary General.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 497, entitled

An Act amending sections four and fifty-one of an act entitled "An Act to create a Bureau of Building Inspection and to regulate the construction, maintenance and inspection of buildings and party walls in cities of the first class, approved the 5th day of May, A. D. 1899; by enlarging the powers of the building inspectors as to tearing down or rebuilding dangerous buildings, walls, ceilings, floors or other parts of premises; providing for notice to the owners thereof and service of such notice; and prescribing the practice and procedure with respect to the payment of the costs and charges for tearing down or rebuilding dangerous buildings, walls, ceilings, floors,. or other parts of premises, and making the amount thereof a lien on such premises.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 289, entitled

An Act to further amend part of section one of an act approved the eleventh day of July one thousand nine hundred and one entitled "An Act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same" as amended

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 547 (House Bill No. 195), entitled

An Act to amend an act, approved the ninth day of April, one thousand nine hundred and fifteen, entitled "An Act to amend an act, entitled 'An Act to amend an act, entitled "An Act to amend an act, entitled 'An Act to amend an act, entitled "An Act to amend an act, entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel, or glass to erect and maintain buildings and manufacturing establishments, and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the ninth day of June, Anno Domini one thousand eight hundred and eighty-one; extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks, or for dressing, polishing, working, or manufacturing the same, or any of them, and to mineral springs companies, incorporated for the purpose of bottling and selling natural mineral springs water, approved the sixteenth day of June, Anno Domini one thousand eight hundred and ninety-three," approved the nineteenth day of April, Anno Domini one thousand nine hundred and one; extending the same to companies formed for the purpose of manufacturing and selling chemicals, foodstuffs, cement, and cement products, and the quarrying of cement rock;' approved May twenty-eighth, one thousand nine hundred and seven; extending the same to companies incorporated for the manufacture, buying, selling, leasing, using, and operation of electrical apparatus and machinery, and articles of every kind appertaining to or in any wise connected with the production, use, regulation, control, distribution, or application of electricity or electrical energy or products for any use or purpose; constructing, acquiring, using, selling, buying or leasing any works, construction, or plant, or part thereof, connected with or involving such use, distribution, regulation, control or application of electricity, or the control or use of electrical apparatus for any purpose; and of producing, furnishing, and supplying electricity or electrical apparatus in any form and for any purpose, and to carry on a general manufacturing business,' " approved the twenty-third day of June, one thousand nine hundred and eleven; by extending the same to companies incorporated for the purpose of refining, manufacturing or sale of petroleum and petroleum products;" extending the same to companies engaged in packing, manipulating, or manufacturing tobacco, or manufacturing cigars, cigarettes or other tobacco products or for the purpose of briquetting coal or other minerals or for the purpose of manufacturing rubber in any form

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 568, entitled

A Supplement to the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and ninety-eight) entitled "An Act to supervise the operations of fire insurance rate making bureaus and providing for their examination by the Insurance Commissioner prohibiting discrimination in fixing and collecting fire insurance rates requiring companies to maintain and cooperate in maintaining and operating rate making bureaus requiring inspection and survey by such bureaus of all risks specifically rated and regulating agreements between companies or other insurers with respect to fixing and collecting fire insurance rates and repealing existing laws."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 627, entitled

An Act providing for the incorporation and government of cities of the third class

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 758 (House Bill No. 820), entitled

An Act requiring the erection of detour signs by the authorities by whose direction any public highway may be closed and providing penalties for failure to comply with the provisions of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 857 (House Bill No. 468), entitled

An Act fixing the salaries of the county engineer and deputy county engineer in counties containing a population of more than eight hundred thousand and less than one million four hundred thousand.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 882, entitled

An Act making it unlawful for any person firm or corporation to dismiss or discharge any employe from his or their employment because of absence for jury duty and providing a penalty therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 915, entitled

An Act to amend section one thousand four hundred and four of the act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general special or local, or any parts thereof, that are or may be inconsistent therewith," by giving justices of the peace, aldermen and magistrates jurisdiction in certain actions between school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 921 (House Bill No. 694), entitled

A Supplement to an act approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four), entitled "An Act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved highways and county roads; authorizing the relocation, opening, straigtening, widening, extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road," authorizing boroughs, towns and townships to enter into contracts to aid in the construction and maintenance of such roads or highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 928, entitled

An Act to authorize county commissioners to appropriate from moneys received from dog taxes certain sums to societies for the prevention of cruelty to animals

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 938 (House Bill No. 794), entitled

An Act to provide for the extradition of persons of unsound mind and to make uniform the laws of the States which enact the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 940 (House Bill No. 1032), entitled

An Act validating certain proceedings and elections of any town township or borough held to submit and determine the question of becoming a city of the third class held pursuant to an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June one thousand nine hundred and thirteen as amended by the act approved the thirteenth day of May one thousand nine hundred and fifteen and validating letters patent issued or to be issued in pursuance thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 956, entitled

A Joint Resolution proposing an amendment to the Constitution of this Commonwealth in accordance with the provisions of the Eighteenth (XVIII) Article thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 959, entitled

An Act amending and supplementing an act approved the 22nd day of July, 1913, entitled "An Act relating to domestic animals; defining domestic animals so as to include poultry; providing methods of improving the quality thereof, and of preventing, controlling and eradicating diseases thereof, imposing certain duties upon practitioners of veterinary medicine in Pennsylvania; regulating the manufacture use and sale of tuberculin, mallein and other biological products for use with domestic animals, defining the powers and duties of the State Livestock Sanitary Board and the officers and employes thereof; fixing the compensation of the Deputy State Veterinary and providing penalties for the violation of this act."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 965 (House Bill No. 682), entitled

An Act concerning townships and revising amending and consolidating the law relating thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 967 (House Bill No. 879), entitled

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to township supervisors of townships and requiring townships to pay the expenses in connection therewith

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 969 (House Bill No. 902), entitled

An Act to amend section one of an act approved the third day of May one thousand nine hundred and nine entitled "An Act amending an act entitled 'An Act fixing the salaries of county poor directors in counties of over one hundred and fifty thousand population' approved the eighth day of June one thousand nine hundred and seven by providing for compensation according to population and granting power to employ counsel"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 970 (House Bill No. 903), entitled

An Act authorizing prothonotaries in counties containing over one hundred and fifty thousand inhabitants and less than two hundred and fifty thousand inhabitants to appoint deputy prothonotaries fixing their salary and prescribing their duties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 971 (House Bill No. 913), entitled

An Act authorizing Mildred J. Barclay a resident of the City of Pittsburgh in the County of Allegheny in her own right as well as for the benefit of her minor daughter, Mildred J. Barclay, to bring suit in the Court of Common Pleas of Allegheny County against the Commonwealth of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 972 (House Bill No. 923), entitled

An Act authorizing Edward A. Woods of Edgeworth Allegheny County Pennsylvania to bring suit in the court of common pleas of Allegheny County against the Commonwealth of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 975 (House Bill No. 1001), entitled

An Act to amend part of section two of an act approved the fifth day of March, one thousand seven hundred and ninety-one, entitled "An Act to enable the Governor to appoint notaries public and for other purposes therein mentioned."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 978 (House Bill No. 1058), entitled

An Act authorizing the establishment of contagious disease hospitals in the several counties of the Commonwealth to be constructed and maintained out of county funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 979 (House Bill No. 1080), entitled

An Act to amend the first section of an act approved the twenty-first day of April, Anno Domini one thousand nine hundred and fifteen, entitled "An Act extending the powers and duties of foresters, forest rangers, game protectors, deputy game protectors, special deputy game protectors, fish-wardens and deputy fish-wardens of this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 980 (House Bill No. 1084), entitled

An Act authorizing J. A. Croup of Concord Township, Butler County, Pennsylvania, to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Butler County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 981 (House Bill No. 1121), entitled

An Act to amend section fourteen hundred twelve of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be, inconsistent therewith," as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 984 (House Bill No. 1144), entitled

An Act to amend section one of an act approved the twenty-first day of March, one thousand nine hundred and seven, entitled "An Act authorizing the county commissioners of the several counties, or the town councils of the several boroughs, of this Commonwealth, or both, to appropriate annually a sufficient sum of money to each Post of the Grand Army of the Republic, in their respective counties or boroughs, to aid in defraying the expenses of Memorial Day," as amended; by requiring the commissioners to make appropriations also to Memorial day or similar organizations where there was heretofore an established Post.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 985 (House Bill No. 1146), entitled

An Act authorizing William R. Shellenberger and Emma L. Shellenberger, his wife, of the Township of Athens, Bradford County, Pennsylvania, to bring suit against the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 986 (House Bill No. 1151), entitled

An Act authorizing Frederick E. Windsor of the Borough of Warren, County of Warren, to sue the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 987 (House Bill No. 1170), entitled

An Act authorizing R. B. Taylor, of Bellefonte, Centre County, to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 989 (House Bill No. 1261), entitled

An Act to amend section one of an act entitled "An Act to provide for the removal of judges of the Supreme Superior common pleas and orphans' court permantly disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" approved eleventh day of May one thousand nine hundred and one as amended by an act entitled "An Act to amend section one of an act entitled 'An Act to provide for the removal of judges of the Supreme Superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives" approved twenty-third day of June one thousand nine hundred and eleven so as to provide that any judge of the Supreme or Superior court who has served in judicial office for twenty or more years shall be entitled to receive the benefits of said act immediately after his honorable retirement from office by expiration of term resignation or otherwise whether said service be continuous or not

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SPROUL. Mr. President, I move that Senate Bill No. 989 (House Bill No. 1261), the bill just read, be recommitted to the Committee on Judiciary General.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1004, entitled

An Act to amend sections one hundred six and one hundred seven of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1006, entitled

An Act authorizing registers of wills to deputize the register of wills of another county to take the affidavit of witnesses to wills for the proof of such wills.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1012 (House Bill No. 1344), entitled

An Act regulating the conduct and prescribing the duties of drivers or operators of automobiles, motor cycles or other vehicles on public highways who shall injure any person or persons while so driving on said highways and providing penalties for violations of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1018 (House Bill No. 1030), entitled

An Act constituting the Board of Commissioners of Public Grounds and Buildings of the Commonwealth of Pennsylvania a commission to act as a joint commission with similar commissions of any other contiguous State or States, or as an independent commission, for the purpose of planning and accomplishing the erection or building of one or more bridges or tunnels, as may be suitable and necessary, over or under any navigable stream or river which is one of the boundaries of this Commonwealth, and providing for the acquisition of ground for the site and approaches of said bridge or tunnel, and for the maintenance of the same by the county or counties wherein it is located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading..

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1018 (House Bill No. 1030), the bill just read, be recommitted to the Committee on Appropriations.

Mr. McKEE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1019, entitled

An Act to amend an act, entitled "A Supplement to an act, entitled 'An Act relating to roads, highways and bridges,' approved the thirteenth day of June, Anno Domini eighteen hundred and thirty-six," approved the fifth day of May, one thousand nine hundred eleven, so as to provide for the construction, change or alteration of parts of public roads in counties, boroughs or townships without the formality of a view where the costs and expenses to such county, borough or township including damages shall not exceed three hundred dollars.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1022, entitled

An Act to authorize and require the improvement of streets, roads and highways in all cities of the Commonwealth where owners of land abutting thereon desire to improve and build upon said land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1023, entitled

An Act providing for the payment of damages for necessary adjustments to property affected by change of grade where property was improved on the natural surface of the ground without conforming to the established grade regulation where said regulation had been established for more than three years.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1037, entitled

An Act making an appropriation to Carroll R. Williams, J. H. Shoemaker and A. Morton Cooper, of Philadelphia, for services as attorneys for the Dairy and Food Commissioner.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1048 (House Bill No. 706), entitled

An Act to repeal a portion of the twenty-fourth clause of section one of the act of May thirty-first, one thousand eight hundred forty-four (Pamphlet Laws five hundred eighty-five), entitled "An Act to provide for the ordinary expenses of government repair of the canals and railroads of the State and other claims upon the Commonwealth."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1050 (House Bill No. 1057), entitled

An Act granting certain powers to cities of the second class in relation to underground tunnels, tubes and subways, including their construction, maintenance and operation, and the leasing thereof or parts thereof, and providing for the ascertaining of the damages by reason of such construction, or by reason of the taking, using or appropriating of land necessary and incidental thereto, conferring the power of eminent domain in connection therewith, and providing for the approval of the contracts provided for herein by the Public Service Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1051 (House Bill No. 1060), entitled

An Act empowering cities of the second class to purchase, lease, locate, construct, and equip, or otherwise acquire, transit facilities, and to own, maintain, use, and operate the same within their corporate limits, and within the limits of adjacent cities, boroughs, and townships; to exercise the right of eminent domain in connection therewith, and prescribing the manner of ascertaining the damages sustained in connection with such exercise; to sell, pledge, or lease transit facilities; to grant licenses for the use of the same; to enter into agreements for the construction and operation of the same; to connect the tracks of railways with the tracks of railroad or railway companies; and under certain conditions to use portions of the tracks of the latter; and empowering railroad, railway, and motor power companies to sell, purchase, and lease transit facilities to and from said cities, and to contract with said cities respecting the acquisition, construction, operation, and use of transit facilities, subject to the provisions of "The Public Service Company Law" of July twenty-six, one thousand nine hundred and thirteen and its supplements and amendments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1053 (House Bill No. 1154), entitled

An Act authorizing the judges of the separate orphan's court in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabtiants to fix and determine the salaries of assistant clerks in said court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1055 (House Bill No. 1494), entitled

An Act to amend section thirty of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpike or toll roads forming all or part of any State Highway and procedure therein; providing for work or improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in improvement of township or county roads; defining highways and State-aid highways; providing method of application for state aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth covering same; providing for the minimum width of State highways and State aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the Act; and providing for the repeal of certain acts relating to highway department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1058, entitled

An Act amending section three of an act entitled "A Supplement to an act entitled 'An Act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection and disbursement of taxes and water rents or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for,'" approved May twelfth, one thousand nine hundred and eleven, as amended by the amendment of June fifteenth, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-six).

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1059, entitled

An Act empowering cities of the second class under certain conditions to lease streets or highways along navigable streams or streets or highways created by Act of Assembly, to private persons for a limited time, and to receive a rental therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1060, entitled

An Act amending section one of an act, entitled "An Act for the government of cities of the second class," approved the seventh day of March, Anno Domini one thousand nine hundred and one, as amended by the act of May eleventh, one thousand nine hundred eleven (Pamphlet Laws two hundred thirty-eight).

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1070, entitled

An Act establishing nine County Industrial Farms Work Houses and Reformatories; dividing the State into districts for such purpose; authorizing the purchase of sites and the erection and equipment of buildings and works for such institution; providing for their government and control and for the commitment, admission, employment and discharge of inmates; providing for an apartment for inebriates, and the admission and commitment of inmates thereto; imposing the cost of maintenance on the inmates in certain cases; imposing the cost of the institutions and the maintenance of certain inmates on the counties; and conferring certain powers and duties on certain county officers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1080, entitled

An Act declaring ministers of religion and clergymen who hold themselves in readiness to answer the call of any transoptation company in case of accident or sickness employes of such company and providing that special reduced or lower rates may be granted by transportation companies to such ministers and clergymen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1092 (House Bill No. 758), entitled

An Act fixing the salary of the clerk of the county commissioners in counties having a population between one hundred thousand and one hundred and fifty thousand inhabitants.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1099, entitled

An Act to amend section two hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," providing for the appointment of school directors by the court for independent school districts at the time of the establishment of the same, and providing for the election of school directors thereafter.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1102, entitled

An Act further amending an act approved the seventh day of June, one thousand nine hundred and one, entitled "An Act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cess pools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof," as amended, which act was extended to cities of the third class by an act approved the fourteenth day of May, one thousand nine hundred and nine, entitled "An Act amending sections one, two, eight, twenty-one, twenty-five, twenty-nine, thirty-five, thirty-six, sixty, sixty-one, sixty-two, sixty-six, seventy and seventy-one of an act, entitled "An Act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage, and cesspools, in cities of the second class, and imposing fines, penalties, and forfeitures for violation thereof," approved the seventh day of June, Anno Domini one thousand nine hundred and one; extending the provisions of said act to cities of the third class, having a system of water-supply and sewerage, of this Commonwealth; and providing further rules, regulations and requirements for the construction or reconstruction of plumbing, house drainage, and cesspools; and providing penalties and forfeitures for violation thereof.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1105, entitled

An Act to repeal an act, entitled "An Act providing for the return of taxes on seated lands in counties, poor districts, boroughs, incorporated towns and townships, for county, poor, borough, town, or township taxes, respectively; and providing for the sale of such lands for taxes," approved the twenty-first day of May, one thousand nine hundred and thirteen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1106, entitled

An Act to supplement an act, entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvement, and for the removal of nuisances, the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," approved the fourth day of June, one thousand nine hundred and one, providing an additional method for the enforcement and collection of county, poor, school, borough, towns or township taxes against seated lands, authorizing the return of taxes on seated lands in counties, poor districts, school districts, boroughs, incorporated towns and townships for county, poor, school, borough, town or township taxes, respectively, and providing for the sales of such lands for such taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 891, entitled

An Act authorizing the Committee on Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to other such hospitals and providing for maintenance of patients after transfer.

House Bill No. 300, entitled

An Act to regulate and restrain the hawking vending and peddling of fish fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth.

House Bill No. 866, entitled

An Act to regulate the practice of Pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof, defining the words "Drug" and "Poisons" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity.

House Bill No. 1181, entitled

An Act making the fraudulent conversion of property or the proceeds of property a misdemeanor prescribing the penalties therefor and regulating the procedure therein.

House Bill No. 770, entitled

An Act providing fees and mileage for witnesses attending coroners inquests and providing for the payment thereof by the several counties.

House Bill No. 648, entitled

An Act to amend section one thousand four hundred thirty-nine of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended and adding thereto section one thousand four hundred forty.

House Bill No. 119, entitled

An Act authorizing a State Association of Township Supervisors and providing for the payment of the expenses thereof by the respective counties.

House Bill No. 1573, entitled

An Act to carry into effect the amendment to section eight of article nine of the Constitution of Pennsylvania adopted by the people at an election held on the second day of November, one thousand nine hundred and fifteen; to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum in excess of seven per centum upon the assessed valuation of taxable property in said city, for the specific purposes authorized by said amendment; regulating the manner of making such increase of indebtedness, and providing for the redemption of the same; validating elections held in said city since the adoption of said amendment in the manner provided by this act, or by the act of the General Assembly approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the supplements and amendments thereto; and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued, pursuant to authority conferred by the electors at any such election.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the presence of the Senate signed the same.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILL NO. 492.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 492, entitled, "An Act making an emergency appropriation to the trustees of the State Institution for Feeble-Minded of Western Pennsylvania at Polk Pennsylvania."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 573.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 573, entitled, "An Act authorizing the Department of Forestry to purchase surface rights to lands for use at State Forests."

MARTIN G. BRUMBAUGH.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James F. Likens to be Justice of the Peace in and for the Borough of Gaysport, County of Blair, to serve until the first Monday in January, 1918, vice George W. Thomas, resigned.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 9, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, E. B. Brubach, to be a Justice of the Peace in and for the Borough of Ben Avon, County of Allegheny, to serve until the first Monday in January, 1918, vice David Brubach, deceased.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 9, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Pfeister M. Cox, to be a Justice of the Peace in and for the Township of Greene, Juniata County, to serve until the first Monday in January, 1918, vice Jacob Forrey, resigned.

MARTIN G. BRUMBAUGH.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 9, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their names, respectively:

ALLEGHENY COUNTY.

R. C. Davis, Pittsburgh, May 9, 1917.
I. A. Simon, Pittsburgh, May 14, 1917.

BEAVER COUNTY.

Peter J. Huth, Rochester, May 9, 1917.

PHILADELPHIA COUNTY.

Howard R. Cressman, Philadelphia, May 9, 1917.
Max Zucker, Philadelphia, May 9, 1917.

CAMERON COUNTY.

J. Nelson Stein, Cambria Twp., May 9, 1917.

MARTIN G. BRUMBAUGH.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. VARE,

That Rule 38, which requires nominations made by the Governor to be referred to proper committees and those reported from committee to lie on the table one day, be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations, and the nomination reported at to-day's session,

Which was agreed to,

Whereupon,

A motion was made by Mr. VARE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,	Graff, J. F.,	McConnell,	Sproul,
Beales,	Graff, W. P.,	McKee,	Stewart,
Buckman,	Haldeman,	Miller,	Vare,
Burke,	Hindman,	Nason,	Washers,
Craig,	Homsher,	Phipps,	Weaver,
Crow,	Jenkins,	Sassaman,	Whitten,
Daix,	Kline,	Semmens,	Beidleman,
DeWitt,	Leiby,	Smith, R. E.,	Pres. pro tem.
Eyre,	Lynch,	Snyder,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RECESS.

Mr. VARE. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 1131, entitled

An Act to amend and revise an act, entitled "An Act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," approved the twenty-seventh day of June, one thousand nine hundred and thirteen, changing and modifying the qualifications of commissioners to be appointed by the court of quarter sessions for the division or creation of wards in cities of the third class.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Judiciary General, re-reported as committed Senate Bill No. 39, entitled

An Act giving preferences to claims for rent in cases of bankruptcy and insolvency proceedings against tenants.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Elections, reported as committed Senate Bill No. 633 (House Bill No. 176), entitled

An Act to amend section three of an act approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain party officers including state committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the state of the expenses of the same; authorizing the state committee of a political party to make and to alter, amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided herein and repealing inconsistent legislation."

BILL INTRODUCED.

Mr. SPROUL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SPROUL (by request of Mr. McNichol) read in his place and presented to the Chair Senate Bill No. 1136, entitled

An Act to fix the salaries or compensation of the several State officers of this Commonwealth; the number and salaries or compensation of the several officers and employes to be employed in the several State departments, boards and commissions.

Which was committed to the Committee on Appropriations.

SENATE BILL NO. 255 RECALLED FROM THE GOVERNOR.

Mr. CROW. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 9, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 255, entitled "An Act to fix the time for filing nomination papers for State and municipal officers and for determination by the courts of contested papers," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives, being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 418 (Senate Bill No. 1137), entitled

An Act fixing the fees of the recorder of deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants.

Which was committed to the Committee on Judiciary Special.

House Bill No. 690 (Senate Bill No. 1138), entitled

An Act making an appropriation to carry out the provisions of an act approved the twenty-ninth day of April, one thousand nine hundred thirteen, entitled "An Act applicable to all counties of this Commonwealth, to provide monthly payments, as approved by the trustees, to indigent, widowed, or abandoned mothers, for partial support of their children in their own homes. The manner of appointment of the trustees; the administration of the trust; amount of appropriations, proportioning appropriations co-ordinate appropriations; amounts to be paid, form of records, eligibility, penalties and reports, as set forth," and the amendments thereto.

Which was committed to the Committee on Appropriations.

House Bill No. 1401 (Senate Bill No. 1139), entitled

An Act to provide for the regulation of rag shops, second hand paper shops and junk shops in cities of the first class and providing a penalty for the violation of this act.

Which was committed to the Committee on Municipal Affairs.

BILL SIGNED.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 991, entitled

An Act authorizing and empowering the State Highway Commissioner to take over abandoned rights of way or any part or parts thereof owned or controlled by railroad or railway companies for the use of the State Highway Department for the purpose of locating or re-locating and constructing State Highways and providing a method of acquiring the same.

House Bill No. 1580, entitled

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE.

Mr. CATLIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1137 (House Bill No. 418), entitled

An Act fixing the fees of the recorder of deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants.

BILL ON FIRST READING.

Mr. CATLIN. Mr. President, I move that Senate Bill No. 1137 (House Bill No. 418), entitled

An Act fixing the fees of the recorder of deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants.

be read the first time.

Mr. McCONNELL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1137 (House Bill No. 418), entitled

An Act fixing the fees of the recorder of deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS INTRODUCED.

Mr. CROW. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW (by request of Mr. McNichol) read in his place and presented to the Chair Senate Bill No. 1140, entitled

An Act to provide for the appointment of a director of the poor in certain boroughs in this Commonwealth, and fixing the powers and salary of such director.

Which was committed to the Committee on Judiciary Special.

Mr. NASON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NASON read in his place and presented to the Chair Senate Bill No. 1141, entitled

An Act to amend section twelve of article five of an act known as The Public Service Company Law, approved the twenty-sixth day of July, Anno Domini one thousand nine

hundred and thirteen (Pamphlet Laws three hundred and seventy-four), so as to authorize the Public Service Commission of the Commonwealth of Pennsylvania to establish, lay out, and open public highways in boroughs or townships in order to provide access to crossings which may be established, re-located or constructed in accordance with the orders of said Commission, and to authorize said Commission to abandon and vacate public highways which may become unnecessary, and to assess and opportion the cost and damages connected therewith.

Which was committed to the Committee on Public roads and Highways.

REPORT FROM COMMITTEE.

Mr. SPROUL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SPROUL, from the Committee on Finance, reported as amended Senate Bill No. 1115 (House Bill No. 1424), entitled

An Act for the imposition and collection of certain inhertiance taxes.

BILL ON FIRST READING.

Mr. SPROUL. Mr. President, I move that Senate Bill No. 1115 (House Bill No. 1424), entitled

An Act for the imposition and collection of certain inheritance taxes.

be read the first time.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1115 (House Bill No. 1424), entitled

An Act for the imposition and collection of certain inheritance taxes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL INTRODUCED.

Mr. SPROUL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 1142, entitled

An Act reorganizing the Department of the Secretary of the Commonwealth, designating the officers and employes thereof, and fixing their salaries.

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. McKEE. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McKEE, from the Committee on Appropriations, reported as committed Senate Bill No. 1132, entitled

An Act to amend the fifth section of an act approved the first day of May, A. D. 1913, entitled "An Act to amend the fourth, fifth, eighth and ninth sections of an act entitled an act to create a Board of Public Charities' approved the twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-nine, so as to confer additional powers upon said board and its agents and to provide for the appointment of an inspector and fiscal agent, defining his duties and fixing his compensation.

Also from the Committee on Appropriations, reported as amended Senate Bill No. 759 (House Bill No. 875), entitled

An Act to authorize the revising editing and printing of twenty-five thousand copies of Bulletin number two hundred and one entitled "Market Gardening" issued by the Department of Agriculture and making an appropriation therefor.

Also from the Committee on Appropriations, reported as amended Senate Bill No. 760 (House Bill No. 876), entitled

An Act to authorize the revising editing and printing of fifteen thousand copies of bulletin number one hundred and eighty-six entitled "Swine Husbandry" issued by the Department of Agriculture and making an appropriation therefor.

Also from the Committee on Appropriations, reported as amended Senate Bill No. 963 (House Bill No. 429), entitled

An Act making an appropriation to the Lebanon Sanatorium of Lebanon Pennsylvania.

Also from the Committee on Insurance, re-reported as amended Senate Bill No. 506, entitled

An Act to amend section four of an act approved June second nineteen hundred and fifteen entitled an act regulating policies of insurance against liability arising under article three of the Workmen's Compensation Act of one thousand nine hundred fifteen providing for the regulation of premium rates thereof and providing penalties for the violation thereof so as to provide an agency for the application of a system of merit rating.

Mr. J. FRANK GRAFF. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. J. FRANK GRAFF, from the Committee on Insurance, re-reported as amended Senate Bill No. 630, entitled

An Act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected and regulating such benefits Providing for the organization of such societies and for their licensing supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies Designating tables of mortality as a basis of rates of contribution Requiring all societies to make annual reports and all foreign societies to appoint the Insurance Commissioner as attorney for service of process Providing penalties for any violations of the act Exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws.

BILL ON THIRD READING.

Mr. SPROUL. Mr. President, I move that the Senate do now resume the third reading and consideration of Senate Bill No. 532, entitled

An Act to amend section one of article three of an act approved thetwenty-seventh day of June one thousand nine hundred and thirteen entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto."

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 532, entitled

An Act to amend section one of article three of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto."

And the question recurring,

Will the Senate agree to the bill?

BILL RECOMMITTED.

Mr. SPROUL. Mr. President, I move that this bill be recommitted to the Committee on Municipal Affairs.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Appropriations, reported as committed Senate Bill No. 1013 (House Bill No. 882), entitled

An Act providing for a Statistician in the Department of Mines and fixing the salary.

BILLS RECOMMITTED.

Mr. VARE. Mr. President, I move that Senate Bill No. 965 (House Bill No. 682), on first reading, entitled

An Act concerning townships and revising amending and consolidating the law relating thereto.

be recommitted to the Committee on Municipal Affairs.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

Mr. CROW. Mr. President, I move that Senate Bill No. 724, on third reading, entitled

An Act authorizing the board of public accounts to consider petitions for the return of moneys erroneously or inadvertently paid or covered into the State Treasury and to make such order thereupon as shall seem just and proper providing for the payment by the Commonwealth of such claims and claims heretofore adjusted and making an appropriation.

be recommitted to the Committee on Judiciary Special.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED.

Mr. VARE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 1143, entitled

An Act making an appropriation to Saint Agnes Hospital, Philadelphia.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN RESOLUTION RECALLING SENATE BILL NO. 255 FROM THE GOVERNOR.

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 9, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 255, entitled "An Act to fix the time for filing nomination papers for State and municipal officers and for determination by the courts of contested papers, be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING SENATE BILL NO. 320 FROM THE GOVERNOR.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 9, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 320, entitled "An Act amending sections one three four seven ten eleven and repealing section eight of an act entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be collector of the said several taxes prescribing his duties and fixing his compensation' approved the twentieth day of June Anno Domini one thousand nine hundred one," be recalled from the Governor for the purpose of amendment.

SENATE BILL NO. 662 RETURNED WITH AMENDMENTS.

He also returned to the Senate Senate Bill No. 662, entitled

An Act regulating the packing of apples; providing penalties for violations and imposing certain duties upon the Department of Agriculture.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. CROW. Mr. President, I move that Rule 21, which requires that amended bills be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

Said amendments, having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2, line 7, by striking out the words "in addition to the other marks" and inserting in lieu thereof the words "and shall be marked as."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Baldwin,	Endsley,	Lynch,	Sproul,
Beales,	Eyre,	Martin,	Vare,
Buckman,	Graff, W. P.,	Nason,	Wasbers,
Burke,	Haldeman,	Patton,	Weaver,
Craig,	Hindman,	Phipps,	Whitten,
Crow,	Jenkins,	Smith, R. E.,	Beidleman,
Daix,	Kline,	Snyder,	Pres. pro tem.
DeWitt,	Leiby,	Sones,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 480 RETURNED WITH AMENDMENTS.

He also returned to the Senate Senate Bill No. 480, entitled

An Act to amend section five of an act approved the seventh day of June, one thousand nine hundred and fifteen, entitled "An Act to amend, revise and consolidate the law providing for the burial of certain honorably discharged soldiers, sailors and marines, at the expense of the counties in which they shall die or have a legal residence at the time of their death; to provide a system for effecting the burial of such soldiers, sailors and marines; to provide headstones and markers for the graves of such soldiers, sailors and marines; and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers, sailors and marines."

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. CROW. Mr. President, I move that Rule 21, which requires that amended bills be noted on the calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. SPROUL. Mr. President, I second the motion.

The motion was agreed to.

Said amendments, having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 3, line 25, by inserting after the word "authorized" the words "and required;" also line 27, by striking out the words "the said" and inserting in lieu thereof the word "a;" also by striking out the word "of" and inserting in lieu thereof the words "not exceeding;" also line 28, by inserting after the word "headstone" the words "or monument erected by such relatives or friends."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Baldwin,	Eyre,	McConnell,	Sproul,
Beales,	Graff, W. P.,	Nason,	Vare,
Buckman,	Hackett,	Patton,	Wasbers,
Crow,	Haldeman,	Phipps,	Weaver,
Daix,	Homsher,	Sassaman,	Whitten,
DeWitt,	Jenkins,	Snyder,	Beidleman,
Endsley,	Lynch,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 441 (Senate Bill No. 1144), entitled

An Act to further amend the eighty-ninth section of an act approved the fifteenth day of April, one thousand eight hundred thirty-four, entitled "An Act relating to counties and townships and county and township officers," as amended, by fixing the per diem compensation of assessors and assistant assessors.

Which was committed to the Committee on Judiciary Special.

House Bill No. 1577 (Senate Bill No. 1145), entitled

An Act imposing a State tax upon crude petroleum; providing for the settlement and collection of said taxes annually and dedicating the same to the construction, maintenance, improvement and repair of State and State-aid Highways and providing penalties for the violation of this act.

Which was committed to the Committee on Finance.

House Bill No. 1578 (Senate Bill No. 1146), entitled

An Act imposing a State tax upon natural gas; providing for the settlement and collection of said taxes annually and dedicating the same to the construction, maintenance, improvement and repair of State and State-aid Highways and providing penalties for the violation of this act.

Which was committed to the Committee on Finance.

House Bill No. 1579 (Senate Bill No. 1147), entitled

An Act imposing a State tax on coal; providing for the assessment and collection of the said tax annually; dedicating fifty per centum of the fund received from said tax and appropriating the same to the construction, maintenance, improvement and repair of State and State-aid Highways; providing penalties for the violation of this act.

Which was committed to the Committee on Finance.

ADJOURNMENT.

Mr. CROW. Mr. President, I move that the Senate do now adjourn until Monday evening, May 14, 1917, at nine o'clock.

Mr. SPROUL. Mr. President I second the motion.

The motion was agreed to.

The Senate adjourned at 12.39 o'clock P. M. until Monday evening, May 14, 1917, at nine o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 9, 1917.

The House met at 11 o'clock A. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

We come to Thy feet, our Father, to receive Thy benediction this morning. Help us to be diligent. Cover us with the wings of Thy love. Save us from being satisfied with low ideals and attainments. Wilt Thou sanctify our influence so that we may be a blessing to all whose lives we touch. May we carry cheer in our faces and be inspirers of happiness in others and not discourage those who are struggling with hardship or trial or temptations. Keep the door of our lips that we may speak no uncharitable words. Wilt Thou heal and comfort the sick and strengthen those whose loads are too great for them to bear. Send us to any in need whom Thou wouldst have us to befriend or relieve, and send us to them with some blessing. Hear us and save us forevermore. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Gransback, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. POWELL, from the Committee on Counties and Townships, reported as committed House Bill No. 1876, entitled

An Act dedicating fifty per centum of the fund received from the tax on coal and appropriating the same to the several cities, boroughs and townships under which said coal is mined or in which the same is washed, and authorizing the use thereof by the said cities, boroughs and townships.

Mr. LUPPERT, from the Committee on Appropriations, reported as amended House Bill No. 1482, entitled

An Act making an appropriation to refund to Willard Weis of South Williamsport, moneys erroneously paid into the State Treasury.

Mr. LAUCKS, from the Committee on Manufactures, reported as committed House Bill No. 1736, entitled

An Act authorizing companies incorporated under the laws of any other State of the United States for certain purposes to erect and maintain buildings and manufacturing establishments and to take, have and hold real-estate necessary and proper for such purposes.

Mr. MERVINE, from the Committee on Manufactures, reported as committed House Bill No. 1320, entitled

An Act to repeal an act approved the first day of June, one thousand nine hundred and eleven, entitled "An Act to tax traction engines, and providing that the same shall be assessed by the several assessors of the counties of this Commonwealth in the same manner as other articles of peronal estate liable for taxation are assessed."

Mr. MERVINE, from the Committee on Manufactures, reported as committed House Bill No. 906, entitled

An Act to amend an act approved the thirteenth day of May, one thousand nine hundred and fifteen entitled "An Act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the condition of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto and repealing all acts or parts of acts inconsistent therewith" by including other schools which said minors may attend.

Mr. WICKMAN, from the Committee on Ways and Means, reported as committed House Bill No. 1800, entitled

An Act to establish as a State Highway a certain section of public road in the County of Beaver and the County of Washington.

Mr. COOK, from the Committee on Constitutional Reform, reported as committed House Bill No. 1571, entitled

A Joint Resolution proposing an amendment to section one of article nine of the Constitution of Pennsylvania, relating to taxation.

Mr. MITCHELL, from the Committee on Judiciary Local, reported as committed House Bill No. 890, entitled

An Act regulating the buying and selling of automobiles and providing penalties for violations.

Mr. WYLIE, from the Committee on Constitutional Reform, reported with a negative recommendation House Bill No. 1716, entitled

A Resolution providing for amendments to the Constitution of Pennsylvania and the abolition of the State Senate.

Mr. SCOTT, from the Committee on Appropriations, reported as committed House Bill No. 1653, entitled

An Act making an emergency appropriation to the Department of Agriculture.

Mr. SCOTT, from the Committee on Appropriations, reported as committed House Bill No. 1670 (Senate Bill No. 323), entitled

An Act making an appropriation to the Pennsylvania Stae College.

Mr. HOUGH, from the Committee on Appropriations, reported as committed House Bill No. 1029, entitled

An Act for the appointment of a commission by the Governor of this Commonwealth for the purpose of amending revising and collating the laws touching upon and relating to dependent defective delinquent neglected incorrigible and illegitimate children of this State and for the further purpose of suggesting new legislation for the care and welfare of such children and making an appropriaion to meet the expenses of the said commission.

Mr. HEYBURN, from the Committee on Education, reported as committed House Bill No. 1442 (Senate Bill No. 334), entitled

An Act concerning vocational education; and providing for the acceptance by the Commonwealth of Pennsylvania, of the provisions of the Act of Congress, approved February twenty-third, 1917, entitled "An Act to provide for the promotion of vocational education; to provide for co-operation with the States in the promotion of such education in agriculture and the trades and industries; to provide for co-operation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditures;" and conferring certain powers upon the State Board of Education.

Mr. HEYBURN, from the Committee on Education, reported as committed House Bill No. 1441 (Senate Bill No. 335), entitled

An Act to amend section 2034 of Article XX of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," approved the 18th day of May, 1911, by authorizing and empowering the State Board of Education to make purchases and sales of real estate for Normal Schools purchased by the State.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 809 (House Bill No. 1862)

An Act to provide for the regulation of rag shops second hand paper shops and junk shops in cities of the first class and providing a penalty for the violation of this act.

Referred to the Committee on Public Health and Sanitation.

Senate Bill No. 873 (House Bill No. 1863)

An Act to amend section two hundred and twenty-six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith."

Referred to the Committee on Education.

Senate Bill No. 877 (House Bill No. 1864)

An Act providing that the capital of certain national banks authorized to act in trust capacities shall be taken and considered as security for the faithful performance of the duties of such trusts and making such capital liable for any default.

Referred to the Committee on Banks and Banking.

Senate Bill No. 1007 (House Bill No. 1865)

An Act validating certain sales and leases of real estate situate in this Commonwealth heretofore made by corporations incorporated in this Commonwealth for the carrying on of any mechanical mining quarrying manufacuring or other business.

Referred to the Committee on Banks and Banking.

Senate Bill No. 834 (House Bill No. 1866)

An Act making it a misdemeanor for a parent wilfully to neglect to support a child born out of lawful wedlock whether such child shall have been begotten or shall have been born within or without this Commonwealth providing punishment therefor and empowering the court to make an order for support and to enforce the same and making it a misdemeanor to make false declarations as to who is the parent of the child and providing punishment therefor.

Referred to the Committee on Judiciary Special.

Senate Bill No. 325 (House Bill No. 1867)

An Act providing for the sale distribution and use for the promotion of biological science and for the discovery of new methods of treatment in medicine and surgery of unclaimed animals in the public pounds and providing penalties for neglect or refusal to comply with the provisions of this act.

Referred to the Committee on Public Health and Sanitation.

Senate Bill No. 905 (House Bill No. 1868)

An Act validating certain elections of counties, cities, boroughs, townships, school districts, and other incorporated districts, held pursuant to the provisions of an act approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto, and validating bonds issued, or authorized to be issued, in pursuance of such elections.

Referred to the Committee on Counties and Townships.

Senate Bill No. 916 (House Bill No. 1869)

An Act providing for the organization government discipline maintenance and regulation of an additional armed land force for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged.

Referred to the Committee on Manufactures.

Senate Bill No. 651 (House Bill No. 1870)

An Act to regulate the importation into the State of Pennsylvania of dependent delinquent or defective children and providing a penalty for the violation thereof.

Referred to the Committee on Judiciary Special.

Senate Bill No. 901 (House Bill No. 1871)

An Act authorizing the several courts of common pleas to appoint volunteer police officers during the present war with Germany, or in any war in which this nation may become involved; providing for the organization and discipline of such police officers, and enumerating their powers.

Referred to the Committee on Judiciary Special.

Senate Bill No. 927 (House Bill No. 1872)

An Act empowering express companies to employ policemen commissioned by the Governor with authority to act in all counties in the State wherein such companies carry on their business.

Referred to the Committee on Manufactures.

Senate Bill No. 932 (House Bill No. 1873)

An Act creating a board of finance and revenue; transferring to it all the powers and duties of the board of public accounts, the board of revenue commissioners, the sinking fund commission, and the board of license private bankers, and fixing the number and salareis of members and employes thereof.

Referred to the Committee on Judiciary General.

Senate Bill No. 933 (House Bill No. 1874)

An Act proposing an amendment to section sixteen of article three of the Consitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof.

Referred to the Committee on Judiciary General.

Senate Bill No. 958 (House Bill No. 1875)

An Act authorizing the County of Philadelphia to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Philadelphia County for moneys advanced for the payment of expenses incident to the conduct of primary elections.

Referred to the Committee on Judiciary Special.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 177

An Act authorizing overseers and directors of the poor to enter into contracts with certain incorporated associations for the care and maintenance of indigent deaf and dumb persons and conferring certain powers on the Board of Public Charities, its officers and agents.

Senate Bill No. 696

An Act to amend the second section of an act approved April fourth, one thousand nine hundred and seven, entitled "An Act creating in counties having a population from three hundred thousand to one million a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments and divisions thereof; prescribing the powers and duties of said board and regulating appeals from the decision thereof," by providing that where said board as constituted by said act is composed of the county controller and county commissioners only the president of the board in case of a tie vote shall be entitled to a decided vote.

Senate Bill No. 864

An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth, the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation.

Senate Bill No. 55

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

Senate Bill No. 115

An Act to promote uniformity in all courts of record in issuing writs and process for the beginning of civil actions.

Senate Bill No. 469

An Act authorizing any company incorporated under the laws of any other State for the manufacture of automobiles, motor trucks or other motor vehicles or of any article appertaining to or entering into the construction thereof to erect and maintain buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor.

Senate Bill No. 471

An Act to authorize the payment by corporations to their directors of compensation for services rendered by them.

Senate Bill No. 671

An Act to amend an act, entitled "An Act authorizing companies incorporated under the laws of any other state of the United States for certain purposes to erect and maintain buildings and manufacturing establishments and to take, have and hold real estate necessary and proper for such purposes," approved the thirteenth day of May, Anno Domini one thousand nine hundred and fifteen.

House Bill No. 1573

An Act to carry into effect the amendment to section eight of article nine of the Constitution of Pennsylvania adopted by the people at an election held on the second day of November, one thousand nine hundred and fifteen; to provide the manner of holding elections for the increase of the indebtedness of the City of Philadelphia to the extent of three per centum upon the assessed valuation of taxable property in said city, for the specific purposes authorized by said amendment; regulating the manner of making such increase of indebtedness, and providing for the redemption of the same; validating elections held in said city since the adoption of said amendment in the manner provided by this act, or by the act of the General Assembly approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the supplements and amendments thereto; and to validate all bonds or other obligations of said city heretofore issued or which may be hereafter issued, pursuant to authority conferred by the electors at any such election.

House Bill No. 119

An Act authorizing a State Association of Township Supervisors and providing for the payment of the expenses thereof by the respective counties.

House Bill No. 648

An Act to amend section one thousand four hundred thirty-nine of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended and adding thereto section one thousand four hundred forty.

House Bill No. 770

An Act providing fees and mileage for witnesses attending coroners inquests and providing for the payment thereof by the several counties.

House Bill No. 866

An Act to regulate the practice of Pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "Drug" and "Poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity.

House Bill No. 300

An Act to regulate and restrain the hawking, vending and peddling of fish, fruit and vegetables and other merchandise in the cities of the first class in this Commonwealth.

House Bill No. 891

An Act authorizing the Committee on Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to other such hospitals and providing for maintenance of patients after transfer.

House Bill No. 1181

An Act making the fraudulent conversion of property or the proceeds of property a misdemeanor; prescribing the penalties therefor and regulating the proceedure therein.

Whereupon,

The Speaker in the presence of the House signed the same.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 991

An Act authorizing and empowering the State Highway Commissioner to take over abandoned rights of way or any part or parts thereof owned or controlled by railroad or railway companies for the use of the State Highway Department for the purpose of locating or relocating and constructing State highways and providing a method of acquiring the same.

House Bill No. 1580

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

with information that the Senate has passed the same without amendment.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, May 9, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 320, entitled "An Act amending sections one three four seven ten eleven and repealing section eight of an act entitled 'An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be collector of the said several taxes prescribing his duties and fixing his compensation' approved the twentieth day of June Anno Domini one thousand nine hundred and one," be recalled from the Geovernor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On the question,

Will the House concur in the resolution?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON SECOND READING.

The SPEAKER. If there is no objections the Chair would like to take up House Bill No. 1804, File Folio 4815, at the top of the second page of to-day's calendar. The Chair hears no objection.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1804, as follows

An Act to amend section four of an act entitled an act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and fifteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending may thirty-first one thousand nine hundred and fifteen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same As follows section four of this act which reads as follows

"For the payment of the expenses of the Legislative Department for the two years ending May thirty-one one thousand nine hundred and seventeen and also for the expenses of the session and recess of one thousand nine hundred and fifteen not previously provided for the following sums or so much thereof as may be necessary to be paid in the manner prescribed by law Provided That the salaries stationery and mileage of the members of the Senate and House of Representatives and the salaries and mileage of the session officers and employes of the Legislature session of one thousand nine hundred and seventeen shall only be paid after statement of the amounts due the several Senators Member officers and employes shall have been certified to the Auditor General by the President pro tempore of the Senate and Speaker of the House of Representatives respectively and that the Senators and Members also the officers receiving fixed salaries for said session shall each be paid three hundred dollars per month for the first four months of the session if the Legislature shall be in session that long and the balance on the day fixed for the final adjournment of the Legislature or during the two days previous thereto and that the session officers an demployes receiving per diem salaries shall be paid amount due them at the end of each month during the session except the last month when payment shall be made on the day fixed for final adjournment of the Legislature or during the two days previous thereto" is hereby amended to read as follows

Section 4 For the payment of the expenses of the Legislative Departments for the two years ending May thirty-one one thousand nine hundred and seventeen and also for the expenses of the session and recess of one thousand nine hundred and fifteen not previously provided for the following sums or so much thereof as may be necessary be paid in the manner prescribed by law

Provided That the salaries stationery and mielage of the members of the Senate and House of Representatives employes of the Legislature session of one thousand nine and the salaries and mileage of the session officers and hundred and seventeen shall only be paid after statement of the amounts due the several Senators Members officers and employes shall have been certified to the Auditor General by the President pro tempore of the Senate and Speaker of the House of Representatives respectively and that the Senators and Members also the officers receiving fixd salaries for said session shall each be paid three hundred dollars per month for the first four months of the session (and two hundred dollars for the ensuing month) if the Legislature shall be in session that long and the balance on the day fixed for the final adjournment of the Legislature or during the two days previous thereto and at the session officers and employes receiving per diem salaries shall be paid amount due them at the end of each month during the session except the last month when payment shall be made on the day fixed for final adjournment of the Legislature or durlng the two days previous thereto.

All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE.

The SPEAKER. If there are no objections, the Chair would like to proceed to bills on final passage; in other words, the Chair would like to pass over the second reading bills because they can be handled to-morrow and I think we can gain time by going to final passage and third reading. The Chair hears no objections.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 690, as follows

An Act making an appropriation to carry out the provisions of an act approved the twenty-ninth day of April one thousand nine hundred thirteen entitled "An act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth" and the amendments thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four hundred thousand dollars ($400,000) or so much thereof as may be necessary is hereby specifically appropriated for the purposes of carrying out the provisions of the act approved the twenty-ninth day of April one thousand nine hundred thirteen entitled "An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth" and the amendments thereto

Section 2 The amount hereinbefore appropriated shall be paid to and apportioned among the several counties of the Commonwealth according to the classification contained in section two of the act approved the eighteenth day of June one thousand nine hundred and fifteen entitled "An Act amending an act entitled 'An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the arministration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth' approved April twenty-nine nineteen hundred thirteen by limiting the provisions of said

act to women whose husbands are dead or permanently insane and who have children under sixteen years of age and providing for uniformity of administration by the appointment of the State Supervisor over the boards of trustees of different counties and otherwise amending the provisions of said act and making an appropriation to carry out the provisions of this act"

Section 3 The State Treasurer shall place the proportionate amount of the entire appropriation to the various counties upon the books of the State Treasury to the credit of the trustees one-half of which amount shall be available for the first year after approval and the remainder the second year or until another appropriation may become available No county through its trustees or otherwise shall receive its allotment of the States appropriation unless an equal amount has been provided by the county desiring the benefits under this act All of the funds so appropriated to various counties which have not availed themselves of the provisions of this act remaining at the expiration of said time shall revert to a fund which shall be available for further division among the counties that have already availed themselves of the provisions of the act The second allotment to any county shall not exceed twenty-five per centum of the first amount appropriated to the county and shall be available only when the county appropriates an equal amount as in the first instance

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190.

Aron,	Fowler,	McPeake,	Siggins,
Arthur,	Franklin,	McVicar,	Simpson,
Aston,	Fretz,	Mearkle,	Sinclair,
Baker,	Gans,	Mehring,	Smith, E. R.,
Baldi,	Geary,	Mervine,	Smith, F. I.,
Baldridge,	Glass,	Michel,	Smith, J. W.,
Barner,	Golder,	Miller, A. D.,	Smith, L.,
Bell,	Goodnough,	Miller, Allan,	Smith, O. W.,
Benchoff,	Goodwin,	Miller, C. G.,	Snowden,
Bennett,	Gormley,	Miller, G. J. A.,	Snyder,
Benninger,	Graeff,	Milner,	Somerman,
Beyer,	Graham,	Mitchell,	Sones,
Black,	Gransback,	Morgan, T.,	Spangler,
Bouton, V. B.,	Haight,	Morgan, T. J.,	Speicher,
Bovee,	Haldeman,	Murdoch,	Sprowls,
Boyd,	Heffernan,	Murphy,	Stadtlander,
Brady,	Helt,	Musser,	Sterling,
Brumbaugh,	Hess,	Neary,	Stern,
Burnett,	Heyburn,	Ogden,	Stites,
Campbell, T.,	Hibshman,	Palmer,	Stoffiet,
Canon,	Hoffman,	Patterson,	Strauss,
Chestnut,	Hollern,	Perry,	Swartz,
Christman,	Hollingsworth,	Phillips,	Sweitzer,
Clements,	Horne,	Pickering,	Taylor,
Coldsmith,	Horton,	Powell,	Thomas,
Conner,	Hough,	Ramsey,	Ulsh,
Cook,	Howarth,	Reichenbacher,	Urich,
Corbin,	Isherwood,	Reitzel,	Vickerman,
Cox,	Jennings,	Reynolds,	Vogdes,
Crosby,	Jones,	Rich,	Wagner,
Cummins,	Kennedy,	Ringler,	Walker,
Curry,	Lafferty,	Rininger,	Wallace,
Davis, W.,	Lanius,	Rinn,	Walter,
Dawson,	Laucks,	Robertson,	Weimer,
Dean,	Lauler,	Rogers,	Wells,
Dell,	Leary,	Ross,	West,
Dewey,	Lewis,	Rothenberger,	Whitaker,
Dithrich,	Lohr,	Ruddy,	Wickman,
Donneley,	Luppert,	Rudisill,	Williams, G. W.
Drake,	Mangan,	Sampsel,	Williams, J. P.,
Drinkhouse,	Marvin,	Sarig,	Wobensmith,
Dunn,	McArdle,	Schaeffer, A. C.,	Wood,
Eby,	McCaig,	Scott,	Woodward,
Ehrhardt,	McCullough,	Shaffer, C. A.,	Wylie,
Erdman,	McCurdy,	Shattuck,	Wynne,
Fackler,	McKay,	Showalter,	Zanders,
Fitzgibbon,	McKinney,	Shunk,	Baldwin,
Flynn,	McNichol,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1372 (Senate Bill No. 480), as follows

An Act to amend section five of an act approved the seventh day of June one thousand nine hundred and fifteen entitled "An Act to amend revise and consolidate the law providing for the burial of certain honorably discharged soldiers sailors and marines at the expense of the counties in which they shall die or have a legal residence at the time of their death to provide a system for effecting the burial of such soldiers sailors and marines to provide headstones and markers for the graves of such soldiers sailors and marines and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers sailors and marines"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred seventy) entitled "An Act to amend revise and consolidate the law providing for the burial of certain honorably discharged soldiers sailors and marines at the expense of the counties in which they shall die or have a legal residence at the time of their death to provide a system for effecting the burial of such soldiers sailors and marines to provide headstones and markers for the graves of such soldiers sailors and marines and to authorize the county commisioners of the several counties to purchase plots of ground for the burial of such soldiers sailors and marines" which reads as follows

"Section 5 It shall also be the duty of the county commissioners of each county in this State upon the death of any soldier sailor or marine who shall be buried within their counties under the provisions of this act to cause a headstone to be placed at the head of the grave of each such deceased soldier sailor or marine containing his name and if possible the organization to which he belonged or in which he served to be of such material and design as they may deem suitable and the expense for the same shall be paid out of the funds of the county in which such soldier sailor or marine died or shall have had his legal residence Provided however That the expense shall not exceed the sum of fifteen dollars for each headstone and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone" be and the same is hereby amended to read as follows

Section 5 It shall also be the duty of the county commissioners of each county in this State upon the death of any soldier sailor or marine who shall be buried within their counties under the provisions of this act to cause a headstone to be placed at the head of the grave of each such deceased soldier sailor or marine containing his name and if possible the organization to which he belonged or in which he served to be of such material and design as they may deem suitable and the expense for the same shall be paid out of the funds of the county in which such soldier sailor or marine died or shall have had his legal residence Provided however That the expense shall not exceed the sum of twenty-five dollars for each headstone and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expenses in favor of the party or parties furnishing such headstone And provided further That the county commissioners are hereby authorized and required to pay to any relatives or friends of such deceased soldier sailor or marine a sum not exceeding twenty-five dollars for each headstone or monument erected by such relatives or friends and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—185.

Aron,	Fackler,	McKay,	Showalter,
Arthur,	Fitzgibbon,	McKinney,	Shunk,
Aston,	Flynn,	McNichol,	Siggins,
Baker,	Fowler,	McPeake,	Simpson,
Baldi,	Franklin,	McVicar,	Sinclair,
Baldridge,	Fretz,	Mearkle,	Smith, E. R.,
Barner,	Gans,	Mehring,	Smith, J. W.,
Bechtold,	Geary,	Mervine,	Smith, L.,
Bell,	Glass,	Michel,	Smith, O. W.,
Benchoff,	Golder,	Miller, A. D.,	Snowden,
Bennett,	Goodnough,	Miller, Allan,	Snyder,
Benninger,	Goodwin,	Miller, C. G.,	Somerman,
Beyer,	Gormley,	Miller, G. J. A.,	Sones,
Bidelspacher,	Graeff,	Milner,	Spangler,
Black,	Graham,	Mitchell,	Sprowls,
Bouton, V. B.,	Gransback,	Morgan, T.,	Stadtlander,
Bovee,	Haight,	Morgan, T. J.,	Steedle,
Boyd,	Haldeman,	Murdoch,	Sterling,
Brady,	Heffernan,	Murphy,	Stern,
Brumbaugh,	Helt,	Musser,	Stites,
Burnett,	Hess,	Neary,	Stoffiet,
Campbell, T.,	Heyburn,	Ogden,	Strauss,
Canon,	Hibshman,	Palmer,	Sullivan,
Chestnut,	Hoffman,	Patterson,	Swartz,
Christman,	Hollern,	Perry,	Sweitzer,
Clements,	Hollingsworth,	Phillips,	Thomas,
Coldsmith,	Horne,	Pickering,	Ulsh,
Conner,	Horton,	Powell,	Urich,
Cook,	Hough,	Ramsey,	Vickerman,
Corbin,	Howarth,	Reichenbacker,	Vogdes,
Cox,	Jennings,	Reitzel,	Wagner,
Crosby,	Jones,	Reynolds,	Walker,
Cummins,	Kennedy,	Rich,	Walter,
Curry,	Lafferty,	Ringler,	Weimer,
Davis, W.,	Lanius,	Rininger,	Wells,
Dawson,	Laucks,	Rinn,	Whitaker,

Dean,	Lauler,	Robertson,	Wickman,
Dell,	Lewis,	Rogers,	Williams, G. W.
Dewey,	Lohr,	Ross,	Williams, J. P.,
Dithrich,	Luppert,	Ruddy,	Wobensmith,
Donneley,	Mallie,	Rudisill,	Wood,
Drake,	Marvin,	Sampsel,	Woodward,
Drinkhouse,	McArdle,	Sarig,	Wylie,
Dunn,	McCaig,	Schaeffer, A. C.,	Wynne,
Eby,	McCullough,	Scott	Zanders,
Ehrhardt,	McCurdy,	Shaffer, C. A.,	Baldwin,
Erdman,		Shattuck,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

TIME EXTENDED ON BILLS ON POSTPONED CALENDAR.

Mr. REITZEL. Mr. Speaker, while we are on bills on final passage I desire to call up House Bill No. 1251, at the bottom of page 14 of to-day's calendar.

The SPEAKER. Is the object of the gentleman to extend the time on the bill?

Mr. REITZEL. Mr. Speaker, that is the object.

The SPEAKER. The Chair would like to state to the House that if there are no objections all bills on the postponed calendars of final passage, third reading and second reading will have an extension of five days. Are there any objections? The Chair hears none and all bills on the present postponed calendars will have an extension of five days.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1401, as follows:

An Act for the protection of the public health by providing for the regulation and licensing of rag shops second hand paper shops and junk shops in cities of the first class and providing a penalty for the violaion of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after January one one thousand nine hundred and eighteen it shall be unlawful for any person firm or corporation to own operate or conduct any rag shop second hand paper shop or junk shop in cities of the first class without having first received a license from the board of health for said cities to own operate or conduct the said shop and the board of health of said cities is hereby authorized and empowered to issue licenses for said purpose and to make rules and regulations for the location conduct and operation of said shops

Section 2 The fee for a license as provided for in this act shall be ten dollars per annum for each rag shop second hand paper shop and junk shop the license shall not be transferable as to person or place and shall be revocable upon failure to comply with the rules and regulations of such board of health

Section 3 Violators of any of the provisions of this act or of any of the rules and regulations of the board of health made in pursuance thereof shall be deemed guilty of a misdemeanor punishable by summary conviction before a magistrate by a fine of twenty-five dollars ($25.00) or imprisonment in default of fine of not less than five (5) days or more than fifteen (15) days subject to appeal as in cases of summary conviction

Section 4 The acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187.

Aron,	Fitzgibbon,	McNichol,	Siggins,
Arthur,	Flynn,	McPeake,	Simpson,
Aston,	Fowler,	McVicar,	Sinclair,
Baker,	Franklin,	Mearkle,	Smith, E. R.,
Baldi,	Fretz,	Mehring,	Smith, F. I.,
Baldridge,	Gans,	Mervine,	Smith, J. W.,
Barner,	Glass,	Michel,	Smith, L.,
Bechtold,	Golder,	Miller, Allan,	Smith, O. W.,
Bell,	Goodnough,	Miller, C. G.,	Snowden,
Benchoff,	Gormley,	Miller, G. J. A.,	Snyder,
Bennett,	Graeff,	Milner,	Somerman,
Benninger,	Graham,	Mitchell,	Sones,
Beyer,	Gransback,	Morgan, T.,	Speicher,
Bidelspacher,	Haight,	Morgan, T. J.,	Sprowls,
Bouton, V. B.,	Haldeman,	Murdoch,	Stadtlander,
Bovee,	Hecht,	Murphy,	Steedle,
Boyd,	Heffernan,	Musser,	Sterling,
Brady,	Helt,	Neary,	Stern,
Brumbaugh,	Heyburn,	Ogden,	Stites,
Burnett,	Hibshman,	Palmer,	Stofflet,
Campbell, J. O.,	Hoffman,	Patterson,	Strauss,
Campbell, T.,	Hollern,	Perry,	Swartz,
Canon,	Hollingsworth,	Phillips,	Sweitzer,
Chestnuf,	Horne,	Pickering,	Taylor,
Christman,	Horton,	Powell,	Thomas,
Clements,	Hough,	Ramsey,	Ulsh,
Coldsmith,	Howarth,	Reichenbacker,	Urich,
Conner,	Isherwood,	Reitzel,	Vickerman,
Cook,	Jennings,	Reynolds,	Vogdes,
Corbin,	Jones,	Rhodes, W. M.,	Wagner,
Cox,	Kennedy,	Rich,	Walker,
Crosby,	Lafferty,	Ringler,	Wallace,
Cummins,	Lanius,	Rininger,	Walter,
Curry,	Laucks,	Rinn,	Wells,
Davis, W.,	Lauler,	Robertson,	West,
Dawson,	Leary,	Rogers,	Whitaker,
Dean,	Lewis,	Ross,	Wickman,
Dewey,	Lohr,	Rothenberger,	Williams, G. W.
Dithrich,	Luppert,	Ruddy,	Williams, J. P.,
Donneley,	Mangan,	Rudisill,	Wobensmith,
Drake,	Marvin,	Sampsel,	Wood,
Drinkhouse,	McArdle,	Sarig,	Woodward,
Dunn,	McCaig,	Scott,	Wylie,
Eby,	McCullough,	Shaffer, C. A.,	Wynne,
Ehrhardt,	McCurdy,	Shattuck,	Zanders,
Erdman,	McKay,	Showalter,	Baldwin,
Fackler,	McKinney,	Shunk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1440 (Senate Bill No. 662), as follows:

An Act regulating the packing of apples; providing penalties for violations and imposing certain duties upon the Department of Agriculture

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every closed package containing apples grown in the State of Pennsylvania which is sold offered or consigned for sale packed for sale or shipped for sale shall bear upon the outside of one end in plain letters or figures or both the name and address of the person by whose authority the apples were packed the true name of the variety therein contained and the minimum size or numerical count of the fruit in the package provided that packages which cannot readily be marked on an exposed end shall be similarly marked in a conspicuous place If the true name of the variety is not known to the packer or the person by whose authority the apples are packed or branded then such variety shall be designated as "unknown" Every package of apples which is repacked shall bear the name and address of the person by whose authority it is repacked and shall be marked as prescribed by this act The letters and figures used in marking closed packages of apples under the provisions of this act shall be of a size not less than thirty-six point Gothic

Section 2 The marks prescribed by this act may be accompanied by any additional marks which are in accordance with the facts and which are not inconsistent with or do not in any way obscure the marks required by this act Apples packed and branded in accordance with the United States Apple Grading Law approved August third one thousand nine hundred and twelve shall be exempt from the provisions of this act

Section 3 All apples packed within the meaning of this act shall be so packed that the face or exposed surface shall fairly represent the average of the apples in the package And it shall be considered a fair representation if the face or exposed surface does not excel the average of the apples in the package by more than fifteen per centum in the matter of size and freedom from defects

Section 4 The minimum size of the fruit in all grades shall be determined by taking the transverse diameter of the smallest fruit in the package Minimum sizes shall be stated in variations of one-quarter of an inch as two inches two and one-quarter inches two and three-quarter inches three inches three and one-quarter inches and so on in accordance with the facts Minimum sizes may be designated by either figures or words and the word "minimum" may be designated by the use of the abbreviation "min" A tolerance of five per centum in the matter of size shall be allowed

Section 5 It shall be unlawful for any person to pack for sale ship for sale offer or consign for sale have in possession intended for sale or sell in closed packages any apples grown in this State (a) which are not packed and marked in accordance with the provisions of this act and the regulations

made hereunder (b) or which bear any false statement design or device regarding such apples within the meaning of this act

Section 6 Any person who violates any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than fifty dollars for the first offense and not more than one hundred dollars for each subsequent offense No person shall be prosecuted under this act who can establish by satisfactory evidence that no part of the packing or branding of the apples concerned was done by him or under his authority and that he had no knowledge that they were not packed in accordance with said provisions All penalties costs and fines collected under this act shall be paid to the Secretary of Agriculture or his agent and by him shall be paid into the State Treasury for the use of the Commonwealth

Section 7 The provisions of this act shall not apply to apples in closed packages which are held stored or shipped to storage within the State until same are packed for sale offered or consigned for sale or shipped for sale

Section 8 The word "person" as used herein shall be construed to include individuals corporations partnerships and associations The act omission or failure of any official or employe of any person when such official or employe is acting within the scope of his employment or office shall in every case be deemed also the act omission or failure of the person as well as of the official or employe The words "closed package" shall mean a box barrel or other package the contents of which can not be easily inspected when such package is closed

Section 9 The enforcement of this act shall be vested in the State Department of Agriculture and its officers employes and agents are authorized to enter upon the premises of any person within this State for the purpose of purchasing packages of apples and securing evidence of violation of this act and the said Department of Agriculture is hereby authorized to make such rules and regulations as may be necessary for enforcing its provisions

Section 10 This act shall take effect September first one thousand nine hundred and seventeen

Section 11 All acts and parts of acts inconsistent with this act are repealed

On the question,

Shall the bill pass finally?

Mr. LOHR. Mr. Speaker, this bill is the one that was called up for final passage last week and met with some opposition. It think at this time it is better understood than it was then. I think that all growers of apples in the State of Pennsylvania should be in favor of this bill, and I know that the large producers of apples are in favor of it and it will work no hardship to any one. I think the bill should pass. I believe that all who have the horticultural interests at heart in our State should vote for this bill. Our neighboring states have laws more stringent than this. If we want to compete with the growers of apples shipped into our State annually by various apple growers from almost every section of the country, we must put up our apples in such a way that the consumer knows that when he gets apples that they must be up to a certain standard and this bill only provides for that standard. I say to you that no hardship can come to any one by the passage of this bill. I know that the consumer is for it and the grower who is fair and honest, who means to be fair in putting up his apples and wishes to guarantee them to be up to a certain standard, seeing to it that they are up to a certain grade, not large apples at the top and small ones at the bottom, and by packing and shipping apples that are so packed and up to standard our State should be able to compete with the apples that are shipped in here from other states. Therefore, I think that this bill should receive favorable consideration at this time

Mr. SHOWALTER. Mr. Speaker, I would like to interrogate the gentleman from Somerset.

The SPEAKER. Will the gentleman from Somerset, Mr. Lohr, permit himself to be interrogated?

Mr. LOHR. Mr. Speaker, with pleasure.

Mr. SHOWALTER. Mr. Speaker, I would like to have the gentleman explain who is to be benefited by the passage of this act?

Mr. LOHR. Mr. Speaker, I believe, in answer to the question of the gentleman from Union, that every grower of applies in the State of Pennsylvania, who means to be fair and honest in the selling of his fruit will be benefited by the passage of this act.

Mr. SHOWALTER. Mr. Speaker, I desire to know whether the growers of apples in Pennsylvania will be protected against the competition of growers of apples outside of the State of Pennsylvania if this act becomes a law, and whether or not an outside grower, a man who grows apples outside of the State of Pennsylvania, can ship to this State, in competition, apples without being subject to the provisions which this bill provides?

Mr. LOHR. Mr. Speaker, the States of Maryland, New York and various other states in our neighborhood, and especically the western states, have laws to-day which are very much more stringent than this law and require apples to be sorted, and graded better than is provided for in this law. When our apples are packed up to standard they are not at any loss in going out in the open market and competing with apples grown in other states.

Mr. SHOWALTER. Mr. Speaker, I am not opposed to this act. My only purpose in asking this question is to be sure that our Pennsylvania producers are taken care of and not put upon an unfair basis of competition against outside growers.

Mr. ROSS. Mr. Speaker, I would like to interrogate the gentleman from Somerset.

The Speaker. Will the gentleman from Somerset, Mr. Lohr, permit himself to be interrogated?

Mr. LOHR. Mr. Speaker, I will.

Mr. ROSS. Mr. Speaker, I desire to know whether New York State and the State of Ohio and adjoining states have a similar law to this one?

Mr. LOHR. Mr. Speaker, I wish to say, in answer to that question, that New York State, Ohio, Massachusetts, Connecticut and various other states surrounding us have laws, as I have stated before, that are much more stringent than this bill provides.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Aron,	Erdman,	McCaig,	Scott,
Arthur,	Fackler,	McCullough,	Shaffer, C. A.,
Aston,	Fitzgibbon,	McCurdy,	Shattuck,
Baker,	Flynn,	McKay,	Showalter,
Baldi,	Fowler,	McNichol,	Siggins,
Bechtold,	Franklin,	McPeake,	Simpson,
Bell,	Fretz,	McVicar,	Sinclair,
Benchoff,	Gans,	Mearkle,	Smith, F. L.,
Bennett,	Glass,	Mehring,	Smith, J. W.,
Benninger,	Golder,	Mervine,	Smith, L.,
Beyer,	Gormley,	Michel,	Smith, O. W.,
Bidelspacher,	Graeff,	Miller, A. D.,	Snyder,
Black,	Graham,	Miller, Allan,	Somerman,
Bouton, V. B.,	Gransback,	Miller, C. G.,	Spangler,
Bovee,	Haldeman,	Milner,	Speicher,
Boyd,	Hecht,	Morgan, T.,	Sprowls,
Brady,	Heffernan,	Morgan, T. J.,	Stadtlander,
Brumbaugh,	Helt,	Murphy,	Sterling,
Burnett,	Heyburn,	Musser,	Stern,
Campbell, T.,	Hibshman,	Neary,	Stites,
Canon,	Hoffman,	Ogden,	Stofflet,
Chestnut,	Hollern,	Palmer,	Strauss,
Clements,	Hollingsworth,	Patterson,	Swartz,
Coldsmith,	Horne,	Perry,	Sweitzer,
Conner,	Hough,	Phillips,	Thomas,
Cook,	Howarth,	Pickering,	Ulsh,
Corbin,	Isherwood,	Powell,	Urich,
Cox,	Jennings,	Ramsey,	Vickerman,
Crosby,	Jones,	Reichenbacker,	Vogdes,
Cummins,	Kennedy,	Reynolds,	Wagner,
Curry,	Lafferty,	Rich,	Walker,
Davis, W.,	Lanius,	Ringler,	Walter,
Dawson,	Laucks,	Rininger,	Wells,
Dell,	Lauler,	Rinn,	West,
Dewey,	Leary,	Robertson,	Whitaker,
Dithrich,	Lewis,	Rogers,	Wickman,
Donneley,	Lohr,	Ross,	Williams, G. W.,
Drake,	Luppert,	Rothenberger,	Wobensmith,
Drinkhouse,	Malie,	Ruddy,	Wylie,
Dunn,	Mangan,	Rudisill,	Wynne,
Eby,	Marvin,	Sarig,	Zanders,
Ehrhardt,	McArdle,	Schaeffer, A. C.,	Baldwin, Speaker.

NAYS—12.

Baldridge,	McKinney,	Sampsel,	Sones,
Christman,	Miller, G. J. A.,	Shunk,	Williams, J. P.,
Goodnough,	Reitzel,	Smith, E. R.,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1577, entitled

An Act imposing a State tax upon crude petroleum providing for the settlement and collection of said tax annually and dedicating the same to the construction maintenance improvement and repair of State and State-aid Highways and providing penalties for the violation of this act.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Aron,	Fitzgibbon,	McPeake,	Sinclair,
Arthur,	Flynn,	McVicar,	Smith, E. R.,
Aston,	Franklin,	Mearkle,	Smith, F. I.,
Baker,	Fretz,	Mehring,	Smith, J. W.,
Baldi,	Gans,	Mervine,	Smith, L.,
Baldridge,	Geary,	Michel,	Snowden,
Barner,	Glass,	Miller, A. D.,	Snyder,
Bechtold,	Goodnough,	Miller, Allan,	Somerman,
Bell,	Goodwin,	Miller, C. G.,	Sones,
Benchoff,	Gormley,	Miller, G. J. A.,	Spangler,
Bennett,	Graeff,	Milner,	Speicher,
Benninger,	Graham,	Mitchell,	Sprowls,
Beyer,	Gransback,	Morgan, T. J.,	Stadtlander,
Bidelspacher,	Haldeman,	Murdoch,	Sterling,
Black,	Hecht,	Murphy,	Stern,
Bouton, V. B.,	Heffernan,	Musser,	Stites,
Bovee,	Helt,	Neary,	Stoffiet,
Boyd,	Hess,	Ogden,	Strauss,
Brady,	Heyburn,	Palmer,	Sullivan,
Brumbaugh,	Hibshman,	Perry,	Swartz,
Burnett,	Hoffman,	Pickering,	Sweitzer,
Campbell, T.,	Hollern,	Powell,	Thomas,
Chestnut,	Hollingsworth,	Ramsey,	Ulsh,
Clements,	Horne,	Reichenbacker,	Urich,
Coldsmith,	Horton,	Reitzel,	Vickerman,
Conner,	Hough,	Reynolds,	Vogdes,
Cook,	Howarth,	Rich,	Wagner,
Corbin,	Jennings,	Ringler,	Walker,
Cox,	Jones,	Rininger,	Wallace,
Crosby,	Kennedy,	Rinn,	Walter,
Cummins,	Lafferty,	Robertson,	Weimer,
Curry,	Lanius,	Rogers,	Wells,
Davis, W.,	Laucks,	Ross,	West,
Dawson,	Lauler,	Rothenberger,	Whitaker,
Dean,	Leary,	Ruddy,	Wickman,
Dell,	Lewis,	Rudisill,	Williams, G. W.
Dewey,	Lohr,	Sampsel,	Williams, J. P.,
Dithrich,	Luppert,	Sarig,	Wobensmith,
Donneley,	Mangan,	Schaeffer, A. C.,	Wood,
Drinkhouse,	Marvin,	Scott,	Woodward,
Dunn,	McArdle,	Shaffer, C. A.,	Wylie,
Eby,	McCaig,	Shattuck,	Wynne,
Ehrhardt,	McKay,	Showalter,	Zanders,
Erdman,	McKinney,	Simpson,	Baldwin,
Fackler,	McNichol,		Speaker.

NAYS—4.

Isherwood,	McCullough,	McCurdy,	Siggins,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The next bill on the calendar is House Bill No. 1676, File Folio 4847. By request of the sponsor we will pass over this bill for the present.

Mr. JONES. Mr. Speaker, I desire to call up from page 35 of to-day's calendar, bills on third reading postponed, House Bill No. 418, File Folio 2807.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 418, entitled

An Act fixing the fees of the recorder of deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Aron,	Franklin,	McNichol,	Siggins,
Arthur,	Fretz,	McPeake,	Simpson,
Aston,	Gans,	Mehring,	Sinclair,
Baker,	Geary,	Mervine,	Smith, E. R.,
Baldi,	Glass,	Michel,	Smith, F. I.,
Baldridge,	Golder,	Miller, A. D.,	Smith, J. W.,
Barner,	Goodnough,	Miller, Allan,	Smith, O. W.,
Bechtold,	Goodwin,	Miller, C. G.,	Snowden,
Bell,	Gormley,	Miller, G. J. A.,	Somerman,
Benchoff,	Graeff,	Milner,	Sones,
Bennett,	Graham,	Mitchell,	Spangler,
Benninger,	Gransback,	Morgan, T. J.,	Speicher,
Beyer,	Haight,	Murdoch,	Sprowls,
Black,	Haldeman,	Murphy,	Stadtlander,
Bouton, V. B.,	Heffernan,	Musser,	Sterling,
Bovee,	Helt,	Neary,	Stern,
Boyd,	Hess,	Ogden,	Stites,
Brady,	Heyburn,	Palmer,	Stoffiet,
Burnett,	Hibshman,	Patterson,	Strauss,
Campbell, T.,	Hoffman,	Perry,	Sullivan,
Canon,	Hollern,	Phillips,	Swartz,
Christman,	Hollingsworth,	Pickering,	Sweitzer,
Clements,	Horne,	Powell,	Taylor,
Coldsmith,	Horton,	Ramsey,	Thomas,
Conner,	Hough,	Reichenbacker,	Ulsh,
Cook,	Howarth,	Reitzel,	Urich,
Corbin,	Isherwood,	Reynolds,	Vickerman,
Cox,	Jennings,	Rhodes, W. M.,	Vogdes,
Crosby,	Jones,	Rich,	Wagner,
Cummins,	Kennedy,	Ringler,	Walker,
Curry,	Lafferty,	Rininger,	Wallace,
Davis, W.,	Laucks,	Rinn,	Walter,
Dawson,	Lauler,	Robertson,	Weimer,
Dell,	Leary,	Rogers,	Wells,
Dewey,	Lewis,	Ross,	Whitaker,
Dithrich,	Lohr,	Rothenberger,	Wickman,
Drinkhouse,	Luppert,	Ruddy,	Williams, G. W.
Dunn,	Mangan,	Rudisill,	Williams, J. P.,
Eby,	Marvin,	Sampsel,	Wobensmith,
Ehrhardt,	McArdle,	Sarig,	Wood,
Erdman,	McCaig,	Scott,	Woodward,
Fackler,	McCullough,	Shaffer, C. A.,	Wylie,
Fitzgibbon,	McCurdy,	Shattuck,	Wynne,
Flynn,	McKay,	Showalter,	Zanders,
Fowler,	McKinney,	Shunk,	Baldwin,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1578, entitled

An Act imposing a State tax upon natural gas providing for the settlement and collection of said tax annually and dedicating the same to the construction maintenance improvement and repair of State and State-aid Highways and providing penalties for the violation of this act.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Aron,	Flynn,	McPeake,	Smith, J. W.,
Arthur,	Fowler,	McVicar,	Smith, L.,
Aston,	Franklin,	Mearkle,	Smith, O. W.,
Baker,	Fretz,	Mehring,	Snowden,
Baldi,	Gans,	Michel,	Snyder,
Baldridge,	Geary,	Miller, A. D.,	Somerman,
Barner,	Glass,	Miller, C. G.,	Sones,
Bechtold,	Golder,	Miller, G. J. A.,	Spangler,
Bell,	Gormley,	Milner,	Speicher,
Benchoff,	Graham,	Morgan, T. J.,	Sprowls,
Bennett,	Gransback,	Murdoch,	Stadtlander,
Beyer,	Haight,	Musser,	Sterling,
Bidelspacher,	Haldeman,	Neary,	Stern,
Black,	Hecht,	Ogden,	Stites,
Bouton, V. B.,	Heffernan,	Palmer,	Stoffiet,
Bovee,	Helt,	Patterson,	Strauss,
Boyd,	Hess,	Phillips,	Sullivan,
Brady,	Heyburn,	Pickering,	Swartz,
Brumbaugh,	Hibshman,	Powell,	Sweitzer,
Burnett,	Hoffman,	Ramsey,	Taylor,
Campbell, T.,	Hollern,	Reichenbacher,	Thomas,
Canon,	Hollingsworth,	Reitzel,	Ulsh,
Chestnut,	Horne,	Rhodes, W. M.,	Urich,
Christman,	Horton,	Rich,	Vickerman,
Clements,	Hough,	Ringler,	Vogdes,
Coldsmith,	Howarth,	Rininger,	Wagner,
Conner,	Jennings,	Rinn,	Walker,
Cook,	Jones,	Robertson,	Wallace,
Corbin,	Kennedy,	Rogers,	Walter,

Cox,	Lanius,	Ross,	Weimer,
Crosby,	Laucks,	Rothenberger,	Wells,
Cummins,	Lauler,	Ruddy,	West,
Curry,	Leary,	Rudisill,	Whitaker,
Davis, W.,	Lewis,	Sampsel,	Wickman,
Dawson,	Lohr,	Sarig,	Williams, G. W.
Dean,	Luppert,	Schaeffer, A. C.,	Williams, J. P.,
Dell,	Mangan,	Scott,	Wobensmith,
Dewey,	Marvin,	Shaffer, C. A.,	Wood,
Dithrich,	McArdle,	Shattuck,	Woodward,
Donneley,	McCaig,	Shunk,	Wylie,
Drinkhouse,	McCullough,	Siggins,	Wynne,
Dunn,	McCurdy,	Simpson,	Zanders,
Eby,	McKay,	Sinclair,	Baldwin,
Ehrhardt,	McKinney,	Smith, E. R.,	Speaker.
Fackler,	McNichol,	Smith, F. I.,	
Fitzgibbon,			

NAYS—1

Goodwin,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MR. RININGER IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1579, entitled

An Act imposing a State tax on coal providing for the assessment and collection of the said tax annually dedicating fifty per centum of the fund received from said tax and appropriating the same to the construction maintenance improvement and repair of State and State-aid Highways providing penalties for the violation of this act.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Aron,	Flynn,	McKay,	Simpson,
Arthur,	Franklin,	McKinney,	Sinclair,
Aston,	Fretz,	McVicar,	Smith, E. R.,
Baker,	Gans,	Mehring,	Smith, F. I.,
Baldi,	Geary,	Mervine,	Smith, J. W.,
Baldridge,	Glass,	Michel,	Smith, L.,
Barner,	Golder,	Miller, A. D.,	Smith, O. W.,
Bechtold,	Goodnough,	Miller, Allan,	Snowden,
Bell,	Goodwin,	Miller, C. G.,	Snyder,
Bennett,	Gormley,	Milner,	Somerman,
Benninger,	Graeff,	Mitchell,	Spangler,
Beyer,	Graham,	Morgan, T. J.,	Speicher,
Bidelspacher,	Gransback,	Murdoch,	Sprowls,
Black,	Haight,	Musser,	Stadtlander,
Bouton, V. B.,	Haldeman,	Neary,	Steedle,
Bovee,	Hecht,	Palmer,	Sterling,
Boyd,	Heffernan,	Patterson,	Stern,
Brady,	Helt,	Phillips,	Stites,
Brumbaugh,	Hess,	Pickering,	Strauss,
Burnett,	Heyburn,	Powell,	Sullivan,
Campbell, T.,	Hibshman,	Ramsey,	Swartz,
Canon,	Hoffman,	Reichenbacher,	Sweitzer,
Chestnut,	Hollern,	Reitzel,	Taylor,
Christman,	Hollingsworth,	Reynolds,	Thomas,
Clements,	Horne,	Rhoads, H. L.,	Ulsh,
Coldsmith,	Horton,	Rhodes, W. M.,	Urich,
Conner,	Hough,	Rich,	Vickerman,
Cook,	Howarth,	Ringler,	Vogdes,
Corbin,	Isherwood,	Rininger,	Wagner,
Cox,	Jennings,	Rinn,	Walker,
Crosby,	Jones,	Robertson,	Walter,
Cummins,	Kennedy,	Rogers,	Weimer,
Curry,	Lafferty,	Ross,	West,
Davis, W.,	Lanius,	Rothenberger,	Whitaker,
Dawson,	Laucks,	Ruddy,	Wickman,
Dean,	Lauler,	Rudisill,	Williams, G. W.
Dewey,	Leary,	Sampsel,	Williams, J. P.,
Dithrich,	Lewis,	Sarig,	Wobensmith,
Donneley,	Luppert,	Schaeffer, A. C.,	Wood,
Drinkhouse,	Mangan,	Scott,	Woodward,
Dunn,	Marvin,	Shaffer, C. A.,	Wylie,
Eby,	McArdle,	Shattuck,	Wynne,
Ehrhardt,	McCaig,	Showalter,	Zanders,
Fackler,	McCullough,	Shunk,	Baldwin,
Fitzgibbon,	McCurdy,	Siggins,	Speaker.

NAYS—3.

McPeake,	Miller, G. J. A.,	Sones,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 441, entitled

An Act to further amend the eighty-ninth section of an act approved the fifteenth day of April one thousand eight hundred thirty-four entitled "An Act relating to counties and townships and county and township officers" as amended by fixing the per diem compensation of assessors and assistant assessors.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Aron,	Drinkhouse,	Lafferty,	Siggins,
Arthur,	Dunn,	Lewis,	Smith, E. R.,
Aston,	Eby,	Luppert,	Smith, J. W.,
Baker,	Ehrhardt,	McArdle,	Smith, O. W.,
Baldi,	Fackler,	McCaig,	Snowden,
Baldridge,	Fitzgibbon,	McCurdy,	Sones,
Barner,	Flynn,	McKinney,	Spangler,
Bechtold,	Franklin,	Mehring,	Speicher,
Benchoff,	Fretz,	Mervine,	Sterling,
Bennett,	Gans,	Miller, A. D.,	Stern,
Benninger,	Geary,	Miller, C. G.,	Stites,
Beyer,	Glass,	Miller, G. J. A.,	Strauss,
Bidelspacher,	Golder,	Morgan, T. J.,	Swartz,
Black,	Goodnough,	Neary,	Sweitzer,
Bouton, V. B.,	Goodwin,	Palmer,	Thomas,
Bovee,	Gormley,	Patterson,	Ulsh,
Boyd,	Graeff,	Perry,	Urich,
Brady,	Graham,	Phillips,	Vogdes,
Brumbaugh,	Gransback,	Powell,	Wagner,
Burnett,	Haight,	Ramsey,	Walker,
Canon,	Haldeman,	Reichenbacher,	Wallace,
Coldsmith,	Hecht,	Reitzel,	Walter,
Conner,	Heffernan,	Rich,	Wells,
Cook,	Helt,	Ringler,	West,
Corbin,	Hess,	Rininger,	Whitaker,
Cox,	Heyburn,	Rinn,	Wickman,
Crosby,	Hibshman,	Rogers,	Wobensmith,
Cummins,	Hollern,	Rothenberger,	Wood,
Curry,	Hollingsworth,	Ruddy,	Woodward,
Davis, W.,	Horton,	Sarig,	Wylie,
Dawson,	Hough,	Schaeffer, A. C.,	Wynne,
Dean,	Howarth,	Shattuck,	Zanders,
Dithrich,	Isherwood,	Showalter,	Baldwin,
Donneley,	Jones,	Shunk,	Speaker.

NAYS—17.

Chestnut,	Marvin,	Rudisill,	Stadtlander,
Christman,	McCullough,	Sampsel,	Stofflet,
Horne,	Mearkle,	Simpson,	Weimer,
Lauler,	Ogden,	Smith, F. I.,	Williams, G. W.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, May 9, 1917.

Resolved (if the House of Representatives concur) That Senate Bill No. 255, entitled "An Act to fix the time for filing nomination papers for State and municipal officers and for determination by the courts of contested papers" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING.

Mr. McCURDY. Mr. Speaker, I desire to call up from page 35 of to-day's calendar, bills on third reading postponed, House Bill No. 1331 (Senate Bill No. 567), File Folio 1261.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1331 (Senate Bill No. 567), entitled

An Act to amend section nineteen of an act approved the thirteenth day of June one thousand eight hundred thirty-six entitled "An Act relating to roads highways and bridges."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Aron,	Goodwin,	Morgan, T. J.,	Smith, J. W.,
Arthur,	Gormley,	Murdoch,	Smith, L.,
Aston,	Graham,	Murphy,	Smith, O. W.,
Baker,	Gransback,	Musser,	Snowden,
Baldi,	Haight,	Neary,	Somerman,
Baldridge,	Haldeman,	Ogden,	Sones,
Bell,	Heffernan,	Palmer,	Spangler,
Benninger,	Heyburn,	Patterson,	Speicher,
Beyer,	Hibshman,	Perry,	Sprowls,
Bidelspacher,	Hollern,	Phillips,	Stadtlander,
Bouton, V. B.,	Hollingsworth,	Pickering,	Sterling,
Brady,	Horton,	Ramsey,	Stern,
Campbell, T.,	Howarth,	Reichenbacker,	Stites,
Christman,	Isherwood,	Reitzel,	Strauss,
Coldsmith,	Jennings,	Reynolds,	Sullivan,
Corbin,	Kennedy,	Rhoads, H. L.,	Swartz,
Crosby,	Lanius,	Rich,	Sweitzer,
Davis, W.,	Laucks,	Ringler,	Thomas,
Dawson,	Lauler,	Rininger,	Ulsh,
Dell,	Leary,	Rinn,	Urich,
Dithrich,	Lewis,	Robertson,	Vickerman,
Donneley,	Luppert,	Rogers,	Vogdes,
Drake,	Mangan,	Rothenberger,	Wagner,
Drinkhouse,	Marvin,	Rudisill,	Walker,
Dunn,	McArdle,	Sampsel,	Weimer,
Eby,	McCaig,	Sarig,	Wells,
Ehrhardt,	McCullough,	Schaeffer, A. C.,	West,
Erdman,	McCurdy,	Scott,	Wickman,
Fitzgibbon,	McVicar,	Shaffer, C. A.,	Williams, G. W.
Flynn,	Mearkle,	Shattuck,	Wobensmith,
Franklin,	Miller, A. D.,	Showalter,	Wood,
Fretz,	Miller, Allan,	Shunk,	Wylie,
Glass,	Miller, G. J. A.,	Siggins,	Wynne,
Golder,	Milner,	Sinclair,	Zanders,
Goodnough,	Morgan, T.,	Smith, E. R.,	Baldwin, Speaker.

NAYS—2.

Walter, Whitaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1488, entitled

An Act validating certain elections of counties, cities, boroughs, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto, and validating bonds issued or authorized to be issued in pursuance of said election.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALTER. Mr. Speaker, I should like to ask the sponsor of this bill, the gentleman from Luzerne, if this is not covered by the two or three validating bond bills which have already been passed, and I should like further to know why there is not the usual exemption of pending suits.

Mr. POWELL. Mr. Speaker and gentlemen of the House, this bill simply provides a remedy for an election that was held in a district that I come from. I might illustrate the occurrence as it took place. There was a special election for increasing the indebtedness of Larksville Borough and a majority of the citizens of the borough voted for the increased indebtedness. After the election was held, there was a question as to whether or not the election was conducted properly, they contended that the Baker Ballot Law not been lived up to simply because the guard rails had not been placed in the seventh ward of Larksville Borough, with the result that they took the election to court. This act simply validates that election. That is the information that was given me by the solicitor of Larksville Borough. I am not a solicitor and I cannot answer any further questions pertaining to the bill.

Mr. WALTER. Mr. Speaker, I take it from the information which the gentleman from Luzerne has given the House that there is a suit pending in the court of Luzerne County with respect to this election, and this body if it were to pass this bill, and if the bill were to become a law, would put an end to that suit. Now the usual clause in all of these bills is that pending proceedings are not to be effected by them, and it is not right to my mind that citizens of a borough who litigate should have the Legislature to kick their suit out of court. There were two or three other bills passed along this line, and each one of them had the exemption in, and therefore I think the House ought not to assent to this proposed putting to an end of a lawsuit in Luzerne County. I know nothing about it except what the gentleman tells, but it is bad policy, and bad practice.

Mr. SIGGINS. Mr. Speaker and gentlemen of the House, I desire to say that this bill was referred to the committee of which I have the honor to be chairman. If you will notice the last part of the bill you will see that it simply validates those elections wherein the arrangement or equipment of the polling place at which such election was held was irregular, but it contains the proviso that all other requirements have been complied with—simply a technical defect, perhaps in this particular election on a technical construction of the ballot laws of this State.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135.

Arthur,	Glass,	McPeake,	Smith, F. I.,
Aston,	Golder,	Mearkle,	Smith, J. W.,
Baker,	Goodwin,	Mervine,	Smith, O. W.,
Bechtold,	Gormley,	Miller, A. D.,	Snowden,
Benchoff,	Graeff,	Miller, Allan,	Somerman,
Bennett,	Graham,	Miller, G. J. A.,	Sones,
Benninger,	Gransback,	Milner,	Spangler,
Beyer,	Hecht,	Morgan, T. J.,	Speicher,
Bidelspacher,	Heffernan,	Murphy,	Stadtlander,
Bouton, V. B.,	Hess,	Neary,	Sterling,
Bovee,	Heyburn,	Palmer,	Stern,
Boyd,	Hibshman,	Patterson,	Stites,
Brady,	Hoffman,	Perry,	Stoffiet,
Campbell, T.,	Hollern,	Pickering,	Strauss,
Canon,	Hollingsworth,	Powell,	Swartz,
Christman,	Horton,	Ramsey,	Sweitzer,
Clements,	Hough,	Reichenbacher,	Thomas,
Coldsmith,	Howarth,	Rhodes, W. M.,	Ulsh,
Conner,	Isherwood,	Rich,	Urich,
Crosby,	Jones,	Ringler,	Vogdes,
Curry,	Kennedy,	Rininger,	Wagner,
Davis, W.,	Lanius,	Rinn,	Walker,
Dawson,	Leary,	Robertson,	Wallace,
Dewey,	Lewis,	Rogers,	Weimer,
Dunn,	Luppert,	Rothenberger,	West,
Ehrhardt,	Mangan,	Ruddy,	Whitaker,
Erdman,	Marvin,	Rudisill,	Wickman,
Fackler,	McArdle,	Scott,	Williams, J. P.,
Fitzgibbon,	McCaig,	Shaffer, C. A.,	Wobensmith,
Flynn,	McCullough,	Shattuck,	Wylie,
Fowler,	McCurdy,	Shunk,	Wynne,
Franklin,	McKay,	Siggins,	Zanders,
Gans,	McKinney,	Sinclair,	Baldwin,
Geary,	McNichol,	Smith, E. R.,	Speaker.

NAYS—9.

Baldridge,	Corbin,	Ogden,	Schaeffer, A. C.,
Chestnut,	Horne,	Sampsel,	Walter,
Cook,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WALKER. Mr. Speaker, on behalf of the sponsor of this bill, I desire to call up at this time from page 36 of to-day's calendar, House Bill No. 409, bills on third reading postponed.

Agreeably to order,
The House resumed the consideration on third reading of House Bill No. 409, entitled

An Act to compel land owners in townships of the second class to clear the highways abutting on their land of brush and trees and imposing certain duties and liabilities on township supervisors.

On the question,
Will the House agree to the bill on third reading?
Mr. WALKER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.
The SPEAKER. The amendments will be read by the Clerk for information.
The Clerk then read the amendments as follows:

Amend by inserting after section 3, page 2, the following:
Section 4 This act shall apply only to roads running through cultivated lands or lands used for grazing purposes or enclosed with a fence for grazing.
Amend section 4, page 2, line 22, by striking out the figure "4" and inserting in lieu thereof the figure "5."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordace with the instructions of the House.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, That the bill as amended lie over for printing.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1389, entitled

An Act establishing in the several jails prisons and penitentiaries the Bertillion method for the identinfication of criminals imposing certain duties upon the warden of the Western Penitentiary and authorizing county commissioners to provide measuring instruments and cabinets for the filing of cards and photographic plates at the expense of the county.

And said bill having been read at length the third time, considered and agreed to,
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Aron,	Fowler,	McKinney,	Shattuck,
Arthur,	Fretz,	McNichol,	Shunk,
Aston,	Gans,	McPeake,	Siggins,
Baker,	Geary,	McVicar,	Sinclair,
Baldi,	Glass,	Mearkle,	Smith, E. R.,
Baldridge,	Golder,	Mehring,	Smith, F. I.,
Barner,	Goodnough,	Mervine,	Smith, J. W.,
Bennett,	Gormley,	Michel,	Smith, O. W.,
Benninger,	Graeff,	Miller, A. D.,	Snowden,
Beyer,	Graham,	Miller, Allan,	Somerman,
Bouton, V. B.,	Gransback,	Miller, C. G.,	Sones,
Brady,	Haldeman,	Miller, G. J. A.,	Spangler,
Campbell, T.,	Hecht,	Milner,	Speicher,
Canon,	Heffernan,	Mitchell,	Sprowls,
Chestnut,	Helt,	Morgan, T.,	Stadtlander,
Christman,	Hess,	Morgan, T. J.,	Sterling,
Clements,	Heyburn,	Murphy,	Stern,
Coldsmith,	Hibshman,	Musser,	Stites,
Conner,	Hoffman,	Neary,	Stofflet,
Cook,	Hollern,	Ogden,	Strauss,
Corbin,	Hollingsworth,	Palmer,	Swartz,
Cox,	Horton,	Patterson,	Sweitzer,
Crosby,	Hough,	Perry,	Taylor,
Cummins,	Howarth,	Pickering,	Thomas,
Curry,	Jones,	Powell,	Ulsh,
Davis, W.,	Kennedy,	Ramsey,	Urich,
Dawson,	Lafferty,	Reynolds,	Vickerman,
Dean,	Lanius,	Rich,	Vogdes,
Dell,	Laucks,	Ringler,	Wagner,
Dewey,	Lewis,	Rininger,	Walker,
Dithrich,	Lohr,	Rinn,	Walter,
Donneley,	Luppert,	Robertson,	West,
Drake,	Mangan,	Rogers,	Whitaker,
Drinkhouse,	Marvin,	Ross,	Wickman,
Dunn,	McArdle,	Rothenberger,	Williams, J. P.,
Ehrhardt,	McCaig,	Ruddy,	Wobensmith,
Erdman,	McCullough,	Rudisill,	Wylie,
Fackler,	McCurdy,	Sarig,	Wynne,
Flynn,	McKay,	Scott,	Baldwin, Speaker.

NAYS—12.

Bechtold,	Horne,	Reitzel,	Weimer,
Bidelspacher,	Phillips,	Sampsel,	Williams, G. W.
Eby,	Reichenbacker,	Showalter,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.
Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 851, entitled

An Act to amend the first paragraph of section four of the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?
Mr. COOK. Mr. Speaker, I would like to have the sponsor of this bill explain it.
Mr. POWELL. Mr. Speaker, this bill simply provides for a four-year term for commissioners in townships of the first class. It also provides a hold-over feature. That is all there is to the bill and affects only townships of the first class.
On the question recurring,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Aron,	Franklin,	McNichol,	Siggins,
Arthur,	Fretz,	McPeake,	Simpson,
Aston,	Gans,	McVicar,	Sinclair,
Baker,	Geary,	Mearkle,	Smith, E. R.,
Baldi,	Glass,	Mehring,	Smith, F. I.,
Baldridge,	Golder,	Mervine,	Smith, J. W.,
Barner,	Goodnough,	Michel,	Smith, L.,
Bechtold,	Goodwin,	Miller, A. D.,	Smith, O. W.,
Bennett,	Gormley,	Miller, C. G.,	Snowden,
Benninger,	Graeff,	Miller, G. J. A.,	Snyder,
Beyer,	Graham,	Milner,	Sones,
Bidelspacher,	Gransback,	Mitchell,	Spangler,
Bouton, V. B.,	Haight,	Morgan, T.,	Speicher,
Bovee,	Haldeman,	Morgan, T. J.,	Sprowls,
Boyd,	Hecht,	Murdoch,	Stadtlander,
Brady,	Heffernan,	Musser,	Sterling,
Brumbaugh,	Hess,	Neary,	Stern,
Campbell, T.,	Heyburn,	Ogden,	Stites,
Canon,	Hibshman,	Palmer,	Strauss,
Christman,	Hoffman,	Patterson,	Sullivan,
Clements,	Hollern,	Perry,	Swartz,
Coldsmith,	Hollingsworth,	Pickering,	Sweitzer,
Conner,	Horne,	Powell,	Taylor,
Cook,	Horton,	Ramsey,	Thomas,
Corbin,	Hough,	Reichenbacher,	Ulsh,
Cox,	Howarth,	Reynolds,	Urich,
Crosby,	Isherwood,	Rhodes, W. M.,	Vickerman,
Cummins,	Jennings,	Rich,	Wagner,
Curry,	Jones,	Ringler,	Walker,
Davis, W.,	Kennedy,	Rininger,	Wallace,
Dawson,	Lafferty,	Rinn,	Walter,
Dean,	Lanius,	Robertson,	Weimer,
Dell,	Lauler,	Rogers,	Wells,
Dewey,	Leary,	Ross,	West,
Dithrich,	Lewis,	Rothenberger,	Whitaker,
Donneley,	Lohr,	Ruddy,	Wickman,
Drinkhouse,	Luppert,	Rudisill,	Williams, G. W.
Dunn,	Mangan,	Sampsel,	Williams, J. P.,
Eby,	Marvin,	Sarig,	Wobensmith,
Ehrhardt,	McArdle,	Schaeffer, A. C.,	Wood,
Erdman,	McCaig,	Scott,	Woodward,
Fackler,	McCullough,	Shaffer, C. A.,	Wylie,
Fitzgibbon,	McCurdy,	Shattuck,	Wynne,
Flynn,	McKay,	Showalter,	Zanders,
Fowler,	McKinney,	Shunk,	Baldwin, Speaker.

NAYS—1.

Benchoff,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1289, entitled

An Act regulating the giving and delivery of trading stamps coupons and similar articles in connection with the sale and purchase of goods wares and merchandise and providing penalties.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Aron,	Dunn,	Lohr,	Schaeffer, A. C.,
Arthur,	Ehrhardt,	Luppert,	Scott,
Aston,	Erdman,	Mangan,	Shaffer, C. A.,
Baker,	Fackler,	Marvin,	Showalter,
Baldi,	Fitzgibbon,	McArdle,	Shunk,
Baldridge,	Flynn,	McCaig,	Siggins,
Barner,	Fowler,	McCullough,	Simpson,
Bechtold,	Franklin,	McCurdy,	Sinclair,
Bell,	Fretz,	McKay,	Smith, F. I.,
Benchoff,	Gans,	McKinney,	Smith, J. W.,
Bennett,	Geary,	McNichol,	Smith, O. W.,
Benninger,	Glass,	McPeake,	Snowden,
Beyer,	Golder,	McVicar,	Sones,
Bidelspacher,	Goodnough,	Mearkle,	Spangler,
Black,	Goodwin,	Mehring,	Speicher,
Bouton, V. B.,	Gormley,	Michel,	Sprowls,
Bovee,	Graeff,	Miller, A. D.,	Stadtlander,
Boyd,	Graham,	Miller, Allan,	Steedle,
Brady,	Gransback,	Miller, G. J. A.,	Sterling,
Brumbaugh,	Haight,	Milner,	Stern,
Campbell, T.,	Haldeman,	Mitchell,	Stofflet,
Canon,	Hecht,	Morgan, T.,	Strauss,
Chestnut,	Heffernan,	Murdoch,	Swartz,
Clements,	Helt,	Murphy,	Thomas,
Coldsmith,	Hess,	Neary,	Ulsh,
Conner,	Heyburn,	Palmer,	Urich,
Cook,	Hibshman,	Perry,	Vogdes,
Corbin,	Hoffman,	Phillips,	Walker,
Cox,	Hollern,	Pickering,	Weimer,
Crosby,	Hollingsworth,	Ramsey,	West,
Cummins,	Horton,	Reitzel,	Whitaker,
Curry,	Hough,	Reynolds,	Williams, G. W.
Davis, W.,	Howarth,	Rich,	Williams, J. P.,
Dawson,	Isherwood,	Rininger,	Wood,
Dean,	Jennings,	Robertson,	Woodward,
Dewey,	Jones,	Ross,	Wylie,
Dithrich,	Kennedy,	Ruddy,	Wynne,
Donneley,	Laucks,	Rudisill,	Baldwin,
Drake,	Lauler,	Sampsel,	Speaker.
Drinkhouse,	Leary,	Sarig,	

NAYS—2.

Eby, Horne,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1265, entitled

An Act to amend section one of an act approved the twenty-fifth day of June, one thousand nine hundred and thirteen, entitled "An Act authorizing the township commissioners, of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township, leading directly to or connecting cities, boroughs, villages, or places of public resort; providing for and regulating the construction of the same; and authorizing the township commissioners to charge a part of the expense of constructing the same, including the grading and curbing thereof, upon the abutting property owners, and to defray the remaining part of such expense from the public funds of the township," ordaining and establishing sidewalks over and upon land abutting along the sides of streets, highways and turnpikes, and providing for the assessment and payment of damages and benefits in connection therewith.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LEWIS. Mr. Speaker, I would ask the sponsor of this bill to explain the purpose of it.

Mr. HEYBURN. Mr. Speaker, this act simply gives township commissioners of the first class, where the road is not sufficiently wide to permit of the construction of sidewalks, the right to condemn property along the road for that purpose.

Mr. STITES. Mr. Speaker, I do not know whether the House understood the explanation. In the eastern section of the State in some of the townships there are very narrow roadways. It is the desire of the introducer of this bill, the sponsor of the bill, to permit the commissioners of the township to widen the road and arrange for the payment along the road where it is necessary to take property.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Aron,	Fretz,	Mehring,	Smith, E. R.,
Arthur,	Gans,	Mervine,	Smith, F. I.,
Aston,	Geary,	Michel,	Smith, J. W.,
Baker,	Glass,	Miller, A. D.,	Smith, L.,
Baldi,	Golder,	Miller, C. G.,	Smith, O. W.,
Baldridge,	Goodwin,	Miller, G. J. A.,	Snyder,
Bechtold,	Gormley,	Milner,	Somerman,
Bennett,	Graeff,	Morgan, T. J.,	Sones,
Benninger,	Graham,	Murdoch,	Spangler,
Beyer,	Gransback,	Murphy,	Speicher,
Bidelspacher,	Haldeman,	Musser,	Sprowls,
Bouton, V. B.,	Heffernan,	Neary,	Stadtlander,
Bovee,	Helt,	Ogden,	Sterling,
Boyd,	Hess,	Palmer,	Stern,
Brady,	Heyburn,	Patterson,	Stites,
Campbell, T.,	Hibshman,	Perry,	Stofflet,
Canon,	Hoffman,	Phillips,	Strauss,
Chestnut,	Hollern,	Pickering,	Sullivan,
Christman,	Hollingsworth,	Powell,	Swartz,
Clements,	Horne,	Ramsey,	Sweitzer,
Coldsmith,	Hough,	Reichenbacker,	Thomas,
Conner,	Howarth,	Reitzel,	Ulsh,
Cook,	Isherwood,	Reynolds,	Urich,
Corbin,	Jennings,	Rich,	Vickerman,
Cox,	Jones,	Ringler,	Vogdes,
Crosby,	Kennedy,	Rininger,	Wagner,
Cummins,	Lafferty,	Rinn,	Walker,
Curry,	Lauler,	Robertson,	Wallace,
Davis, W.,	Lewis,	Rogers,	Walter,
Dawson,	Lohr,	Ross,	Weimer,
Dean,	Luppert,	Rothenberger,	Wells,
Dell,	Mangan,	Ruddy,	West,
Dewey,	Marvin,	Rudisill,	Whitaker,
Dithrich,	McArdle,	Sampsel,	Wickman,
Donneley,	McCaig,	Sarig,	Williams, G. W.
Drinkhouse,	McCullough,	Schaeffer, A. C.,	Williams, J. P.,
Dunn,	McCurdy,	Scott,	Wobensmith,
Eby,	McKay,	Shaffer, C. A.,	Wood,
Ehrhardt,	McKinney,	Shattuck,	Woodward,
Erdman,	McNichol,	Shunk,	Wylie,
Fackler,	McPeake,	Siggins,	Wynne,
Fitzgibbon,	McVicar,	Simpson,	Zanders,
Flynn,	Mearkle,	Sinclair,	Baldwin,
Franklin,			Speaker.

NAYS—1.

Benchoff,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1264, entitled

An Act to amend sections one and two of an act approved the seventh day of June one thousand nine hundred and one entitled "An Act to authorize the township commissioners in townships of the first class to lay out widen open and vacate streets and the highways within their respective townships at the expense of the township or the properties benefited."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Aron,	Fitzgibbon,	McNichol,	Sinclair,
Arthur,	Fowler,	McPeake,	Smith, E. R.,
Aston,	Franklin,	McVicar,	Smith, F. I.,
Baker,	Fretz,	Mehring,	Smith, J. W.,
Baldi,	Gans,	Michel,	Smith, L.,
Baldridge,	Glass,	Miller, Allan,	Smith, O. W.,
Barner,	Golder,	Miller, G. J. A.,	Snowden,
Bechtold,	Goodnough,	Milner,	Snyder,
Bell,	Goodwin,	Mitchell,	Somerman,
Bennett,	Gormley,	Morgan, T. J.,	Sones,
Beyer,	Graeff,	Murdoch,	Spangler,
Bidelspacher,	Graham,	Murphy,	Speicher,
Black,	Gransback,	Musser,	Sprowls,
Bouton, V. B.,	Haight,	Neary,	Stadtlander,
Bovee,	Haldeman,	Ogden,	Sterling,
Boyd,	Heffernan,	Palmer,	Stern,
Brady,	Helt,	Patterson,	Stites,
Brumbaugh,	Hess,	Phillips,	Stofflet,
Burnett,	Heyburn,	Pickering,	Strauss,
Campbell, T.,	Hibshman,	Powell,	Sullivan,
Canon,	Hoffman,	Ramsey,	Swartz,
Chestnut,	Hollern,	Reichenbacker,	Sweitzer,
Christman,	Hollingsworth,	Reitzel,	Thomas,
Clements,	Horne,	Reynolds,	Ulsh,
Coldsmith,	Horton,	Rhodes, W. M.,	Urich,
Conner,	Hough,	Rich,	Vickerman,
Cook,	Howarth,	Ringler,	Wagner,
Corbin,	Jennings,	Rininger,	Walker,
Cox,	Jones,	Rinn,	Wallace,
Crosby,	Kennedy,	Robertson,	Walter,
Cummins,	Lafferty,	Rogers,	Weimer,
Curry,	Laucks,	Ross,	Wells,
Davis, W.,	Lauler,	Rothenberger,	West,
Dawson,	Lewis,	Ruddy,	Whitaker,
Dean,	Lohr,	Rudisill,	Wickman,
Dell,	Luppert,	Sampsel,	Williams, G. W.
Dewey,	Mangan,	Sarig,	Williams, J. P.,
Dithrich,	Marvin,	Schaeffer, A. C.,	Wobensmith,
Donneley,	McArdle,	Scott,	Wood,
Drinkhouse,	McCaig,	Shaffer, C. A.,	Woodward,
Dunn,	McCullough,	Shattuck,	Wylie,
Eby,	McCurdy,	Shunk,	Wynne,
Ehrhardt,	McKay,	Siggins,	Zanders,
Fackler,	McKinney,	Simpson,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1180, entitled

An Act to prohibit dancing singing cabaret shows vaudeville or theatrical entertainments and moving picture exhibitions in places licensed for the sale of vinous spirituous malt or brewed liquors.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PHILLIPS. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Bedford permit himself to be interrogated?

Mr. EDGAR R. SMITH. I will, Mr. Speaker.

Mr. PHILLIPS. Mr. Speaker, I would like to ask the gentleman that if this bill were passed whether it would prevent any of the hotels from having a public dance, whether it might be for charitable purposes or otherwise. Many of the hotels have a ball at New Year's and at other times for charitable purposes. Would not this bill prevent that?

Mr. EDGAR R. SMITH. Mr. Speaker, this bill does not hinder any private dances in the hotels, only public dances.

Mr. WALTER. Mr. Speaker, I desire to interrogate the gentleman from Bedford.

The SPEAKER. Will the gentleman from Bedford permit himself to be interrogated?

Mr. EDGAR R. SMITH. I will, Mr. Speaker.

Mr. WALTER. Mr. Speaker, I would like the gentleman to define the difference between private dancing and public dancing in a hotel.

Mr. EDGAR R. SMITH. Mr. Speaker, the bill specifically states that hotels and licensed saloons shall have no public dancing.

Mr. WILLIAM DAVIS. Mr. Speaker and gentlemen of the House, this bill has reference to a public building, a public house, as provided for by law to-day. I take it from the reading of this bill that if I step into that house, and the members of that family, belonging to the family of that landlord, are in the house, that I am a stranger in a public hotel and have no right to step into that parlor and take any part in the music, dancing or amusements. Is it possible that we are getting to that, and will not be permitted to take part in any singing or dancing, or have any recreation? There is no county in the State of Pennsylvania that has a village or borough where there is a public house that doesn't have a parlor where there is dancing and music for the purpose of entertaining the guests and friends. If you pass this measure you cannot have that in any of the parlors of the hotels. I do not think this measure should pass, and it is one that you should look into. If it should pass, in all public houses no one outside of the family of the landlord of that house could dance or sing in that house.

Mr. WALTER. Mr. Speaker, it seems that the gentlemen who are trying to make the saloon respectable have introduced this bill, and I understand that it is one of a series of bills that emanates from the Liquor Dealers' Association concerning which certain members of the House yesterday received typewritten slips. I think in this case they overstepped the mark. In my own county—and I will only speak of places with which I am familiar—there is a small summer resort hotel. On various evenings of the week people go there and engage in dancing. The dance hall or ball room is entirely disconnected from the part of the hotel where liquor is sold. The amusements have been innocent and harmless. I am a local option man, as all of you know, but I am not in favor of destroying innocent amusements merely because liquor is sold in some other part of the hotel, nor am I in favor of a measure that will prevent a man and his family from going to a place and enjoying innocent dancing. Take the case of the gentleman's own county of Bedford. When the Bedford Springs Hotel enjoyed a license, there was a ball room in one end of the two or three hundred yards of buildings, and guests and their friends could go there to dance. In the other end of the building liquor was sold. Why should the automobile traveler going to such places, who knows how to behave himself, not have the right to dance there? This bill would destroy a lot of innocent amusement and will not correct any evil that I can think of, and the bill should be defeated.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

The roll was verified as follows:

YEAS—116.

Arthur,	Glass,	McVicar,	Shunk,
Aston,	Goodnough,	Mehring,	Siggins,
Baker,	Goodwin,	Michel,	Smith, E. R.,
Baldridge,	Gormley,	Miller, A. D.,	Smith, J. W.,
Bell,	Haight,	Miller, C. G.,	Snyder,
Benchoff,	Haldeman,	Miller, G. J. A.,	Somerman,
Bennett,	Heffernan,	Mitchell,	Sones,
Beyer,	Helt,	Morgan, T. J.,	Speicher,
Black,	Heyburn,	Murphy,	Stadtlander,
Bouton, V. B.,	Hollern,	Musser,	Stites,
Bovee,	Hollingsworth,	Neary,	Strauss,
Brady,	Howarth,	Ogden,	Sweitzer,
Campbell, T.,	Isherwood,	Phillips,	Thomas,
Canon,	Jones,	Powell,	Ulsh,
Chestnut,	Kennedy,	Ramsey,	Vickerman,
Christman,	Lanius,	Reichenbacher,	Vogdes,
Coldsmith,	Laucks,	Rich,	Walker,
Conner,	Lauler,	Ringler,	Wallace,
Cook,	Leary,	Rininger,	Weimer,
Crosby,	Lewis,	Rinn,	West,
Curry,	Lohr,	Ross,	Whitaker,
Dawson,	Luppert,	Rothenberger,	Wickman,
Dean,	Marvin,	Ruddy,	Williams, G. W.,
Dewey,	McArdle,	Rudisill,	Wobensmith,
Dunn,	McCaig,	Sarig,	Woodward,
Flynn,	McCullough,	Schaeffer, A. C.,	Wylie,
Fowler,	McCurdy,	Shaffer, C. A.,	Wynne,
Franklin,	McKay,	Shattuck,	Zanders,
Gans,	McKinney,	Showalter,	Baldwin, Speaker.
Geary,	McNichol,		

NAYS—31.

Baldi,	Drinkhouse,	Milner,	Stern,
Bechtold,	Eby,	Morgan, T.,	Swartz,
Benninger,	Ehrhardt,	Patterson,	Urich,
Bidelspacher,	Erdman,	Pickering,	Walter,
Clements,	Fackler,	Reitzel,	Wells,

Corbin,	Golder,	Robertson,	Williams, J. P.,
Cox,	Graeff,	Sampsel,	Wood,
Davis, W.,	Mervine,	Sterling,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPEAKER BALDWIN IN THE CHAIR.

BILL ON THIRD READING.

The SPEAKER. The Chair will take up on page 15 of to-day's calendar the Revenue Bill, House Bill No. 1576, File Folio 4847, which was passed over this morning.

The Chair desires to state to the House that the gentleman from Lawrence has some amendments which he wishes to offer.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1576, entitled

An Act to further amend an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A Further Supplement to an act entitled 'An Act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering purposes and imposing a tax of one mill on certain capital stock of certain corporations limited partnerships and joint-stock associations organized for manufacturing and laundering purposes, and appropriating the money received from such tax for State and State-aid highway purposes

On the question,

Will the House agree to the bill on third reading?

Mr. WALLACE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 6, lines 2, 3 and 4, by striking out "engaged in brewing or distilling of spirits and malt liquors and such as enjoy and exercise" and insert in lieu thereof "enjoying and exercising."

Amend section 1, page 6, by adding at the end thereof the following:

"nor shall this act affect or change the rate of tax now imposed by law on persons, firms, limited partnerships, corporations and joint stock associations now or hereafter engaged in the brewing or distilling of spirits and malt liquors."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there and objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL RECOMMITTED.

Mr. McNICHOL asked and received the unanimous consent to offer the following motion, which was twice read, considered and agreed to.

Moved by Mr. McNichol, seconded by Mr. Glass that House Bill No. 1656, File Folio 4913, on page 5 of to-day's calendar of bills on second reading, entitled

An Act to further amend section twenty-three of an act approved the tenth day of June, one thousand eight hundred and ninety-three, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended by the act approved the sixteenth day of April, one thousand nine hundred and three, entitled "An Act amending section twenty-three of the act of June tenth, one thousand eight hundred and ninety-three (Pamphlet Laws four hundred thirty), relating to watchers at elections, and providing that they must be residents of the district or divisions within which they act," by providing that watchers shall be residents of the county.

be recommitted to the Committee on Elections.

BILL ON THIRD READING.

Mr. GEORGE W. WILLIAMS asked and obtained the unanimous consent to call up House Bill No. 797, File Folio 2179, on page 35 of to-day's calendar, bills on third reading postponed, for the purpose of amendment.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 797, entitled

An Act fixing the salary of the elevator operators in the State Capitol.

On the question,

Will the House agree to the bill on third reading?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

In line 7, strike out the word "bi-monthly" and insert in place thereof the word "semi-monthly."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE BILL NO. 69 MADE A SPECIAL ORDER.

Mr. BEYER asked and obtained the unanimous consent to offer the following motion, which was twice read, considered and agreed to:

Moved by Mr. Beyer, seconded by Mr. George W. Williams, that House Bill No. 500 (Senate Bill No. 69), on page 37 of to-day's calendar, bills on third reading postponed, entitled

A Supplement to the second section of An Act entitled "A supplement to the twenty-fourth section of an act entitled 'An Act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine, approved the first day of June one thousand eight hundred and eighty-nine, amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurer of the several cities and boroughs within this Commonwealth," approved the twenty-eighth day of June, one thousand eight hundred and ninety-five, amending the same to provide for the payment of the net proceeds of the entire two per centum tax for the purpose indicated in the original act and supplement including townships among the distributees and providing for certain conditions upon said distributions.

be made a specialc order on Tuesday morning, May 22, at 11.30 o'clock.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1076, entitled

An Act authorizing the Governor of the Commonwealth of Pennsylvania to convey to the estates of Susan E. Bayard and Mary Bayard certain lands in the Seventh Ward of the City of Pittsburgh County of Allegheny.

On the question,

Will the House agree to the bill on third reading?

Mr. BALDRIGE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Beginning at a point in the westerly line of Emerson Street City of Pittsburgh distant ninety-nine and sixty-one one-hundredths feet southwardly from the southerly line of Alder Street thence by lands of the Estate of Susan E. Bayard and Mary Bayard and also of E. Z. Smith north seventy-seven degrees forty-four minutes west one hundred and ninety-nine and ninety-four one-hundredths feet to the easterly line of Carron Alley thence by same south five degrees ten minutes west eight and seventy one-hundredths feet to a point on said easterly line of Carron Alley thence by a line south seventy-eight degrees thirty four minutes east which is parallel and one and sixty-two one-hundredths feet northerly from the face of pilasters of Battery B Armory Building now erected on the property of the Commonwealth of Pennsylvania for a distance of one hundred and eighty-four and ninety-seven one-hundredths feet to a point thence north eleven degrees twenty-six minutes east one foot thence south seventy-eight degrees thirty-four minutes east fourteen feet to the easterly line of Emerson Street thence by the easterly line on Emerson Street north eleven degrees twenty-six minutes east four and seventy-four one-hundredths feet to the place of beginning.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 435, entitled

An Act to further amend an act approved the eleventh day of May, one thousand nine hundred and eleven, entitled "An Act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights, and fixing the penalties for the violation of the provisions hereof," by including instruments and devices used for weighing by manufacturers and at mines and quarries, and by which the wages of employes are determined.

On the question,

Will the House agree to the bill on third reading?

Mr. McCURDY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 3, line 10, by striking out "prosecutions" and inserting in lieu thereof "prosecution."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 840, entitled

An Act amending an act, entitled "An Act prohibiting the offering or giving of premium by any person, partnership, or corporation, licensed to sell vinous, spiritous, malt, or brewed liquors at wholesale or retail, for the return of caps, stoppers, corks, stamps, or labels taken from any bottle, case, keg, barrel, or package containing such vinous, spiritous, malt, or brewed liquors and providing a penalty for the violation thereof," approved the twelfth day of June, Anno Domini nineteen thirteen, prohibiting the offer of gifts or premiums or presents as an inducement for the purchase of liquors, or for any other purpose.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Aron,	Fitzgibbon,	McKinney,	Showalter,
Arthur,	Flynn,	McNichol,	Shunk,
Aston,	Fowler,	McPeake,	Siggins,
Baker,	Franklin,	McVicar,	Sinclair,
Baldi,	Fretz,	Mehring,	Smith, E. R.,
Baldridge,	Gans,	Mervine,	Smith, F. I.,
Barner,	Geary,	Michel,	Smith, J. W.,
Bechtold,	Glass,	Miller, A. D.,	Smith, L.,
Bell,	Golder,	Miller, C. G.,	Smith, O. W.,
Benchoff,	Goodnough,	Miller, G. J. A.,	Snyder,
Bennett,	Goodwin,	Milner,	Somerman,
Benninger,	Gormley,	Mitchell,	Sones,
Beyer,	Graeff,	Morgan, T. J.,	Spangler,
Bidelspacher,	Graham,	Murdoch,	Speicher,
Boulton, H.,	Gransback,	Murphy,	Stadtlander,
Bouton, V. B.,	Haight,	Musser,	Sterling,
Boyd,	Haldeman,	Neary,	Stern,
Brady,	Heffernan,	Ogden,	Stites,
Brumbaugh,	Helt,	Palmer,	Stofflet,
Campbell, T.,	Heyburn,	Patterson,	Strauss,
Canon,	Hibshman,	Perry,	Swartz,
Chestnut,	Hoffman,	Phillips,	Sweitzer,
Christman,	Hollern,	Pickering,	Taylor,
Clements,	Hollingsworth,	Powell,	Ulsh,
Coldsmith,	Horne,	Ramsey,	Urich,
Conner,	Horton,	Reichenbacher,	Vickerman,
Cook,	Howarth,	Reitzel,	Vogdes,
Cox,	Isherwood,	Reynolds,	Walker,
Crosby,	Jennings,	Rich,	Wallace,
Corbin,	Jones,	Ringler,	Walter,
Cummins,	Kennedy,	Rininger,	Weimer,
Curry,	Lafferty,	Rinn,	Wells,
Davis, W.,	Lanius,	Robertson,	West,
Dawson,	Laucks,	Rogers,	Whitaker,
Dell,	Lauler,	Ross,	Wickman,
Dewey,	Leary,	Rothenberger,	Williams, G. W.
Dithrich,	Lohr,	Ruddy,	Williams, J. P.,
Donneley,	Luppert,	Rudisill,	Wobensmith,
Drake,	Mangan,	Sampsel,	Wood,
Drinkhouse,	Marvin,	Sarig,	Woodward,
Dunn,	McArdle,	Schaeffer, A. C.,	Wylie,
Eby,	McCaig,	Scott,	Wynne,
Ehrhardt,	McCullough,	Shaffer, C. A.,	Zanders,
Erdman,	McCurdy,	Shattuck,	Baldwin,
Fackler,	McKay,		Speaker.

NAYS—1.

Lewis,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES.

Mr. BEYER, from the Committee on Judiciary General, reported as committed House Bill No. 584, entitled

An Act validating certain elections of counties, cities, boroughs, townships, school districts, and other incorporated districts, held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal issuance thereof," and the amendments thereof and supplements thereto, and validating bonds issued, or authorized to be issued, in pursuance of such elections.

Mr. BEYER, from the Committee on Judiciary General, reported as committed House Bill No. 1360, entitled

An Act to amend section one of an act approved the fourteenth day of June, one thousand nine hundred fifteen, entitled "An Act to provide for retirement of State employes, permanently disqualified by reason of physical or mental disability to perform their official functions and duties, with half pay, under certain conditions, during the remainder of their lives, except State employes whose retirement has been or shall be otherwise provided for, and the filling of vacancies caused by such retirement."

Mr. WEST, from the Committee on Judiciary Special, reported as committed House Bill No. 1813, entitled

An Act relating to the practice of law, providing who may lawfully write and prepare deeds, mortgages, bonds, and wills, and who may state accounts and give advice in matters relating to estates of decedents; and providing penalties.

Mr. GLASS, from the Committee on Judiciary Special, reported as committed House Bill No. 660, entitled

An Act authorizing companies incorporated under the laws of any other State of the United States for certain purposes to erect and maintain buildings, and to take, have and hold real estate necessary and proper for such purposes.

Mr. STADTLANDER, from the Committee on Judiciary Special, reported as committed House Bill No. 672, entitled

An Act making it compulsory on street and electric railway corporations to maintain a certain temperature in their cars and fixing a penalty for violation.

Mr. STADTLANDER, from the Committee on Judiciary Special, reported as committed House Bill No. 670, entitled

An Act providing that any person, firm or corporation operating a street passenger car upon the public streets and highways of this Commonwealth shall have the said street cars when in use equipped with air brake attachments and automatic air-couplers and providing penalties for the violation of this act.

Mr. STADTLANDER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1388, entitled

An Act amending chapter seven, article six, sections fourteen, sixteen, seventeen and twenty-one of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve), entitled "An Act providing a system of government for boroughs and revising, amending and consolidating the law regulating to boroughs."

Mr. PATTERSON, from the Committee on Judiciary Special, reported as committed House Bill No. 1128, entitled

An Act to confirm titles to real estate under allotments and sales had under orders of the Orphans' Courts in proceedings in partition and to give the Orphans' Courts of this Commonwealth jurisdiction in all cases where real estate is held jointly by co-tenants or tenants in common or as joint owners whether all such are living or where some are deceased and their interest has passed to their heirs.

Mr. WOODWARD, from the Committee on Appropriations, reported as amended House Bill No. 1303, entitled

An Act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and seventeen; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and seventeen.

Mr. WOODWARD asked and obtained unanimous consent to have House Bill No. 1303 read the first time.

BILL ON FIRST READING.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1303, entitled

An Act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and seventeen; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and seventeen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. WOODWARD. Mr. Speaker, I move that House Bill No. 1303 be recommitted to the Committee on Appropriations.

Mr. BEYER. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL INTRODUCED AND REFERRED.

Mr. BEYER asked and obtained unanimous consent to introduce House Bill No. 1877 at this time.

By Mr. BEYER. House Bill No. 1877

An Act imposing a tax on motion picture films, reels, or views, providing for the assessment and collection thereof, dedicating the proceeds of such tax to the "Insurance Fund," and providing penalties.

Referred to the Committee on Appropriations.

RECESS.

Mr. DUNN. Mr. Speaker, I move that we take a recess until 3:00 o'clock this afternoon.
The motion was agreed to and (at 1:30 P. M.) the House took a recess until 3:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 3:00 o'clock P. M.
The SPEAKER (Richard J. Baldwin) in the Chair.

REPORTS FROM COMMITTEES.

Mr. SHOWALTER, from the Committee on Judiciary Local, reported as committed House Bill No. 1707, entitled

An Act to provide that in every case where a bond has been or shall hereafter be filed in any court of record in this Commonwealth whether under the provisions of any law or the order or decree of any court it shall be lawful for the principal surety or sureties or all of them jointly to present their petition to the said court at any time after the expiration of one year from the time a right of action shall have accrued upon such bond and provided that after notice to the parties in interest the court may enter an exoneretur upon the said bond unless action be brought within the time specified in this act.

Mr. STITES, from the Committee on Judiciary Local, reported as committed House Bill No. 1304, entitled

An Act to amend section twelve of an act approved the thirteenth day of May, one thousand eight hundred seventy-six, entitled "An Act for the incorporation and regulation of banks of discount and deposit."

Mr. LAULER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1860, entitled

An Act giving consent to the Commonwealth of Pennsylvania to the purchase by the United States of land belonging to the City of Philadelphia on the Island of Tinicum, in the Township of Tinicum, Delaware County, authorizing the City of Philadelphia to sell and make conveyance thereof; ceding jurisdiction over said land and providing for the retention of concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States, on said land, for the service of legal processes thereupon.

Mr. NEARY, from the Committee on Judiciary Local, reported as committed House Bill No. 1591, entitled

An Act to exempt takling machines, phonographs and musical instruments of every description, leased, licensed or conditionally sold to, or hired by any person or persons residing in or having a place of business in this Commonwealth, from levy or sale on execution or distress for rent.

Mr. BEIDELSPACHER, from the Committee on Judiciary Local, reported as committed House Bill No. 1493, entitled

An Act authorizing Edward F. Martin, a resident of Butler Borough, Butler County, Pennsylvania, to bring suits in the court of common pleas of Butler County against the Commonwealth of Pennsylvania.

Mr. NEARY, from the Commttee on Judiciary Local, reported as committed House Bill No. 1521, entitled

An Act authorizing Edward W. Fenstermacher, a resident of Butler Township, County of Luzerne, to bring suits in the court of Common Pleas of Luzerne County against the Commonwealth of Pennsylvania.

Mr. GOLDER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1795, entitled

An Act providing a uniform method for committing insane, epileptic, lunatic, and feeble-minded persons, persons so habitually addicted to the use of alcoholic drinks, absinthe, opium, morphine, chloral, cocaine, and other intoxicating liquors or drugs, as to be proper subjects for restraint, care or treatment in a hospital or asylum; and all other persons mentally abnormal or defective, to hospitals or other suitable institutions provided for the care of such

persons; providing a method of release therefrom; providing for the disposition and recommitment of criminal insane; and providing penalties for the violation of the provisions of this act and the punishment of certain offenses.

Mr. RININGER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1091 (Senate Bill No. 242), entitled

An Act amending an act approved the ninth day of June, one thousand eight hundred and eighty-one, entitled "An Act to authorize foreign corporations to become corporations of Pennsylvania and to prescribe the mode of their so doing," by regulating the manner and place of acknowledging and recording the certificate therein provided for crediting such domesticated corporation with bonus previously paid by it to the Commonwealth and extending the provisions thereof to corporations incorporated under the several supplements to the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, entitled "An Act to provide for the incorporation and regulation of certain corporations."

Mr. RININGER, from the Committee on Appropriations, reported with a negative recommendation House Bill No. 1629 (Senate Bill No. 729), entitled

An Act to provide for an additional law judge of the several courts of the Thirty-Eighth Judicial District.

Mr. DAWSON, from the Committee on Public Roads, reported with a negative recommendation House Bill No. 1742, entitled

An Act relating to the repair of roads in townships of the second class; imposing duties upon constables; fixing the fees of the constables for viewing roads and serving notices upon township supervisors and providing for the payment of such fees by the township; and providing penalties.

Mr. McCAIG, from the Committee on Municipal Corporations, reported with a negative recommendation House Bill No. 1532, entitled

An Act to regulate the construction, alteration, repair, moving, tearing down, maintenance and occupancy of buildings and structures in the Commonwealth of Pennsylvania by establishing a Division of Building Inspection in the State Department of Health and Bureaus of Building Inspection in cities and counties, providing for the appointment of officers and employes of the Division of Building Inspection of the Department of Health and the Bureaus of Building Inspection in cities and counties, defining their powers and duties, imposing certain duties upon the State Department of Health, local Boards of Health, and the Department of Labor and Industry, creating a Building Commission, and providing for the adoption and promulgation of regulations covering the construction, erection, enlargement, alteration, moving, tearing down, repair, inspection, maintenance, use and occupancy of buildings and structures, providing for the issuing of permits and certificates of completion, providing penalties for violations of this act and the regulations adopted in accordance herewith, and repealing all laws or parts of laws inconsistent with the provisions of this act.

Mr. WOODWARD, from the Committee on Appropriations, re-reported as committed, House Bill No. 1303, entitled

An Act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, inerest on the public debt, and the support of the public schools for the two fiscal years beginning June first, one thousand nine hundred and seventeen; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and seventeen.

Mr. RININGER, from the Committee on Banks and Banking, reported as committed House Bill No. 1761, entitled

A Supplement to an act approved the thirteenth day of May, eighteen hundred and seventy-six, entitled "An Act for the incorporation and regulation of banks of discount and deposit" and authorizing the creation and maintenance of sub-offices or sub-agencies.

Mr. RININGER, from the Committee on Appropriations, reported as amended House Bill No. 1280, entitled

An Act fixing the salary of the Deputy Secretary of Internal Affairs of the Commonwealth of Pennsylvania.

BILL INTRODUCED AND REFERRED.

Mr. GEORGE J. A. MILLER asked and obtained unanimous consent to introduce a bill at this time.

Br. Mr. GEORGE J. A. MILLER. House Bill No. 1878

An Act to repeal paragraph (d) of section 3 of article III of an act known as "The Public Service Company Law" entitled "An Act defining public service companies and providing for their regulation, by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers, and limiting their powers, and regulating their incorporation, and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such commission and its officers, including the exclusive power to regulate the construction, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages severally or proportionately by the public service companies interested, the State or municipal corporation concerned, and giving persons whose property is thereby taken, injured or destroyed authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries and compensation of the members of the commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas, and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions, mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the Commission, and to restrain such orders subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said Commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled "An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly main their trains,' by amending section nine thereof repealing the act approved the thirty-first day of May, one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals,' and an actentitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each loading and not unloaded within the free time for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven, and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act, approved July twenty-sixth, one thousand nine hundred and thirteen.

Referred to the Committee on Manufactures.

SENATE MESSAGE.

SENATE BILL FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 811 (House Bill No. 1879)

An Act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children under the jurisdiction of the Courts of Quarter Sessions of the Peace or other courts sitting as Juvenile Courts and to acquire land therefor by purchase or by condemnation defining the scope and character of such schools regulating the proceedings for the establishment maintenance and management thereof authorizing the County Commissioners to make appropriations levy taxes and to incur indebtedness therefor and providing that all such schools heretofore established by any county shall be continued and maintained under the authority of this act removing the persons in charge thereof and providing that any property heretofore acquired for any such schools shall be held and used for the schools provided for in this act.

Referred to the Committee on Education.

Senate Bill No. 1089 (House Bill No. 1880)

An Act to amend an act approved the second day of July, one thousand eight hundred and ninety-five entitled "An Act to amend an act entitled 'An Act to carry into

effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants,' approved thirty-first March one thousand eight hundred and seventy-six providing for assistant district attorneys and fixing the salary of the same and increasing the salary of county solicitor clerk of the courts recorder of deeds register of wills and treasurer county prison wraden or jailor county commissioners controllers coroners county directors of the poor jury commissioners and county detective and decreasing the salaries of auditors and county surveyor" by fixing the salary of county prison warden.

Referred to the Committee on Judiciary Special.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 991

An Act authorizing and empowering the State Highway Commissioner to take over abandoned rights of way or any part or parts thereof owned or controlled by railroad or railway companies for the use of the State Highway Department for the purpose of locating or relocating and constructing State Highways and providing a method of acquiring the same.

House Bill No. 1580

An Act making an appropriation to uniform and equip the enlisted men of the National Guard of Pennsylvania.

Whereupon,

The Speaker in the presence of the House signed the same.

MR. RAMSEY IN THE CHAIR.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate, being introduced, informed that the Senate has concurred in the amendment made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

Senate Bill No. 662

An Act regulating the packing of apples providing penalties for violations and imposing certain duties upon the Department of Agriculture.

Senate Bill No. 480

An Act to amend section five of an act approved the seventh day of June one thousand nine hundred and fifteen entitled "An Act to amend revise and consolidate the law providing for the burial of certain honorably discharged soldiers sailors and marines at the expense of the counties in which they shall die or have a legal residence at the time of their death to provide a system for effecting the burial of such soldiers sailors and marines to provide headstones and markers for the graves of such soldiers sailors and marines and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers sailors and marines."

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate, being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 1117

An Act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania or by any county municipality or school district thereof in its civil service who have a wife children or parents dependent upon them for support shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment in the army or navy of the United States in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the army or navy directing that one-half of the salaries or wages of such officers or employes not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents thereof authorizing the employment during said term of substitutes to perform the duties therefor performed by such officers and emyloyes respectively and providing for the compensation of such substitutes.

with information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the title line 3, by striking out the word "or" before the word "municipality" and inserting after the word "municipality" the words "or school district."

Amend section 1, page 2, line 11, by striking out the word "or" after the word "county" and inserting after the word "municipality" the words "or school district."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—111.

Aron,	Dithrich,	Lafferty,	Reynolds,
Arthur,	Drake,	Lauler,	Rich,
Aston,	Drinkhouse,	Leary,	Rinn,
Baldi,	Ehrhardt,	Lohr,	Ross,
Baldridge,	Fackler,	Mangan,	Rudisill,
Beshtold,	Flynn,	Marvin,	Scott,
Benchoff,	Franklin,	McArdle,	Shattuck,
Bennett,	Fretz,	McCullough,	Siggins,
Beyer,	Geary,	McCurdy,	Smith, E. R.,
Bidelspacher,	Glass,	McKinney,	Smith, O. W.,
Black,	Goodnough,	McNichol,	Snyder,
Bouton, V. B.,	Gormley,	McPeake,	Sones,
Bovee,	Graeff,	McVicar,	Stadtlander,
Brady,	Graham,	Mehring,	Sterling,
Brumbaugh,	Gransback,	Mervine,	Stites,
Campbell, T.,	Haldeman,	Miller, Allan,	Strauss,
Chestnut,	Hecht,	Miller, C. G.,	Taylor,
Christman,	Heffernan,	Miller, G. J. A.,	Urich,
Coldsmith,	Hess,	Milner,	Vickerman,
Conner,	Heyburn,	Morgan, T.,	Walker,
Cook,	Hibshman,	Morgan, T. J.,	Weimer,
Corbin,	Hollingsworth,	Murphy,	Whitaker,
Crosby,	Horne,	Neary,	Wickman,
Cummins,	Horton,	Ogden,	Williams, J. P.,
Curry,	Hough,	Patterson,	Wood,
Davis, W.,	Isherwood,	Perry,	Woodward,
Dawson,	Jennings,	Pickering,	Zanders,
Dell,	Jones,	Ramsey,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in

Ordered, That the Clerk inform the Senate accordingly.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1363, entitled

An Act directing the Commissioner of Forestry to prepare edit and publish an edition of bulletin number eleven of the Department of Forestry known by the title of Pennsylvania Trees providing for the printing binding and distribution of said edition and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

Mr. RUDISILL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 3, page 2, line 6, by striking out "deliered" and inserting in lieu thereof "delivered."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1451, entitled

An Act providing for the payment out of the city treasury in cities of the second class of the salaries of city employes enlisting in the army and navy or called into the service of the United States and conferring powers upon the council city controller and city treasurer.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114.

Aron,	Dunn,	McNichol,	Smith, J. W.,
Arthur,	Ehrhardt,	McVicar,	Smith, L.,
Aston,	Fackler,	Mehring,	Snowden,
Baker,	Flynn,	Michel,	Somerman,
Baldi,	Franklin,	Miller, A. D.,	Sones,
Bechtold,	Gans,	Miller, C. G.,	Speicher,
Benchoff,	Glass,	Miller, G. J. A.,	Stadtlander,
Bennett,	Golder,	Morgan, T.,	Sterling,
Beyer,	Gormley,	Murdoch,	Stern,
Bidelspacher,	Graham,	Musser,	Strauss,
Bouton, V. B.,	Haldeman,	Neary,	Swartz,
Bovee,	Heffernan,	Palmer,	Thomas,
Boyd,	Hess,	Perry,	Ulsh,
Brumbaugh,	Heyburn,	Ramsey,	Urich,
Campbell, T.,	Hibshman,	Reitzel,	Vickerman,
Canon,	Hoffman,	Rich,	Vogdes,
Chestnut,	Hollingsworth,	Rininger,	Walter,
Christman,	Horton,	Robertson,	Weimer,
Coldsmith,	Howarth,	Rogers,	Wells,
Conner,	Isherwood,	Rothenberger,	West,
Crosby,	Jennings,	Rudisill,	Wickman,
Cummins,	Jones,	Sarig,	Wobensmith,
Curry,	Lafferty,	Schaeffer, A. C.,	Wood,
Davis, W.,	Lanius,	Scott,	Woodward,
Dawson,	Lohr,	Shaffer, C. A.,	Wynne,
Dean,	Mangan,	Shattuck,	Zanders,
Dewey,	Marvin,	Showalter,	Baldwin,
Donneley,	McCaig,	Siggins,	Speaker.
Drinkhouse,	McKay,	Sinclair,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1452, entitled

An Act providing for the payment out of the county treasury in certain counties of the salaries of county employes enlisting in the army and navy or called into the service of the United States and conferring certain powers upon the county commissioners county controller and county treasurer.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Aron,	Flynn,	McKinney,	Shaffer, C. A.,
Arthur,	Franklin,	McPeake,	Shattuck,
Baker,	Fretz,	Mearkle,	Showalter,
Baldridge,	Gans,	Mehring,	Simpson,
Bechtold,	Golder,	Michel,	Sinclair,
Bennett,	Goodnough,	Miller, A. D.,	Smith, E. R.,
Beyer,	Gormley,	Miller, C. G.,	Smith, L.,
Bidelspacher,	Graham,	Milliron,	Snowden,
Bouton, V. B.,	Gransback,	Mitchell,	Somerman,
Boyd,	Haight,	Morgan, T. J.,	Spangler,
Brady,	Haldeman,	Murphy,	Stadtlander,
Brumbaugh,	Heffernan,	Musser,	Steedle,
Campbell, T.,	Hess,	Ogden,	Stern,
Canon,	Heyburn,	Palmer,	Stites,
Chestnut,	Hibshman,	Perry,	Strauss,
Clements,	Hollingsworth,	Pickering,	Sweitzer,
Coldsmith,	Horton,	Ramsey,	Taylor,
Conner,	Howarth,	Reitzel,	Ulsh,
Cook,	Isherwood,	Reynolds,	Urich,
Cox,	Jennings,	Rhoads, H. L.,	Vogdes,
Crosby,	Jones,	Rich,	Walker,
Cummins,	Lafferty,	Ringler,	Walter,
Curry,	Laucks,	Rininger,	Wells,
Dawson,	Leary,	Rinn,	Whitaker,
Dean,	Lohr,	Rogers,	Wickman,
Dithrich,	Mangan,	Ross,	Williams, J. P.,
Donneley,	Marvin,	Ruddy,	Wobensmith,
Drinkhouse,	McArdle,	Rudisill,	Woodward,
Dunn,	McCullough,	Schaeffer, A. C.	Wynne,
Fackler,	McCurdy,	Scott,	Baldwin,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1131, entitled

An Act amending section seventeen of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof" approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven prohibiting the sale of liquors during certain hours of the day.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WILLIAM DAVIS. Mr. Speaker, we have upon the statute books of this State now a law covering and providing for the same condition that this bill contains. I see it has been interlined or amended to contain the words "nor on any other time between the hours of one ante meridian and five ante meridian." I have experienced cases in our own town where we have had fierce fires and we have had to call in people from the City of Johnstown, and we called them in from every town in the county to prevent the destruction of the entire town. We sent out at 3.30 o'clock in the morning and we have had within the boundaries of our town hundreds of men who had come from a distance of eighteen to twenty miles in whatever way they could come, and brought us assistance to save the town. It was dark and it was cold and they needed the protection that they could get at the hotel, and they needed such protection as a licensed hotel under the Brook's high license law could furnish them. They were entitled to it. We called them in to save the town although we did have a loss of something like $85,000 worth of property. Was it right, would it be right, for us to pass a measure here that on an ooccasion of that kind these landlords cannot take care of those men who exposed themselves. I think not, since the courts have full power and control over this provision now. We should not deprive men who are exposed under conditions and cases of that kind and character of protection or such nourishment as they are duly entitled to after their exposure. I will say for myself on that particular occasion; at 3.30 o'clock in the morning I was soaked clean to the skin, I said clean to the skin from the outside, and I was entitled to such nourishment and protection as was proper and right upon that occasion. I only speaking for myself you might say I might have gone home. That is true, but we had men there who as I said had come from a distance of from eighteen to twenty miles and they had been soaked by the water of the hose. They were entitled to that protection and they were entitled to nourishment and they were entitled to stimulants and we were glad to give it to them because they saved our town.

Mr. PHILLIPS. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. WILLIAM DAVIS. Mr. Speaker, I will.

Mr. PHILLIPS. Mr. Speaker, I would like to ask the gentleman if it is necessary for everybody that is soaked at 3.30 in the morning to have a drink of liquor.

Mr. WILLIAM DAVIS. It depends on which side he is soaked.

Mr. PHILLIPS. Is there any necessity for a man, when he is exposed to danger, to have a drink, that the bars might be open so that he might get a drink?

Mr. WILLIAM DAVIS. Mr. Speaker, I said nothing about danger or bars, but if the man is in need of a drink he should be able to get it.

On the question recurring,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—121.

Aron,	Donneley,	Luppert,	Showalter,
Arthur,	Drinkhouse,	McArdle,	Shunk,
Aston,	Dunn,	McCaig,	Simpson,
Baker,	Ehrhardt,	McCullough,	Sinclair,
Baldi,	Fackler,	McCurdy,	Smith, E. R.,
Barner,	Franklin,	McNichol,	Smith, J. W.,
Bechtold,	Fretz,	Mehring,	Smith, O. W.,
Benchoff,	Gans,	Miller, C. G.,	Snowden,
Bennett,	Geary,	Milner,	Sones,
Beyer,	Glass,	Morgan, T.,	Spangler,
Black,	Golder,	Musser,	Sprowls,
Bouton, V. B.,	Gormley,	Neary,	Stadtlander,
Bovee,	Graham,	Ogden,	Sterling,
Boyd,	Gransback,	Perry,	Stern,
Brady,	Haight,	Phillips,	Stites,
Burnett,	Haldeman,	Powell,	Sweitzer,
Campbell, T.,	Heffernan,	Ramsey,	Thomas,
Canon,	Helt,	Reichenbacher,	Vogdes,
Chestnut,	Heyburn,	Reynolds,	Wallace,
Christman,	Hollingsworth,	Rich,	Walter,
Coldsmith,	Horne,	Ringler,	Wells,
Conner,	Hough,	Rininger,	West,
Cook,	Howarth,	Robertson,	Whitaker,
Cox,	Isherwood,	Rogers,	Williams, G. W.
Crosby,	Jennings,	Ross,	Wobensmith,
Cummins,	Jones,	Rothenberger,	Wood,
Curry,	Kennedy,	Ruddy,	Woodward,
Dawson,	Lafferty,	Rudisill,	Wylie,
Dean,	Lauler,	Sarig,	Zanders,
Dell,	Leary,	Schaeffer, A. C.,	Baldwin,
Dewey,	Lewis,	Shaffer, C. A.,	Speaker.

NAYS—9.

Benninger,	Hibshman,	Miller, G. J. A.,	Sampsel,
Davis, W.,	Michel,	Reitzel,	Weimer,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1423, entitled

An Act fixing the salary of the deputy coroner of counties having a population of one million five hundred thousand or over.

And said bill having been read at length the third time, considered and agreed to,
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Aron,	Fackler,	McNichol,	Shattuck,
Arthur,	Fitzgibbon,	McPeake,	Shunk,
Aston,	Franklin,	Mearkle,	Siggins,
Baker,	Fretz,	Mehring,	Simpson,
Baldi,	Gans,	Michel,	Sinclair,
Baldridge,	Glass,	Miller, A. D.,	Smith, E. R.,
Bechtold,	Geary,	Miller, Allan,	Smith, J. W.,
Benchoff,	Golder,	Miller, C. G.,	Smith, L.,
Bennett,	Goodwin,	Miller, G. J. A.,	Smith, O. W.,
Benninger,	Graeff,	Milner,	Snowden,
Beyer,	Graham,	Morgan, T. J.,	Somerman,
Bidelspacher,	Gransback,	Murphy,	Sones,
Bouton, V. B.,	Haldeman,	Musser,	Spangler,
Bovee,	Heffernan,	Neary,	Speicher,
Boyd,	Helt,	Palmer,	Stadtlander,
Brady,	Hess,	Patterson,	Sterling,
Campbell, T.,	Heyburn,	Perry,	Stern,
Canon,	Hibshman,	Phillips,	Stites,
Chestnut,	Hoffman,	Pickering,	Strauss,
Christman,	Hollern,	Ramsey,	Swartz,
Coldsmith,	Hollingsworth,	Reichenbacher,	Sweitzer,
Conner,	Hough,	Reitzel,	Taylor,
Cook,	Howarth,	Reynolds,	Ulsh,
Corbin,	Isherwood,	Rhodes, W. M.,	Urich,
Cox,	Jennings,	Rich,	Vickerman,
Crosby,	Jones,	Ringler,	Wagner,
Cummins,	Lafferty,	Rininger,	Wallace,
Curry,	Lanius,	Rinn,	Weimer,
Davis, W.,	Lauler,	Robertson,	Wells,
Dawson,	Lewis,	Rogers,	Whitaker,
Dean,	Lohr,	Rothenberger,	Wickman,
Dell,	Luppert,	Ruddy,	Williams, G. W.
Dithrich,	Mangan,	Rudisill,	Wobensmith,
Donneley,	Marvin,	Sampsel,	Wood,
Drinkhouse,	McArdle,	Sarig,	Wylie,
Dunn,	McCaig,	Schaeffer, A. C.,	Zanders,
Ehrhardt,	McCurdy,	Scott,	Baldwin,
Erdman,	McKay,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1426, entitled

An Act to further amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof.

And said bill having been read at length the third time, considered and agreed to,
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Aron,	Franklin,	McNichol,	Sinclair,
Arthur,	Fretz,	McPeake,	Smith, E. R.,
Aston,	Gans,	McVicar,	Smith, J. W.,
Baker,	Glass,	Mehring,	Smith, L.,
Baldi,	Golder,	Michel,	Snowden,
Bechtold,	Goodwin,	Miller, A. D.,	Snyder,
Bennett,	Graeff,	Miller, C. G.,	Sones,
Beyer,	Graham,	Miller, G. J. A.,	Spangler,
Bidelspacher,	Gransback,	Milner,	Speicher,
Bouton, V. B.,	Haight,	Morgan, T.,	Stadtlander,
Boyd,	Haldeman,	Morgan, T. J.,	Steedle,
Brady,	Hecht,	Murphy,	Sterling,
Campbell, T.,	Heffernan,	Musser,	Stern,
Canon,	Helt,	Neary,	Stites,
Christman,	Hess,	Ogden,	Strauss,
Clements,	Heyburn,	Palmer,	Sullivan,
Coldsmith,	Hibshman,	Patterson,	Swartz,
Conner,	Hoffman,	Perry,	Sweitzer,
Corbin,	Hollern,	Phillips,	Ulsh,
Cox,	Hollingsworth,	Powell,	Urich,
Crosby,	Hough,	Ramsey,	Vickerman,
Cummins,	Howarth,	Reitzel,	Vogdes,
Curry,	Jennings,	Reynolds,	Wagner,
Davis, W.,	Jones,	Rhodes, W. M.,	Walker,
Dawson,	Lafferty,	Rich,	Wallace,
Dean,	Lanius,	Rininger,	Weimer,
Dewey,	Lauler,	Rinn,	Wells,
Dithrich,	Leary,	Robertson,	Whitaker,
Donneley,	Lewis,	Rogers,	Wickman,
Drinkhouse,	Lohr,	Ruddy,	Williams, G. W.
Dunn,	Luppert,	Rudisill,	Williams, J. P.,
Eby,	Mangan,	Sarig,	Wood,
Ehrhardt,	Marvin,	Scott,	Woodward,
Erdman,	McArdle,	Shattuck,	Wylie,
Fackler,	McCaig,	Showalter,	Wynne,
Flynn,	McKay,	Siggins,	Zanders,
Fowler,	McKinney,	Simpson,	Baldwin,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1023, entitled

An Act making it a misdemeanor for any person under twenty-one years of age to procure or attempt to procure intoxicating liquors.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?
Mr. WALLACE. Mr. Speaker and gentlemen of the House, I just want to call the attention of the House to this bill, No. 1023. This is a bill making it a misdemeanor for any person under twenty-one years of age to procure

or attempt to procure intoxicating liquors. By the title of it, it looks very innocent on its face, but a similar bill to this has been before almost every session of the General Assembly for a great many years, and has never been approved by the better element of the liquor dealers, and certainly has never been favored by the people generally. The trouble with this provision is that under both the Constitution of the United States and the Constituion of Pennsylvania, when a man is charged wih a crime and witnesses are called to confront him, if the testimony that the witness would give would tend to incriminate him, then he is exempt from testifying and could refuse to answer. If you pass this bill, it simply means that you close both the mouth of the guilty saloonkeeper and the mouth of the minor, and consequently you cannot convict either. I do not think that anybody who knows what this means wants this bill passed. Certainly a great number of the liquor dealers do not want it passed, and I am quite sure that if the people knew the real meaning of it they would not favor its passage. Do not pass a law, gentlemen, that would make it impossible to convict either of the offenders, and if you pass this bill that is exactly what it would mean. You will close the mouth of the minor and the mouth of every guilty person, and consequently you will have no way of convicting them.

BILL POSTPONED.

Mr. GEORGE J. A. MILLER. Mr. Speaker, in the absence of the sponsor of this bill, and as it is very unfair to act under these circumstances, I move that the further consideration of this bill be postponed for the present.

Mr. McARDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 17, entitled

An Act authorizing cities of he second and third classes to engage in the business of farming including dairy farming and vesting certain powers in said cities in connection therewith.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—44.

Aston,	Davis, W.,	Laucks,	Ramsey,
Benchoff,	Ehrhardt,	Lauler,	Reichenbacher,
Bouton, V. B.,	Erdman,	Leary,	Reynolds,
Bovee,	Goodnough,	Lewis,	Ruddy,
Burnett,	Goodwin,	Marvin,	Smith, J. W.,
Campbell, T.,	Gormley,	McCullough,	Spangler,
Chestnut,	Hollern,	Mehring,	Stadtlander,
Coldsmith,	Howarth,	Miller, A. D.,	Sweitzer,
Cook,	Jones,	Mitchell,	Wickman,
Cox,	Lafferty,	Musser,	Williams, G. W.
Crosby,	Lanius,	Ogden,	Wobensmith,

NAYS—66.

Arthur,	Haldeman,	Miller, G. J. A.,	Siggins,
Baldridge,	Heyburn,	Morgan, T.,	Simpson,
Barner,	Hibshman,	Neary,	Smith, E. R.,
Benninger,	Hoffman,	Perry,	Sones,
Bidelspacher,	Horne,	Phillips,	Speicher,
Black,	Isherwood,	Pickering,	Stern,
Boyd,	Jennings,	Powell,	Strauss,
Brady,	Lohr,	Ringler,	Swartz,
Canon,	Mangan,	Rininger,	Ulsh,
Christman,	McArdle,	Rothenberger,	Vickerman,
Corbin,	McCaig,	Sampsel,	Wallace,
Dawson,	McCurdy,	Sarig,	Walter,
Dell,	McKinney,	Schaeffer, A. C.,	Wells,
Dewey,	McPeake,	Shaffer, C. A.,	Williams, J. P.,
Glass,	Mearkle,	Showalter,	Wood,
Graham,	Mervine,	Shunk,	Wylie,
Gransback,	Miller, C. G.,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Mr. REYNOLDS. Mr. Speaker, this bill that was just defeated, when this bill was called I did not observe that the sponsor of the bill was absent. I understand that he has been absent from the House all day. It has been our practice in this House when a sponsor of a bill is absent, to postpone the measure. I would therefore ask that some gentleman who voted in the negative will move for a reconsideration of the vote at this time, in order to give the sponsor an opportunity on his bill and to be as fair to him as we are to ourselves.

The SPEAKER. A motion of that kind would not be in order at this time, as there has been no other business since the action on the bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1353, entitled

An Act amending an act entitled "An Act for the division of townships upon the applicaion of the owners of twenty-five per centum of the assessed valuation of the real estate thereof and prescribing the manner of holding an election upon the question of division and declaring any proceeding for a division under former laws to be no bar to a proceeding under this act."

On the question,

Will the House agree to the bill on third reading.

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title page 1, line 1, by inserting before "entitled" the following: "approved the twenty-second day of April, one thousand nine hundred and five (P. L. 288)."

Amend title page 1, line 1, by inserting "providing" before "for."

Amend title page 1, line 6, by striking out "proceidings" and inserting in lieu thereof "proceeding."

Amend section 1, page 1, line 4, by inserting before "entitled" the following: "approved the twenty-second day of April, one thousand nine hundred and five (P. L. 288)."

Amend section 1, page 1, line 4, by inserting "providing" before "for."

Amend section 1, page 2, line 4, by inserting after "Representatives" the following "of the Commonwealth of Pennsylvania."

Amend section 1, page 2, line 5, by inserting "the" before "authority,."

Amend section 1, page 2, line 7, by striking out "townships" and inserting in lieu thereof "township."

Amend section 1, page 2, line 14, by striking out "of" and inserting in lieu thereof "or."

Amend section 1, page 2, line 23, by striking out "tion" and inserting in lieu thereof "tions."

Amend section 1, page 3, line 4, by inserting after "Representatives" the followings: "of the Commonwealth of Pennsylvania."

Amend section 1, page 3, line 5, by inserting "the" before "authority."

Amend section 2, page 4, line 9, by striking out "That section 2" and inserting in lieu thereof "section 2. That section two of said act."

Amend section 2, page 4, line 12, by striking out "inside" and inserting in lieu thereof "outside."

Amend section 2, page 4, line 21, by inserting "if" after "and."

Amend section 2, page 5, line 27, by striking out "divisions" and inserting in lieu thereof "division."

Amend section 2, page 5, lines 18 and 19 by striking out the words "two-thirds or more" and inserting in place thereof the words "the majority."

Amend page 5, line 27, by striking out the words "two-thirds" and inserting in place thereof the words "a majority."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1072, entitled

An Act to authorize the construction of branches by railroad companies.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. WALTER. Mr. Speaker, I notice that this bill considerably increases the powers of railroads—at least, that is my judgment—and in view of the absence of the gentleman who introduced it I move that further consideration of it be postponed for the present.

Mr. RININGER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the consideration on third reading of House Bill No. 1034, entitled

An Act to provide for the incorporation and regulation of mutual insurance companies other than life and for the licensing and regulation of such companies from other states and to repeal existing laws.

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McCAIG. Mr. Speaker, on account of the absence of the sponsor of this bill, I move that further consideration of it be postponed for the present.

Mr. WICKMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the consideration on third reading of House Bill No. 1135, entitled

An Act placing the control and management of county jails and prisons in the several counties of the Commonwealth, and the inmates thereof in boards of prison inspectors; providing for the appointment of such boards in each of said counties and for the regulation and government of said jails and prisons and the inmates thereof; providing for the payment of the necessary expenses for keeping, furnishing and maintaining said jails and prisons by the several counties, respectively, and prescribing the duties of the commissioners and treasurers, respectively, of said counties relative to the payment of such expenses.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—115.

Aron,	Franklin,	Mehring,	Siggins,
Arthur,	Fretz,	Mervine,	Simpson,
Baker,	Geary,	Michel,	Smith, E. R.,
Baldi,	Glass,	Miller, Allan,	Smith, J. W.,
Bechtold,	Golder,	Miller, C. G.,	Snowden,
Bennett,	Gormley,	Miller, G. J. A.,	Somerman,
Benninger,	Graham,	Milner,	Sones,
Beyer,	Haldeman,	Mitchell,	Sprowls,
Bidelspacher,	Heffernan,	Morgan, T.,	Stadtlander,
Bouton, V. B.,	Heyburn,	Neary,	Sterling,
Bovee,	Hibshman,	Patterson,	Stern,
Boyd,	Hoffman,	Perry,	Stites,
Burnett,	Hollingsworth,	Pickering,	Swartz,
Campbell, T.,	Horne,	Ramsey,	Thomas,
Christman,	Hough,	Reitzel,	Ulsh,
Clements,	Howarth,	Rhodes, W. M.,	Vickerman,
Coldsmith,	Jennings,	Rich,	Vogdes,
Conner,	Lafferty,	Ringler,	Walker,
Corbin,	Laucks,	Rininger,	Walter,
Crosby,	Lauler,	Rinn,	Weimer,
Cummins,	Leary,	Robertson,	Wells,
Davis, W.,	Lewis,	Ross,	Whitaker,
Dewey,	Lohr,	Rothenberger,	Wickman,
Donneley,	Marvin,	Sampsel,	Wobensmith,
Drinkhouse,	McArdle,	Sarig,	Woodward,
Dunn,	McCaig,	Schaeffer, A. C.,	Wylie,
Ehrhardt,	McKay,	Scott,	Zanders,
Erdman,	McNichol,	Shattuck,	Baldwin,
Fackler,	McPeake,	Shunk,	Speaker.

NAYS—25.

Bell,	Isherwood,	Ogden,	Strauss,
Benchoff,	Jones,	Powell,	Sweitzer,
Canon,	Malie,	Rudisill,	West,
Chestnut,	McCullough,	Shaffer, C. A.,	Williams, G. W.
Dawson,	McCurdy,	Showalter,	Williams, J. P.,
Flynn,	Musser,	Speicher,	Wood,
Goodnough,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the consideration on third reading of House Bill No. 1240, entitled

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania, and of the counties therein having a population of two hundred and fifty thousand inhabitants or more, and of such other counties and of such cities of the third class therein as may accept its provisions by a vote of the people of such counties or cities respectively, making any violation of its provisions a misdemeanor and providing penalties for any violations thereof.

On the question,
Will the House agree to the bill on third reading?

Mr. WALLACE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, page 1, line 2, by striking out "Pennsylania" and inserting in lieu thereof "Pennsylvania."
Amend Section 6, page 6, line 18, by striking out "holdnig" and inserting in lieu thereof "holding.".
Amend Section 15, page 15, line 9, by striking out "payrool" and inserting in lieu thereof "pay-roll."
Amend Section 17, page 17, lines 27 and 28, by striking out "service" and inserting in lieu thereof "several."
Amend Section 25, page 22, line 1, by striking out "provisiosn" and inserting in lieu thereof "provisions."
Amend Section 25, page 22, line 4, by striking out "provisiosn" and inserting in lieu thereof "provisions."
Amend Section 27, page 23, line 15, by striking out "members" and inserting in lieu thereof "member."
Amend Section 29, page 25, line 6, by striking out "misdemanors" and inserting in lieu thereof "misdemeanors."
Amend Section 30, page 25, line 28, by striking out "violaion" and inserting in lieu thereof "violation."
Amend Section 31, page 26, line 12, by striking out "said."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, That the bill as amended lie over for printing.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1109 (Senate Bill No. 468), entitled

An Act to enable two or more boroughs that are contiguous or in close proximity, to be united and to become one city, wherever each of said boroughs shall have heretofore voted or shall hereafter vote to become a city of the third class, under the laws now enacted or which may hereafter be enacted and wherever each of said boroughs has duly received or shall hereafter receive letters patent constituting it a city of the third class, but where sufficient time shall not have elapsed after the granting of such letters patent for the holding of a municipal election; providing for the consequences of such consolidation the government of such consolidated city, the payment of the indebtedness of each of the united territories and the enforcement of debts and claims due to and from each; and fixing the jurisdiction over the said consolidated city in the courts of the county in which the majority of its inhabitants shall reside.

And said bill having been read at length the third time, considered and agreed to,
On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—133.

Aron,	Erdman,	McKay,	Simpson,
Arthur,	Fitzgibbon,	McKinney,	Smith, E. R.,
Aston,	Fowler,	McPeake,	Smith, J. W.,
Baker,	Fretz,	Mehring,	Snowden,
Baldi,	Geary,	Mervine,	Somerman,
Baldridge,	Glass,	Miller, A. D.,	Sones,
Barner,	Golder,	Miller, G. J. A.,	Speicher,
Bechtold,	Goodwin,	Milner,	Sprowls,
Bell,	Gormley,	Mitchell,	Stadtlander,
Bennett,	Graham,	Morgan, T.,	Stern,
Benninger,	Gransback,	Murphy,	Stites,
Bidelspacher,	Haight,	Neary,	Strauss,
Black,	Haldeman,	Ogden,	Swartz,
Bouton, V. B.,	Heffernan,	Palmer,	Sweitzer,
Boyd,	Helt,	Phillips,	Thomas,
Brady,	Heyburn,	Pickering,	Ulsh,
Campbell, T.,	Hibshman,	Ramsey,	Vickerman,
Canon,	Hollern,	Reichenbacher,	Vodges,
Chestnut,	Hollingsworth,	Reitzel,	Walker,
Christman,	Horne,	Rich,	Wallace,
Coldsmith,	Howarth,	Ringler,	Weimer,
Conner,	Isherwood,	Rininger,	West,
Cook,	Jennings,	Rinn,	Whitaker,
Cox,	Jones,	Robertson,	Wickman,
Crosby,	Kennedy,	Rogers,	Williams, G. W.
Curry,	Lafferty,	Ross,	Williams, J. P.,
Davis, W.,	Laucks,	Rothenberger,	Wobensmith,
Dell,	Lewis,	Rudisill,	Wood,
Dewey,	Lohr,	Sarig,	Woodward,
Donneley,	Luppert,	Schaeffer, A. C.,	Wylie,
Drake,	Marvin,	Shaffer, C. A.,	Zanders,
Drinkhouse,	McArdle,	Showalter,	Baldwin,
Eby,	McCaig,	Shunk,	Speaker.
Ehrhardt,	McCurdy,	Siggins,	

NAYS—4.

Flynn,	Hoffman,	Miller, C. G.,	Sampsel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

QUESTION OF PERSONAL PRIVILEGE.

Mr. McCURDY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. McCURDY. Mr. Speaker, on April 17, Mr. Flynn, the member from Elk, introduced a motion to reconsider the vote by which House Bill No. 117 was defeated. I am reported in the Legislative Journal as voting against that motion. The official records of the Chief Clerk show that I voted in favor of that motion. Therefore I enter my protest against the erroneous record.

The SPEAKER. As the records of the Chief Clerk are correct, the error is the fault of the printer.

Mr. McCURDY. I wish that to be noted in the Legislative Journal.

The SPEAKER. The matter with be noted in the Legislative Journal.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1564 (Senate Bill No. 588), entitled

An act to amend section fourteen of an act approved the second day of June one thousand nine hundred fifteen entitled "An Act providing for the creation and administration of a State fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof"

On the question,

Will the House agree to the bill on third reading?

Mr. WALTER. Mr. Speaker, shortly after the beginning of this session a request was made upon the Insurance Commissioner to ascertain why certain business of the Insurance Department of the Commonwealth had been insured in London Lloyd's, a company which is not licensed to do business in Pennsylvania and I believe it is not a company but a partnership. It was then stated, as I recall the report, that the only risk which the Department carried in Lloyd's was a calamity and catastrophe risk which no licensed company in Pennsylvania would undertake to carry. Now I do not know whether that be true or not, but if it be true, the Department ought not to be hampered by the passage of this bill. I know nothing about it but I do wish some member of the House would say whether or not the Insurance Department of the Commonwealth correctly informed the House and let us know whether or not it would prevent that Department from insuring against catastrophe, fire, flood and the like, as I understood the report.

The SPEAKER. Is there anyone here who can explain this bill?

BILL POSTPONED.

Mr. BEYER. Mr. Speaker, in view of the remarks of the gentleman, I would move that the further consideration of this bill be postponed for the present in order to give us a chance to look into the matter spoken of.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1566 (Senate Bill No. 770), entitled

An Act to further amend an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said Bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith," as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction, and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act, and providing for revocation and suspension of licenses given by said Bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith," approved the third day of June one thousand nine hundred and eleven by providing for further instruction prior to examination for licensure; by clarifying sections five (5) and twelve (12).

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Aron,	Drinkhouse,	Leary,	Ross,
Arthur,	Dunn,	Lohr,	Rudisill,
Aston,	Eby,	Luppert,	Sampsel,
Baker,	Ehrhardt,	Mangan,	Schaeffer, A. C.,
Baldi,	Erdman,	Marvin,	Shaffer, C. A.,
Barner,	Fackler,	McArdle,	Shattuck,
Bechtold,	Fitzgibbon,	McCaig,	Shunk,
Bell,	Flynn,	McCurdy,	Siggins,
Benchoff,	Fowler,	McKay,	Sinclair,
Bennett,	Franklin,	McNichol,	Smith, E. R.,
Benninger,	Fretz,	McVicar,	Smith, J. W.,
Beyer,	Gans,	Mearkle,	Smith, O. W.,
Bidelspacher,	Geary,	Mervine,	Somerman,
Bovee,	Golder,	Miller, A. D.,	Sones,
Boyd,	Goodwin,	Miller, C. G.,	Speicher,
Brady,	Graeff,	Miller, G. J. A.,	Stadtlander,
Burnett,	Graham,	Milner,	Sterling,
Campbell, T.,	Gransback,	Mitchell,	Stern,
Canon,	Haldeman,	Morgan, T.,	Stofflet,
Chestnut,	Heffernan,	Morgan, T. J.,	Strauss,
Christman,	Hess,	Murphy,	Swartz,
Clements,	Heyburn,	Musser,	Thomas,
Coldsmith,	Hibshman,	Ogden,	Ulsh,
Conner,	Hoffman,	Palmer,	Wagner,
Cook,	Hollingsworth,	Perry,	Walker,
Cox,	Horne,	Pickering,	Weimer,
Crosby,	Horton,	Powell,	Wells,
Cummins,	Hough,	Ramsey,	Whitaker,

Curry,	Howarth,	Reichenbacher,	Wickman,
Davis, W.,	Isherwood,	Reitzel,	Williams, G. W.
Dawson,	Jennings,	Reynolds,	Wobensmith,
Dell,	Jones,	Rich,	Woodward,
Dewey,	Lafferty,	Ringler,	Wylie,
Dithrich,	Lanius,	Rininger,	Zanders,
Donneley,	Laucks,	Robertson,	Baldwin,
Drake,	Lauler,	Rogers,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1095 (Senate Bill No. 249), entitled

An Act amending section one of an act, entitled "An Act to amend section one of an act ceding jurisdiction over real estate in the County of Philadelphia to be acquired by the United States," approved April fifteenth, Anno Domini one thousand nine hundred and three, increasing the limitation as to area of land the jurisdiction of which is ceded from twenty thousand square feet to forty thousand square feet, approved the twenty-fifth day of May, Anno Domini one thousand nine hundred and seven, by increasing the limitation as to area of land and the jurisdiction of which is ceded from forty thousand square feet to eighty thousand square feet.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Aron,	Fretz,	Mervine,	Smith, J. W.,
Arthur,	Gans,	Michel,	Smith, L.,
Aston,	Glass,	Miller, A. D.,	Snowden,
Baker,	Goodnough,	Miller, Allan,	Snyder,
Baldi,	Goodwin,	Miller, C. G.,	Sones,
Baldridge,	Gormley,	Miller, G. J. A.,	Spangler,
Barner,	Graeff,	Milner,	Sprowls,
Bechtold,	Graham,	Mitchell,	Stadtlander,
Benchoff,	Gransback,	Morgan, T.,	Stern,
Bennett,	Haight,	Morgan, T. J.,	Stites,
Beyer,	Haldeman,	Musser,	Stoffiet,
Bidelspacher,	Hecht,	Neary,	Strauss,
Black,	Heffernan,	Ogden,	Swartz,
Bovee,	Helt,	Palmer,	Sweitzer,
Boyd,	Hess,	Perry,	Taylor,
Burnett,	Heyburn,	Phillips,	Thomas,
Campbell, T.,	Hibshman,	Powell,	Ulsh,
Chestnut,	Hoffman,	Ramsey,	Urich,
Clements,	Hollern,	Reichenbacker,	Vickerman,
Coldsmith,	Hollingsworth,	Reitzel,	Vogdes,
Conner,	Horton,	Reynolds,	Wagner,
Cook,	Howarth,	Rhoads, H. L.,	Walker,
Cox,	Isherwood,	Rich,	Wallace,
Crosby,	Jennings,	Ringler,	Walter,
Cummins,	Jones,	Rininger,	Weimer,
Curry,	Lafferty,	Robertson,	Wells,
Davis, W.,	Laucks,	Rogers,	West,
Dawson,	Lewis,	Ruddy,	Whitaker,
Dewey,	Lohr,	Sampsel,	Wickman,
Dithrich,	Mangan,	Schaeffer, A. C	Williams, G. W.
Drake,	Marvin,	Scott,	Williams, J. P.,
Drinkhouse,	McArdle,	Shaffer, C. A.,	Wobensmith,
Dunn,	McCaig,	Shattuck,	Woodward,
Eby,	McCurdy,	Shunk,	Wylie,
Ehrhardt,	McKinney,	Siggins,	Wynne,
Fackler,	McNichol,	Simpson,	Zanders,
Fitzgibbon,	McVicar,	Sinclair,	Baldwin,
Franklin,	Mearkle,	Smith, E. R.,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1434 (Senate Bill No. 655), entitled

A Joint Resolution proposing an amendment to article three section six of the Constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALTER. Mr. Speaker, I desire to inform the House in regard to the nature of this bill. It proposes a constitutional amendment which would require the subject of every act passed as an amendment to a general act to be expressed in the title with the same clarity that the title of any act must express its purpose when you enact a new law. So many acts have gone down before the courts and good acts at that, by reason of defective title, that this would seem to be a step in the direction of further complicating legislation. The codification of the laws relating to boroughs and townships and on other points which has progressed to a considerable degree will doubtless be carried further. Now when anyone wants to amend these acts he would have to recite the title of the original act and then the title of the proposed amendment. It would complicate legislation to a greater extent than it is now and it would make it difficult to amend acts. All of you know, no doubt, that the title of many an act covers far more in print than the act itself and this amendment if it be adopted would make the titles much longer. A short title act has been passed by this House, I am informed, and this would nullify that act to a great extent if it be passed.

BILL POSTPONED.

Mr. GEORGE J. A. MILLER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. BEYER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1093 (Senate Bill No. 171), entitled

A Supplement to the act of April twenty-eighth, eighteen hundred ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class," providing for the election of a township solicitor in townships of the first class; fixing his term of office; prescribing his duties and qualifications and authorizing the board of township commissioners to fix his compensation.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Aron,	Fitzgibbon,	McCurdy,	Sinclair,
Arthur,	Franklin,	McKinney,	Smith, J. W.,
Aston,	Fretz,	McNichol,	Smith, L.,
Baker,	Gans,	McVicar,	Smith, O. W.,
Baldi,	Glass,	Mehring,	Snowden,
Baldridge,	Golder,	Mervine,	Snyder,
Bechtold,	Goodnough,	Michel,	Somerman,
Bell,	Gormley,	Miller, Allan,	Sones,
Benchoff,	Graeff,	Miller, C. G.,	Spangler,
Bennett,	Graham,	Miller, G. J. A.,	Sprowls,
Beyer,	Gransback,	Milner,	Stadtlander,
Bidelspacher,	Haldeman,	Mitchell,	Sterling,
Black,	Hecht,	Morgan, T. J.,	Stern,
Bouton, V. B.,	Heffernan,	Murdoch,	Stites,
Bovee,	Helt,	Musser,	Strauss,
Brady,	Hess,	Neary,	Swartz,
Burnett,	Heyburn,	Palmer,	Sweitzer,
Campbell, T.,	Hibshman,	Patterson,	Taylor,
Canon,	Hoffman,	Pickering,	Thomas,
Clements,	Hollern,	Powell,	Ulsh,
Coldsmith,	Hollingsworth,	Ramsey,	Urich,
Conner,	Horne,	Reitzel,	Vickerman,
Cook,	Horton,	Rich,	Vodges,
Corbin,	Howarth,	Ringler,	Wagner,
Cox,	Isherwood,	Rininger,	Walker,
Crosby,	Jennings,	Rinn,	Weimer,
Cummins,	Jones,	Robertson,	Wells,
Curry,	Lafferty,	Rogers,	West,

Davis, W.,	Laucks,	Ruddy,	Wickman,
Dawson,	Leary,	Rudisill,	Williams, G. W.
Dean,	Lewis,	Sampsel,	Williams, J. P.,
Dell,	Lohr,	Schaeffer, A. C.,	Wobensmith,
Dewey,	Luppert,	Scott,	Wood,
Donneley,	Mangan,	Shaffer, C. A.,	Woodward,
Drinkhouse,	Marvin,	Shattuck,	Wylie,
Dunn,	McArdle,	Shunk,	Zanders,
Eby,	McCaig,	Siggins,	Baldwin,
Ehrhardt,	McCullough,	Simpson,	Speaker.
Fackler,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1463 (Senate Bill No. 692), entitled

An Act authorizing tenants in common and coparceners of land to pay their proportionate share of the taxes assessed against the land and providing that the sale thereof for unpaid taxes shall not impair or divest the titles of those who have paid their respective shares of such taxes

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Aron,	Gans,	McVicar,	Smith, E. R.,
Arthur,	Glass,	Mearkle,	Smith, J. W.,
Baker,	Golder,	Mehring,	Smith, L.,
Baldi,	Goodnough,	Mervine,	Snowden,
Barner,	Goodwin,	Michel,	Snyder,
Bechtold,	Gormley,	Miller, A. D.,	Somerman,
Bennett,	Graham,	Miller, C. G.,	Sones,
Benninger,	Gransback,	Miller, G. J. A.,	Spangler,
Beyer,	Haight,	Milner,	Sprowls,
Bidelspacher,	Haldeman,	Mitchell,	Stadtlander,
Black,	Heffernan,	Morgan, T. J.,	Sterling,
Boulton, H.,	Helt,	Murdoch,	Stern,
Bovee,	Hess,	Neary,	Stites,
Boyd,	Heyburn,	Ogden,	Stoffiet,
Burnett,	Hibshman,	Palmer,	Sullivan,
Campbell, J. O.,	Hoffman,	Patterson,	Swartz,
Campbell, T.,	Hollern,	Phillips,	Sweitzer,
Chestnut,	Hollingsworth,	Powell,	Thomas,
Clements,	Horne,	Reichenbacker,	Ulsh,
Coldsmith,	Horton,	Reitzel,	Urich,
Cook,	Hough,	Reynolds,	Vickerman,
Corbin,	Howarth,	Rhodes, W. M.,	Vogdes,
Cox,	Isherwood,	Rich,	Walker,
Crosby,	Jennings,	Ringler,	Wallace,
Cummins,	Kennedy,	Rinn,	Weimer,
Curry,	Lafferty,	Robertson,	Wells,
Davis, W.,	Laucks,	Rogers,	West,
Dawson,	Lauler,	Ross,	Whitaker,
Dell,	Leary,	Rothenberger,	Wickman,
Dithrich,	Lewis,	Rudisill,	Williams, G. W.
Donneley,	Lohr,	Sarig,	Williams, J. P.,
Drake,	Luppert,	Scott,	Wobensmith,
Eby,	Mangan,	Shaffer, C. A.,	Woodward,
Ehrhardt,	Marvin,	Shattuck,	Wylie,
Fackler,	McArdle,	Shunk,	Wynne,
Fitzgibbon,	McCullough,	Siggins,	Zanders,
Fowler,	McKay,	Simpson,	Baldwin,
Franklin,	McNichol,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 848, entitled

An Act authorizing the attachment of wages or salary upon judgments obtained for necessaries limiting the amount of exemption to be claimed and providing for the payment of the costs

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. SHOWALTER. Mr. Speaker, this is the famous garnishee bill. I have been informed that a question of constitutionality has been raised on this bill. As a consequence I have tried to get in touch with Attorney General Brown, but have been unable to do so up to this time. Under these circumstances I move that this bill be placed on the postponed calendar.

Mr. EBY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 315, entitled

An Act to further amend section thirteen of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand and one) entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record providing for nonpartisan nominations and elections for said offices abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses" as amended

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. GLASS. Mr. Speaker, at the request of the sponsor of this bill, who is absent, I move that further consideration of this bill be postponed for the present.

Mr. NEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1284, entitled

An Act to make valid acknowledgments and other notarial acts heretofore or hereafter performed by notaries public in any State or Territory of the United States or any foreign country and authorizing the recording thereof and the acceptation thereof in evidence.

On the question,

Will the House agree to the bill on third reading?

Mr. WHITAKER. Mr. Speaker, I ask unanimous consent to offer amendments to this bill at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend Section 1, by striking out of line 6 "State or Territory or."
Also strike out on line 11 "or clerk of a."
Also strike out on line 12 "court of record."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. As this amendment is simply a strike out the bill can proceed.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Aron,	Erdman,	McKay,	Smith, L.,
Arthur,	Fackler,	McNichol,	Smith, O. W.,
Aston,	Flynn,	McPeake,	Snowden,
Baker,	Fowler,	Mearkle,	Snyder,
Baldi,	Franklin,	Mervine,	Somerman,
Bechtold,	Fretz,	Miller, A. D.,	Sones,

Bell,	Gans,	Miller, C. G.,	Spangler,
Benchoff,	Glass,	Miller, G. J. A.,	Speicher,
Benninger,	Goodnough,	Milner,	Sprowls,
Beyer,	Goodwin,	Mitchell,	Stadtlander,
Bidelspacher,	Gormley,	Morgan, T. J.,	Sterling,
Black,	Graham,	Murdoch,	Stern,
Bouton, V. B.,	Gransback,	Musser,	Stites,
Bovee,	Haldeman,	Neary,	Stoffiet,
Boyd,	Hecht,	Ogden,	Strauss,
Brady,	Heffernan,	Palmer,	Swartz,
Burnett,	Helt,	Perry,	Sweitzer,
Campbell, T.,	Hess,	Pickering,	Taylor,
Canon,	Heyburn,	Ramsey,	Ulsh,
Chestnut,	Hibshman,	Reitzel,	Urich,
Christman,	Hoffman,	Rich,	Vickerman,
Clements,	Hollern,	Ringler,	Vogdes,
Coldsmith,	Hollingsworth,	Rininger,	Wagner,
Conner,	Horton,	Rinn,	Walker,
Cook,	Hough,	Robertson,	Wallace,
Corbin,	Isherwood,	Ross,	Walter,
Cox,	Jennings,	Ruddy,	Wells,
Crosby,	Jones,	Sampsel,	Wickman,
Cummins,	Lafferty,	Schaeffer, A. C.,	Williams, G. W.
Curry,	Laucks,	Scott,	Williams, J. P.,
Davis, W.,	Leary,	Shattuck,	Wobensmith,
Dawson,	Lewis,	Showalter,	Wood,
Dewey,	Lohr,	Shunk,	Woodward,
Dithrich,	Luppert,	Siggins,	Wylie,
Donneley,	Mangan,	Simpson,	Wynne,
Drinkhouse,	Marvin,	Sinclair,	Zanders,
Dunn,	McCaig,	Smith, E. R.,	Baldwin,
Ehrhardt,	McCurdy,	Smith, J. W.,	Speaker.

NAYS—1.

West,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 685, as follows:

An Act to amend and revise an act entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June Anno Domini one thousand nine hundred thirteen enlarging changing modifying and defining certain of the powers of cities of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the hereinafter mentioned articles sections and clauses of an act entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June Anno Domini one thousand nine hundred thirteen be revised and amended as hereinafter set forth

Section 2 That article one section three of said act which reads as follows

"Section 3 All of the property and estates whatsoever real and personal of the towns townships or boroughs which shall have thus become a city of the third class are hereby severally and respectively vested in the corporation of body politic of said city by the name style and title given thereto as aforesaid and for the use and benefit of the citizens thereof forever and the charters of the said towns townships or boroughs shall continue in full force and operation and all officers under the same shall hold their respective offices until the first Monday of January following the general municipal election next succeeding the issuing of the letters patent to the said city at which time the officers of said city chosen at the preceding municipal election shall enter upon their respective terms of service and the city government shall be duly organized under this act All suits prosecutions debts and claims whatsoever shall thereupon become transferred to the said city which in all suits pending shall be substituted as a party and be under the management and control thereof as fully and completely as if no alteration had been made in said charter and all claims and demands of whatsoever nature whether payable presently or in the future existing against the said towns townships or boroughs when the said charter shall go into operation shall by force thereof be recoverable from or against the said city Provided where two or more towns townships or boroughs shall under the provisions of this act be consolidated into a city and the debt or debts of each of said towns townships or boroughs contracted prior to such consolidation shall be paid by such towns townships or boroughs respectively and for the liquidation of such debt the authorities of such city shall have power to adjust and provide for the same and to levy separate rates of taxation on all property subject to taxation within the boundaries of the said towns townships or boroughs respectively" be and the same is hereby amended to read as follows

Section 3 All of the property and estates whatsoever real and personal of the towns townships or boroughs which shall have thus become a city of the third class are herbey severally and respectively vested in the corporation or body politic of said city by the name style and title given thereto as aforesaid and for the use and benefit of the citizens thereof forever and the charters of the said towns townships or boroughs shall continue in full force and operation and all officers under the same shall hold their respective offices until the first Monday of January following the general municipal election next succeeding the issuing of the letters patent to the said city at which time the officers of said city chosen at the preceding municipal election shall enter upon their respective terms of service and the city government shall be duly organized under this act All suits prosecutions debts and claims whatsoever shall thereupon become transferred to the said city which in all suits pending shall be substituted as a party and be under the management and control thereof as fully and completely as if no alteration had been made in said charter and all claims and demands of whatsoever nature whether payable presently or in the future existing against the said towns townships or boroughs when the said charter shall go into operation shall by force thereof be recoverable from or against the said city Provided That where two or more towns townships or boroughs shall under the provisions of this act be consolidated into a city the bonds and floating indebtedness and the interest thereon of each of said towns townships or boroughs contracted prior to such consolidation shall be paid by the said city thus organized and chartered so that the taxes shall be uniform throughout the territorial limits of the whole city

Section 3 That article three section three of said act which reads as follows

"Section 3 The action of said city council after ten days shall be final and conclusive unless an appeal therefrom be taken within said ten days to the court of quarter sessions of the county upon such appeal the clerks of said city council and of said borough council shall certify to the said court all the papers and proceedings in the case whereupon the court shall examine and inquire and if the proceedings appear to have been in conformity with the law shall approve the same and thereupon said annexation shall take effect" be and the same is hereby amended to read as follows

Section 3 The action of said city council after ten days shall be final and conclusive notwithstanding any initiative or referendum provisions of any act of Assembly relating to cities of the third class unless an appeal therefrom be taken within the said ten days to the court of quarter sessions of the county Upon such appeal the clerks of said city council and of said city borough council shall certify to the said court all the papers and proceedings in the case whereupon the court shall examine and inquire and if the proceedings appear to have been in conformity with the law shall approve the same and thereupon said annexation shall take effect

Section 4 That article three section six of said act which reads as follows

"Section 6 When it shall appear to said court of quarter sessions that the township from which any part or portion or any out-lots or section of land has been taken has moneys or funds on hand or is indebted it shall be the duty of the said court to determine and decree how much of said funds or moneys shall be paid as a ratable and equitable part of the said city or to the said township as the case may be" be and the same is hereby amended to read as follows

Section 6 When it shall appear to said court of quarter sessions that the township from which any part or portion or any out-lots or section of land has been taken has moneys or funds on hand or is indebted it shall be the duty of said court to determine and decree how much of said funds or moneys shall be paid as a ratable and equitable part to the said city or to the said townships as the case may be and all the territory within the limits of the city as thus enlarged by the annexation of a borough township or part of a township shall be liable for the bonded and floating indebtedness and the interest thereon of both the annexed territory and the city to which it or they are annexed so that the taxes shall be uniform throughout the territorial limits of the whole city

Section 5 That article four section three of said act which reads as follows

"Section 3 Every bill shall be read at length and no bill shall be passed finally upon the same day on which it is interoduced or reported and at least three days shall intervent before its final passage" be and the same is hereby amended to read as follows

Section 3 Every bill shall be read at length and no bill shall be passed finally on the same day on which it was introduced and at least three days shall intervene before its final passage

Section 6 That article four section five of said act which reads as follows

"Section 5 All stationery paper and fuel used in the council and in other departments of the city government and all work and materials required by the city shall be furnished and the printing advertising and all other kinds of work to be done for the city except ordinary repairs of highways and sewers and other public improvements shall be performed under contract to be given to the lowest responsible bidder under such regulations as shall be prescribed by ordinance and all sales of personal property owned by the city shall be to the highest bidder under such regulations as shall be prescribed by ordinance or resolu-

tion Council may by ordinance provide a contingent fund for necessary repairs or incidental expenses not otherwise provided for in the general appropriations and such funds may be expended without advertising for bids" be and the same is hereby amended to read as follows

Section 5 All stationery paper fuel supplies materials printing and advertising and all work required by the city or any department thereof (except the ordinary repairs of highways sewers and other public improvements) where the amount thereof exceeds two hundred and fifty dollars shall be furnished and performed under contract to be given the lowest responsible bidder. The council shall by ordinance provide for and regulate the award of all contracts the manner of hiring and discharge of employes and laborers and the fixing of their salaries or compensation when not otherwise fixed by ordinance the purchase of supplies and materials and the sale of personal property The council may also by ordinance provide a contingent fund or funds for necessary repairs and incidental expenses not otherwise provided for in the general appropriations and such funds may be expended without advertising for bids Cities of the third class may provide for the establishment of a purchasing department which shall have supervision over the purchase and distribution of all supplies purchased to the amount allowed by the provisions of this act The said department shall be attached to the departmen of accounts and finance The operation of the said department shall be in accordance with rules and regulations to be adopted by the city council the rules to include the manner in which quotations shall be secured on the supplies purchased It shall be the duty of the said department to assist the council at all time in eliminating waste and extravagance in the purchase and distribution of the city's supplies

Section 7 That article four section seven of said act which reads as follows

"Section 7 Any member of council who shall solicit demand or receive or consent to receive directly or indirectly for himself or for another from any company corporation or person any money office appointment employment testimonial reward thing of value or enjoyment or of personal advantage or promise thereof for his vote or official influence or for withholding the same or with an understanding expressed or implied that his vote or official action shall be in any way influenced thereby or who shall solicit or demand such money or other advantage matter or thing aforesaid for another as the consideration of his vote or official influence or for withholding the same or shall give or withhold his vote or influence in consideration of the payment or promise of such money advantage or thing to another shall be held guilty of bribery and upon conviction thereof shall be punished by a fine not exceeding ten thousand dollars and by separate and solitary confinement at labor for a period not exceeding five years and shall be forever incapable of holding any place of profit or trust in this Commonwealth" be and the same is hereby amended to read as follows

Section 7 Any member of council or other city officer or employe who shall solicit demand or receive or consent to receive directly or indirectly for himself or for another from any company corporation or persons any money office appointment employment testimonial reward thing of value or enjoyment or of personal advantage or promise thereof for his vote or official influence or for withholding the same or with an understanding expressed or implied that his vote or official action shall be in any way influenced thereby or who shall solicit or demand such money or other advantage matter or thing aforesaid for another as the consideration of his vote or official influence or for withholding the same or shall give or withhold his vote or influence in consideration of the payment or promise of such money advantage or thing to another shall be held guilty of bribery and upon conviction thereof shall be punished by a fine not exceeding ten thousand dollars and by separate and solitary confinement at labor for a period not exceeding five years and shall be forever incapable of holding any place of profit or trust in this Commonwealth

Section 8 That article four section eight of said act which reads as follows

"Section 8 Any person who shall directly or indirectly offer give or promise any money or thing of value testimonial privilege or personal advantage to any member of council to influence him in the performance or non-performance of any of his public or official duties shall be guilty of bribery and be punished in such manner as that offense is by law punishable" be and the same is hereby amended to read as follows

Section 8 Any person who shall directly or indirectly offer, give or promise any money or anything of value testimonial privilege or personal advantage to any member of council or other city officer or employe to influence him in the performance or non-performance of any of his public or official duties shall be guilty of bribery and be punished in such manner as that offense is by law punishable

Section 9 That article five section three clause four of said act which reads as follows

"4 To levy and collect a license tax not exceeding one hundred dollars each annually on all auctioneers contractors druggists hawkers peddlers produce or merchandise venders bankers brokers undertakers pawnbrokers merchants of all kinds persons selling or leasing goods upon installments grocers confectioners butchers restaurants billiard parlors bowling alleys billiard tables pool and other gaming tables drays hacks carriages omnibuses automobiles carts wagons street railway cars and other vehicles used in the city for hire or pay lumber dealers including commission men and all persons who make a business of buying lumber for sale at wholesale or retail furniture dealers saddle or harness dealers stationers jewelers livery or automobile or boarding stable keepers real estate agents agents of fire life or other insurance companies market house companies garage companies express companies or agencies telegraph telephone steam heating gas natural gas water electric light or power companies or agencies or individuals furnishing communication light heat or power by any of the means enumerated and to regulate the collection of the same be and the same is hereby amended to read as follows

4 To levy and collect a license tax for general revenue purposes not exceeding one hundred dollars each annually on all auctioneers contractors druggists hawkers peddlers produce or merchandise venders bankers brokers undertakers pawnbrokers trading stamp or premium companies or dealers warehouses or storage houses or places merchants of all kinds persons selling or leasing goods upon installments grocers confectioners butchers wholesale meat dealers restaurants billiard parlors bowling alleys billiard tables pool tables and other gaming tables drays hacks carriages omnibuses automobiles carts wagons street railway cars and including other vehicles likewise used in the city for hire or pay lumber dealers including commission men and all persons who make a business of buying lumber for sale at wholesale or retail furniture dealers saddle or harness dealers stationers jewelers livery or automobile or boarding stable keepers real estate agents market house companies and owners of market houses garage companies and owners of other than private garages express companies or agencies telegraph telephone steam heating gas natural gas water electric light or power companies or agencies or individuals furnishing communication light heat or power by any of the means enumerated and to regulate the collection of the same and the taxes assessed under this clause shall be in addition to all other taxes levied and collected by the city county or Commonwealth

Section 10 That article five section three clause ten of said act which reads as follows

"10 To cause to be graded paved or macadamized any public street lane or alley or part thereof which is now or may hereafter be laid out and opened in any of said cities and have the same set with curb stone and to provide for the payment of the cost and expenses thereof in whole or in part by the city or by the owners of real estate bounding and abutting thereon which cost and expense upon the abutting real estate shall be assessed according to the foot front rule or according to benefits as council shall by ordinance determine except in case of grading only the said cost and expense of which shall be assessed according to benefit When the costs and expenses or any part thereof are to be paid for by the foot front rule the city shall assess or cause to be assessed the said cost and expense upon the real estate abounding or abutting on the line of the improvement by an equal assessment on said property in proportion to the number of feet the same fronts on the respective street lane or alley or part thereof to be improved and the council must provide for an equitable reduction from the frontage of all lots at all street and other intersections and at other places where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unequal When the costs and expenses of any grading paving macadamizing or other improvement of any street lane or alley or part thereof is to be paid for by the owners of real estate abutting as aforesaid according to benefits the same shall be assessed by viewers appointed by the court of common pleas as is now or shall be hereafter provided by act of Assembly But no ordinance shall be passed providing for the paving macadamized grading or other improvement of any street avenue lane or alley or part thereof or for the opening widening straightening or extending or vacating thereof except upon the petition of a majority in number or interest of the owners of property abutting on the line of the proposed improvement to be verified by the affidavit of one or more of the petitioners (a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purpose of said petition) unless the ordinance for such improvement shall have been passed by the affirmative vote of at least four members of council in which case council may direct the improvement to be made at the cost or in part at the cost of the owners or at the cost of the city in whole or in part without petition Provided however That no such ordinance ordering any street or alley or part thereof to be thus improved without a petition therefor shall be finally passed in a less period than thirty days from the date of its introduction and in the meantime copies of such ordinance shall be published in the official newspaper or newspapers of said cities for three consecutive weeks once a week immediately following the introduction thereof and in case said city shall have no official newspaper then in at least one and not more than two newspapers published in the county in which such city is situate once a week for three consecutive weeks Provided however That the requirements for such publication shall not preclude the amendments of any paving ordinance as to the kind of pavement with which any street or alley or part thereof is proposed to be paved The passage of the ordinance providing for any of the aforesaid improvements upon petition therefor and the publication of the names of the petitioners in one newspaper or newspapers published in said city by one insertion at least five days before the passage of said ordinance shall be conclusive that a majority in number or intrest have petitioned therefor The cost and expenses of any improvement of streets an construction of sewers done and completed under an ordinance providing for the assessment of the cost and expense there-

for under the foot front rule may be assessed according to benfits upon the passage of an ordinance to that effect within six months after the completion of the work which assessment according to benefits shall be made in like manner and in like effect as if the original ordinance providing for the improvement had provided for such assessment" be and the same is hereby amended to read as follows

10. To cause to be graded paved or macadamaized any public street lane or alley or part thereof which is now or may hereafter be laid out and opened in any of the said cities and have the same set with curbstone and to provide for the payment of the costs and expenses thereof in whole or in part by the city or by the owners of real estate bounding and abuttting thereon which cost and expense upon the abutting real estate shall be assessed according to the foot front rule or according to the benefits as council shall by ordinance determine except that in case of grading only the said costs and expense shall be assessed according to benefits When the costs and expenses or any part thereof are to be paid for by the foot front rule the city shall assess or cause to be assessed the said costs and expenses upon the real estate bounding or abutting on the line of the improvement by an equal assessment on said property in proportion to the number of feet the same fronts on the respective street lane or alley or part thereof to be improved and the council may provide for an equitable reduction from the frontage of lots at all street alley railroad or like intersections where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unequal When the costs and expenses or any part thereof of any grading paving macadamizing or other improvement of any street lane or alley or part thereof is to be paid for by the owners of real estate abutting or abounding as aforesaid according to benefits the same shall be assessed by viewers appointed by the court of common pleas as is now or shall be hereafter provided by act of Assembly But no ordinance shall be passed providing for the paving macadamizing grading or other improvement of any street avenue lane or alley or part thereof at the cost and expense of the abutting property owners in whole or in part or for the opening windening straightening extending or vacating thereof except upon the petition of a majority in number or interest of the owners of property abutting or abounding on the line of the proposed improvement to be verified by the affidavit of one or more of the petitioners (a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purpose of said petition) unless the ordinance for such improvement shall have been passed by the affirmative vote of at least four members of council in which case council may direct the improvement to be made at the cost or in part at the cost of the owners of the abutting property without petition Provided however That no such ordinance ordering any street or alley or part thereof to be thus improved at the cost and expense of the abutting property owners in whole or in part without a petition thereof shall be finally passed in a less period than thirty days from the date of its introduction and in the mean time copies of such ordinance shall be published in the official newspaper or newspapers of said cities for three consecutive weeks once a week immediately following the introduction thereof and in case said city shall have no official newspaper then in at least one and not more than two newspapers published in the county in which such city is situate once a week for three consecutive weeks Provided however That the requirements for such publication shall not preclude the amendment of any paving ordinance as to the kind of pavement with which any street or alley or part thereof is proposed to be paved The passage of the ordinance providing for any of the aforesaid improvements upon petition therefor and the publication of the names of the petitioners in one newspaper or newspapers published in said city and in case no paper is published in said city then in one newspaper published in the county in which said city is situate by one insertion at least five days before the passage of said ordinance shall be conclusive that a majority in number or interest (as the case may be) have petitioned therefor The cost and expenses of any improvement of streets and construction of sewers done and completed under an ordinance providing for the assessment of the cost and expenses thereof under the foot front rule may be assessed according to benefits upon the passage of an ordinance to that effect within six months after the completion of the respective work which assessment according to benefits shall be made in like mannner and with like effect as if the original ordinance providing for the improvement had therein provided for such assessment

Section 11 That article five section three clause sixteen of said act which reads as follows

"16 To require the removal of all obstructions from the sidewalks curbstones gutters streets and street crossings at the expense of the owners or occupiers of the ground fronting thereon or at the expense of the person or persons placing the same there and to regulate the planting and protection of shade trees in the streets the building of cellar and basement ways and other excavations through or under the sidewalks in said city" be and the same is hereby amended to read as follows

16 To require the removal of all obstructions and nuisances from the sidewalks curbstones gutters streets public alleys ways and street crossings at the expense of the owners or occupiers of the ground fronting thereon or at the expense of the person or persons placing the same there or causing the same and to regulate the planting trimming care and protection of shade trees in the streets the building of cellars and basement ways and other excavations through or under the sidewalks in said city

Section 12 That article five section three clause twenty-three of said act which reads as follows

"23 To establish and enforce suitable police regulations for the protection of persons and property at public squares parks depots depot ground and other places of public resort and for the arrest and commitment of professional thieves" be and the same is hereby amended to read as follows

23 To establish and enforce suitable police regulations for the protection of persons and property at public squares parks depots and depot grounds and other places of public resort and for the arrest and commitment of professional thieves and suspicious persons found in any part of the city who can give no reasonable account of themselves

Section 13 That article five section three clause thirty of said act which reads as follows

"30 To purchase and own ground for and to erect and establish market houses and market places for which latter purpose parts of any streets or sidewalks may be temporarily used to contract with any person or persons or association of persons companies or corporations for the erection and regulation of market houses and market places on such terms and conditions and in such manner as the council may prescribe and raise all necessary revenue therefor as herein provided and also to levy and collect a license tax from every person or persons who may be authorized by council to occupy any portion of the streets or sidewalk for temporary public market purposes" be and the same is hereby amended to read as follows

30 To purchase and own ground for and to erect maintain and establish market houses milk depots and market places for which latter purpose parts of any streets or sidewalks may be temporarily used To provide and enforce suitable general market regulations To contract with any person or persons or association of persons companies or corporations for the erection and regulation of market houses milk depots and market places on such terms and conditions and in such manner as the council may prescribe and raise all necessary revenue therefor as herein provided and also to levy and collect a license tax from every person or persons who may be authorized by council to occupy any portion of the streets or sidewalks for temporary market purposes

Section 14 That article five section three clause thirty-two of said act which reads as follows

"32 To provide for the construction and maintenance of levees and ferries within the jurisdiction of any such city or within the limits thereof to erect wharves on navigable waters adjacent to the city regulate the use thereof collect wharfage and establish wharf and dock lines and to provide for protection against floods and constructing and maintaining docks retaining walls dams or embankments and by removing obstructions from and deepening the channels or rivers and streams flowing through or adjacent to the city" be and the same is hereby amended to read as follows

32 To provide for the construction and maintenance of levees and ferries within the jurisdiction of any such city and within the limits thereof to erect wharves on navigable waters adjacent to the city regulate the use thereof collect wharfage and establish wharf and dock lines and to provide for protecting against floods To construct and maintain docks retaining walls dams or embankments to remove obstructions from and deepen the channels of rivers and streams flowing through or adjacent to the city and to construct maintain and manage municipal boat houses and bath houses

Section 15 That article five section three clause thirty-four of said act which reads as follows

"34 To purchase lands and premises for public parks and to levy and collect such special taxes as may be necessary to pay for the same and to make appropriations for the improvement and regulations for the government of parks owned and controlled by the city" be and the same is hereby amended to read as follows

34 To purchase lands and premises for public parks and playgrounds to levy and collect such special taxes as may be necessary to pay for the same and to make appropriations for the improvement maintenance care regulation and government of parks and playgrounds owned or controlled by the city

Section 16 That article five section three clause thirty-nine of said act which reads as follows

"39 To regulate the construction and inspection of fire places chimneys stoves stove-pipes ovens boilers kettles forges or any apparatus used in any building manufactory or business and to order the suppression or cleaning thereof when deemed necessary for the prevention of fires to regulate or prohibit the manufacture sale storage or transportation of inflammable or explosive substances within the city and to prescribe limits within which no dangerous obnoxious or offensive business shall be carried on" be and the same is hereby amended to read as follows

39 To regulate the construction and inspection of fireplaces chimneys stoves stove-pipes ovens boilers kettles forges or any apparatus used in any building manufactory or business and to order the suppression or cleaning thereof when deemed necessary for the prevention of fires; to regulate and control the production and emission of smoke from any chimney locomotive smokestack or other source to regulate or prohibit the manufacture sale storage or transportation of inflammable or explosive substances within the city and to prescribe limits within which no dangerous obnoxious or offensive business shall be carried on

Section 17 That article five section three clause forty-six of said act which reads as follows

46 To make all such ordinances by-laws rules and regulations not inconsistent with the Constitution and laws of this Commonwealth as may be expedient or necessary in addition to the special powers in this section granted for the proper management care and control of the city and its finances and the maintenance of the peace good government safety and welfare of the city and its trade commerce and manufactures and the same to alter modify and repeal at pleasure and to enforce all ordinances by inflicting penalties upon inhabitants or other persons for violation thereof not exceeding one hundred dollars for any one offense recoverable with costs together with judgment or imprisonment not exceeding thirty days if the amount of said judgment and costs shall not be paid" be and the same is hereby amended to read as follows

46 To make all such ordinances by-laws rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth as may be expedient or necessary for the proper management care and control of the city and its finances and the maintenance of the peace good government safety and welfare of the city and its trade commerce manufactures and the exercise of full and complete powers for local self-government and the same to alter modify and repeal at pleasure and to enforce all ordinances by inflicting penalties upon inhabitants or other persons for violations thereof not exceeding one hundred dollars for any one offense recoverable with costs together with judgment or imprisonment not exceeding ninety days if the amount of said judgment and costs shall not be paid

Section 18 That article six section one of said act which reads as follows

"Section 1 The mayor and members of the city council in cities of the third class shall be at least twenty-five years of age and shall be elected by the electors at large They shall have been citizens and inhabitants of the city wherein they shall be elected one year next before their election and shall reside therein during their terms of service In cities of the third class where the term of mayor expires on the first Monday of December in the year one thousand nine hundred and thirteen the qualified electors of such city shall at the municipal election in that year elect a mayor who shall serve from said first Monday until the first Monday of January one thousand nine hundred and eighteen. In the year one thousand nine hundred and seventeen and quadriennially thereafter the qualified electors of said city shall at the municipal election elect a mayor who shall serve for a term of four years from the first Monday of January next succeeding his election In cities of the third class where the mayor was elected at the municipal election in the year one thousand nine hundred and eleven the qualified electors of the city shall in the year one thousand nine hundred and fifteen and quadriennially thereafter elect a mayor who shall serve for a term of four years from the first Monday of January next succeeding his election At the first municipal election held after the passage of this act and biennially thereafter the qualified electors of each city of the third class shall elect four members of council who shall serve for a term of two years from the first Monday of January next succeeding their election except in the case of members first elected under this act who shall serve from the first Monday of December next following their election until the first Monday of January one thousand nine hundred and sixteen" be and the same is hereby amended to read as follows

Section 1 The mayor and members of the city council in cities of the third class shall be at least twenty-five years of age and shall be elected by the electors at large They shall have been citizens and inhabitants of the city wherein they shall be elected one year next before their election and shall reside therein during their terms of service The mayor and members of council shall respectively serve for a term of four years from the first Monday of January next succeeding their respective elections and shall each be eligible to re-election Mayors and councilmen in said cities now in office shall serve for the terms for which they were respectively elected At the municipal elections in each of the said cities immediately preceding the expiration of the terms of mayor thereof the qualified electors of each such city shall elect a mayor to serve for the term of four years and every fourth year thereafter a mayor shall be elected in each such city to serve for the term of four years At the first municipal election held after the passage of this act the qualified electors of each city of the third class shall elect four members of the city council The two nominees for such office receiver respectively the highest number of votes at such election shall serve for four years from the first Monday of January next succeeding their election and the two nominees for council at such election receiving the next highest number of votes at such election shall serve during the term of two years from the first Monday of January next succeeding their election and thereafter two councilmen shall be elected at large at each biennial municipal election to serve for the term of four years from the first Monday of January next succeeding their election

Section 19 That article six section two of said act which reads as follows

"Section 2 Each member of council including the mayor shall have the right to vote on all questions coming before the council but the mayor shall have no right to veto such acts as shall have been passed by the affirmative vote of a majority of the members elected to said council" be and the same is hereby amended to read as follows

Section 2 Each member of council including the Mayor shall have the right to vote on all questions coming before the council but the mayor shall have no right to veto and except as otherwise herein provided an affirmative vote of three members shall be necessary in order to pass any ordinance

Section 20 That article six section seven of said act which reads as follows

"Section 7 All ordinances may be proved by the certificate of the city clerk under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by authority of the city shall be read and received as evidence in all courts and places without further proof All ordinances shall unless otherwise provided herein or by law shall take effect in ten days after their passage upon their being signed by the mayor and attested by the ctiy clerk and every ordinance prescribing a penalty for the violation thereof shall be forthwith published at least three times in not more than two newspapers printed and circulated within the city in such manner as council may direct All ordinances shall within one month after their passage be certified and recorded by the city clerk in a book provided by the city for that purpose which shall be at all times open to the inspection of citizens" be and the same is hereby amended to read as follows

Section 7 All ordinances immediately after their passage shall be signed by the mayor and attested by the city clerk and ordinances may be proved by the certificate of the city clerk under the corporate seal of the city and when printed or published in book or pamphlet form and purporting to be published by authority of the city shall be read and received as evidence in all courts and places without further proof All ordinances unless otherwise provided therein or by law shall take effect in ten days after their passage and shall within one month after their passage be certified and recorded by the city clerk in a book provided by the city for that purpose which shall be at all times open to the inspection of citizens

Section 21 That article six section eleven of said act which reads as follows

"Section 11 The councilmen in cities of the third class shall receive for their services during their term of service annual salaries to be fixed by ordinance payable in monthly installments Council may by ordinance fixing said salaries provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees Council shall by ordinance fix the respective salaries to be paid to councilmen for their services The salary paid to any councilman shall not be less than two hundred fifty dollars per year nor more than three thousand dollars per year provided however that for the first term of councilmen elected under the provisions of this act and until thereafter changed by ordinance the salary of each councilman shall be as follows In cities of the third class of fifteen thousand inhabitants or under by the last United States census each councilman shall receive a salary of three hundred dollars per annum where said population is between fifteen thousand and thirty thousand seven hundred and fifty dollars per annum in cities having a population above thirty thousand and not to exceed fifty thousand two thousand dollars per annum in cities having seventy thousand two thousand five hundred dollars per annum in cities having a population of over seventy thousand three hundred dollars per annum

The first council elected under the provisions of this act shall by ordinance determine the amount of salaries to be paid in said cities the compensation to be received by councilmen shall not be increased or diminished during the term for which they shall have been elected but succeeding councils may change all compensation said change to take effect after the expiration of term of office of the council making such change" be and the same is hereby amended to read as follows

Section 11 The councilmen in cities of the third class shall receive for their services during their term of service annual salaries to be fixed by ordinance payable in monthly installments Councils may by the ordinance fixing said salary provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The salary paid to any councilman shall not be less than two hundred and fifty dollars per year nor more than three thousand dollars per year provided hovever that for the term of city councilmen and until thereafter changed by ordinance the salary of each councilman shall be as follows In cities of the third class of fifteen thousand inhabitants or under by the last United States census each councilman shall receive a salary of three hundred dollars per annum where said population is between fifteen thousand and thirty thousand seven hundred and fifty dollars per annum in cities having a population above thirty thousand and not exceeding fifty thousand two thousand dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand two thousand five hundred dollars per annum in cities having a population of over seventy thousand three thousand dollars per annum

The council elected under the provisions of this act shall have power by ordinance to determine the amount of salaries to be paid in said cities The compensation to be received by councilmen shall not be increased or diminished during the term for which they shall be

elected but succeeding councils may change all compensation said change to take effect after the expiration of term of office of the council making the change

Section 22 That article seven section four of said act which reads as follows

"Section 4 The mayor shall also supervise the conduct of all city officers examine the grounds of all reasonable complaints against any of them and cause all of their violation or neglect of their duty to be promptly punished or reported to the proper tribunal for correction and for the purpose aforesaid he is hereby empowered to issue subpoenas and compulsory processes under his official seal for the attendance of such persons and the production of such books and papers as he may deem necessary He shall have the authority at all times to call upon any officials of the city or heads of departments for any information as to the affairs under their control and management as he may require and he may call special meetings of council to consider any matter which he may think proper. He shall communicate to council at their first stated meeting in January of each year and from time to time as he may deem expedient a statement of the condition and affairs of the city in respect to its government finances and improvements together with suggestions and recommendations of all such measures as he may deem conducive to the interests and welfare thereof" be and the same is hereby amended to read as follows:

Section 4 The mayor shall also supervise the conduct of all city officers examine the grounds of all reasonable complaints against any of them and cause all of their violations or neglect of duty to be promptly punished or reported to the proper tribunal for correction and for the purpose aforesaid he is hereby empowered to issue subpoenas and compulsory processes under his official seal for the attendance of such persons and the production of such books and papers as he may deem necessary He shall have the authority at all times to call upon any official of the city or heads of departments for any information as to the affairs under their control and management as may require and he may call special meetings of council to consider any matter which he may think proper. He shall communicate to council from time to time as he may deem expedient a statement of the condition and affairs of the city in respect to its government finances and improvements together with suggestions and recommendations of all such measures as he may deem conducive to the interest and welfare thereof

Section 23 That article seven section five of said act which reads as follows

"Section 5 The mayor shall have the criminal jurisdiction of an alderman within the city and shall have no civil jurisdiction except in relation to actions for fines penalties or forfeitures imposed by virtue of the ordinances of the city or the laws of this Commonwealth relating thereto. He shall have the power of a committing magistrate under the acts of assembly relating to tramps and vagrants and shall in addition have authority to commit to any city or county prison for a term not exceeding thirty days any dissolute or disorderly persons in default of payment of such fine or penalty as may be fixed by ordinance with the cost of suit or arrest He shall be empowered to take acknowledgements of any instruments in writing solemnize marriages and administer oath and affirmations and shall attest all his acts with his official seal He shall keep a docket and shall enter therein all actions and proceedings had before him and said docket with the entries therein and duly certified transcripts thereof shall be received in evidence in the same manner and with like effect as the docket entries and transcripts of alderman are by law administered for similar purposes He shall charge and receive for all official services the same fees and costs as are allowed by law to the alderman of the city for similar services but shall pay over the same into the city treasury monthly according to the statements thereof verified by oath or affirmation before the superintendent of finance and filed with him" be and the same is hereby amended to read as follows

Section 5 The mayor shall have the criminal jurisdiction of an alderman within the city and shall have no civil jurisdiction except in relation to actions for fines penalties or forfeitures imposed by virtue of the ordinances of the city or the laws of the Commonwealth relating thereto He shall have the power of a committing magistrate under the acts of assembly relating to tramps and vagrants and shall in addition have authority to commit to any city or county prison for a term not exceeding ninety days any dissolute or disorderly person in default of payment of such fine or penalty as may be fixed by ordinances with the cost of suit or arrest He shall be empowered to take acknowledgements of any instruments in writing solemnize marriages and administer oaths and affirmations and shall attest all his acts with his official seal He shall keep a docket and shall enter therein all actions and proceedings had before him and said docket with the entries therein and duly certified transcripts thereof shall be received in evidence in the same manner and with like effect as the docket entries and transcripts of aldermen are by law admissible for similar purposes He shall charge and receive for all official services the same fees and costs as are allowed by law to aldermen of the city for similar services but shall pay over the same into the city treasury monthly according to the statements thereof verified by oath or affirmations before the superintendent of accounts and finance and filed with him

Section 24 That article seven section six of said act which reads as follows

"Section 6 The council shall fix by ordinance the number rank and compensation of the members of the city police force and prescrbie all necessary rules and regulations for the organization and government thereof in accordance with this act and it shall be a misdemeanor in office for any policeman to ask demand or receive any other compensation or reward whatsoever for his official services to be followed by dismissal from office Provided That members of the police force may receive and retain rewards offered for the arrest of persons accused of crime committed outside of the city in which they hold office The council may also designate from the force the chief and other officers who shall be subject to the direction and control of the council and shall serve as such officers until their successors be duly designated and qualified" be and the same is hereby amended to read as follows

Section 6 The council shall fix by ordinance the number rank and compensation of the members of the city police force and prescribe all necessary rules and regulations for the organization and government thereof in accordance with this act and it shall be a misdemeanor in office for any policeman to ask demand or receive any other compensation or reward whatsoever for his official services to be followed by dismissal from office Provided That members of the police force may receive and retain rewards offered for the arrest of persons accused of crime committed outside of the city in which they hold office The council may also designate from the force the chief and other officers who shall serve as such officers until their successors be duly designated and qualified The council or the mayor acting by authority and direction of the council on occasions of threatened public disorder or danger or whenever in the judgment of the council or the mayor it is necessary for the public safety or to preserve order may appoint supernumerary or extra policemen to serve for such period as the council or the mayor may designate not exceeding ten days whose compensation shall be fixed by council before or at the time said appointments are made

Section 25 That article seven section seven of said act which reads as follows

"Section 7 Policemen shall be ex-officio constables of the city and shall and may without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of said city for the violation of which a fine or penalty is imposed. They shall have authority to serve and execute all criminal process or processes for the violation of the city ordinances which may be issued by the mayor or any alderman and shall charge the same fees and costs as pertain by law to the constables of the city for similar services but the said fees and costs shall be received and collected by the mayor and by him paid into the city treasury monthly as herein provided Policemen shall obey the orders of the mayor and make report to him which report shall be laid by him before council whenever required The mayor shall exercise a constant supervision and control over their conduct and hear and determine all complaints against them in the discharge of their duties and he shall be required to remove from office any member or officer of the police force upon a resolution to that effect passed by council" be and the same is hereby amended to read as follows

Section 7 Policemen shall be ex-officio constables of the city and shall and may without warrent and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of said city for the violation of which a fine or penalty is imposed They shall have authority to serve and execute all criminal process or processes for the violation of the city ordinances which may be issued by the mayor or any alderman and shall charge the same fees and costs as pertain by law to the constables of the city for similar services but the said fees and costs shall be received and collected by the mayor and by him paid into the city treasury monthly as herein provided Policemen shall obey the orders of the mayor and make report to him which report shall be laid by him before council whenever required The mayor shall exercise a constant supervision and control over their conduct and hear and determine all complaints against them in the discharge of their duties and upon finding any such complaint well founded shall submit his report thereon to council for its action and in the meantime pending action by council the mayor shall have power to suspend such policeman from duty

Section 26 That article seven section fourteen of said act which reads as follows

"Section 14 The superintendent of finance shall from time to time and as often as he may deem expedient or the city council shall direct suggest plans to the council for the management and improvement of the city finances and he shall make a report verified by oath or affirmation to the city council at the first stated meeting in January in each year of the public accounts of the city and of the trusts in its care exhibiting all of the expenditure thereof respectively and the sources from which the revenue and funds

are derived and in what manner the same have been disbursed each account to be accompanied by a statement in detail of the several appropriations made by council the amount drawn on each appropriation and the balance outstanding to the debit or credit of such appropriation at the close of the fiscal year which report shall be published in pamphlet form He shall also at the first stated meeting in January in each year present to council a detailed statement of the estimated receipts expenditures and liabilities of every kind for the ensuing year with the balance of unexpended appropriations and all other information of value as a basis for fixing the levy and tax rate for the next fiscal year" be and the same is hereby amended to read as follows

Section 14 The superintendent of finance shall from time to time and as often as he may deem expedient or the city council shall direct suggest plans to the council for the management and improvement of the city finances and he shall make a report verified by oath or affirmation to the city council at the first stated meeting in March in each year of the public accounts of the city and of the trusts in its care exhibiting all of the expenditure thereof respectively and the sources from which the revenue and funds are derived and in what manner the same have been disbursed each account to be accompanied by a statement in detail of the several appropriations made by the council the amount drawn on each appropriation and the balance outstanding to the debt or credit of such appropriation at the close of the fiscal year which report shall be published in pamphlet form He shall also at the first stated meeting in December in each year present to council a detailed statement of the estimated receipts expenditures and liabilities of every kind for the ensuing year with the balance of unexpended appropriations and all other information of value as a basis for fixing the levy and tax rate for the next fiscal year The superintendent of accounts and finance shall have authority to administer oaths or affirmations in relation to any matter touching the authentication of every account with or claim or demand against the city but shall not be entitled to receive any fee therefor He shall also have power to appoint a deputy who shall also have power to administer oaths or affirmations in all matters relating to the affairs of said office but the said superintendent shall in all cases be responsible and liable for the actions and conduct of the said deputy

Section 27 That article seven section fifteen of said act which reads as follows

"Section 15 The mayor of each city of the third class in Pennsylvania elected under the provision of this act shall receive for his services during his term of service an annual salary to be fixed by ordinance payable in monthly installments The council in said city shall by ordinance fix the amount of the salary to be paid to the mayor for his services and may provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The amount of said salary in cities of the third class shall not be less than five hundred dollars nor more than three thousand five hundred dollars per year For the first term of any mayor elected under the provisions of this act and until thereafter changed by ordinance the salary of said mayors in cities of the third class shall be as follows In cities having a population of fifteen thousand or under by the last United States census five hundred dollars in cities having a population of over fifteen thousand and less than thirty thousand inhabitants one thousand two hundred dollars per year in cities having a population exceeding thirty thousand and not exceeding fifty thousand inhabitants two thousand five hundred dollars per annum in cities having a population of over fifty thousand and not exceding seventy thousand inhabitants three thousand dollars per annum in cities having a population of over seventy thousand inhabitants three thousand five hundred dollars per annum

The first council elected under the provisions of this act shall by ordinance fix the salary to be paid to the mayor in said cities for succeeding terms and the amount of compensation for the mayor in any of said cities shall not be increased or diminished during the term of office for which he shall be elected Succeeding councils may change the amount of such compensation" be and the same is hereby amended to read as follows

Section 15 The mayor of each city of the third class elected under the provisions of this act shall receive for his services during his term of service an annual salary to be fixed by ordinance payable in monthly installments The council shall by ordinance fixe the amount of salary to be paid to the mayor for his services and may provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The amount of salary in cities of the third class shall not be less than five hundred dollars nor more than three thousand five hundred dollars per year Until changed by ordinance the salary of said mayors in cities of the third class shall be as follows In cities having a population of fifteen thousand or under by the last United States census five hundred dollars per annum in cities having a population of over fifteen thousand and less than thirty thousand inhabitants one thousand two hundred dollars per annum in cities having a population exceeding thirty thousand and not exceeding fifty thousand inhabitants two thousand five hundred dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand inhabitants three thousand dollars per annum in cities having a population of over seventy thousand inhabitants three thousand five hundred dollars per annum and the amount of compensation for the mayor in any of the said cities shall not be increased or diminished during the term of office for which he shall be elected Succeeding councils may change the amount of such compensation but such change shall not affect the compensation of any mayor then in office

Section 28 That article eight section one of said act which reads as follows

"Section 1 Subject to the provisions of section thirteen of article six of this act the council of each city of the third class shall on the first Monday of January after its election elect a city treasurer who shall hold his office for the term of two years from said first Monday of January and until his successor is duly elected and qualified or until the said treasurer shall have been removed from office according to law The city treasurer shall be a competent accountant and shall have been a resident of the city and an elector thereof for at least three years previous to his election He shall give lawful bond to the city with two or more sufficient sureties or with a surety or other company authorized by law to act as surety to be approved by the council in such sum as it may by ordinance direct conditioned for the honest and faithful discharge of his official duties and the safe keeping and payment over of all public moneys entrusted to his care He shall receive a fixed annual salary to be provided by ordinance" be and the same is hereby amended to read as follows

Section 1 The council of each city of the third class shall on the first Monday of January Anno Domini one thousand nine hundred and eighteen and on the first Monday of January in every fourth year thereafter elect a city treasurer who shall hold his office for the term of four years from the said first Monday of January and until his successor is duly elected and qualified or until the said treasurer shall have been removed from office according to law The city treasurer shall be a competent accountant and shall have been a resident of the city and an elector thereof for at least three years previous to his election He shall give lawful bond to the city with two or more sufficient sureties or with a surety or other company authorized by law to act as surety to be approved by the council in such sum as it may by ordinance direct conditioned for the honest and faithful discharge of his official duties and the safe keeping and payment over of all public moneys entrusted to his care He shall receive a fixed annual salary to be provided by ordinance

Section 29 That article nine section one of said act which reads as follows

"Section 1 In cities of the third class where the term of city controller expires on the first Monday of December in the year one thousand nine hundred and thirteen the qualified electors of the city shall at the municipal election of that year elect a city controller who shall serve from said first Monday of December until the first Monday of January one thousand nine hundred and eighteen In the year one thousand nine hundred and seventeen and quadriennially thereafter the qualified electors of such city shall at the municipal election elect a city controller who shall serve for a term of four years from the first Monday of January next succeeding his election In cities of the third class where the city controller was elected at the municipal election in the year one thousand nine hundred and eleven the qualified electors of the city shall in the year one thousand nine hundred and fifteen and quadriennially thereafter elect a city controller who shall serve for a term of four years from the first Monday of January next succeeding his election The city controller shall examine audit and settle all accounts whatsoever in which the city is concerned either as debtor or creditor where provision for the settlement thereof is made by law and where no provision or an insufficient provision has been made he shall examine such accounts and report to the city council the facts relating thereto He shall have authority to administer oaths or affirmations in relation to any matter touching the authentication of every account with or claim or demand against the city but shall not be entitled to receive any fee therefor" be and the same is hereby amended to read as follows

Section 1 In cities of the third class where the term of the city controller expires on the first Monday of January in the year one thousand nine hundred and twenty the qualified electors of the city shall at the municipal election of the preceding year and every four years thereafter elect a city controller who shall possess the qualifications herein prescribed for the city treasurer and who shall serve for the term of four years from the first Monday of January next succeeding their respective elections

In cities of the third class where the city controller was elected in the year one thousand nine hundred and thirteen to serve until the first Monday in January in the year one thousand nine hundred and eighteen the qualified electors of said cities shall elect a city controller at the municipal election to be held in the year one thousand nine hundred and seventeen and every four years thereafter elect a controller in like manner to serve for the term aforesaid the said terms to begin on the first Monday of January next succeeding their respective elections

Section 30 That article nine section two of an act which reads as follows

"Section 2 The said city controller shall receive such compensation as may be prescribed by council" be and the same is hereby amended to read as follows

Section 2 The said city controller shall examine audit and settle all accounts whatsoever in which the city is

concerned either as debtor or creditor and shall also examine and audit the accounts of all officers and departments which collect receive and disburse public moneys or who are charged with the management control or custody thereof and in case he discovers any default irregularity delinquency or mismanagement he shall make report to the council He shall also make report to council on the first Monday of January in each year and oftener if so required by council of the audits which he shall have made of the accounts of the officers having charge custody control and disbursement of public moneys showing the balance in their hands respectively He shall have the power to administer oaths or affirmations of any account claim or demand against the city but shall not receive any fee therefor and shall have power to issue subpoenas to obtain the attendance of officers whose accounts he is authorized to adjust audit and settle and also to subpoena any person or persons who it may be necessary to examine as witnesses and in case any city officer or any witness refuses to appear upon being subpoenaed he shall report such refusal to council and the council is hereby empowered to enact ordinances to compel the attendance of city officers and witnesses before the said city controller and to impose penalties in case of refusal The city controller shall give bond with surety to be approved by council in such sum as the council shall fix by ordinance and he shall receive such compensation as shall be prescribed by council which shall not be increased or diminished during his term In case a vacancy occurs in the office of city controller thirty days or more prior to the time for holding the next fall or municipal primary election in said cities the council shall fill the vacancy by electing a city controller to serve until the first Monday of January next succeding the time of holding said fall municipal primary election and the qualified electors of the city in which said vacancy exists shall at said fall or municipal primary election nominate and at the succeeding fall or municipal election elect in the manner provided by law a city controller who shall serve for the regular term of four years from the first Monday of January succeeding his election but in case the vacancy occurs less than thirty days prior to the next fall or municipal primary election the council shall elect a city controller to serve during the remainder of the term of the city controller whose office has become vacant

Section 31 That article nine section three which reads as follows

"Section 3 That the council of each city of the third class in this Commonwealth are hereby authorized and directed to elect a city clerk whose term of office and compensation shall be fixed by ordinance Provided however That the said term of office shall not exceed four years" be and the same is hereby amended to read as follows

Section 3 The council of each city of the third class is hereby authorized and directed to elect a city clerk who shall serve for a term of four years and until his successor is duly elected and qualified and whose compensation shall be fixed by ordinance and he shall be removable in the manner provided by law

Section 32 That article ten section one of said act which reads as follows

"Section 1 Subject to the provisions of article six the council of each of said cities of the third class shall on the first Monday of January following the election of members thereof or as soon thereafter as may be practicable by the vote of a majority of the members chosen elect one person learned in the law and qualified to practice in the Supreme Court of this Commonwealth who shall be styled the city solicitor and shall serve for the term of two years from the said first Monday of January and until his successor shall be duly qualified unless he shall have been removed from office sooner in the method prescribed by law Vacancies in said office shall be filed by council for the unexpired term He shall give lawful bond to the corporation with two or more sureties or with surety or other company authorized by law to act as surety to be approved by council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance" be and the same is hereby amended to read as follows

Section 1 Subject to the provisions of article six the council of each of said cities of the third class on the first Monday of May Anno Domini one thousand nine hundred and eighteen and on the first Monday of May every fourth year thereafter or as soon thereafter as practicable in each of said years by a vote of a majority of the members shall elect one person learned in the law and qualified to practice in the Supreme Court of this Commonwealth who shall be styled the city solicitor and shall serve for the term of four years from the said first Monday of May and until his successor shall be duly qualified unless he shall have been removed from office sooner in the method prescribed by law Vacancies in said office shall be filled by council for the unexpired term He shall give lawful bond to the corporation with two or more sureties or with a surety or other company authorized by law to act as surety to be approved by council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance

Section 33 That article eleven section one of said act which reads as follows

"Section 1 The council of any city of the third class the State of Pennsylvania may by ordinance create a board of health The organization powers and duties of said board of health shall be as provided by laws now in force in relation to boards of health" be and the same is hereby amended to read as follows

Section 1 The council of any city of the third class by ordinance may create a board of health The organization powers and duties of said board of health shall be as provided by laws now in force in relation to boards of health except the members officers and subordinates thereof may be appointed by the council

Section 34 The article eleven section three of said act which reads as follows

"Section 3 The city clerk in cities of the third class shall be ex-officio secretary of the board of health in case the council of said city shall create a board of health under the provisions of this act" be and the same is hereby repealed

Section 35 That article fourteen section six of said act which reads as follows

"Section 6 The viewers provided for in the foregoing sections of this article may be appointed before or at any time within six years after the entry taking appropriation or injury or the passing of an ordinance providing for any matter set forth in section one of article fourteen of any property or materials for constructing said improvement and upon the report of said viewers or any two of them being filed in the said court any party may within thirty days thereafter file his of her or their appeal from the said report to the said court Such appeal shall be in writing and accompanied by an affidavit of the appellant or their agent or attorney that the same is not taken for the purpose of delay but because the affiant firmly believes that injustice has been done and after such appeal either party may put the cause at issue in the form directed by said court and the same shall be tried by said court and jury and after final judgment either party may have an appeal therefrom to the proper court the Superior Court or the Supreme Court in the manner prescribed in other cases The said court of common pleas shall have power to order what notices shall be given in connection with any part of the proceedings and may make all such orders as it may deem requisite If any exceptions be filed with any appeal to the proceedings they shall be speedily disposed of and if allowed a new view shall be ordered and if disallowed the appeal shall proceed as hereinbefore provided" be and the same is herby amended to read as follows

Section 6 The viewers provided for in the foregoing sections of this article may be appointed before or at any time within six years after the entry taking appropriation or injury or the passing of an ordinance providing for any matter set forth in section one of this article or of any property or materials for constructing said improvement and upon the report of said viewers or any two of them being filed in the said court which report shall be filed within three months from the date of their appointment unless the time for so doing shall be extended by the court any party may within thirty days thereafter file his her or their appeal from the said report to the said court Such appeal shall be in writing and accompanied by an affidavit of the appellant or their agent or attorney that the same is not taken for the purpose of delay but because the affiant firmly believes that injustice has been done and after such appeal either party may put the cause at issue in the form directed by said court and the same shall be tried by said court and jury and after final judgment either party may have an appeal therefrom to the proper court the Superior Court or the Supreme Court in the manner as prescribed in other cases The said court of common pleas shall have power to order what notices shall be given in connection with any part of the proceedings and may make all such orders as it may deem requisite If any exceptions be filed with any appeal to the proceedings they shall be speedily disposed of and if allowed a new view shall be ordered and if disallowed the appeal shall proceed as hereinbefore provided

Section 36 That article fourteen section seven of said act which reads as follows

"Section 7 In case any such city shall repeal any ordinance passed or discontinue any proceeding taken providing for any of the improvements mentioned in the first section of this article prior to the entry upon taking appropriation or injury to any property or material and within thirty days after the filing of the report of viewers assessing damages and benefit the said city shall not thereafter be liable to pay any damages which have been or might have been assessed but all costs upon any proceedings had thereon shall be paid by the said city" be and the same is hereby amended to read as follows

Section 7 In case any such city shall repeal any ordinance passed or discontinue any proceeding taken providing for any of the improvements mentioned in the first section of this article prior to the entry upon taking appropriation or injury to any property or materials and within thirty days after the filing of the report of viewers assessing damages and benefits the said city shall not thereafter be liable to pay any damages which have or might have been assessed but all costs upon any proceeding had thereon shall be paid by the said city including attorney fees to be fixed by the court on behalf of the owner or owners

Section 37 That artcile fifteen section one of said act which reads as follows

"Section 1 Subject to the provisions of article six of this act the council of each of said cities of the third class shall

on the first Monday of January or as soon thereafter as may be conveniently done elect one person resident of the city for at least five years previous to his election a qualified elector thereof and owner of real estate therein at the time of his election and during the entire term of service of the assessed value of at least five hundred dollars as city assessor to serve from the date of his election until the firt Monday of January of the suceeding year Council shall not permit any person elected assessor to enter upon the duties of said office nor continue in office when he does not have and possess all the qualifications aforesaid and for this purpose council shall have power by a majority vote of all the members elected thereto to declare the said office of assessor vacant at any time any person has not or ceases to have the qualifications aforesaid for the said office and they may thereupon fill the vacancy thus occasioned in the manner hereinafter provided for the filling of vacancies" be and the same is hereby amended to read as follows

Section 1 The council of each of said cities of the third class on the first Monday of January one thousand nine hundred and eighteen and on the first Monday of January in every fourth year thereafter or as soon thereafter as may be conveniently done shall elect one person resident of the city for at least five years previous to his election a qualified elector thereof and owner of real estate therein at the time of his election and during the entire term of service of the assessed value of at least five hundred dollars as city assessor to serve for the term of four years from the first Monday of January in the year in which he is elected Council shall not permit any person elected assessor to enter upon the duties of said office nor continue in office when he does not have and possess all of the qualifications aforesaid and for this purpose council shall have power by a majority vote of all the members elected thereto to declare the said office of assessor vacant at any time any person has not or ceases to have the qualifications aforesaid for the said office and they may thereupon fill the vacancy thus occasioned in the manner hereinafter provided for the filling of vacancies

Section 38 That article fifteen section ten of said act which reads as follows

"Section 10 The said assessor shall complete his triennial assessment and the annual assessments in intervening years on or before the first day of September in each year and he shall have power to add to the duplicates in the hands of the city treasurer any subject of taxation therefrom and to rectify any and all errors and mistakes made therein" be and the same is herby amended to read as follows

Section 10 The said assessor shall complete his triennial assessment and the annual assessments in intervening years on or before the first day of September in each year and he shall have power with the approval of the board of revision and appeals to add to the duplicates of the city treasurer any subject of taxation omitted therefrom and to rectify any and all errors and mistakes made therein

Section 39 That article sixteen section one of said act which reads as follows

"Section 1 Subject to the provisions of article six of this act the council of each city of the third class shall on the first Monday of January succeeding their election or as soon thereafter as practicable elect by majority vote of said council a competent civil engineer who shall be styled the city engineer and shall serve for a term of two years from the date of his election and until his successor shall be duly qualified unless he shall sooner be removed from said office according to law" be and the same is hereby amended to read as follows

Section 1 Subject to the provisions of article six of this act the council of each city of the third class shall on the first Monday of May Anno Domini one thousand nine hundred eighteen and on the first Monday of May in every fourth year thereafter or as soon thereafter as practicable in each of said years elect by majority vote of said council a competent civil engineer who shall be styled the city engineer and shall serve for a term of four years from the said first Monday of May and until his successor shall be duly qualified unless he shall sooner be removed from said office according to law He shall give bond with surety in such sum as council may direct conditioned for the faithful performance of his duties Vacancies in said office shall be filled by council for the unexpired term

ARTICLE XIX.

Section 40 That article nineteen of said act which reads as follows

Section 1 Any proposed ordinance may be submitted to the council by a petition signed by the electors of any city of the third class of the Commonwealth of Pennsylvania Upon the written request of one hundred qualified electors directed to the city clerk asking that a petition be prepared he shall prepare such petition within ten days and in the meantime notice shall be given in one of the daily newspapers if one be published in the city and if not then in a weekly newspaper that such petition will be ready for signing at the expiration of ten days from the presentation of the aforesaid request This notice shall state the purpose for which the petition is made the place where and when it may be signed and ten days shall be allowed for signatures The singing shall be done in the city clerk's office only and the petition shall be retained there at all times during the period of ten days Each signer shall add to his signature his place of residence street and number and shall make oath before the city clerk that he is a qualified elector of the city and resides at the address given At the expiration of the ten days aforesaid and within ten days thereafter the city clerk shall examine such petition and from the voters registered ascertain whether or not said petition is signed by voters equal to twenty per centum of all votes cast for all candidates for mayor at the last preceding municipal election and if necessary the council shall allow him extra help for that purpose and he shall attach to said petition his certificate showing the result of said examination If by the clerk's certificate the petition is shown to contain less than twenty per centum as aforesaid it may be amended within ten days from the date of said certificate The clerk shall within ten days after such amendment make like examination and certification of the amended petition and if his certificate shall show the same to contain less than twenty per centum as aforesaid it shall be returned to the person filing the same without prejudice If the petition shall be certified to contain twenty per centum of said votes cast as aforesaid the clerk shall submit the same to the council without delay If the petition accompanying the proposed ordinance be signed by electors equal in number to twenty per centum of the votes cast for all candidates for mayor at the last preceding municipal election and contains a request that the said ordinance be submitted to a vote of the people if not passed by the council such council shall either

(a) Pass said ordinance without alteration within twenty days except as otherwise provided herein after attachment of the clerk's certificate to the accompanying petition or

(b) Forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency the council shall call a special election unless the general municipal election is fixed within ninety days thereafter and at such special or general election if one is so fixed such ordinance shall be submitted without alteration to the vote of the electors of the said city The ballots used when voting upon said ordinance shall be supplied by council and shall contain the words "For the ordinance" (stating the nature of proposed ordinance) and "Against the ordinance" (stating the nature of proposed ordinance If the majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof such ordinance shall thereupon become a valid and binding ordinance of said city Any ordinance which under the provisions of article nineteen or article twenty of this act is proposed by petition or which shall be adopted by a vote of the people cannot be repealed or amended within two years except by a vote of the people Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this section but there shall not be more than one special election in any period of six months for such purpose The council may submit a proposition for the repeal of any such ordinance or amendments thereto to be voted upon at any succeeding general city election and should such proposition so submitted receive a majority of the votes thereon at such election such ordinance shall thereby be repealed or amended accordingly Whenever any ordinance or proposition is required by this act to be submitted to the voters of the city at any election city clerks shall cause such ordinance or proposition to be published once in each of the daily newspapers published in said city such publication to be not more than twenty or less than five days before the submission of such proposition or ordinance to be voted on" be and the same is hereby amended to read as follows

ARTICLE XIX.

Section 1 Any proposed ordinance (except as hereinafter mentioned) may be submitted to the council by a petition signed by the electors of any city of the third class of the Commonwealth of Pennsylvania Upon the written request of one hundred qualified electors directed to the city clerk asking that a petition be prepared he shall prepare such petition within ten days and in the meantime notice by one insertion shall be given in one of the daily newspapers if one be published in the city and if not then in a weekly or daily newspaper published in the county in which said city is situated that such petition will be ready for signing at the expiration of ten days from the presentation of said request This notice shall state the purpose for which the petition is made the place where and when it may be signed and ten days shall be allowed for signatures The signing shall be done in the city clerk's office only and the petition shall be retained there at all times during the period of ten days Each signer shall add to his signature his place of residence street and number and shall make oath before the city clerk that he is a qualified elector of the city and resides at the address given At the expiration of the ten days aforesaid and within ten days thereafter the city clerk shall examine such petition and from the voters resigtered ascertain whether or not said petition is signed by voters equal to twenty per centum of all votes cast for all candidates for mayor was elected and if necessary the council shall allow him extra help for that purpose and he shall attach to said petition his certificate showing the result of said examination If by the clerk's certificate the petition is shown to contain less than twenty per centum as aforesaid it may be amended within ten days from the date of said certificate The clerk shall within ten days after such amendment make like examination and certification of the amended petition and if his certificate shall show the same to contain less than twenty per centum as aforesaid it shall be returned to the person filing the same without prejudice If the petition shall be certified to contain twenty per centum of said votes cast

as aforesaid the clerk shall submit the same to the council without delay If the petition accompanying the proposed ordinance be signed by electors equal in number to twenty per centum of the votes cast for all candidates for mayor at the last preceding municipal election at which a mayor was elected and contains a request that the said ordinance be submitted to a vote of the people if not passed by the council such council shall either

(a) Pass said ordinance without alteration within twenty days except as otherwise provided herein after attachment of the clerks certificate to the accompanying petition or

(b) Forthwith after the clerk shall attach to the petition accompanying such ordinance his certificate of sufficiency the council shall call a special election unless the general or municipal election is fixed within ninety days thereafter and at such special election if one is so fixed or at the said general or municipal election such ordinance shall be submitted without alteration to the vote of the electors of the said city The ballots used when voting upon said ordinance shall be supplied by council and shall contain the words "For the ordinance" (stating the nature of proposed ordinance) and "Against the ornidance" (stating the nature of proposed ordinance) If the majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof such ordinance shall thereupon become a valid and binding ordinance of said city Any ordinance which under the provisions of Article Nineteen (XIX) or of Article Twenty (XX) of this act is proposed by petition or which shall be adopted by a vote of the people cannot be repealed or amended within two years except by a vote of the people Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this section but there shall not be more than one special election in any period of six months for such purpose The council may submit a proposition for the repeal of any such ordinance or amendments thereto to be voted upon at any succeeding municipal or general election and should be repealed or amended accordingly Whenever any ordi- such proposition so submitted receive a majority of the votes thereon at such election such ordinance shall thereby nance or proposition is required by this act to be submitted to the voters of the city at any election city clerks shall cause such ordinance or proposition to be published once in at least two of the newspapers published in said city and if two newspapers are not published in the city then in two newspapers published in the county such publication to be not less than five nor more than twenty days before the submission of such proposition or ordinance to be voted on

Section 2 That the provisions of the foregoing section shall not apply to or include any ordinance

(a) Relating to any matter subject or thing which is not the subject of a referendum vote as heineinafter provided

(b) To repeal amend or modify any ordinance which had been subject to the provisions of the refereundum as hereinafter provided

Section 41 That article twenty of said act which reads as follows

ARTICLE XX

Section 1 No ordinance passed by the council except when otherwise required by the general laws of the State or required or permitted by the provisions of this act and except ordinances for the immediate preservation of the public peace health or safety which contains a statement of their urgency shall go into effect before ten days from the time of its final passage and if during the said ten days from the time of its final passage a petition signed by electors of the city equal in number to at least twenty per centum of the entire votes of all candidates for mayor at the last preceding general municipal election at which a mayor was elected protesting against the passage of such ordinance be presented to the council the same shall thereupon be suspended from going into operation and it shall be the duty of the council to reconsider such ordinance and if the same is not entirely repealed the council shall submit the ordinance as is provided by subsection (b) of section one of article nineteen of this act to the vote of the electors of the city either at the general election or at a special municipal election to be called for that purpose and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof Said petition shall be prepared signed and perfected in all respects in accordance with the provisions of said section one of article nineteen and be examined and certified to by the clerk in all respects as therein provided And provided That the provisions of article nineteen and article twenty shall not become effective until January first nineteen hundred and fourteen nor apply to any tax levy nor to the annual appropriation ordinance nor to any ordinance providing for the exercise f the right of eminent domain And provided further That no franchise or consent to occupy the public streets highways or other places in any of said cities shall be given or granted to any person or persons railroad railway gas water electric light telegraph or telephone company or to any other public service corporation except by ordinance and no ordinance for such purpose shall go into effect for thirty days after its approval or for thirty days after the time it would otherwise have become a law If within said thirty days a petition prepared advertised and perfected in all respects complying with the provisions of article nineteen section one is addressed to the council signed by electors of the city equal in number to at least twenty per centum of the total number of registered voters as shown by the last preceding registration protesting against the passage of said ordinance the latter shall be suspended It shall be the duty of the city clerk within ten days after said petition is filed with him to examine and ascertain from the registry of votes whether or not said petition is signed by the requisite number of electors and if necessary the council shall allow the said clerk extra help for said purpose When the said clerk has made said examination he shall attach his certificate to said petition showing the result of his examination and if it shall appear that the petition has not the requisite number of electors as petitioners no further action shall be taken but this shall not prevent the filing of another petition in like manner within said thirty days and in case such petition is presented the same proceedings shall be had thereon as in the first petition If no petition having the twenty per centum of electors as hereinabove provided is presented or filed with the city clerk within said thirty days the said ordinance shall then go into immediate effect unless otherwise provided in the ordinance

In case the petition or petitions provided for in the preceding section be signed by the twenty per centum of the total number of regisered voters shown by the last preceding registration the council shall reconsider such ordinance and if the same is not entirely repealed the council shall call a special election unless the general or municipal election is to be held within ninety days therefrom in which latter case the question of reference shall be to the general or municipal election as the case may be At the special election if one is so fixed by the council or at the general or municipal election occurring within ninety days the said ordinance shall be submitted without alteration

When the submission is at a general or municipal election the city clerk shall certify to the county commissioners a copy of the ordniance and the proceedings of council directing the referendum vote and the county commissioners shall cause the proper ballot to be printed in the ballot sheet used at the said respective elections Where there is a special election the ballot shall be prepared and furnished by the city and said elections shall be held by the same officers who hold the general or municipal elections (as the case may be) and the expenses of said special elections shall be paid for by the city and said city may fix not only the day of election but the time for opening and closing of the polls Any number of ordinances may be referred and voted on at the same election and there shall not be more than one special election every six months The ballot for each referendum shall be substantially in the following form

CITY ORDINANCE REFERENDUM

If you are for the ordinance mark an X opposite the word FOR if you are against the ordinance mark an X opposite the word AGAINST

Approval of the city ordinance (stating the purpose of said ordinance)

FOR	
AGAINST	

The officers holding said elections shall keep tally sheets and make returns of votes in the same manner as tally sheets are kept and returns made in the election of officers and the submission of other questions as now provided by law the said returns shall be filed with the prothonotary of the court of common pleas and the said court shall compute the returns and cause the result thereof to be filed in the said court and the said prothonotary shall certify the result to the council of the proper city In case of special elections the said prothonotary shall lay the returns of elections before the said court at a meeting or session of the said court to be held on the Tuesday succeeding said election for computation as aforesaid If it shall appear that more persons have voted for said ordinance than against it the ordinance shall take immediate effect the same as if it had been approved by the mayor and there had been no referendum vote thereon If the vote is against said ordinance it shall be lost and of no effect

Before any referendum election is held on any ordinance as hereinbefore provided it shall be the duty of the city clerk to publish or cause to be published a copy of the ordinance which is submitted to a vote of the people one insertion in at least two newspapers published in the respective city and if two newspapers are not published in the city then in two newspapers published in the county if there be such said publication to be not less than five nor more than twenty days before the respective election and a copy of said publication duly verified by affidavit shall be filed by the city clerk in the prothonotary's office of said court with the result of the election as computed and filed by the court" be and the same is hereby amended to read as follows:

ARTICLE XX

Section 1 No ordinance passed by the council except as hereinafter mentioned shall go into effect before ten (10) days from the time of its final passage and if during the said ten days from the time of its final passage a petition signed by electors of the city equal in number to at least twenty per centum of the entire vote of all candidates for mayor at the last preceding general municipal election at which a mayor was elected protesting against the passage of such ordinance be presented to the court the same shall thereupon be suspended from going into operation and it shall be the duty of the council to reconsider such

ordinance and if the same is not entirely repealed the council shall submit the ordinance as is provided by sub-section (b) of section one of the preceding article of this act to the vote of the electors of the city either at the general or municipal election or a special election to be called for that purpose and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof Upon the written request of one hundred qualified electors directed to the city clerk asking that the petition hereinabove provided for be prepared he shall prepare such petition immediately and thereupon give notice by one insertion in one of the daily newspapers if one be published in the city and if not then in a weekly or daily newspaper published in the county that such petition is ready for signing and the purpose of the petition giving the place where and when it may be signed and the said signing shall be done in the city clerk's office only where the petition shall be retained during the period of ten days after the passage of the said ordinance

Each signer shall add to his signature his place of residence street and number and shall make oath before the city clerk that he is a qualified elector of the city and resides at the address given The city clerk shall keep his office open for the purpose of signatures to the initiative and referendum petitions from eight o'clock in the forenoon to twelve (noon) and from one o'clock in the afternoon to five o'clock in the afternoon of each day except Sundays and holidays and he shall not permit any person to sign any of the said petitions after five o'clock in the afternoon of the last day for signing the initiative nor after the tenth day following the passage of the ordinance on which the referendum vote is prayed for and at the expiration of said ten days the said petition in which a referendum vote is asked then in the hands of the city clerk shall be deemed and taken to be filed with and presented to the council and it shall be the duty of the city clerk to lay the same before the council at its first meeting thereafter After its presentation the city clerk shall ascertain from the voters registry whether or not said referendum petition is signed by voters equal to twenty per centum of all the votes cast for mayor at the last preceding municipal election at which a mayor was elected and if necessary the council shall allow him extra help for that purpose and after he has made said examination he shall report the result thereof to council

Section 2 No franchise or consent to occupy the public streets highways or other places in any city of the third class shall be given or granted to any person or persons railroad railway gas water light telephone or telegraph company or to any public service corporation except by ordinance and no ordinance for such purpose shall go into effect for thirty days after its final passage If within said thirty days a petition prepared advertised and perfected in all respects complying with the provisions of the preceding section of this article (except that the petitioners shall have thirty days in which to prepare said petition) is addressed to the council signed by registered electors of the city equal in number to at least twenty per centum of all the votes cast for mayor was elected protesting against the passage of said ordinance the latter shall be suspended and it shall be the duty of the city clerk to examine said petition and ascertain from the registry of voters whether or not said petition is signed by the required number of electors and if necessary the council shall allow the city clerk extra help for said purpose and upon such examination he shall report the result to council

Section 3 In case it shall appear that the petitions herein above provided for in sections one (1) and two (2) of this article have not been signed by the requisite number of voters no action shall be taken but the ordinances shall be deemed and taken to be in full force from the itme or times they each would have gone into effect had there been no petition against the same but in case the petition or petitions provided for in the preceding sections in this article be signed by electors equal to twenty per centum of all the votes cast for mayor as afore stated as shown by the last preceding registry the council shall reconsider such ordinance and if the same is not entirely repealed the council shall call a special election unless the general or municipal election is to be held within ninety days therefrom in which case the question of reference shall be to the general or municipal election as the case may be At the special election if one is so fixed by council or at the general or municipal election occurring within ninety days the said ordinance shall be submitted without alteration

Section 4 When the submission is at a general or municipal election the city clerk shall certify to the county commissioners a copy of the ordinance and the proceedings of council directing the referendum vote and the county commissioners shall cause the proper ballot to be printed in the ballot sheet used in the respective elections Where there is a special election the ballots shall be prepared and furnished by the city and said elections shall be held by the same officers who hold the general or municipal elections (as the case may be) and the expenses of said special elections shall be paid for by the city and said city may fix not only the day of the election but the time for opening and closing the polls Any number of ordinances may be referred to and voted on at the same election and there shall not be more than one special election every six months The ballot for each referendum shall be substantially in the following form

CITY ORDINANCE REFERENDUM

If you are for the ordinance mark an X opposite the word FOR if you are against the ordinance mark an X opposite the word AGAINST

Approval of the city ordinance (stating the purpose of said ordinance)

FOR	
AGAINST	

Section 5 The officers holding said elections shall keep tally sheets and make returns of votes in the same manner as tally sheets are kept and returns made in elections of officers and the submission of other questions as now provided by law The said returns shall be filed with the prothonotary of the court of common pleas and the said court shall compute the returns and cause the result thereof to be filed in said court to the council of the proper city In case of special elections the said prothonotary shall lay the returns of the election before the said court at a meeting or session of the said court to be held on the Tuesday succeeding the said election for computation as aforesaid If it shall appeal that more persons have voted for said ordinance than against it the ordinance shall take immediate effect the same as if it had been passed by the council and signed by the mayor and there had been no referendum vote thereon If the vote is against said ordinance it shall be lost and of no effect

Section 6 Before any referendum election is held on any ordinance as hereinbefore provided it shall be the duty of thecity clerk to publish or cause to be published a copy of the ordinance which is to be submitted to the vote of the people one insertion in at least two newspapers published in the respective city and if two newspapers are not published in the said city then in two newspapers published in the county if there be such publication to be not less than five nor more twenty days before the respective election and a copy of said publication duly verified by affidavit shall be filed by the city clerk in the prothonotary's office in said court with the result of the election as computed and filed by the court

Section 7 The provisions of this article with reference to referendum proceedings shall not apply to any ordinances passed for the following purposes namely

(a) Ordinances expressly required to be passed by the general laws of the State or by the provisions of any act of Assembly

(b) Ordinances providing for tax levies annual and other appropriations and for the exercise of the right of eminent domain

(c) Ordinances for the preservation of the public peace health morals safety and in the exercise of the police powers of the city government and for the prevention and abatement of nuisances

(d) Any ordinance providing for an election to increase indebtedness and any other ordinance which by law must be submitted to an election before it shall take effect

(e) Ordinances for the opening paving grading or other improvement of streets or highways when the improvement is petitioned for by a majority in number or interest of the abutting property owners

(f) Ordinances for the construction of sewers and for the purpose of keeping the streets highways and sidewalks in good order and repair and in a safe and passable condition

Section 42 That article twenty-one section four of said act which reads as follows

"Section 4 All acts of Assembly or parts of acts relating to cities of the third class not inconsistent with the provisions of this act shall be and remain in full force and all acts and parts of acts general special or local appertaining to the subject matter covered by this act so far as they are inconsistent with the provisions thereof be and the same are hereby repealed except that nothing in this act shall be interpreted to repeal abridge or in any way affect the provisions of an act approved the twenty-second day of April Anno Domini nineteen hundred and five entitled "An Act to preserve the purity of the waters of the State for the protection of the public health" be and the same is hereby amended to read as follows

Section 4 All acts of Assembly or parts of acts relating to cities of the third class not inconsistent with the provisions of this act shall be and remain in full force and all acts and parts of acts general special or local appertaining to the subject matter covered by this act so far as they are inconsistent with the provisions thereof be and the same are hereby repealed except that nothing in this act shall be interpreted to repeal abridge or in any way affect the provisions of an act approved the twenty-second day of April Anno Domini nineteen hundred and five entitled "An Act to preserve the purity of the waters of the State for the protection of the public health" or the provisions of an act approved the twenty-eighth day of April Anno Domini nineteen hundred and three entitled "An Act for the annexation of any city borough township or part of a township to a contiguous city and providing for the indebtedness of the same" and the amendments or supplements thereof or of the Public Service Company Law or amendments or supplements thereto

Section 43 Any acts or parts of any act inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Aron,	Fretz,	Miller, G. J. A.,	Smith, F. I.,
Arthur,	Gans,	Milner,	Smith, J. W.,
Aston,	Glass,	Mitchell,	Smith, L.,
Baker,	Golder,	Morgan, T. J.,	Smith, O. W.,
Baldi,	Goodwin,	Murdoch,	Snyder,
Baldridge,	Gormley,	Musser,	Somerman,
Barner,	Graham,	Ogden,	Sones,
Bechtold,	Gransback,	Palmer,	Speicher,
Bennett,	Haldeman,	Patterson,	Sprowls,
Benninger,	Hecht,	Phillips,	Stadtlander,
Beyer,	Heffernan,	Powell,	Sterling,
Bidelspacher,	Hess,	Ramsey,	Stern,
Black,	Heyburn,	Reichenbacker,	Stofflet,
Boulton, H.,	Hoffman,	Reitzel,	Strauss,
Boyd,	Hollern,	Reynolds,	Swartz,
Brady,	Horton,	Rhoads, H. L.,	Sweitzer,
Burnett,	Howarth,	Rhodes, W. M.,	Taylor,
Campbell, J. O.,	Isherwood,	Rich,	Thomas,
Campbell, T.,	Jennings,	Rininger,	Ulsh,
Chestnut,	Jones,	Rinn,	Vickerman,
Christman,	Lafferty,	Robertson,	Vogdes,
Coldsmith,	Lanius,	Rogers,	Walker,
Conner,	Laucks,	Ross,	Wallace,
Cook,	Leary,	Ruddy,	Walter,
Corbin,	Luppert,	Rudisill,	Weimer,
Cox,	Mangan,	Sampsel,	Wells,
Crosby,	Marvin,	Sarig,	Whitaker,
Cummins,	McArdle,	Schaeffer, A. C.,	Wickman,
Curry,	McCaig,	Scott,	Williams, G. W.
Davis, W.,	McCullough,	Shaffer, C. A.,	Williams, J. P.,
Dawson,	McKay,	Shattuck,	Wobensmith,
Dewey,	McNichol,	Showalter,	Wood,
Donneley,	McPeake,	Shunk,	Woodward,
Drinkhouse,	Mearkle,	Siggins,	Wylie,
Eby,	Mehring,	Simpson,	Wynne,
Erdman,	Michel,	Sinclair,	Zanders,
Fitzgibbon,	Miller, A. D.,	Smith, E. R.,	Baldwin,
Fowler,	Miller, C. G.,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 822, entitled

An Act making an appropriation to the trustees of the State Hospital for the Insane at Warren Pennsylvania

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195.

Aron,	Fitzgibbon,	McKay,	Siggins,
Arthur,	Flynn,	McKinney,	Simpson,
Aston,	Fowler,	McNichol,	Sinclair,
Baker,	Franklin,	McPeake,	Smith, E. R.,
Baldi,	Fretz,	McVicar,	Smith, F. I.,
Baldridge,	Gans,	Mearkle,	Smith, J. W.,
Barner,	Geary,	Mehring,	Smith, L.,
Bechtold,	Glass,	Mervine,	Smith, O. W.,
Bell,	Golder,	Michel,	Snowden,
Benchoff,	Goodnough,	Miller, A. D.,	Snyder,
Bennett,	Goodwin,	Miller, Allan,	Somerman,
Benninger,	Gormley,	Miller, C. G.,	Sones,
Beyer,	Graeff,	Miller, G. J. A.,	Spangler,
Bidelspacher,	Graham,	Milner,	Speicher,
Black,	Gransback,	Mitchell,	Sprowls,
Bouton, V. B.,	Haight,	Morgan, T. J.,	Stadtlander,
Bovee,	Haldeman,	Murdoch,	Steedle,
Boyd,	Hecht,	Murphy,	Sterling,
Brady,	Heffernan,	Musser,	Stern,
Brumbaugh,	Helt,	Neary,	Stites,
Burnett,	Hess,	Ogden,	Stofflet,
Campbell, J. O.,	Heyburn,	Palmer,	Strauss,
Campbell, T.,	Hibshman,	Patterson,	Swartz,
Canon,	Hoffman,	Perry,	Sweitzer,
Chestnut,	Hollern,	Phillips,	Taylor,
Christman,	Hollingsworth,	Pickering,	Thomas,
Clements,	Horne,	Powell,	Ulsh,
Coldsmith,	Horton,	Ramsey,	Urich,
Conner,	Hough,	Reichenbacker,	Vickerman,
Cook,	Howarth,	Reitzel,	Vogdes,
Corbin,	Isherwood,	Reynolds,	Wagner,
Cox,	Jennings,	Rhoads, H. L.,	Walker,
Crosby,	Jones,	Rhodes, W. M.,	Wallace,
Cummins,	Kennedy,	Rich,	Walter,
Curry,	Lafferty,	Ringler,	Weimer,
Davis, W.,	Lanius,	Rininger,	Wells,
Dawson,	Laucks,	Rinn,	West,
Dean,	Lauler,	Robertson,	Whitaker,
Dell,	Leary,	Ross,	Wickman,
Dewey,	Lewis,	Rothenberger,	Williams, G. W.
Dithrich,	Lohr,	Ruddy,	Williams, J. P.,
Donneley,	Luppert,	Rudisill,	Wobensmith,
Drake,	Malie,	Sampsel,	Wood,
Drinkhouse,	Mangan,	Sarig,	Woodward,
Dunn,	Marvin,	Shaffer, C. A.,	Wylie,
Eby,	McArdle,	Scott,	Wynne,
Ehrhardt,	McCaig,	Shaffer, C. A.,	Zanders,
Erdman,	McCullough,	Showalter,	Baldwin,
Fackler,	McCurdy,	Shunk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 841, entitled

An Act to amend an act approved the eighth day of May one thousand nine hundred and nine entitled "An Act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself without more operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth and to provide that disbarment or suspension of any attorney by the said Supreme Court shall of itself without more operate as a disbarment or suspension of such attorney as an attorney in every other court of this Commonwealth

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HEYBURN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1539, entitled

An Act appropriating and transferring to the Board of Commissioners of Public Grounds and Buildings the unexpended portions of money heretofore appropriated by the act of June sixteenth, one thousand nine hundred and eleven (Pamphlet Laws one thousand and twenty-seven), entitled "An Act to provide, within the following boundaries—namely: On the west, by the present eastern line of Capitol Park; on the north, by the southern line of North Street; on the east, by the western line of the right of way of the Pennsylvania Railroad company, and on the south, by the northern line of Walnut street—for the extension of Capitol Park in the City of Harrisburg; and for the acquiring, taking, and condemnation of the real estate in connection therewith and within said boundaries, and for the demolition of the buildings and structures thereon; and making an appropriation therefor, and also for the expenses and cost in connection therewith," and designating the purpose for which such money shall be used.

On the question,

Will the House agree to the bill on third reading?

Mr. SWARTZ. Mr. Speaker, I ask unanimous consent to offer amendments to this bill at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, page 2, line 2, by inserting after "therewith" the following:

"and by the act approved June 18, 1915 (App Acts 291) entitled "An Act making an appropriation for the use of the Capitol Park Extension Commission."

Amend section 1, page 3, line 23, by inserting after the word "therewith" the following:

"and also all money appropriated to the Capitol Park Extension Commission by the act approved June 18, 1915 (App. Act 291) entitled "An Act making an appropriation for the use of the Capitol Park Extension Commission."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1159, entitled

An Act reappropriating and making available certain unexpended sums appropriated by the General Assembly of one thousand nine hundred and fifteen for the support and maintenance of the National Guard and Naval Militia for improvements at the Permanent Camp Ground at Mount Gretna Pennsylvania.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Aron,	Fitzgibbon,	McCurdy,	Scott,
Arthur,	Flynn,	McKay,	Shattuck,
Baker,	Fowler,	McKinney,	Showalter,
Baldi,	Franklin,	McNichol,	Shunk,
Baldridge,	Fretz,	McPeake,	Siggins,
Bechtold,	Gans,	McVicar,	Simpson,
Bell,	Geary,	Mearkle,	Sinclair,
Benchoff,	Glass,	Mehring,	Smith, E. R.,
Bennett,	Golder,	Mervine,	Smith, F. I.,
Beyer,	Goodnough,	Michel,	Smith, J. W.,
Bidelspacher,	Goodwin,	Miller, A. D.,	Smith, L.,
Boulton, H.,	Gormley,	Miller, Allan,	Smith, O. W.,
Bouton, V. B.,	Graeff,	Miller, C. G.,	Snyder,
Bovee,	Graham,	Miller, G. J. A.,	Somerman,
Boyd,	Gransback,	Milner,	Sones,
Brady,	Haldeman,	Mitchell,	Spangler,
Brumbaugh,	Hecht,	Morgan, T.,	Speicher,
Campbell, J. O.,	Heffernan,	Morgan, T. J.,	Sprowls,
Campbell, T.,	Helt,	Murphy,	Stadtlander,
Canon,	Hess,	Musser,	Sterling,
Chestnut,	Heyburn,	Neary,	Stern,
Christman,	Hibshman,	Ogden,	Stofflet,
Coldsmith,	Hoffman,	Palmer,	Strauss,
Conner,	Hollern,	Patterson,	Sullivan,
Cook,	Hollingsworth,	Phillips,	Swartz,
Cox,	Horne,	Pickering,	Sweitzer,
Crosby,	Hough,	Powell,	Thomas,
Cummins,	Howarth,	Ramsey,	Ulsh,
Curry,	Isherwood,	Reichenbacher,	Urich,
Dale,	Jennings,	Reitzel,	Vickerman,
Davis, D. F.,	Jones,	Reynolds,	Vogdes,
Davis, W.,	Kennedy,	Rhodes, W. M.,	[illegible]ker,
Dawson,	Lanius,	Rich,	Walter,
Dean,	Laucks,	Ringler,	Weimer,
Dell,	Lauler,	Rininger,	Wells,
Dewey,	Leary,	Rinn,	West,
Dithrich,	Lewis,	Robertson,	Whitaker,
Donneley,	Lohr,	Rogers,	Wickman,
Drake,	Malie,	Ross,	Williams, J. P.,
Drinkhouse,	Mangan,	Rothenberger,	Wobensmith,
Dunn,	Marvin,	Ruddy,	Woodward,
Eby,	Maurer,	Rudisill,	Wylie,
Ehrhardt,	McArdle,	Sampsel,	Wynne,
Erdman,	McCaig,	Sarig,	Zanders,
Fackler,	McCullough,	Schaeffer, A. C.,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1471, as follows:

An Act to amend part of section one of an act approved the twenty-second day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred forty-eight) entitled "An Act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth."

"Route Three Hundred and Fifty-two A certain section of public road beginning at the Reformatory cross-roads in Smithfield on the west side of the Juniata River in Huntingdon County at a point on route number fifty-five thence up along the west side of the Juniata River to Neffs Bridge over the Frankstown branch of the Juniata River and the Little Juniata River to Petersburg thence up Shavers Creek following the waters of Shavers Creek by way of Wilsontown Neffs Mills Manor Hill Saulsburg McAlvey's Fort and Monroe Furnace to the dividing line between the counties of Huntingdon and Centre thence to a point on route number fifty-six at Pie Grove Mills thence over routes number fifty-six and twenty-seven into Bellefonte Center County" is hereby amended to read as follows

Route Three Hundred and Fifty-two A certain section of public road beginning at Alexandria Borough in Huntingdon County at a point on route number fifty-three thence in a northeasterly direction to the Borough of Petersburg thence up to Shavers Creek following the waters of Shavers Creek by way of Neffs Mills Manor Hill and Saulsburg to Ennisville thence over route number two hundred and sixty-one to McAlvey's Fort thence by way of Monroe Furnace to the dividing line between the Counties of Huntingdon and Centre thence to a point on route number fifty-six at Pine Grove Mills thence over routes number fifty-six and twenty-seven into Bellefonte Centre County

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Aron,	Flynn,	Mehring,	Smith, L.,
Arthur,	Fowler,	Mervine,	Smith, O. W.,
Aston,	Franklin,	Miller, A. D.,	Snowden,
Baker,	Gans,	Miller, A. D.,	Snyder,
Baldridge,	Geary,	Miller, G. J. A.,	Somerman,
Barner,	Golder,	Milner,	Sones,
Bell,	Goodnough,	Mitchell,	Spangler,
Benchoff,	Gormley,	Morgan, T.,	Speicher,
Bennett,	Graeff,	Morgan, T. J.,	Sprowls,
Benninger,	Graham,	Murphy,	Steedle,
Beyer,	Gransback,	Musser,	Sterling,
Bidelspacher,	Haight,	Ogden,	Stern,
Bouton, V. B.,	Haldeman,	Palmer,	Stites,
Bovee,	Hecht,	Patterson,	Strauss,
Boyd,	Heffernan,	Phillips,	Sullivan,
Brady,	Hess,	Pickering,	Swartz,
Brumbaugh,	Heyburn,	Ramsey,	Taylor,
Burnett,	Hibshman,	Reichenbacher,	Thomas,
Campbell, T.,	Hollern,	Reynolds,	Ulsh,
Canon,	Hollingsworth,	Rhoads, H. L.,	Urich,
Chestnut,	Horton,	Rich,	Vickerman,
Christman,	Hough,	Ringler,	Vogdes,
Coldsmith,	Howarth,	Rininger,	Wagner,
Cook,	Isherwood,	Robertson,	Walker,
Corbin,	Jennings,	Rogers,	Walter,
Cox,	Jones,	Ross,	Weimer,
Crosby,	Kennedy,	Ruddy,	Wells,
Cummins,	Lafferty,	Rudisill,	West,
Curry,	Laucks,	Sampsel,	Whitaker,
Davis, W.,	Lauler,	Sarig,	Wickman,
Dean,	Lewis,	Schaeffer, A. C.,	Williams, G. W.
Dell,	Lohr,	Scott,	Williams, J. P.,
Dewey,	Malie,	Shaffer, C. A.,	Wobensmith,
Dithrich,	Mangan,	Shattuck,	Wood,
Drake,	Marvin,	Showalter,	Woodward,
Drinkhouse,	McArdle,	Siggins,	Wylie,
Eby,	McCullough,	Simpson,	Wynne,
Erdman,	McKay,	Sinclair,	Zanders,
Fackler,	McNichol,	Smith, E. R.,	Baldwin, Speaker.
Fitzgibbon,	McPeake,	Smith, J. W.,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 277, entitled

An Act to amend section twenty-one of an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by an act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred three.)

On the question,

Will the House agree to the bill on third reading?

Mr. PHILLIPS. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Stern, permit himself to be interrogated?

Mr. STERN. Mr. Speaker, I refuse to be interrogated.

Mr. PHILLIPS. Mr. Speaker, I notice by the last section of this bill that it provides "that in the case of mercantile corporations subject to the payment of mercantile license tax the tax imposed by this section shall be at the rate of one mill upon each dollar of the actual value of the whole capital stock." Section 21 of the original bill

provided that the assessment shall be five mills upon these corporations. Now this looks to me as though this was a revenue reducer instead of a revenue raiser.

BILL POSTPONED.

Mr. STERN. Mr. Speaker, I move that this bill be postponed for the present.

Mr. GOLDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 969, as follows:

An Act to amend section one of an act approved the thirtieth day of May one thousand eight hundred ninety-three entitled "An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park and making an appropriation therefor" as amended by providing for the acquisition of additional land by the Valley Forge Park Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the thirtieth day of May one thousand eight hundred ninety-three (Pamphlet Laws one hundred eighty-three) entitled "An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park and making an appropriation therefor" as amended by the act approved the seventh day of April one thousand nine hundred five (Pamphlet Laws one hundred seventeen) entitled "An Act amending the act entitled 'An Act amending the act entitled 'An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park and making an appropriation therefor' approved May thirtieth one thousand eight hundred and ninety-three providing for the acquisition of additional land and giving authority to the commissioners to deputize officers to maintain police regulation giving authority to said officers to make arrests et cetera' approved March nineteenth Anno Domini nineteen hundred and three providing for the acquisition of additional land by said Valley Forge Park Commission" which reads as follows

"That for the purpose of perpetuating and preserving the site on which the Continental Army under General George Washington was encamped in winter quarters at Valley Forge during the winter of one thousand seven hundred and seventy-seven and one thousand seven hundred and seventy-eight the title to and ownership in the ground covering said site including Forts Washington and Huntingdon and the entrenchments adjacent thereto and adjoining grounds in all not exceeding one thousand acres the location and boundaries thereof to be fixed by the commissioners hereafter mentioned shall be vested in the State of Pennsylvania to be laid out preserved and maintained forever as a public place or park by the name of Valley Forge so that the same and the fortifications thereon may be maintained as nearly as possible in their original condition as a military camp and may be preserved for the enjoyment of the people of the said State" is further amended to read as follows

That for the purpose of perpetuating and preserving the site on which the Continental Army under General George Washington was encamped in winter quarters at Valley Forge during the winter of one thousand seven hundred and seventy-seven and one thousand seven hundred and seventy-eight the title to and ownership in the ground covering said site including Forts Washington and Huntingdon and the entrenchments adjacent thereto and adjoining grounds in all not exceeding fifteen hundred acres the location and boundaries thereof to be fixed by the Commissioners of Valey Forge Park shall be vested in the State of Pennsylvania to be laid out preserved and maintained forever as a public place or park by the name of Valley Forge so that the same and the fortifications thereon may be maintained as nearly as possible in their original condition as a military camp and may be preserved for the enjoyment of the people of the said State

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Aron,	Erdman,	McCaig,	Simpson,
Arthur,	Fackler,	McCullough,	Sinclair,
Aston,	Fitzgibbon,	McKay,	Smith, E. R.,
Baker,	Fowler,	McNichol,	Smith, F. I.,
Baldi,	Franklin,	McPeake,	Smith, J. W.,
Barner,	Gans,	Mearkle,	Smith, L.,
Bechtold,	Glass,	Mehring,	Snowden,
Bell,	Golder,	Mervine,	Snyder,
Benchoff,	Goodnough,	Miller, A. D.,	Somerman,
Bennett,	Goodwin,	Miller, Allan,	Sones,
Benninger,	Gormley,	Miller, C. G.,	Speicher,
Beyer,	Graeff,	Miller, G. J. A.,	Sprowls,
Black,	Graham,	Milner,	Stadtlander,
Bouton, V. B.,	Gransback,	Mitchell,	Sterling,
Bovee,	Haight,	Morgan, T.,	Stern,
Boyd,	Haldeman,	Morgan, T. J.,	Stites,
Brady,	Hecht,	Murphy,	Strauss,
Burnett,	Heffernan,	Musser,	Sullivan,
Campbell, T.,	Helt,	Ogden,	Swartz,
Canon,	Hess,	Palmer,	Sweitzer,
Chestnut,	Heyburn,	Perry,	Thomas,
Christman,	Hibshman,	Pickering,	Ulsh,
Clements,	Hollern,	Powell,	Urich,
Coldsmith,	Hollingsworth,	Ramsey,	Vickerman,
Conner,	Horton,	Reitzel,	Vogdes,
Cook,	Hough,	Rich,	Wagner,
Corbin,	Howarth,	Ringler,	Walker,
Cox,	Isherwood,	Rininger,	Wallace,
Crosby,	Jennings,	Rinn,	Weimer,
Cummins,	Jones,	Rogers,	West,
Curry,	Lafferty,	Rothenberger,	Wickman,
Davis, W.,	Lanius,	Rudisill,	Williams, G. W.
Dawson,	Lauler,	Sampsel,	Wobensmith,
Dean,	Leary,	Sarig,	Wood,
Dewey,	Lewis,	Schaeffer, A. C.,	Woodward,
Dithrich,	Lohr,	Scott,	Wylie,
Drake,	Malie,	Shaffer, C. A.,	Wynne,
Drinkhouse,	Mangan,	Showalter,	Zanders,
Dunn,	Marvin,	Shunk,	Baldwin,
Ehrhardt,	McArdle,	Siggins,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1381, entitled

An Act validating certain borough ordinances providing for certain street improvements and the liens and bonds imposed and issued in pursuance thereof.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151.

Aron,	Fackler,	McCurdy,	Simpson,
Arthur,	Fitzgibbon,	McKinney,	Sinclair,
Aston,	Fowler,	McNichol,	Smith, F. I.,
Baker,	Franklin,	McVicar,	Smith, J. W.,
Baldi,	Fretz,	Mearkle,	Smith, L.,
Barner,	Gans,	Mervine,	Snowden,
Bechtold,	Glass,	Michel,	Snyder,
Benchoff,	Golder,	Miller, A. D.,	Sones,
Bennett,	Goodnough,	Miller, Allan,	Spangler,
Beyer,	Goodwin,	Miller, G. J. A.,	Speicher,
Bidelspacher,	Gormley,	Milner,	Sprowls,
Bouton, V. B.,	Graeff,	Mitchell,	Stadtlander,
Bovee,	Graham,	Morgan, T.,	Sterling,
Boyd,	Gransback,	Morgan, T. J.,	Stern,
Brady,	Haight,	Murdoch,	Stoffiet,
Burnett,	Haldeman,	Murphy,	Strauss,
Campbell, J. O.,	Heffernan,	Neary,	Swartz,
Campbell, T.,	Helt,	Palmer,	Sweitzer,
Chestnut,	Hess,	Patterson,	Thomas,
Christman,	Heyburn,	Phillips,	Ulsh,
Coldsmith,	Hibshman,	Pickering,	Urich,
Conner,	Hollern,	Ramsey,	Vogdes,
Cook,	Horne,	Reichenbacher,	Wagner,
Corbin,	Horton,	Reitzel,	Walker,
Cox,	Hough,	Reynolds,	Wallace,
Crosby,	Howarth,	Rhodes, W. M.,	Weimer,
Cummins,	Isherwood,	Rich,	Wells,
Curry,	Jennings,	Ringler,	Whitaker,
Davis, W.,	Jones,	Rininger,	Wickman,
Dawson,	Lafferty,	Robertson,	Williams, G. W.
Dean,	Laucks,	Rogers,	Williams, J. P.,
Dell,	Lauler,	Rothenberger,	Wobensmith,
Dithrich,	Lewis,	Rudisill,	Wood,
Donneley,	Lohr,	Schaeffer, A. C.,	Woodward,
Drake,	Luppert,	Scott,	Wylie,
Dunn,	Mangan,	Shaffer, C. A.,	Wynne,
Eby,	Marvin,	Shattuck,	Zanders,
Erdman,	McCaig,	Shunk,	Baldwin,
	McCullough,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and conisderation of House Bill No. 1458, entitled

An Act providing that public roads through Indian Reservations in the State of Pennsylvania shall be improved and maintained by the State Highway Department as a part of the system of State Highways.

On the question,

Will the House agree to the bill on third reading?

Mr. LOHR. Mr. Speaker, I desire to have the sponsor of this bill inform the House as to the extent of the roads that are now in the Indian Reservation and what would be the probable cost of constructing them and maintaining them under the provisions of this bill.

Mr. SIGGINS. Mr. Speaker and gentlemen of the House, I do not know that I can answer in detail the question of the gentleman from Somerset County. I will say that in years past the State has appropriated the sum of $200.00 per annum for this purpose and the supervisors have apparently deemed that a sufficient sum, consequently I presume the expense to the Commonwealth will not exceed that amount.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Aron,	Dunn,	Mehring,	Smith, L.,
Arthur,	Ehrhardt,	Michel,	Smith, O. W.,
Aston,	Fackler,	Miller, A. D.,	Snyder,
Baker,	Fitzgibbon,	Miller, Allan,	Somerman,
Baldi,	Flynn,	Miller, G. J. A.,	Sones,
Baldridge,	Fowler,	Milner,	Spangler,
Barner,	Fretz,	Morgan, T.,	Speicher,
Bechtold,	Geary,	Morgan, T. J.,	Sprowls,
Bell,	Goodnough,	Murphy,	Stadtlander,
Benchoff,	Gormley,	Musser,	Steedle,
Bennett,	Graeff,	Ogden,	Sterling,
Benninger,	Graham,	Palmer,	Stern,
Beyer,	Gransback,	Patterson,	Stites,
Bidelspacher,	Haldeman,	Perry,	Stofflet,
Bouton, V. B.,	Heffernan,	Phillips,	Sullivan,
Bovee,	Helt,	Pickering,	Swartz,
Boyd,	Hess,	Ramsey,	Sweitzer,
Brady,	Heyburn,	Reichenbacher,	Taylor,
Brumbaugh,	Hibshman,	Reitzel,	Ulsh,
Campbell, T.,	Hoffman,	Reynolds,	Urich,
Canon,	Horne,	Rhodes, W. M.,	Vickerman,
Chestnut,	Howarth,	Rich,	Vogdes,
Christman,	Isherwood,	Ringler,	Wagner,
Coldsmith,	Jennings,	Rinn,	Walker,
Conner,	Kennedy,	Rogers,	Wallace,
Cook,	Lanius,	Ross,	Weimer,
Corbin,	Laucks,	Rudisill,	West,
Cox,	Leary,	Sampsel,	Wickman,
Crosby,	Lohr,	Schaeffer, A. C.,	Williams, G. W.
Cummins,	Luppert,	Scott,	Williams, J. P.,
Curry,	Mangan,	Shattuck,	Wobensmith,
Davis, W.,	Marvin,	Shunk,	Wood,
Dawson,	McArdle,	Siggins,	Woodward,
Dean,	McCullough,	Simpson,	Wylie,
Dell,	McKay,	Sinclair,	Wynne,
Dithrich,	McNichol,	Smith, E. R.,	Zanders,
Donneley,	McPeake,	Smith, F. I.,	Baldwin,
Drinkhouse,	Mearkle,	Smith, J. W.,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 819, entitled

An Act regulating the spreading upon the surface of the highways of the Commonwealth of Pennsylvania, of oil, tar, asphaltum, or any bituminous or similar material, or combinations containing any such materials. Restricting the spreading of same to one-half of such highway surface until the first portion spread shall become thoroughly dry, or is covered as specified. Providing that where certain materials so used must be covered with a top dressing as specified. Providing for exceptions to certain provisions under conditions specified, and further providing penalties for violations of this act.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Aron,	Fowler,	Mearkle,	Smith, E. R.,
Arthur,	Franklin,	Mervine,	Smith, F. I.,
Aston,	Gans,	Michel,	Smith, J. W.,
Baker,	Geary,	Miller, Allan,	Snowden,
Baldi,	Golder,	Miller, C. G.,	Somerman,
Baldridge,	Goodnough,	Miller, G. J. A.,	Sones,
Bechtold,	Gormley,	Milner,	Speicher,
Bell,	Graeff,	Morgan, T.,	Sprowls,
Benchoff,	Graham,	Morgan, T. J.,	Steedle,
Bennett,	Gransback,	Murphy,	Sterling,
Benninger,	Haldeman,	Musser,	Stern,
Beyer,	Heffernan,	Neary,	Stites,
Bidelspacher,	Hess,	Ogden,	Stofflet,
Black,	Heyburn,	Patterson,	Strauss,
Bouton, V. B.,	Hibshman,	Perry,	Swartz,
Boyd,	Hoffman,	Phillips,	Sweitzer,
Brady,	Hollern,	Powell,	Taylor,
Burnett,	Hollingsworth,	Ramsey,	Thomas,
Campbell, T.,	Horne,	Reichenbacher,	Ulsh,
Canon,	Hough,	Reitzel,	Urich,
Chestnut,	Howarth,	Reynolds,	Vickerman,
Christman,	Isherwood,	Rich,	Vogdes,
Clements,	Jones,	Ringler,	Wagner,
Coldsmith,	Kennedy,	Rininger,	Walker,
Conner,	Lafferty,	Robertson,	Wallace,
Cook,	Laucks,	Rogers,	Walter,
Cox,	Leary,	Ross,	Weimer,
Crosby,	Lewis,	Rothenberger,	Wells,
Davis, D. F.,	Luppert,	Ruddy,	West,
Dawson,	Mangan,	Rudisill,	Whitaker,
Dell,	Marvin,	Sampsel,	Wickman,
Dithrich,	McArdle,	Sarig,	Williams, G. W.
Donneley,	McCaig,	Schaeffer, A. C.,	Wobensmith,
Drinkhouse,	McCullough,	Scott,	Wood,
Eby,	McCurdy,	Shaffer, C. A.,	Woodward,
Ehrhardt,	McKay,	Showalter,	Wylie,
Erdman,	McKinney,	Shunk,	Wynne,
Fackler,	McNichol,	Siggins,	Zanders,
Flynn,	McVicar,	Sinclair,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1499, as follows:

An Act granting power in certain cases to the Commonwealth of Pennsylvania or to any department thereof and to any municipal subdivision of the Commonwealth to purchase or condemn lands having thereon located road building material and to enter upon and cross private property and to locate and erect necessary machinery thereon and providing a method for the assessment of damages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "person" as used in this act except when expressly otherwise indicated shall be taken to mean any individual partnership association corporation the Commonwealth of Pennsylvania or any Department of the Commonwealth and any municipal subdivision of the Commonwealth The words "municipal subdivision of the Commonwealth" The words "municipal subdivision of the Commonwealth" as used in this act shall mean any county city borough town or township

Section 2 The Commonwealth of Pennsylvania or any department thereof and every municipal subdivision of the Commonwealth whenever charged with the grading paving macadamizing construction reconstruction maintenance improvement or repair of roads streets and highways shall have power to purchase or take by the right of eminent domain lands having thereon located stone gravel sand shale and any other suitable road building material in its natural state and land for use as a borrow pit and shall have the right to enter upon or cross any private property and to locate and erect all necessary machinery thereon for the purpose of securing such lands or materials

All lands condemned under the provisions of this act shall revert to the owners whenever the use thereof for the securing of road building materials shall have entirely ceased whether on account of the exhaustion of such material or otherwise

This section does not authorize the taking of any such road building material from any public property or cemetery or the curtilege to any dwelling house or farm buildings

Section 3 In case the damages for the taking of any such lands or road building material or for the entry upon any private property have not been agreed upon the court

of common pleas of the proper county or any law judge thereof on application thereto by petition by any person interested shall appoint three viewers from the county board of viewers and shall appoint a time not less than thirty days thereafter when the viewers shall meet upon the premises affected of which meeting at least ten days' notice shall be given to all persons interested in such manner as the court shall direct

Section 4 The viewers having been sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the land and material shall hear all persons interested and their witnesses and shall determine the damages for the land and material taken and for the property injured or destroyed and to whom the same is payable

Section 5 The viewers or any two of them shall make report to court showing the damages allowed in each case and to whom the same are payable and when such report is filed notice thereof shall immediately be given to all persons interested in the manner hereinbefore provided in the case of the meeting of the viewers

Such notice shall state the date of the filing of the report and shall state that unless exceptions thereto be filed or an appeal be taken within thirty days from the date of filing the report will be confirmed absolutely

Section 6 When said report is filed the prothonotary shall mark the same confirmed nisi within thirty days after the filing of said report any person interested may file exceptions thereto and the court shall upon the hearing of such exceptions confirm modify or change the same or refer the report back to the same or to new viewers If no exceptions are filed or no appeal is taken as hereinafter provided within thirty days of the filing of such report the prothonotary shall mark the report confirmed absolutely

Section 7 The costs of the proceedings including the court costs and the compensation of the viewers shall be paid by the Commonwealth or by the municipal subdivision of the Commonwealth as the case may be Provided That in the case of any appeal for a jury trial under the provisions of this act if the appellant does not obtain a verdict more favorable than was the report of the viewers the appellant shall pay the costs of such appeal and provided also that in the case of any appeal to the Supreme or Superior Court the said court shall direct who shall pay the costs of such appeal

Section 8 Within thirty days after the filing of the report any person whose property is taken injured or destroyed may appeal to the court of common pleas and demand a jury trial The appeal shall state the grounds upon which it is taken and shall be signed by the appellant or by his attorney and shall be accompanied by an affidavit that the same is not taken for delay but because the appellant believes that injustice has been done

Section 9 From any final confirmation by the court after the filing of exceptions of from any final judgment after a trial by jury any person interested may appeal to the Superior or Supreme Court in the manner now provided by law

Section 10 If pending any proceedings under the provisions of this act it shall be made to appear by affidavit or otherwise to the satisfaction of the court that the title to the materials condemned or property injured or destroyed is disputed doubtful or defective or that any party in interest is absent covert not of full age or for any other cause incapable to act it shall be lawful for the court to make all needful orders to effect the purposes of this act and to direct the damages and costs to be paid into court for the benefit of the parties who may be found to be entitled thereto

Section 11 The amount of damages shall within thirty days after the same have been finally ascertained be paid by the Commonwealth or the municipal division thereof to the parties entitled thereto

On the question,

Will the House agree to the bill on third reading?

Mr. ERDMAN. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Franklin, Mr. Walter, permit himself to be interrogated?

Mr. WALTER. Mr. Speaker, I will.

Mr. ERDMAN. Mr. Speaker, In what cases does the right to purchase or the right of taking by eminent domain apply.

Mr. WALTER. Mr. Speaker, I desire to inform the gentleman from Lehigh that the bill permits all road making authorities of this Commonwealth to acquire by purchase or condemnation road making materials. It applies to townships and municipalities and also gives the Highway Department of the Commonwealth the right to take such lands for public purposes, and provides a method for the assessment of dameges.

Mr. STERN. Mr. Speaker, I would like to interrogate the gentleman from Franklin, Mr. Walter.

The SPEAKER. Will the gentleman from Franklin, Mr. Walter, permit himself to be interrogated?

Mr. WALTER. Mr. Speaker, I will.

Mr. STERN. Mr. Speaker, do I understand the principle purpose of this bill would enable the Commonwealth to take by the right of enminent domain materials from peoples' private grounds like stone and coal or anything else?

Mr. WALTER. Mr. Speaker, the first section of the bill provides that buildings and land appurtenant thereto or within the curtilege even barnyards are exempt from the provisions of this act as well as any property devoted to public purposes, such as school buildings and the like.

Mr. STERN. Mr. Speaker, I would like to further interrogate the gentleman. Does this bill mean that the Commonwealth of Pennsylvania would have the right to acquire land by eminent domain, and quarry on them?

Mr. WALTER. Mr. Speaker, the Commonwealth would have to acquire the land and pay whatever a jury would say it was worth before they could so do, by exercising the right of eminent domain for that purpose.

Mr. STERN. Mr. Speaker, I think that it would be a mistake to pass this bill at this time. I think the right of eminent domain is one of the most sacred rights that effects human interests. In ancient times the right of eminent domain was the right of the king. Having no king in this country, the government of Pennsylvania in its wisdom by a Constitution has allowed this perrogative under the Constitution for the purpose of taking for the benefit of the public the property of a private individual as long as the entire public is going to be benefited. Up to this time, Mr. Speaker, I do not know of any case except in cases of public roads or in cases for railroads, or some urgent public necessity, where the Commonwealth of Pennsylvania has bone any further than to take the surface lands of a private individual. In my humble opinion I think it would be a mistake to allow the right of eminent domain to extend to the bowels of the earth and permit the State of Pennsylvania a quarry or undermine a man's property no matter what the ingredients or the material that are so mined may be required for. It may be Mr. Speaker, if this act is passed that in the next session of the Legislature, the Commonwealth already having the right to quarry on the land materials from the bowels of the earth, it might very well be that somebody might come in with an amendment to this act and ask that the right of quarrying, or the right to use the material mined or quarried be extended to be used for any other purpose than for the purpose of building public roads. I think, Mr. Speaker, it would be a move in the wrong direction to extend the right of eminent domain beneath the surface of the land, and I therefore propose to vote against this bill.

Mr. PHILLIPS. I desire to interrogate the gentleman from Franklin.

The SPEAKER. Will the gentleman from Franklin allow himself to be interrogated?

Mr. WALTER. Mr. Speaker, for the present, I decline to be interrogated.

Mr. PHILLIPS. Mr. Speaker and gentlemen of the House, in section two of this bill, in the first three lines, it says, "the Commonwealth of Pennsylvania, or any department thereof, and every municipal subdivision of the Commonwealth, whenever charged with grading, paving and macadamizing," and so forth, as you can follow. The question I wanted to ask was this: whether if the State Highway Department should let a contract to any contractor to have a certain piece of road through a certain township, and the contractor should give a bond for the faithful performance of it at a stipulated sum, whether he, the contractor, has the right to go in and enter upon any property where there may be stone, under the provisions of this act. This act would allow that contractor, who is connected with no part of the Highway Department, to condemn that stone, and use it or any other material to go into this road. What I wanted to know was whether he had that right, or whether the State Highway Department had it.

Mr. WALTER. Mr. Speaker, this bill was prepared for the purpose of enabling the Commonwealth to secure road-making materials, and also counties and townships, at a reasonable price. The bill is very carefully safeguarded. It was submitted to the Attorney General, to the Deputy Attorney General who advises the Highway Department, Mr. Keller, and was amended by him, and also prepared

carefully by the Legislative Reference Bureau. Now, to answer the objections as they were made. The bill specifically provides that "all lands condemned under the provisions of this act shall revert to the owners whenever the use thereof for the securing of road-building material shall have entirely ceased, whether on account of the exhaustion of such material or otherwise. This act does not authorize the taking of any such road-building material from any public property or cemetery, or the curtilage to any dwelling house or farm building."

Then succeeding sections provide for the assessment of damages. I beg to inform the gentleman from Philadelphia that at present townships have the right of eminent domain to go upon private property and take road-making material therefrom, and there is no provision for a jury assessing the damages. On the contrary, they are assessed before a justice of the peace, who names three commissioners, and from the award of that commission there is no appeal. I also beg to inform the gentleman from Philadelphia that every turnpike company chartered in this Commonwealth prior to the general turnpike law of 1849 also had the right of eminent domain to take road-building material from along its line, and those turnpike companies are—at least some of them are—a hundred years old, and that right was exercised. It was exercised with out any hardship upon anybody or without any outcry from the public. This act further safeguards the rights of land owners along turnpikes and public roads under supervision, because it exempts certain property from the operation of the act, and it also gives them the right to have the damages assessed in the court of common pleas after a trial by jury, instead of a tribunal consisting of a justice of the peace and three commissioners. Now I want to tell some of the reasons that made me think of giving this right. In the first place, there are some farmers in our county—and I do not believe the farmers are any greedier in our county than in the other counties of this State—do not sell to the supervisors at a reasonable price the stone from their lands. In the next place, the supervisors are willing and anxious to make roads and cannot do it because they must pay an exorbitant price for stone with which to improve the road. In the next place, the Highway Department has, to my knowledge, in the County of Fulton, paid to land owners to the owners of mountain land five and ten cents a perch, for moutain sandstone right along the highway, and has paid hundred of dollars to the adjoining land owners in cases where the land was not worth a dollar an acre, and that, I think, is a hold-up of the sort that this body ought not to permit. In the next place, there are places in this State where roads are to be graded and hollows filled in and the cuts made to go down the hills do not furnish sufficient material to make these fills. This act would permit them to make a borrow pit on the adjoining land and take material for the fill from that borrow pit, and that in some cases would be a necessity. If the land owner would be a man willing to hold up that improvement and extort from the Commonwealth an exorbitant price for his earth. You all know, and every lawyer in this House knows, and every layman knows, that when juries assess damages against a public body that they are liberal. It has been urged privately to me that with respect to this bill it would enable the Commonwealth of Pennsylvania, or counties and townships, to go some distance over a man's land from the highway. That is something that will not occur, because the greatest expense in making the road is the haulage of the material. Where they are convenient, and a team can make ten trips a day, it is many times cheaper than when they can only make two or three, and that would prevent the Highway Department, or any township or county engaged in the road-building work, from gong on a man's land a great distance. And besides, if it did, the right of way would have to be paid for just the same as the material itself. There is no snake in this bill, Mr. Speaker, there is nothing in it that will hurt anybody. With respect to the objection urged by the gentleman from Clearfield, I assure this House and the gentleman from Clearfield that this right could not be exercised by a private contractor or assigned or sublet by the Commonwealth. The Commonwealth would have to exercise that right and use the materials, and could not sell the materials so gained by condemnation. I trust, Mr. Speaker, that this House will pass this bill and permit those authorities charged with road-making to make roads and get the materials at reason-prices.

Mr. REYNOLDS. I desire to interrogate the gentleman from Franklin.

The SPEAKER. Will the gentleman from Franklin permit himself to be interrogated?

Mr. WALTER. Mr. Speaker, I will.

Mr. REYNOLDS. Mr. Speaker, I would like to know why in the first section of this proposed act the gentleman has the word "person" and the word "co-partnership" and the word "individuals."

Mr. WALTER. Mr. Speaker, that particular phraseology is not mine, but I think that I can explain it, because that is a phrase that is inserted in practically every bill, by way of definition. The Commonwealth is not a person, and that would not in any way extend the powers. It is a mere definition, and does not refer to any of those subdivisions of the Commonwealth empowered with the right of eminent domain under this bill.

Mr. REYNOLDS. If it does not refer to the counties or boroughs or other parts of the Commonwealth desiring to make the necessary improvements, then why did you put it in the bill?

Mr. WALTER. Mr. Speaker, I beg the gentleman's pardon. I thought I made myself clear. This bill does confer upon townships, boroughs, counties and municipalities the right to take road-making material where it exists for their purposes.

Mr. REYNOLDS. Mr. Speaker, the gentleman is unfortunate in having placed in this bill the words "as to individual, person and co-partnership," because the only construction that can be placed on those words is this, that you give to the municipality and then you give to a co-partnership, an individual or a person, the same right as you give to the municipality. Had the gentleman left those words out of his act it could have gone through, but I submit to you, sir, that we have before the Judiciary General Committee just such an act. That act was carefully considered by the chairman of that committee and the gentlemen composing that committee, and that was a Senate bill, and that committee, after careful consideration, reported to this House, with a negative recommendation, this bill, and for the reason, Mr. Speaker, that our Supreme and Superior Courts have decided, time and time again, that you cannot give to the individual or to a corporation or to a co-partnership the right of eminent domain, nor can you give to a quasi public corporation such a right, nor can you give such a right to a public corporation unless it is included in its charter and granted by the State of Pennsylvania.

Mr. Speaker, you can do nothing else with this bill in the way it is framed at the present time except to defeat it. It is not necessary for me to call attention to the brief which I prepared for the Judiciary General Committee at the time of going into this matter. I think my word will be sufficient in saying to you that I have a number of cases, and they could be substantiated by any of the members of this committee, which would show to you that this bill is so clearly unconstitutional that we must defeat it.

Mr. WOBENSMITH. Mr. Speaker, I am somewhat surprised at my good friend from Philadelphia, Mr. Reynolds, criticizing this bill because of the definition of the word "person" which if he would read the rest of the bill shows it refers to the person from whom the road-making material was to be obtained and not the right of the Commonwealth or any municipality thereof.

BILL POSTPONED.

Mr. WALTER. Mr. Speaker, there was no such intention and it is my belief that the bill does not confer any right except upon public municipal corporations in this Commonwealth, but in view of the doubt that has been suggested by my friend from Philadelphia, I will move that further consideration of this bill be postponed for the present and I will amend it so that there can be no possible doubt about it.

Mr. REYNOLDS. Mr. Speaker, I second the motion to postpone further consideration of this bill.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 790, entitled

An Act to amend section two of an act approved the fifteenth day of July one thousand eight hundred and ninety-seven entitled "An Act to provide revenue by taxation."

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McNICHOL. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, a few moments ago further consideration was postponed for the present on House Bill No. 277, File Folio 4119, on top of page 25 of to-day's calendar, entitled

An Act to amend section twenty-one of an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by an act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred three.)

I now rise for the purpose of moving that this bill be recommitted to the Committee on Ways and Means for a hearing.

Mr. STERN. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1425, entitled

An Act to amend the act approved the sixteenth day of July, one thousand nine hundred and thirteen, entitled "A Supplement to an act, entitled 'An Act providing for the incorporation and government of cities of the third class,' approved the twenty-third day of May, Anno Domini one thousand eight hundred eighty-nine, creating a City Planning Department; defining its jurisdiction; and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city, and for three miles beyond the city limits; and to regulate the making and use of certain public improvements until said plans are approved by said department, and authorizing the exercise of the powers herein provided by a park or other municipal commission," by extending the powers of the City Planning Commission; imposing duties on certain borough and township officers; extending the jurisdiction of the commission to six miles outside the city limits in certain cases; restricting certain conveyances of land; and imposing penalties for violation of certain provisions of the act.

And said bill having been read at length the third time, considered and agreed to,

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122.

Aron,	Ehrhardt,	McCurdy,	Sinclair,
Arthur,	Fackler,	McKay,	Smith, E. R.,
Aston,	Flynn,	McNichol,	Smith, J. W.,
Baker,	Franklin,	McPeake,	Snowden,
Baldi,	Fretz,	Mervine,	Somerman,
Bechtold,	Geary,	Miller, A. D.,	Sones,
Benchoff,	Glass,	Miller, Allan,	Speicher,
Bennett,	Golder,	Miller, C. G.,	Sprowls,
Beyer,	Goodwin,	Miller, G. J. A.,	Sterling,
Bidelspacher,	Graeff,	Milner,	Stern,
Black.	Gransback,	Morgan, T. J.,	Stofflet,
Bouton, V. B.,	Haight,	Murphy,	Swartz,
Boyd,	Haldeman,	Neary,	Thomas,
Brady,	Heffernan,	Ogden,	Ulsh,
Campbell, T.,	Heyburn,	Patterson,	Vogdes,
Clements,	Hibshman,	Phillips,	Walker,
Coldsmith,	Hollern,	Pickering,	Wallace,
Cook,	Hollingsworth,	Ramsey,	Weimer,
Cox,	Hough,	Reitzel,	Wells,
Crosby,	Howarth,	Reynolds,	West,
Cummins,	Isherwood,	Rich,	Whitaker,
Curry,	Jennings,	Rininger,	Williams, G. W.
Davis, W.,	Jones,	Rinn,	Williams, J. P.,
Dawson,	Kennedy,	Robertson,	Wobensmith,
Dean,	Leary,	Ross,	Wood,
Dell,	Lohr,	Ruddy,	Woodward,
Dithrich,	Luppert,	Sampsel,	Wynne,
Donnelev,	Marvin,	Schaeffer, A. C.,	Zanders,
Drinkhouse,	McArdle,	Shaffer, C. A.,	Baldwin,
Dunn,	McCaig,	Showalter,	Speaker.
Eby,	McCullough,	Siggins,	

NAYS—25.

Baldridge,	Gormley,	Musser,	Shunk,
Barner,	Graham,	Powell,	Stadtlander,
Benninger,	Lauler,	Ringler,	Strauss,
Canon,	Lewis,	Rothenberger,	Sweitzer,
Chestnut,	McKinney,	Sarig,	Wickman,
Christman,	Morgan, T.,	Shattuck,	Wylie,
Erdman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 684, as follows:

An Act creating a Bureau of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of the clerks of the courts of quarter sessions and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that the State Highway Commissioner shall establish in the State Highway Department a Bureau of Township Highways which shall be in charge of one of the Deputy State Highway Commissioners to be designated by the State Highway Commissioner

Section 2 The State Highway Commissioner shall subject to the approval of the Governor appoint any additional clerks officers and employes that may be required to carry out the provisions of this act fix the rate of their salary which shall not exceed that paid other employes of the department for similar service and the amount of the bond if any they shall be required to give

Section 3 The salaries and expenses of all such employes shall be paid by the State Treasurer upon warrants of the Auditor General out of the moneys appropriated therefor in the same manner as the salaries and expenses of other officers and employes of the State Highway Department are paid

Section 4 The State Highway Commissioner may from time to time assign such clerks officers and employes of the State Highway Department to the work of the bureau as he may deem necessary

Section 5 The deputy or other officer in charge of the Bureau of Township Highways under the direction of the State Highway Commissioner shall

First Have general supervision of all township highways and bridges which are constructed improved or maintained in whole or in part by the aid of State moneys excepting State and State-aid Highways otherwise provided for and approve all agreements made by supervisors for the expenditure of moneys appropriated by the State or the township for road purposes

Second Prescribe rules and regulations not inconsistent with law fixing the duties of township officers in respect to all highways and bridges under his jurisdiction Such rules and regulations shall before taking effect be printed and transmitted to the highway officers affected thereby

Third Compel compliance with laws rules and regulations relating to such highways and bridges by highway officers and see that the same are carried into full force and effect

Fourth Compile statistics relating to such public highways throughout the State and collect traffic census data and such other information in regard thereto as he shall deem expedient

Fifth Prepare tables showing total number of miles of highways in the State by township and county and file a copy of the same in the office of the State Highway Commissioner

Sixth Make an annual report to the State Highway Commissioner for publication covering the work of his bureau the condition and needs of the township roads of the Commonwealth and containing such recommendations as he shall deem necessary for their further improvement Said report shall also contain a complete list of the employes in his department and the compensation paid to each which shall be published as a part of the State Highway Commissioner's report

Seventh Call such State county or township road meetings or conventions at such times and at such places as he shall deem wise and direct officers and employes of his department to attend assist in the formation of county associations of township officers and be represented at their conventions

Eighth Perform such other duties and have such other powers as may be conferred by law or imposed by the State Highway Commissioner

Section 6 The State Highway Commissioner shall divide the State into suitable districts and assign to each district a superintendent of highways provision for whom has already been made by existing laws Each such superintendent in addition to his other duties and subject to the rules and regulations of the State Highway Commissioner and for the purpose of ascertaining what townships shall be entitled to participate in moneys appropriated by the Commonwealth to assist in carrying out the provisions of this act shall

First Have the general charge of all townships highways and bridges within his district or county see that the same are improved repaired and maintained as provided by law and according to the rules and regulations of the State Highway Commissioner and have the general supervision of the work of constructing improving and repairing township bridges and highways in his district or county so far as it is practical to do so

Second Visit and inspect highways and bridges in each township of his district or county at least once in each year or whenever directed by the State Highway Commissioner and advise and direct how to repair maintain and improve such highways and bridges

Third Examine the various formations and deposits of gravel and stone in his district or county for the purpose of ascertaining the materials which are best available and suitable for the improvement of highways therein and when requested by the State Highway Commissioner submit samples if such formations and deposits and make a written report in respect thereto

Fourth Approve plans and specifications and estimates for the erection and repair of township bridges and culverts and the construction and maintenance of township highways Except in case of emergency he shall not approve of plans or specifications for the construction or repair of any township bridge or culvert to be constructed of concrete stone or iron unless such plans and specifications are in accordance with standards which the State Highway Commissioner is hereby directed to prepare or have been submitted to and approved by the State Highway Commissioner through the superintendent in charge of such county or district No contract for the repair or construction of any township bridge or culvert shall be valid unless such contract is in accordance with standard plans prescribed or unless the plans specifications and estimates have been prepared or approved by the State Highway Commissioner

Fifth Approve all contracts for the purhase by townships of the second class of power-rollers traction-engines stone-crushers concrete-mixers and road machines for grading or scraping

Sixth Report to the State Highway Commissioner annually on or before December first in each year in relation to the township highways and bridges in his district or county which report shall contain such matter and in such form as may be prescribed by the State Highway Commissioner Additional reports shall be made from time to time when required by the State Highway Commissioner

Seventh Attend any meeting or convention when directed to do so by the State Highway Commissioner Whenever a public meeting for a county or district shall have been called by the State Highway Commissioner he shall cause due notice to be mailed to each township supervisor or commissioner and such others as shall be directed by the State Highway Commissioner

Eighth Perform such other duties as may be prescribed by law or the rules and regulations of the State Highway Commissioner

Section 7 Each township of the second class shall receive annually from the State fifty per centum of the total amount of road tax collected by such township as shown by the sworn statement of the board of township supervisors contained in the annual report furnished to the State Highway Commissioner on or before the first day of January in each year but no township shall receive in any one year more than twenty dollars for each mile of township road in said township Such distribution shall be made on a basis of an average amount to each mile of township road

Section 8 Upon receipt of the sworn statement from the board of township supervisors the State Highway Commissioner shall certify to the Auditor General the amount due the respective townships and he shall draw a warrant upon the State Treasurer for the payment of the amount due said township under the provisions of this section to the treasurer of the board of township supervisors which shall be paid out of the money appropriated for that purpose No such payment shall be made until such treasurer has filed with the State Highway Commissioner a certified copy of the bond given by him as provided by law nor until the agreement for the expenditure of such State money together with the township's money has been made and approved as provided for in this act

Section 9 The State Highway Commissioner shall furnish from time to time bulletins of instruction to each board of township supervisors for the building repairing and maintenance and improvement of township roads and bridges and shall furnish any additional information when called upon to do so The State Highway Commissioner shall also furnish from time to time free of charge standards plans and specifications for permanent improvements in the building of bridges and culverts establishing of grades proper drainage and such other matters as he may deem essential

Section 10 The State Highway Department shall furnish blanks to the supervisors in which said supervisors or a majority of them shall make a sworn statement that the money has been expended in building repairing maintaining dragging and improving the township roads according to the instructions standards and specifications or the rules and regulations prescribed by the State Highway Department so far as the available funds and local conditions make is possible Upon the neglect or refusal of the supervisors of any township to carry out the instructions rules and regulations of the State Highway Commissioner then the State Highway Commissioner may withhold from such township so neglecting or refusing the amount to which it would be entitled for the year in which said neglect or refusal occurred

Section 11 The State Highway Commissioner shall supply the necessary books blanks and forms and shall prescribe the method of keeping township accounts of moneys received and expended for highways machinery bridges tools and implements and for miscellaneous purposes which shall be uniform through the State so far as practicable The State Highway Commissioner may at any time cause an examination of all such accounts and records to be made The State Highway Commissioner shall forward to the boards of supervisors by December first of each year all supplies necessary for the proper conduct of the affairs of the township which shall include blanks for yearly reports of supervisors to the State Highway Commissioner blanks for agreements entered into by supervisors for the expenditure of State and township moneys forms for monthly reports by township superintendents and roadmasters to supervisors and orders for the payment of moneys by township treasurers

Section 12 The clerk of the court of quarter sessions in each county shall not later than the twentieth day of November following every municipal election certify to the State Highway Commissioner the names and post office addresses of all supervisors and commissioners of the townships in said county The failure or neglect of any clerk of court to furnish such list shall be deemed a misdemeanor Upon conviction any such clerk shall be punished by fine of not more than fifty dollars

Section 13 If any superintendent of highways shall violate any of the provisions of this act other than those otherwise provided for or shall fail or neglect or refuse to carry out the provisions of the same he shall be guilty of a misdemeanor Upon conviction before a justice of the peace magistrate or alderman he shall be sentenced to pay a fine of not more than fifty dollars ($50) to be collected in the name of the township as other debts of like amount All such fines when collected shall be paid to township treasurer for the use of the road fund

Section 14 It shall be unlawful for any superintendent of highways to be interested either directly or indirectly in any purchase made or contract relating to roads and bridges except as provided for in this act or to furnish any materials therefor Any superintendent knowingly violating the provisions of this section shall be guilty of a misdemeanor Upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or be imprisoned for a term not exceeding six months or both

Section 15 The following acts of Assembly are hereby repealed as respectively indicated

Sections one two and three absolutely and sections four to twenty-one both inclusive so far as they relate to the State Highway Department and confer any powers or impose any duties upon officers and employes of the State Highway Department of clerks of the Courts of Quarter Sessions of an act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred fifteen) entitled "An Act relating to roads providing for the supervision construction maintenance and repair of township roads relating to road tax and providing penalties for violation thereof" and

An Act approved the eleventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred forty-seven) entitled "An Act to amend sections five nine and fifteen of an act approved the twenty-second day of July one thousand nine hundred and thirteen entitled 'An Act relating to roads providing for the supervision construction maintenace ad repair of township roads relating to road tax and providing penalties for the violation thereof'" so far as the same confers any powers or imposes any duties upon the State Highway Department or any of the officers or employes thereof and

Section five of an act approved the eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred fifty-nine) entitled "An Act providing for an association of township supervisors and commissioners in the several counties of the State and providing for the expenses of such associations" absolutely

All other acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

On the question,

It was agreed to.

Shall the bill pass finally?

Mr. COOK. Mr. Speaker, I desire to ask the sponsor of this bill the purpose of it.

Mr. SIGGINS. Mr. Speaker and gentlemen of the House, this bill is a bill prepared by the State Highway Department. At the present time the law relating to the Bureau of Township Highways and the township laws are interwoven. The Township Code was prepared by the Legislative Reference Bureau and they deem it wise to separate the law relating to the Bureau of Highways from the township laws, consequently, the township laws were placed in a code and the law in regard to the Bureau of Township Highways was placed in this bill. It is a companion bill to the Township Code and is not supposed to contain any new law. It is supposed to be declaratory of existing laws.

Mr. COOK. Mr. Speaker, I desire to interrogate the gentleman from Warren, Mr. Siggins.

The SPEAKER. Will the gentleman from Warren, Mr. Siggins, permit himself to be interrogated?

Mr. SIGGINS. Mr. Speaker, I will.

Mr. COOK. Mr. Speaker, I desire to ask the gentleman how many new positions this bill provides for.

Mr. SIGGINS. Mr. Speaker, it is not supposed to provide for any, as I understand it.

Mr. COOK. For what purpose then is the bill?

Mr. SIGGINS. I just got through stating that the purpose of the bill is to separate the Bureau of Highway Law from the Township Law. It has been placed in two bills; this bill and the Township Code Bill, both being declaratory under the existing law.

Mr. COOK. Is it not a fact that the State Highway Department claims that their treasury is depleted already?

Mr. SIGGINS. I don't think that the interrogator gets the purpose for which this bill is intended. It simply leaves the law as it has been before. It is put in this form so as to keep it entirely distinct from the Township Law, which was placed in codified form in the Township Code.

Mr. COOK. Does this creat any new positions.

Mr. SIGGINS. I understand it does not.

Mr. COOK. Will the gentleman say yes or no.

Mr. SIGGINS. No. From the best information I am able to obtain from the State Highway Department.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138.

Aron,	Fitzgibbon,	McKay,	Siggins,
Arthur,	Fowler,	McNichol,	Sinclair,
Aston,	Franklin,	McPeake,	Smith, E. R.,
Baker,	Gans,	Mehring,	Smith, J. W.,
Baldi,	Glass,	Mervine,	Snowden,
Baldridge,	**Golder,**	Miller, A. D.,	Somerman,
Bechtold,	Goodwin,	Miller, C. G.,	Sones,
Bell,	Gormley,	Miller, G. J. A.,	Speicher,
Benchoff,	Graham,	Milner,	Stadtlander,
Bennett,	Gransback,	Mitchell,	Steedle,
Beyer,	Haight,	**Morgan, T. J.,**	Sterling,
Bidelspacher,	Haldeman,	Murphy,	Stern,
Black,	Heffernan,	Musser,	Stites,
Bouton, V. B.,	Helt,	**Ogden,**	Stofflet,
Boyd,	Heyburn,	Palmer,	Swartz,
Campbell, T.,	Hibshman,	Patterson,	Thomas,
Canon,	Hoffman,	Phillips,	Ulsh,
Christman,	Hollern,	Pickering,	Vogdes,
Clements,	Hollingsworth,	Powell,	Walker,
Coldsmith,	Hough,	Ramsey,	Wallace,
Conner,	Howarth,	Reichenbacher,	Weimer,
Cox,	Isherwood,	Reitzel,	Wells,
Crosby,	Jennings,	**Reynolds,**	West,
Cummins,	Jones,	Rhodes, W. M.,	Whitaker,
Curry,	Kennedy,	Rich,	Wickman,
Davis, W.,	Lauler,	Ringler,	Williams, G. W.
Dawson,	Leary,	Rininger,	Williams, J. P.,
Dewey,	Lewis,	Robertson,	Wobensmith,
Dithrich,	Lohr,	Ross,	Wood,
Donneley,	Luppert,	Ruddy,	Woodward,
Drinkhouse,	Mangan,	Sarig,	Wylie,
Dunn,	McArdle,	Scott,	Wynne,
Ehrhardt,	McCaig,	Shattuck,	Zanders,
Erdman,	McCullough,	Showalter,	**Baldwin,**
Fackler,	McCurdy,	Shunk,	Speaker.

NAYS—7.

Barner,	**Chestnut,**	Rothenberger,	Sampsel,
Benninger,	Cook,	Rudisill,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 76, entitled

An Act validating municipal liens filed by boroughs for paving and curbing the public highways thereof.

On the question,

Will the House agree to the bill on third reading?

Mr. BALDRIDGE. Mr. Speaker, by the consent of the sponsor of this bill, I ask unanimous consent to present some amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 20, by adding the following proviso after the word "law"

"Provided That this act shall not apply to any proceeding, suit or lien wherein a final order or judgment of any court of record has already been made or entered.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1545 (Senate Bill No. 789), entitled

An Act validating divorces granted on the ground of hopeless insanity of the respondent under the provisions of an act approved the eighteenth day of April, nineteen hundred and five, entitled "An Act to amend section eight of the act approved the thirteenth day of April, eighteen hundred and forty-three, entitled 'An Act to convey certain real estate and for other purposes,' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis, and to further regulate the procedure in action for divorce."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Arthur,	Drinkhouse,	McCullough,	Shunk,
Aston,	Dunn,	McKay,	Siggins,
Baker,	Ehrhardt,	McKinney,	Sinclair,
Baldi,	Erdman,	McNichol,	Smith, E. R.,
Baldridge,	Fackler,	McPeake,	Smith, J. W.,
Barner,	**Fitzgibbon,**	Mehring,	**Smith, O. W.,**
Bechtold,	Fowler,	Mervine,	Snyder,
Bell,	Franklin,	Miller, Allan,	Sones,
Benchoff,	Fretz,	**Miller, G. J. A.,**	Speicher,
Bennett,	Gans,	Milner,	Sprowls,
Benninger,	Geary,	Morgan, T. J.,	Steedle,
Beyer,	Goodnough,	Murdoch,	Sterling,
Black,	Goodwin,	**Murphy,**	Stern,
Bouton, V. B.,	**Gormley,**	Musser,	Stites,
Bovee,	Graeff,	Neary,	Strauss,
Boyd,	Gransback,	**Ogden,**	Swartz,
Brady,	Haight,	Patterson,	Taylor,
Burnett,	Haldeman,	Phillips,	Thomas,
Campbell, T.,	Heffernan,	Powell,	Ulsh,
Canon,	Heyburn,	Ramsey,	Vogdes,
Chestnut,	Hibshman,	Reichenbacher,	Wagner,
Christman,	Hollern,	Reitzel,	Wallace,
Coldsmith,	Hollingsworth,	Rich,	**Walter,**
Cook,	Horton,	Ringler,	Weimer,
Cox,	Howarth,	**Rininger,**	**Wells,**
Crosby,	Isherwood,	Rinn,	Whitaker,
Cummins,	Jennings,	Robertson,	Wickman,
Curry,	Kennedy,	Ross,	Williams, G. W.
Davis, W.,	Laucks,	Ruddy,	Williams, J. P.,
Dawson,	Leary,	Rudisill,	**Wobensmith,**
Dell,	Lewis,	Sarig,	Wood,
Dithrich,	Lohr,	Schaeffer, A. C.,	Wylie,
Donneley,	Luppert,	Scott,	Wynne,
Drake,	Mangan,	Shaffer, C. A.,	Zanders,
Aron,	McArdle,	Showalter,	Baldwin,
			Speaker.

NAYS—2.

McCurdy,	Rothenberger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1227 (Senate Bill No. 513), entitled

An Act regulating the collection of county taxes in counties containing over one hundred thirty-five thousand and

less than one hundred fifty thousand inhabitants creating the office of receiver of taxes in such counties and prescribing the powers and duties of said office.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. SWARTZ. Mr. Speaker, I agreed with Mr. Spangler and Mr. Lanius to move that this bill be postponed for the present; therefore, I move that further consideration of this bill be postponed for the present.

Mr. BECHTOLD. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON POSTPONED BILLS.

The SPEAKER. The Chair desires to ask unanimous consent that where any bill is about to expire on the time limit that it be extended five days.

REPORTS FROM COMMITTEE.

Mr. STADTLANDER, from the Committee on Municipal Corporations, reported as amended House Bill No. 1539, entitled

An Act to amend section six hundred seventeen of an act, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," approved the eighteenth day of May, Anno Domini nineteen hundred and eleven, and providing for the construction, re-construction or repair of school buildings, or work upon school property within the Commonwealth of Pennsylvania, by contract, where the cost, value or amount of same, including labor and material, exceeds the sum of three hundred dollars ($300).

Mr. BECHTOLD, from the Committee on Appropriations, reported as committed House Bill No. 1877, entitled

An Act imposing a tax on motion picture films, reels, or views, providing for the assessment and collection thereof, dedicating the proceeds of such tax to the "Insurance Fund," and providing penalties.

Mr. HOFFMAN, from the Committee on Public Roads, reported as committed House Bill No. 1522, entitled

An Act to further amend section two of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for the taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and town, extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for the purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts of parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Mr. LEWIS, from the Committee on Public Roads, reported as committed House Bill No. 1777, entitled

An Act authorizing the Highway Commissioner to use, lease or sell toll-collectors residences or offices or other property acquired by the purchase or condemnation of any turnpike or toll road.

Mr. WALTER, from the Committee on Judiciary Local, reported as committed House Bill No. 75, entitled

An Act relating to the extinguishment of ground rents and providing a means, where ground rent has been extinguished by payment or presumption of law, for recording evidence of such extinguishment, regulating the practice in such proceedings and making the same binding and effectual.

Mr. PICKERING, from the Committee on Printing, reported as amended House Bill No. 1097 (Senate Bill No. 326), entitled

An Act to amend sections three and four of an act approved the twenty-eighth day of April one thousand nine hundred and fifteen entitled "An Act creating a Division of Distribution of Documents defining its powers and duties regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act."

Mr. DEWEY, from the Committee on Public Roads, reported as committed House Bill No. 1848 (Senate Bill No. 795), entitled

An Act making it a misdemeanor for any person to deface mutilate or destroy any sign board or sign post or any markings directions or lettering thereon placed by the public authorities upon any State county or township road or upon any other street or public highway and prescribing the punishment for violation thereof.

Mr. C. G. MILLER, from the Committee on Public Roads, reported as committed House Bill No. 1842 (Senate Bill No. 918), entitled

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining Highways and State-aid Highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to High-

way Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," providing that the State Highway Commissioner may take over, as a part of the system of State Highways, any public road leading from a State Highway to a State reservation or other State property.

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed House Bill No. 1547 (Senate Bill No. 763), entitled

An Act to amend article two, section one, sub-section T, and article five, section twelve, of an act, entitled "An Act defining public service companies and providing for their regulation; by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such commission and its officers, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the commission of the expense and damages resulting from such construction, alteration relocation or abolition, and for the payment of such expense and damages severally or prportionately by the public service companies interested, the State or municipal corporation concerned, and giving persons whose property is thereby taken, injured or destroyed authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries and compensation of the members of the commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas, and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act, and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains; by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals," and an act, entitled 'To provide the maximum car service charges, including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven, and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act," approved the twenty-sixth day of July, one thousand nine hundred and thirteen, by providing the proportions in which the cost of establishing overhead and undergrade crossings shall be borne by railroad companies, the Commonwealth and the various municipal divisions of the Commonwealth.

Mr. MARVIN, from the Committee on Appropriations, re-reported as committed House Bill No. 1351, entitled

An Act to authorize the Water Supply Commission to build a dike or dikes for the protection of property in the Borough of Lawrenceville, Tioga County; and making an appropriation therefor.

Mr. EDGAR R. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1730, entitled

An Act defining the liability of husband and wife for crimes and torts committed by married women.

Mr. McCULLOUGH, from the Committee on Public, Roads, reported as committed House Bill No. 1798, entitled

An Act regulating the placing and maintaing of poles, wires, conduits, cables or other appliances on, over or under the county roads of the several counties of this Commonwealth, authorizing the county commissioners to prescribe rules relative to the same in the interests of public safety, and providing punishments for violation thereof.

Mr. PICKERING, from the Committee on Public Roads, reported with a negative recommendation House Bill No. 1716, entitled

An Act requiring owners, drivers and operators of motor vehicles to file a bond with the State Highway Department to protect persons injured or damaged by the negligent or reckless operation of motor vehicles, and defining the duties and powers of the Highway Commissioner and prothonotaries in connection therewith in relation thereto.

BILLS ON THIRD READING.

Mr. SWARTZ asked and received unanimous consent to call up Senate Bill No. 216 (House Bill No. 1565), on page 27 of to-day's calendar bills on third reading, for the purpose of amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1565 (Senate Bill No. 216), entitled

An Act relating to the salaries and expenses of the examiners in the Department of Banking.

On the question,

Will the House agree to the bill on third reading?

Mr. SWARTZ. Mr. Speaker, I ask unanimous consent to offer amendments to this bill at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, line 5, page 1, by inserting after the word "shall" the following:

"in the discretion of the Commissioner of Banking."

Amend section 1, page 1, line 7, by striking out after the word "salary" the word "of" and inserting "not to exceed."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. STERN. Mr. Speaker, I ask unanimous consent to call up at this time Senate Bill No. 792 (House Bill No. 1557), entitled

An Act authorizing and empowering the several counties of this Commonwealth to locate, lay out, open, construct and maintain public bridges whether wholly or partly within any city, borough or township therein, across any river or stream dividing or separating any part of said county from any other part thereof, together with the necessary bridge approaches, viaduct or other approaches, to conveniently connect the same with existing streets or public roads in such cities, boroughs or townships; authorizing the cities and boroughs wherein such bridges are located, to share in the cost thereof and to provide approaches therefor; authorizing the taking and appropriation of property and rights of property, public or private, for such purposes; providing a method for making compensation for property taken, injured or destroyed thereby; authorizing the several counties to enter upon and over public streets or roads in cities, boroughs or townships for said purposes; authorizing the several counties to appropriate money, levy taxes and incur indebtedness therefor; and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street railway, telegraph, telephone or other corporations or persons making use thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use.

on page 29 of to-day's calendar, bills on third reading, and move that it be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. CROSBY. Mr. Speaker, I second the motion.

On the question,

Will the House give unanimous consent?

Mr. McNICHOL. Mr. Speaker, I regret to oppose this request of my friend from Philadelphia. I think that sufficient time has been had for a hearing on this bill. The only purpose now in its recommittal, to my mind, is in order that the final action on this bill may be delayed. I therefore ask the House not to give its consent. This

is a Senate bill and sufficient opportunity has been had for a hearing. Their desire, and the purpose as I stated before, I recognize as one for delay.

The SPEAKER. Does the gentleman object?

Mr. McNICHOL. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and unanimous consent is not granted.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1725, entitled

An Act to amend sections one, four and five of an act entitled "An Act empowering cities of the first class to purchase, lease, locate, construct, and equip, or otherwise acquire, transit facilities and to own, maintain, use and operate the same within their corporate limits; and within the limits of adjacent cities, boroughs and townships; to exercise the right of eminent domain in connection therewith, and prescribing the manner of ascertaining the damages sustained in connection with such exercise; to sell, pledge, or lease transit facilities; to grant licenses for the use of the same; to enter into agreements for the construction and operation of the same; to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter; and empowering railroad, railway, and motor power companies to sell, purchase, and lease transit facilities to and from said cities, and to contract with said cities respecting the acquisition, construction, operation, and use of transit facilities," approved the seventeenth day of June, one thousand nine hundred and thirteen, so as to extend the provisions of the said act to railroads in said cities operated or organized to be operated on the principle generally known as the "Belt Line" principle.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1769, entitled

An Act to repeal article three section three clause D of an act entitled "The Public Service Company Law" approved the twenty-sixth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four).

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1475, entitled

An Act imposing the cost of commitment and maintenance of criminal insane in institutions on the county where the crime was committed and authorizing the recovery of such costs from the estate of criminal insane.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1476, entitled

An Act to amend section one of an act approved the eighth day of June, one thousand nine hundred fifteen, entitled "An Act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons, and awaiting trial, charged with criminal offenses not amounting to felony, which persons are found to be insane; and further providing for the payment of the expense of such removal and return, and for the cost of the maintenance and care of such persons in such hospitals," by imposing all costs and expenses on the county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 325, entitled

An Act authorizing and requiring employers to deduct from the wages of employes after notice sum sufficient to pay delinquent township taxes on occupations owing by such employes and to pay over the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1628, entitled

An Act to amend an act, entitled "An Act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping, or attempting to escape, from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania, by the respective counties from whose courts the said escaping convicts or prisoners have been committed; and providing for the maintenance of such convicts under sentence for escape, et cetera," approved the twenty-second day of July, one thousand nine hundred and thirteen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 926, entitled

An Act to prevent discrimination by any person copartnership association or corporation engaged in any public service business prohibiting the refusal cutting off or discontinuance of service in certain cases and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1751, entitled

An Act authorizing the use of certain prisoners for work upon the roads and highways and upon farms authorizing the county commissioners to make provision for the feeding of such prisoners authorizing jail and prison authorities to provide guards and providing for the pay of such prisoners.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1622, entitled

An Act empowering express companies to employ policemen commissioned by the Governor with authority to act in all counties in the State wherein such companies carry on their business.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1802, entitled

An Act fixing the compensation of constables for attendance at primary and general elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1708, entitled

An Act authorizing the judges learned in the law of the courts of common pleas and orphans' courts of the counties having a population of more than one hundred and fifty thousand and less than two hundred fifty thousand inhabitants to employ suitable clerical assistance and providing for the payment of such clerical assistance by the several counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1778, entitled

An Act to protect the public health by requiring the parents directors of the poor or other person responsible for the care and maintenance of any male child to have such child circumcised at or before reaching the age of three months and fixing a penalty.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1626, entitled

An Act for the prevention of fraud and deception by prohibiting the use of added artificial coloring matter in such edible alimentary pastes as macaroni spaghetti vermicelli and noodles.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1671, entitled

An Act fixing the pay of election officers in cities of the third class boroughs towns and townships.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1581, entitled

An Act to reimburse mine inspectors for the loss in salary and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1817, entitled

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the Courts of the Common Pleas and the judges of the Orphans' Courts."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1824, entitled

An Act authorizing Albert B. Smith of the Borough of Steelton Dauphin County Pennsylvania to bring suit against and to recover from the Commonwealth of Pennsylvania either in law or equity in the Court of Common Pleas of Dauphin County any sum or sums of money legally or justly due him for services rendered the Pennsylvania Commission to investigate Cold Storage.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 895, entitled

An Act prohibiting the sale giving away or otherwise disposing of explosives except under certain conditions prohibiting the careless and negligent exposure and handling thereof and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1764, entitled

An Act authorizing the State Highway Commissioner to adopt and procure a seal for the State Highway Department and providing that certified copies of all records books papers documents and rulings of the Department shall be received in evidence.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1760, entitled

An Act prohibiting the payment of pensions by counties having a population of more than eight hundred thousand and less than one million five hundred thousand inhabitants in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the firs treading and consideration of House Bill No. 1524, entitled

An Act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor, steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers, to attend the annual meeting of the Association of Directors of the Poor and Charities and Corrections of Pennsylvania as part of their official duties, and providing for the payment of the expenses thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1790, entitled

An Act defining sodomy and prescribing penalties for its commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1406. entitled

An Act imposing a tax on premiums of insurance and reinsurance in foreign insurance companies and associations not registered in this Commonwealth providing the method of collection of such tax and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1379, entitled

An Act relating to the election of county assessors and the appointment of assistant assessors their terms of office their duties their salaries county rates and levies duties of county commissioners in connection with county assessors penalties for failure of county assessors and assistant assessors to perform their duties and duties of election assessors to perform their duties powers and duties of election officers and penalties for their non-compliance and penalties for any elector wilfully making any false affidavit or statement.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1727, entitled

An Act providing for the pensioning of certain soldiers sailors and marines and the widows of certain soldiers sailors and marines who served in the Civil War and making an appropriation for the payment thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1781, entitled

An Act making available for expenditure during the two fiscal years beginning June first one thousand nine hundred and seventeen the sum of fifteen thousand dollars ($15,000) remaining unexpended from appropriation made by section two of an act of Assembly approved the sixteenth day of June one thousand nine hundred and fifteen

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1643, entitled

An Act forbidding the advertising publishing selling distribution or otherwise disseminating or imparting or attempting to disseminate or impart knowledge or information tending to interfere with or diminish the birth of human beings in the Commonwealth of Pennsylvania defining it as a misdemeanor and providing for its punishment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1575, entitled

An Act prohibiting the sale distribution and use of foods drugs and certain mixtures and preparations containing methyl or wood alcohol and fixing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1822, entitled

An Act to amend section three hundred and fourteen of an act approved the second day of June one thousand nine hundred and fifteen entitled "An Act defining the liability of an employer to pay damages for injuries received by an employer in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1821, entitled

An Act to amend section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1535, entitled

An Act to further amend section five of an act approved the seventh day of May one thousand nine hundred and seven entitled "An Act regulating and defining the powers and duties of the Dental Council and the State Board of Dental Examiners providing for appointment of examiners defining qualifications of applicants for examination condition of granting licenses regulating and limiting the practice of dentistry prohibiting practice by or employment of unlicensed persons and providing punishment therefor and disposition of fees and fines and fixing the appropriation to the Dental Council."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1640, entitled

An Act to amend the act approved the second day of June one thousand nine hundred and fifteen entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1552 (Senate Bill No. 531), entitled

An Act authorizing insurance companies upon any increase of capital to issue the same at a price in excess of par to require payment of such price as a condition to the right to subscribe and also to sell in such manner as the board of directors may prescribe for not less than such price any unsubscribed stock.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House Proceeded to the first reading and consideration of House Bill No. 1507 (Senate Bill No. 784), entitled

An Act authorizing the Superintendent of Public Instruction to appoint one clerk who shall be an expert stenographer and four stenographers and fixing their salaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House Proceeded to the first reading and consideration of House Bill No. 1856 (Senate Bill No. 910), entitled

An Act to repeal section five of an act entitled "Supplement to the act incorporating the borough of Doylestown entitled 'An Act authorizing the Governor to incorporate the Bristol Steam Tow Boat and Transportation Company and for other purposes'" approved the thirteenth day of March one thousand eight hundred and sixty-seven (Pamphlet Laws four hundred and fourteen.)

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House Proceeded to the first reading and consideration of House Bill No. 1857 (Senate Bill No. 911), entitled

An Act providing for the ascertainment and assessment of damages and benefits in proceedings to lay out, open, widen, vacate, extend, grade or changing the grade or lines of streets, lanes and alleys in boroughs; providing that this act shall apply to all proceedings when the damages shall not have been actually and finally ascertained and repealing all acts, general, local or special, conflicting therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House Proceeded to the first reading and consideration of House Bill No. 1829 (Senate Bill No. 652), entitled

An Act to amend the first and second sections of "An Act to further amend an act approved April ninth one thousand eight hundred and seventy 'requiring railroad canal navigation and telegraph companies to make uniform reports to the Auditor General' which act as amended by the Act of April thirteenth one thousand eight hundred and eighty-nine extended its provisions to telephone companies and conforming to the requirements of the Constitution provided for the filing of such reports with the Secretary of Internal Affairs and regulating the time for the filing of the same which said act is now further amended as to the time of forwarding blanks for such reports and the provisions of said act are extended to include all corporations owning or operating lines of railways canals transportation telegraphs or telephones located in whole or in part in Pennsylvania" approved the nineteenth day of April Anno Domini one thousand eight hundred and ninety-seven by changing the time of the forwarding of blanks and the filing and transmitting of annual reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House Proceeded to the first reading and consideration of House Bill No. 1067 (Senate Bill No. 285), entitled

An Act for the printing binding and distribution of the "Analytical Index of the Official Opinions of the Attorney General's Department" and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House Proceeded to the first reading and consideration of House Bill No. 930 (Senate Bill No. 139), entitled

An Act relating to division fences in suburban and similar districts of cities of the first class regulating the nature height materials and kind thereof defining the same and in certain cases dispensing with the same on whole or parts of boundary line also prohibiting in the said districts the erection of fences or similar structures above a certain height except under a permit.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House Proceeded to the first reading and consideration of House Bill No. 1632 (Senate Bill No. 672), entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House Proceeded to the first reading and consideration of House Bill No. 933 (Senate Bill No. 140), entitled

An Act prohibiting the erection of fences or similar structures above a certain height in suburban or similar districts of cities of the first class except under a permit declaring certain fences a private nuisance and their erection a misdemeanor and prescribing penalties for violation of the provisions of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1540 (Senate Bill No. 802), entitled

An Act regulating the time for advertising for and receiving proposals for furnishing paper cardboard cuts plates and other supplies for the use of the Commonwealth for executing the Public Printing and the time contracts for furnishing such supplies shall run.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1094 (Senate Bill No. 247), entitled

An Act to fix the salary of the Commission Clerk in the Executive Department of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1834 (Senate Bill No. 819), entitled

An Act to amend an act approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act providing for the establishment of the Pennsylvania Historical Commission defining its powers and duties and making an appropriation for its work" by enlarging its powers and duties and providing for uublishing its report et cetera.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1831 (Senate Bill No. 574), entitled

An Act requiring borough councils township commissioners township supervisors and school directors to file auditors reports in the office of the clerk of quarter sessions requiring the county commissioners to furnish books for that purpose imposing certain duties on auditors fixing the fee of the clerk of the court and providing for removal from office in case of failure to comply herewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1555 (Senate Bill No. 813), entitled

An Act relating to the assessment and payment of damages to owners of property abutting on State Highways in certain counties damaged by a change of the existing lines and location of such State Highway imposing certain powers and duties upon the Highway Commissioner and the county commissioners and providing for the payment of such damages by such counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1598 (Senate Bill No. 850), entitled

An Act to further amend an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer chief draughtsman superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part, requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1845 (Senate Bill No. 777), entitled

An Act making an appropriation for the purpose of placing caring for and removal of the exhibits of the institutions of Pennsylvania at the forty-fourth annual meeting of the National Conference of Charities and Correction to be held in the City of Pittsburgh Pennsylvania from the sixth to the thirteenth days of June one thousand nine hundred and seventeen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1630 (Senate Bill No. 543) entitled

An Act defining cold storage and regulating time of storage of certain articles of food and providing penalties for the violation of the provisions of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1846 (Senate Bill No. 666), entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1855 (Senate Bill No. 909) entitled

An Act making a deficiency appropriation to the Department of State Police for the payment of the salaries of the Superintendent and Deputy Superintendent of the Department and the salaries of the officers and enlisted men of the State police force.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. POWELL. Mr. Speaker, I move this House do now adjourn until to-morrow morning at 10:00 o'clock.

The motion was agreed to and (at 5:45 o'clock P. M.) the House adjourned until to-morrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES.

THURSDAY, May 10, 1917.

The House met at 10 o'clock A. M.
The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

Great God, the creator and preserver of the universe, we recognize Thee as the fountain head of all good and desire to acknowledge Thy power and majesty in all that we may think or do or say. This beautiful morning, cause us all to see Thee in the realm of nature, where life, beauty and fragrance are springing forth to give sustenances, pleasure, hope and highest joy to us, Thy creatures. May we assimilate divine aspiration and lofty ambition, and eliminate all the evil inclinations of humanity and the dross of daily temptations. Thy most Holy Name be praised, and draw us ever nearer to Thee. Give us right conception of our duties and grant us courageous lives to demonstrate our happiness by right living and renew our efforts to cheerfully live the life of love without dissimilation, and so finaly lead us to a blessed immortality, is the prayer of Thy poor humble servant. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Vickerman, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed House Bill No. 1875 (Senate Bill No. 958), entitled

An Act authorizing the County of Philadelphia to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Philadelphia County for moneys advanced for the payment of expenses incident to the conduct of primary elections

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, re-reported as committed House Bill No. 232, entitled

An Act to amend an act, entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an election schedule of compensation, and providing procedure for the determination of liability and compensation thereunder," approved the second day of June, one thousand nine hundred fifteen.

Mr. PALMER, from the Committee on Elections, re-reported as committed House Bill No. 1287, entitled

An Act to amend the third section of an act, entitled "An Act to provide for the personal registration of electors, and their enrollment as members of political parties, in cities of the first and second classes of this Commonwealth, to make such registration a condition of the right to vote at primaries in said cities; and providing for the payment of witness fees for persons summoned before the commissioners; to provide penalties for violations of its provisions; and to repeal acts inconsistent herewith," approved the twenty-fourth day of July, Anno Domini one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven), by regulating the compensation of the registration commissioners.

Mr. CANON, from the Committee on Judiciary Local, reported as committed House Bill No 110, entitled

An Act to amend an act approved the twelfth day of May, one thousaid eight hundred and eighty-seven, entitled "An Act regulating the compensation of county auditors, within this Commonwealth."

BILL RECOMMITTED

Mr. JONES. Mr. Speaker, I move that House Bill No. 1097 (Senate Bill No. 326), File Folio 913, entitled

An Act to amend sections three and four of an act approved the twenty-eighth day of April one thousand nine hundred and fifteen entitled "An Act creating a Division of Distribution of Documents defining its powers and duties regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act."

on page 19 of to-day's calendar, be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. PICKERING. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. WALKER. Mr. Speaker, I move that House Bill No. 1651, File Folio 4489, entitled

An Act providing for an additional officer and employe of the House of Representatvies defining their duties and fixing their compensation.

on page 29 of to-day's calendar, be recommitted to the Committee on Appropriations.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1876, entitled

An Act dedicating fifty per centum of the fund received from the tax on coal and appropriating the same to the several cities, boroughs and townships under which said coal is mined or in which the same is washed, and authorizing the use thereof by the said cities, boroughs and townships.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1482, entitled

An Act making an appropriation to refund to Willard Weis of South Williamsport, moneys erroneously paid into the State Treasury.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1736, entitled

An Act authorizing companies incorporated under the laws of any other State of the United States for certain purposes to erect and maintain buildings and manufacturing establishments and to take, have and hold real-estate necessary and proper for such purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1320, entitled

An Act to repeal an act approved the first day of June, one thousand nine hundred and eleven, entitled "An Act to tax traction engines, and providing that the same shall be assessed by the several assessors of the counties of this Commonwealth in the same manner as other articles of personal estate liable for taxation are assessed."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 906, entitled

An Act to amend an act approved the thirteenth day of May, one thousand nine hundred and fifteen entitled "An Act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the condition of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto and repealing all acts or parts of acts inconsistent therewith" by including other schools which said minors may attend.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1800, entitled

An Act to establish as a State Highway a certain section of public road in the County of Beaver and the County of Washington.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1571, entitled

A Joint Resolution proposing an amendment to section one of article nine of the Constitution of Pennsylvania, relating to taxation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 890, entitled

An Act regulating the buying and selling of automobiles and providing penalties for violations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1653, entitled

An act making an emergency appropriation to the Department of Agriculture.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 584, entitled

An Act validating certain elections of counties, cities, boroughs, townships, school districts, and other incorporated districts, held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal issuance thereof," and the amendments thereof and supplements thereto, and validating bonds issued, or authorized to be issued, in pursuance of such elections.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1360, entitled

An Act to amend section one of an act approved the fourteenth day of June, one thousand nine hundred fifteen, entitled "An Act to provide for retirement of State employes, permanently disqualified by reason of physical or mental disability to perform their official functions and duties, with half pay, under certain conditions, during the remainder of their lives, except State employes whose retirement has been or shall be otherwise provided for, and the filling of vacancies caused by such retirement."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1813, entitled

An Act relating to the practice of law, providing who may lawfully write and prepare deeds, mortgages, bonds, and wills, and who may state accounts and give advice in matters relating to estates of decedents; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 660, entitled

An Act authorizing companies incorporated under the laws of any other State of the United States for certain purposes to erect and maintain buildings, and to take, have and hold real estate necessary and proper for such purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 672, entitled

An Act making it compulsory on street and electric railway corporations to maintain a certain temperature in their cars and fixing a penalty for violation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 670, entitled

An Act providing that any person, firm or corporation operating a street passenger car upon the public streets and highways of this Commonwealth shall have the said street cars when in use equipped with air brake attachments and automatic air-couplers and providing penalties for the violation of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1388, entitled

An Act amending chapter seven, article six, sections fourteen, sixteen, seventeen and twenty-one of an act approved the fourteenth day of May, one thousand nine hundred and

fifteen (Pamphlet Laws three hundred twelve), entitled "An Act providing a system of government for boroughs and revising, amending and consolidating the law regulating to boroughs."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1128, entitled

An Act to confirm titles to real estate under allotments and sales had under orders of the Orphans' Courts in proceedings in partition and to give the Orphans' Courts of this Commonwealth jurisdiction in all cases where real estate is held jointly by co-tenants or tenants in common or as joint owners whether all such are living or where some are deceased and their interest has passed to their heirs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1707, entitled

An Act to provide that in every case where a bond has been or shall hereafter be filed in any court of record in this Commonwealth whether under the provisions of any law or the order or decree of any court it shall be lawful for the principal surety or sureties or all of them jointly to present their petition to the said court at any time after the expiration of one year from the time a right of action shall have accrued upon such bond and provided that after notice to the parties in interest the court may enter an exoneretur upon the said bond unless action be brought within the time specified in this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1304, entitled

An Act to amend section twelve of an act approved the thirteenth day of May, one thousand eight hundred seventy-six, entitled "An Act for the incorporation and regulation of banks of discount and deposit."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1860, entitled

An Act giving consent to the Commonwealth of Pennsylvania to the purchase by the United States of land belonging to the City of Philadelphia on the Island of Tinicum, in the Township of Tinicum, Delaware County, authorizing the City of Philadelphia to sell and make conveyance thereof; ceding jurisdiction over said land and providing for the retention of concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States, on said land, for the service of legal processes thereupon.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1591, entitled

An Act to exempt talking machines, phonographs and musical instruments of every description, leased, licensed or conditionally sold to, or hired by any person or persons residing in or having a place of business in this Commonwealth, from levy or sale on execution or distress for rent.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1493, entitled

An Act authorizing Edward F. Martin, a resident of Butler Borough, Butler County, Pennsylvania, to bring suits in the court of common pleas of Butler County against the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1521, entitled

An Act authorizing Edward W. Fenstermacher, a resident of Butler Township, County of Luzerne, to bring suits in the court of Common Pleas of Luzerne County against the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1795, entitled

An Act providing a uniform method for committing insane, epileptic, lunatic, and feeble-minded persons, persons so habitually addicted to the use of alcoholic drinks, absinthe, opium, morphine, chloral, cocaine, and other intoxicating liquors or drugs, as to be proper subjects for restraint, care or treatment in a hospital or asylum; and all other persons mentally abnormal or defective, to hospitals or other suitable institutions of release therefrom; providing for the disposition and recommitment of criminal insane; and providing penalties for the violation of the provisions of this act and the punishment of certain offenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1761, entitled

A Supplement to an act approved the thirteenth day of May, eighteen hundred and seventy-six, entitled "An Act for the incorporation and regulation of banks of discount and deposit" and authorizing the creation and maintenance of sub-offices or sub-agencies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1280, entitled

An Act fixing the salary of the Deputy Secretary of Internal Affairs of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1639, entitled

An Act to amend section six hundred seventeen of an act, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," approved the eighteenth day of May, Anno Domini nineteen hundred and eleven, and providing for the construction, re-construction or repair of school buildings, or work upon school property within the Commonwealth of Pennsylvania, by contract, where the cost, value or amount of same, including labor and material, exceeds the sum of three hundred ($300) dollars.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1877, entitled

An Act imposing a tax on motion picture films, reels, or views, providing for the assessment and collection thereof, dedicating the proceeds of such tax to the "Insurance Fund," and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1522, entitled

An Act to further amend section two of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State

Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for the taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and town, extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for the purchase or acquiring of township or toll roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways; and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by the provisions of this act."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1777, entitled

An Act authorizing the Highway Commissioner to use, lease or sell toll-collectors residences or offices or other property acquired by the purchase or condemnation of any turnpike or toll road.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 75, entitled

An Act relating to the extinguishment of ground rents and providing a means, where ground rent has been extinguished by payment or presumption of law, for recording evidence of such extinguishment, regulating the practice in such proceedings and making the same binding and effectual.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1351, entitled

An Act to authorize the Water Supply Commission to build a dike or dikes for the protection of property in the Borough of Lawrenceville, Tioga County; and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1730, entitled

An Act defining the liability of husband and wife for crimes and torts committed by married women.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1798, entitled

An Act regulating the placing and maintaining of poles wires conduits cables or other appliances on over or under the county roads of the several counties of this Commonwealth authorizing the county commissioners to prescribe rules relative to the same in the interests of public safety and providing punishments for violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1670 (Senate Bill No. 323), entitled

An Act making an appropriation to The Pennsylvania State College.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1442 (Senate Bill No. 334), entitled

An act concerning vocational education and providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved February twenty-third one thousand nine hundred seventeen entitled "An Act to provide for the promotion of vocational education to provide for co-operation with the States in the promotion of education in agriculture and in the trades and industries to provide for co-operation with the States in the preparation of teachers of vocational subjects and to appropriate money and regulate its expenditure" and conferring certain powers upon the State Board of Education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1441 (Senate Bill No. 335), entitled

An Act to amend section two thousand thirty-four of article twenty of an act, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," approved the eighteenth day of May, one thousand nine hundred and eleven, by authorizing and empowering the State Board of Education to make purchases and sales of real estate for normal schools purchased by the State.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1091 (Senate Bill No. 242), entitled

An Act amending an act approved the 9th day of June, 1881, entitled "An Act to authorize foreign corporations to become corporations of Pennsylvania and to prescribe the mode for their so doing," by regulating the manner and place of acknowledging and recording the certificate therein provided for; crediting such domesticated corporation with bonus previously paid by it to the Commonwealth; and extending the provisions thereof to corporations incorporated under the several supplements to the act approved the 29th day of April, 1874, entitled "An Act to provide for the incorporation and regulation of certain corporations."

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1848 (Senate Bill No. 795), entitled

An Act making it a misdemeanor for any person to deface, mutilate or destroy any sign board or sign post of any markings, directions or lettering thereon placed by the

public authorities upon any State, county or township road or upon any other street or public highway and prescribing the punishment for violation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1842 (Senate Bill No. 918), entitled

A Supplement to an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State Highway and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining Highways and State-aid Highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriation to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," providing that the State Highway Commissioner may take over, as a part of the system of State Highways, any public road leading from a State Highway to a State reservation or other State property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1554 (Senate Bill No. 763), entitled

An Act to amend article two, section one, sub-section T, and article five, section twelve, of an act, entitled "An Act defining public service companies and providing for their regulation; by prescribing and defining their duties and liabilities; prescribing, defining and limiting their powers and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such commission and its officers, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the commission of the expense and damages resulting from such construction, alteration relocation or abolition, and for the payment of such expense and damages severally or proportionately by the public service companies interested, the State or municipal corporation concerned, and giving persons whose property is thereby taken, injured or destroyed authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries and compensation of the members of the commission, its officers, counsel and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas, and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act, and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains; by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals," and an act, entitled 'To provide the maximum car service charges, including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved the twenty-fourth day of May, Anno Domini one thousand nine hundred and seven, and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act," approved the twenty-sixth day of July, one thousand nine hundred and thirteen, by providing the proportions in which the cost of establishing overhead and undergrade crossings shall be borne by railroad companies, the Commonwealth and the various municipal divisions of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 142, entitled

An Act providing for the examination, licensure and registration of persons, co-partnerships, associations or corporations engaging in the business or work of electrical construction and any maintenance, alterations or repairing in connection therewith in any buildings or structures in cities of the second and third class of this Commonwealth and providing penalties.

The first, second, third and fourth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of this act the definition of certain terms herein contained shall be as follows

The words "master electrician" shall mean a person co-partnership association of corporation having a regular place of business who by the employment of journeymen performs the work of installing wires conduits apparatus fixtures and other devices for carrying or using electricity for light heat or power purposes

The words "journeyman electrician" shall mean a person who has worked four (4) years as an apprentice and personally does any work of installing wires conduits apparatus fixtures and other devices

The word "person" includes all individuals co-partnerships associations and corporations

Section 2 Sixty days after the passage of this act except as otherwise provided in section five of this act it shall be unlawful for any master electrician or journeyman to carry on or work at the business of electrical construction or any maintenance alterations or repairing in connection therewith in any buildings or structures in cities of the second and third class of this Commonwealth until a license to engage in or work at said business shall have been granted to such person by the director or head of the Department of Public Safety or the chief of the department or bureau in charge of electrical matters of said cities nor until he has registered as such in the office of the department or bureau in charge of electrical matters of said city

Section 3 Every master electrician and journeyman engaged or engaging in the business or work of electrical construction or any maintenance alterations or repairing in connection therewith in said cities shall apply in writing to the director or head of the Department of Public Safety or the chief of the department or bureau in charge of electrical matters for a certificate or license If after proper examination made by the board of examiners of said cities as hereinafter provided such person shall be found competent the same shall be so certified to the director or

head of the Department of Public Safety or the chief of the department or bureau in charge of electrical matters who shall thereupon issue a license to such person which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle such person to engage in or work at the business of electrical construction and any maintenance alterations or repairing in connection therewith

An examination of any one member of officer or superintendent out of a copartnership association or corporation shall be sufficient

Each master electrician shall pay for each examination the sum of five dollars ($5.00) and each journeyman engaged at the work shall pay the sum of one dollar ($1.00) for each examination which sums shall be paid into the city treasury for the use of said cities

Section 4 The mayor of each of said cities shall appoint a board of examiners to consist of the chief city electrical inspector and one inspector from the National Board of Fire Underwriters and two competent electricians of at least nine (9) years practical experience in building construction wiring and not connected with the city government who shall examine all applicants for license under the provisions of this act

The said board shall adopt reasonable rules and regulations for examinations which shall be approved by the director or head of the Department of Public Safety or the chief of the department or bureau in charge of electrical matters Each member of the board of examiners shall receive the sum of six dollars ($6.00) per day for each day or part thereof actually employed

The fifth section was read as follows:

Section 5 Any master electrician or journeyman who within one year from the date of the passage of this act presents proof satisfactory to the board of examiners of having worked at or been engaged in the business of electrical construction or any maintenance alterations or repairing in connection therewith for a period of five (5) years prior to the passage of this act shall be considered competent without examination and shall receive the first license provided for and issued under this act

On the question,

Will the House agree to the section?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 5, page 4, line 13, by striking out "connecting" and inserting in lieu thereof "connection."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth and seventh sections were separately read and agreed to as follows:

Section 6 Every registered master electrician shall give immediate notice of any change in his place of business and upon his retirement from business shall surrender his certificate of registry to the department or bureau which issued the same Every master electrician in registering shall give the full name of the person or the names of the officers or members of the corporation copartnership or association for which he shall register

Section 7 At the expiration of each calendar year the said license shall be null and void A licensed master electrician or journeyman desiring to continue in or work at the business of electrical construction and any maintenence alterations or repairing in connection therewith for the ensuing year shall between the first and thirty-first days of December of each and every year surrender his license for the current year to the department or bureau which issued same and re-register his name and business or home address upon such form as may from time to time be furnished by the said department or bureau

No re-examination for renewal or re-registration shall be necessary unless the licensed master electrician or journeyman shall have failed to make application for re-registration at the specified time The sum of two dollars ($2.00) shall be paid by master electricians and the sum of fifty cents ($.50) shall be paid by journeyman electricians for renewal and re-registration which sums shall be paid into the city treasury for the use of said cities A register of all such applications and of the licenses issued renewed or cancelled shall be kept in said department or bureau which registers shall be open to inspection by all persons interested therein

The eighth section was read as follows:

Section 8 Any person holding a license granted by any second or third class city of this Commonwealth to engage in or work at the business of electrical construction or any maintenance alterations or repairing in connection therewith or any master electrician actually engaged in or working at such business in any part of this Commonwealth other than such second or third class city who has complied with the laws and regulations in force relating to his business at the place where he is located desiring to do or work at electrical construction maintenance alterations or repairing in any such second or third class city of the Commonwealth shall without examination be registered before entering upon such work In the case of a master electrician such registration shall be restricted and limited to such electrical construction maintenance alteration or repairing work as he shall have contracted for at the time of registry and on the completion of such contract or contracts this registration of such person shall be null and void and no further permit shall be issued to such person to do any work in any such second or third class city until he shall have again registered his name and addresses as hereinbefore provided

On the question,

Will the House agree to the section?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 8, page 6, line 15, by striking out "addresses" and inserting in lieu thereof "address."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The ninth section was read as follows:

Section 9 Every registered master electrician shall have a bona fide place of business in such cities except such master electricians as are temporarily registered under the provisions of section eight and shall display on the front of his place of business a sign with the words "Registered Electrician" and bearing the name or names of the person in letters not less than three inches high No person other than a registered master electrician shall carry on or engage in such business or be granted a wiring permit nor shall any person expose the sign of electrical construction maintenance alterations or repairing or any advertisement pertaining thereto unless he shall have first secured a license and been registered in the office of the department or bureau having charge of electrical matters of said cities No person other than a registered master electrician and person in his or their employ or under his or their supervision shall be allowed to alter repair or make any connection with and installation plant or service wiring or any wiring connected therewith

On the question,

Will the House agree to the section?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 9, page 6, line 18, by striking out "cities" and inserting in lieu thereof "city."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The tenth section was read and agreed to as follows:

Section 10 From and after the passage of this act the construction maintenance alteration or repair of all electrical wires conduits apparatus fixtures and other devices in all buildings or structures in cities of the second and third classes shall be conducted only under and in accordance with the foregoing regulations and requirements the rules of the National Board of Fire Underwriters and such other rules and requirements as have been or may be adopted by ordinance of councils and not in conflict with the provisions of this act

The eleventh section was read as follows:

Section 11 This act shall not prevent electricians employed by theatrical companies from installing such temporary wiring and appliances as may be required for the purpose of the engagement of any such company subject to the supervision of some person licensed under the provisions of this act nor prevent licensed journeyman electricians regularly employed by industrial partnerships corporations or associations from installing such electrical wiring conduits apparatus fixtures and other devices or make such repairs as may be required only on the premises and property of such partnerships corporations or associations

This act shall not apply to master electricians of journeymen installing maintaining altering or repairing elevators nor shall anything in this act apply to corporations supplying light heat and power by means of electricity or to their employes provided that in all cases of electrical construction or maintenance alteration or repairing in connection therewith and within the perview of this act done by such corporations or their employes the inspectors thereon on behalf of such corporation shall be licensed under section three of this act

Nothing in this act shall be construed as forbidding the employment of a learner or apprentice working with and under the direct personal supervision of a journeyman electrician duly certified as provided in this act

On the question,

Will the House agree to the section?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 11, page 8, line 10, by striking out "fo" and inserting in lieu thereof "of."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twelfth and thirteenth sections were separately read and agreed to as follows:

Section 12 Any person who shall fail to comply with any of the provisions of this act or who shall fail to procure a license to engage in or work at the business of electrical construction and any maintenance alterations or repairing in connection therewith shall be liable to a fine of not less than ten dollars ($10.00) and not more than fifty dollars ($50.00) for each and every day he shall engage in or work at the said business

All fines and penalties imposed by this act shall be recoverable by summary proceedings before any alderman police magistrate or justice of the peace in said cities and all suits or actions at law instituted for the recovery thereof shall be in the name of and for the use of the city within or against which the offense is committed and upon recovery thereof all such fines and penalties shall be paid to the city treasurer thereof In default of the payment of any fine or penalty imposed by any alderman police magistrate or justice of the peace the person or persons so offending shall be committed to the jail workhouse or other penal institution of the county in which said city is situated for a period not exceeding thirty days

Section 13 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

The title was read as follows:

An Act providing for the examination, licensure and registration of persons, copartnerships, associations or corporations engaging in the business or work of electrical construction and any maintenance, alterations or repairing in connection therewith in any buildings or structures in cities of the seconed and third class of this Commonwealth and providing penalties.

On the question,

Will the House agree to the title?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 6, by striking out "seconed" and inserting in lieu thereof "second."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1459, as follows:

An Act requiring all domestic corporations of this Commonwealth and all foreign corporations registered and doing business therein except foreign and domestic building and loan associations to file annually with the Auditor General of this Commonwealth a list of the stockholders of such corporations residing in the Commonwealth and the number of shares held by each of them and requiring the Auditor General to transmit to the board of revision of taxes or board for the assessment and revision of taxes or to the county commissioners of any county not having either of the said boards a list of such stockholders residing in the respective counties and the number of shares by each held and imposing penalties upon all corporations refusing or neglecting to make such return

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of better enabling the several counties of this Commonwealth to assess levy and tax the holders of the capital stock in all domestic corporations of this Commonwealth and all foreign corporations registered and doing business therein where such holders reside or are domiciled in this Commonwealth it shall be the duty of the president secretary or other principal officer of every such corporation to file annually with the Auditor General of this Commonwealth on or before the last day of January of each year a list of the stockholders of such corporations residing in this Commonwealth as shown by their books on the last day of December of the preceding year and the number of shares held in such corporations by such stockholders The provisions of this act do not apply to building and loan associations

Section 2 It shall be the duty of the Auditor General upon the reecipt of the same to transmit to the board of revision of taxes or board for the assessment and revision of taxes or to the county commissioners of any county not having either of the said boards the names of such stockholders residing within the respective county and the number of shares held by such stockholders as set forth in the return so made in compliance with the provisions of section one of this act

Section 3 In case any of the corporations mentioned in section one of this act neglect or refuse to make reports to the Auditor General as required by section one hereof at the time prescribed such corporations shall be liable to a penalty of one thousand dollars for each and every offence which shall be settled against such corporation by the Auditor General and State Treasurer in the same manner as State taxes are now settled against corporations The penalty imposed by this act shall be a lien upon all franchises and property both real or personal of such corporation from the date of settlement by the Auditor General and State Treasurer

Section 4 All acts or parts of acts inconsistent with this act be and the same are hereby repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. GEARY. Mr. Speaker, I move that House Bill No. 1459, File Folio 4183, be recommitted to the Committee on Corporations.

Mr. McCAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 312, as follows:

An Act to amend sections one two three four five six and seven of Article seven of an act approved the second day of June one thousand eight hundred and ninety-one entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providig for motor ambulances and requiring them to be furnished free of charge with registration certificates and number tags

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first second third fourth fifth sixth and seventh sections of Article seven of an act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred and seventy-six) entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" which reads as follows

"Section 1 The owner operator or superintendent of every mine or colliery except as hereinafter provided shall provide and keep at such mine or colliery an ambulance and

also at least two (2) stretchers for the purpose of conveying to their places of abode any person or persons who may be injured while in the discharge of his or their work at such mine or colliery

"Section 2 The said ambulance shall be constructed upon good substantial and easy springs It shall be covered and closed and shall have windows on the sides or ends It shall be of sufficient size to convey at least two (2) injured persons with two (2) attendants at one time and shall be provided with spring mattresses or other comfortable bedding to beplaced on roller frames together with sufficient covering and protection and convenient movement of the injured It shall also be provided with seats for the attendants The stretchers shall be constructed of such material and in such manner as to afford the greatest ease and comfort in the carriage of the injured person"

"Section 3 Whenever any person or persons employed in or about a mine or colliery shall receive such injury by accident or otherwise while so employed as would render him or them unable to walk to his or their place of abode the owner operator or superintendent of such mine or colliery shall immediately cause such person or persons to be removed to his or their place of abode or to an hospital as the case may require"

"Section 4 It is provided however that the owner operator or superintendent of any mine or colliery shall be excepted from the requirement of an ambulance as aforesaid if the places of abode of all the workmen at such mine or colliery be within a radius of a half mile from the principal entrance to such mine"

"Section 5 It is provided further that where two or more mines or collieries are located within one mile of each other or the ambulance is located within one mile of each colliery but one ambulance as aforesaid shall be required if the said mines or collieries have ready and quick means of communication one with the other by telegraph or telephone"

"Section 6 An ambulance as aforesaid shall not be required at any mine or colliery at which less than twenty (20) persons are employed"

"Section 7 In case the distance from any mine or colliery to the place of abode of the person injured is such as to permit his conveyance to his home or to an hospital more quickly and conveniently by railway such mode of conveyance shall be permitted but in such case the conveyance must be under cover and the comfort of the injured person must be provided for" are hereby amended to read as follows

Section 1 The owner operator or superintendent of every mine or colliery except as hereinafter provided shall provide and keep at such mine or colliery a motor ambulance and also at least two (2) stretchers for the purpose of conveying to their places of abode any person or persons who may be injured while in the discharge of his or their work at such mine or colliery

Section 2 The said motor ambulance shall be constructed upon good substantial and easy springs It shall be covered and closed and shall have windows on the sides or ends It shall be of sufficient size to convey at least two (2) injured persons with two (2) attendants at one time and shall be provided with spring mattresses or other comfortable bedding to be placed on roller frames together with sufficient covering and protection for convenient movement of the injured It shall also be provided with seats for the attendants The stretchers shall be constructed of such material and in such manner as to afford the greatest ease and comfort in the carriage of the injured persons The motor ambulance shall at all times be properly heated

Section 3 Whenever any person or persons employed in or about a mine or colliery shall receive such injury by accident or otherwise while so employed as would render him or them unable to walk to his or their place of abode the owner operator or superintendent of such mine or colliery shall immediately cause such person or persons to be removed in said motor ambulance to his or their place of abode or to an hospital as the case may require

Section 4 It is provided however that the owner operator or superintendent of any mine or colliery shall be excepted from the requirement of a motor ambulance as aforesaid if the places of abode of all the workmen at such mine or colliery be within a radius of half mile from the principal entrance to such mine

Section 5 It is provided further that where two or more mines or collieries are located within four miles of each other or motor ambulance is located within two miles of each colliery but one motor ambulance as aforesaid shall be required if the said mines or collieries have ready and quick means of communication one with the other by telegraph or telephone but no ambulance shall serve more than two colleries

Section 6 A motor ambulance as aforesaid shall not be required at any mine or colliery at which less than twenty (20) persons are employed

Section 7 In case the distance from any mine or colliery to the place of abode of the person injured is such as to permit his conveyance to his home or to an hospital more quickly and conveniently by railway such mode of conveyance shall be permitted but in such case the conveyance must be under cover and the comfort of the injured person must be provided for

There shall be furnished free of charge by the State Highway Department a registration certificate and two number tags for every such motor ambulance

This act shall take effect ninety days after the approval of the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1688, entitled

An Act to provide that when a vacancy occurs in the head or chief of any department of the State Government and the duties of the head or chief devolve upon and are discharged by the deputy, chief clerk, or other person next in authority, for one month or more, the salary of such deputy, chief clerk, or other person next in authority, so serving, shall be equalized with the salary of the head or chief of the department while he so serves, and making this act applicable to all deputies, chief clerks, or other persons next in authority who have filled vacancies as herein prescribed in the year one thousand nine hundred and seventeen.

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when a vacancy occurs by death or otherwise in the head or chief of any of the departments of the State government and the duties thereof devolve upon and are discharged by the deputy chief clerk or person next in authority for a period of one month or more such deputy chief clerk or other person next in authority shall be paid an amount over and above his regular salary that shall equalize it with the salary provided by law to be paid to the head or chief of such department for and during the time he has performed the duties of head or chief of such department.

Section 2 That the provisions of the first section of this act shall apply to and in behalf of all deputies chief clerks or other persons next in authority who are performing or who have performed the duties of the heads or chiefs of any department of the State government within the year one thousand nine hundred and seventeen for a period of one month or more the heads or chief places in such departments being vacant from any cause whatsoever

Section 3 The payments of additional salaries herein provided for shall be made by the State Treasurer upon warrants drawn by the Auditor General

The title was read as follows:

An Act to provide that when a vacancy occurs in the head or chief of any department of the State government and the duties of the head chief devolve upon and are discharged by the deputy chief clerk or other person next in authority for one month or more the salary of such deputy chief clerk or other person next in authority so serving shall be equalized with the salary of the head or chief of the department while he so serves and making this act applicable to all deputies chief clerks or other persons next in authority who have filled vacancies as herein prescribed in the year one thousand nine hundred and seventeen.

On the question,

Will the House agree to the title?

Mr. McCURDY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, line 3, after the word "head" add the word "or."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agre to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1119, as follows:

An Act relating to the incorporation of banks of discount and deposit savings bank and trust companies and defining the powers and duties of the Commissioner of Banking and the Governor in relation thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That before the incorporation of any

bank of discount and deposit savings bank or trust company in this Commonwealth the Commissioner of Banking shall ascertain

(a) Whether greater convenience will be afforded to any considerable number of persons by opening such bank of discount and deposit savings bank or trust company at the place designated in their certificate of incorporation

(b) Whether the proposed bank of discount and deposit savings bank or trust company is the promotion of any individual individuals company or corporation for which exhorbitant charges are made for the organization thereof

Section 2 After the Commissioner of Banking shall have made the investigation as provided for in section one of this act he shall submit his report thereon to the Governor who may in his discretion after a hearing before him withhold the granting of letters patent for any of the corporations named in this act if in his judgment he shall deem such incorporation to be against the public interest

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1125, as follows:

An Act amending an act approved the fourteenth day of May one thousand nine hundred fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" by adding thereto article eight of chapter seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the fourteenth day of May one thousand nine hundred fifteen (Pamphlet Laws three hundred twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" is amended by adding the following

CHAPTER VII
Government

ARTICLE VIII
Borough Manager

Section 1 That the council of any borough may at its discretion at any time create by ordinance the office of borough manager and may in like manner abolish the same While said office exists the council shall from time to time whenever there is a vacancy elect by a vote of a majority of the members one person to fill said office who shall serve until the first Monday of January of the even-numbered year succeeding his election and until his successor qualified subject however to removal by the council at any time by a vote of the majority of the members

Section 2 The powers duties and compensation of the borough manager shall be regulated by ordinance The council and when authorized by ordinance the burgess may delegate subject to recall any of their respective non-legislative and non-judicial powers and duties to the borough manager He shall give a bond to the borough with one or more sureties or one trust or bonding company to be approved by the council in such sum as it shall by ordinance direct conditioned for the faithful performance of his duties

Section 3 The offices of borough manager street commissioner secretary treasurer and chief of police shall not be deemed incompatible and any two or more or all of the said offices may be held by one person except the offices of secretary and treasurer shall not be held by the same person Neither the burgess nor any member of the borough council shall be eligible to hold the office of borough manager

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1686, entitled

An Act authorizing cities of the first class to lay out, build, erect and construct in any public park in such cities a convention hall, or stadium, or both; to choose the location thereof, together with a sufficient curtilage and approaches thereto; to supervise, manage and control the laying out and building of such approaches, curtilage, convention hall and stadium; and to control and manage the same after its or their completion; to make rules and regulations for the use, control, protection and repair thereof; and repealing all acts or parts of acts inconsistent therewith.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That power and authority are hereby conferred on any city of the first class in this Commonwealth to lay out build erect and construct in any public park situated withing such city and in a location to be selected and fixed by said city a stadium or a convention hall or both together with a sufficient curtilage and approaches thereto and to manage supervise and control the laying-out building erection and construction thereof to exercise full supervision management and control of such approaches curtilage stadium and convention hall or either of them after their completion to take charge of their protection conservation and repair and to make and establish rules and regulations necessary convenient or proper for the use control protection and care of such convention hall stadium curtilage and approaches thereto

On the question,

Will the House agree to the section?

Mr. STERN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 10, by striking out the word "studium" and inserting in lieu thereof the word "stadium."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 So much of the act approved the twenty-sixth day of March one thousand eight hundred and sixty-seven entitled "An Act appropriating ground for public purposes in the City of Philadelphia" and of the act approved the fourteenth day of April one thousand eight hundred and sixty-eight entitled "A Supplement to an act entitled 'An Act appropriating ground for public purposes in the City of Philadelphia' approved the twenty-sixth day of March Anno Domini one thousand eight hundred and sixty-seven" and of all other acts or parts of acts as may be inconsistent therewith be and the same is hereby repealed

On the question,

Will the House agree to the section?

Mr. STERN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 2, line 23, by striking out the word "is" after "same" and inserting in lieu thereof the word "are."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act authorizing cities of the first class to lay out, build, erect and construct in any public park in such cities a convention hall or stadium or both, to choose the location thereof together with a sufficient curtilage and approaches thereto, to supervise, manage and control the layiug out and building of such appraches curtilage convention hall and stadium and to control and manage the same after its or their completion, to make rules and regulations for the use, control, protection and repair thereof and repealing all acts or parts of acts inconsistent therewith.

On the question,

Will the House agree to the title?

Mr. STERN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 6, by striking out the word "appraches" and inserting in lieu thereof the word "approaches."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.
And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1134, entitled

An Act providing for the licensing and taxing of any person or persons, firm or corporation furnishing, selling or using premiums, prizes, stamps, coupons, tickets, certificates, cards or other similar devices for or with the sale of goods, wares and merchandise and providing a penalty for violation thereof.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person firm or corporation who shall use and every person firm or corporation who shall furnish to any firm or corporation to use in with or for the sale of any goods wares or merchandise any trading stamps which shall entitle the purchaser of such goods wares or merchandise to procure from any person firm or corporation any goods wares or merchandise free of charge or for less than the market price thereof uopn the production of any number of said stamps and as an inducement to purchase such goods wares or merchandise shall before furnishing selling or using the same obtain a license wherein such furnishing offering selling or delivery shall take place

On the question,
Will the House agree to the section?

Mr. SWEITZER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 23, by inserting the word "person" before the word "firm."
Amend section 1, page 3, line 4, by inserting after the word "license" the following: "from the treasurer of each county."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The second and third sections and title were separately read and agreed to as follows:

Section 2 Any applicant for such license shall pay to the county treasurer of the county for which said license is sought the sum of one thousand dollars whereupon the county treasurer shall issue to the applicant a license to furnish offer deliver or sell or to use for one year the trading stamps
Section 3 Any person who shall hereafter be convicted of violating any of the provisions of this act shall be subjected to a fine of not less than one hundred dollars or more than five hundred dollars for the first offense and for the second offense whereof he shall be convicted not less than three hundred dollars nor more than one thousand dollars and undergo an imprisonment in the county jail of not less than three months or more than twelve months or both or either at the discretion of the court
An Act providing for the licensing and taxing of any person or persons firm or corporation furnishing selling or using trading stamps for or with the sale of goods wares and merchandise and providing a penalty for violation thereof.

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 317, as follows:

An Act to amend section two of article eight and section one of article nine of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-eight) entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto"
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of article eight of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-eight) entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" which reads as follows
"Section 2 The city treasurer shall demand and receive all moneys payable to the city from whatever source and shall pay all warrants duly countersigned by the Superintendent of Finance His accounts shall be kept in such manner as to clearly exhibit all the items of receipts and expenditures of the city the sources from whence the moneys are received and the objects for which the same are disbursed and he shall keep separate and distinct accounts of the receipts and expenditures of the city the sinking fund and the water and lighting department respectively and also of every special fund which may come into his hands No money shall be paid out of the city treasury unless the same shall have been previously appropriated by council to the purpose for which it is to be drawn which shall be explicitly mentioned in the warrant therefor The treasurer shall keep the public funds in such banks or financial depositories as council may direct under such restructions and safe-guards as council may provide and shall verify his cash accounts monthly or whenever required to the satisfaction of council and upon any default therein he may be suspended from office and another treasurer appointed as council may determine No city treasurer shall be reappointed unless and until he shall have made such settlement on his duplicates and accounts for the past year as shall be satisfactory to council" is hereby amended to read as follows
Section 2 The city treasurer shall demand and receive all moneys payable to the city from whatever source and shall pay all warrants duly countersigned by the Superintendent of Finance and the city controller His accounts shall be kept in such manner as to clearly exhibit all the items of receipts and expenditures of the city and the sources from whence the moneys are received and the objects for which the same are disbursed and he shall keep separate and distinct accounts of the receipts and expenditures of the city the sinking fund and the water and lighting department respectively and also of every special fund which may come into his hands No money shall be paid out of the city treasury unless the same shall have been previously appropriated by council to the purpose for which it is to be drawn which shall be explicitly mentioned in the warrant therefor The treasurer shall keep the public funds in such banks or financial depositories as council may direct under such restrictions and safeguards as council may provide and shall verify his cash accounts monthly or whenever required to the satisfaction of council and upon any default therein he may be suspended from office and another treasurer appointd as council may determine No city treasurer shall be reappointed unless and until he shall have made such settlement on his duplicates and accounts for the past year as shall be satisfactory to council
Section 2 Section one of article nine of said act which reads as follows
"Section 1 In cities of the third class where the term of city controller expires on the first Monday of December in the year one thousand nine hundred and thirteen the qualified electors of the city shall at the municipal election of that year elect a city controller who shall serve from said first Monday of December until the first Monday of January one thousand nine hundred and eighteen In the year one thousand nine hundred and seventeen and quadrennially thereafter the qualified electors of such city shall at the municipal election elect a city controller who shall serve for a term of four years from the first Monday of January next succeeding his election In cities of the third class where the city controller was elected at the municipal election in the year one thousand nine hundred and eleven the qualified electors of the city shall in the year one thousand nine hundred and fifteen and quadrennially thereafter elect a city controller who shall serve for a term of four years from the first Monday of January next succeeding his election The city controller shall examine audit and settle all accounts whatsoever in which the city is concerned either as debtor or creditor where provision for the settlement thereof is made by law and where no provision or an insufficient provision has been

made he shall examine such accounts and report to the city council the facts relating thereto He shall have authority to administer oaths or affirmations in relation to any matter touching the authentication of every account with or claim or demand against the city but shall not be entitled to receive any fee therefor" is hereby amended to read as follows

Section 1 In cities of the third class where the term of city controller expires on the first Monday of December in the year one thousand nine hundred and thirteen the qualified electors of the city shall at the municipal election of that year elect a city controller who shall serve from said first Monday of December until the first Monday of January one thousand nine hundred and eighteen In the year one thousand nine hundred and seventeen and quadrennially thereafter the qualified electors of such city shall at the municipal election elect a city controller who shall serve for a term of four years from the first Monday of January next succeeding his election In cities of the third class where the city controller was elected at the municipal election in the year one thousand nine hundred and eleven the qualified electors of the city shall in the year one thousand nine hundred and fifteen and quadrennially thereafter elect a city controller who shall serve for a term of four years from the first Monday of January next succeeding his election The city controller shall examine audit and settle all accounts whatsoever in which the city is concerned either as debtor or creditor where provision for the settlement thereof is made by law and where no provision or an insufficient provision has been made he shall examine such accounts and report to the city council the facts relating thereto He shall have authority to administer oaths or affirmations in relation to any matter touching the authentication of every account with or claim or demand against the city but shall not be entitled to receive any fee therefor and the treasurer of said city shall pay no money out of the city treasury unless the warrant therefor is duly countersigned by the city controller

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1402, entitled

An Act to amend an act entitled "An Act to permit of the relocation of certain portions of the track of street passenger railway companies with the consent of the local authorities" approved the ninth day of May one thousand nine hundred and thirteen.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the ninth day of May one thousand nine hundred and thirteen which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to eliminate a dangerous or congested situation avoid grade-crossings facilitate public improvements or better accommodate the public it shall be lawful for any street passenger railway company incorporated under any general or special act of Assembly to relocate a portion of its track and appurtenant system or operation not exceeding at any one stretch twenty-five hundred feet the location may be on the surface or above or beneath the surface Provided The consent of the local authorities is first obtained And Provided further That said relocation shall not occupy the surface of any street already occupied by the tracks of any other street passenger railway company without the consent of such other railway company" be amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to eliminate a dangerous or congested situation avoid grade-crossings facilitate public improvements or better accommodate the public it shall be lawful for any street passenger railway company incorporated under and general or special act of Assembly to relocate a portion of its track or route and appurtenant operating system not exceeding five thousand feet on any one street the location may be on the surface or above or beneath the surface

Provided The consent of the local authorities is first obtained And provided further That said relocation shall not occupy the surface of any street already occupied by the tracks of any other street passenger railway company without the consent of such other railway company or of the company leasing and operating it

On the question,

Will the House agree to the section?

Mr. FRANKLIN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 5, by inserting after the word "thirteen" the following: "entitled 'An Act to permit of the relocation of certain portions of the tracks of street passenger railway companies with the consent of the local authorities.'"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend an act entitled "An Act to permit of the relocation of certain portions of the track of street passenger railway companies with the consent of the local authorities" approved the ninth day of May one thousand nine hundred and thirteen.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1343, entitled

An Act repealing an act approved the fourth day of June, one thousand nine hundred and one, entitled "An Act defining the rights and liabilities of parties to, and regulating the effect of, contracts for work and labor to be done, and labor or materials to be furnished, to any bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, toll-road, conduit, tunnel, mine, coal-breaker flume, pump, screen, tank, derrick, pipe-line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line, canal, mill-race, works for supplying water, heat, light, power, cold air, or any other substance furnished to the public, well for the production of gas, oil or other volatile or mineral substance, or other structure or improvement, of whatsoever kind or character the same may be; providing remedies for the recovery of debts due by reason of such contracts, and repealing, consolidating and extending existing laws in relation thereto," and amendments thereto.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following acts namely

An Act approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws four hundred thirty-one) entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill-race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto" and

An Act approved the twenty-second day of April one thousand nine hundred and three (Pamphlet Laws two hundred fifty-five) entitled "An Act to amend an act entitled 'An Act defiing the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill-race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto' approved June the fourth Anno Domini one thousand nine hundred and one" ad

An Act approved the twenty-fourth day of April one thousand nine hundred and three (Pamphlet Laws two hundred ninety-seven) entitled "An Act to amend section fifteen

of the act entitled 'An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill-race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto' approved the fourteenth day of June Anno Domini one thousand nine hundred and one" and

An Act approved the seventeenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred sevent-two) entitled "An Act an act to amend section eleven and section thirty-two of an act entitled 'An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill-race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto' approved the fourth day of June one thousand nine hundred and one so as to change the form of the claim and writ of scire facias thereon" and

An Act approved the twenty-fourth day of March one thousand nine hundred and nine (Pamphlet Laws sixty-five) entitled "An Act to amend section eight of an act entitled 'An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill-race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto' approved the fourth day of June one thousand nine hundred and one so as to change the form of the notice of intention to file the claim and also the maner of the service thereof" and

An Act approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and eighty) entitled "An Act to amend the thirty-second section of an act entitled 'An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill-race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation theretoto' approved the fourth day of June Anno Domini one thousand nine hundred and one as amended by the second section of an act approved the seventeenth day of April Anno Domini one thousand nine hundred and five entitled "An Act to amend section eleven and sectio thirty-two of a act entitled 'An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill-race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto' approved the fourth day of June one thousand nine hundred and one so as to change the form of the claim and writ of scire facias thereon' by providing for an amicable scire facias" and

An Act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred and seven) entitled "An Act to amend an act approved the fourth day of June one thousand nine hundred and one entitled 'An Act defining the rights liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier zulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe line aqueduct reservoir viaduct telegraph telephone railway or raliroad line canal mill-race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto' as amended" be and the same are hereby repealed

On the question,
Will the House agree to the section?

Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerq as follows:

Amend section 1, page 2, line 21, by inserting after the word "thereto" the following: "except section sixty-one thereof."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerq as follows:

Amend act, page 7, by adding at the end thereof the following as a new section:
"Section 2 The repeal of any of the above enumerated acts of Assembly shall not revive any acts or parts of acts of Assembly heretofore repealed or superseded."

On the question,
Will the House agree to the amendment?
It was agreed to.
The title was read as follows:

An Act repealing an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone raliway or railroad line canal mill-race works fo supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto" and the amendments thereto.

On the question,
Will the House agree to the title?

Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, second line from bottom of page, by striking out the words "and the amendments thereto" and inserting in lieu thereof the following: "except section sixty-one thereof and repealing also all the amendments to said act."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1684, entitled

An Act to amend paragraph two of section one of article fourteen of an act approved the first day of June, Anno Domini one thousand eight hundred and eighty-five, entitled "to provide for the better government of cities of the first class in this Commonwealth;" to provide that estimates may be made for units or parts of an improvement in such cities, and contracts be made for and the work proceed upon such units or parts to the extent of the funds available for the purposes thereof.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second paragraph of section one of article fourteen of an act approved the first day of June Anno Domini one thousand eight hundred and eighty-five entitled "An act to provide for the better government of cities of the first class in this Commonwealth" which provides as follows

"Every contract for public improvements shall be based upon estimate of the whole cost furnished by the proper officer through the department having charge of the improvement and no bid in excess of such estimate shall be accepted Every such contract shall contain a clause that it is subject to the provisions of this act and the liability of the city thereon shall be limited by the amounts which shall have been or may be from time to time appropriated for the same" be and the same is hereby amended so as to read as follows

"Every contract for public improvements shall be based upon estimate of the cost of such improvement or the part thereof to be done under such contract furnished by the proper officers through the department having charge of the improvement and no bid in excess of such estimate shall be accepted Such estimate and contract may be limited to any unit or units part or parts of the improvement and contracts may thereupon be made and the work on such unit or units part or parts proceed to the extent of the funds available for the purposes thereof Every such contract shall contain a clause that it is subject to the provisions of this act and the liability of the city thereon shall be limited by the amounts which shall have been or may be from time to time appropriated for the same"

On the question,

Will the House agree to the section?

Mr. STERN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, by striking out the quotation marks on lines 14 and 28.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend paragraph two of section one of article fourteen of an act approved the first day of June Anno Domini one thousand eight hundred and eighty-five entitled "To provide for the better government of cities of the first class in this Commonwealth" to provide that estimates may be made for units or parts of an improvement in such cities and contracts be made for and the work proceed upon such units or parts to the extent of the funds available for the purposes thereof.

On the question,

Will the House agree to the title?

Mr. STERN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, line 4, by inserting after the word "entitled" and within the quotation the words "An Act."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1242, entitled

An Act authorizing township commissioners in townships of the first class to prohibit the keeping of hogs within the limits of such townships or parts of such townships and to regulate the keeping of hogs in such parts of townships of the first-class where permission is given.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the township commissioners of townships of the first-class are authorized to pass ordinances prohibiting the keeping of pigs within the limits of such township or within the limits of any part of such township and to regulate the manner in which all hogs are to be kept within the part of the township where permission to keep hogs has been given

On the question,

Will the House agree to the section?

Mr. EDGAR R. SMITH. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, line 6, by striking out the word "pigs" and inserting in lieu thereof the word "hogs."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act authorizing township commissioners in townships of the first class to prohibit the keeping of hogs within the limits of such townships or parts of such townships and to regulate the keeping of hogs in such parts of townships of the first class where permission is given.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1171, as follows:

An Act establishing in certain counties a board for the assessment and revision of taxes prescribing their powers duties and salaries providing for appeals from assessments and abolishing the office of city borough township and ward assessors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties containing a population of not less than one hundred and ninety thousand inhabitants nor more than two hundred and thirty thousand inhabitants as shown by the last or any future United States census all assessments and valuations of property whether real or personal taxable for State county school poor road borough and township purposes or otherwise also occupations and military enrollment except license and mercantile taxes shall be made by a board consisting of three persons to be designated as the "board for the assessment and revision of taxes"

Section 2 The members of the said board not more than two of whom shall be of the same political party shall be appointed by the county commissioners in manner following One member for two years one member for three years and one member for four years and thereafter each succeeding appointment shall be for the term of four years the purpose being to create a continuing board

The said board shall designate one of its members as president of the board and each member of the board shall receive a salary of three thousand dollars per annum payable monthly out of the county treasury and in addition thereto shall receive all expenses necessarily incurred in the performance of his duties

Section 3 The county commissioners shall fill all vacancies occurring from time to time in the said board and shall furnish an office in the court house for the use of said board The said board shall appoint its own clerks and fix their compensation with approval of salary board All salaries and expenses shall be paid out of the county treasury

Section 4 The said board shall divide the county into convenient districts and shall appoint one subordinate assessor for each district The subordinate assessors shall with the co-operation and under the jurisdiction of the said board make assessments and valuations of all property taxable for all purposes showing the value of the land and improvements thereon separately according to its full value based on such price in their judgment the same would bring after full public notice thereof together with a list of all persons taxable upon occupation or subject to military enrollment in their respective districts Said subordinate assessors shall on or before the first Monday of November of the year preceding the triennial assessment in such counties file the assessments and valuations with the said board The subordinate assessors provided for in this act shall receive the sum of three dollars per day for the time actually occupied in the discharge of their duties

Section 5 In so far as respects State and county taxes the valuations and assessments shall be made by the said board annually on or before the thirty-first day of December Thereupon the said board shall examine and revise the valuations and assessments increasing or decreasing them as in their judgment may seem proper or adding thereto such property or subjects of taxation as may have been omitted

Section 6 After such revision the said board shall by rule fix convenient times for the hearing of all appeals from the said assessments and valuations After the hearing of appeals and after making whatever changes may be considered proper the valuation and assessments as ascertained and revised shall stand as the valuations and assessments for all purposes until the next triennial assessment and shall be made every three years thereafter The said board shall revise the assessment according to right and equity between the triennial assessments by adding thereto new increased or omitted subjects of taxation and the revising or reducing of valuation if it is proper to do so

Section 7 Upon request any taxpayer shall at any time receive from the said board a statement of his taxable property and its valuation Written notice setting forth the valuation fixed by the said board shall be sent to each property owner in manner heretofore provided by law at least ten days previous to the day when the appeals from the triennial assessments shall be fixed either for the whole county or in districts thereof notice of which fact shall be given by publication in not more than two newspapers of the county and of a time or times at which appeals will be heard After hearing the appeals the said board shall take such action in regard to them as may be right and proper

Section 8 After such action on the appeals any taxpayer who is dissatisfied with the assessment upon his property may within thirty days from the final fixing of the assessments and valuation appeal to the court of common pleas of the county It shall be the duty of court at once to hear and determine said appeal and if necessary to make such change therein as may be proper

Section 9 In case of any change by the board during intervals between the triennial assessments as provided for in this act if there is any increase in any particular assessment or the addition of any omitted subject of taxation the taxpayer affected shall if a resident of the county have written or printed notice left at his residence at least ten days before the change is made and if a non-resident then the notice shall be posted on the property and a copy of such notice shall be mailed to his last known address as shown on the tax records Such taxpayer may appeal as provided above to the court of common pleas and such court shall take action as provided above in case of other appeals

Section 10 When the valuations and assessments are so made all taxation by the taxing agencies other than cities within the county shall be based upon such valuation

Section 11 The said board shall at once on the completion of the said assessment certify to the several taxing agencies within the county the total valuation within such subdivision thereof and within thirty days after such valuation has been received by any such taxing agency the said taxing agency shall certify to the board the per centum of taxes upon each dollar of valuation levied within such district and for what purpose

Section 12 The said board shall prepare all duplicates for several taxing agencies and certify the same to the duly elected or appointed person whose duty it is to collect the taxes for such sub-division within the county Such duplicates shall be separate for each taxing agency and shall show against the name of each taxable the valuation of property or occupation and the amount of each and every tax so levied

Section 13 The office of city assessor for county purposes and the office of borough township or ward assessor or assessors as now existing in the counties coming under the provision of this act is hereby abolished

Section 14 All acts or parts of acts inconsistent with or supplied by this act are hereby repealed

Section 15 This act shall take effect on the first day of July one thousand nine hundred and seventeen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 727, as follows:

An Act to amend an act approved the third day of June one thousand nine hundred fifteen entitled "A Supplement to an act entitled 'The Workmen's Compensation Act of one thousand nine hundred fifteen' to exempt domestic servants and agricultural workers from the provisions thereof" permitting such employer and employes to accept the Workmen's Compensation Act of one thousand nine hundred fifteen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the third day of June one thousand nine hundred fifteen entitled "A Supplement to an act entitled 'The Workmen's Compensation Act of one thousand nine hundred and fifteen' to exempt domestic servants and agricultural workers from the provisions thereof" which reads as follows to-wit

"Section 1 Be it enacted et cetera That nothing contained in any article or any section of an act entitled the Workmen's Compensation Act of one thousand nine hundred fifteen shall apply to or in any way affect any person who at the time of injury is engaged in domestic service or agriculture' is hereby amended to read as follows

Section 1 Be it enacted et cetera That nothing contained in any article or any section of an act entitled the Workmen's Compensation Act of one thousand nine hundred fifteen shall apply to or in any way affect any person who at the time of injury is engaged in domestic service or agriculture but nothing in this act shall prohibit or prevent any employer of domestic servants or employer engaged in agriculture by agreement with his employes from electing to accept the provisions of the Workmen's Compensation Act of one thousand nine hundred fifteen in which case after such an election such employer and employe shall be subject to all the provisions of said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1345, entitled

An Act relating to dogs and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs and authorizing their destruction in certain cases; providing for the protection of licensed dogs and for dogs temporarily imported under permit for show and breeding purposes; prescribing certain privileges for hunting dogs; providing for the assessment and payment of damages to livestock and poultry done by dogs; imposing powers and duties on certain county, city, borough, town, and township officers and employes; and providing penalties.

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Dog Law of One Thousand Nine Hundred and Seventeen"

Section 2 For the purpose of this act the following terms shall have the following meanings respectively designated for each

The term "live stock" shall include horses stallions colts geldings mares sheep rams lambs bulls bulocks steers heifers cows calves mules jacks jennets burros goats kids and swine

The term "poultry" shall include all domestic fowl

The word "person" shall include state and local officers or employes individuals corporations copartnerships and associations Singular words shall include the plural Masculine words shall include the feminine neuter

The word "owner" when applied to the proprietorship of a dog shall include every person having a right of property in such dog and every person who keeps or harbors such dog or has it in his care and every person who permits such dog to remain on or about any premises occupied by him

The third section was read as follows:

Section 3 The term "kennel" shall mean any establishment wherein or whereon dogs are kept for the purpose of breeding sale or sporting purposes

The term "police officer" shall mean any person employed or elected by this Commonwealth or by any municipality county or township and whose duty it is to preserve peace or to make arrests or to enforce the law The term includes game fish and forest wardens

On the question,
Will the House agree to the section?

Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 2, line 21, by striking out the word "beeding" and inserting in lieu thereof "breeding."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fourth, fifth, sixth and seventh sections were separately read and agreed to as follows:

Section 4 On or before the fifteenth day of January one thousand nine hundred and eighteen and on or before the fifteenth day of January of each year thereafter the owner of any dog six months old or over shall apply to the county treasurer either orally or in writing for a license for each such dog owned or kept by him Such application shall state the breed sex age color and markings of such dog and shall be accompanied by a fee of not less than one dollar nor more than two dollars for each male dog and each spayed female dog and by a fee of not less than two dollars nor more than four dollars for each unspayed female dog The license fee shall be determined by the commissioners of the several counties of the State

Section 5 Such license shall be issued on a form prepared and supplied by the county commissioners Such license shall be dated and numbered and shall bear the name of the county issuing it and a description of the dog licensed All licenses shall be void upon the fifteenth day of January of the following year The county commissioners shall also furnish and the county treasurer shall issue with each license a metal tag Such tag shall be affixed to a substantial collar The collar shall be furnished by the owner and with the tag attached shall at all times be kept on the dog for which the license is issued except when confined in the kennel

Section 6 The county commissioners shall prepare and furnish annually to the county treasurer metal tags to be given by the county treasurer to the owners of dogs when such owners shall pay the license fee for said dogs Such tags shall be of metal and shall bear the name of the county issuing it and a serial number corresponding with the number on the license issued to said owner as provided in the preceding section of this act Such tags shall also have impressed thereon the calendar year for which such tag is issued and shall not be more than one inch wide or more than one inch in length and shall be equipped with a substantial metal fastening device The general shape of said tag shall be changed from year to year

If any such tag is lost it shall be replaced without cost by the county treasurer upon application by the person to whom the original license was issued and upon production of such license

Section 7 Any justice of the peace within the county who has qualified by having applied to the county treasurer and having received and receipted for necessary blanks and tags may issue such dog licenses and tags in like manner as prescribed for the issuance of licenses by the county treasurer When a license is issued by a justice of the peace the person applying for the license shall pay fifteen cents to the said justice in addition to the other fees prescribed as the cost of said license Said fifteen cents shall be retained by the justice of the peace as his fee for the issuance of said license and reporting the same and remitting payment therefor to the county treasurer Such report and remittance shall be made by the justice of the peace within twenty-four hours after the issuance of any license by him Whereupon the county treasurer shall make a record of and otherwise treat said license as though it had been issued from his office that he shall also note upon his record the name of the justice issuing the license

Every justice of the peace shall deliver the book or books from which he has issued licenses together with the stubs therein properly filled out and showing the names of each licensee and t he number of the license issued to him to the county treasurer before the fifteenth day of January of each year

The eighth section was read as follows:

Section 8 Any person becoming the owner after the fifteenth day of January of any year of any dog six months old or over which has not already been licensed in that county or any person owning or keeping a dog which becomes six months old at any time after the fifteenth day of January of any year shall forthwith apply for and secure a license for such dog in the same manner as the annual license is obtained under the provisions of this act If any such application is made at any time after the fifteenth day of July of any year the license fee shall be one-half of the amount fixed by county commissioners for each male or spayed female dog and one-half of the amount fixed by the county commissioners for each unspayed female dog

On the question,
Will the House agree to the section?

Mr. WALTER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 8, page 5, line 21, by inserting after the word "be" the words "for each male or unspayed female dog." Also amend section 8, page 5, line 22, by inserting after the word "fixed" the words "as the annual license;" also amend section 8, page 5, line 22, by striking out the word "each." Amend section 8, page 5, line 23, by striking out the word "dog" and inserting in lieu thereof the word "dogs." Amend section 8, page 5, line 23, by inserting after the word "and" the words "for each unspayed female dog." Amend section 8, page 5, line 24, by inserting after the word "fixed" the words "as the annual license;" also by striking out the word "each;" also line 25, by striking out the word "dog" and inserting in lieu thereof the word "dogs."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The ninth and tenth sections were separately read and agreed to as follows:

Section 9 No license or license tag issued for one dog shall be transferable to another dog except as provided in sections eleven and twelve of this act Whenever the ownership or possession of any dog is permanently transferred from one person to another within the same county the license of such dog may be likewise transferred upon notice given to the county treasurer This act does not require the procurement of a new license or the transfer of a license already secured when the possession of a dag is temporarily transferred for the purpose of hunting game in this Commonwealth

Section 10 Whenever any dog licensed in one county is permanently removed to another county the county treasurer of the county where the license was issued shall upon the application of the owner or keeper of such dog certify such license to the treasurer of the county to which the dog is removed Such treasurers shall thereupon and upon the payment of a fee of twenty-five cents issue a license and tag for such dog in the county to which it is removed

This section does not apply to dogs used during the hunting season for hunting game in the Commonwealth nor for the transportation of dogs for hunting purposes the home county license holding good for such purposes throughout the Commonwealth

The eleventh section was read as follows:

Section 11 Any person who keeps or operates a kennel may in lieu of the license for each dog required by this act apply to the county treasurer for a kennel license entitling him to keep or operate such kennel Such license shall be issued by the county treasurer on a form prepared and supplied by the county commissioners and shall entitle the licensee to keep any number of dogs four months old or over not at any time exceeding a certain number to be specified in the license The fee to be paid for each kennel shall be five dollars for ten dogs or less and ten dollars for more than ten dogs permitted to be kept under the kennel licenses With each kennel license the county treasurer shall issue a number of metal tags equal to the number of dogs authorized to be kept in the kennel All such tags shall bear the name of the county issuing it the number of the kennel license and shall be readily distinguishable from the individual license tags for the same year

On the question,
Will the House agree to the section?

Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 11, page 6, line 29, by strkiing out the word "four" and inserting in lieu thereof "six."

On the question,
Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections were separately read and agreed to as follows:

Section 12 The licensee of a kennel shall at all times keep one of such tags attached to a collar on each dog six monts hold or over kept by him under a kennel license Such tags may be transferred from one dog to another within the kennel whenever any dog is removed from the kennel No dog bearing a kennel tag shall be permitted to stray or to be taken anywhere outside the limits of the kennel

This section does not prohibit the taking of dogs having a kennel license outside the limits of the kennel temporarily and leach nor does it prohibit the taking of such dogs out of the kennel temporarily for the purpose of hunting

Section 13 Any person may bring or cause to be brought into the State for a period of thirty days one or more dogs for show trial or breeding purposes

Section 14 The county treasurer shall keep a record of all dog licenses and all kennel licenses and all permits issued during the year Such record shall contain the name and address of the person to whom each license or permit is issued In the case of an individual license the record shall also state the breed sex age color and markings of the dog licensed in the case of a kennel license it shall state the place where the business is conducted The record shall be a public record and open to persons interested during business hours

Whenever the ownership or possession of any dog licensed under the provisions of this act is transferred from one person to another except the temporarily transfer of dogs for hunting purposes as provided in section nine of this act such transfer shall be noted on the record of the county treasurer

Section 15 An accurate record of all license fees collected by the county treasurer or paid over to him by any justice of the peace shall be kept as a matter of information but all such funds shall be turned into the county funds All moneys at present in the "dog fund" derived from taxation of dogs under the existing law shall be turned into the county fund All bills incurred under this act or due at the time of the passage of this act shall be used for other county purposes

Section 16 The assessors for taxation purposes in each township borough town and city of this Commonwealth shall annually at the time of assessing property as required by law make diligent inquiry as to the number of dogs owned harbored or kept by any person so assessed

The assessor shall annually on or before the thirty-first day of December make a complete report on a blank form furnished by the county commissioners to such commissioners setting forth the name of every owner of any dog or dogs how many of each sex are by him owned or harbored and if a kennel is maintained by any person such fact shall also be stated It shall be the duty of the assessor at t he time of making the assessment to notify the owner of such dog or dogs that he must obtain a license for the same as provided for in this act

The seventeenth section was read as follows:

Section 17 On and after the fifteenth day of January one thousand nine hundred and eighteen it shall be unlawful for any person to own or keep any dog four months old or over unless such dog is licensed by the treasurer of the county in which the dog is kept and unless such dog at all times wears the collar and tag provided for by this act or unless in the case of dogs temporarily brought into the State for breeding trial or show purposes

On the question,

Will the House agree to the section?

Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 17, page 9, line 27, by inserting the word "six" after "dog."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighteenth, nineteenth and twentieth sections were separately read and agreed to as follows:

Section 18 It shall be the duty of every police officer to seize and detain any dog or dogs which bear a proper license tag and which are found running at large and unaccompanied by its owner or keeper It shall be the duty of every police officer to kill any dog which does not bear a proper license tag which is found running at large The chief of police or his agents of any city the high constable of any borough or the constable of any borough not having a high constable and the constable of any incorporated town or township shall cause any dog bearing a proper license tag and so seized and detained to be properly kept and fed and shall cause immediate notice either personal or by registered mail to be given to the person in whose name the license was procured or his agent to claim such dog within ten days The owner of a dog so detained shall pay all reasonable expenses incurred by reason of its detention under the provisions of this section before the dog is returned

Section 19 If after ten days from the giving of such notice such dog has not been claimed such chief of police or his agent constable or high constable shall dispose of such dog by sale or by destruction in some humane manner No dog so caught and detained shall be sold for the purpose of vivisection All moneys derived from the sale of such dog after deducting the expense of its detention shall be paid to the county treasurer and by him placed in the county fund For services under sections eighteen and nineteen of this act such officers shall be paid the sum of one dollar for detaining a licensed dog and the sum of one dollar for the killing of a dog All expenses incurred under this act or the preceding section and not otherwise provided for shall be paid by the proper county

Section 20 For failure to perform his duty under the provisions of this act such police officer shall be liable to a penalty of two dollars for each offense which amount shall be deducted from any amount due such police officer from the county at any settlement between such officer and the county commissioners

The twenty-first section was read as follows:

Section 21 Any person may kill any dog which he sees in the act of pursuing worrying or wounding any live stock or poultry or attacking human beings whether or not such dog bears the license tag required by the provisions of this act There shall be no liability on such person in damages or otherwise for such killing

Any unlicensed dog that enters any field shall constitute a private nuisance and the owner or tenant of such field or their agent or servant may kill such dog while it is in the field without liability or responsibility of any nature for such killing

Licensed dogs when accompanied by their owner or handler shall not be included under the provisions of this section unless caught in the act of wounding or killing any livestock or poultry

On the question,

Will the House agree to the section?

Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 21, page 12, line 3, by inserting after the word "of" the word "worrying."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twenty-second section was read as follows:

Section 22 All dogs are hereby declared to be personal property and subjects of larency Except as provided in section twenty-one of this act it is unlawful for any person except a police officer to kill injure or poison or to attempt to kill injure or poison any dog which bears a license tag for the current year

It is unlawful for any person to place any dog button or any poison of any description in any place on his own premises or elsewhere where it may be easily found and eaten by dogs

It shall be unlawful for any person except the owner or authorized agent to remove any license tag from a dog collar or to remove any collar with a license tag attached thereto from any dog

It shall be unlawful for any person to harbor or permit to remain about his premises any dog not having a license

This section does not prohibit the Board of Game Commissioners or any of its officers and agents from placing poison within the limits of the game preserve for the purpose of killing noxious animals or birds

On the question,

Will the House agree to the section?

Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 22, page 12, line 24, by striking out after the word "of" the word "the" and inserting in lieu thereof the word "any."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The twenty-third section was read and agreed to as follows:

Section 23 It is unlawful for the owner or keeper of any female dog to permit such female dog to go beyond the premises of such owner or keeper at any time it is in heat unless such female dog is held properly in leach

The twenty-fourth section was read as follows:

Section 24 The owner or keeper of every dog shall at all times between sunset and sunrise of each day keep such dog either (a) confined within an enclosure from which it cannot escape or (b) firmly secured by means of a collar and chain or other device so that it cannot stray beyond the premises on which it is secured or (c) under the effectual control of some person

On the question,
Will the House agree to the section?
Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 24, page 13, line 11, by striking out after the word "the" the word "effectual" and incerting in lieu thereof the word "reasonable."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first and thirty-second sections were separately read and agreed to as follows:

Section 25 Whenever any person sustains any loss or damage to any live stock or poultry by dogs or any live stock of any person is necessarily destroyed because of having been bitten by a dog such person or his agent or attorney may complain to any township auditor or to any justice of the peace magistrate or alderman of the township town borough or city Such complaint shall be in writing shall be signed by the person making such complaint and shall state when where and how much damage was done and by whose dog or dogs if known Such township auditor justice of the peace magistrate or alderman shall at once examine the place where the alleged loss or damage was sustained and the live stock or poultry injured or killed if practicable He shall also examine under oath or affirmation any witness called before him After making diligent inquiry in relation to such claim such township auditor justice magistrate or alderman shall determine whether any damage has been sustained and the amount thereof and if possible who was the owner of the dog or dogs by which such damage was done

Any owner or keeper of such dog or dogs shall be liable to the owner of such live stock or poultry or to the county as hereinafter provided in a civil action for all damages and costs

Section 26 Upon making the examination required in section twenty-five of this act the township auditor justice magistrate or alderman shall immediately make a certificate thereto signed and sealed by him that such appraisement was regularly and duly made If by such examination it appears that any damage has been sustained by the complainant the township auditor justice magistrate or alderman shall deliver the report of such examination and all papers relating to the case to the claimant or his agent or attorney upon payment of the costs up to that time Such report shall be delivered to the county commissioners to be filed in their office

Section 27 Township auditors justices of the peace magistrates and aldermen for the special service required under sections twenty-five and twenty-six of this act shall receive two dollars for each case and five cents per mile for each mile traveled to be paid by the claimant in each case In all cases where damages are awarded the fees paid by claimants shall be included in the amount of such damages

Section 28 Upon the commissioners of the county receiving such report if it appears thereby that a certain amount of damage has been sustained by the claimant they shall immediately draw their order on the treasurer of the county in favor of the claimant for the amount of loss or damage such claimant has sustained according to such report together with necessary and proper costs incurred Such amount shall be paid by the proper county No person shall receive any order for any claim until the township auditor justice of the peace magistrate or alderman before whom the claim was made has certified that due diligence was made to ascertain whose dog or dogs did the damage and that the carcasses of the live stock or poultry killed and for which damages have been assessed were buried within twenty-four hours after the assessment of damages The owners of any live stock or poultry killed by dogs or live stock necessarily destroyed because of having been bitten by a dog shall be paid fifty cents each for burial of such live stock or poultry killed to be paid as other damages under this section. Upon payment by the county of damages to live stock or poultry by dogs the rights of the owner of such live stock or poultry against the owner of the dog shall enure to the benefit of the county

Section 29 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the township auditor justice of the peace magistrate or alderman

When any payment is made for any live stock bitten by a dog such payment shall not exceed one hundred dollars for each horse or mule forty dollars for each head of cattle or six dollars for each head of swine

Section 30 Any valid claims or parts thereof for loss or damage to sheep horses mules cattle or swine which have accrued under any general or local laws at any time prior to the passage of this act shall not abate by reason of the repeal of such general or local act but shall be paid out of the general fund of the proper county

All claims or parts theerof remaining unpaid for any reason at the close of any year shall not abate but shall continue as claims until paid in full

Section 31 If in the report of the township auditor justice of the peace magistrate or alderman the name of the owner of any dog or dogs having caused loss or damage to any live stock or poultry is definitely and conclusively shown the county commissioners shall notify such owner or keeper immediately to pay said damages or kill said dog or dogs

Upon failure of such owner to comply with such order within a period of ten days the chief of police or his agent of the township town borough or city in which said dog or dogs are kept shall upon notice from the county commissioners kill such dog or dogs For such service he shall be entitled to one dollar for each dog so killed to be paid by the proper county upon a certified statement to the commissioners that such dog or dogs have been killed by him The county commissioners shall issue an order on the county treasurer for such amount unless payment has been made by the owner or keeper of the dog or dogs

Section 32 It is unlawful for any person knowingly to make any false statement or to conceal any fact required to be disclosed under any of the provisions of this act

The thirty-third section was read as follows:

Section 33 In any proceedings under this act the burden of proof of the fact that a dog has been licensed or has been imported for breeding or show purposes or that a dog is under the age of six months shall be on the owner of such dog

Any dog not bearing a license tag shall prima facie be deemed to be unlicensed

On the question,
Will the House agree to the section?
Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 33, page 17, line 13, by inserting after the word "breeding" the word "trial."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The thirty-fourth section was read as follows:

Section 34 The Secretary of Agriculture through his officers and agents shall have the general supervision over the licensing and regulation of dogs and protection of live stock and poultry from damage by dogs in all counties of the Commonwealth The commissioners of each county shall enforce within their respective jurisdicain the provisions of this act To this end the Secretary of Agriculture may employ all proper means for the enforce-

ment of this act Any other State Department Bureau or Commission may on request of the Commissioner of Agriculture assist in the enforcement of the provisions of this act

On the question,
Will the House agree to the section?

Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 34, page 17, line 25, by striking out the word "employe" and inserting in lieu thereof "employ."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The thirty-fifth, thirty-sixth and thirty-seventh sections were separately read and agreed to as follows:

Section 35 Any person violating or failing or refusing to comply with any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars or to undergo an imprisonment not exceeding three months at the discretion of the court

All fines collected under the provisions of this act shall be paid to the treasurer of the proper county

Section 36 This act is intended as a complete and uniform system throughout the Commonwealth for the licensing of dogs and the protection of livestock and poultry from injury by dogs but nothing in this act shall interfere with any law for the protection and preservation of game Except where such acts or parts of acts are specifically repealed this act does not repeal or affect any acts or parts of acts relating to mad dogs or dgos affected with any disease

Section 37 Nothing in this act shall be construed to prevent the owner of a licensed dog from recovery by action at law the value of any dog which dog has been illegally killed by any police officer farmer stockman or other person within this Commonwealth from said police officer farmer stockman or other person In case such police officer is unable to pay the value of such dog so killed the same shall be paid by the proper county

Nothing in this act shall be so construed as to prevent the killing of a dog caught chasing deer at any time of the year on either public or private lands or to prevent the killing of dogs by any officer empowered to enforce the game laws of this Commonwealth when said dogs are pursuing game during the closed season for the training of dogs on game providing said dogs are not under the immmediate control or accompanied by their owners or keepers and also provided that legal notice has previously been given said owner or keeper as required by the Game Laws of this Commonwealth

The thirty-eighth section was read as follows:

Section 38. Any licensed dog killed by livestock shall be paid for from the dog fund not to exceed one hundred dollars ($100.00) and shall be assessed by the proper authority in the same manner that livestock killed by dogs is assessed and disposed of by the county treasurer of the proper county

On the question,
Will the House agree to the section?

Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 38, page 19, line 10, by striking out after the word "the" the word "dog" and inserting in lieu thereof the word "county."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The thirty-ninth section was read and agreed to as follows:

Section 39 This act does not repeal or in any wise affect any of the provisions of the following acts

The act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred twenty-five) entitled "An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions"

The act approved the fifteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred thirty-three) entitled "An Act to amend section twenty-one of an act entitled 'An Act to provide for the protection and preservation of game game quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions' approved the first day of May Anno Domini one thousand nine hundred and nine by extending the season durig whcih dogs may be trained"

The act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred forty-four) entitled "An Act to give additional protection to wild birds of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of dogs by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation of it sprovisions"

The fortieth section was read as follows:

Section 40 The following acts and parts of acts are hereby repealed

The act approved the eighteenth day of May one thousand eight hundred and seventy-eight (Pamphlet Laws seventy-two) entitled "An Act extending the provisions of an act relating to dags in Allegheny Chester Northampton Schuylkill and Lancasted counties approved the sixth day of April Anno Domini one thousand eight hundred and fifty-four to all the counties of this Commonwealth"

The act approved the twelfth day of June one thousand eight hundred and seventy-eight (Pamphlet Laws one hundred ninety-eight number two hundred thirty-one) entitled "An Act for the taxation of dogs and the protection of sheep"

The act approved the fifteenth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred twenty-two) entitled "An act for the taxation of dogs and the protection of sheep"

The act approved the twenty-fifth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred thirty-six) entitled "An Act for the taxation of dogs and the protection of sheep"

The act approved the twenty-fifth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred thirty-six) entitled "An Act for the taxation of dogs and the protection of sheep"

The act approved the seventh day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred thirty number one hundred five) entitled "A supplement to 'an act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three providing for the payment of claims which have accrued under local laws"

The act approved the eleventh day of April one thousand nine hundred and one (Pamphlet Laws seventy-three number forty-three) entitled "A supplement to an act entitled 'An Act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three providing that the fund raised by the taxation of dogs be applied in addition to the loss of sheep for the loss of other domestic animals bitten by mad dogs"

The act approved the twenty-third day of April one thousand nine hundred and one (Pamphlet Laws ninety-two) entitled "A nact to amend the ninth section of an act entitled 'An act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May one thousand eight hundred and ninety-three"

The act approved the first day of March one thousand nine hundred and five (Pamphlet Laws twenty-eight) entitled "An act to amend the fifth section of an act entitled 'An Act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three by requiring proof of the burial of the carcasses of sheep killed by dogs"

The act approved the first day of June one thousand nine hundred and seven (Pamphlet Laws three hundred sixty-two) entitled "An Act supplementary to 'An act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement"

The act approved the twenty-third day of April one thousand nine hundred and nine (Pamphlet Laws one hundred seventy) entitled "An Act t oamend the tenth section of an act entitled 'An Act for the taxation of dogs and the protection of sheep' approved the twenty-fiifth day of May Anno Domini one thousand eight hundred and ninety-three by making the act applicable to counties having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants"

The act approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred sixty-eight) entitled "An act supplementary to "An

act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three) requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act"

The act approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred fifty-nine) entitled "An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hundred eleven entitled 'An act supplementary to "An act for the taxation of dogs and the protection of sheep" approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act' by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes"

The act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety number three hundred fifty) entitled "An Act for the protection of sheep and the incidental destruction of certain dogs"

The act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-one) entitled "An Act amending an act entitled 'An act supplementary to "An Act for the taxation of dogs and the protection of sheep" approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act' approved the fifteenth day of June one thousand nine hundred eleven as amended so that assessors of the several cities wards boroughs townships or other assessment district of thi Commonwealth hall collect an annual license fee for said dogs at the time of the annual assessment and issue a receipt and tag therefor providing for the publication of the assessor's list of licensed dogs requiring that all unlicensed dogs be killed and fixing penalties for the violation of this act"

The act approved the twenty-fourth day of April one thousand nine hundred and three (Pamphlet Laws two hundred ninety-six) entitled "An act to amend section one hundred and fifty-four of the act of March twenty-one one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth" is hereby repealed in so far as it relates to dogs

On the question,

Will the House agree to the section?

Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 40, page 20, line 16, by striking out the word "eghteenth" and inserting in lieu thereof "eighteenth."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The forty-first section was read and agreed to as follows:

Section 41 All other acts or parts of acts general local or special inconsistent with or supplied by this act are hereby repealed

The title was read as follows:

An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs providing for the assessment and payment of damages to live stock and poultry done by dogs imposing powers and duties on certain county city borough town and township officers and employes and providing penalties.

On the question,

Will the House agree to the title?

Mr. WALTER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title by adding after the word "dogs" in line 9, the words "and of damages to licensed dogs by livestock."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1088, entitled

An Act to amend an act approved the twentieth day of April, one thousand nine hundred five, entitled "An Act amending section two of an act, entitled 'A Supplement to the twenty-fourth section of an act, entitled "A further supplement to an act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine," approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth,' approved the twenty-eighth day of June, one thousand eight hundred and ninety-five; providing for the extension of the provisions of this act to townships of the first class;" by providing for the extension of the provisions of this act to towns and townships of the second class.

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of an act approved the twentieth day of April one thousand nine hundred and five (Pamphlet Laws two hundred twenty-nine) entitled "An Act amending section two of an act entitled 'A Supplement to the twenty-fourth section of an act entitled "A further supplement to an act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine" approved the first day of June one thousand eight hundred and eighty-nine amending the twety-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurer of the several cities and boroughs within this Commonwealth' approved the twenty-eighth day of June one thousand eight hundred and ninety-five providing for the extension of the provisions of this act to townships of the first class" which reads as follows

"Section 2 On and after the first day of January one thousand nine hundred and six and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several cities boroughs and townships of the first class within this Commonwealth one-half of the net amount received from the two per centum tax paid upon premiums by foreign fire insurance companies The amount to be paid to each of the treasurer of the several cities boroughs and townships of the first class shall be based upon the return of the said two per centum tax upon premiums received from foreign fire insurance companies doing business within the said cities boroughs and townships of the first class as is shown by the Insurance Commissioner's report Warrants for the above purpose shall be drawn by the Auditor General payable to the treasurers of the several cities boroughs and townships of the first class in accordance with this act whenever there are sufficient funds in the State Treasury to pay the same" is hereby amended to read as follows

Section 2 On and after the first day of January one thousand ninet hundred and eighteen and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several cities boroughs towns and townships within this Commonwealth one-half of the net amount received from the two per centum tax paid upon premiums by foreign fire insurance companies The amount to be paid to each of the treasurers of the several cities boroughs towns

and townships of the said two per centum tax upon premiums received from foreign fire insurance companies doing business within the said cities boroughs towns and townships as is shown by the Insurance Commissioner's report shall be determined upon the basis of the amount of insurance placed within the respective cities boroughs towns and townships wherein the property insured is located Warrants for the above purpose shall be drawn by the Auditor General payable to the treasurers of the several cities boroughs towns and townships in accordance with this act whenever there are sufficient funds in the State Treasury to pay the same

The title was read as follows:

An Act to amend an act approved the twentieth day of April one thousand nine hundred five entitled "An Act amending section two of an act entitled 'A Supplement to the twenty-fourth section of an act entitled "A further supplement to an act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine" approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth' approved the twenty-eighth day of June one thousand eight hundred and ninety-five providing for the extension of the provisions of this act to townships of the first class" by providing for the extension of the provisions of this act to towns and townships of the second class.

On the question,
Will the House agree to the title?

Mr. POWELL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 2, line 2, by adding at the end thereof the following: "and fixing the method by which the amount to be paid to cities, boroughs, towns and townships shall be determined."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.
And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1281, entitled

An Act to amend an act approved the tenth day of July, one thousand nine hundred and one, entitled "A further supplement to an act, entitled 'An Act to carry into effect section five of article fourteen of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasury, in counties over one hundred and fifty thousand inhabitants, approved thirty-first March, one thousand eight hundred and seventy-six, as amended by act of eleventh May, one thousand eight hundred and eighty-one, and as further amended by act of second June, one thousand eight hundred and eighty-seven, providing for the salaries of county officers in counties containing over two hundred and fifty thousand and less than five hundred thousand inhabitants.' "

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the tenth day of July one thousand nine hundred and one (Pamphlet Laws six hundred forty-one) entitled "A further supplement to an act of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties over one hundred and fifty thousand inhabitants' approved the thirty-first March one thousand eight hundred and seventy-six as amended by act of eleventh May one thousand eight hundred and eighty-one and as further amended by act of second June one thousand eight hundred and eighty-seven providing for the salaries of county officers in counties containing over two hundred and fifty thousand and less than five hundred thousand inhabitants" which reads as follows

The annual salaries of all county officers in the counties to which this act applies which shall have less than five hundred thousand inhabitants each and more than two hundred and fifty thousand inhabitants each be as follows namely

"Of the district attorney five thousand dollars
"Two assistant district attorneys each one thousand eight hundred dollars
"Of the sheriff six thousand dollars
"Of the coroner two thousand dollars
"Of the prothonotary six thousand dollars
"Of the clerk of the courts four thousand dollars
"Of the register of wills and ex-officio clerk to the orphan's court four thousand dollars
"Of the recorder of deeds four thousand dollars
"Of the county treasurer five thousand dollars
"Of the county controller four thousand dollars
"Of the county surveyor where such office exists one hundred dollars
"Of the county engineer where such office exists one hundred dollars
"Provided That where the offices of county surveyor and county engineer are held by the same person he shall receive the salary of county engineer only
"Of county commissioners each three thousand dollars
"Of county solicitor one thousand five hundred dollars
"Of county prison warden two thousand five hundred dollars
"Of county detective or special detective appointed by the district attorney with the approval of the court of quarter sessions under act of nineteenth May one thousand eight hundred seventy-four one thousand eight hundred dollars
"Of jury commissioners each six hundred dollars

is hereby amended to read as follows

The annual salaries of all county officers in the counties to which this act applies which shall have less than five hundred thousand inhabitants each and more than two hundred and fifty thousand inhabitants each be as follows namely

Of the district attorney five thousand dollars
Two assistant district attorneys each one thousand eight hundred dollars
Of the sheriff six thousand dollars
Of the coroner two thousand dollars
Of the prothonotary six thousand dollars
Of the clerk of the court four thousand dollars
Of the register of wills and ex-officio clerk to the orphan's court four thousand dollars
Of the recorder of deeds four thousand dollars
Of the county treasurer five thousand dollars
Of the county controller five thousand dollars
Of the county surveyor where such office exists one hundred dollars
Of the county engineer where such office exists one hundred dollars
Provided That where the offices of county surveyor and county engineer are held by the same person he shall receive the salary of county engineer only
Of county commissioners each five thousand dollars
of county solicitor two thousand hundred dollars
Of county prison warden two thousand five hundred dollars
Of county detective or special detective appointed by the district attorney with the approval of the court of quarter sessions under act of nineteenth May one thousand eight hundred seventy-four one thousand eight hundred dollars
Of jury commissioners each twelve hundred dollars

On the question,
Will the House agree to the section?

Mr. WILLIAM W. JONES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 3, line 6, by striking out the word "the" before "county."
Amend section 1, page 3, line 7, by striking out the word "the" before "county."
Amend section 1, page 4, line 22, by striking out the word "hundred."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read and agreed to as follows:

An Act to amend an act approved the tenth day of July, one thousand nine hundred and one, entitled "A further supplement to an act entitled 'An Act to carry into effect section five of article fourteen of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasury, in counties over one hundred and fifty thousand inhabitants, approved thirty-first March, one thousand eight hundred and seventy-six, as amended by act of eleventh May, one thousand eight hundred and eighty-one, and as further amended by act of second June, one thousand eight hundred and eighty-seven, providing for the salaries of county offi-

cers in counties containing over two hundred and fifty thousand and less than five hundred thousand inhabitants."

And said bill having been read at length the second time and agreed to as amended

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1428, as follows:

An Act to fix the compensation and salary of police officers and officers of the police force in cities of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the compensation of all police officers in cities of the first class shall be as follows All police officers when first employed and while employed as substitute police officers shall receive two dollars and fifty cents per diem all police officers when first regularly employed shall receive two dollars and seventy-five cents per diem all police officers who have served at least three years either as regular or substitute officers shall receive three dollars per diem all police officers who have served at least four years either as regular or substitute officers shall receive three dollars and twenty-five cents per diem all police officers who have served at least five years either as regular or substitute officers shall receive three dollars and fifty cents per diem

Section 2 The officers of the police force in cities of the first class shall receive the following salaries House and patrol sergeants fourteen hundred dollars per annum each street sergeants fifteen hundred dollars per annum each lieutenants two thousand dollars per anum each and captains two thousand four hundred dollars per annum each

Section 3 This act shall take effect the first day of January one thousand nine hundred and eighteen

Section 4 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No 1516, as follows:

An Act to provide for the payment of salaries to constables in the County of Philadelphia and requiring all fees payable to them for the service of process out of magistrates courts under seal to be paid into the county treasury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all regularly elected constables in the County of Philadelphia shall receive the sum of twelve hundred dollars per annum payable from the county treasurer in monthly instalments of one hundred dollars each

Section 2 That all fees charged and payable to said constables for the service of process out of any magistrate's in the County of Philadelphia under the seal of such magistrates shall be paid into the county treasury

Section 3 All acts or parts of acts general special and local inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1074, entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" and repealnig certain acts relating to boroughs.

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of article one chapter one of the act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which reads as follows

"Section 6 This act shall apply to all boroughs incorporated under general law and to those which have accepted the provisions of the act of April third one thousand eight hundred fifty-one entitled 'An Act regulating boroughs' This act shall not annul or repeal any local or special act in force at the date of the passage of this act or any provision thereof" is hereby amended to read as follows

Section 6 This act shall apply to all boroughs incorporated under general law and to all boroughs incorporated under special law which have accepted the provisions of the act of April third one thousand eight hundred and fifty-one entitled "An act regulating boroughs" and also to all boroughs incorporated since April third one thousand eight hundred and fifty-one by special act of Assembly which by the act of incorporation have been given the general powers of boroughs incorporated under the general law This act shall not annul or repeal any local or special act in force at the date of the passage of this act or any provision thereof

Section 2 Clause five section two article one of chapter five of said act which reads as follows

"V To provide street lights and to make regulations for the protection thereof" is hereby amended to read as follows

V To provide street lights and to make regulations for the protection thereof and upon the petition of a majortiy of abutting property owners of the section affected to provide for the ornamental illumination of any section of the borough and to collect the cost of the installation and maintenance of such illumination from the owners of property fronting the streets upon which the same is installed by the foot front rule

The third section was read as follows:

Section 3 Clause nine section two article one of chapter five of said act which reads as follows

"IX To prohibit and remove any nuisance or dangerous structure on public or private grounds or to require the removal of the same by the owner or occupier of such grounds in default of which the borough may cause the same to be done and collect the cost thereof together with a penalty of twenty per centum of such cost in the manner provided in chapter six article twelve sections two and three of this act" is hereby amended to read as follows

IX To prohibit and remove any nuisance or dangerous structure on public or private grounds or to require the removal of the same by the owner or occupier of such grounds in default of which the borough may cause the same to be done and collect the cost thereof together with a penalty of twenty per centum of such cost in the manner provided in chapter six article eleven sections six and seven of this act

On the question,

Will the House agree to the section?

Mr. POWELL. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 3, line 12, by strkiing out the word "centum" and inserting in lieu thereof "cent."

Amend section 3, page 3, line 17, by striking out the word "pulbic" and inserting in lieu thereof "public."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth, fifth, sixth, seventh and eighth sections were separately read and agreed to as follows:

Section 4 Subdivision twenty-five section two of article one chapter five which reads as follows

"XXV To regulate license or prohibit theatrical exhibitions amusements and other exhibitions to regulate and license and to fix the time of opening and closing of poolrooms billiard-rooms and ten-pin alleys" is hereby amended to read as follows

XXV To regulate license or prohibit theatrical exhibitions amusements dances at which an admission or other fee is charged and other exhibitions to regulate and license and to fix the time of opening and closing of poolrooms billiard rooms and ten-pin alleys

Section 5 Clause thirty-nine section two article one of chapter five of said act which reads as follows

"XXXIX To make and they are hereby so required annual appropriations to each post of the Grand Army of the Republic in the borough in a sum not exceeding fifty dollars to aid in defraying expenses of Memorial Day" is hereby amended to read as follows

XXXIX To make and they are hereby so required annual appropriations to each post of the Grand Army of the Republic in the borough in a sum not exceeding fifty dollars to aid in defraying expenses of Memorial Day and

if there is no post in said borough then said appropriation may be made to a post in any municipality or township to be designated by the council

Section 6 Section two article one of chapter five is hereby further amended by adding the following clauses

XL To require and regulate the numbering of buildings

XLI To appropriate money for the expense of municipal music

XLII To regulate the emission of smoke from chimneys smoke stacks and other sources

XLIII To file and collect municipal claims for water rents lighting rates and sewer rates in the manner now provided by law

Section 7 Section four article seven of Chapter six of said act reads as follows

"Section 4 Upon the petition of a majority of property owners in interest and number abuting on the line of any proposed improvement to be verified by the affidavit of at least one of the petitioners a majority in interest of owners of undivided interests in any piece of property to be treated as one person a borough may grade curb pave or macadamize or otherwise improve any street or alley or part thereof or which may be in whole or in part boundaries thereof and provide for the necessary drainage thereof" is hereby amended to read as follows

Section 4 Upon the petition of a majority of property owners in interest and number abuting on the line of any proposed improvement to be verified by the affidavit of at least one of the petitioners a majority in interest of owners of undivided interests in any piece of property to be treated as one person a borough may grade curb pave or macadamize or otherwise improve any street or alley or part thereof or which may be in whole or in part boundaries thereof and provide for the necessary drainage thereof and may also provide for the improvement of any street road lane or alley and any section or parts thereof in length in the space between the curb gutter or actual carriage-way line and the property line either by an original work or improvement thereon or by a change repair renewal or alteration in the said highway curb parking space or shade trees or by changing altering renewing replanting pruning or otherwise improving the same in any or all of said particulars

Section 8 Section eight article seven of Chapter six of said act which reads as follows

"Section 8 On petition viewers shall be appointed as provided in chapter six article two of this act who shall assess the damages costs and expenses of such grading curbing paving or macadamizing or improving including the expenses for necessary drainage upon the property benefited according to benefits if sufficient can be found but if not the deficiency when ascertained shall be paid by the borough The proceedings of the viewers and the proceedings on their report shall be as provided in chapter six article two of this act" is hereby amended to read as follows

Section 8 On petition viewers shall be appointed as provided in chapter six article two of this act who shall assess the damages costs and expenses of such grading curbing paving or macadamizing or improving including the expenses for necessary drainage upon the property benefited according to benefits if sufficient can be found but if not the deficiency when ascertained shall be paid by the borough The proceednigs of the viewers and the proceedings on their report shall be as provided in chapter six article two of this act" is hereby amended to read as follows

Section 8 On petition viewers shall be appointed as provided in chapter six article two of this act who shall assess the damages costs and expenses of such grading curbing paving or macadamizing or parking shade tree planting or changing altering renewing replanting pruning or improving including the expenses for necessary drainage upon the property benefited according to benefits if sufficient can be found but if not the deficiency when ascertained shall be paid by the borough The proceedings of the viewers and the proceedings on their report shall be as provided in chapter six article two of this act

The ninth section was read as follows:

Section 9 Section nine article seven of Chapter six of said act which reads as follows

"Section 9 Boroughs without petition or upon petition verified by affidavit of at least one of the petitioners may grade curb pave or macadamize streets lanes and alleys or parts thereof and collect from the owners of real estate abutting on the improvement by an equal assessment on the foot-front the whole cost or part thereof including the expenses for the necessary drainage thereof as follows that is to say" is hereby amended to read as follows

Section 9 Boroughs without petition or upon petition verified by affidavit of at least one of the petitioners may grade curb gutter pave macadamize or otherwise improve streets lanes and alleys or parts thereof and collect from the owners of real estate abuting on the improvement by an equal assessment on the foot front the whole cost or part thereof including the expenses for the necessary drainage thereof as follows that is to say

On the question,
Will the House agree to the section?

Mr. POWELL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 9, page 7, line 9, by inserting after the figure "9" the following: "Paragraph one of."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The tenth, eleventh and twelfth sections were separately read and agreed to as follows:

Section 10 Section fifteen article seven of Chapter six of said act which reads as follows

"Section 15 All assessments made pursuant to section nine of this article shall be estimated by the council or such person as it shall designate and shall be filed with the secretary of the borough" is hereby amended to read as follows

Section 15 All assessments made pursuant to section nine of this article shall be estimated by the council or such person as it shall designate and shall be filed with the secretary of the board The council may provide for an equitable reduction from the frontage at street or other intersections and at other places where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unjust

Section 11 Section sixteen Article twelve of Chapter six of said act which reads as follows

"Section 16 Whenever any borough shall desire to connect with the existing sewer of any adjacent municipality an application shall be made by council to the court of quarter sessions of the county setting forth that fact" is hereby amended to read as follows

Section 16 Whenever any borough shall desire to connect with the existing sewer of any adjacent municipality and no agreement has been reached between such borough and the adjacent municipality an application shall be made by council to the court of quarter sessions of the county setting forth the fact

Section 12 Section eighteen Article twelve Chapter six of said act which reads as follows

"Section 18 The viewers shall report to the court the result of their investigation which report shall be confirmed within thirty days unless exceptions thereto be filed After confirmation of such report or the disposal of any exceptions any party interested may appeal from the decision of the court of quarter sessions to the Superior Court" is hereby amended to read as follows

Section 18 The viewers shall report to the court the result of their investigation which report shall be confirmed within thirty days unless exceptions thereto be filed After confirmation of such report or the disposal of any exceptions any party interested may appeal from the decision of the court of quarter sessions to the Supreme or Superior Court

The thirteenth section was read as follows:

Section 13 Section thirty-two Article twelve of Chapter six of said act which reads as follows

"Section 32 The owner shall be given three months' notice of any resolution or ordinance requiring such sewer connection and upon failure to make such connection the borough may make the same and collect the cost thereof from the owner by a municipal claim or in an action of assumpsit All connections required shall be uniform" is hereby amended to read as follows

"Section 32 The owner shall be given forty-five days' notice of any resolution or ordinance requiring such sewer connection and upon failure to make such connection the borough may make the same and collect the cost thereof from the owner by a municipal claim or in an action of assumpsit All connections required shall be uniform

On the question,
Will the House agree to the section?

Mr. POWELL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 13, page 9, line 24, by striking out the quotation marks before "Section."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first and twenty-second sections were separately read and agreed to as follows:

Section 14 Section eight Article twelve of Chapter six which reads as follows

Section 8 If the owners of property against which assessment for sewage tax have been made shall refuse to pay such assessments within sixty days after notice of the same the borough may immediately file a claim therefor against the property upon which such assessments have been made Such claims shall be filed and collected in the same manner as municipal claims are filed and collected is hereby amended to read as follows

Section 8 If the owners of property against which assessment for sewage tax have been made shall refuse to pay such assessments within thirty days after notice of the same it shall be the duty of the Borough Solicitor to collect the same with interest from the time of completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims When an owner has two or more lots against which there is an assessment for the same improvement all of such lots may be embraced in one claim

Section 15 Article twelve of Chapter six is hereby amended by adding thereto the following sections

(i) Assessment of cost of maintenance repair et cetera on property benefited

Section 35 Whenever any borough has constructed wholly or partially any sewer or sewer system or has acquired the same at public expense the council of such borough may provide by ordinance for the collection of an annual rental or charge for the use of such sewer or sewer-system from the owners of property served by it Such council may at their discretion in lieu of such annual rental or charge provide for the payment by such owners of a fixed sum

Section 36 Such annual rental shall not exceed the amount expended annually by the borough in the maintenance repair alteration inspection depreciation or other expense in relation to such sewer or sewer-system and may include any interest on money expended by the borough in the construction of the sewer or sewer-system The said annual or fixed sum shall be apportioned equitably among the several properties served by the said sewers

Section 37 Such annual rental or charge or such fixed sum shall be authorized and collected as provided by general ordinances and when so levied and charged shall be a lien on the properties charged The collection thereof shall be made and enforced in the manner municipal claims are now or may hereafter be collected

Section 38 The councils of such borough shall execute a warrant or warrants authorizing the collection of such annual sewer rentals or charges or such fixed sum to the officer employed by council to collect the same Such officer shall have the authority now vested by law for the collection of borough taxes

Section 39 Such annual sewer rentals or charges or such fixed sum shall be a lien on the properties charged with the payment thereof from the date set in the ordinance and if not paid after thirty days notice may be collected by an action in assumpsit in the name of the borough against the owner of the property charged or by distress of personal property on the premises or by a lien filed in the nature of a municipal lien

Section 16 Section one Article seventeen of Chapter six of said act which reads as follows

"Section 1 Boroughs may provide a supply of water for the use of the public within such borough by erecting and operating water-works by entering into contract with persons or corporations authorized to supply water within the limits of such borough or partly by the erection and operation of waterworks and partly by entering into a contract" is hereby amended to read as follows

Section 1 Boroughs may provide a supply of water for the use of the public within such borough by erecting and operating waterworks by purchasing and operating waterworks by entering into contract with persons or corparations authorized to supply water within the limits of such boroughs or partly by the erection or purchase and operation of water-works and partly by entering into a contract

Section 17 Section seven article seventeen chapter six of said act which reads as follows

"Section 7 Whenever any person firm or any corporation organized subsequent to the thirty-first day of May one thousand nine hundred and seven shall own any waterworks or system and a borough is desirous of owning and operating such water-works or system such borough may present its petition to the court of common pleas of the county setting forth that the borough is desirous of owning such water-works or system and that it will be necessary to issue bonds to be secured by such waterworks or system and that a value should be placed upon such water-works or system including all property real and personal used in connection therewith" is hereby amended so as to read as follows

Section 7 Whenever any person firm or any corporation shall own any water-works or system and a borough is desirous of owning and operating such waterworks or system such borough may present its petition to the court of common pleas of the county setting forth that the borough is desirous of owning such water-works or system and that it will be necessary to issue bonds to be secured by such water-works or system and that a value should be placed upon such water-works or system including all property real and personal used in connection therewith

Section 18 Clause four section six article one of chapter seven of said act which reads as follows

"IV To publish in one newspaper printed in the county and by twelve advertisements posted in public places in the borough every enactment regulation ordinance or other general law at least ten days before the same shall take effect" is hereby amended to read as follows

IV Except where otherwise in this act provided to publish once in one newspaper printed in the county and by twelve advertisements posted in public places in the borough every enactment regulation ordinance or other general law at least ten days before the same shall take effect

Section 19 Article one chapter seven of said act is hereby amended by adding thereto the following section

Section 18 The boroughs of the Commonwealth are authorized to organize a State association of boroughs Any borough desiring representation in said association shall upon resolution of council designate the delegates to attend the annual meeting of said association which delegation may consist of two councilmen the burgess and the borough solicitor or any one or more of them

The association shall hold annual meetings at such time and place within the Commonwealth as they may designate for the purpose of advancing the various interests of said boroughs promoting remedial legislation and discussing any and all topics relating to the welfare and conduct of the same and for the purpose of providing for a uniform and economical method of administering the affairs of the respective boroughs

The actual expenses of such delegates attending such meeting of said association including traveling expenses and hotel bills actually paid by them expenses of committees together with the necessary expenses of the convention including printing and employment of stenographers shall be paid by the various boroughs by order drawn on the borough treasury The time spent in attending said meeting shall not be more than three days exclusive of the time employed in traveling thereto and therefrom The annual membership dues of each borough becoming a member of the said association shall not exceed the sum of five dollars

Section 20 Section seven article four of chapter seven of said act which reads as follows

"Section 7 Any person interested may order the appeal upon the argument list and evidence may be taken before any person authorized to administer oaths upon rule for that purpose served upon the opposite party" is hereby amended to read as follows

Section 7 Any person interested may order the appeal upon the argument list and evidence may be taken before any person authorized to administer oaths upon rule for that purpose served upon the opposite party In any proceeding upon an appeal from a report of auditors of any borough the accounts of the officer or officers in question may be investigated de novo but the figures and facts found and stated by the auditors in their report of audit shall be taken as prima facie correct

When more than one appeal from a report of such auditors shall have been taken whether by the borough or an officer or officers thereof or by a taxpayer or any or all of them the court shall upon petition of any party interested direct the several appeals to be disposed of in a single proceeding

Section 21 Section one article five of chapter seven of said act which reads as follows

"Section 1 The borough controller shall before entering upon the duties of his office take and subscribe the oath prescribed by section one article seven of the Constitution of this Commonwealth and shall give bond to the borough with two or more sureties or with a surety company to be approved by the council in such sum as they may by ordinance direct conditioned for the faithful discharge of his duties The cost of such bond shall be paid by the borough" is hereby amended to read as follows

Section 1 The borough controller shall before entering upon the duties of his office take and subscribe the oath prescribed by section one article seven of the Constitution of this Commonwealth and shall give bond to the borough with two or more sureties or with a surety company to be approved by the council in such sum as they may by ordinance direct conditioned for the faithful discharge of his duties The cost of such bond shall be paid by the borough

The borough controller may at the instance of a taxpayer and by rule upon him for that purpose be compelled to justify his bond as to the responsibility of the sureties before the court of common pleas

Section 22 Section two article five of chapter seven of said act which reads as follows

"Section 2 The borough controller shall receive a fixed annual salary to be fixed by ordinance and not to exceed the sum of one thousand dollars per annum" is hereby amended to read as follows

Section 2 In boroughs having a population of more than ten thousand the salary of the controller shall not exceed one thousand dollars in boroughs having a population of less than ten thousand and not less than five thousand the salary of the controller shall not exceed seven hundred and fifty dollars in boroughs having a population of less than five thousand and not less than two thousand five hundred the salary of the controller shall not exceed five hundred dollars in boroughs having a population of

less than two thousand five hundred the salary of the controller shall not exceed three hundred dollars

The twenty-third section was read as follows:

Section 23 Section three article five of chapter seven of said act which reads as follows

"Section 3 The borough controller shall superintend the fiscal concerns of the borough He shall examine audit and settle all accounts whatsoever in which the borough is concerned either as debtor or creditor where provision for the settlement thereof is made by law and where no such provision or an insufficient provision has been made he shall examine such accounts and report to the borough council the facts relating thereto with his opinion thereon" is hereby amended to read as follows

Section 3 The borough controller shall superintend the fiscal concerns of the borough He shall examine audit and settle all accounts whatsoever in which the borough is concerned either as debtor or creditor where provisions for the settlement thereof is made by law and where no such provisions or an insufficient provision has been made he shall examine such accounts and report to the borough council the facts relating thereto with his opinion thereon

The controller in addition to the above audits shall annually audit settle and adjust the accounts for the immediately preceding fiscal year in which the borough is concerned and for any preceding fiscal year of any officer which have not previously been audited settled and adjusted He shall finish said audit settlement and adjustment and file in the office of the prothonotary of the county in which such borough may be situated a report thereof within sixty days after the beginning of the current fiscal year setting forth an itemized statement of the charges against and credits of said officers and any balance or surcharge against them Any member of council voting for or any burgess approving any illegal or improper measure shall be surchargeable in said audit with any loss resulting from such measure Any balance or surcharge against any such officer shall be entered by the prothonotary as a judgment against him unless he shall appeal from said report as hereinafter provided

On the question,
Will the House agree to the section?

Mr. POWELL. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 23, page 18, line 7, by striking out "shal" and inserting in lieu thereof "shall."

Amend section 23, page 18, line 15, by striking out the word "the" and inserting in lieu thereof "to."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The twenty-fourth section was read as follows:

Section 24 Section five article five of chapter seven of said act which reads as follows

"Section 5 The borough controller may administer oaths or affirmations in relation to any matter touching the authentication of any account with or claim or demand against the borough but shall not be entitled to receive any fee therefor" is hereby amended to read as follows

Section 5 In the making of any audit settlement and in the authentication of any account or claim or demand against the borough the controller of any borough shall have the same power and authority to obtain the attendance before him of parties and witnesses and the production of books and papers and to administer oaths and affirmations as are given by law to county and township auditors All persons guilty of swearing or affirming falsely before him shall be liable to penalty of perjury

On the question,
Will the House agree to the section?

Mr. POWELL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 24, page 19, line 20, by striking out the word "of" and inserting in lieu thereof "for;" and by inserting before the word "penalty" the word "the."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The twenty-fifth section was read as follows:

Section 25 Article five of chapter seven of said act is hereby amended by adding thereto the following sections

Section 13 That it shall be lawful for the borough or any tax-payer thereof on its behalf or any officer against whom any sum shall be charged in the report of audit as filed in the office of the prothonotary to appeal therefrom to the court of common pleas within thirty days after the same shall be filed in the prothonotary's office The appeal shall be filed to the same number and term in which the report has been filed If the appellant is a taxpayer of any officer charged as aforesaid he shall file a bond with one or more sufficient sureties conditioned to pay all costs thereafter accruing in case a decision more favorable to the party on whose behalf the appeal shall be taken than that contained in the report of audit shall not be obtained

Section 14 In case any appeal shall be taken as aforesaid the same may be placed upon the argument list of said court by either party Testimony and evidence as to the accounts of any such officer may be taken before the said court or by depositions as the court may direct in the course of which the said accounts may be investigated de novo but the figures and facts found and stated by the controller in his report of audit shall be taken as prima facie correct

Section 15 After argument of said appeal the court shall file its conclusions of fact and law and answers to any requests and enter judgment in accordance therewith in favor of and against the proper parties After argument the court may direct an issue to be tried by a jury as to any specific disputed questions of fact Appeals may be taken by any person interested to the Superior or Supreme Court from any such judgment of the court of common pleas in the same way that appeals are now authorized by law to be taken

Section 16 When any appeal to the court of common pleas shall be taken as aforesaid by the borough or any officer charged in said report with any sum of money any taxpayer may come into court and intervene in said appeal and on behalf of the borough may cause the same to be prosecuted to final judgment in the same manner and with the same effect as the borough authorities could do Such taxpayer shall at the time of intervening file in said court a bond with one or more sufficient sureties conditioned to indemnify the borough from all costs that may accrue by reason of such intervention subsequently thereto

Collection of any judgment against any borough officer entered by virtue of a controller's report of audit or in the course of an appeal therefrom may be enforced against such officer and his sureties by the borough or any taxpayer thereof on its behalf by any appropriate proceeding executionary or otherwise

Section 17 When more than one appeal from a controller's report of audit shall have been taken whether by the borough a borough officer or officers or a taxpayer or any or all of them the court of common pleas shall upon petition of any party interested direct the several appeals to be disposed of in a single proceeding

Section 18 Every borough controller shall retain in his possession during the thirty days' period elapsing between the date of filing his report and the expiration of the time for filing the appeal therefrom all books documents vouchers checks and other papers which have been produced before him in the course of his audit of the accounts of borough officers and if any appeal shall be taken shall continue to hold the same for production in the proceeding to determine the appeal

On the question,
Will the House agree to the section?

Mr. POWELL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 25, page 20, line 13, by striking out the word "acounts" and inserting in lieu thereof "accounts."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second and thirty-third sections were separately read and agreed to as follows:

Section 26 Section seventeen article one of chapter eight of said act which reads as follows

"Section 17 The qualified electors in boroughs electing auditors and not accepting the provisions of chapter seven article five of this act shall elect at the municipal election in the year one thousand nine hundred and fifteen

one auditor and in the year one thousand nine hundred and seventeen two auditors to serve for a term of four years from the first Monday of January next succeeding their election Biennially thereafter one or two auditors as the case may be shall be elected for a term of four years to fill the places of those whose terms shall expire on the first Monday of January next following such election" is hereby amended to read as follows

Section 17 The qualified electors in boroughs electing auditors and not accepting the provisions of chapter seven article five of this act shall elect at the municipal election in the year one thousand nine hundred and seventeen two auditors one for a term of four years and one for a term of six years to hold office from the first Monday of January next succeeding their election Biennially thereafter at the municipal election one auditor shall be elected for a term of six years to fill the place of the auditor whose term shall expire on the first Monday of January next following such election The auditor elected at the municipal election one thousand nine hundred and fifteen for a term of four years shall continue to hold his office until the expiration of his term

Section 27 Section one article one of chapter nine of said act which reads as follows

"Section 1 Boroughs may improve maintain and regulate public parks parkways and playgrounds within the borough limits" is hereby amended to read as follows

Section 1 Boroughs may improve maintain and regulate public parks parkways and playgrounds including swimming pools bathing places and gymnasiums within the borough limits or in adjacent townships

Section 28 Section two article one chapter nine of said act which reads as follows

"Section 2 Boroughs may enter upon appropriate and acquire by gift devise purchase lease or otherwise private property for the purpose of making enlarging and maintaining public parks park-ways and playgrounds The provisions of this section shall not authorize the appropriation of private property outside the borough limits" is hereby amended to read as follows

Section 2 Boroughs may enter upon appropriate and acquire by gift devise purchase lease or otherwise private property within the limits of the borough or in adjacent townships for the purpose of making enlarging and maintaining public parks park-ways and playgrounds including swimming pools bathing places and gymnasiums

Section 29 Section six article one chapter nine of said act which reads as follows

"Section 6 For the purpose of having such question appear upon the ballot the council shall certify the question to the county commissioners at least twenty-one days before the day of the election The question may be stated substantially as follows

Shall the borough of ..... acquire by purchase or condemnation or both at a price not exceeding .... dollars (or by lease for not more than ..... years at an annual rental of not more than ..... dollars) property for the purpose of making (or of enlarging) public parks parkways and playgrounds within the locality bounded by .....

"The council may at their discretion omit the designation of the locality" is hereby amended to read as follows

Section 6 For the purpose of having such question appear upon the ballot the council shall certify the question to the county commissioners at least twenty-one days before the day of the election The question may be stated substantially as follows

"Shall the borough of ..... acquire by purchase or condemnation or both at a price not exceeding .... dollars (or by lease for not more than ..... years at an annual rental of not more than ..... dollars) property for the purpose of making (or of enlarging) public parks parkways and playgrounds including swimming pools bathing places and gymnasiums within the locality bounded by ....."

The council may at their discretion omit the designation of the locality

Section 30 Section eight article one of chapter nine of said act which reads as follows

"Section 8 The appropriation of private property for the purpose of making enlarging and maintaining public parks parkways and playgrounds is declared to be the taking of private property for public use and for all damage suffered by the owners of any property so taken the funds of the boroughs raised by taxation shall be pledged as security" is hereby amended to read as follows

Section 8 The appropriation of private property for the purpose of making enlarging and maintaing public parks parkways and playgrounds including swimming pools bathing places and gymnasiums is declared to be the taking of private property for public use and for all damage suffered by the owners of any property so taken the funds of the borough raised by taxation shall be pledged as security

Section 31 Paragraph three of section ten of article two of chapter nine of said act which reads as follows

"The borough council instead of levying the tax authorized by the general taxation act of one thousand nine hundred and fifteen may provide for the expense of caring for trees already planted and of publishing the notice required by the preceding section by appropriation equal to the amount certified to be required by the commission" is hereby amended to read as follows

The borough council may levy a general tax not to exceed the sum of one-tenth of one mill on the dollar on the assessed valuation of the property in said borough for the purpose of defraying the cost and expense of caring for such shade trees and the expense of publishing the notice provided in section nine of this article or it may provide for the expense of the caring for trees already planted and of publishing the notice required by section nine of this article by appropriations equal to the amount certified to be required by the commission

Section 32 Article one chapter ten of said act is hereby amended by adding thereto the following section

Section 18 When by any gift or bequest any estate real or personal is given or bequeathed for the purpose of establishing in a borough a free public non-sectarian library on a permanent basis for the use of the residents of the borough and there is attached to such gift or bequest a condition that the borough shall provide for the maintenance in whole or in part of the library or the maintenance of a librarian of such library or both the borough may enter into a perpetual contract with the donor or the representative of any testator or corporation created to execute such gift or bequest for the payment annually of a certain fixed sum of money at such periods as may be agreed upon between the contracting parties Such sum shall be applied for the maintenance of the library or for the employment and maintenance of a suitable librarian or both in accordance with the terms of the gift or bequest

The borough shall appropriate annually for the compensation of such librarian and maintenance of such library a sum not to exceed the amount of one mill on a dollar on all taxable property in the borough

Section 33 Section one article one of chapter twelve of said act which reads as follows

"Section 1 Fines and penalties made payable by this act or imposed under the ordinances of any borough shall be recoverable before any justice of the peace of the borough in the same manner as debts not exceeding three hundred dollars are recoverable and when so recovered shall be forthwith paid to the treasurer of the borough" is hereby amended to read as follows

Section 1 Fines penalties and costs made payable by this act or imposed under the ordinances of any borough shall be recoverable before the burgess or any justice of the peace of the borough in the same manner as debts not exceeding three hundred dollars are recoverable and when so recovered shall be forthwith paid to the treasurer of the borough

The thirty-fourth section was read as follows:

Section 34 The following acts and pats of acts are repealed as respectively indicated

An Act entitled "An Act granting to boroughs and incorporated towns the right of eminent domain for certain purposes and relating the procedure thereunder" approved the second day of April one thousand nine hundred fifteen (Pamphlet Laws forty-four) insofar as it relates to boroughs

An Act entitled "An Act relating to appeals from the reports of auditors of boroughs townships and poor district" approved the twenty-first day of April one thousand nine hundred fifteen (Pamphlet Laws one hundred and sixty-two number eighty-five) insofar as it relates to boroughs

An Act entitled "An Act authorizing boroughs to enter into certain contracts and make appropriations regarding libraries" approved the sixth day of May one thousand nine hundred fifteen (Pamphlet Laws two hundred seventy-four number one hundred sixty-nine) absolutely

An Act entitled "A Supplement to an act entitled 'An Act providing for the election of a borough controller in all boroughs of this Commonwealth prescribing the qualifications powers and duties thereof and abolishing the office of borough auditors in said boroughs' approved the twelfth day of June Anno Domini one thousand nine hundred and thirteen prescribing certain additional duties of said controller the audit by him of the accounts of all officers of the borough the filing of his report in the office of the prothonotary the surcharge of any officer by him the entry of judgment against any officer upon said report the method by which the controller may obtain evidence before him making persons guilty of false testimony before him guilty of perjury providing for appeals by the borough or taxpayers or officers from the controllers report of audit to the court of common pleas and thence to the Superior and Supreme Courts prescribing the method of disposition of appeals giving certain rights to taxpayers in connection with said appeals fixing the amount of the bond and regulating the salary of the borough controller" approved the sixth day of May one thousand nine hundred fifteen (Pamphlet Laws two hundred seventy-six) absolutely

An Act entitled "An Act authorizing boroughs to collect an annual rental or assessment from property abutting on sewers constructed at public expenses and providing for the collection thereof" approved the eleventh day of May one thousand nine hundred fifteen (Pamphlet Laws two hundred eighty-four) absolutely

An Act entitled "An Act amending an act entitled 'An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom' ap-

proved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one as amended by providing for the placing of footwalks curb parking space shade-trees or otherwise improving the space between the curb line and the property line in said streets lanes and alleys and by providing for the payment of the damages costs and expenses thereof" approved the twenty-eighth day of May one thousand nine hundred fifteen (Pamphlet Laws five hundred seventy-three) so far as relates to boroughs

An Act entitled "An Act relative to borough controllers fixing the amount of the bond of all and regulating the compensation of certain borough controllers requiring the audit of certain accounts by and granting certain powers to the borough controllers regulating appeals from the audits of borough controllers and prescribing penalties for giving certain false testimony" approved the fifty day of June one thousand nine hundred fifteen (Pamphlet Laws eight hundred forty-eight) absolutely

An Act entitled "An Act authorizing and empowering the various boroughs of the Commonwealth to organize a State Association for the purpose of holding annual meetings providing for the representation of each borough in the said association and providing for the payment of the expenses thereof" approved the seventh day of June one thousand nine hundred fifteen (Pamphlet Laws eight hundred eighty-four) absolutely

On the question,

Will the House agree to the section?

Mr. POWELL. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 34, page 28, line 1, by striking out the word "relating" and inserting in lieu thereof "regulating."

Amend section 34, page 29, line 9, by striking out the word "soluteyl" and inserting in lieu thereof "solutely."

Amend section 34, page 29, line 12, by striking out the word "expenses" and inserting in lieu thereof "expense."

Amend section 34, page 29, line 26, by striking out the word "lamages" and inserting in lieu thereof "damages."

Amend section 34, page 30, line 3, by striking out the word "propert" and inserting in lieu thereof "property."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" and repealing certain acts relating to boroughs.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1497, as follows:

An Act to amend an act entitled "An Act granting a gratuity and an annuity to Patrick Leonard late sergeant in Captain J. H. Wilson's Company G Seventeenth Regiment National Guard of Pennsylvania" approved the seventh day of July one thousand eight hundred and eighty-five by fixing the annuity herein provided for

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the seventh day of July one thousand eight hundred and eighty-five entitled "An Act granting a gratuity and an annuity to Patrick Leonard late sergeant in Captain J. H. Wilson's Company G Seventeenth Regiment National Guard of Pennsylvania" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the said Patrick Leonard late a sergeant in Company G Seventeenth Regiment National Guard of Pennsylvania commanded by Captain John H. Wilson shall receive a gratuity of three hundred dollars to be paid by the State Treasurer out of any moneys not otherwise appropriated immediately after the passage of this act and an annuity of ninety-six dollars to be paid by the State Treasurer semi-annually on the first days of January and July from any moneys not otherwise appropriated to commence January first one thousand eight hundred and eighty-six" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Patrick Leonard late a sergeane in Company G Seventeenth Regiment National Guard of Pennsylvania commanded by Captain John H. Wilson shall receive an annuity of two hundred forty dollars ($240.00) to be paid by the State Treasurer semi-annually on the first days of January and July from any moneys not otherwise appropriated to commence July first one thousand nine hundred and fifteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 813, entitled

An Act to provide for the protection of agriculture and horticulture and to prevent the introduction into and the dissemination within the Commonwealth of insect and disease pests injurious or harmful to plants or plant products providing for inspection of nuseries providing for quarantines necessary to the enforcement of this act and imposing penalties.

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of this act the following terms shall be construed respectively to mean

(a) The singular and plural forms of any word or term in this act shall be interchangeable and equivalent within the meaning of the act

(b) The word "person" shall include corporations companies societies associations partnerships or any individual or combination of individuals When construing and enforcing the provisions of this act the act omission or failure of any officer agent servant or other individual acting for or employed by any person as above defined within the scope of his employment or office shall in every case be deemed to be the act omission or failure of such person as well as that of the officer agent servant or other employe

(c) The terms "insects" "insect pests" "diseases" or "plant diseases" mentioned in this act are defined as those insect pests and diseases injurious and harmful to plants and plant products of this State including any of the stages of development of such pests or diseases

(d) The term "nursery stock" shall include all field-grown florist stock trees shrubs vines cuttings grafts scions buds fruit-pits and other seeds of fruit and ornamental trees and shrubs and other plants and plant products for propagation except field vegetable and flower seeds bedding plants and other herbaceous plants bulbs and roots

(e) The term "nursery" shall be construed to mean any grounds or premises on or in which nursery stock is propagated and grown for sale or any grounds or premises on or in which nursery stock is being fumigated treated packed or stored

(f) The term "nurseryman" shall mean the person who owns leases manages or is in charge of a nursery

(g) The term "dealer" shall be construed to apply to any person not a grower of nursery stock who buys nursery stock for the purpose of reselling and reshipping independently of any control of a nursery

(h) The term "agent" shall be construed as applying to any person soliciting orders for or selling nursery stock under the partial or full control of a nurseryman or of a dealer or other agent This term shall also apply to any person engaged with a nurseryman dealer or agent in handling nursery stock on a co-operative basis

The second section was read as follows:

Section 2 The Secretary of Agriculture with the approval of the Agricultural Commission shall appoint some person qualified by scientific training and prcatical experience to be State nursery inspector hereinafter called the "Inspector" who shall strictly enforce the provisions of this act under his direction and control

On the question,

Will the House agree to the section,

Mr. STITES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 3, line 14, by striking out the word "prcatical" and inserting in lieu thereof the word "practical."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh sections were separately read and agreed to as follows:

Section 3 The Secretary of Agriculture is hereby authorized to appoint and dismiss on the recommendation of the inspector deputy inspectors who shall strictly enforce the provisions of this act under his direction And such deputies are hereby invested with the same police powers as the inspectors and shall be furnished with official badges or other insignia of authority which shall be carried while on duty

Seceion 4 The Secretary of Agriculture shall have the power to prescribe modify and enforce such reasonable rules regulations and orders as may be needed to carry out the provisions of this act and the Department shall publish an annual report describing various phases of the inspection and may publish such other information as may seem desirable concerning the inspection and such insects and diseases as are covered by this act Such rules and regulations shall be printed from time to time and furnished free to interested persons

Section 5 The Secretary of Agriculture through the inspector or deputies shall at least once each year inspect all nurseries and other places in which nursery stock is stored or kept for sale For this purpose such inspector or deputies shall have free access within reasonable hours to any field orchard garden packing ground building cellar freight or express office warehouse car vessel or other place which it may be necessary or desirable for him to enter in carrying out the provisions of this act It shall be unlawful to deny such access to the inspector or deputies or to hinder thwart or defeat such inspection by misrepresentation or concealment of facts or conditions or otherwise

Section 6 The Secretary of Agriculture through the inspector or deputies shall have the authority to inspect any orchard fruit or garden plantation park cemetery private premises public place and any place which might become infested or infected with dangerous or harmful insects or plant diseases He shall also have the authority to inspect or reinspect at any time or place any nursery stock shipped in or into the State and to treat it as hereinafter provided

Section 7 The Secretary of Agriculture is hereby empowered to prohibit and prevent the removal or shipment or transportation of nursery stock or any class of stone or quarry products or any other article of any character whatsoever capable of carrying any injuious or harmful insect pest or plant disease from any private or public property or property held or controlled by the State or any section of the State which in his judgment contains dangerously infested or infected insect pests or plant diseases for such periods and under such conditions as in his judgment seems necessary in order to prevent the further spread of the infestation or infection giving such notice thereof as he may prescribe and during the existence of such order no person shall remove or ship from such area any such material whatever except by permission or order of the Secretary of Agriculture

Section 8 It shall be unlawful for any person in this State knowingly to permit any destructive or dangerously harmful insect or plant disease to exist in or on his premises It shall also be unlawful knowingly to sell or offer for sale any nursery stock infested or infected with such insect or disease

Section 9 In case the inspector or deputy shall find present on any nursery or dealer's premises or any packing ground or in any cellar or building used for storage or sale of nursery stock any injurious insect or plant disease he shall notify the owner or person having charge of the premises in writing to that effect and the inspector shall withhold his certificate hereinafter provided for until the premises are freed from such injurious insect or plant disease as hereinafter provided It shall be unlafwul for any person after receiving such notice to ship or deliver or cause to be shipped or delivered any nursery stock from such aforesaid premises

Section 10 (a) If the inspector or deputy shall find on examination any nursery orchard small fruit plantation park cemetery or any private or public premises infested or infected with injurious insects or plant diseases or if reasonable evidence or suspicion of such infestation or infection is brought to his attention from a reliable source he shall cause an inspection to be made and if such infection or infestation exists he shall notify the owner or person having charge of such premises to that effect and the owner or person having charge of the premises shall within ten days after such notice cause the removal and destruction of such trees plants shrubs or other plant material if incapable of successful treatment otherwise cause them to be treated as the inspector may direct No damages shall be awarded to the owner for the loss or destruction of infested or infected trees plants shrubs or other plant material under this act Such infested or infected trees plants shrubs or other plant material shall be deemed to be a public nuisance

(b) In case the owner or person in charge of such premises shall refuse or neglect to carry out the orders of the inspector within ten days after receiving written notice the inspector under the direction of the Secretary of Agriculture may proceed to treat or destroy the infested or infected plants or plant material The expense thereof shall be assessed collected and enforced as taxes are assessed collected and enforced aaginst the premises upon which such expense was incurred The amount of such expense when collected shall be paid into the State treasury

Section 11 Nurserymen dealers and agents selling or delivering nursery stock in this State except as herein otherwise provided shall make application in wrtiing befor July first of each year to the inspector for inspection of their nursery stock growing in this State or failing to give such notice such nurserymen dealers or agents shall be liable for the additional expense of the inspector for the inspection of the nursery stock

The twelfth section was read as follows:

Section 12 Every person receiving directly or indirectly any nursery stock for foreign countries shall immediately notify the inspector of the arrival of such shipment the contents thereof and the name of the consignor and shall hold such shipment unopened until duly inspected or released by the inspector who shall make such inspection with reasonable promptness In case any infested or infected stock is discovered in such shipment the shipment shall be subject to the provisions of this act

On the question,
Will the House agree to the section,

Mr. STITES. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 12, page 7, line 17, by striking out the word "for" and inserting in lieu thereof the word "from."

Amend section 12, page 7, line 23, by striking out the word "feected" and inserting in lieu thereof the word "fected."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The thirteenth and fourteenth sections were separately read and agreed to as follows:

Section 13 (a) The Secretary of Agriculture shall cause to be issued to nurserymen in this State after the nursery stock in their nurseries has been officially inspected as provided in this act and found to be apparently free from injurious or harmful insects or plants diseases a certificate signed by the inspector setting forth the fact of such inspection and the number of acres or fraction thereof inspected Said certificate shall be valid not to exceed one year from October first

(b) It shall be unlawful for any person to sell to offer for sale or to remove or ship from a nursery or other premises any nursery stock unless such stock has been officially inspected and a certificate or permit signed by the inspector has been granted

Section 14 All dealers within the meaning of this act located either within or without the State engaged in selling nursery stock in this State or soliciting orders for nursery stock within this State shall secure a dealer's certificate by furnishing a sworn affidavit that he will buy and sell only stock which has been duly inspected and certified by an official state or federal inspector and he shall furnish the inspector on demand a list of all sources from which he secured his stock

The fifteenth section was read as follows:

Section 15 Nurserymen dealers or other persons residing or doing business outside the state desiring to solicit orders from nursery stock in the state shall upon filing a certified copy of their original state certificate with the inspector obtain a certificate permitting such persons to solicit orders for nursery stock in this State

On the question,
Will the House agree to the section,

Mr. STITES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 15, page 8, line 21, by striking out the word "from" and inserting in lieu thereof the word "for."

On the question,
Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixteenth seventeenth, eighteenth, nineteeenth, twentieth, twenty-first and twenty-second sections were separately read and agreed to as follows:

Section 16 All agents within the meaning of this act selling nursery stock or soliciting orders for nursery stock for any nurseryman or dealer located within the State or outside the State shall be required to secure and carry an agents certificate bearing a copy of the certificate held by the principal Said agents certificate shall be issued only by the inspector to agents authorized by their principal or upon request of their principal Names and addresses of such agents shall not be divulged by the inspector

Section 17 The Secretary of Agriculture shall at any time have the power to revoke any certificate for sufficient cause including any violation of this act or non-conformity with any rule or regulation promulgated under this act

Section 18 (a) It shall be unlawful for any person intentionally to make a false declaration of acreage or to cause any concealment of nursery stock from inspection

(b) Every person selling nursery stock in the State shall if requested furnish the inspector with copies of his order forms contracts and agreements with his customers which are furnished for the use of agents or customers or both

Section 19 Each person who shall engage in the selling and delivering of nursery stock in the State is hereby required to attach on the outside of each package box bale or car-load lot sold or delivered a tag or poster on which shall appear an exact copy of his valid certificate The use of tags or posters bearing an invalid or altered certificate and the misuse of any valid certificate tag is hereby prohibited

Section 20 Except as herein otherwise provided it shall be unlawful for any person to accept for transportation any nursery stock without a valid certificate plainly affixed on the outside of the package box bale or car containing the same showing that the contents have been duly inspected by an official state or federal inspector or without a valid certificate of inspection or copy thereof as provided in section fourteen If nursery stock is shipped into this state from another state country or province without having attached thereto the valid certificate of inspection of an official state or federal inspector such failure must be promptly reported to the Secretary of Agriculture by the person transporting the same into this state stating the names and addresses of the consignor and consignee and the nature of the shipment and such ursery stock shall not be delivered to the consignee unless and until the inspector shall inspect and release such nursery stock for delivery to consignee

Section 21 (a) Any person in interest or affected by any order of the Secretary of Agriculture or inspector may appeal therefrom to the Secretary of Agriculture within five days of the service of such order upon him setting forth in writing specifically and in full detail the order on which a hearing is desired and every reason why such order is deemed to be unreasonable

(b) On receipt of such appeal the Secretary shall with reasonable promptness order a hearing thereon and consider and determine the matters in question Notice of the time and place of hearing shall be given to the petitioner and to such other persons as he may direct Such appeal shall suspend the operation of the order appealed from except as to the orders of the Secretary of Agriculture promulgating a quarantine as provided in section eight hereof All hearings shall be open to the public The appellant shall have the right to be represented by attorney

Section 22 Any person violating any of the provisions of this act or any reasonable rule and regulation of the Secretary of Agriculture promulgater under this act shall be guilty of a misdemenaor and on conviction shall be fined not exceeding the sum of one hundred dollars

The twenty-third section was read as follows:

Section 23 This act shall be in force from and after passage approval and publication

On the question,

Will the House agree to the section,

Mr. STITES. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 23, page 11, line 12, by striking out the words "and publication" and inserting before "approval" the word "and."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twenty-fourth and twenty-fifth sections and title were separately read and agreed to as follows:

Section 24 The following acts of Assembly viz

"An Act to provide for the protection of trees shrubs vines and plants against destructive insects and diseases providing for the enforcement of this act the expenses connected therewith and fixing penalties for its violation" approved the thirty-first day of March Anno Domini one thousand nine hundred five (Pamphlet Laws eighty-two)

"An Act to amend section eight of an act entitled 'An Act to provide for the protection of trees shrubs vines and plants against destructive insects and disease providing for the enforcement of this act the expenses connected therewith and fixing penalties for its violation approved the thirty-first day of March Anno Domini one thousand nine hundred five' by authorizing the Economic Zoologist to acquire and disseminate knowledge of all kinds of insects and their enemies and the means of suppressing injurious species and maintaining beneficial kinds and increasing the annual allowance necessary to comply with the requirements of said act and making an appropriation therefor" approved the fifteenth day of May, Anno Domini one thousand nine hundred seven are hereby repealed absolutely

Section 25 All acts or parts of acts inconsistent with this act are repealed

An Act to provide for the protection of agriculture and horticulture and to prevent the introduction into and the dissemination within the Commonwealth of insect and disease pests injurious or harmful to plants or plant products providing for inspection of nurseries providing for quarantines necessary to the enforcement of this act and imposing penalties.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1583, as follows:

An Act to amend section one of an act approved the twenty-ninth day of April one thousand nine hundred nine etitled "An Act to prevent any individual from holding at the same time more than one of the offices of president vice-president secretary treasurer or solicitor of any building and loan association incorporated under the laws of this Commonwealth and providing a penalty for the breach thereof" by prohibiting any individual from holding at the same time also the office of conveyancer

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-ninth day of April one thousand nine hundred nine (Pamphlet Laws two hundred eighty-nine) entitled "An Act to prevent any individual from holding at the same time more than one of the offices of president vice-president secretary treasurer or solicitor of any building and loan association incorporated under the laws of this Commonwealth and providing a penalty for the breach thereof" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the same individual shall not be at the same time the holder of more than one of the following offices namely president vice-president secretary treasurer or solicitor of any building and loan association incorporated under the laws of this Commonwealth' is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the same individual shall not be at the same time the holder of more than one of the following offices namely president vice-president secretary treasurer conveyancer or solicitor of any building and loan association incorporated under the laws of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 611, as follows:

An Act to amend section one of an act approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five entitled "An Act authorizing the

county commissioners of the several counties in this Commonwealth to appoint a county solicitor fix his compensation and prescribe the term and duties of the solicitor" authorizing the appointment of assistant county solicitors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of the act approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and one) entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a county solicitor fix his compensation and prescribe the term and duties of the solicitor" which reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of the several counties within this Commonwealth shall constitute a board a majority of whom shall have authrity to appoint a county solicitor who shall be an attorney at law admitted and qualified to practice in the courts of this Commonwealth shall be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of the several counties within this Commonwealth shall constitute a board a majority of whom shall have authority to appoint a county solicitor and such assistant county solicitors as they may deem necessary for the proper transaction of the legal business of such county The county solicitor and assistants hall hold office during the term of the commissioners constituting such board and shall receive such compensation as the commissioners by resolution may determine The solicitor and assistant solicitors shall be attorneys at law admitted and qualified to practice in the courts of this Commonwealth The assistant county solicitors shall perform such services as are imposed upon them by the county solicitor and county commissioners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1652, as follows:

An Act fixing the compensation of the township treasurer of townships of the first class as treasurer and as tax collector

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the treasurer of each township of the first class shall receive for his duties as treasurer and tax collector for the township a sum equal to five per centum of all township taxes received or collected by him and in addition thereto a sum equal to one per centum on all other moneys received or collected by him for the township unless a different rate be fixed by ordinance of the township commissioners passed at least sixty days prior to the primary election

Section 2 All acts or parts of acts inconsistent herewith are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1705, as follows:

An Act authorizing and empowering township supervisors in townships of the second class to enter inte a contract with certain adjoining municipalities for connecting with their sewer systems the sewer systems of the township and of the private individuals and to provide for a collection of funds for that purpose by levying taxes upon the owners of property in the district benefited

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the township supervisors of any township of the second class in this Commonwealth are hereby authorized and empowered on the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within said township to contract with any adjoining municipality owning a sewer system for connecting with its sewer system sewer system of the township or of private individuals at or near the boundary thereof

Section 2 The township supervisors shall levy for maintenance and payment of said connection of said sewer an annual tax upon the property abuting on the said streets highways and other public places in the district benefited thereby based upon the assessment for the county purposes said taxes shall become a lien against said property to the same extent and with the same effect as other liens for taxes now authorized by law and shall be collected in the same manner as other taxes the collecter of taxes to receive the same commission as on the road taxes Provided That no taxes as herein provided shall be levied against any farm land nor shall any property be assessed hereunder or included in the provisions hereof unless the residence thereon shall be within one hundred feet of such highway

Section 3 The township treasurer shall receive all taxes collected for said purpose shall keep the same in a separate account and pay out the same only on orders signed by the chairman of the township supervisors attested by the secretary and shall make a report to the auditors of the township annually

Section 4 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1348, as follows:

An Act to amend sections one two and nine of an act approved the twenty-eighth day of May one thousand nine hundred and fifteen entitled "An Act to protect the public health by regulating the manufacture preparation handling storage sale transportation and possession of meat and meat-food products prescribing the powers and duties of the State Livestock Sanitary Board incidental thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-eighth day of May one thousand nine hundred and fifteen entitled "An Act to protect the public health by regulating the manufacture preparation handling storage sale transportation and possession of meat and meat-food products prescribing the powers and duties of the State Livestock Sanitary Board incidental thereto" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the terms 'meat' and 'meat-food products' wherever used in this act shall include the carcasses or parts of carcasses of cattle sheep goats other ruminants and swine and the meat of such animals and the meat-food products of such animals" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the terms "meat" and "meat-food products" wherever used in this act shall include the carcasses or parts of carcasses of cattle sheep goats other ruminants swine horses mules and the meat of such animals and the meat food products of such animals

Section 2 That section two of said act which reads as follows

"Section 2 The term 'unwholesome' as used in this act shall be understood to include all meats or meat-food products which are diseased contaminated putrid unsound unhealthful or unfit for food" is hereby amended to read as follows

Section 2 The term "unwholesome" as used in this act shall be understood to include all meats or meat-food products which are so affected with disease that it would be dangerous to use the meat or other parts for human food also all meats or meat-food products which are contaminated putrid unsound unhealthful or otherwise unfit for food or which have been derived from any animal which has died as a result of disease or accident or which was in a dying condition at the time of slaughter

Section 3 That section nine of said act which reads as follows

"Section 9 It is unlawful in an establishment to permit any meat or meat-food product to be touched or handled by any person other than the owner lessee or manager of an establishment or other than the agent or employe of such owner lessee or manager or to permit any meat or meat-food product to be exposed to insects animals or fowls" is hereby amended to read as follows

Section 9 It is unlawful in an establishment to expose any meat or meat-food product in such manner or place that it may be touched or handled by any person other than the owner lessee or manager of an establishment or other than the agent or employe of such owner lessee or manager or to expose any meat or meat-food product to insects animals or fowls

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1277, as follows:

An Act conferring upon poor districts the power to take land for the erection of buildings or for farming purposes and poviding a method for the ascertainment of damages in connection therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the directors or overseers of any poor district shall desire more land for the erection of necessary buildings or for farming purposes and are unable to agree with the owner or owners of the property upon the price to be paid therefor the said directors or overseers of such poor district by themselves their agents and workmen shall have power to enter upon locate survey mark take occupy and use any such lands for the purposes aforesaid

Section 2 The taking of any lands by any poor district by right of eminent domain under the provisions of this act for the erection of necessary buildings or for farming purposes is hereby declared to be the taking of private property for public purposes and for all damages done or suffered or which shall accrue to the owner or owners of such lands by reason of such taking all the property of the poor district shall be pledged as security

Section 3 If the directors or overseers of the poor cannot agree with the owner or owners of such lands for the compensation proper for the damage sustained or likely to be sustained by any owner or owners which such directors or overseers may enter upon use take or occupy in pursuance of the authority herein given or by reason of the absence or legal incapacity of any such owner or owners no compensation can be agreed upon the court of common pleas of the county on application thereto by petition either by the directors or overseers of the poor or by the owner or owners or any one in their behalf shall appoint three viewers from the county board of viewers and fix a time not less than ten nor more than twenty days thereafter for said viewers to meet at or upon the premises or property taken or occupied of which time and place five days' notice shall be given by the petitioner to the said viewers and the other party

Section 4 The viewers having been first duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises shall estimate and determine what amount of damages if any have been or may be sustained and to whom the same are payable and make report thereof to the court The amount of damages when confirmed by the court shall be entered as a judgment

Section 5 Upon the filing of the report of said viewers or any two of them either party may within thirty days thereafter file his her or their appeal from said report to the court and after such appeal either party may put the cause at issue in the form directed by said court and the same shall be tried by said court and jury and after final judgment either party may have an appeal to the Supreme or Superior Court in the manner provided in other cases

The court shall have power to order what notices shall be given in connection with any part of the proceedings and make all such rules in connection therewith as may be deemed requisite

If any exceptions be filed with any appeal to the proceedings they shall be disposed of and if allowed a new view shall be ordered and if disallowed the appeal shall proceed as before prescribed

Section 6 If during any of said proceedings it shall be made to appear by affidavit or otherwise to the satisfaction of the court that the title to the said lands is disputed doubtful or defective or that any party in interest is absent covert not of full age or for any other cause incapable to act the court may make all needful orders to effect the purposes of this act and may direct the damages and costs to be paid into court for the benefit of the parties who may eventually be entitled thereto

Section 7 The amount of damages as finally determined in any proceeding before viewers shall be paid by the poor district to the owner or owners of the property entitled thereto

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1519, as follows:

An Act relating to payment of taxes on seated lands by joint tenants tenants in common or coparceners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any joint tenant tenant in common or coparcener of seated land in this Commonwealth shall have the right to pay his her or their proportionate part of the amount of taxes due thereon and it shall be the duty of the tax collector to receive and receipt for the same and the interest of any such joint tenant tenant in common or coparcener shall not be affected by any proceeding or sale to enforce payment of taxes on the other interests in said land

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1724, as follows:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which had been held by or for any foreign corporation either with or without the right to hold the same and conveyed with or without the consent of the stockholders thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any real estate in this Commonwealth heretofore held by or for any foreign corporation either with or without the right to own and hold the same has been conveyed by any such foreign corporation either with or without the consent of the stockholders thereof to any citizen of the United States or to any corporation authorized by the laws of this Commonwealth to hold the same such citizen or corporation grantee as aforesaid shall hold and may convey an indefeasible title in the same notwithstanding any right of escheat in this Commonwealth by reason of such real estate having been sold or conveyed by or for any such foreign corporation not authorized to hold the same by the laws of this Commonwealth and notwithstanding that such conveyance was not authorized by the stockholders thereof Provided That this act shall not apply to any suit or suits now pending or to any escheat cases now in litigation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1691, as follows:

An Act providing for the appointment by the Governor of police for certain public service corporations and prescribing the powers providing for the compensation and for the revocation of the powers of such police

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any corporation organized for the construction and maintenance of a telegraph or telephone line or the supply of water to the public or the supply storage or transportation of water and water power for commercial and manufacturing purposes or the manufacture and supply of gas or the supply of light heat and power by means of electricity or the supply of light heat or power to the public by any other means and operating in this State under the powers for which it is so organized may apply to the Governor to commission such persons as such corporation may designate to act as policemen for such corporation

Section 2 The Governor upon such application may appoint such persons or so many of them as he may deem proper to be such policemen and shall issue to such person or persons so apponited a commission to act as such policeman

Section 3 Every policeman so appointed shall before entering upon the duties of his office take and subscribe the oath required by the seventh article of the Constitution before the recorder of any county in which the plant or other property of the corporation for which such policeman is appointed shall be located which oath after being duly recorded by such recorder shall be filed in the office of the Secretary of the Commonwealth and a certified copy of such oath made by the recorder of the proper county shall be recorded with the commission in every county in which any plant or other property of the corporation for which such policeman is appointed may be located and in which it is intended the said policeman shall act and such policemen so appointed shall severally possess and exercise all the powers of constables in criminal cases and of any policeman in this

Commonwealth in the several counties in which they shall be so authorized to act as aforesaid and the keepers of jails or lock-ups or station houses in any of said counties are required to receive all persons arrested by such policemen for the commission of any offense against the laws of this Commonwealth upon the plant or works or premises of any such corporation to be dealt with according to law

Section 4 Such policemen shall when on duty severally wear a metallic shield with the words "public service police" and the name of the corporation for which appointed inscribed thereon and said shield shall always be worn in plain view except when such policemen shall be employed as detectives

Section 5 The compensation of such police shall be paid by the companies for which the policemen are respectively appointed as may be agreed upon between them

Section 6 Whenever any corporation shall no longer require the services of any policeman so appointed as aforesaid they may file a notice to that effect under their corporate seal attested by their secretary in the several offices where the commission of such policeman has been recorded which shall be noted by the several recorders upon the margin of the record where such commission is recorded and thereupon the power of such policeman shall cease and be determined

Section 7 The Governor shall have power to decline to make any appointment sought to be made under the provisions of this act whenever the circumstances of the case in his opinion do not require it and at any time to revoke the commission of any policeman appointed hereunder

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1694, as follows:

An Act regulating the collection of taxes in counties containing less than one hundred fifty thousand inhabitants creating the office of receiver of taxes in such counties prescribing the powers and duties of said office and creating a salary board to fix salaries for such purposes and to designate the number of deputies and clerks and providing a method of reimbursement for expense of carrying out the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county having a population of less than one hundred fifty thousand inhabitants the county borough township school and poor taxes shall be collected by a receiver of taxes

Section 2 At the municipal election in the year one thousand nine hundred seventeen and quadrennially thereafter the qualified electors of each such counties shall elect a qualified elector of the county as receiver of taxes to serve for a term of four years from the first Monday of January next succeeding his election or until his successor is elected and has qualified Any vacancy in the office shall be filled by the Governor for the unexpired term

Section 3 The receiver of taxes shall before he enters upon the duties of his office take and subscribe the oath required by section one article seven of the Constitution and file the same in the office of the recorder of deeds He shall before he assumes the duties of his office enter into a bond to the Commonwealth in an amount to be fixed by the salary board hereinafter mentioned and created The condition of the bond will be that the receiver of taxes shall pay over or account for according to law the whole amount of taxes certified and charged to him during his term of office The bond shall be presented to the court of quarter sessions for approval and if approved shall be filed in the office of the clerk of the court of quarter sessions

Section 4 The receiver of taxes shall receive such salary to be paid by the County Treasurer on order of the County Commissioners as may be fixed by a salary board which is hereby created composed of the County Commissioners the County Auditors or Controller and the president judge of the courts of the county and such salary shall thereafter be fixed at least sixty days prior to the primary election at which nominations are to be made for the office of receiver of taxes and in default thereof the receiver of taxes shall be entitled to receive such salary as had been last theretofore fixed The receiver of taxes may appoint such deputies and clerks as may be permitted by said board who shall also fix their salaries at an amount not to exceed fifteen hundred dollars each The deputies shall possess all the powers with regard to the collection of taxes hereinafter conferred upon the receiver of taxes

Section 5 The receiver of taxes in such counties shall have an office at the court house which shall be open each day for the receipt of taxes The county commissioners shall furnish the receiver of taxes with books of numbered receipts blank forms of notices and all postage and supplies which may be necessary for the proper conduct of his office

Section 6 When the yearly or triennial assessments for county purposes in any city borough town or township of any such county have been made and revised and all appeals therefrom have been heard and finally determined the county commissioners shall issue a duplicate of such assessments to the receiver of taxes and shall notify the several borough township school poor and other authorities now empowered and which may hereafter be empowered to levy taxes within the several boroughs and townships of this Commonwealth the amounts of such assessment upon which they are respectively entitled to levy taxes

Section 7 The several county borough township school poor and other authorities now empowered and which may hereafter be empowered to levy taxes within the several boroughs and townships of this Commonwealth shall on or before the first day of June of each year after the first election of receiver of taxes under this act certify to such receiver of taxes the amount of their levy and the rate thereof together with their warrants attached directing and authorizing him to collect the same and shall certify such amounts to their respective treasurer who shall charge the receiver of taxes with the amount thereof

Section 8 Upon the receipt of the rates and amounts of levies the receiver of taxes shall proceed to collect the taxes levied and shall within thirty days after such receipt notify each taxable whose name appears on the duplicate The notice shall state (a) the valuation of the property of the taxable (b) the rate of taxation (c) the valuation of the occupation of the taxable (d) the full amount of taxes for which the taxable is liable (e) a statement that the taxes are due and payable (f) a place within the district and time when payment can be made (g) when the full amount of tax will be collected and (h) when an additional percentage will be collected as a penalty The notice shall be mailed to the last known postoffice address of each taxable

Section 9 All persons failing to make payment of their taxes within three months after the rate of the notice shall be charged five per centum additional on the taxes charged against them together with the costs and expenses incidental to collection which shall be added thereto by the receiver of taxes and be collected by him

Section 10 The receiver shall furnish each taxable on the payment of his taxes with a receipt setting out the date of payment the name of the taxpayer the amount of each particular tax and the name of the district and shall also make upon the stub in the book corresponding to the receipt a memorandum containing the same date as the receipt The stubs of all such receipts shall be kept in the office of the receiver of taxes and be open to public inspection

Section 11 The receiver of taxes shall make monthly returns to the respective authority levying the tax showing the amounts collected during the preceding month and the amount of uncollected taxes upon the respective accounts The receiver of taxes shall at the time of making any return to such authority pay over to its respective treasurer all the taxes collected during the preceding month and the treasurer shall credit the receiver of taxes with the amount so paid over

Section 12 The authorities levying the tax shall allow to the receiver of taxes such abatements and exonerations as to it shall appear just and reasonable The authorities levying the tax shall cause to be entered in a book kept for that purpose the names of the persons to whom an abatement or exoneration was allowed the reason for each abatement and exoneration the amount thereof and the date when made and shall give to the receiver of taxes a certificate directed to their respective treasurer stating the nature of the tax and the amount abated or exonerated and such treasurer shall credit the receiver of taxes with the amount of such abatement or exoneration

Section 13 If any person shall neglect or refuse to make payment of the amount due by him for any tax within thirty days from the date of the notice as provided in section eight the taxes of such person shall become delinquent and the receiver of taxes may levy the amount of such taxes by distress of the goods and chattels of such person and after ten days' public notice by written or printed advertisement the receiver of taxes may sell the goods and chattels of such delinquent

Section 14 Every tenant of lands and tenements shall be liable to pay all taxes which during his possession or occupancy may become due and payable thereon The goods and chattels of any such tenant shall be liable to distress and sale as provided in section thirteen of this act for any such taxes remaining unpaid Having paid any taxes the tenant may by an action of assumpsit or otherwise recover from his landlord the amount paid or at his election may defalcate the amount thereof in payment of rent due to such landlord unless such defalcation or recovery would impair any contract or agreement between the landlord and tenant previously made

Section 15 In case goods and chattels sufficient to satisfy the amount of the tax due by any taxable cannot be found upon the premises of the taxable the receiver of taxes may take the body of the delinquent taxable and convey him to the jail of the county there to remain until the amount of such tax together with the costs shall be paid or secured to be paid or until he shall be otherwise discharged by due process of law The receiver of taxes shall not imprison any female or minor or person found by a judicial proceeding to be of unsound mind

Section 16 The personal representative of any deceased receiver of taxes may enforce the collection of unpaid taxes in the same manner as the receiver could if living and may employ a suitable person to act for them in the execution of the warrant with all the powers possesed by the deceased receiver of taxes

Section 17 The receiver of taxes shall on or before the first day of February following the year in which any taxes are levied make return under oath to the respective authority levying the tax and to the county treasurer of all lands for which the tax has not been paid and upon which personal property cannot be found sufficient to pay such

taxes The receiver of taxes shall add to the amount of the tax returned against any property a penalty of five per centum and thereafter such lands shall be sold by the county treasurer for taxes at county treasurer's sale as now provided by law

Section 18 The receiver of taxes shall make a complete settlement of all taxes upon his duplicates with the treasurer of the authority levying the tax not later than three months after the expiration of his term of office On making such settlement the receiver shall make oath or affirmation that he has made a true and just return of all moneys by him collected for taxes The oath or affirmation shall be administered by the respective treasurer and shall be filed in the office of the authority levying the tax

Section 19 A receiver of taxes who converts any money collected for taxes to his own use or who uses by way of investment any money so collected or refuse to pay the same over at the times and places required by this act to the persons authorized to receive the same is guilty of embezzlement and upon conviction thereof shall be sentenced to imprisonment not exceeding five years or to pay a fine not exceeding five thousand dollars or both

Section 20 At the expiration of every calendar year the county commissioners shall ascertain the total expense of maintaining the office of receiver of taxes including salaries stationery printing postage books et cetera and shall assess every borough township school district and poor district or other authority levying a tax such proportion of such total expense as the amount of tax certified by them respectively to such receiver of taxes shall bear to the total amount of taxes certified to such receiver of taxes for collection and the amount so assessed by the county commissioners shall be paid into the county treasury by the respective borough township school district and poor district or other authority levying a tax within sixty days from the date of assessment by the county commissioners

Section 21 So much of all general acts heretofore passed as is inconsistent herewith is hereby repealed but this act shall not apply to any taxes the collection of which is regulated by a local law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. POWELL. Mr. Speaker, I move that House Bill No. 1694, the bill just read, be recommitted to the Committee on Counties and Townships.

Mr. DELL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1657, as follows:

An Act directing the manner in which the Highway Department shall distribute between the several counties the moneys appropriated for State and State-aid roads

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in expending moneys appropriated for the construction improvement maintenance and repair of State highways the State Highway Department shall during each year expend in each county a proportionate part of such moneys equal to the ratio which the number of miles of unimproved State highways in such county bears to the total number of miles of unimproved roads of State highway in the Comonwealth

Section 2 That the State Highway Department during each year shall expend in each county a proportionate part of all moneys set apart or appropriated for State-aid highways (including the Federal appropriation for rural post roads) equal to the ratio which the number of miles of unimproved public roads in each county bears to the number of miles of unimproved roads in the Commonwealth

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1149, as follows:

An Act regulating salaries of clerks in office of recorder of deeds in any county having a population of one million four hundred thousand inhabitants and over

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter transcribing clerks registration clerks compare clerks and miscellaneous clerks in the office of the recorder of deeds in any county having a population of one million four hundred thousand inhabitants and over shall each receive an annual salary of fifteen hundred dollars

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1704, as follows:

An Act fixing the pay of assessors for State and county purposes in the several cities of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the assessors for State and county purposes in each city of the third class in this Commonwealth shall receive as compensation for his services five ($5.00) dollars per diem for each day actually employed by him in the performance of the duties of his office in making the triennial assessment in making the supplemental assessments in the intervening years between the years of triennial assessments for the assessment of such persons as may remove into their respective districts since the last assessment for the re-assessment of such property as may have been transferred since the last assessment and for the assessment of those who may have been omitted from last assessment

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1383, as follows:

An Act authorizing supervisors of townships of the second class with the assent of the electors thereof to erect fire hydrants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That supervisors of townships of the second class are hereby authorized to erect fire hydrants the cost of which shall be paid out of the road fund

Section 2 No fire hydrants shall be erected under the provisions of this act except by consent of a majority vote of the electors of any such township had at any general municipal or special election for said purpose The question to be submitted at any such election shall be printed on the ballots in the manner provided by the general election law for the submission of such questions The cost and expenses of any such special election shall be paid by the township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 695, as follows:

An Act providing that any county borough or township bridge crossed by any State route State highway or State-aid highway shall become a part of said State route State highway or State-aid highway and shall be constructed or reconstructed and repaired and maintained as such

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wherever any State route or State highway or State-aid highway or any public road public highway or any section or part thereof under control of the State Highway Department shall cross any county borough or township bridge said bridge shall be constructed or reconstructed and thereafter maintained and repaired in proportion and by the same authorities as repair and maintain the said road or highway crossing said bridge it being the intent of this act that all bridges now owned by any county borough or township crossed by any such road or highway shall become immediately on the passage of this act a part of said road or highway and shall be constructed or reconstructed and repaired and maintained as a part of said State route or State highway or State-aid highway

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1676, entitled

An Act for the safety of the public by prohibting except in certain cases the use for the purpose of hunting and the discharging at dead marks or targets or otherwise of rifles of more than twenty-two calibre and providing penalties.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to use any rifle discharging a bullet greater than twenty-two calibre for the purpose of hunting killing or shooting at any game except bear deer elk or moose

On the question,

Will the House agree to the section?

Mr. MERVINE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 4, by striikng out the word "rifle" and inserting in lieu thereof the following: "high power rifle of any calibre or any rifle."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 It shall be unlawful for any person while hunting or otherwise in the open country to discharge any rifle of more than twenty-two calibre at any dead mark or target or otherwise except for the purpose of shooting at any deer bear elk or moose

On the question,

Will the House agree to the section?

Mr. MERVINE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 1, line 10, by striking out the word "rifle" and inserting in lieu thereof the following: "high power rifle of any calibre or any rifle."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 This act does not prevent the use or discharging of rifles of more than twenty-two calibre for legitimate target practice where the same may be done with safety to the public

On the question,

Will the House agree to the section?

Mr. MERVINE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 2, line 2, by inserting before the word "rifles" the words "high power."

Amend section 3, page 2, line 2, by inserting after the word "rifles" the words "or rifles."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth and fifth sections were separately read and agreed to as follows:

Section 4 Any person who shall violate the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding twenty-five dollars for each such offense and in default of the payment of such fine to be imprisoned one day for each dollar of fine imposed

Section 5 All acts and parts of acts inconsistent with this act are repealed

The title was read as follows:

An Act for the safety of the public by prohibting except in certain cases the use for the purpose of hunting and the discharging at dead marks or targets or otherwise of rifles of more than twenty-two calibre and providing penalties.

On the question,

Will the House agree to the title?

Mr. MERVINE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, line 4, by striking out the word "rifles" and inserting in lieu thereof the following: "high power rifles of any calibre or any rifle."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1470, entitled

An Act to provide for the distribution of penalties collected for violations of the Fish and Game Laws of this Commonwealth.

The first section was read as follows:

An Act to provide for the distribution of penalties collected for violations of the Fish and Game Laws of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the approval of this act any citizen of this Commonwealth other than a salaried officer of the Commonwealth who may prosecute any person or persons for violating any law of this Commonwealth relating to either fish or game or wild birds shall be entitled to receive as remuneration for services rendered in such prosecution one-half of the penalty that may be recovered in such case together with costs which amount shall be paid to such prosecutor by the court receiving the same and the remaining one-half shall be returned to the head of that department having to do with the law violated who shall in turn deposit such moneys in manner and for the purposes now indicated by law relating to the application of penalties recovered by that department

On the question,

Will the House agree to the section?

Mr. DELL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 11, by striking out the words "together with costs."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

An Act to provide for the distribution of penalties collected for violations of the Fish and Game Laws of this Commonwealth.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1366, as follows

An Act to further amend the act approved the first day of June one thousand eight hundred and eighty-five entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" by giving officers and employes a right to be heard before dismissal in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the tenth paragraph of section one article fifteen of the act approved the first day of June one thousand eight hundred and eighty-five (Pamphlet Laws thirty-seven) entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" which as amended by the act approved the fifteenth day of February one thousand nine hundred and six (Pamphlet Laws nineteen) entitled "An Act to further amend an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five by amending article twelve section two by providing for the method of removing subordinate officers clerks and employes and by amending article fifteen section one by prohibiting officers clerks and employes from taking any active part in political movements and elections and providing a penalty for the violation thereof" reads as follows

"No officer clerk or employe of any city of the first class or of any department trust or commission thereof shall be a member of or delegate or alternate to any political convention nor shall he be present at any such convention except in the performance of his official duty No officer clerk or employe of any city of the first class or of any department trust or commission thereof shall serve as a mamber of or attend the meeting of any committee of any political party or take any active part in political management or in political campaigns or use his office to influence political movements or influence the political action of any other officer clerk of employe of any such city department trust or commission No officer clerk or employe of any city of the first class shall in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while counting the vote or returning the ballot-boxes books and papers to the place provided by law for that purpose save only for the purpose of marking and depositing his ballot as speedily as it reasonably can be done (or) be within any polling place or within fifty feet thereof except for purposes of ordinary travel or residence during the period of time beginning with one hour preceding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes and have left the polling-place for the purpose of depositing the ballot-boxes and papers in the place provided by law for that purpose excepting only officers of the Bureau of Police who may temporarily approach or enter the polling-place in order to make any arrest permitted by law or for the purpose of preserving order and in each such case only long enough to accomplish the duties aforesaid after which the said officers shall at once withdraw Any officer clerk or employe of any city of the first class or of any department trust or commission thereof violating any of the provisions of this section shall be immediately dismissed by the mayor or by the head of the department trust or commission in which he is employed" is hereby further amended to read as follows

No officer clerk or employe of any city of the first class or of any department trust or commission thereof shall be a member of or delegate or alternate to any political convention nor shall he be present at any such convention except in the performance of his official duty No officer clerk or employe of any city of the first class or of any department trust or commission thereof shall serve as a member of or attend the meetings of committee of any political party or take any active part in political management or in political campaigns or use his office to influence political movements or influence the political action of any other officer clerk or employe of any such city department trust or commission No officer clerk or employe of any city of the first class shall in any way or manner interfere with the conduct of any election or the prearation therefor at the polling-place or with the election officers while counting the vote or returning the ballot-boxes books and papers to the place provided by law for that purpose save only for the purpose of marking and depositing his ballot as speedily as it reasonably can be done (or) be within any polling-place or within fifty feet thereof except for purposes of ordinary travel or residence during the period of time beginning with one hour preceding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes and have left the polling-place for the purpose of depositing the ballot-boxes and papers in the place provided by law for that purpose excepting only officers of the Bureau of Police who may temporarily approach or enter the polling-place in order to make any arrest permitted by law or for the purpose of preserving order and in each case only long enough to accomplish the duties aforesaid after which the said officers shall at once withdraw Any officer clerk or employe of any city of the first class or of any department trust or commission thereof violating any of the provisions of this section shall be immediately dismissed by the mayor or by the head of the department trust or commission in which he is employed No such person shall be dismissed from the service of any city of the first class unless within thirty days after the alleged violation and before the dismissal he has been furnished with a detailed written statement of the facts constituting the alleged violations He shall be allowed four days to give to the officer seeking to remove him such written answer thereto as he may desire to make The person sought to be removed may demand a trial by a court of inquiry to consist of three disinterested persons one to be selected by the mayor of the city the second by the person sought to be removed and the third to be selected by the other two In case of their failure to select a third within ten days such third member shall be selected by the president of select council of the city Such court of inquiry shall be duly sworn to try the matter according to law and the evidence It shall conduct its hearings in public and shall have power to swear and affirm witnesses and shall be conducted as nearly as possible as courts of arbitration are conducted in this Commonwealth The court of inquiry shall render its decision in writing Such decision shall be final and binding on the person sought to be removed and on the removing officer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1601, as follows

An Act permiting corporations to invest their surplus funds in bonds of the United States issued for war purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all corporations incorporated under the laws of this Commonwealth may invest all or any part of their surplus funds in bonds of the United States Government issued for war purposes without obtaining the consent or approval of the stockholders

Section 2 All acts or parts of acts general local or special inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1711, entitled

An Act for the protection of owners and tenants of cultivated lands from damage by deer and permitting the killing of such deer and the use of the carcass thereof under certain restrictions.

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the owner or tenant of any cultivated lands or any employe of such owner or tenant under his direction after permit obtained as hereinafter provided is hereby authorized to kill any deer found doing any injury to such lands or property and also when any damage has been done to any such lands or property by any deer even though the owner or tenant did not see the deer committing such damage to follow and kill any deer found within one mile of the place where such damage happened

The second section was read as follows:

Section 2 No deer shall be killed under the provisions unless a complaint has first been filed with the Game Com-

mission setting forth the damage committed by any deer and praying for a permit to kill such deer Upon the receipt of any such complaint the Secretary of the Game Commission shall make an investigation thereof and if he finds the facts alleged to be true he shall issue his permit authorizing the killing of such deer as provided in section one of this act

On the question,
Will the House agree to the section?

Mr. RUDISILL. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 1, by inserting after the word "provisions" the words "of this act;" and also in line 3, by inserting after the word "the" the words "facts that" and after the word "damage" in line 3, the words "has been."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The third section was read as follows:

Section 3 The carcass of any deer killed under the provisions may be used by the owner or tenant of such lands for domestic use but no part thereof shall be sold or given to any other person and any person who shall sell or give away the carcass or any part thereof of any such deer shall be subject to a penalty of twenty-five dollars to be recovered in a summary proceeding

On the question,
Will the House agree to the section?

Mr. RUDISILL. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 2, line 11, by inserting after the word "provisions" the word "hereof;" and in line 13, omit the words "or give to any other person;" also in line 14, omit the words "or give away."

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read and agreed to as follows:

An Act for the protection of owners and tenants of cultivated lands from damage by deer and permitting the killing of such deer and the use of the carcass thereof under certain restrictions.

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1313, as follows:

An Act requiring male residents above the age of twenty-two years to be possessed of a tax receipt before a county treasurer or justice of the peace shall issue a resident hunters' license and providing penalties for violations of the provisions thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act no treasurer of any county in this Commonwealth and no justice of the peace shall issue or permit the issuing of a resident hunters' license under the provisions of the act of April seventeenth one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) entitled "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received" until he is satisfied either through the presentation of the tax receipt or by affidavit that each male person above the age of twenty-two years applying for such license is possessed of a tax receipt or receipts showing that all taxes assesed against such person for all purposes for the year immediately preceding the one in which such license is issued have been paid

Section 2 Each county treasurer or justice of the peace either issuing or permitting the issue of a resident hunter's license contrary to the provisions of this act shall be liable to a penalty of ten dollars for each offense together with costs of prosecution to be recovered before any magistrate alderman or justice of the peace as fines and penalties are by law recoverable

Section 3 Any person who shall for the purpose of procuring a resident hunter's license in accordance with this act make a false affidavit of taxes paid shall be liable to a penalty of ten dollars for each offense together with costs of prosecution to be recovered before any magistrate or justice of the peace as fines and penalties are by law recoverable

Section 4 All penalties recovered under this act shall be paid into the school fund of the district in which the conviction may be secured

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1663, as follows:

An Act permitting the owners or lessees of land or members of their family to take or kill birds commonly known as blackbirds on the premises owned or leased by them or upon or over a roadway immediately adjoining and abutting on said property at any time during the year and repealing all acts inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be lawful for any owner or lessee of land in this Commonwealth or any member of the family of any such owner or lessee to kill take or wound birds commonly known as black birds or land owned or leased by them or upon or over a roadway immediately adjoining and abutting on said land at any time during the year

Section 2 It shall not be lawful for any person or persons to take kill or wound birds commonly knewn as black birds except as provided in section one of this act

Section 3 An Act of the twenty-first day of March one thousand nine hundred and thirteen entitled "An Act for the better protection of the wild birds known as the turtle or morning dove kill deer plover and the bird commonly called the black bird in Pennsylvania" and prescribing penalties for violation of its provisions is hereby repealed insofar as the same is inconsistent with this act but any person or persons who shall kill take or wound birds commonly known as black birds in any other manner than that provided in section one of this act shall be subject to the penalties provided by said act of March twenty-first one thousand nine hundred and thirteen and all other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 953, entitled

An Act authorizing appeals to the Superior Court in all habeas corpus cases.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all proceedings now pending or hereafter brought any party aggrieved by any order decree or judgment in any habeas corpus proceedings in any of the courts of this Commonwealth shall have the right to appeal therefrom to the Superior Court of this Commonwealth who shall consider the testimony and make such order upon the merits of the case either in affirmance reversal or modification of the order appealed from as to right and justice shall belong

On the question,
Will the House agree to the section?

Mr STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, line 6, by inserting after the word "proceedings" and before the word "in" the following: "involving the custody of children."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read as follows:

An Act authorizing appeals to the Superior Court in all habeas corpus cases.

On the question,
Will the House agree to the title?

Mr STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, line two, by inserting after the word "cases" the following: "involving the custody of children."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.
And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1587, as follows:

A Supplement to an act entitled "An Act for the government of cities of the second class" approved March seventh one thousand nine hundred and one conferring upon said cities in cases of emergency additional powers to purchase and store the necessities of life including food and coal and sell the same to the residents of said city

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the second class shall be and they are hereby authorized whenever an emergency exists to purchase and store the necessities of life including food and coal and to sell the same to any of the residents of said city

Section 2 Whenever the mayor of any city of the second class shall certify in writing to the council of said city that in his opinion an emergency exists and a resolution of said council to that effect shall be duly enacted in the manner provided by law the said city shall appropriate such sum or sums of money as may from time to time be considered necessary and advisable to purchase the necessities of life including food and coal

All matters relating to the purchase thereof the storage sale or disposal thereof shall be under the control direction and supervision of the Department of Supplies subject to such rules and regulations as may be prescribed by the council of said city or the Department The prices to be charged for said necessities of life including food and coal shall be such as to return to the city upon the entire transaction as near as may be the actual cost to the city of the purchase storage and disposal of the said necessities of life

Section 3 The said emergency shall be deemed to have terminated whenever a resolution shall be duly enacted to the effect that the said emergency no longer exists and thereupon the Department of Supplies shall proceed with the sale of the remaining stock on hand to the best advantage selling the same at such prices as will as near as may be return to the city the actual costs and expenses involved in such transaction and the amount received herefrom shall be returned to the city treasurer to make restitution for the amounts theretofore appropriated for said purposes

Section 4 Contracts made under the authority of this act may be let without previous advertisement and competitive bidding as now required by law

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1634 (Senate Bill No. 820), entitled

An Act authorizing manufacturing corporations now or hereafter organized under the laws of this State to engage in the production of necessary raw materials for such manufacturing purposes.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1635 (Senate Bill No. 821), entitled

An Act authorizing corporations now or hereafter organized under the laws of this Commonwealth for the purpose of manufacturing to own and operate certain conveyances for the transportation of raw materials and the products manufactured therefrom.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1633 (Senate Bill No. 730), entitled

An Act empowering banks and trust companies to accept drafts and issue letters of credit.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1550 (Senate Bill No. 640), entitled

An Act to amend sections three four five six and eleven of an act approved the twentieth day of May one thousand nine hundred and fifteen entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions.

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred sixty-six) entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" which reads as follows

"Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury thereof as hereinabove provided if any of the age of sixty years and upwards who shall have been so employed for a period of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained" be amended to read as follows

Section 3 Every person now or hereafter employed by the said cities or paid out of the city treasury thereof as hereinabove provided if any of the age of sixty years and upwards who shall have been so employed for a period

of twenty years or more shall upon application to the board of pensions herein created be retired from service and shall during the remainder of his or her life receive a pension or compensation fixed by this act subject to such qualifications as are herein contained Provided That if any person or persons had been employed by the said cities for a period covering eighteen years or more prior to the passage of this act and shall thereafter be re-employed it shall be necessary that the period of their re-employment shall extend over a period of two years or more before such person or persons shall be entitled to receive the pension fixed by this act

Section 2 That section four of said act which reads as follows

"Section 4 During the lifetime of the said person he or she shall be entitled to receive as a pension annually from the fund set aside for the purpose fifty per centum of the amount which would constitute the average annual salary or wages which he or she received during the last five years of his or her employment by the said city or other public employment as aforesaid Said pension to be paid in monthly payments Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to the pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office The pension paid to any one employe shall not exceed one hundred dollars per month" be amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitutie the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be requried to pay unto the board of pensions monthly an amount equal to four per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office The pension paid to any one employe shall not exceed one hundred dollars per month

Section 3 That section five of said act which reads as follows

"Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages—in no event however paying at a rate greater than four dollars a month—which shall be applied to the purposes of this act Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full without interest Provided however if any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward reenter such public employment said employe shall not be entitled to the pension designated until twenty years after the said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employes" be amended to read as follows

Section 5 The city county or other public employes if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to four per centum of their monthly salaries or wages—in no event however paying at a rate greater than four dollars a month—which shall be applied to the purposes of this act Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided if such beneficiary has so contributed to the pension fund during a period of twenty years If at the time the beneficiary receives the pension herein provided he or she shall not have been a contributor to the pension fund during a period of twenty years such person shall be required to pay unto the board of pensions an amount equal to two per centum of his or her monthly pension until such time as his or her contribution shall have extended during a period of twenty years If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full without interest Provided however if any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter such public employment said employe shall not be entitled to the pension designated until twenty years after the said re-employment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time said employe first entered the such public service In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employe

The fourth section was read as follows:

Section 4 That section six of said act which reads as follows

"Section 6 Should any person holding position in said cities of the first class or any county or other public employes if any paid out of the treasury of such cities as aforesaid be paid a per diem wage he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act" be amended to read as follows

Section 6 Should any person holding position in said cities of the first class or any county or other public employes if any paid out of the treasury of such cities as aforesaid be paid a per diem wage or a salary at a rate of three hundred and sixty dollars each year or less he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act

On the question,

Will the House agree to the section?

Mr. STERN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Strike out in section 4, uage 4, line 20, the word "two" and insert in its place the word "four."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows:

Section 5 That section eleven of said act which reads as follows

"Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or both as aforesaid and need not be continuous No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen" be amended to read as follows

Section 11 The time of service herein specified namely twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or both as aforesaid and need not be continuous Provided That in no case shall a period of more than eighteen years be credited to the service record of any person or persons who shall be employed after the passage of this act and who shall have been employed by the said cities prior to the passage of this act No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen

On the question,
Will the House agree to the section?
Mr. STERN. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Strike out in section 5, page 7, line 6, the word "two" and insert in its place the word "four."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read and agreed to as follows:

An Act to amend sections three four five six and eleven of an act approved the twentieth day of May one thousand nine hundred and fifteen entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1666 (Senate Bill No. 161), entitled

An Act relative to the payment of deposits in banks or trust companies deposited in two or more names

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1432 (Senate Bill No. 615), entitled

An Act to amend sections four and five of an act approved the second day of April one thousand eight hundred and sixty-eight entitled "An Act to ascertain and appoint the fees to be received by the several officers of this Commonwealth"

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1199 (Senate Bill No. 253), entitled

An Act making an appropriation for the payment of judgment and costs recovered in the court of common pleas of Dauphin County in the suit of Joseph Moore James S. T. Moore Annie M. Polk Rebecca E. Swiggett Mary E. Williams Spencer C. Moore vs. Robert K. Young Treasurer of the State of Pennsylvania

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1220 (Senate Bill No. 264), entitled

An Act to amend section one of an act approved the fifteenth day of June one thousand nine hundred eleven entitled "An Act to fix and regulate the compensation of directors of the poor of poor districts composed of several townships boroughs and cities situate wholly within counties of this Commonwealth not exceeding five hundred thousand population"

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1439 (Senate Bill No. 667), entitled

An Act requiring all counties cities boroughs townships school districts and other municipalities and incorporated districts to sell any bonds or other securities issued by them to the highest bidder after due public notice

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1510 (Senate Bill No. 741), entitled

An Act to provide for a stadium in cities of the first class

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1593 (Senate Bill No. 725), entitled

An Act requiring cities of the second class to give an increase of at least one hundred and fifty dollars per year to all employes now drawing a salary of fifteen hundred dollars per annum or less and providing a method to enforce the provisions of this act

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1213 (Senate Bill No. 339), entitled

An Act providing for the sale of tax claims on lands for city taxes school taxes municipal claims and water rents in cities of first class

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. STERN. Mr. Speaker, I move that this bill which has just passed second reading be recommitted to the Committee on Judiciary Special, for the purpose of a hearing.
Mr. GLASS. Mr. Speaker, I second the motion.
The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1323, entitled

An Act creating a Division of Building Inspection within the Department of Labor and Industry, and Divisions of Building Inspection in the third class cities, and providing for the creation of such Divisions in certain of the counties,

boroughs and townships of the Commonwealth of Pennsylvania; providing for the promulgation of rules and regulations by the Industrial Board to effectuate the purposes of this act; establishing an Examining and Advisory Committee within the Division of Building Inspection; providing for the appointment of officers and employes for the enforcement of the provisions of this act; defining the authority and powers of said Division of Building Inspection, and Examining and Advisory Committee, and the duties and powers of their officers and employes; providing penalties for the violation of the provisions of this act and of the aforesaid rules and regulations of the Industrial Board; and repealing all acts or parts of acts inconsistent with this act, provided, however, that no acts or parts of acts relating to cities of the first and second class are hereby repealed.

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created and established a Division of Building Inspection in the Department of Labor and Industry

There shall be a chief of said Division of Building Inspection appointed by the Commissioner of Labor and Industry with the approval of the Governor who shall be the civil engineer of the Department of Labor and Industry He shall be provided with a consulting associate or associates to be designated by the Commissioner of Labor and Industry together with such assistants and clerical force as may be necessary for the effective administration of the division The salary of the chief of the Division of Buildings shall be four thousand five hundred ($4,500) dollars per annum the compensation of such associate or associates as the Commissioner of Labor and Industry shall deem necessary for the proper administration of said Division of Building shall not exceed ten ($10.00) dollars per day for each period of employment together with traveling expenses actually or necessarily incurred in the performance of their duty and the salary of the assistants to the chief of the Division of Buildings shall be not more than three thousand ($3,000) dollars per annum for each such assistant

There is hereby created in such Division of Buildings an examining and advisory committee to consist of the commissioner and the chief of the Bureau Inspection of the Department of Labor and Industry the State Commissioner of Health and the State Fire Marshal and four additional members to be appointed by the Commissioner of Labor and Industry after consultation with the Industrial Board and with the approval of the Governor one of whom shall be a representative of the third class cities of the Commonwealth one a representative of the counties of the Commonwealth one a representative of the boroughs of the Commonwealth and one a representative of the townships of the Commonwealth The last four members of the examining and advisory committee shall be men of known experience and capacity in building construction who shall also have served an apprenticeship in a building trade or have completed an acceptable course in architecture or building construction The Commissioner of Labor and Industry shall be chairman of the said committee but in his absence the chief of the Bureau of Inspection shall be the chairman of such examining committee and the Commissioner of Labor and Industry shall appoint and fix the salary of a secretary for said committee and all of said committee with the exception of the Commissioner and Chief Inspector of the Department of Labor and Industry the State Commissioner of Health and the State Fire Marshal shall receive the compensation of ten ($10.00) dollars per day for each day of service actually rendered to such committee and all members shall receive such traveling and other expenses as are actually or necessarily incurred Vacancies in said committee shall be filled by the Commissioner of Labor and Industry after consultation with the Industrial Board and with the approval of the Governor

Such examining and advisory committee shall be the judge of the qualification of applicants for the position of buliding inspectors or assistant building inspectors of any of the divisions of inspection provided by this act and no person who has failed to pass the examination before such committee shall be appointed to the position of such building or assistant building inspector in this Commonwealth provided however that nothing in this provision shall apply to cities of the first and second class The Commissioner of Labor and Industry shall make required appointments from those persons who have successfully passed the tests of said examining committee except in the case of local officials the appointment of whom is hereafter provided for and shall appoint all clerks and other executive or clerical force required to make this act effective The committee shall hold its examinations at such intervals and at such places in the Commonwealth as the committee shall deem necessary Notice of the time and place of its examinations shall be given by the committee at least fifteen days prior to the holding of such examination

Section 2 There shall be created in every city of the third class in this Commonwealth by ordinance of the councils of such cities a division of building inspection which is hereby charged under the supervision of the division of bulding inspection of the Department of Labor and Industry with the local administration of this act The head of said division shall be a building inspector appointed by said city after he shall have duly qualified for the position by passing an examination before the examining and advisory committee of the division of buildings of the Department of Labor and Industry The ordinance of councils creating such division shall provide for such assistant building inspectors clerks and others as may be necessary to effectuate the purposes of this section and shall provide for the amount of their salary or compensation and for the payment of the same out of the treasury of said city

The third section was read as follows:

Section 3 There may be created in any borough of this Commonwealth by ordinance of the councils of such borough a division of building inspection charged under the supervision of the division of building inspection of the Department of Labor and Industry with the local administration of this act The head of said division shall be a building inspector appointed by said borough after he shall duly qualify for the position by passing an examination before the examining and advisory committee of the division of building inspection of the Department of Labor and Industry The borough ordinances creating such division shall provide for such assistant building inspectors clerks and others as may be necessary to effectuate the purposes of this section and shall provide for the amount of their salary or compensation and for the payment of the same out of the treasury of the said borough

There may be created by two or more boroughs combining for this purpose a joint division of building inspection charged under the supervision of the division of building inspection of the Department of Labor and Industry with the local administration of this act The head of said joint division shall be a buliding inspector appointed by said boroughs after he shall have duly qualified for the position by passing an examination before the examining and advisory committee of the division of building inspection of the Department of Labor and Industry The borough ordinances creating such joint division shall provide for such assistant building inspectors clerks and others as may be necessary to the purpose and shall provide for the amount of their salary or compensation and for the ratable payment of the same out of the treasuries of the said boroughs

On the question,
Will the House agree to the section?

Mr. PALMER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 6, line 15, by striking out the word "to" and inserting in lieu thereof the word "for."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fourth, fifth and sixth sections were separately read and agreed to as follows:

Section 4 There may be created in any township of this Commonwealth by the proper authorities of the said township a division of building inspection charged under the supervision of the division of building inspection of the Department of Labor and Industry with the local administration of this act The head of such division shall be a building inspector appointed by said township after he shall have duly qualified for the position by passing an examination before the examining and advisory committee of the division of buildings of the Department of Labor and Industry The township shall provide for the amount of such inspector's salary or compensation and for the payment of the same out of the treasury of the said township

There may be created by two or more townships combining for this purpose a joint division of buliding inspection charged under the supervision of the division of building inspection of the Department of Labor and Industry with the local administration of this act The head of said joint division shall be a building inspector appointed by the said townships after he shall have duly qualified for the position by passing an examination before the examining and advisory committee of the division of building inspection of the Department of Labor and Industry The townships creating such joint divisions shall provide for the amount of such inspector's salary or compensation and for the payment of the same out of the treasuries of the said townships

Section 5 There may be created by a combination of a borough with a township or a combination of boroughs with townships a joint division of buliding inspection which shall be administered and maintained in the

manner hereinbefore provided in the case of joint divisions of building inspection

Section 6 Where a borough or combination of boroughs or a township or combination of townships or a combination of boroughs and townships shall fail to create the division of building inspection which it is the intent and purpose of this act to establish therein it shall be the duty of the county commissioners of the county within which such subdivisions of the State are located upon written notice from the Department of Labor and Industry to establish a division of building inspection in said county which shall be charged under the supervision of the division of building inspection of the Department of Labor and Industry with the local administration of this act The head of such division shall be a building inspector appointed by the said county commissioners after he shall have duly qualified for the position by passing an examination before the examining and advisory committee of the division of building inspection of the Department of Labor and Industry The county commissioners creating such division of building inspection shall provide for such assistant building inspectors clerks and others as may be necessary for the purpose and shall provide for the amount of their salary or compensation and for the payment of the same out of the treasury of the said county

The seventh section was read as follows:

Section 7 All buildings and structures in this Commonwealth in which people are employed reside or assemble or shall hereafter be employed reside or assemble excepting cities of the first and second class shall be so constructed equipped and arranged operated and conducted in all respects as to provide reasonable and adequate protection for the life safety and health of all persons employed in or occupying them provided however that nothing in this section applies to single detached private residences nor to authority now vested in the State Department of Health by act four hundred fifty-nine approved the twenty-fourth day of July one thousand nine hundred thirteen Pennsylvania Laws page one thousand and fifteen For the carrying into effect of this provision the enforcement of which is hereby entrusted to and imposed upon the Commissioner of Department of Labor and Industry and the State Department of Health the industrial board shall have power to make alter amend and repeal rules and regulations necessary for applying such provision to specific conditions and to prescribe means methods and practices to carry into effect and enforce such provision

On the question,

Will the House agree to the section?

Mr. PALMER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 7, page 9, line 6, by inserting the word "the" before the word "Department."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The eighth section was read and agreed to as follows:

Section 8 The rules and regulations of the industrial board and the amendments and alterations thereof shall be distributed to all applicants Every rule or regulation adopted by the board shall be published in bulletins of the Department of Labor and Industry and the State Department of Health and in such daily newspapers as the board may prescribe and no such rule or regulation shall take effect until thirty days after such publication Any employer employe occupant owner or other person interested either because of ownership in or occupation of any property affected by any such order or regulation or otherwise may petition for a hearing on the reasonableness of a rule or regulation Such petition for hearing shall be by verified petition filed with the said industrial board setting out specifically and in full detail the rule or regulation upon which a hearing is desired and the reasons why such rule or regulation is deemed to be unreasonable All hearings of the board shall be open to the public Upon receipt of such petition if the issues raised in such petition have therefore been adequately considered the industrial board shall determine the same by confirming without hearing its previous determination or if such hearing is necessary to determine the issue raised the industrial board shall order a hearing thereon and consider and determine the matter or matters in question at such time as shall be prescribed Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the industrial board may find directly interested in such decision

The ninth section was read as follows:

Section 9 The commissioner of Labor and Industry or his duly authorized representative including the building inspectors of the division of building inspection charged with the local administration of this act throughout the State and the State Commissioner of Health or his duly authorized representatives shall have the right to enter at any reasonable time any rooms buildings and places within this Commonwealth as specified in this act except in cities of the first and second classes for the purpose of carrying out the provisions of this act and no person shall hinder or delay them or such representatives or building inspectors in the performance of their duties in the enforcement of this act or refuse to admit or lock out any representatives or building inspector or refuse to give them information required for the proper enforcement of this act

On the question,
Will the House agree to the section?
Mr. PALMER. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 9, page 10, line 12, by striking out the word "representative" and inserting in lieu thereof the word "representatives."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The tenth and eleventh sections were separately read and agreed to as follows:

Section 10 The Commissioner of Labor and Industry shall direct and supervise the creation of the said division of building inspection and the work and activities of the said division shall be subject to his direction and supervision He may attach the division of building inspection to the bureau of inspection or make such other arrangements as in his judgment will most effectively and economically accomplish the purpose of this act and such other work as is required by law to be performed by the Department of Labor and Industry He shall have authority to appoint such persons or assign from among the employes of the Department of Labor and Industry such emplyes as are necessary to perform the clerical work handle the funds appropriated prepare and distribute the information necessary to those affected by this act and perform such other services as are required to enforce this act and to fix the compensation to be paid for such services except where salaries or compensation are heretofore specified in this act

Section 11 The Commissioner of Labor and Industry is hereby empowered to collect compile and disseminate information regarding the members classes and costs of structures specified in this act and erected or remodeled in this Commonwealth following the passage of this act The heads of local divisions of buildings inspection in cities of the third class boroughs counties and townships or in joint divisions of any of these governmental units shall submit in each month a report to the Commissioner of Labor and Industry specifying the numbers classes and costs of structures as prescribed in this act erected or remodeled in the district of which their division has authority for the month preceding the month in which the report is submitted

The twelfth section was read as follows:

Section 12 Any person or persons partnerships firms or corporations erecting or remodeling any building or buildings as specified in this act on and after January one one thousand nine hundred and eighteen shall obtain from the division of building inspection of the governmental unit in which building or buildings are to be erected or remodeled and from the local or State Department of Health permits for such erection or remodeling and shall pay for such permit to the building inspector in whose jurisdiction the building or buildings are erected or remodeled a fee to be determined by the industrial board of the Department of Labor and Industry The form and wording of such permits shall also be specified by the industrial board of the Department of Labor and Industry or the State Department of Health and fees collected for such permits shall be paid by the separate building inspectors into the treasuries of the local governmental units maintaining such divisions of building inspection

On the question,
Will the House agree to the section?
Mr. PALMER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 12, page 12, line 7, by striking out the word "modeler" and inserting in lieu thereof the word "modeled."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The thirteenth section was read and agreed to as follows:

Section 13 Any person who violates any of the provisions of this act or any of the rules and regulations of the industrial board as promulgated by it for carrying into effect the provisions of this act or who resists or interferes with any duly authorized representatives of the Department of Labor and Industry or any local building inspector in the performance of his duties in accordance with the said rules and regulations and shall upon conviction thereof before any magistrate alderman or justice of the peace be punished by a fine of not more than one hundred ($100.00) dollars with costs of prosecution which shall be final except for an appeal in the manner now allowed for appeals in suits for penalties

The fourteenth section was read as follows:

Section 14 All prosecutions for violations of this act shall be in the form of a summary criminal proceedings instituted before a magistrate alderman or justice of the peace within the city county borough or township wherein the offense was committed Prosecutions may be instituted for infractions of this law by the Commissioner of Labor and Industry or his representative or by any member of the local inspection divisions

On the question,
Will the House agree to the section?
Mr. PALMER. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 14, page 13, line 10, by striking out the words "or his representative" and inserting in lieu thereof the words "the State Commissioner of Health or their representatives."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The fifteenth and sixteenth sections and title were separately read and agreed to as follows:

Section 15 All fines imposed and collected for any violation of this act shall be forwarded to the Commissioner of Labor and Industry who shall pay the same into the office of the State Treasurer for the use of the Commonwealth
Section 16 All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed provided however that no acts or parts of acts relating to cities of the first and second classes are hereby repealed
An Act creating a Division of Building Inspection within the Department of Labor and Industry and Divisions of Building Inspection in the third class cities and providing for the creation of such divisions in certain of the counties boroughs and townships of the Commonwealth of Pennsylvania providing for the promulgation of rules and regulations by the Industrial Board to effectuate the purposes of this act establishing an examining and advisory committee within the Division of Building Inspection providing for the appointment of officers and employes for the enforcement of the provisions of this act defining the authority and powers of said Division of Building Inspection and Examining and Advisory Committee and the duties and powers of their officers and employes providing penalties for the violation of the provisions of this act and of the aforesaid rules and regulations of the Industrial Board and repealing all acts or parts of acts inconsistent with this act provided however that no acts or parts of acts relating to cities of the first and second class are hereby repealed

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1858, as follows:

Making it a misdemeanor to take remove steal or destroy any seed or plants after the same have been sown or planted
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person except the owner thereof or anyone under his direction who shall take remove steal or destroy any seed or plants after the same have been sown or planted in the ground shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or be imprisoned for a term not exceeding one year or both at the discretion of the court

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1861, as follows:

An Act to amend the third fifteen and sixteenth sections of an act entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" approved the twenty-fourth day of July Anno Domini one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) by increasing the compensation of the registration commissioners and other officers and clerks providing for the registration of persons absent on public business or in military or naval service of the United States Government and that in cities of the first class the city councils shall provide for the payment of the commissioners and other officers and employes and for the furnishing of rooms and supplies
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act entitled "An Act to provide for personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" Approved the twenty-fourth day of July Anno Domini one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) which reads
"Section 3 The Governor of the Commonwealth shall at the expiration of the terms of existing commissioners in said cities and in every fourth year thereafter appoint a board of registration commissioners for each of said cities consisting of four duly qualified electors of said city not more than two of whom shall be members of the same part Provided however that this act shall not in any way be construed as nullifying the appointments already made by the Governor of the existing commissioners for terms for which they have already been appointed The commissioners shall hold office for a term of four years or until their successors qualify Any commissioners may be removed for cause by the Governor Any vacancy in a board of commissioners shall be filled by the Governor within ten days after the vacancy occurs and the person appointed to fill such vacancy shall hold office during the remainder of the term of the commissioner in whose place he was appointed All appointments shall be so made that at no time shall more than two commissioners belong to the same party Commissioners in cities of the first class shall receive a compensation at the rate of three thousand dollars per annum in cities of the second class at the rate of two thousand dollars per annum said compensation shall be paid by the treasurer of the proper county" Be and the same is hereby amended so as to read as follows
"Section 3 The Governor of the Commonwealth shall at the expiration of the terms of existing commissioners in said cities and in every fourth year thereafter appoint a board of registration commissioners for each of said cities consisting of four duly qualified electors of said city not more than two of whom shall be members of the same party Provided however that this act shall

not in any way be construed as nullifying the appointments already made by the Governor of the existing commissioners for terms for which they have already been appointed The commissioners shall hold office for a term of four years or until their successors qualify Any commissioner may be removed for couse by the Governor Any vacancy in a board of commissioners shall be filled by the Governor within ten days after the vacancy occurs and the person appointed to fill such vacancy shall hold office during the remainder of the term of the commissioner in whose place he was appointed All appointments shall be so made that at no time shall more than two commissioners belong to the same party Commissioners in cities of the first class shall receive a compensation at the rate of four thousand dollars per annum in cities of the second class at the rate of three thousand dollars per annum said compensation shall be paid by the treasurer of the proper county"

Section 2 That section fifteen of the said act which reads as follows

"Section 15 If any citizen shall object to the action of the registrars in accepting or rejecting any claim for registration he may file with his petition duly sworn to by said citizen with the commissioners setting forth the ground of his complaint If the complaint is to the acceptance of a claim notice to the claimmant shall be given by leaving a written or printed notice at his place of residence as given by him to the registrar and recorded in the register When such petitions are filed the commissioners shall fix a time and place for hearing them sufficiently in advance of the election to enable them to be heard and disposed of prior thereto and to have a review thereof by the courts Such hearing shall be public before the commissioners and the register of voters may be amended either by the insertion of a new name or the cancellation of a name already on the register or otherwise as the commissioners may order The commissioners may enforce their order as herein provided or may make the amendments themselves or by their clerks All such applications for correcting the register must be made not later than two weeks prior to a general or municipal election

The applicant or any elector who is not satisfied with the decision of the commissioners may petition the court of common pleas setting forth the reason why he feels that injustice has been done and thereupon the said court of common pleas may in its discretion allow an appeal to it from the decision of the commissioners The said court may then fix a day for a public hearing of which notice shall be served by the petitioner upon the commissioners and upon the person of his attorney who opposed his contention before the commissioners together with a copy of the petition at least five days before such public hearing may take place proof of which must be exhibited to the court The said court after such public hearing may reverse affirm or alter the decision of the commissioners Such petitions for appeals must be filed not later than ten days preceding an election Any qualified elector who has by himself or his duly authorized agent or attorney paid his taxes after the last day of the Fall registration and on or before the final day for the payment of the same in odd-numbered years or any qualified elector who will arrive at the age of twenty-one years between the primary election and the next succeeding election or any elector who has become qualified by reason of naturalization or residence in the division in which he seeks to be registered between the primary election and the next succeeding election may on the twentieth day preceding the election in odd-numbered years present his petition to the commissioners setting forth the fact as to the payment of his taxes and giving in detail the information required to be recorded in the register and praying that his name may be added to the register in the proper division If the facts are proven to the satisfaction of the commissioners subject to the same conditions as though the applicant for such registration had presented himself for registration before the board of registrars of his district they shall order the name of the petitioner to be inserted in the register in the proper place

Any qualified elector who was too ill to appear at the polling place on all of the registration days or who was unavoidably absent from the city on all of said days may at any time but not less than two weeks before any election or primary present his petition to the commissioners setting forth the facts as to his illness or unavoidable absence and setting forth in detail the information required to be recorded in the register and praying that his name may be added to the register of the proper division After this petition shall have remained in the office of the commissioners open to public inspection for at least two days a hearing shall be granted The petitioner shall personally appear and if the facts are proven to the satisfaction of the commissioners to be as reported they shall order the name of the petitioner to be inserted on the register in the proper place This hearing shall be public and any qualified elector of the division shall have the right to challenge and to require proper proof of identity as in the case of registry before the registrars If any person is not satisfied with the decision of the commissioners he may appeal to the court of common pleas as in other cases The commissioners shall also have power to investigate on their own motion any irregularities in registration and shall have power to summon witnesses to examine them under oath to require the production of the books and papers of the registrars and to correct the registrars by striking off names which they may find to be improperly registered The commissioners shall have authority to summon such number of registrars as in their judgment may be necessary to assist them in carrying into effect the provisions of this section Registrars when summoned by the commissioners under this section shall be entitled to and receive the same compensation as is received by registrars under the existing law for registration services All witnesses summoned to appear before the registration commissioners shall be entitled to receive one dollar and fifty cents per day as wtiness fees' be and the same is hereby amended so as to read as follows

"Section 15 If any citizen shall object to the action of the rigistrars in accepting or rejecting any claim for registration he may file with his petition duly sworn to by said citizen with the commissioners setting forth the ground of his complaint If the complaint is to the acceptance of a claim notice to the claimant shall be given by leaving a written or printed notice at his place of residence as given by him to the registrar and recorded in the register When such petitioners are filed the commissioners shall fix a time and place for hearing them sufficiently in advance of the election to enable the same to be heard and disposed of prior thereto and to have a review thereof by the courts Such hearing shall be public before the commissioners and the register of voters may be amended either by the insertion of a new name or the cancellation of a name already on the register or otherwise as the commissioners may order The commissioners may enforce their orders as herein provided or make the amendments themselves or by their clerks All such applications for correcting the register must be made not later than two weeks prior to a general or municipal election

The applicant or any elector who is not satisfied with the decision of the commissioners may petition the court of common pleas setting forth the reason why he feels that injustice has been done and thereupon the said court of common pleas may in its discretion allow an appeal to it from the dicision of the commissioners The said court may then fix a day for a public hearing of which notice shall be served by the petitioner upon the commissioners and upon the person or his attorney who opposed his contention before the commissioners together with a copy of the petition at least five days before such public hearing may take place proof of which must be exhibited to the court The said court after such public hearing may reverse affirm or alter the decision of the commissioners Such petitions for appeals must be filed not later than ten days preceding an election Any qualified elector who has by himself or his duly authorized agent or attorney paid his taxes after the last day of the Fall registration and on or before the final day for the payment of the same in odd-numbered years or any qualified elector who will arrive at the age of twenty-one years between the primary election and the next succeeding election or any elector who has become qualifid by reason of naturalization or residence in the division in which he seeks to be registered between the primary election and the next succeeding election may on the twentieth day preceding the election in odd-numbered years present his petition to the commissioners setting forth the fact as to the payment of his taxes and giving in detail the information required to be recorded in the register and praying that his name may be added to the register in the proper division If the facts are proven to the satisfaction of the commissioners subject to the same conditions as though the applicant for such registration had presented himself for registration before the board of registrars of his district they shall order the name of the petitioner to be inserted in the register in the proper place

Any qualified elector who was too ill to appear at the polling place on all of the registration days or who was unavoidably absent from the city on all of said days may at any time but not less than two weeks before any election or primary present his petition to the commissioners setting forth the facts as to his illness or unavoidable absence and setting forth in detail the information required to be recorded in the register and praying that his name may be added to the register of the proper division After this petition shall have remained in the office of the commissioners open to public inspection for at least two days a hearing shall be granted The petitioner shall personally appear and if the facts are proven to the satisfaction of the commissioners to be as reported they shall order the name of the petitioner to be inserted on the register in the proper place This hearing shall be public and any qualified elector of the division shall have the right to challenge and to require proper proof of identity as in the case of registry before registrars Provided That any person employed in the service of this state or in the service of the Federal Government and required thereby to be absent from the city wherein he resided when entering such employment shall on petition to the proper registration commissioners verified by affidavit and without appearing personally before the commissioners be registered as of the district wherein he shall have resided prior to entering such service In such case a residence by street and number shall not be required but the person shall be registered as of the proper district In the case of persons employed by this Commonwealth no such petition shall be considered unless it be accompanied by a certificate from the Auditor General under the seal of

his office setting forth that the proper person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment In the case of persons employed by the Federal Government no such petition shall be considered unless it be accompanied by a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that the proper person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment No such person shall be registered unless he shall produce to the registration commissioners satisfactory proof that he is by payment of taxes and otherwise entitled to registration when any such person so registered shall vote he shall be required by the proper election officers to sign the ballot check list of the proper district unless otherwise provided by law in the case of persons actually engaged in the military or naval service of the United States Government

If any person is not satisfied with the decision of the commissioners he may appeal to the court of common pleas as in other cases The commissioners shall also have the power to investigate on their own motion any irregularities in registration and shall have power to summon witnesses to examine them under oath to require the production of the books and papers of the registrars and to correct the registers by striking off names which they may find to be improperly registered The commissioners shall have authority to summon such number of registrars as in their judgment may be necessary to assist them in carrying into effect the provisions of this section Registrars when summoned by the commissioners under this section shall be entitled to and receive the same compensation as is received by registrars under the existing law for registration services All witnesses summoned to appear before the registration commissioners shall be entitled to receive one dollar and fifty cents per day as witness fees

Section 3 That esction sixteen of said act which reads as follows

"Section 16 The two registrars designated to keep the two registers shall obtain at the office of the commissioners the blank books forms and other supplies prepared for their use before the first registration day in the fall and before the spring registration day and shall have the same at the polling-place on said days On registration days and during the time from one such day to another until the close of the fall registration period the said registrars shall have the custody and control and shall be charged with the safe-keeping of the registers in which they have made entiries together with all affidavits forms et cetera which have been taken in duplicate as hereinafter provided During the same periods the other registrars shall be charged with the safe-keeping of the street lists which are in course of preparation by them At the close of the registration and before twelve o'clock noon on the following day the two registrars who have been charged with the keeping of the registers shall deliver the same together with one street list all affidavits vouchers unused forms et cetera to the commissioners at such place as may be designated by them The said papers and books shall remain on file at a place designated by the commissioners open to public inspection under proper regulation for their safe-keeping subject however to the further provisions of this act The commissioners shall have power to appoint a recorder (who shall have power to administer oaths) and to fix his compensation at a sum not exceeding two thousand five hundred dollars per annum a clerk who shall receive a salary not exceeding fifteen hundred dollars per annum a stenographer who may act as clerk who shall receive a salary not exceeding twelve hundred dollars per annum a custodian who shall receive a salary not exceeding twelve hundred dollars per annum a messenger who shall receive a salary not exceeding eight hundred and forty dollars per annum and as many clerks as may be necessary at a compensation not exceeding four dollars per diem for the time actually employed and a counsel whose compensation shall not exceed two thousand dollars per annum

The county commissioners of each county upon proper vouchers shall provide for the payment of the commissioners counsel registrars and other officers or clerks provided by this act. They shall furnish proper rooms for the accomodation of the commissioners and their records they shall also at the direction of the commissioners prepare and have printed at the expense of the county all registers street lists affidavits blanks blank books and stationery required by the provisions of this act or which in the judgement of the commissioners are reasonably necessary to carry out its provisions and shall provide for their proper distribution to the commissioners and their registrars It shall also be their duty to see that the polling-places are open and in proper order for the use of the registrars. They shall also deliver the two registers to the election officers in the manner in which they are or may be required to deliver other election materials for the use on election day" be and the same is hereby amended so as to read as follows

"Section 16 The two registrars designated to keep the two registrars shall obtain at the office of the commissioners the blank books forms and other supplies prepared for their blank books forms and other supplies prepared for their use before the first registration day in the fall and before the spring registration day and shall have the same at the polling-place on said days On registration days and during the time from one such day to another until the close of the fall registration period the said registrars shall have the custody and control and shall be charged with the safe-keeping of the registers in which they have made entries together with all affidavits forms et cetera which have been taken in duplicate as hereinafter provided During the same periods the other registrars shall be charged with the safe-keeping of the street lists which are in course of preparation by them At the close of the registration and before twelve o'clock noon on the following day the two registrars who have been charged with the keeping of the registers shall deliver the same together with one street list all affidavits vouchers unused forms et cetera to the commissioners at such place as may be designated by them The said papers and books shall remain on file at a place designated by the commissioners open to public inspection under proper regulation for their safe-keeping subject however to the further provisions of this act The commissioners shall have power to appoint a recorder (who shall have power to administer oaths) and to fix his compensation at a sum not exceeding three thousand dollars per annum and in cities of the second class to fix his compensation at a sum not exceeding twenty-five hundred dollars per annum a clerk who in cities of the first class shall receive a salary not exceeding eighteen hundred dollars per annum and in cities of the second class shall receive a salary not exceeding fifteen hundred dollars per annum a stenographer who may act as clerk who in cities of the first class shall receive a salary not exceeding fifteen hundred dollars per annum and in cities of the second class shall receive a salary not exceeding twelve hundred dollars per annum a custodian who in cities of the first class shall receive a salary not exceeding fifteen hundred dollars per annum and in cities of the second class shall receive a salary not exceeding twelve hundred dollars per annum an assistant custodian in cities of the first class who shall receive a salary not exceeding fifteen hundred dollars per annum a messenger who in cities of the first class shall receive a salary not exceeding one thousand dollars per annum and in cities of the second class shall receive a salary not exceeding eight hundred and forty dollars per annum and as many clerks as may be necessary at a compensation in cities of the first class not exceeding five dollars per diem and in cities of the second class not exceeding four dollars per diem for the time actually employed and a counsel whose compensation in cities of the first class shall not exceed twenty-five hundred dollars per annum and in cities of the second class shall not exceed two thousand dollars per annum

The county commissioners of each county upon proper vouchers shall provide for the payment of the commissioners counsel registrars and other officers or clerks provided by this act They shall furnish proper rooms for the accommodation of the commissiones and their records They shall also at the direction of the commissioners prepare and have printed at the expense of the county all registers street lists affidavits blanks blank books and stationery required by the provisions of this act or which in the judgment of the commissioners are reasonably necessary to carry out its provisions and shall provide for their proper distribution to the commissioners and their registrars Povided that in cities of the first class the city council shall provide for the payment of the commissioners counsel registrars and other officers or clerks provided by this act and shall furnish rooms for the commissioners and their records and shall provide for the furnishing of all supplies mentioned in this section and such others as may be requested by the commissioners which in the judgment of the commissioners are reasonably necessary to carry out the provisions of this act It shall also be the duty of the county commissioners to see that the polling-places are open and in proper order for the use of the registrars They shall also deliver the two registers to the election officers in the manner in which they are or may be required to deliver other election materials for use on election day"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1725, as follows:

An Act to amend sections one four and five of an act entitled "An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the

construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities" approved the seventeenth day of June one thousand nine hundred ad thirteen so as to extend the provisions of the said act to railroads in said cities operated or organized to be operated on the principle generally known as the "Belt Line" principle

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the same to conect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railways and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities approved the seventeenth day of June one thousand nine hundred and thirteen which reads as follows "That the words "transit facilities' as used in this act shall be taken to mean and to include railways and extensions thereof for the transportation of persons and property over under upon through and across any streets highways avenues bridges viaducts rivers waters and public and private lands or partly over under upon through and across all or any of the same They shall also be taken to mean and to include tunnels subways bridges elevated structures tracks poles wires conduits power-houses substations lines for the transmission of power car-barns shops yards sidings turn-outs switches stations and approaches thereto cars and motive equipment and all works buildings appliances and appurtenances necessary and convenient for the proper construction equipment maintenance and operation of such transit facilities or any one or more of them" be and the same is hereby amended so as to read as follows That the words "transit facilities" as used in this act shall be taken to mean and to include railways and extensions thereof for the transportation of persons and property over under upon through and across any streets highways avenues bridges viaducts rivers waters and public and private lands or partly over under upon through and across all or any of the same including railroads in said cities operated or organized to be operated by steam or other motive power on the principle generally known as the "Belt Line" principle They shall also be taken to mean and to include tunnels subways bridges elevated structures tracks poles wires conduits power-houses sub-stations lines for the transmission of power car-barns shops yards sidings turnouts switches stations and approaches thereto cars locomotives engines motors and motive equipment and all works buildings appliances and appurtenances necessary and convenient for the proper construction equipment maintenance and operation of such transit facilities or any one or more of them The term "Belt Line Principle" used in this act is defined to mean a railroad owned and or operated or leased and controlled or regulated by a municipality or corporation having no other competitive or conflicting railroad interests and connected or intended so to be with all lands wharves docks piers warehouses industrial or other establishments adjacent to its tracks and with all railroads or railways now operating or that may hereafter be constructed and operated receiving and delivering traffic to and from each all or any of said railroads or railways to all lands wharves docks piers warehouses industrial or other establishments on equal fair and reasonable terms the primary feature of the Belt Line principle being equality of charges and service to all users and promotion of the commerce of the municipality

Section 2 That section four of said act which reads as follows "It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth their assigns lessees and licenses to connect the tracks of railways acquired constructed owned or operated under the rights conferred by this act with the tracks of any railroad or railway company upon such terms and conditions as may be agreed upon and to contract with such company for the use of its tracks or for the interchange of cars whether passenger or freight for continuous movement over any such connecting tracks upon such terms and conditions as the councils of such cities shall determine Such cities their assigns lessees and licensees may use such portions of the tracks of any street passenger railway company surface elevated or underground or motor power company as may be required either to complete a circuit upon any railway constructed owned or operated under the rights conferred by this act or to connect any such railway with another railway upon such terms and conditions as the councils of such cities shall determine Provided Compensation for such use shall have been paid or secured" is hereby amended to read as follows It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth their assigns lessees and licensees to connect the tracks of railways and said belt line railroads acquired by this act with the tracks of any railroad or railway company upon such terms and conditions as may be agreed upon and to contract with such company for the use of its tracks or for the interchange of cars whether passenger or freight for continuous movement over any such connecting tracks upon such terms and conditions as the councils of such cities shall determine Such cities their assigns lessees and licensees may use such portions of the tracks of any street passanger railway company surface elevated or underground railroad company or motor power company as may be required either to complete a circuit upon any railway or railroad constructed owned or operated under the rights conferred by this act or to connect any such railway or railroad with another railway or railroad upon such terms and conditions as the councils of such cities shall determine Provided compensation for such use shall have been paid or secured

Section 3 That section five of said act which reads as follows "Any street passenger railway company surface elevated or underground or motor power company incorporated under the laws of this Commonwealth and authorized to own maintain or operate transit facilities or any of them or any part thereof in any city of the first class of this Commonwealth or within the limits of any city borough or township adjacent thereto is hereby authorized and empowered to sell or lease transit facilities or any of them or any part thereof to such city to purchase or lease transit facilities or any of them or any part thereof from such city to accept licenses from such city for the use of transit facilities or any of them or any part thereof to enter into agreements with such city for the connection of tracks and the interchange of cars and agreements for the construction or operation or for both the construction and operation of transit facilities or any of them or any part thereof by said company upon such terms and conditions as the councils of such cities shall determine Any railroad company incorporated under the laws of this Commonwealth is hereby authorized and empowered to enter into agreements and accept licenses from such city for the use by said company of the transit facilities of such city or any of them or any part thereof and for the connection of tracks and the interchange of cars upon such terms and conditions as the councils of such cities shall determine" is hereby amended to read as follows Any street passenger railway company surface elevated or underground belt line railroad or motor power company incorporated under the laws of this Commonwealth and authorized to own maintain or operate transit facilities or any of them or any part thereof in any city of the first class of this Commonwealth or within the limits of any city borough or township adjacent thereto is hereby authorized and empowered to sell or lease transit facilities or any of them or any part thereof to such city to purchase or lease transit facilities or any of them or any part thereof from such city to accept licenses from such city for the use of transit facilities or any of them or any part thereof to enter into agreements with such city for the connection of tracks and the interchange of cars and agreements for the construction or operation or for both the construction and operation of transit facilities or any of them or any part thereof by said company upon such terms and conditions as the councils of such cities shall determine Any railroad company incorporated under the laws of this Commonwealth is hereby authorized and empowered to enter into agreements and accept licenses from such city for the use by said company of the transit facilities of such city or any of them or any part thereof and for the connection of tracks and the interchange of cars upon such terms and conditions as the councils of such cities shall determine And any railroad company incorporated under the laws of this Commonwealth is hereby authorized and empowered to sell lease assign or otherwise to grant or convey to any city of the first class any portion or portions of the tracks sidings depots yards or other transit or railroad facilities owned by such railroad within the limits of such city and required by such city for use as a portion of a railroad to be operated on the belt line principle

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1475, as follows:

An Act Imposing the cost of commitment and maintenance of criminal insane in institutions on the county where the crime was committed and authorizing the recovery of such costs from the estate of the criminal insane

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That whenever any person convicted of any crime or charged with any crime and acquitted on the ground of insanity is committed to an institution for the care and detention of criminal insane by any court or judge the county where the crime was committed shall pay the costs of such commitment and all expenses incurred for the removal of such person from the place of imprisonment to such institution and his or her removal from the institution and shall be liable to such institution for the maintenance of such criminal insane therein and the expensces connected therewith The county shall in all cases have full recourse to recover all expenses incurred in behalf of any criminal insane from his or her estate or from relatives liable for the support of such criminal insane but in no case shall recovery of any such expense be had from the poor district in which was the legal settlement of such criminal insane person

Section 2 Section eleven of the act approved the fourteenth day of April one thousand eight hundred and forty-five (Pamphlet Laws four hundred forty) entitled "An act to establish an asylum for the insane poor of this Commonwealth to be called 'The Pennsylvania State Lunatic Hospital and Union Asylum for the Insane" section four of the act approved the eighth day of April one thousand eight hundred and sixty-one (Pamphlet Laws two hundred forty-eight) entitled "A supplement to the several acts of Assembly relative to the Pennsylvania State Lunatic Hospital" and the act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred seventy) entitled "An act to define who shall be responsible for the maintenance of patients placed in hospitals for the insane by courts and judges in the different counties of this Commonwealth" are hereby repealed insofar as they relate to criminal insane Section five of the act approved the fourteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws one hundred sixty) entitled "An act to provide for the custody of insane persons charged with and acquitted or convicted of crime" is hereby repealed

All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1476, as follows:

An Act to amend section one of an act approved the eighth day of June one thousand nine hundred fifteen entitled "An act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons and awaiting trial charged with criminal offenses not amounting to felony which persons are found to be insane and further providing for the payment of the expense of such removal and return and for the cost of the maintenance and care of such persons in such hospitals" by imposing all costs and expenses on the county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighth day of June one thousand nine hundred fifteen entitled "An Act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons and awaiting trial charged with criminal offenses not amounting to felony which persons are found to be insane and further providing for the payment of the expense of such removal and return and for the cost of the maintenance and care of such persons in such hospitals" which reads as follows

"Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person committed to a county jail or other prison by a justice of the peace or other magistrate charged with an offense not amounting to felony and awaiting trial shall be insane such person may be removed to a hospital for the insane and there detained and the expense of his maintenance and care and of his removal to or from such hospital shall be paid in the manner provided in the case of insane persons charged with and convicted or acquitted of crime by an act approved the fourteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws page one hundred and sixty) entitled 'An act to provide for the custody of insane persons charged with and convicted or acquitted of crime' On the restoration to sanity of such person he shall be remanded for trial in the manner provided by the third section of said act to the place of imprisonment from which he was removed" is hereby amended to read as follows

"Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person committed to a county jail or other prison by a justice of the peace or other magistrate charged with an offense not amounting to felony and awaiting trial shall be insane such person may be removed to a hospital for the insane and there detained and the expense of his maintenance and care and of his removal to or from such hospital shall be paid in the manner provided in the case of insane persons charged with and convicted or acquitted of crime by an act approved the fourteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws page one hundred and sixty) entitled 'An act to provide for the custody of insane persons charged with and convicted or acquitted of crime On the restoration to sanity of such person he shall be remanded for trial in the manner provided by the third section of said act to the place of imprisonment from which he was removed The county where such criminal insane is committed shall pay all costs and expenses incident to such removal and maintenance in such hospital for the insane and of the remanding for trial without recourse against any poor district The county may recover such costs and expenses from the estate of the person committed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 325, as follows:

An Act authorizing and requiring employers to deduct from the wages of employes after notice sums sufficient to pay delinquent city county borough school poor district and township taxes on occupations owing by such employes and to pay over the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in case any taxpayer of any city county borough township school district or poor district neglects or refuses to pay any occupation tax assessed against him after having received ten days' notice or demand so to do the collector of such taxes shall notify the person copartnership association or corporation by whom such delinquent taxpayer is employed that such taxpayer has failed or neglected to pay his occupation tax as required Such collector of taxes shall thereupon request the payment of such occupation tax by such employer out of any money then due and owing or thereafter to become due and owing to such delinquent taxpayer

Section 2 Every person copartnership association or corporation employing any such delinquent taxpayer shall deduct from any wages that are then or may hereafter become due and owing to him the amount of such delinquent occupation tax and pay the same over to such collector of taxes and the proper receipt for such taxes paid to the tax collector by any employer shall be a good and sufficient voucher to offset any claim that such delinquent taxpayer may have against such employer for any wages to the amount thereof

Section 3 If any person copartnership association or corporation receiving a notice from any tax collector requesting the payment of any occupation tax of any employe or employes shall fail to deduct from any wages then due or that may thereafter become due and owing to such employe or employes the amount of such occupation tax or if such person copartnership association or corporation deducts the amount of such occupation tax and fails to pay the same over to the collector of taxes within thirty days after making such deduction or deductions such persons copartnership association or corporation shall forforfeit and pay to the proper city county borough township school district or poor district a sum equal to the amount of such occupation tax which sum together with costs may be recovered in an action of assumpsit as debts of like amount are now recoverable In the collection of any judgment recoverable for any such delinquent occupation tax the defendant therein shall not be entitled to the benefit of any exemption or stay of execution

Section 4 It shall be the duty of every person copartnership association or corporation upon the demand of any tax collector and the furnishing of a list of taxables by such collector to designate on such list of said taxables which are in his or its employ The neglect or refusal of such person partnership association or corporation to furnish such information to any tax collector upon demand made or the furnishing of any false information shall subject the offender to a penalty of twenty-five dollars for each offense to be recovered in a summary proceeding

Section 5 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1628, as follows:

An Act to amend an act entitled "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping or attempting to escape from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania by the respective counties from whose courts the said escaping convicts or prisoners have been committed and providing for the maintenance of such convicts under sentence for escape et cetera" approved the twenty-second day of July one thousand nine hundred and thirteen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping or attempting to escape from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania by the respective counties from whose courts the said escaping convicts or prisoners have been committed and providing for the maintenance of such convicts under sentence for escape et cetera" approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred twelve) which reads as follows

"Section 2 The costs of the trial for escape or breaking away of convicts and prisoners from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania or the violation by said convicts and prisoners of any or all of the penal statutes relating to escape shall in each instance be borne and paid by the respective counties of the Commonwealth from whose courts the said convicts shall have been committed to the said penitentiaries or reformatories" is hereby amended to read as follows

Section 2 The costs of the trial for escape or breaking away of convicts and prisoners from the several penitentiarines and reformatories of the Commonwealth of Pennsylvania or the violation by said convicts and prisoners of any or all of the penal statutes relating to escape shall in each instance be borne and paid by the respective counties of the Commonwealth from whose courts the said convicts shall have been committed to the said penitentiaries or reformatories Said costs shall include all expenses and fees incurred by reason of the arrest hearing before a justic magistrate or alderman witness fees maintenance in the county jail clerk of the court of quarter sessions delivery of prisoner by sheriff in compliance with the order or sentence of the court a fee as in similar cases to the district attorney in addition to the salary now allowed him by law together with all other costs fees and expenses for which the county wherein such convict or prisoner is tried for escape or breaking away is now or hereafter become liable under and by virtue of the laws of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 926, as follows

An Act to prevent discrimination by any person copartnership association or corporation engaged in any public service business prohibiting the refusal cutting off or discontinuance of service in certain cases and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter every person copartnership association or corporation engaged in any public service business in this Commonwealth shall supply all applicants with service and the necessary facilities for using such service without partiality or discrimination No such person copartnership association or corporation shall impose any conditions or restrictions upon any such applicant that are not imposed impartially upon all persons nor shall they discriminate against any person by requiring as a condition for furnishing such service or facilities for the use of such service that the applicant pay any money on account of any bill claimed by such person copartnership association or corporation to be due to such person copartnership association or corporation by the applicant for any service rendered or facilities furnished to the applicant at any other place than that mentioned in the application for service and in no case shall service or the facilities for the use of such service be refused to any place over which the applicant had no control at the time any bill or charge was incurred for service or facilities furnished prior to his application to any other person nor shall such company or corporation cut off or discontinue any service at the time furnished or being previously furnished under contract for the non-payment of any disputed bill or charge before such bill or charge is reduced to a judgment

Section 2 For each day such person copartnership association or corporation continues such discrimination or refuses to supply or cuts off or discontinues such service or facilities for the use of such service such person copartnership association or corporation shall be liable to a penalty of one hundred dollars to be recovered by the party aggrieved in the same manner as other debts are now by law recoverable

Section 3 Any officer or agent of any such person copartnership association or corporation who shall refuse or cut off or discontinue any service or facilities for the use of such service or who shall order or direct any employe or other person to refuse or to cut off or discontinue such service or facilities contrary to the provisions of this act and by reason of which refusal order or direction by such officer or agent the service or the facilities for the use of such service is refused cut off or discontinued thereof shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or undergo an imprisonment not exceeding two years or both in the discretion of the court

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1751, as follows

An Act authorizing the use of certain prisoners for work upon the roads and highways and upon farms authorizing the county commissioners to make provision for the feeding of such prisoners authorizing jail and prison authorities to provide guards and providing for the pay of such prisoners

Secton 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the authorities of each county jail and prison shall with the consent of the court of quarter sessions of the county have authortiy to use all prisoners under their care who are sentenced for terms not exceeding one year to work upon any State highway State-aid highway county road or township road within the county

No prisoner shall be furnished to any person doing work upon any road or highway under contract but the service of such prisoner shall be used only by the State or county or township in improving constructing and repairing roads and highways

The authorities of any such jail or prison may also use any of such prisoners on any farm within such county to aid any farmer in the planting or sowing of his crops and in the harvesting of the same

Section 2 All prisoners used upon any roads or highways or upon any farms under the provisions of this act shall be under such guard as shall be supplied by the authorities of such jail or prison and provision for the feeding of such prisoners shall be made by the county commissioners of the county

Section 3 Each prisoner while working upon the roads or upon farms under the provisions of this act shall be entitled to receive compensation at a rate not less than twenty-five cents per diem and not to exceed fifty cents per diem to be determined in each case by the authorities of the jail or prison and to be paid by the State county township or farmer using such prisoner The sums earned by any prisoner shall be paid to the authorities of such jail or prison and shall be kept by them until the prisoner is discharged at which time the same shall be paid to such prisoner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1622, entitled

An Act empowering express companies to employ policemen commissioned by the Governor with authority to act in all counties in the State wherein such companies carry on their business.

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known as the "Express Company Policemen Act of Nineteen Seventeen"

Section 2 That any corporation engaged in carrying on the business of an express company within this State may apply to the Governor to commission such persons as the said corporation may designate to act as policemen for said corporation

Section 3 The Governor upon such application may appoint such persons or so many of them as he may deem

proper to be such policemen and shall issue to such person or persons so appointed a commission to act as such policemen

The fourth section was read as follows:

Section 4 Every policeman so appointed shall before entering upon the duties of his office take and subscribe the oath required by the seventh article of the Constitution before the recorder of any county within which the express company employing such policeman may operate which oath after being duly recorded by such recorder shall be filed in the office of the Secretary of State and a certified copy of such oath made by the recorder of the proper county shall be recorded with the commission in every county through or in which the express company employing such policeman may operate and in which it is intended the said policeman shall act and such policemen so appointed shall severally possess and exercise all the powers which are vested in policemen of any city of the State in the several counties in which they shall be so authorized to act as aforesaid and the keepers of jails or lock-ups or station houses in any of said counties are required to receive all persons arrested by such policemen for the commission of any offense against the laws of this Commonwealth committed upon or along the highways or railroads whereon such express companies operate or upon the premises of such companies to be dealt with according to law

On the question,
Will the House agree to the section?
Mr. SWARTZ. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 4, page 2, line 24, by striking out "premsies" and inserting in lieu thereof "premises."

On the question,
Will the House agree to the amendment?
It was agreed to .
On the question,
Will the House agree to the section as amended?
It was agreed to.
The fifth, sixth and seventh sections and title were separately read and agreed to as follows:

Section 5 Such express company police shall when on duty severally wear a metallic shield with the words "express company police" and the name of the corporation for which appointed inscribed thereon and said shield shall always be worn in plain view except when they are employed as detectives
Section 6 The compensation of such police shall be paid by the companies for which the policemen are respectively appointed as may be agreed upon between them
Section 7 Whenever any corporation shall no longer require the services of any policeman so appointed as aforesaid it may file a notice to that effect under its corporate seal attested by its secretary in the several offices where the commission of such policeman has been recorded which shall be noted by the several recorders upon the margin of the record where such commission is recorded and thereupon the power of such policeman shall cease and be determined
An Act empowering express companies to employ policemen commissioned by the Governor with authority to act in all counties in the State wherein such companies carry on their business.

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1802, as follows

An Act fixing the compensation of constables for attendance at primary and general elections
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each constable shall be entitled to receive for attendance at primary and general elections the sum of five dollars per diem to be paid in the same manner as now provided by law
Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1708, as follows

An Act authorizing judges learned in the law of the courts of common pleas and orphans courts of the counties having a population of more than one hundred and fifty thousand and less than two hundred fifty thousand inhabitants to employ suitable clerical assistance and providing for the payment of such clerical assistance by the several counties
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to facilitate the labors of the judges learned in the law of the courts of common pleas and orphans' courts of the several counties of the State having a population of more than one hundred fifty thousand and less than two hundred fifty thousand inhabitants the said judges are hereby authorized to employ the help of stenographers typewriters or other clerks provided the cost of such help shall not exceed the sum of fifteen hundred dollars per annum for all of the judges in any one county The cost of such help shall be paid by the judge employing the same and shall be repaid to him by the county on his certificate of the amount actually paid by him during the preceding month for clerk hire

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1778, as follows

An Act to protect the public health by requiring the parents directors of the poor or other person responsible for the care and maintenance of any male child to have such child circumcised at or before reaching the age of three months and fixing a penalty
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the father of every male child or the mother of every male child born after its father's death or the mother of every illegitimate male child or the directors of the poor or other person responsible for the care and maintenance of any male child both of whose parents are dead or unknown shall have such male child circumcised at or before its reaching the age of three months
Section 2 Any person failing to comply with the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one hundred dollars or to undergo an imprisonment of not more than one month or both in the discretion of the court

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1626, as follows

An Act for the prevention of fraud and deception by prohibiting the use of added artificial coloring matter in such edible alimentary pastes as macaroni spaghetti vermicellia and noodles
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporation by himself herself itself or themselves or by his her its or their agents servants or employes to sell offer for sale expose for sale or have in possession with intent to sell such edible alimentary pastes as macaroni spaghetti vermicelli and noodles containing any added artificial coloring matter
Section 2 Any person firm or corporation who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five ($25) dollars nor more than two hundred ($200) dollars or to undergo an imprisonment of not less than (30) days nor more than sixty (60) days or both or either at the discretion of the court

Section 3 The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act

Section 4 All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be padi to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter by by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth

Section 5 This act shall go into full force and effect upon its passage and approval provided however that no penalty shall be imposed for a violation of its provisions as to domestic products or foreign products imported prior to three months after its passage and approval

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1671, as follows

An Act fixing the pay of election officers in cities of the third class boroughs towns and townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the minimum pay of all election officers in cities of the third class boroughs towns and townships is hereby fixed at five dollars per day In any such election district in which more than one hundred and fifty ballots are cast at any election each election officer shall be paid one dollar for each one hundred ballots or fractional part thereof cast after the first one hundred and fifty ballots in addition to the minimum pay herein provided for

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1581, as follows

An Act to reimburse mine inspectors for the loss in salary and making an appropriation

Whereas By the act approved the third day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred ninety) entitled "An Act fixing the salaries of mine inspectors in this Commonwealth and the expenses incident to the office" the salaries of mine inspectors was fixed at three thousand five hundred dollars per annum and

Whereas The terms of certain mine inspectors expired on the first Monday of January one thousand nine hundred and sixteen and their successors should have been elected at the municipal election in the year one thousand nine hundred fifteen and

Whereas It has been held by the courts that mine inspectors are State officers and can be elected only in even-numbered years which construction prevented the election of mine inspectors in the year one thousand nine hundred and fifteen and continued in office certain mine ispectors one year beyond the term for which they were elected and

Whereas By such failure to elect certain mine inspectors were deprived of the additional salary contemplated by said act of June third one thousand nine hundred fifteen therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person who held the office of mine inspector on the first day of January one thousand nine hundred and sixteen and whose term of office would have regularly expired on that date but who held over by reason of the fact that no successor could be legally chosen at the municipal election of one thousand nine hundred and fifteen shall be paid the following sum of money in addition to any money which any such person has already received as compensation for his services that is to say

If any such person exercised the powers and performed the duties of mine inspector during the entire year one thousand nine hundred and sixteen he shall be paid the sum of five hundred ($500) dollars

If any such person exercised the powers and performed the duties of mine inspector during a part only of the year one thousand nine hundred and sixteen he shall be paid such amount as shall be found multiplying the total number of days Sundays and legal holidays inclusive in the year one thousand nine hundred and sixteen on which such person so exercised and performed such powers and duties by five hundred and dividing the product so obtained by three hundred and sixty-five

Section 2 Such money shall be paid to any such inspector by the Chief of the Department of Mines out of the money hereinafter appropriated

Section 3 The sum of nine thousand five hundred ($9,500) dollars or so much thereof as may be necessary is hereby appropriated for the purposes of this act Such appropriation shall be paid by the State Treasurer to the Chief of the Department of Mines on warrant of the Auditor General

Section 4 It is the purpose of this act to reimburse such mine inspectors for loss of part of their salaries as fixed by an act approved June third one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety) entitled "An Act fixing the salaries of mine inspectors in this Commonwealth and the expenses incident to the office" and which loss of salary was occasioned by failure to elect their successors in the year one thousand nine hundred and fifteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1817, as follows

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court and the judges of the Superior Court the judges of the courts of common pleas and the judges of the orphans courts"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and eighty-two) entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas and the judges of the orphans' courts" which reads as follows

"Section 5 The anual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) shall be eight thousand five hundred dollars ($8,500) in judicial districts having a population of ninety thousand (90,000) and less than two hundred and fifty thousand (250,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be seven thousand dollars ($7,000) in judicial districts having a population of less than ninety thousand (90,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be six thousand dollars ($6,000) but each of the judges of the court of common pleas of Dauphin County shall receive two thousand dollars ($2,000) additional for trying the Commonwealth's civil cases" be amended to read as follows

Section 5 The annual salary of each of the judges of the court of common pleas learned in the law in judicial districts having a population of two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) shall be eight thousand five hundred dollars ($8,500) in judicial districts having a population of one hundred and forty thousand (140,000) and less than two hundred and fifty thousand (250,000) the annual salary of each of the judges of the court of common pleas learned in the law shall be eight thousand dollars ($8,000) in judicial districts having a population of ninety thousand (90,000) and less than one hundred and forty thousand the annual salary of each of the judges of the courts of common pleas learned in the law shall be seven thousand dollars ($7,000) in judicial districts having a population of less than ninety thousand (90,000) the annual salary of each of the judges of the courts of common pleas shall be six thousand dollars ($6,000) but each of the judges of the court of common pleas of Dauphin County shall receive two thousand dollars ($2,000) additional for trying the Commonwealth's civil cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1824, as follows

An Act authorizing Albert B. Smith of the Borough of Steelton Dauphin County Pennsylvania to bring suit against and to recover from the Commonwealth of Pennsylvania either in law or in equity in the court of common pleas of Dauphin County any sum or sums of money legally or justly due him for services rendered the Pennsylvania Commission to investigate cold storage

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the General Assembly of the Commonwealth of Pennsylvania in General Assembly met by virtue of the power vested in it by section eleven of article first of the Constitution of Pennsylvania does hereby authorize and allow Albert B. Smith of the Borough of

Steelton Dauphin County Pennsylvania to bring suit or suits against and to recover from the Commonwealth of Pennsylvania either in law or equity in the courts of common pleas of Dauphin County any sum or sums of money that may be legally or justly due him for services rendered by him in the years one thousand nine hundred and fourteen and one thousand nine hundred and fifteen as stenographer to the Pennsylvania Commission to investigate cold storage said suit or suits to be subject to the rules of pleading evidence and appeal as other suits brought in said court are subject

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 895, as follows

An Act prohibiting the sale giving away or otherwise disposing of explosives except 2under certain conditions prohibiting the careless and negligent exposure and handling thereof and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of the act the term "explosive" shall mean any dynamite giant powder nitro-glycerine gun-cotton or any other dangerous and destructive substance of an explosive nature

The term "person" shall include individuals partnerships associations and corporations

Section 2 That it shall be unlawful for any person in this Commonwealth to sell give away or otherwise dispose of any explosives without first taking a certificate which shall be preserved by the person so disposing of said explosives from the person so obtaining said explosives stating the purposes and uses thereof and the places where said explosives are to be used

Section 3 If any person shall sell give away or otherwise dispose of any explosives to any irresponsible person or shall sell give away or otherwise dispose of any explosives contrary to section one of this act or if any person shall be found in possession of or in control of any explosives without having first given the certificate as provided in section one of this act or if any person shall carelessly or negligently expose or handle any explosives he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment not exceeding one year or both in the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1764, as follows

An Act authorizing the State Highway Commissioner to adopt and procure a seal for the State Highway Department and providing that certified copies of all records books papers documents and rulings of the department shall be received in evidence

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Commissioner is hereby authorized to adopt and procure an official seal for the State Highway Department Copies of all records books papers documents and rulings of the State Highway Department when certified by the State Highway Commissioner under the seal of the department shall be received in evidence in the courts of this Commonwealth with the same force and effect as the originals in all cases where such original records book papers documents and rulings would be admitted in evidence

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1760, as follows

An Act prohibiting the payment of pensions by counties having a population of more than eight hundred thousand and less than one million five hundred thousand inhabitants in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no money shall be paid by any county having a population of more than eight hundred thousand and less than one million five hundred thousand inhabitants to any person as a pension covering a period during which such person is employed by and receiving compensation from any county city borough town township school district or poor district nor shall any such person while receiving any such pension be employed by such county in any capacity whatsoever

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1524, as follows

An Act authorizing the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officer as may be designated by said directors and overseers or other officers to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania as part of their official duties and providing tor the payment of the expenses thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the directors and overseers of the poor or other officers having charge of the poor in the poor districts of this Commonwealth together with their solicitor steward or superintendent and such other executive officers as may be designated by said directors and overseers or other officers are hereby authorized as part of their official duties to attend the annual meeting of the association of directors of the poor and charities and corrections of Pennsylvania for the purpose of discussing the various questions arising in the discharge of their duties and of providing for uniform and economical methods of administering the affairs of the respective poor districts

Section 2 The actual expenses of the aforesaid officials attending the said annual meetings of said association including traveling expenses and hotel bills actually paid by them together with a membership subscription by each poor district to the necessary expenses of the convention including printing employment of stenographers and expenses of committees which said membership subscription however shall not be more than fifteen dollars for any poor district per annum shall be paid out of the funds of the poor district The time spent in attending such meeting shall not be more than four days exclusive of the time employed in traveling thereto and therefrom

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1790, as follows

An Act defining sodomy and prescribing penalties for its commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who carnally knows in any manner any animal or bird or carnally knows any male or female person by the anus or by or with the mouth or voluntarily submits to such carnal knowledge shall be guilty of sodomy and being thereof convicted shall be sentenced to pay a fine not exceeding one thousand dollars and to undergo an imprisonment by separate or solitary confinement at labor not exceeding ten years or both or either at the discretion of the court

Section 2 Any sexual penetration howevr slight shall be sufficient to complete the offence of sodomy as in this act defined

Section 3 If any person shall unlawfully and maliciously assault another with intent to commit sodomy as in this act defined or if any person shall wickedly and unlawfully solicit and incite and endeavor to persuade another to permit and suffer such person to commit sodomy as in this act defined with him such person shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars and undergo an imprisonment by separate or solitary confinement at labor not exceeding five years or both or either in the discretion of the court

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1406, as follows

An Act imposing a tax on premiums of insurance and reinsurance in foreign insurance companies and associations not registered in this Commonwealth providing the method of collection of such tax and imposing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person corporation copartnership or association enters into any contract of insurance or reinsurance of any kind with any insurace compay or association of another state or of a foreign country not registered or entitled to do business in this Commonwealth such person corporation copartnership or association shall at the time of making such contracts and at the time of making any periodical payment deduct from all premiums on such insurance or reinsurance a per centum thereof equal to the per centum tax imposed on the premiums of insurance companies and associations of other States and of foreign countries that are registered and entitled to do business in this Commonwealth and shall forthwith pay such amount into the State Treasury

Any person corporation copartnership or association failing to make such deduction and payment into the State Treasury shall be liable for the amount of such tax with interest at the rate of twelve per centum per annum to be collected in the same manner as other taxes of the Commonwealth are collected

Section 2 Any person corporation copartnership or association violating or failing to comply with the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars

A prosecution under this section shall not relieve any person corporation copartnership or association from liability for the amount of the tax with interest

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1376, as follows

An Act an act relating to the election of county assessors and the appointment of assistant assessors their terms of office their duties their salaries county rates and levies duties of county commissioners in connection with county assessors penalties for failure of county assessors and assistant assessors to perform their duties powers and duties of election officers and penalties for their non-compliance and penalties for any elector wilfully making any false affidavit or statement

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That three county assessors shall be elected in each county having a population of less than one hundred and fifty thousand in the year one thousand nine hundred and seventeen and every fourth year thereafter and in the election of said officers each qualified elector shall vote for no more than two persons and the three persons having the highest number of votes shall be elected any casual vacancy in the office of county assessor shall be filled by the court of common pleas of the county in which such vacancy shall occur by the appointment of an elector of the proper county who shall have voted for the assessor whose place is to be filled for the unexpired portion of his term

Section 2 Every assessor elected or appointed as aforesaid shall before he enters upon the duties of his office take and subscribe an oath or affirmation before some person having authority to administer oaths to support the Constitution of the United States and that of this State and to perform the duties of his office with fidelity which oath or affirmation certified by the person before whom it was taken shall within ten days thereafter be filed by such assessor in the office of the clerk of the court of quarter sessions of the proper county

Section 3 If any county assessor within this Commonwealth who shall have taken upon himself the duties of such office shall neglect or refuse to perform the duties enjoined upon such office by law he shall forfeit the sum of one hundred dollars to be recovered by the county as debts of like amount are recoverable

Section 4 It shall be the duty of the county assessors of the several counties to keep their respective offices and all public records and papers belonging thereto at the seat of justice of the respective county and in such building or buildings as may be erected or appropriated for such purpose under a penalty in each case of five hundred dollars to be recovered by action of assumpsit one-half thereof to be paid to the treasurer of the proper county to be applied by him to the uses of the county and the other half thereof to be for the use of him who shall first sue for the penalty

Section 5 The county assessors of each county shall assemble at the seat of justice threeof on the first Monday of January in each year and at such other times as they may find necessary for the performance of the duties required of them by law

Section 6 The county assessors of each county any two of whom when duly convened shall be a quorum and shall do and perform all of the foregoing duties

Section 7 The county assessors shall previously to each triennial assessment assemble at the office of the commissioners of their respective counties on a day to be appointed by such commissioners and a majority of the assessors shall proceed with the commissioners to fix upon some uniform standard to ascertain the real value of all the property made taxable by law taking into consideration improvements proximity to market and other advantages of situation so that the same relative valuation may be observed in every city borough township and district

Section 8 The county assessors of the several counties shall on the receipt of the precepts aforesaid proceed to take account in the form directed by the commissioners of the names and surnames of all the taxable inhabitants within their respective cities boroughs townships and districts and all account of the following real and personal property

I Real estate viz all houses lands lots of ground and ground rents mills and manufactories of all descriptions all furnaces forges boomeries distilleries malt houses breweries tan-yards and ferries

II The following personal estate viz all horses mares geldings and cattle above the age of four years

III All offices and posts of profit professions trades and occupations and all single freemen above the age of twenty-one years who shall not follow any occupation or calling

IV All mortgages all money owing by solvent debtors whether by promissory note or penal single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States all loans issued by or shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or the United States or of any other State or government including car trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except shares of stock in any corporation or limited partnership liable to the capital stock imposed by the twenty-first section of the act of June eight one thousand eight hundred and ninety-one (Pamphlet Laws two hundred twenty-nine) relieved from the payment of tax on capital stock by said section all moneys loaned or invested in other States territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution saving institution or trust company and Provided That the provisions of this act shall not apply to building and loan associations

Section 9 It shall be the duty of the county assessors to assess rate and value all objects of taxation whether for State county city borough ward township or district purposes according to the actual value thereof and at such rates and prices for which the same would separately bona fide sell and on the return of such assessments of valuations into the office of the county commissioners after the same shall have been carefully examined and corrected and it shall be lawful for said commissioners if they believe any property or thing made taxable has been assessed and valued below its actual value to raise the same to the actual value thereof or if the same has been assessed and valued above its actual value to reduce the same thereto Provided That in no case the said commissioners shall impose a different rate per centum on different cities boroughs and districts in their counties but the same shall be equal throughout and all rates shall be left on the assessment as returned and corrected

Section 10 When such enumeration and amount shall be completed the county assessors shall proceed to value the property of which an account shall be so taken according to the standard previously agreed upon as aforesaid and to rate all offices and posts of profit professions trades and occupations at their discretion having due regard for the profits arising therefrom

Section 11 It shall be the duty of the county assessors within this Commonwealth in making the enumerations now required by law of the taxable inhabitants residing within their respective boroughs wards townships and districts to arrange the names of taxables in alphabetical order

Section 12 It shall be the duty of said county assessors on or before the first day of September of each year to cause at least one copy of the said alphabetic list of the taxable inhabitants to be posted up at the place where any coming election is to be held and at such other places within such borough ward township or district as the commissioners of said county may think necessary to afford to the inhabitants thereof an opportunity of freely examining the same and they shall further keep copies

of said return in their office subject at all reasonable times to the inspection of any person without charge and shall at any time ten days before the election on the application of any person claiming to be assessed within their proper borough ward township or district or claiming the right to vote therein as being between the age of twenty-one and twenty-two years and having resided in the State one year enter the name of such person upon the said return The said county assessors on the ninth day preceeding the general election in November in each year shall sign and certify the return of the taxable inhabitants and qualified voters residing within their respective boroughs wards townships and districts and deliver the same to the county commissioners to be by them held and handed over without addition or alteration to the inspectors of the elections at the time required by law

Section 13 On or before the first day of April in each of the two years succeeding the triennial assessment the commissioners of the respective counties shall send a transcript of such triennial assessment to the county assessors together with their precepts requiring them to take an account of all free men and of all personal property taxable by law together with a just valuation of the same and also a valuation of all offices and posts of profit professions trades and occupations taxable by law enjoining said assessors to make a just return to them within thirty days after the date of such precept and to note in such return such alterations in any ward township or district as may have been occasioned by the transfer or division of real estate or by the destruction of buildings and also noting all single free men who arrived at the age of twenty-one years since the last triennial assessment and all others who have since that time come to inhabit any ward township or district together with the taxable property such person may possess and the valuation thereof agreeably to the provisions of this act

Section 14 That the commissioners of the several counties of this Commonwealth shall issue their precepts to make the triennial assessment of property to the county assessors on or before the second Monday of September and the said assessors are hereby required to complete the said assessment and make their return thereof not later than the thirty-first day of December Anno Domini one thousand eight hundred and eighteen and triennially thereafter and the said commissioners shall issue their precepts to the assessors aforesaid to make the reassessment of property between the periods of the triennial assessment and the said assessors are hereby required to complete the said reassessment and to make their return thereof not later than the thirty-first day of December of the same year of a just and perfect list in such form as the commissioners shall direct of the name of all taxable persons residing within their county and of all taxable property by law together with a just valuation of the same to be made in the manner heretofore provided for in this act and said valuation to continue until the next triennial assessment at which time the assessment shall be made by the county assessors as prescribed by the provisions of this act

Section 15 That in case any county assessors are not able to properly complete the triennial assessment of any properties in their respective counties and make returns thereof to the county commissioners on or before the thirty-first day of December as provided by law it shall be lawful for the said assessors to continue the performance of their duties and to make returns of their assessments to the county commissioners after the said thirty-first day of December Provided That unless prevented by sickness or by stress of weather the said assessors shall be continuously engaged in the actual performance of their duties from and after the date of the delivery of the precepts to them until the assessments are completed and their returns thereo fmad And provided further That in no case shall the return of the said assessments be made later than the fifteenth day of February of the year following the delivery of the precepts to the said assessors The county assessors shall whenever called upon by any city borough or township official entitled to have the information when acting in their official capacity to furnish whatever information is desired by them for the purpose of testing the accuracy of the returns made to the said county assessors

Section 16 That it shall be the duty of the county assessors where seated lands underlaid with coal are divided by county township or borough lines the ownership of which coal has been severed from the owenrship of the overlying strata or surface assess each division of such coal in the county township or borough in which it actually lies

Section 17 That the county commissioners of the several counties shall as soon as the county assessors have made their returns according to the provisions of this act make out and publish in no less than two newspapers for two weeks or if there be no newspapers published in the county by hand bills posted in each borough ward township or district at the places of holding borough ward township or district elections a statement in such form as will show the aggregate value and assessments made by the county assessors upon property taxable by law for county purposes upon all kinds of property real and personal subject to taxation by existing laws and also according to any laws that may hereafter be passed relating to similar objects of taxation and upon all salaries and emoluments of office and all persons trades occupations and professions according to existing laws or according to any laws that may hereafter be passed relating to similar objects of taxation and will also show the whole amount of taxes assessed on each borough ward township and district in the county and at the time and in the manner herein provided for publishing said statements the county commissioners shall also give public notice of a day not later than thirty days from the time of publishing by them appointed for finally determining whether any of the valuation of the county assessors have been made below a just rate according to the meaningg and intention of this act

Section 18 That it shall be the duty of the county commissioners of the proper county upon receipt of the daily report from the office of the recorder of deeds as required by the act of April thirteenth one thousand nine hundred and eleven (Pamphlet Laws sixty-two) to keep the same on file in their office and prior to the making of the annual and of the trienial assessment to deliver to the county assessors before they shall enter upon the discharge of their duties as assessors of the real estate in the proper county a statement or statements of all such deeds and conveyances of all such real estate within said district together with all the information regarding the same as set forth in section one of said act of April thirteenth one thousand nine hundred and eleven to be used by the county assessors in making the assessment in the name of the owners of the real estate and in ascertaining the value of such real estate

Section 19 That the county commissioners may in their discretion issue their precepts to the county assessors or on or before the first day of March of each year for the assessment of such persons as may remove into the respective townships wards boroughs and districts since the last assessment and for the reassessment of such property as may have been transferred since the last assessment and for the assessment of those who may have been omitted from last assessment And it shall be the duty of said assessor to make such assessment and return the same before the twenty-fifth day of May of each year

Section 20 That within thirty days after the county assessors shall have become qualified and assume the duties of their office they shall appoint one assistant assessor for each borough ward precinct district and township who is only to perform such duties as were formerly required by law to be peformed by assessors of boroughs wards districts and townships incident to the holding of elections and registration of voters and that the county assessors shall perform all of the duties for purposes of valuation It shall also be the duty of the assistant assessors of the several townships boroughs and wards within the Commonwealth to obtain semi-annually at the time of making their assessment now provided by law all of the information required for the registration of births and deaths as required by the act entitled "To provide for the registration of births and deaths in the several counties of the Commonwealth" approved June sixth one thousand eight hundred and ninety-three (Pamphlet Laws three hundred and forty) and it shall be the duty of parents guardians and other persons having knowledge to furnish to said assistant assessors the information necessary to keep the record required by said acts of Assembly Said assistant assessors shall return said information to the clerk of the orphans' court upon blank to be furnished as hereinafter provided at the time of making their semi-annual returns to the county assessors and to each return shall be attached the oath or affirmation of the assistant assessor that he made diligent inquiry as to the births and deaths and other information referred to in said act within his ward borough or township and that his return is true to the best of his knowledge information and belief The said assistant assessors shall keep an account of the several days by him employed in the performance of his duties and to make return of the same to the county assessors verified by his oath or affirmation and for each day necessarily so employed he shall receive the sum of five dollars for all duties in relation to the elections and after they have been approved by the county assessors they shall certify the same to the county commissioners to be paid by the county commissioners as in other cases

Section 21 That in each general election there shall be elected in each election district in the State as well as those wherein the registration of voters has heretofore been made by officers appointed and not chosen by the people to perform the duties as in all other one person as judge and two inspectors in conformity with the general laws of the Commonwealth to conduct the elections for the succeeding year

Section 22 That the assistant assessors appointed under the provisions of this act shall within thirty days after their appointment proceed to make out lists of the qualified electors in their respective election districts and deliver the same to the county assessors who after they shall have approved the same shall deliver them to the county commissioners who shall transmit a certified copy of the same to the judge of each election district at least forty-eight hours before any general election Said assistant assessors shall also post ten copies thereof in conspicuous places in each election district at least ten days before said aelection And the list so made by the assistant assessors during the two secular days preceding the day of the delivery thereof to the county commissioners of which days' public notice shall be given by hand bill throughout said district shall be open for inspection and correction in the custody of the said assistant from ten ante meridian to three post meridian and from six post meridian to nine post meridian of each of said days in the manner provided by existing laws and all of the remedies privileges and powers secured and provided thereby are hereby made applicable to the lists herein named

Section 23 The respective assistant assessors inspectors and judges of the elections shall each have the power to administer oaths to any person claiming the right to be assessed or the right of suffrage or in regards to any other matter or thing required to be done or inquired into by any of said officers under this act and any wilful false swearing by any person in relation to any matter or thing and concerning which they shall be lawfully interrogated by any of said officers or overseers shall be perjury

Section 24 In all election districts (other than in cities of first second and third classes) the assistant assessor shall within forty-five days after the approval of this act make an enrollment of each voter residing within the district in which he is authorized to make an assessment and registration of voters and thereafter at the time of making the annual assessment in addition to the duties now authorized and required by law make an enrollment of all the voters in his district Said assistant assessor shall leave at the residence of each and every voter in his district found to be absent when his residence is visited by the assistant assessor at the time of making the annual assessment a certificate of enrollment which shall be in the following form

Date ..... 191..

I, ..., a duly qualified voter residing in ....., election district hereby declare that I desire to be enrolled as a member of the .....party and express my desire to vote the ticket of the ..... party at the ..... primary election next ensuing and request that my name be enrolled on the assessor's list as a member of asid party for the purpose of participating in said primary or primaries

.....
(Signature of Elector)

Witness ....
(Address)

The above certificate of enrollment shall be furnished to each assistant assessor by the county commissioners of various counties at the time of the delivery of said assessor's books by the county assessors

Section 25 The assistant assessor making the enrollment in districts other than in cities of the first second and third classes shall ascertain if possible at the time of making the annual assessment by personal inquiry of the elector the party politics preference of affiliation of the elector and note and record the same with the residence and other particulars required in making the assessment in case the elector is not at his residence at the time the said assistant assessor visits the residence of the elector he shall leave a certificate of enrollment which the elector may fill out and give to the assistant assessor at some time prior to or on the sixty-second or sixty-third day preceding each primary at which time said assistant assessors shall sit at the polling place and receive said certificate at which time the same shall be recorded by the assistant assessor in the register

Section 26 The county commissioners shall have the register so prepared as to permit the assistant assessor to insert the party enrollment of each elector Upon the receipt of the certificate of enrollment from the elector the assistant assessor shall insert in the register after the said elector's name his party enrollment Provided however if an elector has at any time received party enrollment under the provisions of this act it shall be the duty of the assistant assessor to insert in the said registry from year to year at the time of making the annual assessment said party enrollment after the name of the said elector until such time as a certificate of enrollment is presented to or filed with him by the said elector to a contrary effect Each elector not already enrolled desiring to participate in the primaries must file with the assistant assessor his enrollment certificate If an elector does not desire to vote at a primary election he shall not be required to sign or execute the above certificate as to his party affiliation or membership and such party affiliation shall not be recorded

Section 27 Should the assistant assessor make a mistake in recording an elector's party the said elector may have the registry corrected amended or altered so as to secure a correct registration in the same manner and in the same processes as are provided by law for the correction and amendment of the registry in other particulars Provided That such amendment shall not be made later than ten days before any primary elections at which the voter desire or intends to vote

Section 28 If any county assessor who shall have taken upon himself the duties of such office shall neglect or refuse to comply with any order or warrant issued to him by the commissioners of the same county in conformity with law or shall not perform the duties enjoined upon him by law he shall forfeit any sum not exceeding one thousand dollars to be recovered by the county as debts of a like amount are recoverable and if any county assessor shall knowingly or intentionally omit neglect or refuse to assess and return any property person or thing made taxable by law or shall knowingly and intentionally assess rate or value the same at more or less than he shall know and believe the just cash value or rate thereof or neglect or refuse to assess any tax required by law he shall be guilty of a misdemeanor in office and on conviction thereof be subject to an imprisonment of not to exceed twelve months and fined in a sum not to exceed one thousand dollars and to be removed from office

Section 29 Any assistant assessor wilfully violating any of the provisions of this act or wilfully registering any false statement of the elector or registering as a member of a political party one whom he knows not to be such or excluding from a party registry or enrollment any voter whom he knows to be entitled thereto shall be guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment for not more than one year and a fine of not more than one thousand dollars or either or both in the discretion of the court

Section 30 Any assistant assessor or election officer who shall neglect or refuse to perform any duty enjoined by this act without reasonable or legal cause shall be subject to a penalty of one hundred dollars and if any assistant assessor shall knowingly assess any person as a voter who is not qualified or who shall wilfully refuse to assess any one who is qualified he shall be guilty of a misdemeanor in office and on conviction be punished by fine not exceeding one thousand dollars or imprisonment not exceeding two years or both at the discretion of the court and also be subject to an action for damages by the party aggrieved and if any person shall fraudulently alter add to or deface or destroy any list of voters made out as directed by this act or tear down or remove the same where it has been fixed with fraudulent or mischievous intent or for any improper purpose the person so offending shall be guilty of a misdemeanor and on conviction shall be punished by fine not exceeding five hundred dollars or imprisonment not exceeding two years or both at the discretion of the court and if any person shall by violence or intimidation drive or attempt to drive from the polls any person or persons appointed by the court to act as overseers of an election or in any way wilfully prevent said overseers from performing the duties enjoined upon them by any act of Assembly such person shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding two years or both at the discretion of the court Any person who shall on the day of any election visit a polling place in any election district at which he is not entitled to vote and shall use any intimidation or violence for the purpose of preventing any officer of election from performing the duties required of him by law or for the purpose of preventing any qualified voter of such district exercising his right to vote or from exercising his right to challenge any person offering to vote such person shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding one thousand dollars or imprisonment not exceeding two years or both at the discretion of the court Any clerk overseer or election officer who shall disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars and by imprisonment not exceeding two years or both in the discretion of the court

Section 31 Any elector who shall wilfully make any false affidavit or statement to any assistant assessor with intent to secure the false party enrollment or registration of himself or of any other voter shall be guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment for not more than one year and a fine of not more than one thousand dollars or either of both in the discretion of the court

Section 32 The county assessors of the respective counties shall be furnished adequate accommodations for the transaction of their business and all necessary supplies for their office by the county commissioners of their counties at the expense of the several counties

Section 33 The county assessors of the several counties shall appoint one suitable person as their chief clerk and also such clerks or other clerks as they may deem necessary provided the employment of the additional clerks is approved by the county commissioners of the several counties who shall have the sole power of fixing the salaries of all clerks required to be appointed for the transaction of business in the office of the county assessors

Section 34 The annual salary of each member of the board of county assessors in the several counties of this Commonwealth shall be as follows

In counties containing less than twenty thousand population five hundred dollars in counties between twenty thousand and fifty thousand population seven hundred and fifty dollars in counties between fifty thousand and seventy-five thousand population one thousand two hundred dollars in counties between seventy-five thousand and one hundred thousand population one thousand five hundred dollars in counties between one hundred thousand and one hundred and fifty thousand population three thousand dollars and in counties over one hundred and fifty thousand population the salary shall be as now provided by law The said salaries shall paid out of the treasury of the respective counties The salaries herein fixed shall be in full and in lieu of all other compensation for the services of county assessors except actual expenses necessarily incurred in the discharge of their official duties when called away from their respective county seats where their general business is expected to be transacted or any duty imposed upon said county assessors by the county commissioners of their respective counties Provided That the population of the counties be taken from the last United States census

Section 35 There shall be administered to each of the county assessors the following form of oath or affirmation to wit

"You do (swear or affirm) that you will support obey and defend the Constitution of the United States and the

Constitution of this Commonwealth that you will discharge the duies of your office as county assessor with honesty and fidelity and you will use your utmost diligence and ability to discover and ascertain all the property real and personal within said county and all other objects subject to taxation by the laws of this Commonwealth and take an accurate account of the same and that you will justly and honestly to the best of your judgment assess and value every separate lot piece or tract of land with the improvements thereon and all personal property made taxable by the laws of this Commonwealth within your county at the rate or price which you shall after due examination and consideration believe the same would sell for if sold singly and separately at a bona fide sale after full public notice and that you will rate all offices and posts of profit trades and occupations at what you shall believe to be the actual yearly income arising therefrom according to the laws of this Commonwealth without fear favor or affection hatred malice o rill will that I have not paid or contributed or promised to pay or contribute either directly or indirectly any money or other value thing to procure my nomination or election (or appointment) except for necessary and proper expenses expressly authorized by law that I have not knowingly violated any election law of this Commonwealth or procured it to be done by others in my behalf that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law"

Section 36 The following acts and parts of acts of Assembly of this Commonwealth viz

Sections two three four five eleven seventeen eighteen nineteen and twnty-four of "An Act relating to county rates and levies and township rates and levies" approved April fifteenth one thousand eight hundred and thirty-four (Pamphlet Laws five hundred eleven)

Sections eighty-one (paragraphs one two and six) eighty-seven and eighty-eight of "An Act relating to counties and townships and county and township officers' approved April fifteenth one thousand eight hundred and thirty-four (Pamphlet Laws five hundred fifty-two)

Section two of "A Supplement to the act relative to county rates and levies and township rates and levies and to the act relating to counties and townships and county and township officers" approved February twenty-eighth one thousand eight hundred and thirty-five (Pamphlet Laws forty-five)

Sections fifty-one fifty-seven fifty-eight and fifty-nine of "An Act relating to the election of this Commonwealth" approved July second one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred thirty-one)

Sections one two three four and six of "An Act to establish a uniform mode for the valuation of property and assessment of taxes" approved May fifteenth one thousand eight hundred and forty-one (Pamphlet Laws three hundred ninety-three)

Section sixty-six of "An Act regulating election districts and for other purposes" approved March fourth one thousand eight hundred and forty-two (Pamphlet Laws fifty-one)

Sections nine and eleven of "An Act to provide for the ordinary expenses of the Government and payment of the interest upon the State debt receiving of proposals for the sale of the public works and for other purposes" approved July twenty-seven one thousand eight hundred and forty-two (Pamphlet Laws four hundred and forty-five)

Section seventeen (paragraph three) of "An Act regulating boroughs" approved April third one thousand eight hundred and fifty-one (Pamphlet Laws three hundred twenty-five)

Section ten of "A further supplement to an act for the regulation and continuance of a System of Education by Common Schools approved the eighth day of May Anno Domini one thousand eight hundred and fifty-four" approved May eighth one thousand eight hundred and fifty-five (Pamphlet Laws five hundred eleven)

Sections fourteen fifteen sixteen seventeen eighteen and nineteen of "A further supplemnt to the act regulating elections in this Commonwealth" approved January thirtieth one thousand eight hundred and seventy-four (Pamphlet Laws thirty-nine)

Section one of "An Act declaratory of and amending the act entitled "A further supplement to the act regulating elections in this Commonwealth" approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four approved February thirteenth one thousand eight hundred and seventy-four (Pamphlet Laws forty-four)

Section two of A supplement to an act entitled "An Act to prescribe the manner in which the courts may divide boroughs into wards" approved the fourteenth day of May Anno Domini one thousand eight hundred and seventy-four approved May tenth one thousand eight hundred and seventy-eight (Pamphlet Laws fifty-one)

An Act amending the eighty-ninth section of the act entitled "An Act relating to counties and townships and county and township officers" approved the fifteenth day of April Anno Domini one thousand eight hundred and thirty-four approved May twenty-fourth one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and ninety-five)

Sections one two three and four of "An Act to authorize the election of assessors for three years in the several boroughs and townships of this Commonwealth" approved February fourteenth one thousand eight hundred and eighty-nine (Pamphlet Laws seven)

Sections one and two of an act to amend an act entitled "An Act to authorize the election of assessors for three years in the several boroughs and townships of this Commonwealth" approved the fourteenth day of February Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred thirty-three)

"An Act to authorize the election of assistant assessors for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" approved June sixteenth one thousand eight hundred and ninety-one (Pamphlet Laws two hundred and ninety-six)

Section two of "An act to provide for the registration of births and deaths in the several counties of the Commonwealth" approved June sixth one thousand eight hundred and ninety-three (Pamphlet Laws three hundred and forty)

Section one of "An Act to authorize the county commissioners to appoint assessors in cases where the assessor refuses or neglects to qualify or refuses or neglects to receive the precept and books at the time designated by the commissioners to begin their several duties" approved May fifth one thousand eight hundred and ninety-seven (Pamphlet Laws thirty-nine)

"An Act to amend section two of an act entitled "An Act to amend an act entitled 'An Act to authorize the election of assessors for three years in the several boroughs of this Commonwealth approved the eighth day of May Anno Domini one thousand eight hundred and eighty-nine regulating the duties of the assessors and providing that in making the valuation of the property the assessors of all the wards shall act as a board of assessors' approved July ninth one thousand nine hundred and one (Pamphlet Laws six hundred and thirteen)

"An Act to provide for the election of assistant assessors for the valuation of real estate for taxation in townships of the first class and fixing the compensation of assessors in such township" approved April twenty-third one thousand nine hundred and three (Pamphlet Laws two hundred and eighty-four)

Section one of "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessment and the reassessment between the periods of triennial assessment of property and fixing the time for the return thereof" approved April twenty-third one thousand nine hundred and three (Pamphlet Laws two hundred and ninety-two

Section one of "An Act to provide for and to determine the place of the assessment of coal and mineral underlying seated lands in cases of severed ownership where the same are divided by county lines" approved April twenty-seventh one thousand nine hundred and three (Pamphlet Laws three hundred and twenty-six)

Section two of "An Act to provide for the registration of conveyance of real estate in all counties in this Commonwealth with a population not to exceed four hundred thousand in order to facilitate the assessment of taxes therein in the name of the owner of said real estate and to ascertain the value of such real estate and providing compensation to the recorder of deeds of such counties for making reports thereof" approved April thirteenth one thousand nine hundred and eleven (Pamphlet Laws sixty-two)

"An Act a supplement to an act approved the twenty-third day of April one thousand nine hundred and three entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessment between the periods of the triennial assessments of property and fixing the time for the return thereof' as amended" approved May twentieth one thousand nine hundred and thirteen (Pamphlet Laws two hundred and forty-one)

"An Act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the compensation of assessors and assistant assessors in such townships extending the time within which the said assessors are required to complete their assessment and make their return thereof and further providing for the determination of the time actually employed by the said assessors and assistant assessors in the performance of their duties" approved May twentieth one thousand nine hundred and thirteen (Pamphlet Laws two hundred and sixty-four)

"An Act fixing the pay of assessors in the several townships of the second-class" approved June twenty-fifth one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty-nine)

Sections three four five seven eight ten and eleven of "An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry assessors for making such registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at primary by or on any other than their own party ticket" approved July twenty-fifth one thousand nine hundred and thirteen (Pamphlet Laws one thousand and forty-five)

"An Act fixing the compensation of election assessors in boroughs and townships at primary elections" approved June second one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and twenty-four)

And all other acts and parts of acts of Assembly of this Commonwealth general special or local appertaining to the subject matter covered by this act be and the same are

hereby repealed it being intended that this act shall furnish a complete and exclusive system in itself so far as relates to the election of county assessors their terms of office their duties penalties for the non-observance of their duties their salaries and filling vacancies in their offices and the appointment of assistant assessors their term of office their duties penalties for non-observance of their duties and their salaries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1727, as follows:

An Act providing for the pensioning of certain soldiers sailors and marines and the widows of certain soldiers sailors and marines who served in the Civil War and making an appropriation for the payment thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person who has served as a soldier sailor or marine in the Civil War of one thousand eight hundred sixty-one to one thousand eight hundred sixty-five who possesses the following qualifications shall be entitled to and shall receive a pension from the State as hereinafter provided

(a) Who shall have served either as a soldier sailor or marine for either the United States or the State of Pennsylvania

(b) Who shall have been enrolled from Pennsylvania

(c) Who resided in the Commonwealth of Pennsylvania at the date of the commencement of service

(d) Who shall have been honorably discharged from service

(e) Who shall be a bona fide resident of the Commonwealth of Pennsylvania at the time of making application for pension

Section 2 Where any person entitled to a pension under the provisions of section one hereof shall be deceased his widow shall be entitled to the same pension that he would have been entitled to if he were living

Section 3 The amount to be paid as a pension for each soldier sailor or marine or widow of any deceased soldier sailor or marine as set forth in sections one and two hereof shall be the sum of five dollars per month.

Section 4 Pensions granted in pursuance of this act shall commence the first day of January one thousand nine hundred and eighteen and shall be payable quarterly thereafter on the first days of April July October and January of each year All pensions shall begin at the quarter yearly period after the same shall have been granted

Section 5 All applications for pensions under this act shall be made to the Auditor General under such reasonable rules and regulations as may be prescribed by him and the right to such pensions upon such applications shall be determined by the Auditor General whose decisions to the granting or refusal of said pensions shall be final

Section 6 No application for pension under this act shall be received by the Auditor General prior to the first day of October one thousand nine hundred and seventeen and the first payment to be made under this act shall be made on the first day of April one thousand nine hundred and eighteen or as soon thereafter as possible and shall be for the quarter ending on the thirty-first day of March one thousand nine hundred and eighteen

Section 7 The necessary blanks and stationery for applications and proof for pensions under the provisions of this act shall be furnished by the Department of Printing and Binding for the use of the Auditor General and no charge shall be made by the Auditor General to such applicants for pensions for services or fees in the matter of such pension

Section 8 The sum of one million five hundred thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of paying pensions hereby created for the two fiscal years beginning the first day of January one thousand nine hundred and eighteen and in addition to the aforesaid appropriation there shall be appropriated for clerical hire postage and incidental expenses commencing the first day of September one thousand nine hundred and seventeen the sum of fifty thousand dollars or so much thereof as may be necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1781, as follows:

An Act making available for expenditure during the two fiscal years beginning June first one thousand nine hundred and seventeen the sum of fifteen thousand dollars ($15,000) remaining unexpended from appropriation made by section two of an act of Assembly approved the sixteenth day of June one thousand nine hundred and fifteen

Whereas Section two of an act of Assembly approved the sixteenth day of June one thousand nine hundred and fifteen provided as follows viz

"To reimburse the United States Government or organizations of the National Guard of Pennsylvania for losses incurred by fire in cases where such losses have been covered by insurance placed by the Adjutant General and the losses are adjusted by the insurance company or companies and payments made to the State of such losses and the amounts so recovered have been paid into the State Treasury and also to reimburse the United States Government for any United States Government stores sold by the Adjutant General and the money received for such sale has been paid into the State Treasury the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary the reimbursements to be made by warrant of the Auditor General drawn upon the State Treasurer upon proper certificate of the Adjutant General showing collection of moneys on account of loss or sale and payment of same into the State Treasury" and

Whereas There remains unexpended of said appropriation the sum of fifteen thousand dollars ($15,000) therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand dollars ($15,000) remaining unexpended from appropriation made by section two of an act of Assembly approved the sixteenth day of June one thousand nine hundred and fifteen or as much thereof as may be necessary be and the same is hereby made available for the two fiscal years beginning June first one thousand nine hundred and seventeen to reimburse the United States Government or organizations of the National Guard of Pennsylvania for losses incurred by fire in cases where such losses have been covered by insurance placed by the Adjutant General and the losses are adjusted by the insurance company or companies and payments made to the State of such losses and the amounts so recovered have been paid into the State Treasury and also to reimburse the United States Government for any United States Government stores sold by the Adjutant General and the money received for such sale has been paid into the State Treasury the reimbursement to be made by warrant of the Auditor General drawn upon the State Treasurer upon proper certificate of the Adjutant General showing collection of moneys on account of loss or sale and payment of some into the State Treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1643, as follows:

An Act forbidding the advertising publishing selling distribution or otherwise disseminating or imparting or attempting to disseminate or impart knowledge or information tending to interfere with or diminish the birth of human beings in the Commonwealth of Pennsylvania defining it as a misdemeanor and providing for its punishment

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who shall disseminate or impart or attempt to disseminate or impart information or knowledge tending to interfere with or diminish the birth of human beings in this Commonwealth either by advertising or lecture or distribution or sale or circulation of written or printed matter or orally shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000) and imprisonment for a period of not less than three (3) months nor more than one (1) year either or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1575, as follows:

An Act prohibiting the sale distribution and use of foods drugs and certain mixtures and preparations containing menthl or wood alcohol and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person partnership association or corporation to sell or offer or expose for sale or have in his or its possession with intent to distribute or sell any food drug preparation or mixture of any kind whatsoever intended for internal use which

contains methyl or wood alcohol or to sell or offer or expose for sale or have in his or its possession with intent to sell or distribute or use upon or apply to the body of another any drug hair tonic bayrum or similar preparation intended for external use which contains methyl or wood alcohol

Section 2 Nothing in this act shall apply to veterinary remedies containing methyl or wood alcohol when such remedies are plainly and distinctly labelled in such a manner as to indicate that they are intended solely for external use on animals

Section 3 Any person partnership association or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a penalty of five hundred dollars for each offense

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1822, as follows:

An Act to amend section three hundred and fourteen of an act approved the second day of June one thousand nine hundred and fifteen entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and fourteen of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" which reads as follows

"Section 314 At any time after an injury the employe if so requested by his employer must submit himself for examination at some reasonable time and place to a physician or phisicians legally authorized to practice under the laws of such place who shall be selected and paid by the employer to submit to the examination by the physician or physicians selected by the employer the board may upon petition of the employer order the employe to submit to an examination at a time and place set by it and by the physician or physicians selected and paid by the employer or by a physician or physicians designated by it and paid by the employer and if the employe shall without reasonable cause or excuse disobey or disregard such order he shall be deprived of his right to compensation under this article The board may at any time after such first examination upon petition of the employer order the employe to submit himself to such further examinations as it shall deem reasonable and necessary at such times and places and by such physicians as it may designate and in such case the employer shall pay the fees and expenses of the examining physician or physicians and the reasonable traveling expenses and loss of wages incurred by the employe in order to submit himself to such examination The refusal or neglect without reasonable cause or excuse of the employe to submit to such examination ordered by the board either before or after an agreemnt or award shall deprive him of the right to compensation under this article during the continuance of such neglect or refusal and the period of such neglect or refusal, shall be deducted from the period during which compensation would otherwise be payable

"The employe shall be entitled to have a physician or physicians of his own selection to be paid by him participate in any examination requested by his employer or ordered by the board" is hereby amended to read as follows

Section 314 The employe shall be entitled to have a physician of his own selection to treat him for his injuries during the entire period of his disability and the services of such physician shall be paid by the employer but at any time after an injury the employe if so requested by his employer must also submit himself for examination at some reasonable time and place to a physician or physicians legally authorized to prectice under the laws of such place who shall be selected and paid by the employer If the employe shall refuse upon the request of the employer to submit to the examination by the physician or physicians selected by the employer the board may upon petition of the employer order the employe to submit to an examination at a time and place set by it and by the physician or physicians selected and paid by the employer or by a physician or physicians designated by it and paid by the employer and if the employe shall without reasonable cause or excuse disobey or disregard such order he shall be deprived of his right to compensation under this article The board may at any time after such first examination upon petition of the employer order the employe to submit himself to such further examinations as it shall deem reasonable and necessary at such times and places and by such physicians as it may designate and in such case the employer shall pay the fees and expenses of the examining physician or physicians and the reasonable traveling expenses and loss of wages incurred by the employe in order to submit himself to such examination The refusal or neglect without reasonable cause or excuse of the employe to submit to such examination ordered by the board either before or after an agreement or award shall deprive him of the right to compensation under this article during the continuance of such refusal or neglect and the period of such neglect or refusal shall be deducted from the period during which compensation would otherwise be payable

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1821, entitled

An Act to amend section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe inthe course ofemployment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder."

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" which reads as follows

"Section 306 The following schedule of compensation is hereby established for injuries resulting in total disability

"(a) For the first five hundred weeks after the fourteenth day of total disability fifty per centum of the wages of the injured employe as defined in section three hundred and nine but the compensation shall not be more than ten dollars per week nor less than five dollars per week and shall not exceed in the aggregate the sum of four thousand dollars Provided That if at the time of injury the employe receives wages of less than five dollars per week then he shall receive the full amount of such wages per week as compensation Nothing in this clause shall require the payment of compensation after disability shall cease Should partial disability be followed by total disability the period of five hundred weeks mentioned in this clause of this section shall be reduced by the number of weeks during which compensation was paid for such partial disability

"(b) For disability partial in character (except the particular cases mentionel in clause (c) fifty per centum of the difference between the wages of the injured employe as defined in section three hundred and nine and the earning power of the employe thereafter but such compensation shall not be more than ten dollars per week This compensation shall be paid during the period of such partial disability not however beyond three hundred weeks after the fourteenth day of such total disability Should total disability be followed by partial disability the period of three hundred weeks mentioned in this clause shall be reduced by the number of weeks during which compensation was paid for such total disability

"(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

"For the loss of a hand fifty per centum of wages during one hundred and seventy-five weeks

"For the loss of an arm fifty per centum of wages during two hundred and fifteen weeks

"For the loss of a foot fifty per centum of wages during one hundred and fifty weeks

"For the loss of a leg fifty per centum of wages during two hundred and fifteen weeks

"For the loss of an eye fifty per centum of wages during one hundred and twenty-five weeks

"For the loss of any two or more of such members not constituting total disability fifty per centum of wages during the aggregate of the periods specified for each

"Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

"Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand and amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot Amputation at or above the elbow shall be considered as the loss of an arm

and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of the use of a hand arm foot leg or eye shall be considered as the equivalent of the loss of such hand arm foot leg or eye

"This compensation shall not be more than ten dollars per week nor more than five dollars per week Provided That if at the time of injury the employe receives wages of less than five dollars per week then he shall receive the full amount of such wages per week as compensation

"(d) No compensation shall be allowed for the first fourteen days after disability begins except as hereinafter provided in clause (e) of this section

"(e) During the first fourteen days after disability begins the employer shall furinsh reasonable surgical medical and hospital services medicines and supplies as and when needed unless the employe refuses to allow them to be furnished by the employer The cost of such services medicines and supplies shall not exceed twenty-five dollars unless a major surgical operation shall be necessary in which case the cost shall not exceed seventy-five dollars If the employer shall upon application made to him refuse to furnish such services medicines and supplies the employe may procure the same and shall receive from the employer the reasonable cost thereof within the above limitations If the employe shall refuse reasonable surgical medical and hospital services medicines and supplies tendered to him by his employer he shall forfeit all right to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal

"(f) Should the employe die as the result of the injury the period during which compensation shall be payable to his dependents under section three hundred and six of this article shall be reduced by the period during which compensation was paid to him in his lifetime under this section of this article No reduction shall be made for the amount which may have been paid for medical and hospital services and medicines nor for the expenses of the last sickness and burial Should the employe die from some other cause than the injury the liability for compensation shall cease" is hereby amended to read as follows

Section 306 The following schedule of compensation is hereby established for injuries resulting in total disability

(a) For the first five hundred weeks after the seventh day of total disability fifty per centum of the wages of the injured employe as defined in section three hundred and nine but the compensation shall not be more than ten dollars per week nor less than five dollars per week and shall not exceed in aggregate the sum of four thousand dollars Provided That if at the time of injury the employe receives wages of less than five dollars per week then he shall receive the full amount of such wages per week as compensation Nothing in this clause shall require the payment of compensation after disability shall cease Should partial disability be followed by total disability the period of five hundred weeks mentioned in this clause of this section shall be reduced by the number of weeks during which compensation was paid for such partial disability

(b) For disability partial in character (except the particular cases mentioned in clause (c) fifty per centum of the difference between the wages of the injured employe as defined in section three hundred and nine and the earning power of the employe thereafter but such compensation shall not be more than ten dollars per week This compensation shall be paid during the period of such partial disability not however beyond three hundred weeks after the seventh day of such total disability Should total disability be followed by partial disability the period of three hundred weeks mentioned in this clause shall be reduced by the number of weeks during which compensation was paid for such total disability

(c) For all disability resulting from permanent injuries of the following classes the compensation shall be exclusively as follows

For the loss of a hand fifty per centum of wages during one hundred and seventy-five weeks

For the loss of an arm fifty per centum of wages during two hundred and fifteen weeks

For the loss of a foot fifty per centum of wages during one hundred and fifty weeks

For the loss of a leg fifty per cenum of wages during two hundred and fifteen weeks

For the loss of an eye fifty per centum of wages during one hundred and twenty-five weeks

For the loss of any two or more of such members not constituting total disability fifty per centum of wages during the aggregate of the periods specified for each

Unless the board shall otherwise determine the loss of both hands or both arms or both feet or both legs or both eyes shall constitute total disability to be compensated according to the provisions of clause (a)

Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand and amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot Amputation at or above the elbow shall be considered as the loss of an arm and amputation at or above the knee shall be considered as the loss of a leg Permanent loss of the use of a hand arm foot leg or eye shall be considered as the equivalent of the loss of such hand arm foot leg or eye

This compensation shall not be more than ten dollars per week nor less than five dollars per week Provided That if at the time of injury the employe receives wages of less than five dollars per week then he shall receive the full amount of such wages per week as compensation

(d) No compensation shall be allowed for the first seven days after disability begins except as hereinafter provided in clause (e) of this section

(e) During the first seven days after disability begins the employer shall furnish reasonable surgical medical and hospital services medicines and supplies as and when needed unless the employe refuses to allow them to be furnished by the employer The cost of such services medicines and supplies shall not exceed twenty-five dollars unless a major surgical operation shall be necessary in which case the cost shall not exceed seventy-five dollars If the employer shall upon application made to him refuse to furnish such services medicines and supplies the employe may procure the same and shall receive from the employer the reasonable cost thereof within the above limitations If the employe shall refuse reasonable surgical medical and hospital services medicines and supplies tendered to him by his employer he shall forfeit all right to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal

(f) Should the employe die as the result of the injury the period during which compensation shall be payable to his dependents under section three hundred and six of this article shall be reduced by the period during which compensation was paid to him during his lifetime under this section of this article No reduction shall be made for the amount which may have been paid for medical and hospital services and medicines nor for the expenses of the last sickness and burial Should the employe die from some other cause than the injury the liability for compensation shall cease

On the question,

Will the House agree to the section?

Mr. GRAEFF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 5, line 17, by striking out the word "seventh" and inserting the word "third"

Amend section 1, page 6, line 12, by striking out the word "seventh" and inserting the word "third"

Amend section 1, page 7, line 25, by striking out the word "seven" and inserting the word "three"

Amend section 1, page 7, line 27, by striking out the word "seven" and inserting the word "three" (

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen entitled "An Aact defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder"

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1535, as follows:

An Act to further amend section five of an act approved the seventh day of May one thousand nine hundred and seven entitled "An Act regulating and defining the powers and duties of the Dental Council and the State Board of Dental Examiners providing for appointment of examiners defining qualifications of applicants for examination condition of granting licenses regulating and limiting the practice of dentistry prohibiting practice by or employment of unlicensed persons and providing punishment therefor and disposition of fees and fines and fixing the appropriation to the Dental Council"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the seventh day of May one thousand nine hundred and seven (Pamphlet Laws one hundred sixty-one) entitled "An Act regulating and defining the powers and duties of the Dental Council of the State Board of Dental Examiners providing for appointment of examiners defining qualifications of applicants for examination condition of granting licenses regulating and limiting the practice of dentistry prohibiting practice by or employment of unlicensed persons and providing punishment therefor and disposition of fees and fines and fixing the appropriation to the Dental Council"

as amended by an act approved the third day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred nineteen) entitled "An Act to amend an act approved the seventh day of May one thousand nine hundred seven entitled 'An Act regulating and defining the powers and duties of the Dental Council and the State Board of Dental Examiners providing for appointment of examiners defining qualifications of applicants for examination condition of granting licenses regulating and limiting the practice of dentistry prohibiting practice by or employment of unlicensed persons and providing punishment therefor and disposition of fees and fines and fixing the appropriation to the Dental Council" which reads as follows

"Section 5 It shall be the duty of every person practicing dentistry within this Commonwealth to display or cause to be displayed his or her name in a conspicuous place at or near the entrance to the office or place where he or she is practicing dentistry and to keep his or her license and certificate of registration displayed in a conspicuous place where he or she practices in such manner as to be easily seen and read Any person practicing dentistry within this Commonwealth within six months from the passage of this act shall cause his or her license to be registered in the of the prothonotary of the court of common pleas of the county in which such person shall practice dentistry unless the same has already been registered in said county Any person who shall neglect to cause his or her license to be registered as herein provided shall be construed to be practicing dentistry without a license"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1640, as follows:

An Act to amend the act approved the second day of June one thousand nine hundred and fifteen entitled "An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and four of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and proviidng for the determination of liability and compensation thereunder" which reads as follows

"Section 104 The term 'employee' as used in this act (is declared to be synonymous with servant and include) all natural persons who perform services for another for a valuable consideration (exclusive of) persons whose employmetn is casual in character and not in the regular course of the business of the employer and exclusive of persons to whom articles or materials are given out to be made up cleaned washed altered ornamented finished or repaired or adapted for sale i nthe worker's own home or on other premises not under the control or management of the employer" is hereby amended to read as follows

Section 104 The term "employee" as used in this act shall include all natural persons who perform services for another for a valuable consideration under a contract of hiring as a servant or under any other contract whereby such person is to perform labor in the furtherance of such other's business or affairs whether the payment is to be made by the time worked or by the amount of work done or by the amount of product produced by such person but shall not include persons whose employment is casual in character and not in the regular course of the business of the employer or persons to who marticles or materials are given out to be made up cleaned washed altered ornamented finished or repaired or adapted for sale in the worker's own home or on other premises not under the control or management of the employer

Section 2 That section one hundred and five of said act which reads as follows

"Section 105 The term 'contractor' as used in article two section two hundred and three and article three section three hundred and two (b) shall not include a contractor engaged in an independent business (other than that of supplying laborers or assistants) in which he serves persons other than the employer in whose service the accident occurs (but shall include a sub-contractor to whom a principal contractor has sublet any part of the work which such principal contractor has undertaken" is hereby amended to read as follows

Section 105 The term "contractor" as used in article two section two hundred and three and article three section three hundred and two (b) shall not include a contractor engaged in an independent business in which he serves persons other than the employer in whose service the accident occurs and who has complied with the provisions of section three hundred and five of this act

Section 3 That so much of section three hundred and two of said act which reads as follows

"Section 302 (a) In every contract of hiring made after December thirty-first one thousand nine hundred and fifteen and in every contract of hiring renewed or extended by mutual consent expressed or implied after said date it shall be conclusively presumed that the parties have accepted the proviisons of article three of this act and have agreed to be bound thereby unless there be at the time of the making renewal or extension of such contract an express statement in writing from either party to the other that the provisions of article three of this act are not intended to apply and unless a true copy of such written statement accompanied by proof of service thereof upon the other party setting forth under oath or affirmation the aime place and manner of such service be filed with the Bureau within ten days after such service and before any accident has occurred Every contract of hiring oral written or implied from circumstances now in operation or made or implied on or before December thirty-first one thousand nine hundred and fifteen shall be conclusively presumed to continue subject to the proviisons of article three hereof unless either party shall on or before said date in writing have notified the other party to such contract that the proviisons of article three hereof are not intended to apply and unless there shall be filed with the Bureau a true copy of such notice togethre with proof of service within the time and in the manner hereinabove prescribed Provided however That the provisions of this section shall not be so construed as to impair the obligation of any contract now in force (In the employmetn of minors article three shall be presumed to apply unless the said written notice be given by or to the parent or guardian of the minor) It shall not be lawful for any officer or agent of this Commonwealth or for any county city borough or township therein or for any officer or agent thereof or for any other governmental authority created by the laws of this Commonwealth to give such notice of rejection of the provisions of this article to any employee of the State or of such governmental agency" is hereby amended to read as follows

Section 302 (a) In every contract of hiring made after December thirty-first one thousand nine hundred nad fifteen and in every contract of hiring renewedorextended by mutual consent expressed or implied after said date it shall be conclusively presumed that the parties have accepted the provisions of article three of this act and have agreed to be bound thereby unless there be at the time of the making renewal or extension of such contract an express statement in writing from either party to the other that the provisions of article three of this act are not intended to apply and unless a true copy of such written statement accompanied by proof of service thereof upon the other party setting forth under oath or affirmation the time place and manner of such service be filed with the Bureau within ten days after such service and before any accident has occurred Every contract of hiring oral written or implied from circumstances now in operation or made or implied on or before December thirty-first one thousand nine hundred and fifteen shall be conclusively presumed to continue subject to the provisions of article three hereof unless either party shall on or before said date in writing have notified the other party to such contract that the provisions of article three hereof are not intended to apply and unless there shall be filed with the bureau a true copy of such notice together with proof of service within the time and in the manner hereinabove prescribed Provided however That the provisions of this section shall not be so construed as to impair the obligation of any contract now in force A minor working at an age legally permitted under the laws of this Commonwealth shall be deemed sui juris for the purpose of this article and such article shall be presumed to apply to the employment of such a minor unless the said written notice shall be given or to such minor or by or to his parent or guardian It shall not be lawful for any officer or agent of this Comonwealth or for any officer or agent thereof or for any other governmental authority created by the laws of this Commonwealth to give such notice of rejection of the proviisons of this article to any employe of the State or of such governmental agency

Section 4 That section three huidred and three of said act which reads as follows

"Section 303 Such agreement shall constitute an acceptance of all the provisons of article three of this act and shall operate as a surrender by the parties thereto of their rights to any form or amount of compensation or damages for any injury or death occurring in the course of the employment or to any method of determination thereof other than as provided in article three of this act Such agreement shall bind the employer and his personal representatives and the employee his or her wife or husband widow or widower next of kin and other dependents" is hereby amended to read as follows

Section 303 Such agreement shall constitute an acceptance of all the provisions of article three of this act and shall operate as a surrender by the parties thereto to their rights to any form or amount of compensation or damages for any injury or death occurring in the course of the employment or to any method of determination thereof other than as provided in article three of this act Such agreement shall bind the employer and his personal representatives and the employe his or her wife or husband widow or widower father or mother next of kin and other persons having a right of action at law for the injury or death or such employe unless such wife husband widow widower father or mother next of kin or other person shall have given notice in writing to the employer to the effect that such agreement shall not bind him or her and shall have filed with the bureau within ten days of the

giving of such notice and not less than thirty days before the accident a copy of the said notice together with the proof of service upon the employer setting forth upon oath and affirmation the time place and manner of such service

Section 5 That section three hundred and five of said act which reads as follows

"Section 305 Every employer liable under this act to pay compensation shall insure the payment of compensation in the State Workmen's Insurance Fund or in any insurance company or mutual association or company authorized to insure such liability in this Commonwealth unless such employer shall be exempted by the bureau from such insurance An employer desiring to be exempt from insuring the whole or any part of his liability for compensation shall make application to the Bureau showing his financial ability to pay such compensation whereupon the bureau if satisfied of the applicant's financial ability shall by written order make such exemption The bureau may from time to time require further statements of the financial ability of such employer and if at any time such employer appear no longer able to pay compensation shall revoke its order granting exemption in which case the employer shall immediately subscribe to the State fund or insure his liability in a mutual association or company as aforesaid

("If an employer shall fail to comply with the provisions of this section the bureau shall by registered mail or in such other manner as the rules and regulations of the bureau shall provide serve upon such employer a notice to forthwith comply with such provisions and if such employer does not within thirty days thereafter insure his liability as aforesaid or satisfy the bureau of his financial ability to pay compensation as aforesaid or does not terminate his acceptance of article three of this act in the manner provided in section three hundred and four of the said article such employer shall be liable for compensation under article three of this act to any employe injured thereafter or to his personal representative or for damages under article two of this act at the option of such employe or his personal representatives Provided that such option be exercised by the employe and written notice given to the employer within thirty days after the accident And provided further That until the expiration of the said thirty days from the giving of the notice by the bureau the employer shall be liable only for compensation under article three of this act and that if he shall terminate his acceptance under section three hundred and four of article three of this act he shall be liable only for compensation under article three of this act until such termination of acceptance shall become effective") is hereby amended to read as follows

Section 305 Every employer liable under this act to pay compensation shall insure the payment of compensation in the State Workmen's Insurance Fund or in any insurance company mutual association or company authorized to insure such liability in this Commonwealth unless such employer shall be exempted by the board from such insurance An employer desiring to be exempt from insuring the whole or any part of his liability for compensation shall make application to the board showing his financial ability to pay such compensation whereupon the board if satisfied of the applicant's financial ability shall by written order make such exemption

As a condition to granting any exemption from insurance or after exemption has been granted the board may require any employer to deposit with it money or satisfactory securities in an amount sufficient in the opinion of the board to secure the payment of compensation to the employes of such employer or the dependents thereof or to file with the board the bond of a surety company approved by the board guaranteeing the payment of such compensation

The board may from time to time require any employer who shall have been exempted from insurance to set aside in a trust fund or to deposit with the State Treasurer as a reserve to carry to maturity compensation claims against it such sums of money as the Insurance Department of the Commonwealth would require an insurance company to set aside as a reserve to carry to maturity similar claims against such company

The board may revoke its order exempting any employer from insurance if satisfied that the employer is for the purpose of reducing his liability under the act discriminating against any employe or has discharged or refused to employ any person because of the physical condition of such employe or person or because of the number of persons dependent upon such employe or person for support and the board may also revoke its order exempting any employer from insurance if such employer shall without just cause or excuse delay or neglect to pay any compensation which it is liable to pay under any agreement approved by the board or any award by the board or a referee or shall refuse or neglect to comply with any order made by the board under the powers conferred upon it by this section

The board may from time to time require further statement of the financial ability of such employer and if at any time such employer appear no longer able to pay compensation shall revoke its order granting exemption in which case the employer shall immediately subscribe to the State Fund or insure his liability in an insurance company or mutual association or company as aforesaid

It shall be the duty of the Commissioner of Labor and Industry and his deputies to enforce the provisions of this section requiring employers to insure They shall investigate all complaints of violations of such requirement received by them and shall institute prosecutions for violations thereof Such prosecutions shall be instituted before a magistrate alderman or justice of the peace who shall issue a summons commanding the person charged with the violation of such requirement to appear within not less than five or more than eight days Upon conviction after hearing the penalties hereinafter provided shall be imposed and shall be final unless within twenty days an appeal be taken to the court of the proper jurisdiction in such manner as is now or may hereafter be provided by law governing appeals from penalties

Any employer who shall fail or neglect to insure or to procure an exemption from insurance as provided in this section shall be guilty of a misdemeanor Upon conviction he shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars and whenever any employer shall have been notified by the board to insure or procure an exempton from insurance such employer shall upon conviction be punished by a fine of two dollars per week for each and every person who shall have been employed by him subsequent to the service of notice by the board and during such time as he shall have failed to comply with the provisions of this section

Section 6 That section three hundred and seven of said act sub-section nine which reads as follows

"9 Whether or not there be dependents as aforesaid the reasonable expense of (the last sickness and) burial not exceeding one hundred dollars (without deduction of any amounts theretofore paid for compensation or for medical expenses) (payable to the dependents or if there be no dependents then to the personal representative of the deceased" is hereby amended to read as follows

9 Whether or not there be dependents as aforesaid the reasonable expenses of burial not exceeding one hundred dollars without deduction of any amounts theretofore paid for compensation or for medical expenses

Such sum shall be paid to the dependents or to the personal representatives of the deceased if they or he shall have actually paid the said expenses but if such expenses have not actually been paid they shall be payable directly to such person or persons as shall have furnished the burial under circumstances entitling them to recover the cost thereof from the estate of the decedent and in all such cases compensation agreements or awards of compensation shall so provide Provided however That if such reasonable expenses of burial shall exceed one hundred dollars the said sum shall be divided pro rata among the persons entitled thereto

If there be a widow or widower and a child or children by a former marriage the amount payable on account of such child or children shall be paid to the guardian or guardians of such child or children

If a widow or widower to who compensation is payable on account of a child or children shall desert or neglect to support or fail to provide for such child or children the board may order the compensation payable on account of such child or children to be paid to the guardian of such child or children or to such other persons as the board may designate as hereinafter provided

If there be no guardian of any child or brother or sister on whose account compensation is payable the amount payable on account of such child or brother or sister may be paid to any surviving parent or to such other person as the board may by special order direct and the board may require any person other than a guardian to whom it has directed compensation for a child or brother or sister to be paid to render as and when it shall so order accounts of the receipts and disbursements of such person and to file with it a satisfactory bond in a sum sufficient to secure the proper application of the monies received by such person

A father or mother shall be presumed to be dependent upon a child who at the time of the accident was a member of the household of such father or mother and who had contributed and substantial part of his or her wages to the maintenance thereof during any part of the six months immediately preceding the accident

Section 7 That section three hundred and nine of said act which reads as follows

"Section 309 Wherever in this article the term "wages" is used it shall be construed to mean the money rate at which the service rendered is recompensed under the contract of hiring in force at the time of the accident and shall not include gratuities received from the employer or others nor shall it include board lodging or similar advantages received from the employer unless the money value of such advantages shall have been fixed by the parties at the time of hiring nor shall it include amounts deducted by the employer under the contract of hiring for labor material supplies tools or other things furnished or paid for by the employer and necessary for the performance of such contract by the employe In occupations involving seasonal employment or employment dependent upon the weather the employes weekly wages shall be taken to be one-fiftieth of the total wages which he has earned from all occupations during the year immediately preceding the accident unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employe in which case the period for calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings In continuous employments if immediately prior to the accident the rate of wages was fixed by the day or hour or by the output of the employe his weekly wages shall be taken to be five and one-half times his average earnings at such rate for a working day of ordinary length excluding earnings from overtime and using as a basis of calculation his earnings during so much

of the preceding six months as he worked for the same employer Where the employe is working under concurrent contracts with two or more employers his wages from all employers shall be considered as if earned from the employer liable for compensation" is hereby amended to read as follows

Section 309 Wherever in this article the term "wages" is used it shall be construed to mean the money rate at which the service rendered is recompensed under the contract of hiring in force at the time of the accident and shall not include gratuities received from the employer or others nor shall it include board lodging or similar advantages received from the employer unless the money value of such advantages shall have been fixed by the parties at the time of hiring nor shall it include amounts deducted by the employer under the contract of hiring for labor material supplies tools or other things furnished or paid for by the employer and necessary for the performance of such contract by the employe In seasonal temporary intermittent or recurrent occupations the employes weekly wages shall be taken to be one-fiftieth of the total wages which he has earned from all occupations during the year immediately preceding the accident unless it be shown that during such year by reason of exceptional causes such method of computation does not ascertain fairly the earnings of the employe in which case the period for calculation shall be extended so far as to give a basis for the fair ascertainment of his average weekly earnings

In occupations other than seasonal the employes weekly wages shall be ascertained by dividing the total amount earned by him during so much of the preceding six months as he shall have worked for the same employer under the contract of hiring in force at the time of the accident by the number of calendar weeks in such period unless by reason of exceptional causes this method of computation does not fairly ascertain the earnings of the employe in which case the period for calculation may be extended or diminshed by agreement of the parties approved by the board or by a referee or the board so as to give a basis for the fair ascertainment of his average weekly earnings Where by reason of the shortness of the time during which the employe has been in the employment of the employer or the nature or terms of the employment it is impracticable to ascertain the average weekly wages as hereinbefore provided the average weekly amount which during the six months previous to the injury has been earned by other persons employed by the same employer under similar contracts of hiring or if there are no persons so employed by other persons employed by other employers under similar contracts of hiring under similar conditions shall be taken as the basis for the ascertainment of the weekly wages when the employe is working under concurrent contracts with two or more employers his wages from all employers shall be considered as if earned from the employer liable for compensation

Section 8 That so much of section three hundred and ten of said act which reads as follows

"Section 310 Compensation under this article to alien dependent widows and children (not residents of the United States) shall be two-thirds of the amount provided in each case for residents and the employer may at any time commute all future installments of compensation payable to alien dependents not residents of the United States by paying to such alien dependents the then value thereof calculated in accordance with the provisions of section three hundred and sixteen of this article Alien widowers parents brothers and sisters not residents of the United States shall not be entitled to any compensation" is hereby amended to read as follows

Section 310 Compensation under this article to alien dependent widows and children during such time as they are not residents of the United States shall be two-thirds of the amount provided in each case for residents and the employer may at any time commute all future installments of compensation payable to alien dependents not residents of the United States by paying to such alien dependents the then value thereof calculated in accordance with the provisions of section three hundred and sixteen of this article Alien widowers parents brothers and sisters not residents of the United States shall not be entitled to any compensation

Section 9 That section three hundred and fifteen of said act which reads as follows

"Section 315 In cases of personal injury all claims for compensation shall be forever barred unless within one year after the accident the parties shall have agreed upon the compensation payable under this article or unless within one year after the accident one of the parties shall have filed a petition as provided in article four hereof In case of death all claims for compensation shall be forever barred unless within one year after the death the parties shall have agreed upon the compensation under this article or unless within one year after the death one of the parties shall have filed a petition as provided in article four hereof Where however payments of compensation have been made (in any case) said limitations shall not take effect until the expiration of one year from the time of the making of the last payment" is hereby amended to read as follows

Section 315 In cases of personal injury all claims for compensation shall be forever barred unless within one year after the accident the parties shall have agreed upon the compensation payable under this article or unless within one year after the accident one of the parties shall have filed a petition as provided in article four hereof In cases of death all claims for compensation shall be forever barred unless within one year after the death the parties shall have agreed upon the compensation under this article or unless within one year after the death one of the parties shall have filed a petition as provided in article four hereof Provided however That the consular representative of the nation of which deceased employe was a citizen or subject may file with the board a petition setting forth there are dependents whose identity is not known to him and setting forth his reasons for so believing in which case the board may extend the time in which such agreement may be executed or such petition may be filed for such period as may in its opinion be necessary to enable such consular representative to ascertain the identity of such dependent or dependents Where however payments of compensation have been made to any employe or his dependents said limitations shall not take effect until the expiration of one year from the time of the making of the last payment

Section 10 That section three hundred and sixteen of said act which reads as follows

"Section 316 The compensation contemplated by this article may at any time be commuted by the board at its then value when discounted at (five) per centum interest with annual rests disregarding the probability of the beneficiarys death upon application of either party with due notice to the other if it appear that such commutation will be for the best interest of the employe or the dependents of the deceased employe and that it will avoid undue expense or undue hardship to either party or that such (employe or) dependent has removed or is about to remove from the United States or that the employer has sold or otherwise disposed of the whole or the greater part of his business (or) assets Except as provided in section three hundred and ten hereof and in this section no commutation of compensation shall be made" is hereby amended to read as follows

Section 316 The compensation contemplated by this article or any part thereof may at any time be commuted by the board at its then value when discounted at four per centum interest with annual rests disregarding the probability of the beneficiary's death upon application of either party with due notice to the other for the purpose of providing for the payment of any sum due for legal and other services under a claim or agreement therefor approved by the board under the provisions of section five hundred and one of this act or if it appear that such commutation will be for the best interest of the employe or teh dependents of the deceased employe and that it will avoid due expense or undue hardship to either party or that such dependent has removed or is about to remove from the United States or that the employer has sold or otherwise disposed of the whole or the greater part of his business as assets Except as provided in section three hundred and ten hereof and in this section no commutation of compensation shall be made

Section 11 That section three hundred and nineteen of said act which reads as follows

"Section 319 (Where a third person is liable to the employe or the dependents for the injury or death the employer shall be paid forthwith to the employe or to the the dependents against such third person but only to the extent of the compensation payable under this article by the employer Any recovery against such third person in excess of the compensation theretofore paid by the employr shall be paid forthwith to the employe or to the dependents and shall be treated as an advance payment by the employer on account of any future in stallments of compensation" is hereby amended to read as follows

Section 319 If an employe while in the course of his employment be injured or killed by an act or omission of a third person the right to the compensation provided in this article and the right of action against such third person to recover damages for the injury or death shall be concurrent and cumulative The filing of a claim petition or the payment of compensation under an award thereon or under a compensation agreement to the employe or other person entitled to compenstion under the provisions of this article shall not destroy or affect the right of such employe or other person to bring an action at law against such third person to recover damages for the injury or death of such employe nor shall the bringing of such an action nor the recovery of damages therein nor the receipt of any sum in settlement of any claim against such third person in respect to the injury or death destroy or affect the right of the employe or other person entitled to compensation to enforce their right thereto except as hereinafter expressly provided

If a third person is liable to an employe or his dependents for the injury or death of such employe the employer or his insurer shall be subrogated to the rights of the employe or his dependents against such third person but only to the extent of the total compensation including the cost of medical surgical or hospital expenses medicines and supplies or funeral expenses or both payable under a compensation agreement approved by the board or an award rendered by a referee together with the costs of enforcing the right to subrogation as hereinafter provided

If the employe or his dependents shall bring an action against such third person for damages for the injury or death the employer or his insurer shall be allowed to intervene and become a party plaintiff in the said suit upon petition by such employer or insurer to the court in which action has been brought as of the term and number of

such action which petition shall have attached thereto a certified copy of the agreement and the board's approval thereof or the award of the referee which shall be conclusive evidence of the total amount payable by the employer or his insurer to the employe or his dependents on account of the injuries or death

If the employe or his dependents shall not have brought an action against such third person for the recovery of damages for such injury or death and shall within five days after notice in writing by the employer or his insurer refuse or neglect so to do the employer or his insurer may bring an action in the name of the employe or his dependents In any such suit the employer or his insurer shall file a certified copy of the agreement and the board's approval thereof or the award of the referee which when so filed shall be conclusive evidence of the total amount payable by the employer or his insurer to the employe or his dependents on account of the injuries or death

Whenever the employer or his insurer shall institute suit in the name of the employe or his dependents such employe or his dependents shall be a party or parties to such suit to the same extent and with the same effect as though the action had been brought by the employe or dependents and the employer had intervened as hereinbefore provided

If a verdict be rendered in favor of the employer or his dependents in any suit which the employer or his insurer shall have instituted or in which the employer or his insurer shall have intervened as hereinbefore provided judgment shall be marked to the use of the employer or his insurer to the extent of the total amount payable to such employe or his dependents Provided however That the employer or his insurer shall receive from the defendent in paymnt of such judgment or from the sheriff in distribution of the proceeds of any sale in execution thereon only such amount as shall be required to reimburse the employer or his insurer for the compensation actually paid to the employe or his dependents prior to the date of payment of the judgment or of the distribution of the proceeds of the sale as evidenced by the certificate of the board issued under section four hundred and thirty of this act toegther with any costs which have been incurred in the prosecution of the suit by the employer or his insurer and that the balance of the amount paid on the judgment or of the proceeds of such sale shall be paid directly to the employe or his dependents Any sum received by an employe or his dependents upon a judgment received against a third party for the injury or death of such employe after deducting any counsel's fees allowed by the court under provisions of section five hundred and one of the act shall be treated as an advance payment of the compensation payable under the provisions of this article by the employer of such employe on account of such injury or death and shall operate pro tanto as a discharge of the liability of such employer under any compensation agreement or award and as a defense to any claim made by such employe or his dependents for compensation for such injury or death

No compromise or settlement before or after action brought by an employe or his dependents with a third person who caused the injury or death shall unless the employer or his insurer be a party thereto diminish or otherwise affect the right of such employer or insurer to recover from such third person to the extent to which the employer or his insurer would have been entitled to recover had the compromise or settlement not been made Nor shall any compromise or settlement affect the right of such employe or dependents to the payment by the employer of the full amount of compensation provided in this article nor shall any sum received by the employe or his dependents under such compromise or settlement be treated as an advance payment of the compensation payable by such employer or his insurer under any compensation agreement or award unless such compromise or settlement shall otherwise expressly and clearly provide in writing

Section 12 That section four hundred and ten of said act which reads as follows

"Section 410 On or after the fourteenth day after any accident shall have occurred the employer and the employe or his (dependent) may agree upon the compensation payable to the employe or his (dependent) under this act but any agreement made prior to the fourteenth day after the accident shall have occurred or permitting a commutation of payments contrary to the provisions of this act or varying the amount to be paid or the period during which compensation shall be payable as provided in this act shall be wholly null and void

"All agreements made in accordance with the provisions of this section shall be in writing and signed by all parties in interest" is hereby amended to read as follows

Section 410 On and after the fourteenth day after any accident shall have occurred the employer and the employe may agree upon the compensation payable to the employe and immediately after the death of any employe the employer and the dependent dependents or personal representative of the deceased employe may agree upon the compensation payable to such dependent dependents or personal representative but any agreement between an employer and employe made prior to the fourteenth day after the accident and any agreement between an employer and a dependent dependents or personal representative of a deceased employe made before the death of such employe or permitting a commutation of payments contrary to the provisions of this act or varying the amount to be paid or the period during which compensation shall be payable as provided in this act shall be wholly null and void

All agreements made in accordance with the provisions of this section shall be in writing and signed by all parties in interest

All agreements for compensation or for the termination modification suspension or revival thereof and all receipts executed by any injured employe of whatsoever age or by any dependent to whom compensation is payable under section three hundred and seven and who has attained the age of sixteen years shall be valid and binding

Every employer or insurance carrier who is liable to pay compensation to or on account of any injured employe or dependent of a deceased employe under an agreement approved by the board or an award of a referee shall file with the bureau in such form and at such time as the board may be special order or general rule prescribe receipts signed by the person to whom such compensation is payable or such other evidence of payment as the board may prescribe

Section 13 That section four hundred and eleven of said act which reads as follows

"Secton 411 Whenever an agreement shall be executed between an employer and an employe or his dependent as provided by this act (a certified copy of the same) signed by all parties in interest shall be mailed or delivered to the board It shall be the duty of the board to examine the agreement and to determne whether it conforms to the provisions of section four hundred and ten and within thirty days after the copy of the agreement has been mailed or delivered to it to notify the parties thereto of its validity or invalidity under the aforesaid section Provided however That any payment made in accordance with any agreement prior to the receipt of notice of invalidity shall discharge pro tanto the liability under article three of this act of the employer making such payments" is hereby amended to read as follows

Section 411 Whenever an agreement shall be executed between an employer and an employe or his dependent as provided by this act such agreement or a duplicate thereof signed by all parties in interest shall be mailed or delivered to the board It shall be the duty of the board to examine the agreement and to determine whether it conforms to the provisions of section four hundred and ten and within thirty days after the copy of the agreement has been mailed or delivered to it to notify the parties thereto of its validity or invalidity under the aforesaid section Provided however That any payment made in accordance with any agreement prior to the receipt of notice of invalidity shall discharge pro tanto the liability under article three of this act of the employer making such payments

Section 14 That section four hundred and seventeen of said act which reads as follows

"Section 417 The referee if he shall deem it necessary shall either before or after any hearing make an investigation of the facts set forth in the petition or cause the same to be made With the consent of the board he may appoint one or more impartial physicians or surgeons to examine the injuries of the plaintiff and report thereon or he may employ the services of such other experts as shall appear necessary to ascertain the facts The board shall fix the compensation of such physicians surgeons and experts (and the referee shall tax the same as a part of the cost of the proceedings to be paid by either party or both as the board may direct The report of any physician surgeon or expert appointed by the referee shall be filed with him and shall be a part of the record and open to inspection by any party to the same)" is hereby amended to read as follows

Section 417 The referee if he shall deem it necessary shall either before or after any hearing make an investigation of the facts set forth in the petition or cause the same to be made With the consent of the board he may appoint one or more impartial physicians or surgeons to examine the injuries of the plaintiff and report thereon or he may employ the services of such other experts as shall appear necessary to ascertain the facts The board shall fix the compensation of such physicians surgeons and experts which when so fixed shall be paid out of the sums appropriated to the Department of Labor and Industry for the maintenance of the bureau and shall be taxed as part of the costs of the proceedings to be repaid to such Department by either party or both as the board may direct If any sum so taxed shall not be paid by the party directed to repay the same the same may be collected as taxes are now collectible

Section 15 That section four hundred and nineteen of said act which reads as follows

"Section 419 Any party in interest may within ten days after notice of a referee's award or disallowance of compensation shall have been served on him take an appeal to the board on the ground (1) That the award or disallowance of compensation is not in conformity with the terms of this act or that the referee committed any other error of law or (2) that the findings of fact and award or disallowance of compensation was unwarranted by the evidence or because of fraud coercion or other improper conduct by any party in interest" is hereby amended to read as follows

Section 419 Any party in interest may within ten days after notice of a referee's award or disallowance of compensation shall have been served on him take an appeal to the board on the ground (1) That the award or disallowance of compensation is not in conformity with the terms of this act or that the referee committed any other error of law or (2) that the findings of fact and award or disallowance of compensation was unwarranted by the evidence or because of fraud coercion or other improper conduct by any party in interest The board may upon cause shown extend the time provided in this article for the taking of such appeal or for the filing of an answer or other pleading

Section 16 That section four hundred and twenty-one of said act which reads as follows

"Section 421 Whenever an appeal shall be taken on the ground that the referee's award of disallowance of compensation was unwarranted by the evidence or because of fraud coercion or other improper conduct by any party in interest the board may in its discretion grant a hearing de novo or sustain the referee's award or disallowance of compensation If the board shall grant a hearing de novo it shall fix a time and place for the same and shall notify all parties in interest

"The board shall at all times have the power to make any investigation which it shall deem necessary to ascertain the facts It may employ physicians surgeons or other experts to aid in its investigation and shall in all cases fix the compensation of such physicians surgeons or experts and tax the same as a part of the costs of the proceedings to be paid by either party or both as the board may direct

"As soon as may be after any hearing de novo by the board it shall in writing state its findings of fact and award or disallow compensation in accordance with the provisions of this act" is hereby amended to read as follows

Section 421 Whenever an appeal shall be taken on the ground that the referee's award of disallowance of compensation was unwarranted by the evidence or because of fraud coercion or other improper conduct by any party in interest the board may in its discretion grant a hearing de novo or assign the petition for rehearing to any referee designated by it or sustain the referee's award or disallowance of compensation If the board shall grant a hearing de novo it shall fix a time and place for the same and shall notify all parties in interest

The board shall at all times have the power to make any investigation which it shall deem necessary to ascertain the facts It may employ physicians surgeons or other experts to aid in its investigation and shall in all cases fix the compensation of such physicians surgeons or experts which when so fixed shall be paid out of the sums appropriated to the Department of Labor and Industry for the maintenance of the bureau and shall be taxed as part of the costs of the proceedings to be repaid to such department by either party or both as the board may direct If any sum so taxed shall not be paid by the party directed to repay the same the same may be collected as taxes are now collectible

As soon as may be after any hearing de novo by the board it shall in writing state its findings of fact and award or disallow compensation in accordance with the provisions of this act

Section 17 That section four hundred and twenty-three of said act which reads as follows

"Section 423 All agreements for compensation shall be subject to review by the board at any time upon presentation of a petition alleging fraud mistake coercion or other proper cause The board shall fix a time and place for hearing the petitions and shall notify all parties in interest

"(As soon as may be after such hearing the board shall either ratify or disapprove the agreement)" is hereby amended to read as follows

Section 423 Every agreement concerning compensation which have been approved by the board and every receipt accepted by it shall be subject to review and reformation or rescission by the board upon petition of either party alleging that such agreement or receipt was procured by or based upon fraud coercion accident mistake of law or of fact or for other proper cause

Such petition shall be in such form as the board may prescribe and shall state specifically the fraud coercion mistake or other cause alleged as the ground of relief

The board shall fix a time and place for hearing the petition and shall notify all parties in interest

Every such petition shall be heard by the board but the board may refer any question of fact arising out of such petition to a referee whose findings shall be final unless the board of its motion or on cause shown shall order a rehearing before the board The board shall fix a time and place for such rehearing and shall notify all parties in interest

Section 18 That section four hundred and twenty-five of said act which reads as follows

"Section 425 If any party in interest shall desire to appeal from the decision of the board on matters of law he shall within ten days after notice of its decision shall have been served on him file a notice of appeal with the prothonotary of the court of common pleas of the county in which the accident occurred or of the county in which the adverse party resides or has a permanent place of business or by agreement of the parties to the court of common pleas of any other county (In such case it shall be the duty of the bureau within ten days to prepare and mail or deliver to the prothonotary of the proper county a transcript of the agreement or finding of fact and award or disallowance of compensation or modification thereof involved in the appeal)

"Any appeal from a decision of the board to the courts of common pleas and from them to the Supreme or Superior Court shall take precedence over all other civil cases" is hereby amended to read as follows

Section 425 If any party in interest shall desire to appeal from the decision of the board on matters of law he shall within ten days after notice of its decision shall have been served on him file a notice of appeal with the prothonotary of the court of common pleas of the county in which the accident occurred or of the county in which the adverse party resides or has a permanent place of business or by agreement of the parties to the court of common pleas of any other county Any court of common pleas to whom an appeal lies from the board may upon cause shown extend the time herein provided for the filing of such notice of appeal

Upon the filing of the notice of an appeal the prothonotary of the court of common pleas to which the appeal has been taken shall issue a writ of certiorari directed to the Workmens' Compensation Board commanding it within ten days after service thereof to certify to such court its entire record in the matter in which the appeal has been taken The writ so issued shall be mailed by the prothonotary to the Workmen's Compensation Bureau at Harrisburg The board shall within ten days after such service certify to such court its entire record in the matter in which the appeal has been taken The prothonotary shall send to the board a certificate of the judgment of the court as soon as rendered with a copy of any opinion which may be filed in the case At the end of the period allowed by law for an appeal from the judgment of the court the record of the board shall be remitted to it by the prothonotary unless an appeal shall have been taken If the judgment is appealed from the record shall be remitted to the board by the prothonotary on its return from the appellate court

Any appeal from a decision of the board to the courts of common pleas and from them to the Supreme or Superior Court shall take precedence over all other civil cases

Section 19 That section four hundred and twenty-six of said act which reads as follows

"Section 426 Any agreement or award of compensation may be modified or terminated at any time by a subsequent agreement approved by the board and may be modified or terminated by the board or a referee designated by the board on the petition of either party on the ground that the incapacity of the injured employee has subsequently increased decreased or terminated or that the status of any dependent has changed. In such case the procedure shall be the same as that provided in the case of an original agreement or petition" is hereby amended to read as follows

"Section 426 Any agreement or a ward of compensation may be modified terminated suspended or revived at any time by a subsequent agreement approved by the board and may be modified terminated suspended or revived by the board or a referee designated by the board on the petition of either party on the grouid that the incapacity of the injured employee has subsequently increased decreased terminated or recurred or that the status of any dependent has changed In such case the procedure shall be the same as that provided in the case of an original agreement or petition

The filing of a petition to terminate suspend or modify a compensation agreement or award as provided in this section shall operate as a supersedeas and shall suspend the payment of compensation fixed in the agreement or by the award in whole or to such extent as the facts alleged in the petition would if proved require

Section 20 That section four hundred and twenty-eight of said act which reads as follows

"Section 428 Neither the board nor any referee shall be bound by the technical rules of evidence in conducting any hearing or investigation" is hereby amended to read as follows

Section 428 Neither the board nor any referee shall be bound by the technical rules of evidence in conducting any hearing or investigation

If any party or witness resides outside of the Commonwealth or through illness or other cause is unable to testify before the board or a referee his or her testimony or deposition may be taken within or without this Commonwealth in such manner and in such form as the board may by special order or general rule prescribe

Section 21 That section four hundred and twenty-nine of said act which reads as follows

"Section 429 Whenever after an accident any employe or his dependents shall have entered into a compensation agreement with his employer or shall file a claim petition with the board he may file a certified copy thereof with the prothonotary of the court of common pleas of any county The prothonotary shall enter the amount stipulated in any such agreement or claimed in any such petition as a judgment against the employer If the agreement be approved by the board or compensation awarded as claimed in the petition the amount of compensation stipulated in the agreement or claimed in the petition shall be a lien as of the date when the agreement or petition was filed with the prothonotary Pending the approval of the agreement or the award of compensation no other lien which may be attached to the employer's property during such time shall gain priority over the lien of such agreement or award but no execution shall issue on any compensation judgment before the approval of the agreement or the award of compensation on the said petition

"If the agreement be disapproved or after hearing compensation shall be disallowed the employer may file with the prothonotary of any county in which the petition or agreement is on record as a judgment a certified copy of the disapproval of the agreement or disallowance of compensation and it shall be the duty of such prothonotary to strike off the judgment

"If the amount of compensation claimed be disallowed but another amount awarded the compensation judgment shall be a lien to the extent of the award as of the date of filing the petition with the prothonotary with the same effect as to other liens and the same disability to issue execution thereon as if the compensation claimed had been allowed In such cases the prothonotary shall make such modification of the record as shall be appropriate

"If after approval of the agreement or award the agreement or award be subsequently modified either party may file with the prothonotary a certified copy of the modified

award or agreement and it shall be the duty of the prothonotary to make such modification of the record as shall be appropriate and the lien of the judgment shall be modified accordingly" is hereby amended to read as follows

Section 429 At any time after the approval of a compensation agreement or after an award the employe or dependents entitled to compensation thereunder may file a certified copy of the agreement and the order of the board approving the same or of the award with the prothonotary of the court of common pleas of any county and the prothonotary shall enter the total amount of compensation agreed upon or award to the employe or his dependents as a judgment against the employer or other party liable under such agreement or award Such judgment shall be a lien against property of the employer or other party liable under such agreement or award and execution may issue thereon forthwith

Wherever after an accident any employe or his dependents shall have entered into a compensation agreement with his employer or shall file a claim-petition with the board he may file a certified copy thereof with the prothonotary of the court of common pleas of any county The prothonotary shall enter the amount stipulated in any such agreement or claimed in any such petition as a judgment against the employer If the agreement be approved by the board or compensation awarded as claimed in the petition the amount of compensation stipulated in the agreement or claimed in the petition shall be a lien as of the date when the agreement or petition was filed with the prothonotary Pending the approval of the agreement or the award of compensation no other lien which may be attached to the employers property during such time shall gain priority over the lien of such agreement or award but no execution shall issue on any compensation judgment before the approval of the agreement or the award of compensation on the said petition

If the agreement be disapproved or after hearing compensation shall be disallowed the employer may file with the prothonotary of any county in which the petition or agreement is on record as a judgment a certified copy of the disapproval of the agreement or disallowance of compensation and it shall be the duty of such prothonotary to strike off the judgment

If the amount of compensation claimed be disallowed but another amount awarded the compensation judgment shall be a lien to the extent of the award as of the date of filing the petition with the prothonotary with the same effect as to other liens and the same disability to issue execution thereon as if the compensation claimed had been allowed In such cases the prothonotary shall make such modification of the record as shall be appropriate

If after approval of the agreement or award the agreement or award be subsequently modified either party may file with the prothonotary a certified copy of the modified award or agreement and it shall be the duty of the prothonotary to make such modification of the record as shall be appropriate and the lien of the judgment shall be modified accordingly

Execution may issue on any judgment for compensation entered prior to the approval of the compensation agreement or an award on petition as soon as such agreement shall have been approved or such award made as evidenced by the approval of the board or the award or by a certified copy thereof

Execution shall in all cases be for the amount of compensation due and payable up to the date of the sale of the employers property thereunder with costs and further execution may issue from time to time as further compensation shall become due and payable until the full amount of the judgment with costs shall have been actually paid

Section 22 That section four hundred and thirty of said act which reads as follows

"Section 430 If any party against whom a compensation agreement or award is on the record in any county of this Commonwealth shall at any time present to the board receipts or copies thereof certified by any referee showing the payment of compensation as required by the agreement or award in full to the date of presentation to the referee the board shall issue a certificate to such party in the form prescribed stating the extent to which the judgment of the agreement or award has been reduced Upon presentation of such certificate to the prothonotary of any county in which the agreement or award is on record it shall be the prothonotarys duty to mark the judgment satisfied to the extent of the payments so certified" is hereby amended to read as follows

Section 430 If any party against whom a compensation agreement or award has been filed with the bureau shall at any time present to the board receipts or copies thereof certified by any referee showing the payment of compensation as required by the agreement or award in full to the date of such receipt the board may issue a certificate to such party in a form prescribed by it stating the amount paid under such agreement or award Upon presentation of such certificate to the prothonotary of any county in which the agreement or award is on record it shall be the prothonotarys duty to mark the judgment thereon satisfied to the extent of the payments so certified

Section 23 That article four of said act is hereby amended by adding the following sections thereto

Section 434 Any surgeon physician hospital or person who has furnished medical surgical or hospital services medicines or supplies to an employe whose employer has failed to furnish the same as required by section three hundred and six E of this act and any person who is entitled under section three hundred and seven and nine thereof to payment by the employer for burial furnished to a deceased employe may execute with the employer an agreement providing for the payment of the value of such servics or burial and in case the employe or the personal representative or dependents of a deceased employe shall upon written demand made upon him or them refuse or neglect to make claim within ten days after service of such demand against the employer for such expenses such corporation or person may file with the bureau a petition to the board to award to him or it the amounts payable under sections three hundred and six E and three hundred and seven and nine Such petition shall be in such form as the board shall prescribe and the procedure thereon shall be the same as in the case of a claim petition by an employe or his dependents but in no case shall such petition be filed until thirty days after such services have been rendered

Section 435 The board may upon cause shown reopen and reconsider any decision order decree or ruling made by it at any time before an appeal has been taken thereon to any court of competent jurisdiction in which case the board shall have full power to dispose of the matter involved therein as fully as though the decision order decree or ruling had not been made

Section 24 That section five hundred and one of said act which reads as follows

"Section 501 No claim or agreement for legal services or disbursements in support of any demand made or suit brought under the provisions of article two of this act shall be enforceable lien against the amount to be paid as damages or be valid or binding in any other respect unless the same be approved in writing by the judge presiding at the trial or in case of settlement without trial by a judge of the common pleas court of the county in which the accident occurred

"No claim or agreement for legal services or disbursements in support of any claim for compensation or in preparing any agreement for compensation under article three of this act shall be an enforceable lien against the amount to be paid as compensation or be valid or binding in any other respect unless the same be approved by the board Any such claim or agreement shall be filed with the bureau which shall as soon as may be notify the person by whom the same was filed of the board's approval or disapproval thereof as the case may be

"After the approval as herein required if the employer be notified in writing of such claim or agreement for legal services and disbursements the same shall be a lien against any amount thereafter to be paid as damages or compensation Provided however That where the employe's compensation is payable by the employer in periodical installments the board shall fix at the time of approval the proportion of each installment to be paid on account of legal services and disbursements" is hereby amended to read as follows

Section 501 No claim or agreement for legal services or disbursements in support of any demand made or suit brought under the provisions of article two of this ast shall be an enforceable lien against the amount to be paid as damages or be valid or binding in any other respect unless the same be approved in writing by the judge presiding at the trial or in case of settlement without trial by a judge of the common pleas court of the county in which the accident occurred

No claim or agreement for legal or other services or disbursements in support of any claim for compensation or in preparing any agreement for compensation under article three of this act shall be an enforceable lien against the amount to be paid as compensation or be valid or binding in any other respect unless the same be approved by the board And it is hereby declared unlawful to demand or receive any sum for such services or disbursements in support of any claim for compensation or in preparing any agreement therefor unless the said claim or agreement shall have been approved by the board as aforesaid and a sum so paid may be recovered back by the person paying the same in an action of assumpsit

Any such claim or agreement shall be filed with the bureau which shall as soon as may be notify the person by whom the same was filed of the board's approval or disapproval thereof as the case may be

After the approval as herein required if the employer be notified in writing of such claim or agreement for legal or other services and disbursements the same shall be a lien against any amount thereafter to be paid as damages or compensation Provided however That where the employe's compensation is payable by the employer in periodical installments the board shall fix at the time of approval the proportion of each installment to be paid on account of legal services and disbursements

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1552 (Senate Bill No. 531), entitled

An Act authorizing insurance companies upon any increase of capital to issue the same at a price in excess of par to require payment of such price as a condition to the

right to subscribe and also to sell in such manner as the board of directors may prescribe for not less than such price any unsubscribed stock.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1507 (Senate Bill No. 784), entitled

An Act authorizing the Superintendent of Public Instruction to appoint one clerk who shall be an expert stenographer and four stenographers and fixing their salaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1856 (Senate Bill No. 910), entitled

An Act to repeal section five of an act entitled "Supplement to the act incorporating the borough of Doylestown entitled 'An Act authorizing the Governor to incorporate the Bristol Steam Tow Boat and Transportation Company and for other purposes'" approved the thirteenth day of March one thousand eight hundred and sixty-seven (Pamphlet Laws four hundred and fourteen.)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1857 (Senate Bill No. 911), entitled

An Act providing for the ascertainment and assessment of damages and benefits in proceedings to lay out, open, widen, vacate, extend, grade or changing the grade or lines of streets, lanes and alleys in boroughs; providing that this act shall apply to all proceedings when the damages shall not have been actually and finally ascertained and repealing all acts, general, local or special, conflicting therewith.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1829 (Senate Bill No. 652), entitled

An Act to amend the first and second sections of "An Act to further amend an act approved April ninth one thousand eight hundred and seventy 'requiring railroad canal navigation and telegraph companies to make uniform reports to the Auditor General' which act as amended by the Act of April thirteenth one thousand eight hundred and eighty-nine extended its provisions to telephone companies and conforming to the requirements of the Constitution provided for the filing of such reports with the Secretary of Internal Affairs and regulating the time for the filing of the same which said act is now further amended as to the time of forwarding blanks for such reports and the provisions of said act are extended to include all corporations owning or operating lines of railways canals transportation telegraphs or telephones located in whole or in part in Pennsylvania" approved the nineteenth day of April Anno Domini one thousand eight hundred and ninety-seven by changing the time of the forwarding of blanks and the filing and transmitting of annual reports.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1067 (Senate Bill No. 285), entitled

An Act for the printing binding and distribution of the "Analytical Index of the Official Opinions of the Attorney General's Department" and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 930 (Senate Bill No. 139), entitled

An Act relating to division fences in suburban and similar districts of cities of the first class regulating the nature height materials and kind thereof defining the same and in certain cases dispensing with the same on whole or parts of boundary line also prohibiting in the said districts the erection of fences or similar structures above a certain height except under a permit.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1632 (Senate Bill No. 672), entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 933 (Senate Bill No. 140), entitled

An Act prohibiting the erection of fences or similar structures above a certain height in suburban or similar districts of cities of the first class except under a permit declaring certain fences a private nuisance and their erection a misdemeanor and prescribing penalties for violation of the provisions of this act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1540 (Senate Bill No. 802), entitled

An Act regulating the time for advertising for and receiving proposals for furnishing paper cardboard cuts plates and other supplies for the use of the Commonwealth for executing the Public Printing and the time contracts for furnishing such supplies shall run.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1094 (Senate Bill No. 247), as follows:

An Act to fix the salary of the Commission Clerk in the Executive Department of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That the annual salary of the Commission Clerk in the Executive Department of the Commonwealth is hereby fixed at eighteen hundred ($1,800) dollars to be paid semi monthly on warrant of the Auditor General on the State Treasurer

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1834 (Senate Bill No. 819), entitled

An Act to amend an act approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act providing for the establishment of the Pennsylvania Historical Commission defining its powers and duties and making an appropriation for its work" by enlarging its powers and duties and providing for publishing its report et cetera.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1831 (Senate Bill No. 574), entitled

An Act requiring borough councils township commissioners township supervisors and school directors to file auditors reports in the office of the clerk of quarter sessions requiring the county commissioners to furnish books for that purpose imposing certain duties on auditors fixing the fee of the clerk of the court and providing for removal from office in case of failure to comply herewith.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1555 (Senate Bill No. 813), entitled

An Act relating to the assessment and payment of damages to owners of property abutting on State Highways in certain counties damaged by a change of the existing lines and location of such State Highway imposing certain powers and duties upon the Highway Commissioner and the county commissioners and providing for the payment of such damages by such counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1598 (Senate Bill No. 850), as follows:

An Act to further amend an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendent of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or tollroads forming all or part of any State Highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporatd towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of June Anno Domini one thousand nine hundred and eleven there shall be established a State Highway Department by the appointment by the Governor of the Commonwealth of a State Highway Commissioner who shall serve for a term of four years and shall give his entire time and attention to the duties of his office He shall receive a salary of eight thousand dollars per annum and shall furnish a bond to the Commonwealth in the sum of fifty thousand dollars to be approved by the Governor conditioned for the faithful performance of his duties The Governor shall also appoint two Deputy State Highway Commissioners to be known as First Deputy State Highway Commissioner and Second Deputy State Highway Commissioner respectively one of whom shall be a competent civil engineer They each

shall receive a salary of six thousand dollars per annum They shall each give bond to the Commonwealth in the sum of twenty-five thousand dollars to be approved by the Governor conditioned for the faithful performance of their duties They shall be subject at all times to the authority of the State Highway Commissioner and in the absence of the Commissioner shall in the order of their precedence to each other perform and discharge all the duties of the State Highway Commissioner as required by law and the provisions of this act The Governor shall also appoint an auditor of the said department who shall be an expert accountant and who shall be a certified public accountant under the laws of this Commonwealth He shall receive a salary of three thousand dollars per annum and shall give bond to the Commonwealth in the sum of twenty-five thousand dollars subject to the approval of the Governor conditioned for the faithful performance of his duties It shall be the duty of said Auditor to examine and audit all the accounts of the department and to countersign all warrants" be and the same is hereby amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of June Anno Domini one thousand nine hundred and eleven there shall be established a State Highway Department by the appointment by the Governor of the Commonwealth of a State Highway Commissioner who shall serve for a term of four years and shall give his entire time and attention to the duties of his office He shall receive a salary of eight thousand dollars per annum and shall furnish a bond to the Commonwealth in the sum of fifty thousand dollars to be approved by the Governor conditioned for the faithful performance of his duties The Governor shall also appoint two Deputy State Highway Commissioners to be known as First Deputy State Highway Commissioner and Second Deputy State Highway Commissioner respectively one of whom shall be a competent civil engineer They each shall receive a salary of six thousand dollars per annum They shall each give bond to the Commonwealth in the sum of twenty-five thousand dollars to be approved by the Goveronr conditioned for the faithful performance of their duties They shall be subject at all times to the authority of the State Highway Commissioner and in the absence of the Commissioner shall in the order of their precedence to each other perform and discharge all the duties of the State Highway Commissioner as required by law and the provisions of this act The Governor shall also appoint an auditor of the said department who shall be an expert accountant and who shall be a certified public accountant under the laws of this Commonwealth He shall receive a salary of four thousand dollars per annum and shall give bond to the Commonwealth in the sum of twenty-five thousand dollars subject to the approval of the Governor conditioned for the faithful performance of his duties. It shall be the duty of said auditor to examine and audit all the accounts of the department and to countersign all warrants

Section 2 That section two of said act which as amended by the act approved the twenty-eighth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred eighty-three) reads as follows

"Section 2 The Governor shall appoint a chief engineer of the department who shall be a capable and competent civil engineer and experienced in the building and maintenance of improved roads who shall be paid a salary at the rate of seven thousand dollars per annum The State Highway Commissioner shall appoint as an assistant to the chief engineer an engineer of bridges who shall be a capable and competent civil engineer experienced in the designing and construction of bridges who shall be paid a salary at the rate of thirty-six hundred dollars per annum He may also appoint not to exceed fifty superintendents experienced in the construction and maintenance of improved roads who shall be known as superintendents of highways each of whom shall be paid a salary at the rate of fifteen hundred dollars per annum He may also appoint as the work of the department requires fifteen competent civil engineers experienced in improved road building to act as assistants to the chief engineer and who shall each be paid a salary at the rate of twenty-four hundred dollars per annum He may also appoint a chief draughtsman who shall also be an experienced civil engineer and who shall be paid a salary at the rate of twenty-four hundred dollars per annum He may also appoint an engineer of maintenance an engineer of construction additional civil engineers and engineers' assistants superintendents inspectors a statistician paymasters draughtsmen bookkeepers a chief clerk additional clerks stenographers and such other employes as in his opinion are sufficient to carry on the work of the State Highway Department and shall fix the salaries to be paid the aforementioned employes

"The State Highway Commissioner his deputies and other officers shall be paid in addition to their stipulated salary or compensation traveling expenses necessarily and actually incurred by each of them in the performance of the duties required by this act or performed by direction of the State Highway Commissioner The State Highway Commissioner shall assign the superintendent of highways to such sections or parts of the State as in the judgment of said commissioner will enable said superintendents to render most efficient service in the improvement of the highways It shall be the duty of each superintendent of highways subject to the authority of the commissioner and in accord with the rules and regulations of the department to superintend supervise and take charge and control of all work of rebuilding maintenance and repair of the State-aid and State highways or any portions thereof in his said district or placed in his charge and it shall be the further duty of each superintendent of highways to instruct the authorities having charge of the highways in the counties or townships in his district which receive aid from the State in the maintenance of highways as to the methods to be employed at all times in the construction maintenance and repair of county or township roads culverts and bridges in said counties or townships" be and the same is hereby amended so as to read

Section 2 The Governor shall appoint a Chief Engineer of the Department who shall be a capable and competent civil engineer and experienced in the building and maintenance of improved roads who shall be paid a salary at the rate of seven thousand dollars per annum The State Highway Commissioner shall appoint as an assistant to the chief engineer an engineer of bridges who shall be a capable and competent civil engineer experienced in the designing and construction of bridges who shall be paid a salary at the rate of thirty-six hundred dollars per annum He shall also appoint fifty superintendents experienced in the construction and maintenance of improved roads who shall be known as superintendents of highways each of whom shall be paid a salary of two thousand dollars per annum He shall also appoint fifteen competent civil engineers experienced in improved road building to act as assistants to the Chief Engineer and who shall each be paid a salary of three thousand dollars per annum He may also appoint a chief draughtsman who shall also be an experienced civil engineer and who shall be paid a salary at the rate of twenty-four hundred dollars per annum He may also appoint an engineer of maintenance an engineer of construction additional civil engineers and engineers' assistants superintendents inspectors a statistician paymasters draughtsmen bookkeepers a chief clerk additional clerks stenographers and such other employes as in his opinion are sufficient to carry on the work of the State Highway Department and shall fix the salaries to be paid the aforementioned employes

The State Highway Commissioner his deputies and other officers shall be paid in addition to their stipulated salary or compensation traveling expenses necessarily and actually incurred by each of them in the performance of the duties required by this act or performed by direction of the State Highway Commissioner The State Highway Commissioner shall assign the superintendents of highways to such sections or parts of the State as in the judgment of said commissioner will enable said superintendents to render most efficient service in the improvement of the highways It shall be the duty of each superintendent of highways subject to the authority of the commissioner and in accord with the rules and regulations of the department to superintend supervise and take charge and control of all work of rebuilding maintenance and repair of the State-aid and State highways or any portions thereof in his said district or placed in his charge and it shall be the further duty of each superintendent of highways to instruct the authorities having charge of the highways in the counties or townships in his district which receive aid from the State in the maintenance of highways as to the methods to be employed at all times in the construction maintenance and repair of county or township roads culverts and bridges in said counties or townships

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1845 (Senate Bill No. 777), entitled

An Act making an appropriation for the purpose of placing caring for and removal of the exhibits of the institutions of Pennsylvania at the forty-fourth annual meeting of the National Conference of Charities and Correction to be held in the City of Pittsburgh Pennsylvania from the sixth to the thirteenth days of June one thousand nine hundred and seventeen.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1630 (Senate Bill No. 543), entitled

An Act defining cold storage and regulating time of storage of certain articles of food and providing penalties for the violation of the provisions of this act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1846 (Senate Bill No. 666), entitled

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1855 (Senate Bill No. 909), entitled

An Act making a deficiency appropriation to the Department of State Police for the payment of the salaries of the Superintendent and Deputy Superintendent of the Department and the salaries of the officers and enlisted men of the State police force.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1303, as follows:

An Act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and seventeen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and seventeen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or as much thereof as may be necessary be and the same are hereby spefically appropriated to the several objects hereinafter named for the two fiscal years commencing on the first day of June one thousand nine hundred and seventeen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and seventeen to be paid out of any moneys in the treasury not otherwise appropriated

Section 2 For the payment of the salaries of the several State officers the clerks and employes in the several departments of the State Government and for the incidental expenses of the said departments the following sums or so much thereof as may be necessary the same to be paid on the warrant of the Auditor General upon the State Treasurer in the amounts as follows and in the manner prescribed by law

EXECUTIVE DEPARTMENT

For the payment of the salary of the Governor two years the sum of twenty thousand dollars ($20,000)

For the payment of clerk hire two years the sum of thirty-three thousand seven hundred and sixty dollars ($33,760)

For the payment of the salary of the Lieutenant Governor two years the sum of ten thousand dollars ($10,000)

For the payment of postage express charges and other incidental expenses of the Lieutenant Governor the sum of one thousand dollars ($1,000) for the two fiscal years commencing June first one thousand nine hundred and seventeen in addition to an amount fixed by an act of Assembly approved June twelfth one thousand eight hundred and ninety-three

For all contingent expenses including clerical and stenographic charges for the Executive Department the sum of seven thousand dollars ($7,000) for the two fiscal years commencing June first one thousand nine hundred and seventeen

For the payment of the traveling and the incidental expenses of the Governor the miscellaneous expenses incurred in the conduct and management of the Executive Mansion the purchase and maintenance of an automobile for the two fiscal years beginning June first one thousand nine hundred and seventeen and for the payment of like expenses incurred and remaining unpaid prior to June first one thousand nine hundred and seveteen the sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary to be expended at the discretion of the Governor

EXECUTIVE CONTROLLER DEPARTMENT

For the payment of the salary of the Executive Controller two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the Assistant Executive Controller two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the stenographer and typewriter two years the sum of two thousand dollars ($2,000)

For the payment of contingent expenses extra clerk hire investigations and traveling expenses two years the sum of three thousand dollars ($3,000)

STATE DEPARTMENT

For the payment of the salary of the Secretary of the Commonwealth two years the sum of sixteen thousand dollars ($16,000)

For the payment of the salary of the Deputy Secretary of the Commonwealth two years the sum of six thousand dollars ($6,000)

For the payment of clerk hire including messenger and night watchman two years the sum of seventy-eight thousand five hundred dollars ($78,500)

For the payment of postage express charges and contingent expenses two years the sum of ten thousand dollars ($10,000)

For the payment of the expenses for the publication in the various newspapers of the State of the several amendments to the Constitution of the Commonwealth for the two fiscal years beginning June first one thousand nine hundred and seventeen the sum of two hundred thousand dollars or so much thereof as may be necessary ($200,000)

For the preparation of a new corporation index to be made under the direction of the corporation clerk the sum of three thousand dollars ($3,000)

AUDITOR'S GENERAL'S DEPARTMENT

For the payment of the Auditor General two years the sum of sixteen thousand dollars ($16,000)

For the payment of the Auditor General for services as a member of the Board of Public Grounds and Buildings two years the sum of one thousand two hundred dollars ($1,200)

For the payment of the salaries of the Deputy Auditor General the Assistant Deputy Auditor General and the chief clerk two years the sum of twenty-seven thousand dollars ($27,000)

For the payment of the salaries of the chief clerk of the Bureau of Corporations and the two (2) assistant chief corporation clerks two years the sum of twenty-seven thousand dollars ($27,000)

For the payment of the salaries of all other clerks and employes provided by law two years the sum of two hundred and two thousand two hundred dollars ($202,200)

For the payment of salaries of eight (8) traveling auditors two years the sum of twenty-eight thousand eight hundred dollars ($28,800)

For the payment of compensation and expenses of persons appointed in pursuance of law to examine the accounts of officers or of individuals required by law to make report to the Auditor General of moneys due the Commonwealth and for the payment of expense of deputies and traveling auditors actually and necessarily incurred by them in the performance of the duties assigned to them as provided by law two years the sum of fifteen thousand dollars ($15,000)

For the purchase of patent indexes records law books and other books necessary for the proper conduct of the work of collecting taxes from corporations and auditing accounts two years the sum of two thousand dollars ($2,000)

For the payment of persons employed by the Auditor General to discover prosecute and collect delinquent corporation taxes for the two years beginning May thirty-one one thousand nine hundred and seventeen and for the payment of persons who have been so employed prior to that date the sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary

For the payment of the compensation of informants in escheats as provided for in the act of May second one thousand eight hundred and eighty-nine and amendments thereto the fees and expenses of escheats and the services of attorneys authorized by the Auditor General in connection with such escheat proceedings and for the refund of monies to those entitled thereto upon the traverse of decrees in escheat as provided by said act for the two years beginning June first one thousand nine hundred and seventeen the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary

For the payments of costs in suits against delinquent dealers for mercantile and other licenses incurred during the years one thousand nine hundred and seventeen and one thousad nine hundred and eighteen the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary

For the balance due or to become due retired county officers on account of over-payment of mercantile and other taxes collected for the Commonwealth the sum of three thousand dollars ($3,000)

For the payment of postage express charges cost of filing liens and contingent expenses two years the sum of sixteen thousand dollars ($16,000)

DEPARTMENT OF INTERNAL AFFAIRS

For the payment of the salary of the Secretary of Internal Affairs two years the sum of sixteen thousand dollars ($16,000)

For the payment of the salary of the Deputy Secretary of Internal Affairs two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the clerk to the Board of Public Property two years the sum of four hundred dollars ($400)

For the payment of the salary of the Chief of the Bureau of Standards in the Department of Internal Affairs two years the sum of six thousand dollars ($6,000)

For the payment of the salaries of the other officials clerks and employes in the Department of Internal Affairs two years the sum of seventy-seven thousand two hundred dollars ($77,000)

For the payment of contingent expenses two years the sum of five thousand seven hundred dollars ($5,700)

For the payment of services rendered and expenses incurred in the collection of tax statistics and for the compilation of the same as required by the act of assembly approved May ninth one thousand eight hundred and eighty-nine for the two fiscal years beginning June first one thousand nine hundred and seventeen the sum of ten thousand dollars ($10,000) to be paid upon the warrant of the Auditor General upon specifically itemized vouchers certified by the Secretary of Internal Affairs.

For the payment of necessary services and expenses incurred through the Bureau of Railways of the Department of Internal Affairs in the investigation of complaints made against corporations under sections four and five of the act approved the eleventh day of May one thousand eight hundred and seventy-four for the necessary services and expenses incident to the investigation against delinquent corporations under the act approved the nineteenth day of April one thousand eight hundred and ninety-seven and for the investigation of accidents and the securing of special reports as authorized under section eleven article seventeen of the Constitution and for the payment of postage express charges and other incidental expenses of the bureau for the two fiscal years beginning June first one thousand nine hundred and seventeen the sum of two thousand five hundred dollars ($2,500) All expenditures under this appropriation to be itemized on vouchers by the Secretary of Internal Affairs and filed with the Auditor General For the payment of skilled draftsmen surveyors and other assistants necessary to the proper continuation of the warrantee map work authorized by act of Assembly approved June thirteenth one thousand nine hundred and seven and subsequent amendments and supplements thereto including all necessary traveling and subsistence expenses in the filed work of the same for the two fiscal years beginning June first one thousand nine hundred and seventeen the sum of one thousand five hundred dollars ($1,500)

For services and other expenses incident to the investigating and surveying of vacant and unappropriated land as authorized and provided in the first section of the act entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant and unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" approved the third day of May one thousand nine hundred and nine for the two fiscal years beginning June first one thousand nine hundred and seventeen the sum of three hundred dollars ($300)

For the payment of expenses incident to maintenance of equipment and for additional equipment for the two fiscal years beginning June first one thousand nine hundred and seventeen the sum of three hundred dollars ($3000.0)

For the temporary employment of draftsmen in copying the surveys or other ancient papers important to be preserved in the Land Office Bureau as required by the act approved the sixteenth day of February one thousand eight hundred and thirty-three (Pamphlet Laws page forty-seven) for the two fiscal years beginning June first one thousand nine hundred and seventeen the sum of twenty-five thousand dollars ($25,000)

For the inspection and repairs of State boundary line monuments under authority of section two of the act of Assembly approved May fourth one thousand eight hundred and eighty-nine and subsequent amendments and supplements thereto for the two fiscal years beginning June first one thousand nine hundred and seventeen the sum of two thousand dollars ($2,000)

TREASURY DEPARTMENT

For the payment of the salary of the State Treasurer two years the sum of sixteen thousand dollars ($16,000)

For the payment of the State Treasurer for services as a member of the Board of Public Grounds and Buildings two years the sum of one thousand two hundred dollars ($1,200)

For the payment of the salary of the cashier two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the assistant cashier two years the sum of seven thousand two hundred dollars ($7,200)

For the payment of clerk hire including messenger and three watchmen two years the sum of ninety thousand eight hundred dollars ($90,800)

For the payment of contingent expenses two years the sum of two thousand five hundred dollars ($2,500)

For the payment of such extra clerks as the State Treasurer may find it necessary to employ for the purpose of balancing and transferring accounts making new indices or rendering any other general assistance to the regular clerical force and for the purpose of paying such increases of salaries and the salaries of such additional clerks as may be provided for by law at the present session of the Legislature two years the sum of thirty-three thousand four hundred dollars ($33,400)

For the purpose of patent indices law books and other books necessary for the proper conduct of the work of the department two years the sum of five hundred dollars ($500)

For the payment of traveling expenses of the State Treasurer and employes while on departmental business two years the sum of five hundred dollars ($500)

For the payment of postage express charges and other incidental expenses two years the sum of six thousand dollars ($6,000)

For the payment of the cost of procuring bonds required to be given by employes of the Treasury Department to the State Treasurer for the faithful performance of their duties two years the sum of one thousand dollars ($1,000)

ATTORNEY GENERAL'S DEPARTMENT

For the payment of the salary of the Attorney General two years the sum of twenty-four thousand dollars ($24,000)

For the payment of the salaries of the six deputies Attorney General two years the sum of sixty-one thousand dollars ($61,000)

For the payment of the salaries of the private secretary three law clerks five stenographers one messenger and one telephone operator two years the sum of forty-one thousand two hundred dollars ($41,200)

For the payment of such additional Deputy Attorneys General law clerks and stenographers as shall be appointed by the Attorney General under the provisions of law two years the sum of twenty-eight thousand dollars ($28,000)

For the payment of the contingent expenses official fees witness fees serving processes and for such other costs as the Commonwealth may be liable to pay in cases in which the Commonwealth is or may be a party and for the payment of postage express charges the purchase of law books for the law library of the Attorney General's Department and other incidental expenses for the two fiscal years commencing June first one thousand nine hundred and seventeen the sum of twenty thousand dollars ($20,000)

For the payment of the services and expenses of attorneys to be employed from and after the date of passage of this act by the Attorney General to assist in the prosecution and trial of cases and the prosecution of claims in which the Commonwealth is interested and in cases in which in the judgment of the Attorney General the Commonwealth should intervene by the employment of counsel and for the payment of the services costs and expenses of special district attorneys appointed by the Attorney General for the two fiscal years commencing June first one thousand nine hundred and seventeen the sum of ten thousand dollars ($10,000)

BANKING DEPARTMENT

For the payment of the salary of the Commissioner of Banking two years the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the Deputy Commissioner of Banking two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the chief clerk two years the sum of four thousand dollars ($4,000)

For the payment of the salaries of five clerks two years the sum of sixteen thousand dollars ($16,000)

For the payment of the salary of one additional clerk two years the sum of thirty-two hundred dollars ($3,200)

For the payment of the salaries of three stenographers and typewriters two years the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salary of the messenger two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the contingent expenses two years the sum of five thousand dollars ($5,000)

For the payment of the salaries of employes and other expenses incident to the supervision of private banks as provided for in the act approved the nineteenth day of June Anno Domini one thousand nine hundred and eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" two years the sum of ten thousand dollars ($10,000)

For the payment of the salaries and expenses of the examiners two years the sum of one hundred and fifty thousand dollars ($150,000) this item to include any technical or additional expert evidence which may be necessary to determine the solvency of institutions under the supervision of the Banking Department

For the payment of necessary expenses occasioned by instituting proceedings for the violation of the act approved the twenty-third day of April Anno Domini one thousand nine hundred and nine defining certain misdemeanors and authorizing the Commissioner of Banking to institute prosecutions two years the sum of two thousand dollars ($2,000)

For the payment of the salaries of employes and other expenses incident to the supervision of the business of loaning money to individuals two years the sum of five thousand dollars ($5,000)

DEPARTMENT OF PUBLIC INSTRUCTION

For the payment of the salary of the Superintendent of Public Instruction two years the sum of ten thousand dollars ($10,000)

For the payment of the salaries of the Deputy Superintendents clerks and messenger two years the sum of twenty-five thousand two hundred dollars ($25,200)

For extra clerical assistance necessary in the distribution of the appropriation to the common schools two years the sum of one thousand dollars ($1,000) Provided That the sum paid for such clerical assistance shall not exceed one hundred dollars per month for five months of each of said two years

For the payment of the contingent expenses two years the sum of six thousand dollars ($6,000)

For the payment of the expenses of the State Normal School examiners two years the sum of five thousand five hundred dollars ($5,500)

For the payment of the salaries of the high school inspectors two years the sum of twenty thousand dollars ($20,000)

For the payment of the traveling and other evpenses of the high school inspectors for two years the sum of eight thousand dollars ($8,000)

For the payment of the expenses and services of the examining boards for State permanent and special certificates two years the sum of five thousand dollars ($5,000)

For the payment of four stenographers and typewriters two years the sum of eight thousand dollars ($8,000)

For the payment of the cost of circulating the Pennsylvania School Journal two years the sum of five thousand dollars ($5,000)

Bureau of Professional Education

For the payment of the officers and assistants and expenses of the Bureau of Professional Education in the Department of Public Instruction for two years the sum of twenty thousand dollars ($20,000)

Bureau of Medical Education and Licensure

For the payment of the salaries and expenses of the officers and members of the Bureau of Medical Education and Licensure and for incidental expenses including rent clerical services stenographer typewriting and other necessary assistance for two years the sum of thirty thousand dollars ($30,000)

For the payment of the expenses incurred in the regulation of the practice of midwifery act of June fifth one thousand nine hundred and thirteen (Pamphlet Laws four hundred and forty-one) the sum of sixteen thousand dollars ($16,000)

State Board of Education

For the payment of the neecssary expenses of the members of the State Board of Education and the salaries of clerks stenographers and other employes and of other necesary expenses of the board two years the sum of fifty thousand dollars ($50.000)

College and University Council

For the payment of the traveling expenses of the two members of the College and University Council two years the sum of one thousand dollars ($1,000)

Dental Council of Pennsylvania

For the payment of the necessary expenses of the Dental Council for two years the sum of three thousand dollars ($3,000)

ADJUTANT GENERAL'S DEPARTMENT

For the payment of the salary of the Adjutant General two years the sum of twelve thousand dollars ($12,000)

For the payment of clerk hire in the Adjutant General's office and employes of the State Arsenal two years the sum of eghty-four thuosand one hundred and sixty dollars ($84,-160)

For the payment of the contingent expenses including the shipping of arms and so forth two years the sum of nine thousand dollars ($9,000)

For the payment of the salaries of the State Military Board two years the sum of three thousand six hundred dollars ($3,600)

For the purchase of military stores in place of those sold or exchanged by the Adjutant General under the provisions of section fifty-five of an act of Assembly approved May fifth one thousand nine hundred and eleven reading as follows "The Adjutant General may with the approval of the Commander-in-Chief sell or exchange from time to time such military stores belonging to the Commonwealth as are found unserviceable or in state of decay or which it may be deemed for the interests of the Commonwealth to sell or exchange" or acts of Assembly subsequent thereto and for the expense of packing and transportation in issuing new stores or receiving old or absolete stores returned to the State Arsenal or for improvements necessary at permanent camp ground or for such other military purposes as the State Military Board may direct Provided That payment by the Auditor General shall not at any time be in excess of the amount paid into the State Treasury by the Adjutant General as proceeds of such sales or exchanges the sum of forty-five thousand dollars (45,000) or so much thereof as may be necessary said payment to be made on the warrants of the Auditor General drawn upon the State Treasurer upon certificates of the Adjutant General showing amount paid into State Treasury and then available and upon properly itemized vouchers being filed by the Adjutant General

For the payment to the organizations of the National Guard of Pennsylvania entitled thereto or to the United States Government of amounts recovered and paid into the State Treasury by or on account of officers of the National Guard delinquent in accounting for public moneys paid to them or military stores or supplies issued to such officers under the provisions of an act of Assembly approved May fifth one thousand nine hundred and eleven entitled "An Act providing for the organization discipline maintenance and regulation of the organized militia of the Commonwealth of Pennsylvania otherwise styled the National Guard of Pennsylvania" or acts of Assembly subsequent thereto the sum of eight thousand dollars ($8,000) or so much thereof as may be necessary payments to be made by warrants of the Auditor General drawn upon the State Treasurer upon proper certificate of the Adjutant General showing collection of moneys for sureties on bonds and payment of the same into the State Treasury

STATE ARMORY BOARD

For the payment of salaries of the members of the State Armory Board except members ex-officio the sum of twelve thousand dollars (12,000) or so much thereof as may be necessary

INSURANCE DEPARTMENT

For the payment of the salary of the Insurance Commissioner two years the sum of fifteen thousand dollars ($15,-000)

For the payment of the salary of the Deputy Insurance Commissioner two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the actuary two years the sum of ten thousand dollars ($10,000)

For the payment of the salaries of the examiner-in-chief and three assistant examiners one examiner of statements and four examiners two years the sum of sixty-five thousand dollars ($65,000)

For the payment of the salaries of two inspectors two years the sum of eight thousand dollars ($8,000)

For the payment of clerk hire including messenger two years the sum of eighty-five thousand dollars ($85,000)

For the payment of contingent expenses and for traveling and contingent expenses of actuary examiners and inspectors two years the sum of twenty-five thousand dollars ($25,000)

STATE FIRE MARSHAL

For the payment of the salary of the State Fire Marshal two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the Chief Deputy State Fire Marshal two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the first second third and fourth special deputy state fire marshals two years the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries of clerks and stenographers two years the sum of twenty thousand two hundred dollars ($20,200)

For the payment of the salaries of twenty-five Deputy State Fire Marshals two years the sum of fifty-four thousand dollars ($54,000)

For the payment of contingent expenses for contingent traveling expenses of the State Fire Marshal his deputies and assistants for the reporting of fires and mileage incident thereto for the investigation of incendiary fires and inspection of property for the payment of services and expenses of detectives and attorneys employed by the State Fire Marshal to assist in the detection and prosecution of the crime of arson for the payment of costs witness fees the taking of testimony and the serving of processes for the demolition and removal of old dilipidated buildings et cetera and for carrying out the provisions of the act establishing the office of the State Fire Marshal for two years the sum of ten thousand dollars ($10,000)

STATE LIBRARY

For the payment of the salary of the State Librarian two years the sum of nine thousand dollars ($9,000)

For the payment of the salary of the First Assistant State Librarian two years the sum of five thousand dollars ($5,-000)

For the payment of the salary of the Second Assistant State Librarian two years the sum of four thousand dollars ($4,000)

For the payment of the salary of the clerk two years the sum of two thousand dollars ($2,000)

For the payment of the salary of an assistant in charge of the Division of Public Records in connection with the State Library two years the sum of four thousand dollars ($4,000)

For the payment of the salary of the stenographer two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salaries of the two night assistants two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salaries and necessary expenses incident to the preservation of the public records in the Division of Public Records two years the sum of sixteen thousand eight hundred dollars ($16,800)

For the payment of the salary of the messenger two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of the night watchman two years the sum of two thousand and forty dollars ($2,040)

For the payment of freight expressage postage traveling expenses cleaning rooms and miscellaneous expenses two years the sum of five thousand dollars ($5,000)

For the payment of the salaries of four assistants in the library at fifty dollars per month two years the sum of four thousand eight hundred dollars ($4,800)

For the purchase of law books and exchanges two years the sum of six thousand dollars ($6,000)

For the payment of the annual subscription to at least one leading newspaper in each county of the Commonwealth for permanent preservation and the newspapers of seventeen cities of the Unitdd States and for completing the files of Pennsylvania newspapers two years the sum of one thousand two hundred dollars ($1,200)

For the purchase of miscellaneous books and illustrations two years the sum of twelve thousand dollars ($12,000)

For the purpose of such English parliamentary papers as may be deemed advisable by the Librarian and trustees of the State Library two years the sum of seven hundred and fifty dollars ($750)

For the payment of the salaries and expenses incident to the work of preparing a law catalogue of the State Library and for the continuation of the regular cataloguing work of the Library two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salaries and expenses incident to the completion of the work of preparing a catalogue of the State Library on a card catalogue system for such indexing work as may be needed two years the sum of seven thousand six hundred dollars ($7,600)

For the purpose of binding library books periodicals and newspapers two years the sum of nine thousand dollars ($9,000) or so much thereof as may be necessary

STATE MUSEUM

To provide for the expenses of the State Museum and for the payment of the employes necessary for the two fiscal years commencing June first one thousand nine hundred and seventeen the sum of twenty-five thousand dollars ($25,000)

For the purchase of lantern slides to be added to the collection of the educational division of the State Museum two years the sum of three thousand dollars ($3,000)

PENNSYLVANIA FREE LIBRARY COMMISSION

For the payment of the salaries and expenses incident to the establishment and maintenance of traveling libraries and other work authorized by section two of the act of Assembly establishing the Free Library Commission of Pennsylvania approved the fifth day of May Anno Domini one thousand eight hundred and ninety-nine two years the sum of thirty thousand dollars ($30,000)

For the payment of the traveling expenses of the members of the Free Library Commission and its officers two years the sum of one thousand dollars or so much thereof as may be necessary ($1,000)

LEGISLATIVE REFERENCE BUREAU

For the payment of the salaries of the officers and employes incidental expenses of the Legislative Reference Bureau for the two fiscal years beginning June first one thousand nine hundred and seventeen and session employes for the session of one thousand nine hundred seventeen the following amounts

For the payment of the salary of the Director of the Legislative Reference Bureau two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the Assistant Director of the Legislative Reference Bureau two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of a reference division stenographer in the Legislative Reference Bureau two years the sum of two thousand four hundrd dollars ($2,400)

For the payment of the salary of assistant stenographer in the Legislative Reference Bureau two years the sum of two thousand dollars ($2,000)

For the payment of the salary of the search clerk in the Legislative Reference Bureau two years the sum of four thousand dollars ($4,000)

For the payment of the salary of the cataloguer in the Legislative Reference Bureau two years the sum of two thousand dollars ($2,000)

For the payment of the salary of the messenger in the Legislative Reference Bureau two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the Director of the Legislative Reference Bureau for maintenance and incidental expenses and emergency clerical help if needed for two years the sum of five thousand dollars or so much thereof as may be necessary ($5,000)

For the payment of the salaries of the search clerks stenographers and record clerk in the Legislative Reference Bureau as provided by law for a period of one month prior to the session of the General Assembly of one thousand nine hundred and nineteen and during such session and during one month subsequent to such session the sum of six thousand dollars or so much thereof as may be necessary ($6,000)

STATE REPORTER

For the payment of the salary of the State Reporter two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the Assistant State Reporter two years the sum of six thousand dollars ($6,000)

For the payment of stationery clerk hire and assistance two years the sum of six thousand dollars ($6,000)

DEPARTMENT OF PUBLIC GROUNDS AND BUILDINGS

For the payment of the salary of the Superintendent of Public Grounds and Buildings two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the deputy superintendent two years the sum of five thousand dollars ($5,000)

For the payment of the salary of one clerk two years the sum of thirty-six hundred dollars ($3,600)

For the payment of the salary of the bookkeeper two years the sum of three thousand dollars ($3,000)

For the payment of the salary of a draftsman two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the schedule clerk two years the sum of twenty-eight hundred dollars ($2,800)

For the payment of the salaries of two stenographers two years the sum of forty-eight hundred dollars ($4,800)

For the payment of the salary of the storekeeper two years the sum of four thousand dollars ($4,000)

For the payment of the salary of the (additional) assistant storekeeper two years the sum of twenty-four hundred dollars ($2,400)

For the payment of the salary of the assistant storekeeper two years the sum of twenty-four hundred dollars ($2,400)

For the payment of the salary of the secretary of the board two years the sum of twelve hundred dollars ($1,200)

For the payment of the salary of the stenographer for the board two years the sum of four hundred dollars ($400)

For the payment of the salary of one additional stenographer two years the sum of twenty-four hundred dollars ($2,400)

For the payment of the salary of five additional charmen two years the sum of seventy-two hundred dollars ($7,200)

For the payment of the salary of five additional Capitol police two years the sum of ten thousand two hundred dollars

For the payment of the salaries of the chief and assistant engineers of the power plant and all other employes required in conducting cleaning and making repairs and everything necessary for the safety and keeping of the buildings and grounds for the two fiscal years commencing June first one thousand nine hundred and seventeen the sum of two hundred and ninety-five thousand eight hundred and eighty dollars ($295,880)

For the payment of premiums on insurance upon the State Capitol the Library Museum the Capitol conservatories the State Arsenal buildings the State Quarantine Station buildings the Executive Mansion and stables and the respective contents of the same also upon all other State property real personal or mixed and wherever situated which may be properly under the control and supervision of the Board of Public Grounds and Buildings for two years the sum of seven thousand dollars ($7,000)

For the purchase of any article of furniture furnishings stationery supplies fuel or any other matters or things and for the payment of any repairs alterations or improvements the want of which may not have been anticipated at the time of the issue of the annual schedule and which do not appear in the same and for which requisition is made on the superintendent two years the sum of one hundred and fifty thousand dollars ($150,000) which appropriation shall be known as the "Board's General Fund" Provided That no expenditure from said fund shall be made by the superintendent without first receiving authority from the board so to do And provided also That from this fund shall be paid any bills for designs or specifications by the board And provided also That in awarding contracts under this schedule proposals for such contracts shall be invited by the Superintendent of Public Grounds and Buildings in such maner and at such times as the Board of Commissioners of Public Grounds and Buildings in their discretion may direct

For the payment by the superintendent for any emergency supplies the want of which may not have been anticipated at the time of the issue of the annual schedule and which do not appear in the same and for which requisition shall be made upon the superintendent and for the payment by the superintendent for emergency repairs and supplies and all temporary help for the care maintenance and preservation of the public grounds and buildings including the Executive Mansion for two years the sum of forty thousand dollars ($40,000)

For the payment of the cost of advertising of the annual schedule of supplies the sale of unserviceable furnishings the re-advertising of the annual schedule when necessary and all other advertisements as authorized by the board of superintendent for two years the sum of eight thousand dollars ($8,000)

For the payment of the costs of electric current gas and steam for light heat and power for the public grounds and buildings where not supplied from the Capitol power plant for the two fiscal years beginning June first one thousand nine hundred and seventeen the sum of eighteen thousand dollars ($18,000)

For the payment to the City of Harrisburg for supplying the public grounds and buildings with water for the two fiscal years commencing June first one thousand nine hundred and seventeen the sum of twelve thousand dollars ($12,000)

For the payment of rental charges for telephone service and other patented leased office devices the cost of toll and long distance telephone messages and telegrams for the Legislature the several departments boards and commissions of the State government and Executive Mansion for two years the sum of ninety-five thousand dollars ($95,000)

For the payment of the cost of general supplies including stationery supplies furniture fuel repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State Government and Executive Mansion as set forth in and included in the general annual schedule of supplies

for State Government two years the sum of four hundred and fifty thousand dollars ($450,000)

For the payment of deficiency in appropriation for rental charges for telephone service and other patented leased office devices the cost of toll and long distance telephone messages and telegrams for the Legislature the several departments boards and commissions of the State Government and executive mansion in accordance with the act of one thousand nine hundred fifteen for two (2) years ending May thirty-first one thousand nine hundred seventeen the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary

For the payment of the cost of procuring various bonds required by statute to be given by State officials and employes for the faithful performance of their duties for two years the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary

For the payment of the cost of erecting highway bridges under the act of one thousand eight hundred and ninety-five and the supplement of one thousand nine hundred and three any balance remaining unexpended of the appropriation made therefor under the general appropriation bill of the session of one thousand nine hundred and thirteen and the further sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and seventeen

For the payment of the rent of offices and rooms outside of the Capitol building when necessary for the accommodation of any department board or commission of the State Government in accordance with the act approved the seventh day of June Anno Domini nineteen hundred and eleven for two years the sum of one hundred and fifty thousand dollars ($150,000) or so much thereof as may be necessary

For the installation of a new freight elevator in the new main building in the State Arsenal grounds the sum of eight thousand dollars ($8,000) or so much thereof as may be necessary

COMMISSIONERS OF SINKING FUND

For the payment of the salary of the three (3) commissioners two years the sum of one thousaid eight hundred dollars ($1,800)

For the payment of the salary of the clerk two years the sum of two thousand dollars ($2,800)

BOARD OF PUBLIC ACCOUNTS

For the payment of the salaries of a clerk stenographer and a messenger two years the sum of six thousand four hundred dollars ($6,400)

For the payment of postage express charges and other incidental expenses of the board two years the sum of six hundred dollars ($600)

BOARD OF PARDONS

For the payment of the salaries of the members of the Board of Pardons two years the sum of four thousand dollars ($4,000)

For the payment of the salary of the Secretary of the Board of Pardons two years the sum of two thousand dollars ($2,000)

For the payment of the salary of the recorder of the Board of Pardons two years the sum of one thousand dollars ($1,000)

For the payment of the salary of the clerk two years the sum of one thousand dollars ($1,000)

For the payment of the salary of the messenger two years the sum of eight hundred dollars ($800)

For the payment of the salary of the tipstaff two years the sum of eight hundred dollars ($800)

For the payment of postage express charges and other incidental expenses of the Board of Pardons for the two fiscal years commencing June first one thousand nine hundred and seventeen the sum of eight hundred dollars ($800)

STATE COMMISSION OF AGRICULTURE

For the payment of the salary of the Secretary of Agriculture two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the Deputy Secretary of Agriculture two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the Economic Zoologist of the Department of Agriculture two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the State Veterinarian of the Department of Agriculture two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the chief chemist of the Department of Agriculture two years the sum of eight thousand dollars ($8,000) or so much thereof as may be necessary

For the payment of the salary of the chief clerk of the Department of Agriculture two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary of the stenographer and typewriter of the Department of Agriculture two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of the messenger of the Department of Agriculture two years the sum of two thousand dollars ($2,000)

For the payment of the salary of the clerk to the Director of Farmers' Institutes of the Department of Agriculture two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the Assistant Economic Zoologist of the Department of Agriculture two years the sum of four thousand dollars ($4,000)

For the payment of the salary of the clerk to the Economic Zoologist of the Department of Agriculture two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the stenographer to the Economic Zoologist of the Department of Agriculture two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of the messenger to the Economic Zoologist of the Department of Agriculture two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salary of the Deputy Veterinarian of the Department of Agriculture two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the clerk to the State Veterinarian of the Department of Agriculture two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of the stenographer to the State Veterinarian of the Department of Agriculture two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the contingent expenses including traveling expenses of the officers of the Department of Agriculture two years the sum of eight thousand dollars ($8,000)

For the payment of traveling and other necessary expenses of the members of the State Commission of Agriculture for two years the sum of five thousand dollars ($5,000)

For the payment of the expenses of the Farmers' Local Institutes including lectures salaries two years the sum of forty thousand dollars ($40,000)

For the maintenance of the Bureau of Statistics in the Department of Agriculture two years the sum of twenty-five thousand dollars ($25,000)

For the payment of the cost of carrying out the provisions of the act of twenty-first March one thousand nine hundred and five entitled "An Act to provide for the protection of trees" et cetera and the amendment to said act approved the fifteenth day of April one thousand nine hundred and seven and for pest suppression for two years the sum of one hundred thousand dollars ($100,000)

For the purpose of administering the provisions of the act of May fifth Anno Domini one thousand nine hundred and eleven entitled "An Act to supplement an act passed by the General Assembly and approved March thirty-first one thousand nine hundred and five entitled 'An Act to provide for the protection of trees shrubs vines and plants against destructive insects and diseases providing for the enforcement of this act and the expenses connected therewith and fixing penalties for its violation' to provide for the inspection of apiaries and for the suppression of contagiou or infectious diseases among bees and making appropriation therefor" two years the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary .

For the payment of the expenses of the State Board of Agriculture and the expenses of the members of said board including specialists of the board and expenses and compensation of lecturers for two years the sum of two thousand five hundred dollars ($2,500)

For the payment of the cost of selecting samples making analysis and other expenses including salaries incident to carrying into effect the provisions of the act of Assembly entitled "An Act to regulate the sale of certain seeds providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same providing also for the enforcement of the act and fixing penalties for its violation" approved April twenty-ninth one thousand nine hundred and thirteen two years the sum of four thousand dollars ($4,000)

For the payment of the cost of selecting samples making analysis and other expenses including salaries incident to carrying into effect the provisions of the act of Assembly entitled "An Act to regulate the manufacture and sale of commercial fertilizers" et cetera approved May first one thousand nine hundred and nine for two years the sum of thirty-five thousand dollars ($35,000)

For the payment of the cost of selecting samples making analysis and other expenses including salaries incident to carrying out the provisions of the act of Assembly "Regulating the sale of commercial feeding-stuffs" approved May third one thousand nine hundred and nine for two years the sum of twenty thousand dollars ($20,000)

For the payment of the cost of securing samples making analysis and other expenses incident to carrying into effect the provisions of Senate bill number two hundred and fourteen entitled "An Act to regulate the sale for agricultural purposes of crushed limestone lime gypsum" et cetera in case said act shall become a law the sum of six thousand dollars ($6,000) two years or so much thereof as may be necessary For carrying out the provisions of the act of Assembly approved May fourteenth one thousand nine hundred and thirteen "Providing for the appointment of instructors and demonstrators in agriculture" (Pamphlet Laws two hundred and three) two years the sum of forty thousand dollars ($40,000) or so much thereof as may be necessary

For carrying out the provisions of the act of Assembly approved May fourteenth one thousand nine hundred and thirteen "Providing for the appointment of instructors and demonstrators in agriculture" (Pamphlet Laws two

hundred and three) two years the sum of forty thousand dollars ($40,000) or so much thereof as may be necessary

For the payment of the cost of selecting samples and making analysis and other expenses including salaries incident to carrying out the provisions of the act of April twenty-ninth one thousand nine hundred and thirteen "To prevent adulteration of linseed oil" et cetera for two years the sum of three thousand dollars ($3,000)

For the payment of the cost of selecting samples and making analysis and other expenses including salaries incident to carrying out the provisions of the act of Assembly entitled "An Act to prevent deception in the sale of paint putty turpentine or any substitute therefor and providing penalties for the violation thereof for two years the sum of four thousand dollars ($4,000)

DAIRY AND FOOD COMMISSION OF THE DEPARTMENT OF AGRICULTURE

For the payment of the salary of the Dairy and Food Commissioner of the Department of Agriculture two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the clerk to the Dairy and Food commissioner two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the messenger of the Dairy and Food Division of the Department of Agriculture two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salaries of the special agents of the Dairy and Food Division of the Department of Agriculture two years the sum of forty-five thousand dollars ($45,000)

For the payment of attorneys assistants and special work of the Dairy and Food Division of the Department of Agriculture two years the sum of twelve thousand five hundred dollars ($12,500)

For the payment of clerical stenographers' services in the Dairy and Food Division of the Department of Agriculture two years the sum of twelve thouasnd eight hundred dollars ($12,800)

For the payment of chemists of the Dairy and Food Division of the Department of Agriculture together with their actual expenses two years the sum of thirty thousand dollars ($30,000)

For the payment of the inspection of the cold storage plants as to their sanitary condition and equipment and the keeping of proper supervision over same and the enforcement of all other provisions of the cold storage act approved May sixteenth one thousand nine hundred and thirteen the sum of twenty thousand dollars ($20,000)

For the payment of the traveling and necessary expenses of the Dairy and Food Commissioner and special agents including the cost of samples of food products express telegraph and other incidental expenses of the Dairy and Food Division of the Department of Agriculture two years the sum of twenty-seven thousand five hundred dollars ($27,500) to be paid on the warrant of the Auditor General upon the presentation of specifically itemized vouchers approved and certified to by the Secretary of Agriculture Provided That all sums of money that may be received by the Dairy and Food Division arising from fines and costs except this appropriation shall be paid into the State Treasury for the use of the Commonwealth

STATE LIVESTOCK SANITARY BOARD

For the enforcement of the acts of May twenty-first one thousand eight hundred and ninety-five and March thirtieth one thousand nine hundred and five and July twenty-second one thousand nine hundred and thirteen and for the payment of indemnity for animals afflicted with dangerous contagious or infectious diseases and for the expense of detecting quarantining and disposing of such animals as provided by law two years the sum of three hundred thousand dollars ($300,000)

For the payment of the salary of the field veterinarian two years the sum of five thousand four hundred dollars ($5,400)

For the payment of the services of the State Meat Hygiene Service and for the payment of salaries and actual expenses of the agents of the State Livestock Sanitary Board in the Meat Hygiene Service as provided by law two years the sum of fifty-eight thousand dollars ($58,000)

For the payment of the expenses of carrying out the provisions of the act approved June third one thousand nine hundred and eleven to encourage the breeding of horses and requiring the enrollment and inspection of stallions two years the sum of six thousand dollars ($6,000)

DEPARTMENT OF FORESTRY

For the payment of the salary of the Commissioner of Forestry two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the Deputy Commissioner of Forestry two years the sum of five thousand dollars ($5,000)

For the payment of salaries of two clerks two years the sum of six thousand dollars ($6,000)

For the payment of the contingent expenses of the Department of Forestry and of the traveling and other necessary expenses of the members of the State Forestry Reservation Commission two years the sum of nine thousand dollars ($9,000) or so much thereof as may be necessary

For the payment of salaries and expenses of foresters and forest rangers two years the sum of three hundred and seventy-five thousand dollars ($375,000)

For the payment of draftsmen bookkeepers stenographers and messengers two years the sum of eighteen thousand dollars ($18,000)

For the payment of surveys two years the sum of six thousand dollars ($6,000)

For the payment of labor two years the sum of two hundred and fifty thousand dollars ($250,000)

For the payment of the expenses to be incurred for the erection and repair of buildings the purchase of necessary materials and equipment used in forest management and development for the maintenance planting and improvement of the State forests and for the encouragement and promotion of proper forest practice two years the sum of one hundred thousand dollars ($100,000)

For the purchase of lands to be set aside and held as State Forests and for the examination of titles to lands so purchased two years the sum of six hundred thousand dollars ($600,000)

For the payment of the necessary expenses to be incurred in the administration of the affairs of the Bureau of Forest Protection two years the sum of one hundred and eighty-five thousand dollars ($185,000)

For the payment of salaries and expenses of instructors clerks matrons cooks waitresses light and heat stationery books and for maintenance at the State Forestry Academy two years the sum of twenty-five thousand dollars ($25,000)

For the salaries and expenses to be incurred for district foresters in counties where no land is held for State forest purposes two years the sum of ten thousand dollars ($10,000)

DEPARTMENT OF MINES

For the payment of the salary of the Chief of the Department of Mines two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the Deputy Chief of the Department of Mines two years the sum of seven thousand dollars ($7,000)

For the payment of the salary of the Chief Clerk of the Department of Mines two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salaries of the clerks stenographers and typewriter and messenger of the Department of Mines two years the sum of twenty-four thousand dollars ($24,000)

For the payment of contingent expenses including traveling expenses of the Chief of the Department of Mines and the Deputy Chief of the Department of Mines books instruments chemicals plans express freight janitor telegrams stamps et cetera two years the sum of ten thousand dollars ($10,000)

For the payment of the salaries of the inspectors of coal mines as provided by law two years the sum of three hundred and eighty-five thousand dollars ($385,000)

For the payment of salaries of inspectors of coal mines appointed temporarily as substitutes in case of disability of any of the regular inspectors two years the sum of one thousand dollars ($1,000)

For the payment of the actual traveling expenses of the inspectors and for their office rent stationery postage telegrams express charges instruments typewriters furniture and all other actual necessary expenses two years the sum of seventy thousand dollars ($70,000)

For the payment of the compensation and expenses attending the examination of candidates for inspectors of coal mines mine foremen assistant mine foreman and fire bosses as provided for by the acts of Assembly relating thereto such sums as may be necessary therefor not exceeding in the aggregate for two years the sum of twenty-five thousand dollars ($25,000) Provided that no examination for inspectors of coal mines shall exceed in duration the period of forty days in the bituminous districts and the period of twenty days in the anthracite districts and no examination of mine foremen assistant mine foremen and fire bosses in the bituminous districts and mine foremen and assistant mine foremen in the anthracite districts shall exceed in duration the period of ten days Provided further That no indebtedness shall be incurred until the authortiy for the same shall have been granted by the Department of Mines

For the payment of counsel fees two years the sum of two thousand dollars ($2,000) Provided however That no indebtedness shall be incurred until the authority for the same shall have been granted by the Department of Mines and no payment for salaries or expenses incurred shall be made under this appropriation until proper specifically itemized vouchers verified under oath are made and transmitted to the chief of the said department and by him examined approved and certified to the Auditor General

For the payment of expert electrical service in connection with the installation of electrical equipment in the mines two years the sum of one thousand dollars ($1,000) or so much thereof as may be necessary

DEPARTMENT OF FISHERIES

For the payment of the salary of the Commissioner of Fisheries two years the sum of nine thousand dollars ($9,000)

For the payment of the salary of the clerk two years the sum of three thousand dollars ($3,000)

For the payment of the salaries of two stenographers two years the sum of four thousand eight hundred dollars ($4,800)

For the purpose of hatching propagating and distributing food and game fish and stocking and supplying the waters of the Commonwealth with the same the distribution of fish and employing the necessary labor and implements therefor purchasing and paying for the repairs improvements and

necessary expenses to the State hatcheries two years the sum of one hundred thousand dollars ($100,000)

For the payment of counsel fees and court expenses two years the sum of one thousand dollars ($1,000)

For the payment of the necessary and reasonable expenses of the Commissioner of Fisheries and other members of the Fishery Commission and office employes two years the sum of five thousand dollars ($5,000)

For the payment of salaries and reasonable expenses of fish wardens two years the sum of sixty thousand dollars ($60,000)

For the payment of contingent expenses two years the sum of two thousand dollars ($2,000)

For the purpose of maintaining and operating launch "Commodore Perry" on Lake Erie two years the sum of thirteen thousand dollars ($13,000)

For the purpose of maintaining and operating the cruiser "Anna" at Torresdale on the Delaware two years the sum of twenty-two hundred dollars ($2,200)

For field work gathering spawn transferring fish employing and paying the necessary labor and incidental expenses thereto two years the sum of fifteen thousand dollars ($15,000)

For buildings ponds extensions and other work incidental towards completing hatcheries two years the sum of sixty-five thousand dollars ($65,000)

For dredging out the channels ponds and improvements on Presque Isle Peninsula Erie County in order to restore the original spawning grounds for the fish two years the sum of ten thousand dollars ($10,000)

STATE BOARD OF CENSORS

For the payment of the salaries of the three members of the State Board of Censors two years the sum of fifteen thousand eight hundred dollars ($15,800)

For the payment of the salaries of the assistant clerks and employes of the State Board of Censors two years the sum of forty-nine thousand one hundred and twenty dollars ($49,120)

For the payment of the contingent traveling and incidental expenses and the necessary costs and expenses incurred in the prosecution of offenders or violators of the act creating the State Board of Censors two years the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary

For the payment of the salaries when necessary of additional clerks and employes to be appointed by the chairman with the consent of the Governor under the provisions of the act creating the State Board of Censors two years the sum of eight thousand dollars ($8,000)

DEPARTMENT OF PUBLIC PRINTING AND BINDING

For the payment of the salary of the Superintendent of the Department of Public Printing and Binding two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the chief clerk of the Department of Public Printing and Binding two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salaries of the other clerks stenographers and messengers two years the sum of thirteen thousand two hundred dollars ($13,200)

For the payment of printing binding ruling et cetera two years the sum of six hundred thousand dollars ($600,000)

For the payment of paper envelopes and other supplies two years the sum of five hundred and twenty thousand dollars ($520,000)

For the payment of plates cuts electrotypes dies and stamp two years the sum of seven thousand dollars ($7,000)

For the payment of the contingent expenses two years the sum of two thousand dollars ($2,000)

For advertsing proposals for executing the State printing supplying the Commonwealth with paper lithographic printing engraving plates cuts electrotypes dies stamps proposals for shipping documents and purchase of waste paper two years the sum of three thousand dollars ($3,000)

For the payment of the salaries of three proof-readers and three copy-holders for the legislative session of one thousand nine hundred and nineteen the sum of three thousand two hundred and twenty-five dollars ($3,225) to be paid monthly to each proof-reader and copy-holder as follows One hundred and twenty-five dollars per month to each proof-reader and ninety dollars per month to each copy-holder

Division of Distribution of Documents

For the payment of the salary of the Chief of the Division of Distribution of Dcuments two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salaries of the shipping clerks mailing clerks stenographers bookkeeper and messenger in the Division of Distribution of Documents two years the sum of twenty thousand dollars ($20,000)

For the payment of shipping public documents in bulk or singly by freight including freight and drayage for two years from August fifteenth one thousand nine hundred and seventeen to August fifteenth one thousand nine hundred and nineteen the sum of five thousand dollars ($5,000)

For the payment of freight draying postage and express in the Division of Distribution of Documents for two years the sum of sixty thousand dollars ($60,000)

For the payment of contingent expenses for two years in the Division of Distribution of Documents five thousand dollars ($5,000)

STATE HIGHWAY DEPARTMENT

For the payment of the salary of the State Highway Commissioner two years the sum of sixteen thousand dollars ($16,000)

For the payment of the salary of the First Deputy State Highway Commissioner two years the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the Second Deputy State Highway Commissioner two years the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the auditor two years the sum of six thousand dollars ($6,000)

For the payment of the salaries of the chief engineer engineer of bridges superintendents of highways assistant engineers chief draftsman engineer of maintenance engineer of construction additional civil engineers additional engineers assistants superintendents inspectors statisticians paymaster draftsmen bookkeepers chief clerk additional clerk stenographers and other necessary employes all as authorized by section two of the act creating the State Highway approved the thirty-first day of May one thousand nine hundred and eleven as amended the sum of three hundred fifty-two thousand dollars (352,000) or so much thereof as may be necessary

For the payment of the necessary traveling and other incidental expenses of the State Highway Commissioner the First Deputy State Highway Commissioner the Second Deputy State Highway Commissioner the chief engineer the auditor the bridge engineer the fifteen assistant engineers the fifty superintendents the maintenance and construction engineers and the paymaster and his assistants two years the sum of one hundred and fifty thousand dollars ($150,000)

For the payment of contingent and incidental expenses of the State Highway Department two years the sum of fifty thousand dollars ($50,000)

For the payment of the salaries and other necessary expenses of the Automobile Division of the State Highway Department two years the sum of two hundred and seventy-five thousand dollars ($275,000)

For the maintenance and equipment of a physical and chemical laboratory for the payment of salaries and expenses of superintendent chemists and necessary laboratory employes for experimental work and tests and for the payment of traveling and incidental expenses necessary to make a thorough and comprehensive study of road construction construction methods and construction materials two years the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary

For the purpose of carrying out the provisions of that part of section nineteen of the act of May thirty-first one thousand nine hundred and eleven pertaining to the survey and plotting of county and township roads and the making and publishing of maps thereof the sum of forty thousand dollars or so much thereof as may be necessary

For the payment of salaries and expenses of additional engineers engineers assistants inspectors draftsmen and clerical assistants in the bureau of township highways the sum of ninety-one thousand dollars ($91,000)

BOARD OF REVENUE COMMISSIONERS

For the payment of the salaries of the three members of the board two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salary of the clerk two years the sum of two thousand dollars ($2,000)

DEPARTMENT OF LABOR AND INDUSTRY

For the payment of the salary of the commissioner two years the sum of sixteen thousand dollars ($16,000)

For the payment of the salary of the chief clerk two years the sum of seven thousand dollars ($7,000)

For the payment of the salaries of two copying clerks two years the sum of six thousand dollars ($6,000)

For the payment of the salary of a skilled stenographer and typewriter in the principal office of the Department two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one stenographer and typewriter in the principal office of the department two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salaries of three stenographers and typewriters in the principal office of the department two years the sum of five thousand four hundred dollars ($5,400)

For the payment of the salary of messenger two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of one filing clerk in the principal office of the department two years the sum of three thousand dollars ($3,000)

For the payment of the salary of an auditor in the principal office of the department two years the sum of four thousand dollars ($4,000)

BUREAU OF INSPECTION

For the payment of the salary of the chief inspector two years the sum of ten thousand dollars ($10,000)

For the payment of the salary or a skilled stenographer and inspector two years the sum of four thousand dollars ($4,000)

For the payment of the salary of one stenographer and typewriter two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salaries of one hundred inspectors of the first grade two years the sum of three hundred thousand dollars ($300,000)

For the payment of salaries of four inspectors of the second grade two years the sum of twenty thousand dollars ($20,000)

For the payment of the salaries of four inspectors who shall be skilled stenographers and typewriters to act as assistant supervisors and clerks in the several branch offices two years the sum of twelve thousand dollars ($12,000)

DIVISION OF HYGENE AND ENGINEERING

For the payment of the salaries of two inspectors of the third grade two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of one clerk who shall be a stenographer and typewriter two years the sum of three thousand dollars ($3,000)

For the payment of the salaries of two draftsmen and assistant engineers two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the Chief Medical Inspector or who shall be Chief of the Devision of Hygiene and Engineering two years the sum of ten thousand dollars ($10,000)

For the payment of the salaries of three inspectors of the fourth grade two years the sum of eighteen thousand dollars ($18,000)

For the payment of the salary of one stenographer and typewriter two years the sum of one thousand eight hundred dollars ($1,800)

BUREAU OF STATISTICS AND INFORMATION

For the payment of the salary of the Chief of the Bureau two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the assistant chief of the bureau two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the statistician in the bureau two years the sum of four thousand dollars ($4,000)

For the payment of the salaries of three collectors of statistics two years the sum of nine thousand dollars ($9,000)

For the payment of the salary of one filing clerk two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one copying clerk two years the sum of three thousand dollars ($3,000)

For the payment of the salaries of four additional clerks two years the sum of eleven thousand two hundred dollars ($11,200)

For the payment of the salary of one editor of publication two years the sum of three thousand two hundred dollars ($3,200)

For the payment of the salary of one expert tabulating mcahine operator two years the sum of two thousand eight hundred dollars ($2,800)

For the payment of the salaries of two machine operators two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary of one skilled stenographer and typewriter two years the sum of three thousand dollars ($3,000)

BUREAU OF MEDIATION AND ARBITRATION

For the payment of the salary of the Chief of the Bureau two years the sum of seven thousand dollars ($7,000)

For the payment of the salary of a secretary who shall be an expert stenographer and typewriter two years the sum of four thousand dollars ($4,000)

LEGAL DIVISION

For the payment of the salary of an attorney and legal adviser to the Commissioner of Labor and Industry two years the sum of six thousand dollars ($6,000)

INDUSTRIAL BOARD

For the payment of the salaries of four members of the Industrial Board at ten dollars per day and such stenographic and other expenses as are not otherwise provided for two years the sum of twelve thousand dollars ($12,000)

For the payment of the salary of a secretary to the board two years the sum of eight thousand dollars ($8,000)

For the payment for two years of the necessary expenses and for services of officers clerks and employes and incidental expenses in establishing a system of regulation of employers seeking employes and of persons seeking employment and for regulating the business of assisting employers to obtain employes and persons to obtain employment including the collection of information to the same the sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary

DIVISION OF MUNICIPAL STATISTICS AND INFORMATION

For the payment of the salary of a municipal statistician two years the sum of four thousand dollars ($4,000) or so much thereof as may be necessary

For the payment of the salary of one stenographer and typewriter two years the sum of two thousand four hundred dollars ($2,400) or so much thereof as may be necessary

BUREAU OF WORKMEN'S COMPENSATION

For the payment of the salaries of the members of the board attorneys referees clerks and other employes of the bureau as provided by law two years the sum of two hundred thousand six hundred thirty-three dollars and thirty-two cents

For the payment for two years of the incidental traveling and contingent expenses of the Commissioner inspectors and all other officers and employes of the Department the sum of three hundred twenty-one thousand eight hundred dollars ($321,800) or so much thereof as may be necessary

QUARANTINE PHYSICIAN PHILADELPHIA

For the payment of the salary of the Quarantine Physician two years the sum of ten thousand dollars ($10,000)

For the payment of the Senior Deputy Quarantine Physician for two years the sum of six thousand dollars ($6,000)

For the payment of the Junior Deputy Quarantine Physician for two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the quarantine messenger two years the sum of two thousand dollars ($2,000)

For the payment of the salaries of eight shore employes including nurse two years the sum of fifteen thousand dollars ($15,000)

For the payment of the salaries of nine employes on the boat two years the sum of seventeen thousand five hundred dollars ($17,500)

For the payment of insurance on the boat and launch two years the sum of one thousand dollars ($1,000)

For the maintenance of the boat including fuel new boiler and new steel plates on hull of boat two years the sum of fifteen thousand dollars ($15,000)

For maintenance of all employes including uniforms and caps two years the sum of ten thousand dollars ($10,000)

For the purchase of drugs and supplies two years the sum of six thousand dollars ($6,000)

For the purchase of coal for heating shore buildings two years the sum of five thousand dollars ($5,000)

For maintenance of the office including one thousand dollars ($1,000) for service of Maritime Exchange in reporting all incoming and outgoing vessels rent and care of office stationery telephone and telegraph service and for like expenses for the office at Marcus Hook two years the sum of five thousand dollars ($5,000)

For maintenance of the quarantine station including all supplies repairs water and gas supply labor painting plumbing carpenter work feed for horses necessary improvements and additions to buildings new buildings and any and all expenses incident to maintaining the grounds and buildings and the furnishing and equipping of same as well as repairs to wharf and tramway two years the sum of twenty-five thousand dollars ($25,000)

HEALTH OFFICE PHILADELPHIA

For the payment of the salary of the Health Officer two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the clerk to the Health Officer two years the sum of two thousand four hundred dollars ($2,400)

For the payment and the care of the office of the Health Officer telephone and messenger and stationery two years the sum of two thousand six hundred and forty dollars ($2,640)

DEPARTMENT OF STATE POLICE

For the payment of the salary of the Superintendent of State Police two years the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the Deputy Superintendent of State Police two years the sum of seven thousand dollars ($7,000)

For the payment of the salary of the clerk two years the sum of three thousand dollars ($3,000)

For the payment of the salary of the stenographer two years the sum of two thousand four hundred dollars ($2,400)

For the payment of four captains (each twenty-four hundred dollars per annum) two years the sum of nineteen thousand two hundred dollars ($19,200)

For the payment of four lieutenants (each eighteen hundred dollars per annum) two years the sum of fourteen thousand four hundred dollars ($14,400)

For the payment of four first sergeants (each one thousand three hundred and fifty dollars per annum) two years the sum of ten thousand eight hundred dollars ($10,800)

For the payment of sixteen sergeants (each one thousand two hundred dollars per annum) two years the sum of thirty-eight thousand four hundred dollars ($38,400)

For the payment of thirty-two corporals (each eleven hundred dollars per annum) the two years the sum of seventy thousand four hundred dollars ($70,400)

For the payment of the salaries of two hundred and seventy privates each ten hundred and twenty dollars per year) two years the sum of five hundred and fifty thousand eight hundred dollars ($550,800)

Re-enlistment pay required for two years the sum of thirty-four thousand two hundred and forty dollars ($34,240)

For the payment of keep of horses renewal of uniforms horse equipment replacing horses rent of barracks and

maintenance of substations purchase and maintenance of morot vehicles and other necessary expenses for two years the sum of four hundred thousand dollars ($400,000)

DEPARTMENT OF HEALTH

For the payment of the salary of the Commissioner of Health two years the sum of twenty thousand dollars ($20,000)

For the payment of the salaries of the assistant to the commissioner secretary general inspector auditor stenographer clerks and other general employes two years the sum of sixty-one thousand five hundred and eighty dollars ($61,580)

MEDICAL DIVISION

For the payment of the salary of the Chief Medical Inspector two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the Associate Chief Medical Inspector two years the sum of seven thousand dollars ($7,000)

For the payment of the salary of the Assistant Chief Medical Inspector two years the sum of five thousand dollars ($5,000)

For the payment of the salary of chief clerk of medical school inspection two years the sum of three thousand two hundred and forty dollars ($3,240)

For the payment of the salary of five stenographres two years ten thousand dollars ($10,000)

For the payment of the salary of twelve clerks two years the sum of twenty thousand one hundred and sixty dollars ($20,160)

LABORATORIES AND EXPERIMENTAL STATION

For the payment of the salary of the Chief of the Laboratories two years the sum of six thousand dollars ($6,000)

For the payment of the salary of one investigator two years the sum of eight thousand dollars ($8,000)

For the payment of the salaries of two bacteriologists two years the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salaries of three pathologists two years the sum of nine thousand six hundred dollars ($9,600)

For the payment of the salaries of one serologist two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of one technical assistant two years the sum of one thousand six hundred eighty dollars ($1,680)

For the payment of the salary of two stenographers two years the sum of four thousand dollars ($4,000)

For the payment of the salary of three clerks two years the sum of five thousand forty dollars ($5,040)

For the payment of the salary of four laboratory helpers two years the sum of five thousand three hundred fifty-two dollars ($5,352)

For the payment of the salary of one janitor two years the sum of one thousand six hundred eighty dollars ($1,680)

DIVISION OF DISTRIBUTION OF BIOLOGICAL PRODUCTS

For the payment of the salary of the Chief of the Division two years the sum of six thousand dollars ($6,000)

For the payment of the salary of a bookkeeper two years the sum of two thousand dollars ($2,000)

For the payment of the salary of one stenographer two years the sum of two thousand dollars ($2,000)

For the payment of the salary of two clerks two years the sum of three thousand three hundred sixty dollars ($3,360)

BUREAU OF VITAL STATISTICS

For the payment of the salary of the State Registrar of Vital Statistics two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of the Chief Clerk of the Bureau of Vital Statistics two years the sum of four thousand three hundred twenty dollars ($4,320)

For the payment of the salary of the classification clerk two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the returns clerk two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the search clerk two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one general clerk two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salaries of two inspectors two years the sum of five thousand four hundred dollars ($5,400)

For the payment of the salary of three stenographers two years the sum of six thousand dollars ($6,000)

For the payment of the salaries of five typists two years the sum of eight thousand four hundred dollars ($8,400)

For the payment of the salary of six clerks two years the sum of ten thousand and eighty dollars ($10,080)

For the payment of the salary of nine clerks on morbidity and marriage statistics two years the sum of fifteen thousand one hundred and twenty dollars ($15,120)

SANITARY ENGINEERING DIVISION

For the payment of the salary of the Chief Engineer of the Sanitary Engineering Division two years the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the assistant engineer in charge of general office work two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the first assistant engineer on waterworks and sewerage two years the sum of five thousand dollars ($5,000)

For the payment of the salary of assistant engineer on tests of water and sewerage treatment plants two years the sum of five thousand dollars ($5,000)

For the payment of the salary of assistant engineer in charge of design and construction two years the sum of seven thousand dollars ($7,000)

For the payment of the salary of two assistant engineers on maintenance of water and sewerage treatment plants two years the sum of six thousand dollars ($6,000)

For the payment of the salary of assistant engineer on waterworks and sewerage two years the sum of four thousand dollars ($4,000)

For the payment of the salary of eleven assistant engineers two years the sum of forty-three thousand four hundred dollars ($43,400)

For the payment of the salary of the chief field inspector two years the sum of five thousand dollars ($5,000)

For the payment of the salary of four inspectors two years the sum of eleven thousand eight hundred dollars ($11,800)

For the payment of the salary of ten stenographers two years the sum of twenty thousand dollars ($20,000)

For the payment of the salary of one additional stenographer two years the sum of two thousand dollars ($2,000)

For the payment of the salary of eight clerks two years the sum of sixteen thousand eight hundred forty dollars ($16,840)

For the payment of the salary of one additional clerk two years the sum of one thousand six hundred eighty dollars ($1,680)

For the payment of the salary of one nuisance officer two years the sum of four thousand three hundred and twenty dollars ($4,320)

For the payment of the salary of five draughtsmen and map tracers two years the sum of eleven thousand one hundred and twelve dollars ($11,112)

DIVISION OF ACCOUNTING AND PURCHASING

For the payment of the salary of the Chief of the Division of Accounting and Purchasing two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of one head bookkeeper two years the sum of five thousand four hundred dollars ($5,400)

For the payment of the salary of three assistant bookkeepers two years the sum of six thousand seven hundred and twenty dollars ($6,720)

For the payment of the salary of two assistant purchasing agents two years the sum of six thousand four hundred dollars ($6,400)

For the payment of the salary of one chief clerk two years the sum of three thousand dollars ($3,000)

For the payment of the salary of sixteen clerks two years the sum of twenty-six thousand one hundred and sixty dollars ($26,160)

For the payment of the salary of two additional clerks two years the sum of three thousand eight hundred and forty dollars ($3,840)

For the payment of the salary of four stenographers two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of two additional stenographers two years the sum of four thousand dollars ($4,000)

DIVISION OF SUPPLIES

For the payment of the salary of the Superintendent of Division of Supplies two years the sum of five thousand dollars ($5,000)

For the payment of the salary of a stenographer two years the sum of two thousand dollars ($2,000)

For the payment of the salary of three clerks two years the sum of five thousand and forty dollars ($5,040)

For the payment of the salary of a janitor two years the sum of one thousand six hundred and eighty dollars ($1,680)

DISPENSARIES

For the payment of the salary of the Chief of the Division of Dispensaries two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of a deputy medical inspector two years the sum of six thousand dollars ($6,000)

For the payment of the salary of a visiting nurse two years the sum of five thousand dollars ($5,000)

For the payment of the salary of an assistant visiting nurse two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one statistician two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of three stenographers two years the sum of six thousand dollars ($6,000)

For the payment of the salary of three clerks two years the sum of five thousand and forty dollars ($5,040)

BUREAU OF HOUSING

For the payment of the salary of the Chief of the Bureau of Housing two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the assistant Chief of the Buraeu of Housing two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one stenographer two years the sum of two thousand dollars ($2,000)

For the payment of the salary of one clerk two years the sum of one thousand six hundred eight dollars ($1,608)

DIVISION OF PUBLIC SERVICE

For the payment of the salary of the Chief of the Division of Public Service two years the sum of five thousand dollars ($5,000)

For the payment of the salary of one assistant chief of the Division of Public Service two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one stenographer two years the sum of two thousand dollars ($2,000)

For the payment of the salary of one clerk two years the sum of one thousand six hundred eighty dollars ($1,680)

GENERAL FUND

For the payment of the cost of diphtheria antitoxin and other products for free distribution for the poor for the employment of such special and assistant engineers stream and sanitary inspectors and such other employes as may be necessary for the fees and necessary traveling expenses of the county medical inspectors and rural health officers for the necessary traveling expenses of the Commissioner of Health his assistants and other employes for the maintenance of the Bureau of Vital and Morbidity Statistics for the maintenance of laboratories and experimental station for educational work and for the payment of all other necessary expenses of the Department of Health in supervising epidemics of diseases and in protecting the public health two years the sum of one million two hundred and fifty thousand seven hundred and sixty dollars ($1,250,760)

MEDICAL INSPECTION OF SCHOOLS

For the medical inspection of the public schools in accordance with the provisions of the School Code the sum of two hundred and thirty-five thousand dollars ($235,000) or so much thereof as may be necessary

All expenditures made by the Department of Health shall be approved by the Governor and the amounts except those of salaries specifically mentioned shall be paid to the Commissioner of Health by warrant of the Auditor General upon requisition of said Commissioner of Health and all sums so paid shall be accounted for as expended by properly itemized vouchers

DEPARTMENT OF WATER SUPPLY COMMISSION

For the payment of the salaries of the commissioners two years the sum of eighteen thousand dollars ($18,000)

For the payment of the salary of the engineer two years the sum of five thousand dollars ($5,000)

For the payment of the salary of the stenographer two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salaries and expenses of engineers engineering assistants experts and clerical assistance employed by the commission in making examinations and reports upon applications for water and water-power company charters mergers consolidations and new or additional supplies of water and water-power investigations and reports of the status of water and water-power company charters special examinations investigations and reports upon protests lodged with the commission the establishment and maintenance and operation of stream gaging stations and other expenses necessary to carry into effect the various laws relating to or affecting the Water Supply Commission of Pennsylvania two years the sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary

For the payment of salaries and expenses of engineers engineering assistants experts and clerical assistance employed by the commission in making examinations and reports upon dams and other encroachments now existing or hereafter to be placed in or along any of the streams of the Commonwealth of Pennsylvania two years the sum of seventy thousand dollars ($70,000) or so much thereof as may be necessary

For the payment of the salaries and expenses of the flood forecaster gage readers and clerical assistance employed by the commission in establishing and maintaining gaging stations on the principal rivers and tributaries therof for the determination of the daily height of water in such streams and tributaries thereof in order that the Water Supply Commission may during freshet and flood conditions issue bulletins to be telegraphed or telephoned to such municipalities in the Commonwealth where flood damage is likely to occur forecasting the probable gage heights expected to be reachel and the probable time of such expected gage heights and for carrying into effect the provisions of the Act of May twenty-three Anno Domini one thousand nine hundred and thirteen Pamphlet Laws three hundred and forty-seven two years the sum of five thousand dollars ($5,000) or so much thereof as may be necessary

THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA

Chairman

For the payment of the salary of the chairman of the Commission two years the sum of twenty-one thousand dollars ($21,000)

Commissioners

For the payment of the salaries of the six other commissioners at ten thousand dollars ($10,000) each per annum two years the sum of one hundred twenty thousand dollars ($120,000)

Counsel

For the payment of the salary of counsel at seven thousand five hundred dollars ($7,500) per annum two years the sum of fifteen thousand dollars ($15,000)

For the payment of the salary of one assistant counsel at five thousand dollars ($5,000) per annum two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of one law clerk at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one stenographer at one thousand two hundred dollars ($1,200) per annum two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of one stenographer at one thousand fifty dollars ($1,050) per annum two years the sum of two thousand one hundred dollars ($2,100)

Secretary's Department

For the payment of the salary of the secretary of the Commission at five thousand dollars ($5,000) per annum two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of one assistant to the secretary of the commission at three thousand dollars ($3,000) per annum two years the sum of six thousand dollars ($6,000)

For the payment of the salary of one chief clerk at two thousand five hundred dollars ($2,500) per annum two years the sum of five thousand dollars ($5,000)

For the payment of the salary of one clerk at two thousand one hundred dollars ($2,100) per annum two years the sum of four thousand two hundred dollars ($4,200)

For the payment of the salary of one clerk at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one clerk at one thousand six hundred dollars ($1,600) per annum two years the sum of three thousand two hundred dollars ($3,200)

For the payment of the salary of one reporter at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one clerk at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one clerk at one thousand two hundred dollars ($1,200) per annum two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of one messenger at one thousand two hundred dollars ($1,200) per annum two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of one messenger at four hundred eighty dollars ($480) per annum two years the sum of nine hundred sixty dollars ($960)

For the payment of the salaries of two stenographers at one thousand two hundred dollars ($1,200) each per annum two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salaries of seven stenographers at one thousand fifty dollars ($1,050) each per annum two years the sum of fourteen thousand seven hundred dollars ($14,700)

For the payment of the salaries of three stenographers at nine hundred dollars ($900) each per annum two years the sum of five thousand four hundred dollars ($5,400)

For the payment of the salaries of three stenographers at seven hundred eighty dollars (780) per annum two years the sum of four thousand six hundred eighty dollars ($4,680)

For the payment of the salaries of two clerks at one thousand fifty dollars ($1,050) each per annum two years the sum of four thousand two hundred dollars ($4,200)

For the payment of the salaries of two clerks at nine hundred dollars ($900) each per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salaries of six clerks at seven hundred eighty dollars ($780) each per annum two years the sum of nine thousand three hundred sixty dollars ($9,360)

For the payment of the salary of one janitor at nine hundred dollars ($900) per annum two years the sum of one thousand eight hundred dollars ($1,800)

Bureau of Public Convenience

For the payment of the salary of the chief of the Bureau of Public Convenience at three thousand dollars ($3,000) per annum two years the sum of six thousand dollars ($6,000)

For the payment of the salary of one clerk at one thousand eight hundred dollars ($1,800) per annum the sum of three thousand six hundred dollars ($3,600)

For the payment of the salaries of two stenographers at one thousand two hundred dollars ($1,200) each per annum two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salaries of two stenographers at one thousand fifty dollars ($1,050) each per annum two years the sum of four thousand two hundred dollars ($4,200)

Marshal

For the payment of the salary of the marshal of the commission at two thousand dollars ($2,000) per annum the sum of four thousand dollars ($4,000)

Examiners

For the payment of the salary of one examiner at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

Bureau of Accidents

For the payment of the salary of one investigator of accidents at five thousand dollars ($5,000) per annum two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of one accident clerk at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one accident clerk at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one clerk at one thousand two hundred dollars ($1,200) per anum two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salaries of two additional clerks at one thousand dollars ($1,000) each per annum two years the sum of four thousand dollars ($4,000)

For the payment of the salaries of two inspectors at one thousand five hundred dollars ($1,500) each per annum two years the sum of six thousand dollars ($6,000)

For the payment of the salary of one expert stenographer at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one janitress at two hundred fifty dollars per annum two years the sum of five hundred dollars ($500)

Bureau of Rates and Tariffs

For the payment of the salary of one chief of the Bureau of Rates and Tariffs at five thousand dollars ($5,000) per annum two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of one assistant chief of the Bureau of Rates and Tariffs at two thousand five hundred dollars ($2,500) per annum two years the sum of five thousand dollars ($5,000)

For the payment of the salary of one chief clerk at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one examiner (electric) at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one examiner (miscellaneous) at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one examiner (railroad) at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one examiner (assistant railroad) at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one examiner (water) at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one inspector at one thousand two hundred dollars ($1,200) per annum two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salaries of three stenographers clerks at one thousand two hundred dollars ($1,200) each per annum two years the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salaries of three stenographers at one thousand dollars ($1,000) each per annum two years the sum of six thousand dollars ($6,000)

For the payment of the salary of one janitor at nine hundred dollars per annum two years the sum of one thousand eight hundred dollars ($1,800)

Bureau of Engineering

Office Section

For the payment of the salary of one chief of the Bureau of Engineering at six thousand dollars ($6,000) per annum two years the sum of twelve thousand dollars ($12,000)

For the payment of the salary of one assistant chief of the Bureau of Engineering at four thousand five hundred dollars ($4,500) per annum two years the sum of nine thousand dollars ($9,000)

For the payment of the salary of one chief clerk at two thousand four hundred dollars ($2,400) per annum two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary of one assistant clerk at one thousand two hundred dollars ($1,200) per annum two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of one draftsman at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one chief stenographer at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salaries of two stenographers at one thousand two hundred dollars ($1,200) each per annum two years the sum of four thousand eight hundred dollars ($4,800)

Service and Facilities and Valuation Section

For the payment of the salary of one assistant engineer at four thousand dollars ($4,000) per annum two years the sum of eight thousand dollars ($8,000)

For the payment of the salary of one assistant engineer at one thousand eight hundred dollars (1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one electric railway engineer at three thousand five hundred dollars ($3,500) per annum two years the sum of seven thousand dollars ($7,000)

For the payment of the salary of one railroad engineer at two thousand four hundred dollars ($2,400) per annum two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salaries of five assistant engineers at two thousand four hundred dollars ($2,400) each per annum two years the sum of twenty-four thousand dollars ($24,000)

For the payment of the salary of one telephone engineer at three thousand five hundred dollars ($3,500) per annum two years the sum of seven thousand dollars ($7,000)

For the payment of the salary of one electric engineer at two thousand four hundred dollars ($2,400) per annum two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary of one water-works engineer at two thousand four hundred dollars ($2,400) per annum two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary of one assistant engineer at three thousand five hundred dollars ($3,500) per annum two years the sum of seven thousand dollars ($7,000)

For the payment of the salary of one valuation engineer at two thousand four hundred dollars ($2,400) per annum two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salaries of two technical assistants at one thousand five hundred dollars ($1,500) each per annum two years the sum of six thousand dollars ($6,000)

For the payment of the salaries of two stenographers at one thousand two hundred dollars ($1,200) each per annum two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salaries of three stenographers at one thousand eighty dollars ($1,080) each per annum two years the sum of six thousand four hundred eighty dollars ($6,480)

For the payment of the salaries of two stenographers at eight hundred forty dollars ($840) each per annum two years the sum of three thousand three hundred sixty dollars ($3,360)

Laboratory Section

For the payment of the salary of one electric standards tester at two thousand four hundred dollars ($2,400) per annum two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary of one water standards tester at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one gas standards tester at two thousand dollars ($2,000) per annum two years the sum of four thousand dollars ($4,000)

For the payment of the salary of one electric lamp tester at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one electric meter inspector at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one gas meter inspector at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one meter prover tester at two thousand four hundred dollars ($2,400) per annum two years the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary of one laboratory assistant at one thousand two hundred dollars ($1,200) per annum two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of one laboratory assistant at one thousand fifty dollars ($1,050) per annum two years the sum of two thousand one hundred dollars ($2,100)

For the payment of the salary of one stenographer at eight hundred forty dollars ($840) per annum two years the sum of one thousand six hundred eighty dollars ($1,680)

BUREAU OF ACCOUNTS AND STATISTICS

Administrative Division

For the payment of the salary of one chief of the Bureau of Accounts and Satistics at five thousand dollars

($5,000) per annum two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of one chief clerk at two thousand five hundred dollars ($2,500) per annum two years the sum of five thousand dollars ($5,000)

For the payment of the salary of one clerk at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one clerk at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one stenographer-clerk at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salary of one clerk at one thousand two hundred dollars ($1,200) per annum two years the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of one file clerk at one thousand two hundred dollars ($1,200) per annum two years the sum of two thousand four hundred dollars ($2,,400)

For the payment of the salary of one assistant file clerk at nine hundred dollars ($900) per annum two years the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salaries of three stenographer-clerks at one thousand two hundred dollars ($1,200) each per annum two years the sum of seven thousand two hundred dollars (7,200)

For the payment of the salaries of three stenographer-clerks at one thousand fifty dollars ($1,050) each per annum two years the sum of six thousand three hundred dollars ($6,300)

For the payment of the salaries of nine stenographers at nine hundred dollars ($900) each per annum two years the sum of sixteen thousand two hundred dollars ($16,200)

For the payment of the salary of one janitor at seven hundred twenty dollars ($720) per annum (one-half salary) the sum of seven hundred twenty dollars ($720)

For the payment of the salary of one messenger at five hundred forty dollars ($540) per annum two years the sum of one thousand eighty dollars ($1,080)

Division of Accounts Reports and Statistics

For the payment of the salary of one accountant and statistician at three thousand five hundred dollars ($3,500) per annum two years the sum of seven thousand dollars ($7,000)

Accounting and System Research

For the payment of the salary of one accountant at two thousand five hundred dollars ($2,500) per annum two years the sum of five thousand dollars ($5,000)

For the payment of the salaries of three assistants at one thousand eight hundred dollars ($1,800) each per annum two years the sum of ten thousand eight hundred dollars ($10,800)

Audit and Compilation of Accounting and Statistical Reports Steam Railway Utilities

For the payment of the salary of one accountant at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,-600)

For the payment of the salary of one statistician at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salaries of two assistants at one thousand two hundred dollars ($1,200) each per annum two years the sum of four thousand eight hundred dollars ($4,-800)

Street Railway Utilities

For the payment of the salary of one accountant at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,-600)

For the payment of the salary of one statistician at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salary of two assistants at one thousand two hundred dollars ($1,200) per annum two years the sum of four thousand eight hundred dollars ($4,800)

Gas Utilities

For the payment of the salary of one accountant at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,-600)

For the payment of the salary of one statistician at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salaries of two assistants at one thousand two hundred dollars ($1,200) per annum two years the sum of four thousand eight hundred dollars ($4,800)

Electric Utilities

For the payment of the salary of one accountant at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,-600)

For the payment of the salary of one statistician at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salaries of three assistants at one thousand two hundred dollars ($1,200) each per annum two years the sum of seven thousand two hundred dollars ($7,200)

Telephone Utilities

For the payment of the salary of one accountant at one thousand eight hundred ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of one statistician at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salaries of two assistants at one thousand two hundred dollars ($1,200) each per annum two years the sum of four thousand eight hundred dollars ($4,-800)

Water Utilities

For the payment of the salary of one accountant at one thousand eight hundred dollars ($1,800) per annum two years three thousand six hundred dollars ($3,600)

For the payment of the salary of one statistician at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salaries of four assistants at one thousand two hundred dollars ($1,200) each per annum two years the sum of nine thousand six hundred dollars ($9,600)

Other Utilities

For the payment of the salary of one accountant at one thousand eight hundred dollars ($1,800) per annum two years the sum of three thousand six hundred dollars ($3,-600)

For the payment of the salary of one statistician at one thousand five hundred dollars ($1,500) per annum two years the sum of three thousand dollars ($3,000)

For the payment of the salaries of three assistants at one thousand two hundred dollars ($1,200) each per annum two years seven thousand two hundred dollars ($7,200)

Division of Field Examinations

For the payment of the salary of one accountant at three thousand five hundred dollars ($3,500) per annum two years the sum of seven thousand dollars ($7,000)

For the payment of the salaries of two accountants at three thousand dollars ($3,000) each per annum two years the sum of twelve thousand dollars ($12,000)

For the payment of the salary of one accountant at two thousand five hundred dollars ($2,500) per annum two years the sum of five thousand dollars ($5,000)

For the payment of the salaries of three assistant accountants at one thousand eight hundred dollars ($1,800) each per annum two years the sum of ten thousand eight hundred dollars ($10,800)

For the payment of the salaries of nine assistant accountants at one thousand five hundred dollars ($1,500) each per annum two years the sum of twenty-seven thousand dollars ($27,000)

For the payment of the services of official and other stenographic reporters of the Commission two years the sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary

For the payment of the services of such experts as may be employed by the Commission from time to time two years the sum of ten thousand dollars ($10,000) or so much thereof as may be necessarsy

For the payment of the traveling expenses of the members of the Commission and the various officers and employes of the several Bureaus and Divisions thereof two years the sum of one hundred twenty thousand one hundred forty dollars ($120,140) or so much thereof as may be necessary

For the payment of postage expressage and all other miscellaneous expenses of the Commission and the various officers and employes of the several Bureaus and Divisions thereof two years the sum of twenty-four thousand eight hundred dollars ($24,800) or so much thereof as may be necessary

BOARD OF PUBLIC CHARITIES

For the payment of the salary of the general agent and secretary two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of the secretary of the Committee on Lunacy two years the sum of ten thousand dollars ($10,000)

For the payment of the salary of four assistant general agents of the Board of Public Charities two years the sum of twenty thousand dollars ($20,000)

For the payment of the necessary clerical expert or other assistance for the Board of Public Charities and the Committee on Lunacy two years the sum of twenty-eight thousand dollars ($28,000)

For the payment of the traveling expenses and automobile hire of the Commissioners officers and employes of the Board of Public Charities and the members secretary and employes of the Committee on Lunacy two years the sum of twenty thousand dollars ($20,000)

For the payment of postage telegrams express charges messenger service fuel light and incidental expenses of the Board of Public Charities and the Committee on Lunacy two years the sum of five thousand dollars ($5,000) or so much thereof as may be necessary

JUDICIARY DEPARTMENT

Section 3 For the payment of the salaries of the judges of the Supreme and Superior Courts the salaries and mileage of the president and other law judges of the several courts of common pleas in the Comomnwealth and the judges of the separate orphans' courts and for the compensation of common pleas judges holding courts in other districts and for the payment of the salaries and mileage of associate judges the following sums or so much thereof as may be necessaryy for the two fiscal years beginning June first one thousand nine hundred and seventeen payments to be made monthly by warrant drawn by the Auditor General on

the State Treasurer except in the case of associate judges who shall be paid quarterly on August thirty-first November thirtieth February twenty-eighth and May thirty-first of each year but when by reason of death or resignation salary for a fraction of a quarter is due any judge it shall be computed according to the ratio it bears to the whole quarter so as not however to increase or diminish the salary he is entitled to receive under the several acts of Assembly fixing the compensation of judges Provided That at the beginning of the term the interval from the first Monday of January to the first Monday of March shall be reckoned as two-thirds of a quarter and at the close of the term the interval from the first day of December to the first Monday of January shall be reckoned as one-third of a quarter

SUPREME COURT JUDGES

For the payment of the salaries of the Supreme Court judges two years the sum of one hundred eighty-three thousand dollars ($183,000)

For the payment of the salaries of the seven clerks two years the sum of thirty-five thousand dollars ($35,000)

For the payment of the salary of the Deputy Prothonotary Eastern District two years the sum of six thousand dollars ($6,000)

For the payment of the salary of the Deputy Prothonotary Middle District two years the sum of one thousand four hundred and forty dollars ($1,440)

For the payment of the salary of a clerk in the office of the Prothonotary of the Supreme Court for the Eastern District two years the sum of three thousand dollars ($3,000)

For the payment of the salary of a clerk in the office of the Prothonotary of the Supreme Court Western District two years the sum of three thousand dollars ($3,000)

For the payment of the salary of a record clerk in the office of the Prothonotary of the Eastern District two years the sum of three thousand six hundred dollars ($3,600)

For the payment of the crier librarian and tipstaves of the Eastern Middle and Western Districts two years the sum of thirty-one thousand five hundred and twenty dollars ($31,520)

For the payment of an attendant of the Supreme Court room and office and showrooms adjacent thereto two years the sum of nine hundred and sixty dollars ($960) payable monthly and for the payment of the contingent expenses of the Supreme Court in the Middle District and the Superior Court at Harrisburg two years the sum of three hundred and sixty dollars ($360) or so much thereof as may be necessary

For the care and use of the library of the Supreme and Superior Courts Philadelphia two years the sum of four thousand dollars ($4,000)

For the care and use of the library of the Supreme and Superior Courts Pittsburgh two years the sum of two thousand dollars ($2,000)

For the purchase of stationery supplies and the payment of the necessary expenses of the said Supreme Court for the Eastern District thereof two years the sum of five thousand dollars ($5,000) or so much thereof as may be necessary to be paid on the warrant of the Auditor General upon the presentation of specifically itemized vouchers approved by the prothonotary of the said Supreme Court for the Eastern District thereof

For the purchase of books stationery supplies and other necessary expenses of the Supreme Court Western District for two years the sum of three thousand dollars ($3,000) or so much thereof as may be necessary to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said court for the said Western District thereof

SUPERIOR COURT JUDGES

For the payment of the salaries of the judges of the Superior Court two years the sum of one hundred and sixty-nine thousand dollars ($169,000)

For the payment of the salaries of the seven clerks of the Superior Court and to reimburse the judges of said court for expenses incurred in the discharge of their duties two years the sum of thirty-five thousand dollars ($35,000)

For the payment of the salaries of the crier and necessary tipstaves of the Superior Court two years the sum of fifteen thousand eight hundred dollars ($15,800)

For the purchase of books stationery supplies and other necessary expenses of the said Superior Court Western District and its officers two years the sum of three thousand dollars ($3,000) to be paid on the warrant of the Auditor General upon presentation of specifically itemized vourchers approved by the prothonotary of the said court of the Western District thereof

For the purchase of books stationery supplies and other necessary expenses of the said Superior Court in the Eastern and Middle Districts and its officers two years the sum of four thousand dollars to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotaries of the said Superior Court at Philadelphia and Harrisburg

COMMON PLEAS JUDGES

For the payment of the salaries of the judges of the courts of common pleas learned in the law in the several judicial districts of the Commonwealth two years the sum of one million seven hundred and thirty-four thousand dollars ($1,734,000)

For the payment of the judges of the courts of common please of Dauphin County for clerk hire in accordance with the provisions of the act of one thousand eight hundred and ninety-three (Pamphlet Laws page twenty-one) the sum of four thousand dollars ($4,000)

ORPHANS' COURT JUDGES

For the payment of the salaries of the orphans' court judges in the several judicial districts in which separate orphans' courts have been established by law two years the sum of two hundred and ninety-four thousand dollars ($294,000)

For the payment of the compensation car fare and expenses of judges for holding court outside of their own judicial districts in accordance with the provisions of the act of Assembly approved April twenty-seventh Anno Domini one thousand nine hundred and eleven the sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary

For the payment of the salaries of the judges of the municipal court of Philadelphia in accordance with the provisions of the act of Assembly approved July twelfth Anno Domini one thousand nine hundred and thirteen the sum of one hundred and nine thousand dollars ($109,000)

For the payment of the salary of the present President Judge of the County court for the County of Allegheny two years the sum of eleven thousand dollars ($11,000)

For the payment of the salaries of the other judges of the county court for the County of Allegheny two years the sum of fifty thousand dollars ($50,000)

For the payment of the salaries of the judges of the Supreme Superior common pleas and orphans' courts who may resign or retire in accordance with the provisions of the act of Assembly approved June twenty-third Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one thousand one hundred and twenty-one) two years the sum of eighty thousand dollars ($80,000) or so much thereof as may be necessary

ASSOCIATE JUDGES

For the payment of the salaries of the associate judges for two years the sum of eighty thousand dollars ($80,000) or so much thereof as may be necessary

MILEAGE

For the payment to the associate judges of mileage for the two fiscal years beginning June first one thousand nine hundred and seventeen and for the payment of the deficiency which has arisen in the payment to the associate judges of mileage prior to May thirty-one one thousand nine hundred and seventeen the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary

LEGISLATIVE DEPARTMENT

For the payment of the expenses of the Legislative Department for two years ending May thirty-one one thousand nine hundred and nineteen and also for the expenses of the session and recess of one thousand nine hundred and seventeen not previously provided for the following sums or so much thereof as may be necessary to be paid in the manner prescribed by law

Provided That the salaries stationery and mileage of the members of the Senate and House of Representatives and the salaries and mileage of the session officers and employes of the Legislature session of one thousand nine hundred and nineteen shall only be paid after statement of the amounts due the several Senators Members officers and employes shall have been certified to the Auditor General by the President pro tempore of the Senate and Speaker of the House of Representatives respectively and that the Senators and Members also the officers receiving fixed salaries for said session shall each be paid three hundred dollars per month for the first four months of the session if the Legislature shall be in session that long and the balance on the day fixed for the final adjournment of the Legislature or during the two days previous thereto and that the session officers and employes receiving per diem salaries shall be paid amount due them at the end of each month during the session except the last month when payment shall be made on the day fixed for final adjournment of the Legislature or during the two days previous thereto

SENATE

For the payment of the salaries of fifty Senators and extra compensation allowed by law to the President pro tempore of the Senate session of one thousand nine hundred and nineteen the sum of seventy-five thousand seven hundred and fifty dollars ($75,750)

For the payment of the mileage of fifty Senators session of one thousand nine hundred and nineteen the sum of three thousand five hundred dollars ($3,500) or so much thereof as may be necessary

For the payment of stationery session of one thousand nine hundred and nineteen allowed by law to fifty Senators fifty dollars each the sum of two thousand five hundred dollars ($2,500)

For the payment of the postage session of one thousand nine hundred and nineteen allowed by law to fifty Senators one hundred dollars each the sum of five thousand dollars ($5,000)

For the payment of the postage session of one thousand nine hundred and nineteen allowed by law for the chief clerk and assistants the sum of one hundred dollars ($100)

For the payment of the postage session of one thousand nine hundred and nineteen allowed by law to the Lieutenant Governor the sum of one hundred dollars ($100)

To the chief clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and nineteen the sum of four thousand dollars ($4,000) or so much thereof as may be necessary

For the payment of the salaries of the officers and employes of the Senate session of one thousand nine hundred and nineteen also for the payment of the session and recess salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the Senate whose present salaries are provided for in this session the sum of seventy-six thousand dollars ($76,000) or so much thereof as may be necessary for the two years ending May thirty-first one thousand nine hundred and nineteen

For the payment of the mileage of the officers and employes of the Senate session of one thousand nine hundred and nineteen the sum of two thousand seven hundred dollars ($2,700)

For the payment of the salaries of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and nineteen the sum of seven thousand dollars ($7,000)

For the payment of the mileage of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and nineteen the sum of two thousand five hundred dollars ($2,500)

For the payment of the salary of the chief clerk of the Senate for the two years beginning June first one thousand nine hundred and seventeen the sum of ten thousand dollars ($10,000)

For the payment of the salary of the assistant clerk of the Senate for the session of one thousand nine hundred and nineteen the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salary of the assistant clerk of the Senate for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and nineteen the sum of three thousand two hundred dollars ($3,200) or so much thereof as may be necessary

For the payment of the salary of the Secretary of the Senate for the two years beginning June first one thousand nine hundred and seventeen the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the stenographer to the Secretary of the Senate for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and nineteen as provided by law the sum of three thousand dollars ($3,000) or so much thereof as may be necessary

For the payment of the salary of the librarian of the Senate for the two years beginning June first one thousand nine hundred and seventeen the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salaray of the stenographer to the Senate librarian for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and nineteen the sum of three thousand dollars ($3,000) or so much thereof as may be necessary

For the payment of the salary of the Superintendent of the store-room of the Senate for the recess periods ending May thirty-first one thousand nine hundred and nineteen as provided by law the sum of three thousand dollars ($3,000) or so much thereof as may be necessary

For the payment of the salary of the assistant librarian of the Senate for the session of one thousand nine hundred and nineteen the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salary of the assistant librarian of the Senate for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and nineteen the sum of three thousand five hundred dollars ($3,500)

For the payment of the salary to the clerk of the President of the Senate for two years ending May thirty-first one thousand nine hundred and nineteen the sum of three thousand dollars ($3,000)

For the payment of the salary of the stenographer to the President of the Senate for the two years ending May thirty-one one thousand nine hundred and nineteen the sum of two thousand dollars ($2,000)

For the payment of the salaries of two watchmen of the Senate for the time employed during the recess periods in the two years ending May thirty-one one thousand nine hundred and nineteen as provided by law the sum of four thousand dollars ($4,000) or so much thereof as may be necessary

For the payment of the salaries of two custodians of the Senate for the time employed during the recess periods in the two years ending May thirty-one one thousand nine hundred and nineteen the sum of four thousand dollars ($4,000) or so much thereof as may be necessary

For the payment of the salary of the chief elevator operator of the Senate for the time employed during the recess periods in the two years ending May thirty-one one thousand nine hundred and nineteen the sum of two thousand dollars ($2,000) or so much thereof as may be necessary

For the payment of the expenses of the Committee on Appropriations of the Senate session of one thousand nine hundred and nineteen in investigating schools reformatories prisons asylums hospitals and other institutions supported in whole or in part from the Treasury of the Commonwealth and for the necessary clerical assistance the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary to be paid on the warrant of the Auditor General drawn in favor of the chairman of the said committee on the presentation of his requisition for same and said chairman shall file an account of the committee's expense with the Auditor General within thirty days after the adjournment of the Legislature

For the contingent expenses including clerical and stenographic charges of the President pro tempore of the Senate during the recess ending January seven one thousand nine hundred and nineteen the sum of two thousand dollars ($2,000) and for like expenses from January eighth to May thirty-first one thousand nine hundred and nineteen the sum of one thousand dollars ($1,000) or so much thereof as may be necessary

For the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and eighteen the sum of four thousand dollars ($4,000) and for the six months ending November thirty one thousand nine hundred and eighteen the sum of one thousand six hundred dollars ($1,600) or so much theerof as may be necessary

For the payment of the incidental expenses of the Senate the six months commencing December one thousand nine hundred and eighteen such sum as may be necessary to be expended by the chief clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall at no time have in his hands more than two thousand dollars ($2,000) for which accounts have not been rendered and settled and the whole amount expended by said chief clerk shall not exceed the sum of eight thousand dollars ($8,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and the chief clerk

For the payment of the postage labor and incidental expenses in the office of the Secretary of the Senate for the year ending May thirty-one one thousand nine hundred and eighteen the sum of one thousand eight hundred dollars ($1,800) and a like sum for the year ending May thirty-one one thousand nine hundred and nineteen or so much thereof as may be necessary ($1,800)

For the payment of postage labor express charges and other expenses in the office of the librarian of the Senate for the year ending May thirty-one one thousand nine hundred and eighteen the sum of one thousand eight hundred dollars ($1,800) and for the year ending May thirty-one one thousand nine hundred and nineteen the sum of two thousand dollars ($2,000) or so much thereof as may be necessary

HOUSE OF REPRESENTATIVES

For the payment of the salaries of two hundred and seven members of the House of Representatives and extra compensation allowed by law to the Speaker of the House session of one thousand nine hundred and nineteen the sum of three hundred and eleven thousand two hundred and fifty dollars ($311,250) or so much thereof as may be necessary

For the payment of the mileage of two hundred and seven members of the House session of one thousand nine hundred and nineteen the sum of fourteen thousand dollars ($14,000) or so much thereof as may be necessary

For the payment of stationery session of one thousand nine hundred and nineteen allowed by law to two hundred and seven members fifty dollars each the sum of ten thousand three hundred and fifty dollars ($10,350)

For the payment of postage session of one thousand nine hundred and nineteen allowed by law to two hundred and seven members one hundred dollars each the sum of twenty thousand seven hundred dollars ($20,700)

For the payment of postage session of one thousand nine hundred and nineteen allowed by law to the chief clerk and assistants the sum of one hundred dollars ($100)

To the chief clerk of the House of Representatives for the payment of postage on the Legislative Journal bills and calendars session of one thousand nine hundred and nineteen the sum of seven thousand dollars ($7,000) or so much thereof as may be necessary

For the payment of the salaries of the officers and employes of the House of Representatives session of one thousand nine hundred and nineteen also for the payment of the session and recess salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the House of Representatives whose present salaries are provided for in this section the sum of one hundred and forty thousand dollars ($140,000) or so much thereof as may be necessary for the two years ending May thirty-one one thousand nine hundred and nineteen

For the payment of the mileage of the officers and employes of the House of Representatives session of one thousand nine hundred and nineteen the sum of four thousand dollars ($4,000) or so much thereof as may be necessary

For the payment of the salaries of the returning officers of the House of Representatives at the beginning of the session one thousand nine hundred and nineteen the sum of thirteen thousand dollars ($13,000)

For the payment of the mileage of the returning officers of the House at the beginning of the session of one thousand nine hundred and nineteen the sum of three thousand dollars ($3,000)

For the payment of the salary of the chief clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and seventeen the sum of ten thousand dollars ($10,000)

For the payment of the salary of the assistant clerk of the House of Representatives for the session of one thousand nine hundred and nineteen the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salary of the assistant clerk of the House of Representatives for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and nineteen the sum of three thousand two hundred dollars ($3,200) or so much thereof as may be necessary

For the payment of the salary of the resident clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and seventeen the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salary of the stenographer to the resident clerk of the House of Representatives for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and nineteen as provided by law the sum of three thousand dollars ($3,000) or so much thereof as may be necessary

For the payment of the salary of the superintendent of store rooms of the House of Representatives for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and nineteen as provided by law the sum of three thousand dollars ($3,000) or so much thereof as may be necessary

For the payment of the salary of the assistant resident clerk of the House of Representatives for the session of one thousand nine hundred and nineteen the sum of one thousand eight hundred dollars ($1,800)

For the payment of the salary of the assistant resident clerk of the House of Representatives for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and nineteen the sum of three thousand five hundred dollars ($3,500) or so much thereof as may be necessary

For the payment of the salaries of two watchmen of the House of Representatives for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and nineteen as provided by law the sum of four thousand dollars ($4,000) or so much thereof as may be necessary

For the payment of the salary of the chief elevator operator of the House of Representatives for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and nineteen the sum of two thousand dollars ($2,000) or so much thereof as may be necessary

For the contingent expenses including clerical and stenographic charges of the Speaker of the House of Representatives during the recess ending January first one thousand nine hundred and nineteen the sum of two thousand dollars ($2,000) and for like expenses from January second to May thirty-first one thousand nine hundred and nineteen the sum of one thousand dollars ($1,000) or so much thereof as may be necessary

For the payment of the necessary expenses including extra labor in the office of the chief clerk of the House of Representatives for the year ending May thirty-first one thousand nine hundred and eighteen the sum of three thousand five hundred dollars ($3,500) and for the six months ending November thirty one thousand nine hundred and eighteen the sum of one thousand seven hundred and fifty dollars ($1,750) or so much thereof as may be necessary

For the payment of the incidental expenses of the House of Representatives for the six months commencing December one one thousand nine hundred and eighteen such sum as may be necessary to be expended by the chief clerk of the House of Representatives who shall render to the Auditor General accounts from time to time with proper specifically authorized vouchers to be settled in the same manner as other accounts but said chief clerk shall at no time have in his hands more than two thousand dollars for which accounts have not been rendered and settled and the whole amount expended by said chief clerk shall not exceed the sum of ten thousand dollars ($10,000) out of which amount such necessary extra labor in the House of Representatives shall be paid as certified by the Speaker and the chief clerk

For the payment of postage labor express charges and other expenses in the office of the resident clerk of the House of Representatives for the year ending May thirty-one one thousand nine hundred and eighteen the sum of three thousand five hundred dollars ($3,500) and for the year ending May thirty-one one thousand nine hundred and nineteen the sum of three thousand dollars ($3,000) or so much thereof as may be necessary

For the payment of the expenses of the Committee on Appropriations of the House of Representatives session of one thousand nine hundred and nineteen in investigating school reformatories prisons asylums hospitals and other institutions supported in whole or in part from the Treasury of the Commonwealth and for necessary clerical assistance the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary to be paid on the warrant of the Auditor General drawn in favor of the chairman of the said committee on presentation of his requisition for same and said chairman shall file an account of the committee's expenses with the Auditor General within thirty days after the adjournment of the Legislature

LEGISLATIVE JOURNAL

Section 5 The expenses for paper and printing of the Legislative Journal shall be paid out of the general appropriations for paper and printing made to the Department of Public Printing and Binding contained in this act

Section 6 For the payment of the chief clerk of the Senate and the chief clerk of the House of Representatives for making indices for the journals of each house for the session of one thousand nine hundred and seventeen the sum of three hundred dollars each ($600)

For the payment of the person or persons appointed to index the Legislative Journal session of one thousand nine hundred and nineteen the sum of one thousand dollars ($1,000) in accordance with the act establishing said journal

For the payment of the compensation allowed by law to the compiler and assistant compiler of Smull's Legislative Hand Book for the year one thousand nine hundred and eighteen the sum of one thousand five hundred dollars each ($3,000) and like amounts for the year one thousand nine hundred and nineteen three thousand dollars ($3,000)

SCHOOLS

Section 8 For the support of the public schools and normal schools of this Commonwealth of the two fiscal years beginning on the first Monday of July one thousand nine hundred and seventeen the sum of eighteen million dollars ($18,000,000) Provided the City of Philadelphia shall be entitled to a proper portion of this appropriation including not only its pro rata as provided by existing laws regulating the distribution to the several counties and out of the amount received by the City of Philadelphia there shall be paid annually the sum of three thousand dollars to the Teachers' Institute of said city the sum of ten thousand dollars to the Philadelphia School of Design for Women for their corporate purposes and the sum of ten thousand dollars to the Teachers' Annuity and Aid Association of said city And provided further That out of the amount hereby appropriated there shall be paid for the education of teachers in the State Normal Schools the sum of six hundred thousand dollars to be applied as follows For each student over seventeen years of age who shall sign an agreement binding said student to teach in the common schools of this State two full annual terms there shall be paid the sum of one dollar and fifty cents a week towards the payment of expenses for tuition for said student Provided That each student in a State Normal School drawing said allowance from the State must receive regular instruction in the science and are of teaching in a special class devoted to that object for the whole time for which said allowance is drawn which amount shall be paid upon the warrants of the Superintendent of Public Instruction And provided That out of the said amount hereby appropriated there shall be set apart the sum of one hundred thousand dollars ($100,000) to aid in paying the tuition of pupils who attend high schools outside of their own district and the sum of four hundred and fifty thousand dollars ($450,000) for the encouragement and support of township and borough high schools including joint high schools maintained by two or more townships or by a borough and one or more townships but no high schools shall receive appropriation as a high school of the first grade unless it has three teachers who devote their entire time to high school work during a period of nine months and no high school shall receive appropriations as a high school of the second grade unless it has two teachers who devote their entire time to high school work during a period of eight months nor shall any high school receive appropriation unless it has a regular attendance of twelve pupils doing high school work And provided further That out of the said amount hereby appropriated there shall be set apart the sum of two hundred and forty thousand dollars ($240,000) to be expended on the warrants of the Superintendent of Public Instruction for the payment of the salaries of the county superintendents of public schools two years and provided further That out of the said amount there shall be set apart the sum of two hundred and one thousand six hundred dollars ($201,600) to be expended on the warrants of the Superintendent of Public Instruction for the payment of the salaries two years of the assistant county superintendents of public schools Provided further That out of the amount hereby appropriated there shall be set apart and paid over to the State Board of Education when and as may be required by it the sum of one million dollars ($1,000,000) for the purpose of encouraging promoting organizing and maintaining schools of agriculture education manual training domestic science and such other vocational and practical education as the needs of the Commonwealth require and for the purpose of equalizing educational advantages in the different parts of the Commonwealth as provided for in section numbers nine hundred and five and nine hundred and seven of an Act of the General Assembly commonly known as the School Code and entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general Special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) The remainder of the amount hereby appropriated shall be paid on warrant of the Superintendent of Public Instruction drawn in favor of the several districts of the Commonwealth in amounts designated by the State Treasurer and whenever he shall

notify the Superintendent of Public Instruction in writing that there are sufficient funds in the Stat eTreasury to pay for the same

INTEREST ON FUNDED DEBT

Section 9 For the payment of the interest on the funded debt of the Commonwealth which falls due on the first day of August one thousand nine hundred and seventeen and the first day of February one thousand nine hundred and eighteen and on the first day of August one thousand nine hundred and eighteen and the first day of February one thousand nine hundred and nineteen the sum of sixty-two thousand and forty dollars ($62,040)

For the compensation of the fiscal agent of the Farmers and Mechanics National Bank of Philadelphia the sum of five hundred dollars ($500) for each year ending November thirtieth one thousand nine hundred and seventeen and November thirtieth one thousand nine hundred and eighteen one thousand dollars ($1,000)

Section 10 For the payment of the expenses of the Pennsylvania Historical Commission in carrying out its work as provided by the act of July twenty-fifth one thousand nine hundred and thirteen two years the sum of twelve thousand five hundred dollars ($12,500)

Section 11 For the balance due or to become due retired county officers on account of over-payment of mercantile and other taxes collected for the Commonwealth the sum of three thousand dollars ($3,000)

Section 12 For the payment of the expenses of publishing the monthly statement of the general and sinking funds as required by the act of February seventeenth one thousand nine hundred and six and for the payment of such advertisements as are required by law to be published by the accounting officers in the newspapers including advertisements for "proposals for publication of the decisions of the Supreme Court" under the provisions of an act approved the twelfth day of June one thousand eight hundred and seventy-eight two years the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary

Section 13 For the payment of the fees of county officers for furnishing information to the officers of the Commonwealth in accordance with the act of April fourteenth one thousand eight hundred and ninety-seven (Pamphlet Laws twenty-two) two years the sum of three thousand dollars ($3,000) or so much thereof as may be necessary

Section 14 For the payment of the mileage of the appraisers of the mercantile and other licenses taxes of the several counties of the Commonwealth two years the sum of seventeen thousand dollars ($17,000)

Section 15 For the payment of pensions and gratuities that have been granted by act of Legislature or that may hereafter be granted according to law two years the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary to be paid out of any funds of the State Treasury not otherwise appropriated

Section 16 For the purpose of refunding collateral inheritance taxes paid in error for the two fiscal years beginning June first one thousand nine hundred and seventeen the sum of thirty thousand dollars ($30,000) said refunds being directed by acts of Assembly of June twelve one thousaid eight hundred and seventy-eight and March twenty-fifth one thousand nine hundred and one

Section 17 For the payment of the compensation and expenses of members of commissions heretofore appointed by the Governor to examine judges of any of the Supreme Superior common pleas or orphans courts of this Commonwealth who by reason of physical or mental disability appear to be incapacitated from performing their judicial functions and duties as provided by the act of Assembly approved the eleventh day of May Anno Domini one thousand nine hundred and one (Pamphlet Laws page one hundred and sixty-five) and for the two years ending May thirty-first one thousand nine hundred and nineteen the sum of five hundred dollars ($500) or so much thereof as may be necessary

Section 18 To Walter George Smith Judge William H. Staake and William M. Hargest esquire commissioners on the part of Pennsylvania of the National Commission on Uniformity of Legislation for the payment of expenses and incidentals already incurred and to be incurred during the two years beginning June first one thousand nine hundred and seventeen as members of said commission the sum of two thousand dollars ($2,000) or so much thereof as may be necessary

Section 19 For the purpose of refunding under the provisions of the act of June fourteenth one thousand nine hundred and eleven (Pamphlet Laws page nine hundred and thirty-six) fees paid for commissions as notary public when such commissions have not been issued or if issued have not been recovered and have been cancelled two years the sum of one thousand dollars ($1,000) or so much thereof as may be necessary

Section 20 For the payment of the expenses incident to issuing certificates of election of Senators for the session of one thousand nine hundred and nineteen (act of June fourteen one thousand nine hundred and eleven) the sum of seventy-one dollars and fifty cents ($71.50) or so much thereof as may be necessary to be paid by the State Treasurer on warrants of the Auditor General upon the presentation of vouchers approved by the President pro tempore of the Senate

Section 21 For the payment of the expenses incident to issuing certificates of election to Members of the House of Representatives for the session of one thousand nine hundred and nineteen (act of June fourteenth one thousand nine hundred and eleven) the sum of five hundred and sixty-nine dollars and twenty-five cents ($569.25) or so much thereof as may be necessary to be paid by the State Treasurer on warrants of the Auditor General upon presentation of vouchers approved by the Speaker of the House of Representatives

Section 22 For the payment of the expenses of registration of births and deaths in cities of the first and second class in accordance with the provisions of the act of Assembly regulating such payments the sum of twenty-two thousand five hundred dollars ($22,500) or so much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and seventeen

Section 23 For the payment of the salaries of State employes who may be retired by resignation the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and seventeen

Section 24 For clerical and incidental expenses of the board created for the examination of letters patent relative to the granting of charters for underground and elevated passenger railway companies the sum of one thousand five hundred dollars ($1,500) for the two fiscal years ending May thirty-first one thousand nine hundred and seventeen

Section 25 For the payment of expenses incident to the participation in the proceedings of the organization known as the "Governor's Conference" for the years one thousand nine hundred and seventeen and one thousand nine hundred and eighteen the sum of three hundred dollars ($300.00)

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. LAULER. Mr. Speaker, I move that House Bill No. 1303, be re-commtiteed to the Committee on Appropriations.

Mr. VICKERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Mr. WALTER. Mr. Speaker, I desire to call up House Bill No. 1499, File Folio 5201, on page 35 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1499, entitled

An Act granting power in certain cases to the Commonwealth of Pennsylvania or to any department thereof and to any municipal subdivision of the Commonwealth to purchase or condemn lands having thereon located road building material and to enter upon and cross private property and to locate and erect necessary machinery thereon and providing a method for the assessment of damages

On the question,

Will the House agree to the bill on third reading?

Mr. WALTER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, lines 4, 5, 6, 7 and 8, and page 2, line 1, by striking out the following: "The word person as used in this act, except when expressly otherwise indicated, shall be taken to mean any individual partnership, association, corporation, the Commonwealth of Pennsylvania, or any department of the Commonwealth, and any municipal subdivision of the Commonwealth."

Amend section 2, page 2, line 10, by striking out the word "or" before the word "eminent" and inserting in lieu thereof the word "of."

Amend section 3, line 1, by inserting between the words "by" and "any" the following: "the Commonwealth of Pennsylvania or any department thereof or any municipal subdivision of the Commonwealth or."

Amend section 4, line 13, by striking out the word "persons" and inserting in lieu thereof the word "parties."

Amend section 5, line 22, by striking out the word "persons" and inserting in lieu thereof the word "parties."

Amend section 6, page 4, line 1, by striking out the word "person" and inserting in lieu thereof the word "party."

Amend section 8, page 4, line 21, by striking out the word "person" and inserting in lieu thereof the word "party."

Amend section 9, page 5, line 1, by striking out the word "person" and inserting in lieu thereof the word "party."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,
Will the House agree to the Bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. BEYER asked and received unanimous consent to call up from page 26 of today's calendar, House Bill No. 1297 (Senate Bill No. 333), File Folio 625, bills on third reading.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1297 (Senate Bill No. 333), entitled

An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations and the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation.

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. BEYER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. STERN. I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and (at 11.45 A. M.) the House adjourned until Monday evening, May 14, 1917, at 9 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

VOL. 4. HARRISBURG, PA., MONDAY, MAY 14, 1917. No. 54.

SENATE.

MONDAY, May 14, 1917.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant Governor Frank B. McClain) in the Chair.

PRAYER.

The Chaplain, Rev. Thomas W. Davis, offered the following prayer:

We are grateful to Thee, Almighty God, for all the blessings of life, and especially the blessing of health. For this reason we are very sad to-night because of the illness that has come into the home of our beloved Senator, William E. Crow. We pray that Thy blessing may be with his wife and his children, who have been visited with serious illness, and that Thy blessing may be with their physician and with those who have them in care, so that they shall be able to do the very best thing for their comfort and for their speedy recovery. We ask that Thy blessing may be with all of us, in all the affairs of our lives, and help us to live to Thy glory, and to the best good of our fellow men. These blessings we ask in our Saviour's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. ENDSLEY, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING APPROPRIATION TO THE VILLAGE FOR FEEBLE-MINDED WOMEN OF CHILD BEARING AGE AT LAURELTON, AND ALSO FAVORING APPROPRIATION FOR THE STATE INSTITUTIONS FOR THE FEEBLE-MINDED AT POLK AND SPRING CITY.

The Chair presented petitions of citizens of Pennsylvania favoring appropriation to the Village for Feeble-Minded Women of Child Bearing Age at Laurelton, and also favoring appropriation for the State Institution for the Feeble-Minded at Polk and Spring City.

Which were referred to the Committee on Appripriations.

FAVORING THE PASSAGE OF SENATE BILL NO. 1033, FOR THE SUSPENSION OF THE OPERATION OF THE ACT OF JUNE 19, 1911, DURING SUCH PERIOD AS OUR COUNTRY MAY BE ENGAGED IN WAR AND UNTIL SIX MONTHS AFTER THE TERMINATION OF SUCH WAR.

He also presented petition of the Philadelphia Bourse favoring the passage of Senate Bill No. 1033, for the suspension of the operation of the Act of June 19, 1911, during such period as our country may be engaged in war and until six months after the termination of such war.

Which was referred to the Committee on Railroads.

FAVORING THE ENACTMENT OF LAWS PROHIBITING THE USE OF GRAIN FOR THE MANUFACTURE OF LIQUORS AND OTHER BEVERAGES IN ORDER TO CONSERVE THE SAME FOR THE MAKING OF FOOD FOR THE DURATION OF THE PRESENT WAR.

He also presented petition of the Diocese of Harrisburg, favoring the enactment of laws prohibiting the use of grain for the manufacture of liquors and other beverages in order to conserve the same for the making of food for the duration of the present war.

Which was referred to the Committee on Law and Order.

FAVORING THE PASSAGE OF HOUSE BILL NO. 1725.

He also presented petition of the Philadelphia Chamber of Commerce favoring the passage of House Bill No. 1725.

Which was referred to the Committee on Judiciary General.

FAVORING PASSAGE OF SENATE BILL NO. 498.

He also presented petition of the Board of Directors of the Vessel Owners and Captains' Association of Philadelphia, favoring the passage of Senate Bill No. 498.

Which was referred to the Committee on Appropriations.

LEAVES OF ABSENCE.

Mr. STEWART asked and obtained leave of absence for the Senator from Armstrong, Mr. J. Frank Graff.

The Chair asked and obtained leave of absence for the Senator from Philadelphia, Mr. W. W. Smith.

He also asked and obtained leave of absence for the Senator from Fayette, Mr. Crow.

He also asked and obtained leave of absence for the Senator from Allegheny, Mr. Kline.

Mr. NASON asked and obtained leave of absence for the Senator from Crawford., Mr. R. E. Smith.

Mr. HOMSHER asked and obtained leave of absence for the Senator from Lebanon, Mr. Haldeman, for the week.

VETO OF SENATE BILL NO 681.

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I return herewith, without my approval Senate Bill No. 681, entitled "An Act to fix the pay of election officers in cities of the first and second class."

This bill increases the pay of election officers in cities of the first and second class from five (5) to ten (10) dollars per day. The duties of election officers in the municipal units above recited are no more onerous than these duties elsewhere. There is no reason for this difference and no valid reason for any increase. These officers ought to act from a sense of public duty and not for the compensation.

For these reasons this bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. McCONNELL. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. SEMMONS. Mr. President, I second the motion.

The motion was agreed to.

VETO OF SENATE BILL NO. 581.

He also laid before the Senate communication, in writing, from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I return herewith, without my approval Senate Bill No. 581, entitled "An Act empowering certain corporations societies and voluntary associations having subordinate lodges or branches within this Commonwealth to change the location of their principal office or place of business and providing for their approval by the Court of Common Pleas and the filing of notice of such changes."

On June 7, 1915, in a message filed with the Secretary of the Commonwealth I set forth my objections to the approval of a bill that with one exception contained the same provisions as this bill. The added feature in this bill is the provision that the removal of the principal office shall have the approval of the Court of Common Pleas of the county where the principal office is now located. Even this check does not remove the objection to this legislation. It is questionable in law whether a court of one county can authorize a change by which a corporation may be domiciled within the jurisdiction of another court (See 216 Pa. 630). Under many decisions of the courts it is held that a corporation has no power to change its place of business from one county to another, and these decisions confirm the wisdom of preventing corporations of the kind defined to move at will or to move by court sanction. The result would be confusion, lack of responsibility, general disadvantage to the people concerned and a departure from time-approved procedure generally affective in corporate law.

For these reasons this bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. WHITTEN. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

VETO OF SENATE BILL NO. 502.

He also laid before the Senate communication, in writing, from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I return herewith, without my approval Senate Bill No. 502, entitled "An Act entitled 'An Act requiring the court committing any insane person to an institution of this Commonwealth to certify the proceedings upon which commitment was made to the superintendent of the said institution.' "

This bill requires the court which commits an insane person to any institution in this Commonwealth to certify to the superintendent of the institution all of the proceedings including the papers and testimony and the reasons for such commitment. Should such person subsequently be transferred to another institution the superintendent of the former institution shall give to the superintendent of the latter institution a second copy of all the papers and testimony on file.

All these records are now open and available for examination by any interested person and the salient facts that may have value to the alienist can readily be obtained. The expense of the procedure required by this bill is unnecessarily burdensome. Much of the testimony that would thus be transmitted would be of no value. The only reason for commitment is of course the fact that he is insane. Otherwise he could not be committed. This is therefore needless. To increase labor and expense with no correspondingly good is unwise.

For these reasons this bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. LYNCH. Mr. President, I move that the question, together with the further consideration of the bill be postponed for the present.

Mr. BEIDLEMAN. Mr. President, I second the motion.

The motion was agreed to.

VETO OF SENATE BILL NO. 490.

He also laid before the Senate communication, in writing, from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1917

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval Senate Bill No. 490, entitled "An Act authorizing cities and boroughs to refund moneys paid by property owners into their treasuries when a court of competent jurisdiction shall have determined that there is no liability for such payment."

This Bill authorizes and empowers cities and boroughs that have collected street assessments from property owners for street improvements to refund the same when a court determines that such assessment was improperly made or could not be legally enforced. Such assessments are by law permitted now. If by carelessness or oversight the city or borough authorities find their procedure negatived by the courts it is scarcely necessary to ask the Assembly to grant power to repay the parties that paid and did not appeal to the Court. The fault does not lie in the law now operative, nor in the courts but in the local government concerned. The improvements have been made. Those paying the assessment have received the full measure of improvement for which they were assessed. Those appealing to the Courts and escaping the payment of the assessment are evading a public duty by taking advantage of municipal laxity. The municipality should not have its treasury impaired because the officers did not safeguard the municipality. Carelessness is no excuse for legislation.

For these reasons this Bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. McCONNELL. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

VETO OF SENATE BILL NO. 263.

He also laid before the Senate communication, in writing, from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval Senate Bill No. 263, entitled "An Act to amend section one of the act approved the twenty-eighth day of April one thousand eight hundred and eighty-seven entitled 'An act to authorize the courts of common pleas to decree the sale of real estate held for poor purposes in the several counties boroughs townships and poor districts in this Commonwealth and the reinvestment of the proceeds thereof,' by extending the provisions of the act to include the sale of real property of the Commonwealth reserved for the use of a poor district."

This Bill amends the act of April 21, 1887 (P. L. 75) by including in the properties that may be sold under court decree for the use of a poor district real estate reserved by the Commonwealth for use as a poor farm. It authorizes the court to decree sale and confirm title to property now in the name of the Commonwealth. This is unquestionably a very special case and it may be much more widely applicable than the case intended to be met. Such special laws as a rule are poor policy. I am not convinced of the necessity of this Act and am opposed to the plan of amending genuine laws so as to have them apply to some exceptional case. The relief sought, if necessary, should be sought in some other way. It is unwise to generalize a local situation by law when the general field so covered is unknown.

For these reasons this bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. NASON. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. JENKINS. Mr. President, I second the motion.

The motion was agreed to.

VETO OF SENATE BILL NO. 180.

He also laid before the Senate communication, in writing, from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval Senate Bill No. 180, entitled "An Act granting compensation as provided for in the Workmen's Compensation act of one thousand nine hundred fifteen to the family of the late Joseph McHugh of Weatherly employed as a game warden and killed while in the performance of his duties."

This Bill grants compensation as provided by the Workmen's Compensation Act of 1915 to the family of the late Joseph McHugh of Weatherly, Pa., who was killed while in the discharge of his duties as a game warden. His killing occurred before the Workmen's Compensation Act went into force.

The purpose is most commendable. This faithful official was killed when in the performance of his duties. His family is no doubt deserving and they deserve every assistance compatible with law. But this Bill is in violation of Art. III, Sec. 18 of the Constitution. It provides in effect a gratuity or pension. This is specifically forbidden. If the Bill were approved and an award made the Auditor General would by law be compelled to surcharge the same.

The purpose is so manifestly humane that it is a painful duty to disapprove this Bill, and I trust that some other means may be found to care for the dependents of this man who lost his life in the performance of his public duty.

For these reasons this Bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. WARNER. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. HINDMAN. Mr. President, I second the motion.

The motion was agreed to.

VETO OF SENATE BILL NO. 121.

He also laid before the Senate communication, in writing, from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval Senate Bill No. 121, entitled "An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof."

This bill supplants present law in respect to the bounty paid for the destruction of noxious animals and the method of paying such bounty. I was advised of the fact that a new method of bounty payments was contemplated. I was not advised of the increases in the sums paid as bounty for the killing of Bay Lynx and Weasel.

The new method of payment is undoubtedly more direct and more speedy than the method now in force. Were the bill limited to the change it would have hearty approval. My objection is to the increase of the bounty money—the lure of idle and irresponsible persons to waste their time in the woods instead of working in our industries and adding to the wealth of the Commonwealth.

Forest fires of great destructive value are among the fruits of this uneconomic procedure. The menace to protected and harmless life is also augmented. The unnecessary drains upon the hunters' license fund also follows. These noxious animals are by no means so destructive as they are by some held to be. In fact nature's balancing of life undisturbed by man is on the whole wise and good.

I am heartily in favor of legitimate sport and am always in sympathy with such legislation as will attract busy and faithful citizens at the proper season away from the daily duties of life and out into the beautiful, wonderful out-of-doors. I am equally opposed to any enactment that keeps men in the woods all the time seeking to make a precarious living in a manner neither commendable nor economically wise. I regret that an improvement in departmental service is so tied in with a principle of bounty compensation that the former loses to the latter.

For these reasons this bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

BILL POSTPONED.

Mr. McCONNELL. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR.

He also laid before the Senate communications, in writing, from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILL NO. 144.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 144, entitled, "An act to amend section fourteen of an act approved the twelfth day of July one thousand nine hundred thirteen (Pamphlet Laws seven hundred eleven) entitled 'An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof.'"

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 219.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 219, entitled, "An act to authorize counties cities boroughs towns townships school districts and poor districts to require a bond to protect labor and material men and providing for suits thereon by laborers and material men furnishing labor and material in and about the erection alteration addition and repair of public buildings."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 474.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 474, entitled, "An Act to validate tax liens filed since the twenty-first day of May one thousand nine hundred and thirteen under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled 'An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales'".

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 347.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed Senate Bill No. 347, entitled "An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act amending an act entitled 'An Act to authorize the councils of the cities of the first class of the Commonwealth to appropriate annually a sum not exceeding five hundred dollars for the support and maintenance of each company of the National Guard using and occupying an armory building rooms or quarters within said cities in addition to the annual appropriation by the Legislature' approved the twenty-fourth day of May Anno Domini one

thousand eight hundred and eighty-seven by extending the provisions of said act to cities of the second and third class" by authorizing appropriations to batteries of artillery and regimental sanitary detachments."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 536.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed Senate Bill No. 536, entitled "An Act to repeal an act, entitled 'An Act relating to the sinking fund of Allegheny County' approved the twelfth day of March Anno Domini one thousand eight hundred and seventy-three."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 541.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed Senate Bill No. 541, entitled "An Act to repeal an act entitled 'An Act to authorize the appointment of two magistrates in the boroughs south of the Monongahela and Ohio in Allegheny County to hear and determine cases of drunkenness and disorderly conduct and to regulate the compensation therefor' approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-eight."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 538.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed Senate Bill No. 538, entitled "An Act to repeal an act entitled 'An Act relative to the service of summons on jurors in Allegheny County and regulating compensation' approved the fifth day of April Anno Domini one thousand eight hundred and sixty-six."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 632.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed Senate Bill No. 632, entitled "An Act to further amend section nine of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled 'An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by the provisions of this act' as amended."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 650.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed Senate Bill No. 650, entitled "An Act making an appropriation to A. K. Cassel for services rendered as Deputy Commissioner in the Dairy and Food Division of the Department of Agriculture."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 572.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed Senate Bill No. 572, entitled "An Act making an appropriation to cover deficiency to the trustees of the State Hospital for the Criminal Insane at Farview Pennsylvania."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 537.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed Senate Bill No. 537, entitled "An Act to repeal sections one two three and four of the act entitled 'An Act fixing the terms of the court of common pleas oyer and terminer and general jail delivery quarter sessions of the peace and orphans court in the County of Allegheny and regulating proceedings therein' approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty-six."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 535.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed Senate Bill No. 535, entitled "An Act to repeal an act entitled 'An Act to authorize the controller and commissioners of Allegheny County to compromise with the holders of bonds of said county issued in payment of subscriptions to the capital stock of certain railroad companies' approved the twenty-ninth day of January Anno Domini one thousand eight hundred and sixty-three."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 525.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 525, entitled, "An Act to repeal section twelve of an act entitled "A Supplement to an act approved the first of May, Anno Domini one thousand eight hundred and sixty-one entitled 'An Act relating to Allegheny County' approved the eighth day of April Anno Domini one thousand eight hundred and sixty-two which said section relates to the furnishing of supplies for the Allegheny County jail."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 503.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 503, entitled "An Act to repeal an act entitled 'A Supplement to an act entitled 'An Act relating to the fees salaries and duties of certain county officers in Allegheny County' approved April sixth Anno Domini one thousand eight hundred and seventy-one' approved the sixth day of March Anno Domini one thousand eight hundred and seventy-two."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 491.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 491, entitled "An Act to amend section two of an act approved the

twelfth day of June one thousand nine hundred and seven entitled 'An Act to provide for the election of three directors of the poor for the County of Schuylkill at the general election of one thousand nine hundred and eight and every third year thereafter and fixing the salary of the three said directors to be paid out of the treasury of the County of Schuylkill and providing for the continuance of the service of the directors now serving."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 489.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 489, entitled, "An Act to amend an act approved May first one thousand nine hundred and nine entitled 'An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operation therein moving picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes providing for the promulgation of rulings by the Industrial Board of the Department of Labor and Industry and providing for appeal to the said Industrial Board and providing for the supervision and inspection of the said booths or enclosures by the Department of Labor and Industry of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes.'"

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 276.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 276, entitled "An Act to amend an act approved the fourteenth day of May one thousand nine hundred fifteen entitled 'An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs.'"

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 265.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 265, entitled, "An act authorizing Ida Collins a resident of Somerset County in her own right and in the right of her minor children to bring suit in the court of common pleas of Somerset County against the Commonwealth of Pennsylvania."

MARTIN G. BRUMBAUGH.

APPROVAL OF SENATE BILL NO. 259.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 259, entitled, "An act authorizing Lee Greenleaf a resident of the borough of Canton Bradford County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania."

MARTIN G. BRUMBAUGH.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 14, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date set opposite their names, respectively:

PHILADELPHIA COUNTY.

Reuben Cohen, Jr., Philadelphia, May 20, 1917.
Linford Eastburn, Philadelphia, May 14, 1917.
Geo. A. Willmanns, Philadelphia, May 16, 1917.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 14, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Leroy Robert Bowers, Millvale.
Miss Rose Danahey, Pittsburgh.
Miss Gladys I. Ewing, Pittsburgh.
Miss Mildred H. Silverman, Pittsburgh.
Miss Margaret H. Skillen, Pittsburgh.
Percy R. Warwick, Pittsburgh.

BEDFORD COUNTY.

C. A. Bradley, Sexton.

BERKS COUNTY.

Neal E. Nyce, Reading.

BUTLER COUNTY.

Miss Olive J. Tomb, Butler.

CLARION COUNTY.

T. B. Cushing, Foxburg.

CLEARFIELD COUNTY.

Miss Blanche Wetzel, Mahaffey.

FRANKLIN COUNTY.

Charles M. Deatrich, Saint Thomas.

LEHIGH COUNTY.

Clayton A. Klein, Allentown.

MERCER COUNTY.

Miss Grace M. Royal, Sharon.

PHILADELPHIA COUNTY.

Samuel J. Buck, Jr., Philadelphia.
Edard H. Buckley, Philadelphia.
Frank P. Hood, Philadelphia.
B. H. Solot, Philadelphia.

VENANGO COUNTY.

O. P. Morrow, Rockland Township.

MARTIN G. BRUMBAUGH.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 9, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Claude R. Mansell, to be a Justice of the Peace in and for the Township of Franklin, Fayette County, to serve until the first Monday in January, 1918, vice W. J. Walters, resigned.

MARTIN G. BRUMBAUGH.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph S. McCreight to be Justice of the Peace in and for the Township of Jones, Elk County, to serve until the first Monday in January, 1918, vice Austin W. Fowler, resigned.

MARTIN G. BRUMBAUGH.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. SPROUL,

That Rule 38, which requires nominations made by the Governor to be referred to proper committees, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. SPROUL,

That the Senate do advise and consent to said nominations,

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	DeWitt,	Lynch,	Semmens,
Beales,	Endsley,	Martin,	Snyder,
Beidleman,	Hackett,	McConnell,	Sones,
Buckman,	Haldeman,	McKee,	Sproul,
Burke,	Hindman,	McNichol,	Vare,
Catlin,	Homsher,	Miller,	Warner,
Craig,	Jenkins,	Nason,	Wasbers,
Croft,	Jones,	Patton,	Weaver,
Daix,	Leiby,	Sassaman,	Whitten,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATION FROM THE GOVERNOR.

He also laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which was read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. In conformity with law, I have the honor hereby to nominate for advice and consent of the Senate, Franklin Showers, to be Justice of the Peace in and for the Township of Kelly, County of Union, to serve until the first Monday in January, 1918, vice William H. Spotts, deceased.

MARTIN G. BRUMBAUGH.

HOUSE MESSAGES.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 684 (Senate Bill No. 1148), entitled

An Act creating a Bureau of Township Highways in the State Highway Department; conferring powers and imposing duties upon officers of the State Highway Department; requiring certain duties of clerks of the courts of quarter sessions and providing penalties.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 685 (Senate Bill No. 1149), entitled

An Act to amend and revise an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June Anno Domini one thousand nine hundred thirteen enlarging changing modifying and defining certain of the powers of the third class.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 819 (Senate Bill No. 1150), entitled

An Act to amend an act approved the twenty-fifth day of July, Anno Domini one thousand nine hundred and thirteen, entitled "An Act providing for the establishment of the Pennsylvania Historical Commission; defining its powers and duties and making an appropriation for its work," by enlarging its powers and duties and providing for publishing its report, et cetera.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 822 (Senate Bill No. 1151), entitled

An Act making an appropriation to the Trustees of the State Hospital for the Insane at Warren, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 840 (Senate Bill No. 1152), entitled

An Act amending an act, entitled "An Act prohibiting the offering or giving of premium by any person, partnership, or corporation, licensed to sell vinous, spiritous, malt, or brewed liquors at wholesale or retail, for the return of caps, stoppers, corks, stamps, or labels taken from any bottle, case, keg, barrel, or package containing such vinous, spiritous, malt, or brewed liquors and providing a penalty for the violation thereof," approved the twelfth day of June, Anno Domini nineteen thirteen, prohibiting the offer of gifts or premiums or presents as an inducement for the purchase of liquors, or for any other purpose.

Which was committed to the Committee on Law and Order.

House Bill No. 851 (Senate Bill No. 1153), entitled

An Act to amend the first paragraph of section four of the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended.

Which was committed to the Committee on Judiciary Special.

House Bill No. 969 (Senate Bill No. 1154), entitled

An Act to amend section one of an act approved the thirtieth day of May one thousand eight hundred ninety-three entitled "An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park and making an appropriation therefor" as amended by providing for the acquisition of additional land by the Valley Forge Park Commission.

Which was committed to the Committee on Appropriations.

House Bill No. 1131 (Senate Bill No. 1155), entitled

An Act amending section seventeen of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof" approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven prohibiting the sale of liquors during certain hours of the day.

Which was committed to the Committee on Law and Order.

House Bill No. 1135 (Senate Bill No. 1156), entitled

An Act placing the control and management of county jails and prisons in the several counties of the Commonwealth, and the inmates thereof in boards of prison inspectors; providing for the appointment of such boards in each of said counties and for the regulation and government of said jails and prisons and the inmates thereof; providing for the payment of the necessary expenses for keeping, furnishing and maintaining said jails and prisons by the several counties, respectively, and prescribing the duties of the commissioners and treasurers, respectively, of said counties relative to the payment of such expenses.

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1159 (Senate Bill No. 1157), entitled

An Act reappropriating and making available certain unexpended sums appropriated by the General Assembly of one thousand nine hundred and fifteen for the support and maintenance of the National Guard and Naval Militia for improvements at the Permanent Camp Ground at Mount Gretna Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1180 (Senate Bill No. 1158), entitled

An Act to prohibit dancing singing cabaret shows vaudeville or theatrical entertainments and moving picture exhibitions in places licensed for the sale of vinous spirituous malt or brewed liquors

Which was committed to the Committee on Law and Order.

House Bill No. 1264 (Senate Bill No. 1159), entitled

An Act to amend sections one and two of an act approved the seventh day of June one thousand nine hundred and one entitled "An Act to authorize the township commissioners in townships of the first class to lay out widen open and vacate streets and the highways within their respective townships at the expense of the township or the properties benefited.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1265 (Senate Bill No. 1160), entitled

An Act to amend section one of an act approved the twenty-fifth day of June, one thousand nine hundred and thirteen, entitled "An Act authorizing the township commissioners, of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township, leading directly to or connecting cities, boroughs, villages, or places of public resort; providing for and regulating the construction of the same: and authorizing the township commissioners to charge a part of the expense of constructing the same, including the grading and curbing thereof, upon the abutting property owners, and to defray the remaining part of such expense from the public funds of the township," ordaining and establishing sidewalks over and upon land abutting along the sides of streets, highways and turnpikes, and providing for the assessment and payment of damages and benefits in connection therewith.

Which was committed to the Committee on Public roads and Highways.

House Bill No. 1284 (Senate Bill No. 1161), entitled

An Act to make valid acknowledgments and other notarial acts heretofore or hereafter performed by notaries public in any state or territory of the United States or any foreign country and authorizing the recording thereof and the acceptation thereof in evidence

Which was committed to the Committee on Judiciary General.

House Bill No. 1289 (Senate Bill No. 1162), entitled

An Act regulating the giving and delivery of trading stamps coupons and similar articles in connection with the sale and purchase of goods wares and merchandise and providing penalties

Which was committed to the Committee on Judiciary Special.

House Bill No. 1381 (Senate Bill No. 1163), entitled

An Act validating certain borough ordinances providing for certain street improvements and the liens and bonds imposed and issued in pursuance thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 1389 (Senate Bill No. 1164), entitled

An Act establishing in the several jails prisons and penitentiaries the Bertillion method for the identification of criminals imposing certain duties upon the warden of the Western Penitentiary and authorizing county commissioners to provide measuring instruments and cabinets for the filing of cards and photographic plates at the expense of the county

Which was committed to the Committee on Judiciary General.

House Bill No. 1423 (Senate Bill No. 1165), entitled

An Act fixing the salary of the deputy coroner of counties having a population of one million five hundred thousand or over

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1425 (Senate Bill No. 1166), entitled

An Act to amend the act approved the sixteenth day of July, one thousand nine hundred and thirteen, entitled "A Supplement to an act, entitled 'An Act providing for the incorporation and government of cities of the third class,' approved the twenty-third day of May, Anno Domini one thousand eight hundred eighty-nine, creating a City Planning Department; defining its jurisdiction; and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city, and for three miles beyond the city limits; and to regulate the making and use of certain public improvements until said plans are approved by said department, and authorizing the exercise of the powers herein provided by a park or other municipal commission," by extending the powers of the City Planning Commission; imposing duties on certain borough and township officers; extending the jurisdiction of the commission to six miles outside the city limits in certain cases; restricting certain conveyances of land; and imposing penalties for violation of certain provisions of the act.

Which was committed to the Committee on Judiciary General.

House Bill No. 1426 (Senate Bill No. 1167), entitled

An Act to further amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof

Which was committed to the Committee on Judiciary General.

House Bill No. 1451 (Senate Bill No. 1168), entitled

An Act providing for the payment out of the city treasury in cities of the second class of the salaries of city employes enlisting in the army and navy or called into the service of the United States and conferring powers upon the council city controller and city treasurer

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1452 (Senate Bill No. 1169), entitled

An Act providing for the payment out of the county treasury in certain counties of the salaries of county employes enlisting in the army and navy or called into the service of the United States and conferring certain powers upon the County Commissioners county controller and county treasurer

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1458 (Senate Bill No. 1170), entitled

An Act providing that public roads through Indian reservations in the State of Pennsylvania shall be improved and maintained by the State Highway Department as a part of the system of State highways.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1471 (Senate Bill No. 1171), entitled

An Act to amend part of section six of an act approved the thirty-first day of May one thousand nine hundred eleven (Pamphlet Laws four hundred sixty-eight entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement and maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or tollroads foming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townshps desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State

Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1488 (Senate Bill No. 1172), entitled

An Act validating certain elections of counties, cities, boroughs, townships, school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments thereto, and validating bonds issued or authorized to be issued in pursuance of said election.

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN SENATE BILL NO. 171.

He also returned to the Senate Senate Bill No. 171, entitled

A Supplement to the act of April twenty-eighth, eighteen hundred ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class," providing for the election of a township solicitor in townships of the first class; fixing his term of office; prescribing his duties and qualifications and authorizing the board of township commissioners to fix his compensation.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 249.

He also returned to the Senate Senate Bill No. 249, entitled

An Act amending section one of an act, entitled "An Act to amend section one of an act ceding jurisdiction over real estate in the County of Philadelphia to be acquired by the United States," approved April fifteenth, Anno Domini one thousand nine hundred and three, increasing the limitation as to area of land the jurisdiction of which is ceded from twenty thousand square feet to forty thousand square feet, approved the twenty-fifth day of May, Anno Domini one thousand nine hundred and seven, by increasing the limitation as to area of land and the jurisdiction of which is ceded from forty thousand square feet to eighty thousand square feet.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 468.

He also returned to the Senate Senate Bill No. 468, entitled

An Act to enable two or more boroughs that are contiguous or in close proximity, to be united and to become one city, wherever each of said boroughs shall have heretofore voted or shall hereafter vote to become a city of the third class, under the laws now enacted or which may hereafter be enacted and wherever each of said boroughs has duly received or shall hereafter receive letters patent constituting it a city of the third class, but where sufficient time shall not have elapsed after the granting of such letters patent for the holding of a municipal election; providing for the consequences of such consolidation the government of such consolidated city, the payment of the indebtedness of each of the united territories and the enforcement of debts and claims due to and from each; and fixing the jurisdiction over the said consolidated city in the courts of the county in which the majority of its inhabitants shall reside.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. EFG.

He also returned to the Senate Senate Bill No. 567, entitled

An act to amend section nineteen of an act approved the 13th day of June 1836 entitled "An act relating to roads highways and bridges"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 692.

He also returned to the Senate Senate Bill No. 692, entitled

An act authorizing tenants in common and coparceners of land to pay their proportionate share of taxes assessed against the land and providing that the sale thereof for unpaid taxes shall not impair or divest the title of those who have paid their respective shares of such taxes

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 789.

He also returned to the Senate Senate Bill No. 789, entitled

An Act validating divorces granted on the ground of hopeless insanity of the respondent under the provisions of an act approved the eighteenth day of April, nineteen hundred and five, entitled "An Act to amend section eight of the act approved the thirteenth day of April, eighteen hundred and forty-three, entitled 'An Act to convey certain real estate and for other purposes,' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis, and to further regulate the procedure in action for divorce."

with the information that the House has passed the same without amendment.

SENATE BILL NO. 770 RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced, returned to the Senate Senate Bill No. 770, entitled

An Act to further amend an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for the revocation or suspension of licenses given by said Bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" amended to read "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said Bureau and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" by providing for further instruction prior to examination for licensure clarifying sections five (5) and twelve (12).

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. VARE. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives in the foregoing bill.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 2, page 9, line 5, by striking out the words "or any of its branches;" also line 13 by striking out the words "or any of its branches;" also line 19 by striking out the words "or any of its branches;" also page 10, lines 1 and 2 by striking out the words "or any of its branches;" also line 11 by striking out the words "or any of its branches."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,	Graff, W. P.,	McNichol,	Snyder,
Beales,	Hindman,	Miller,	Sones,
Beidleman,	Homsher,	Nason,	Sproul,

Buckman,	Jenkins,	Patton,	Stewart,
Burke,	Jones,	Phipps,	Vare,
Catlin,	Leiby,	Salus,	Warner,
Craig,	Lynch,	Sassaman,	Wasbers,
Daix,	Martin,	Schantz,	Weaver,
DeWitt,	McConnell,	Semmens,	Whitten,
Endsley,	McKee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION FOR FINAL ADJOURNMENT.

He also laid before the Senate extract from the Journal of the House of Representatives, which was twice read as follows:

In the House of Representatives.
Harrisburg, Pa., May 14th, 1917.

Gentlemen: Your Committee in pursuance to the statement made in the report of May 8th, 1917, further report that we find there are in Committees at this date a total of about eighteen hundred and fifty bills. Some of these are duplicate bills in the different bodies, leaving probably about fifteen hundred bills still in Committee.

After a careful inquiry from the different Chairmen, (aside from the Appropriation Bills) there are probably three or four hundred bills of sufficient importance to be reported for consideration.

Your Committee does not want to be understood as assuring the Legislature that the 14th of June would be a proper date for adjournment. It does, however, conclude upon the information obtained, that the House could wisely fix this date at this time; subject to the approval of the Senate. This suggestion is based upon the presumption that the membership from this forward give full attendance at all sessions, so as to avoid re-consideration, which so frequently retards action upon other Legislative matters.

We, therefore, present the following resolution for consideration of the House at this time:

"Resolved (if the Senate concur), That the General Assembly adjourn sine die at high noon June fourteenth, nineteen hundred and seventeen (1917).

Mr. SPROUL. Mr. President, I move that the resolution just read be referred to the Committee on Executive Nominations.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. SCHANTZ, from the Committee on Agriculture, reported as amended Senate Bill No. 1020, entitled

An act providing for the protection of the public health and the prevention of fraud and deception by regulating the testing of milk and cream when the same is bought on the basis of butter fat as determined by the Babcock test, and providing penalties for the violation thereof and providing for the enforcement thereof.

Also, from the Committee on Agriculture, reported as committed Senate Bill No. 1021, entitled

An Act supplementary to an act approved the 24th day of June, 1913, entitled "An Act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses, prescribing their duties; prohibiting vendors from giving false or insufficient weights; and fixing the penalties for the violation of the provisions hereof;" providing for the examination of the glassware used for testing milk and cream for butter fat with the Babcock test; prohibiting the use of inaccurate testing glassware; defining the term standard Babcock glassware; and fixing penalties for the violation of the provisions of this act.

Mr. DAIX, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 1082, entitled

An Act providing a means of relief and assistance to the families of soldiers resident in the respective counties of the Commonwealth.

Also, from the Committee on Judiciary General, re-reported as committed Senate Bill No. 989 (House Bill No. 1261), entitled

An Act to amend section one of an act entitled "An Act to provide for the removal of judges of the Supreme Superior common pleas and orphans' court permantly disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" approved eleventh day of May one thousand nine hundred and one as amended by an act entitled "An Act to amend section one of an act entitled 'An Act to provide for the removal of judges of the Supreme Superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives" approved twenty-third day of June one thousand nine hundred and eleven so as to provide that any judge of the Supreme or Superior court who has served in judicial office for twenty or more years shall be entitled to receive the benefits of said act immediately after his honorable retirement from office by expiration of term resignation or otherwise whether said service be continuous or not

Mr. SEMMENS, from the Committee on Game and Fisheries, reported as committed Senate Bill No. 884 (House Bill No. 621), entitled

An Act to amend section four of an act approved the seventeenth day of April, one thousand nine hundred thirteen, entitled "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania; requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees, fines and penalties received."

Mr. SALUS, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 888 (House Bill No. 845), entitled

An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as amended Senate Bill No. 1087 (House Bill No. 1275), entitled

An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees, herein designates as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents.

Also, from the Committee on Judiciary General, reported as amended Senate Bill No. 1041 (House Bill No. 1269), entitled

An Act relating to the jurisdiction powers and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate and for the sale of real estate for the purpose of distribution and the fees, costs and expenses therein.

Also, from the Committee on Judiciary General, reported as amended Senate Bill No. 1042 (House Bill No. 1270), entitled

An Act relating to the organization, jurisdiction and procedure of the orphans courts, the powers and duties of the judges thereof and appeals therefrom.

Also, from the Committee on Judiciary General, reported as amended Senate Bill No. 1043 (House Bill No. 1271), entitled

An Act relating to the jurisdiction, powers and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground rent, leases, extinguishment of ground rents, partitions, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the subdivision of premises so as to command the highest price or greatest rents, and, for such purpose, the laying out or dedication of roads, streets, and alleys or the vacation of such as have not been accepted by the public authorities, where the court shall be of the opinion that such decree will be to the interest and advantage of all those interested, and where the legal title is held by minors, lunatics, habitual drunkards or weak-minded persons, a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years, by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial or charitable society or association incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law, by a corporation or individual or individuals and is subject to a trust of any description whatever, by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devisees, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the state, have died, refuse to act, unreasonably withhold consent or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor, devisee or appointee to make sale and conveyance; where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decrees.

Also, from the Committee on Judiciary General, reported as committed Senate Bill No. 1085 (House Bill No. 1272), entitled

An Act relating to the form, execution, revocation and interpretation of wills to noncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor.

Also, from the Committee on Judiciary General, reported as committed Senate Bill No. 1086 (House Bill No. 1273), entitled

An Act relating to the qualification, jurisdiction, powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof, the effects of their acts and appeals therefrom.

Also, from the Committee on Judiciary General, reported as committed Senate Bill No. 1084 (House Bill No. 1274), entitled

An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor.

Mr. SEMMENS, from the Committee on Education, reported as committed Senate Bill No. 1134, entitled

An Act to amend section five hundred sixty of an act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith.

BILLS INTRODUCED.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 1173, entitled

An Act relating to and regulating the operation of motor vehicles and vehicles propelled by or trailing after motor vehicles on the public highways and the storing of the same requiring the registration of the same and the licensing of all operators other than registered owners thereof; providing fees, methods and qualifications for all registrations or licenses and the disposition of such fees; prohibiting the tampering with motor vehicles by unauthorized persons; prohibiting the enactment of any law or ordinance by any city, borough, incorporated town, township or county requiring any taxes registration or license other than herein provided or the regulation of motor vehicles; providing procedure and penalties for any violations thereof and the disposition of the fines collected for said violations and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle.

Which was committed to the Committee on Public Roads and Highways.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1174, entitled

An Act authorizing the lease and sale of natural resources on or in the public lands of this Commonwealth; and conferring and imposing certain powers and duties upon the Secretary of Internal Affairs and the Board of Property.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 1175, entitled

An Act authorizing the reconstruction, alteration and repair of properties, premises, dwelling or apartment houses, factories, theatres, moving picture houses, and places of amusement and other like structures where part of any such structure is taken by the public authorities under power of eminent domain or otherwise with due regard to existing building laws so long as such reconstruction, alteration and repairs are made in a manner to leave the properties, premises, houses, factories, theatres, moving picture houses, and places of amusement and other structures sufficiently safe for the purpose for which they are intended and receive the approval of the Department of Building Inspection or other corresponding Department of local government.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 1176, entitled

An Act to prevent the fradulent manipulation of companies, corporations or societies under the supervision of the Insurance Department and the Banking Department by the resignation of directors during their terms of office, and providing a penalty for the violation of the provisions of this act.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 1177, entitled

An Act to suspend during the existence of the present war between the United States of America and the Imperial Government of Germany so much of the act entitled "An Act to provide for the creation and maintenance of a reserve fund in all banks, banking companies, savings banks, savings institutions, companies authorized to execute trusts of any description and to receive deposits of money, which are now or which may hereafter be incorporated under the laws of this Commonwealth, and in all trust companies or other companies receiving deposits of money, which may have been heretofore or which may hereafter be incorporated under section 29 of the act approved April 29th, 1874, entitled 'An Act for the creation and regulation of corporations,' and the supplements thereto," approved May 8, 1907, P. L. 189, as operates to require the creation and maintenance of a reserve fund against deposits of public moneys made by the United States of America.

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair Senate Bill No. 1178, entitled

An Act to encourage voluntary service in the military or naval forces during time of war or contemplated war, by retaining al officers and employes of the Commonwealth, or of any county, city borough, town, township, judicial district, school district or poor district, so volunteering and serving, in his office or employment with full compensation during such period of military or naval service; and providing for the employment of substitutes whenever necessary.

Which was committed to the Committee on Military Affairs.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 1179, entitled

An Act providing a method of taxation in cities of the third class for the promotion, construction and improvement of industries in such cities or territory adjacent thereto; providing for the holding of special elections to determine the desirability of said tax; and providing for the appointment of a board of trustees to have the direction and control of the moneys so raised.

Which was committed to the Committee on Municipal Affairs.

Mr. NASON read in his place and presented to the Chair Senate Bill No. 1180, entitled

An Act requiring cities of the third class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions.

Which was committed to the Committee on Municipal Affairs.

Mr. LEIBY read in his place and presented to the Chair Senate Bill No. 1181, entitled

An Act to amend Sections two and five of the act approved the fourth day of June, one thousand nine hundred and fifteen, entitled "An Act authorizing and regulating the employment of convicts and prisoners on the public highways."

Which was committed to the Committee on Judiciary General.

Mr. WHITTEN (by request of Mr. Kline) read in his place and presented to the Chair Senate Bill No. 1182, entitled

An Act authorizing cities, boroughs, towns and townships to appoint and in certain instances recognize, war garden commissions; prescribing their powers and duties; and providing for an appropriation by the several cities; boroughs, towns and townships from public funds to carry out the provisions of this act; and providing fines and penalties for trespass upon or destruction or spoiling of such gardens.

Which was committed to the Committee on Agriculture.

REPORT FROM COMMITTEE.

Mr. LYNCH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LYNCH, from the Committee on Public Roads and Highways, reported as committed Senate Bill No. 1173, entitled

An Act relating to and regulating the operation of motor vehicles and vehicles propelled by or trailing after motor vehicles on the public highways and the storing of the same requiring the registration of the same and the licensing of all operators other than registered owners thereof providing fees methods and qualifications for all registrations or licenses and the disposition of such fees prohibiting the tampering with motor vehicles by unauthorized persons prohibiting the enactment of any law or ordinance by any city borough incorporated town township or county requiring any taxes registration or license other than herein provided or the regulation of motor vehicl providing procedure and penalties for any violation thereof and the disposition of the fines collected for said violations and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle.

BILL OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 716, on final passage, entitled

An Act prohibiting holders of brewers licenses from having offices or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 15, entitled

An Act relating to costs in certain cases of summary conviction before aldermen magistrates and justices of the peace providing for the assessment of such costs upon the prosecutor or defendant and their commitment in case of default and providing for the payment of such costs by counties in certain cases

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22.

Baldwin,	Homsher,	McNichol,	Sassaman,
Burke,	Jenkins,	Miller,	Schantz,
Craig,	Leiby,	Nason,	Semmens,
Daix,	Martin,	Patton,	Sones,
DeWitt,	McConnell,	Phipps,	Whitten,
Hindman,	McKee,		

NAYS—14.

Beidleman,	Graff, W. P.,	Stewart,	Warner,
Buckman,	Salus,	Tompkins,	Wasbers,
Catlin,	Snyder,	Vare,	Weaver,
Endsley,	Sproul,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 39, entitled

An Act giving preferences to claims for rent in cases of bankruptcy and Insolvency Proceedings against Tenants

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Baldwin,	Jenkins,	Phipps,	Stewart,
Craig,	Leiby,	Salus,	Tompkins,
Daix,	Martin,	Sassaman,	Vare,
DeWitt,	McConnell,	Snyder,	Warner,
Endsley,	Miller,	Sones,	Wasbers,
Graff, W. P.,	Nason,	Sproul,	Weaver,
Hindman,	Patton,		

NAYS—10.

Beidleman,	Catlin,	McNichol,	Semmens,
Buckman,	Homsher,	Schantz,	Whitten,
Burke,	McKee,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECONSIDERATION OF SENATE BILL NO. 15.

Mr. SPROUL. Mr. President, I move that the vote by which Senate Bill No. 15, entitled

An Act relating to costs in certain cases of summary conviction before aldermen magistrates and justices of the peace providing for the assessment of such costs upon the prosecutor or defendant and their commitment in case of default and providing for the payment of such costs by counties in certain cases.

was defeated in final passage a few minutes ago be reconsidered.

The PRESIDENT. How did the Senator vote?

Mr. SPROUL. Mr. President, I voted "no."

Mr. SALUS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SALUS. Mr. President, I voted "no."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. SPROUL. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. BURKE. Mr. President, I second the motion.
The motion was agreed to.

BILL RECOMMITTED.

Mr. W. P. GRAFF. Mr. President, I move that Senate Bill No. 107, entitled

An Act fixing the salary of the Governor of the Commonwealth

be recommitted to the Committee on Finance.

Mr. BEIDLEMAN. Mr. President, I second the motion.
The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 731, entitled

An Act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Endsley,	McConnell,	Sones,
Beales,	Eyre,	McKee,	Sproul,
Beidleman,	Graff, W. P.,	Miller,	Stewart,
Buckman,	Hackett,	Nason,	Vare,
Burke,	Hindman,	Patton,	Warner,
Catlin,	Homsher,	Phipps,	Wasbers,
Craig,	Jenkins,	Sassaman,	Weaver,
Dalx,	Leiby,	Schantz,	Whitten,
DeWitt,	Martin,	Snyder,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 779, entitled

An Act to permit street passenger railway companies and motor power companies operating the property and facilities of any street passenger railway company to operate omnibuses in connection with the lines of railways operated by them, with the consent of the local authorities

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

BILL POSTPONED.

Mr. LYNCH. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.
Mr. BUCKMAN. Mr. President, I second the motion.
The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 805, as follows:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article nine which reads as follows
"Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiency in revenue shall never exceed in the aggregate at any one time one million dollars" be amended so as to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiency in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth

Section 2 Said proposed amendment shall be submitted to the qualified electors of the State at the general election to be held on the Tuesday next following the first Monday of November in the year nineteen hundred and eighteen for the purpose of deciding upon the approval and ratification or the rejection of said amendment Said election shall be opened held and closed upon said election day at the places and within the hours at and within which said elections is directed to be opened held and closed and in accordance with the provisions of the laws of Pennsylvania governing elections and amendments thereto Such amendment shall be printed upon the ballots in the form and manner prescribed by the election laws of Pennsylvania and shall in all respects conform to the requirements of such laws

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?
Mr. SPROUL. Mr. President, I am obliged again to ask unanimous consent to amend this bill on account of errors made by the printer, on account of glaring typographical errors. It had to be amended on Wednesday, and now they have misprinted the reprint, and so I have to ask again for unanimous consent to amend section 1, page 1, line 2, by inserting after the word "Assembly" the words "met that;" also line 9, by striking out the word "invation" and inserting in lieu thereof the word "invasion."
The PRESIDENT. Is there objection? The Chair hears none.
The amendment was agreed to.
On the question,
Will the Senate agree to the bill on third reading as amended?
It was agreed to.
Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 865, entitled

An Act to authorize corporations organized for profit under the laws of Pennsylvania to continue the salaries of employes enlisting or enrolling in any branch of the military or naval service of the United States or other protective organizations.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
Mr. BURKE. Mr. President, I desire to interrogate the sponsor of the bill, the Senator from Delaware, Mr. Sproul.
The PRESIDENT. Will the Senator from Delaware, Mr. Sproul, permit himself to be interrogated?
Mr. SPROUL. Mr. President, gladly, sir.
Mr. BURKE. Mr. President, do not corporations for profit have the same rights now as this bill will give them if enacted into a law?
Mr. SPROUL. Mr. President, there is some question as to the right of corporations to expend money which belongs to their stockholders in payment of anything except services rendered, and it may be held—in fact it has been held, and the question has been raised, as to whether these payments to employes who are in the National service are not in the nature of gifts rather than payments for service.
Mr. BURKE. Mr. President, one more question.
The PRESIDENT. Will the Senator from Delaware, Mr. Sproul, permit himself to be further interrogated?
Mr. SPROUL. Mr. President, I will.
Mr. BURKE. Mr. President, then would you care to change the word "may" to "shall?"

Mr. SPROUL. Mr. President, no, I would not care to do that, because that would make it mandatory and some corporations might not afford to do it. There might be a corporation that had five employes and they would all enlist and to pay all of them they would have great difficulty. I do not think you could compel them to do it.

Mr. BURKE. Mr. President, one more question.

The PRESIDENT. Will the Senator permit himself to be further interrogated?

Mr. SPROUL. Mr. President, I will.

Mr. BURKE. Mr. President, then this bill gives them the right?

Mr. SPROUL. Mr. President, gives them the right to do it if they desire. That is all.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Hindman,	Nason,	Stewart,
Beidleman,	Homsher,	Patton,	Tompkins,
Buckman,	Jenkins,	Phipps,	Vare,
Burke,	Leiby,	Salus,	Warner,
Catlin,	Lynch,	Sassaman,	Wasbers,
Craig,	Martin,	Schantz,	Weaver,
Daix,	McConnell,	Semmens,	Whitten,
DeWitt,	McKee,	Snyder,	
Endsley,	McNichol,	Sones,	
Graff, W. P.,	Miller,	Sproul,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the Chair.

BILL RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 885 (House Bill No. 662), on third reading, entitled

An Act to amend an act approved the ninth day of April one thousand nine hundred fifteen entitled "An Act to amend an act entitled 'An Act to amend an act entitled "An Act to amend an act, entitled 'An Act to amend an act entitled "An Act to amend an act, entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to make have and hold real estate necessary and proper for manufacturing purposes" approved the ninth day of June, Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks, or for dressing, polishing, working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June, Anno Domini one thousand eight hundred and ninety-three," approved the nineteenth day of April, Anno Domini one thousand nine hundred and one, extending the same to companies formed for the purposes of manufacturing and selling chemicals, foodstuffs, cement and cement products and the quarrying of cement rock,' approved May twenty-eighth, one thousand nine hundred and seven, extending the same to companies incorporated for the manufacture, buying, selling, leasing, using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production, use, regulation, control, distribution or application of electricity or electrical energy or products for any use or purpose constructing, acquiring, using, selling, buying or leasing any works, construction or plant or part thereof connected with or involving such use, distribution, regulation, control or application of electricity or the control or use of electrical apparatus for any purpose and of producing, furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business,' approved the twenty-third day of June, one thousand nine hundred and eleven, by extending the same to companies incorporated for the purpose of refining, manufacturing or sale of petroleum and petroleum products," by extending the same to corporations incorporated for the manufacture of leather or articles containing leather.

be recommitted to the Committee on Judiciary General.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 894 (House Bill No. 1017), entitled

An Act prohibiting the handling or driving of horses or other animals or teams or vehicles on the public highways of the Commonwealth by an intoxicated person and providing penalties therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—37.

Baldwin,	Homsher,	Nason,	Sproul,
Buckman,	Jenkins,	Patton,	Stewart,
Burke,	Jones,	Phipps,	Tompkins,
Catlin,	Leiby,	Salus,	Warner,
Craig,	Lynch,	Sassaman,	Wasbers,
Daix,	Martin,	Schantz,	Weaver,
DeWitt,	McConnell,	Semmens,	Whitten,
Endsley,	McKee,	Snyder,	Beidleman,
Graff, W. P.,	McNichol,	Sones,	Pres. pro tem.
Hindman,	Miller,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 974 (House Bill No. 986), entitled

An Act making a deficiency appropriation to the Department of Agriculture

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—37.

Baldwin,	Homsher,	Patton,	Stewart,
Buckman,	Jenkins,	Phipps,	Tompkins,
Burke,	Leiby,	Salus,	Vare,
Catlin,	Lynch,	Sassaman,	Warner,
Craig,	Martin,	Schantz,	Wasbers,
Daix,	McConnell,	Semmens,	Weaver,
DeWitt,	McKee,	Snyder,	Whitten,
Endsley,	McNichol,	Sones,	Beidleman,
Graff, W. P.,	Miller,	Sproul,	Pres. pro tem.
Hindman,	Nason,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 988 (House Bill No. 1176), entitled

An act providing for the establishment in cities of the third class of a house or houses of detention for witnesses and untried prisoners for the commitment of such prisoners and witnesses thereto and for the payment of the cost of establishing and maintaining the same by the county wherein said cities are situated

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. DAIX. Mr. President, I ask unanimous consent to amend section 2, page 2, line 6, by striking out the word

"and"; also by inserting after the word "county" the words "and the Municipal Court of Philadelphia."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 988 (House Bill No. 1176), the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 991 (House Bill No. 1310), entitled

An Act to confer additional powers upon fire insurance companies

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—30.

Baldwin,	Eyre,	McNichol,	Snyder,
Buckman,	Graff, W. P.,	Miller,	Sones,
Burke,	Hackett,	Nason,	Tompkins,
Catlin,	Homsher,	Patton,	Wasbers,
Croft,	Jenkins,	Phipps,	Weaver,
Daix,	Martin,	Sassaman,	Whitten,
DeWitt,	McConnell,	Semmens,	Beidleman,
Endsley,	McKee,		Pres. pro tem.

NAYS—4.

Leiby,	Salus,	Schantz,	Stewart,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 993 (House Bill No. 40), entitled

An Act amending an act approved the 12th day of July, A. D. 1913, entitled "An Act establishing a court for the County of Philadelphia, prescribing its jurisdiction and powers, providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia, regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by increasing the amount of salary to be paid to the judges of the municipal court of Philadelphia.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—34.

Baldwin,	Hindman,	Nason,	Sproul,
Buckman,	Homsher,	Patton,	Stewart,
Burke,	Jenkins,	Phipps,	Tompkins,
Catlin,	Lynch,	Salus,	Wasbers,
Craig,	Martin,	Sassaman,	Weaver,
Daix,	McConnell,	Schantz,	Whitten,
DeWitt,	McKee,	Semmens,	Beidleman,
Endsley,	McNichol,	Snyder,	Pres. pro tem.
Graff, W. P.,	Miller,	Sones,	

NAYS—1.

Leiby,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORT FROM COMMITTEE.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as amended Senate Bill No. 868, entitled

An Act authorizing counties to incur indebtedness for certain purposes and regulating the manner of creating or incurring any such indebtedness; and the expenditures of the proceeds of any such indebtedness, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof or the failure of certain officers to perform their duties under this act.

BILL RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 995, on third reading, entitled

An Act regulating the licensing of persons and institutions in the business of receiving, boarding or keeping children under the age of fourteen years for hire or reward; providing that such licenses shall be obtained annually from the director or president of the board of health in all cities of the second and third classes, boroughs, towns, and all townships of the first class, and in the case of township of the second class, from the Commissioner of the State Department of Health; authorizing the making of rules and regulations for the issuing and registering of such licenses, for the conduct of such business and for the inspection of the premises in which said business is conducted; making the violation of the act and the rules and regulations made thereunder a misdemeanor, and prescribing the penalty therefor.

be recommitted to the Committee on Judiciary General.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 997, as follows

An Act to amend section twenty-three of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" approved April seventeenth one thousand eight hundred and seventy-six as amended by section one of an act entitled "An Act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations' approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corporations before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth" approved June second one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and twenty-four) providing for the time of filing of returns in the office of the Secretary of the Commonwealth by certain corporations selling assigning disposing of and conveying their franchises and property and requiring the filing of all the reports required by the Auditor General of the Commonwealth and the pay-

ment of all taxes due the Commonwealth of Pennsylvania by said corporations up to and including the date of proposed sale assignment disposition of and conveyance of the franchises and property of said corporations and certification thereof before one of said returns shall be so filed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations" approved April seventeenth one thousand eight hundred and seventy-six as further amended by the first section of an act entitled "An act to amend section twenty-three of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled 'A supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations' approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corporations before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth" approved June second one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and twenty-four) which reads as follows

"Section 23 Any corporation created under the provisions of this act and any corporation of the classes named in the second section hereof that is now in existence by virtue of any law of this Commonwealth may reduce its capital stock or alter and change the par value of the shares thereof by a vote of the stockholders taken in the manner and under the regulations prescribed in the eighteenth nineteenth twentieth twenty-first and twenty-second sections of this act and it shall be lawful for any corporation in the same manner to sell assign dispose of and convey to any corporation created under or accepting the provisions of this act its franchises and all its property real personal and mixed and thereafter such corporation shall cease to exist and the said prpoerty and franchises not inconsistent with this act shall thereafter be vested in the corporation so purchasing as aforesaid Provided That the returns required by said section shall not be filed in the office of the Secretary of the Commonwealth until each and every corporation so selling assigning disposing and conveying such franchises and property shall have filed with the Secretary of the Commonwealth a certificate from the Auditor General of the Commonwealth setting forth that all reports required by the Auditor General of the Commonwealth have been duly filed to the date of the proposed sale assignment disposition and conveyance and that all taxes due the Commonwealth of Pennsylvania have been paid up to and including such date" be and the same is hereby amended to read as follows

Section 23 Any corporation created under the provisions of this act and any corporation of the classes named in the second section hereof that is now in existence by virtue of any law of this Commonwealth may reduce its capital stock or alter and change the par value of the shares thereof by a vote of the stockholders taken in the manner and under the regulations prescribed in the eighteenth nineteenth twentieth twenty-first and twenty-second sections of this act and it shall be lawful for any corporation in the same manner to sell assign dispose of and convey to any corporation created under or accepting the provisions of this act its franchises and all its property real personal and mixed and thereafter such corporation shall cease to exist and the said property and franchises not inconsistent with this act shall thereafter be vested in the corporation so purchasing as aforesaid Provided That the return of the election by the stockholders of said corporation so selling assigning disposing of and conveying its franchises and property and the papers required by law to be attached thereto shall be filed in the office of the Secretary of the Commonwealth within thirty days after said sale assignment disposition and conveyance (1) shall have been approved by the stockholders by said election and (2) shall also have been approved by any official commission department or body of the government of the Commonwealth of Pennsylvania the approval of which is necessary by law to the validity of the same but provided further That this act shall not be construed to require any approval now expressly required by law And provided further That the return of such sale assignment disposition and conveyance by the president or treasurer of such corporation shall be filed in the office of the Secretary of the Commonwealth within thirty days (1) after the date obtaining the certificate of the Auditor General of the Commonwealth as hereinafter required and (2) also after the deed or other instrument by which the said franchises and property shall be sold assigned disposed of and conveyed shall be recorded in the office of the recorder of deeds in and for the proper county or counties And provided further That the said last-mentioned return shall not be so filed as aforesaid unless and until there shall be filed therwith a certificate of the Secretary of the Commonwealth setting forth that all reports required by the Auditor General of the Commonwealth have been duly filed to the date of the proposed sale assignment disposition and conveyance which shall be the date of said deed or other instrument and that all taxes due the Commonwealth of Pennsylvania have been paid up to and including such date

Section 2 All acts and parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—32.

Baldwin,	Endsley,	McKee,	Snyder,
Buckman,	Graff, W. P.,	McNichol,	Sones,
Burke,	Homsher,	Miller,	Sproul,
Catlin,	Jenkins,	Nason,	Warner,
Craig,	Leiby,	Phipps,	Wasbers,
Croft,	Lynch,	Salus,	Weaver,
Daix,	Martin,	Sassaman,	Whitten,
DeWitt,	McConnell,	Semmens,	Beidleman, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1002, entitled

An Act to exempt playgrounds not used for private or corporate profit from taxation where the entire revenue is applied to support said playgrounds and to increase the efficiency and improvement thereof

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. NASON. Mr. President, It seems to me that this is a dangerous bill. A man who has a property in the central part of a town can evade the payment of tax by simply using that piece of ground for a private playground. A man can spend less than one hundred dollars and make thousands of dollars worth of property exempt from taxation. It would permit some men to avoid the payment of tax at a very small investment in equipment for a playground. It would work a very great hardship in our city if that were taken advantage of. As far as exempting real playgrounds from taxation is concerned, it might be all right, but the limitations under this bill are not sufficient for me to vote for the bill and I shall therefore vote against it.

And the question recurring,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. SCHANTZ. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. McCONNELL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1024, entitled

An Act providing for the payment of consequential damages arising from the taking injury or destruction of pri-

vate property by municipal corporations in the construction or enlargement of their works highways or improvements

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

BILL POSTPONED.

Mr. PATTON. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1025, entitled

An Act amending Section one of the Act of June twenty-three one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and forty-five) entitled "An Act to protect oil gas and water wells tanks pipes and machinery connected therewith and to prevent wilful and malicious injury thereto" extending the provisions thereof to reservoirs standpipes pumping stations power houses and other buildings or appliances used for the supply of water or electric current

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Hackett,	Miller,	Sones,
Buckman,	Homsher,	Nason,	Sproul,
Catlin,	Jenkins,	Patton,	Stewart,
Craig,	Leiby,	Phipps,	Tompkins,
Daix,	Lynch,	Salus,	Vare,
DeWitt,	Martin,	Sassaman,	Warner,
Endsley,	McConnell,	Schantz,	Wasbers,
Eyre,	McKee,	Semmens,	Whitten,
Graff, W. P.,	McNichol,	Snyder,	Beidleman, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 1027, on third reading, entitled

An Act to amend an act entitled "An Act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness absence or other temporary disability" approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-seven by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary

be recommitted to the committee on Judiciary General, for the reason that on page 6 of to-day's Calendar Senate Bill No. 1088 (House Bill No. 1805) is exactly the same bill, and as it has passed the House and is on third reading here, I therefore, ask that this bill be recommitted.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1044 (House Bill No. 751), entitled

An Act to fix the compensation for members of the General Assembly

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22.

Craig,	Lynch,	Nason,	Wasbers,
Daix,	Martin,	Patton,	Weaver,
Endsley,	McConnell,	Phipps,	Whitten,
Hindman,	McKee,	Sassaman,	Beidleman,
Homsher,	McNichol,	Schantz,	Pres. pro tem.
Jenkins,	Miller,	Semmens,	

NAYS—10.

Baldwin,	Leiby,	Sones,	Stewart,
DeWitt,	Salus,	Sproul,	Tompkins,
Graff, W. P.,	Snyder,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1088 (House Bill No. 1805), entitled

An Act to amend an act entitled "An Act relating to prothonotaries and their duties, and to their deputies, and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the twenty-sixth day of May, Anno Domini one thousand eight hundred ninety-seven, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Jenkins,	Patton,	Stewart,
Burke,	Leiby,	Phipps,	Tompkins,
Catlin,	Lynch,	Salus,	Vare,
Craig,	Martin,	Sassaman,	Warner,
Croft,	McConnell,	Schantz,	Wasbers,
Daix,	McKee,	Semmens,	Weaver,
DeWitt,	McNichol,	Snyder,	Whitten,
Endsley,	Miller,	Sones,	Beidleman,
Graff, W. P.,	Nason,	Sproul,	Pres. pro tem.
Homsher,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON THIRD READING.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1090, entitled

An Act creating a Division of Dairy and Food in the State Department of Health abolishing the office of Dairy and Food Commissioner and the Division of Dairy and Food in the State Agriculture Department and transferring all powers and duties now by law vested in and imposed upon the Dairy and Food Commissioner and the Dairy and Food Division of the State Department of Agriculture

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

Mr. McNICHOL. Mr. President, I ask unanimous consent to amend section 4, page 2, line 19, by striking out the word "of" and inserting in lieu thereof the word "or"; also section 5, line 24, by striking out the word "act" and inserting in lieu thereof the word "acts."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,
Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1098, entitled

An Act amending sections one and ten of an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, entitled "An Act to establish a State village for feeble-minded women; providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve, and to erect and furnish buildings on the same, and to manage said institution, and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years; defining the powers and duties of the board of managers; and making an appropriation for the purposes aforesaid, also for the expenses of maintenance until June first, one thousand nine hundred and fifteen."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McCONNELL. Mr. President, I ask unanimous consent to amend section 2, page 5, line 7, by striking out "cimmitment" and inserting in lieu thereof the word "commitment"; also page 8, line 15, by striking out the word "or" after the word "such"; also line 22, by striking out the words "or his"; also line 24, by striking out the word "or" after the word "said"; also line 5, by striking out the word "or."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 289, as follows

An Act to further amend part of section one of an act approved the eleventh day of July one thousand nine hundred and one entitled "An Act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of an act approved the eleventh day of July one thousand nine hundred and one (Pamphlet laws six hundred and sixty-three) entitled "An Act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same" as amended by an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and seventy-seven) entitled "An Act to amend an act approved the eleventh day of July one thousand nine hundred one entitled 'An Act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same'" which reads as follows

"For executing any process warrant capias attachment decree sentence or order of court where the defendant's body is to be taken in custody as follows For receiving docketing and making return one dollar for each arrest one dollar and mileage for transportation of each prisoner the actual amount paid to the common carrier for such transportation in addition to necessary help and expenses" be amended to read as follows

For executing any process warrant capias attachment decree sentence or order of court where the defendant's body is to be taken in custody as follows For receiving docketing and making return one dollar for each arrest one dollar and mileage for transportation of each prisoner six cents per mile in addition to necessary help and expenses

Section 2 That so much of section one of said act which reads as follows:

"For traveling expenses or mileage in serving or executing any of the writs rules orders decree processes or performing any of the duties or services herein specified and intended so to be or authorized by law the sheriff shall be entitled to receive and have taxed as costs six cents a mile for each mile actually traveled and necessary the same to be allowed on each separate writ rule order decree process or service performed He shall not receive more than one mileage where the plaintiff and defendant or plaintiffs and defendants in two or more contemporaneous writs are the same nor shall he receive more than one mileage when conducting two or more prisoners at one time to or from a place of detention or correction whether he is authorized by some one or more writs" be amended to read as follows

For traveling expenses or mileage in serving or executing any of the writs rules orders decree processes or performing any of the duties or services herein specified and intended so to be or authorized by law the sheriff shall be entitled to receive and have taxed as costs ten cents a mile for each mile actually traveled and necessary the same to be allowed on each separate writ rule order decree process or service performed Provided That he shall not receive more than one mileage where the plaintiff and defendant or plaintiffs and defendants in two or more contemporaneous writs are the same

Section 3 This act shall not affect or repeal any of the provisions of the act approved the ninth day of April one thousand nine hundred fifteen entitled "An Act to establish and regulate the fees to be charged and collected by sheriffs in counties of this Commonwealth having a population of not less than three hundred thousand nor more than one million five hundred thousand inhabitants as computed by the last preceding United States census the time and manner in which said fees shall be paid the publication and posting of said fees the delivery of an itemized receipt for official fees and legal costs received and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 506, as follows

An Act to amend section four of an act approved June second nineteen hundred and fifteen entitled an act regulating policies of insurance against liability arising under article three of the Workmen's Compensation Act of one thousand nine hundred fifteen providing for the regulation of premium rates thereof and providing penalties for the violation thereof so as to provide an agency for the application of a system of merit rating

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act approved June second nineteen hundred and fifteen entitled an act regulating policies of insurance against liability arising under article three of the Workmen's Compensation Act of nineteen hundred and fifteen providing for the regulation of premium rates thereof and providing penalties for the violation thereof which reads as follows

Section 4 The State Workmen's Insurance Fund and every insurance association and corporation which insures employers against liability for compensation under the Workmen's Compensation Act of nineteen hundred and fifteen shall file with the Commissioner of Insurance its classification of risks and premiums together with basis rate and schedule or merit ratings if a system of schedule or merit rating be in use none of which shall take effect until the Commissioner of Insurance shall have approved the same as adequate for the risks to which they respectively apply The Commissioner of Insurance may withdraw his approval of any premium rate or schedule made by the State Workmen's Insurance Fund or any insurance corporation or association if in his judgment such premium rate or schedule is inadequate to provide the necssary reserves Such premium rates or system of schedule or merit rating shall take no account of any physical impairment or employes or the exent to which employes have persons dependent upon them for support

On and after January first one thousand nine hundred and sixteen neither the State Workmen's Insurance Fund nor any insurance association or corporation may issue renew or carry beyond anniversary date any insurance for compensation under the Workmen's Compensation Act of nineteen hundred and fifteen at premium rates which are less than those approved by the Commissioner of Insurance for such carrier as adequate for the risks to which they respectively apply Provided however that if the Commissioner of Insurance shall have previously approved a system of schedule or merit rating filed with him by the State Workmen's Insurance Fund or any insurance association or corporation it may apply the same to risks subject thereto but any reduction from the basis rate filed with and approved by the Commissioner of Insurance on account of the application of such system of schedule or merit rating shall be clearly set forth in the insurance contracts or the indorsements attached thereto

The statistical and actuarial data compiled by the State Workmen's Insurance Fund shall at all times be available to the State Insurance Commissioner for his use in judging the adequacy or inadequacy of rates and schedule filed and it shall be the duty of the manager of the State Workmen's Insurance Fund to render all possible assistance to the State Insurance Department in carrying out the provisions of this act

The Commissioner of Insurance may require every insurance association or corporation which insures employers or employes under the Workmen's Compensation Act of nineteen hundred and fifteen to file with its annual statement a sworn report of its loss experience in such de-

tail and form as may be prescribed by the Commissioner of Insurance

The Commissioner of Insurance shall have the power to suspend or revoke the license of any insurance association or corporation which violates any of the provisions of this act shall be amended to read as follows

Section 4 The State Workmen's Insurance Fund and every insurance association and corporation which insures employers against liability for compensation under the Workmen's Compensation Act of nineteen hundred and fifteen shall file with the Insurance Commissioner its classification of risks and premiums and rules pertaining thereto together with the basis rate and sytem of merit rating including a statement of the rating and inspection bureau association or other agency by which the same is to be applied none of which shall take effect until the Insurance Commissioner shall have approved the classifications rules basis rates and system of merit rating as reasonable and adequate for the risks to which they respectively apply and the rating and inspection agency as adequate to secure the uniform and impartial application thereof The Insurance Commissioner may withdraw his approval of any classification rule basis rate or system of merit rating if he shall find that such classification rule rate or system is unreasonable or inadequate for the risks to which they respectively apply and he may withdraw his approval of any rating and inspection bureau association or other agency for rating and inspection if he shall find that the same is inadequate to secure a uniform and impartial application of the approved classifications rules rates or system of merit rating Such premium rates or system of merit rating shall take no account of any physical impairment of employes or of the extent to which employes have persons depending upon them for support

Neither the State Workmen's Insurance Fund nor any insurance association or corporation shall issue renew or carry any insurance for compensation under the Workmen's Compensation Act of nineteen hundred and fifteen except in accordance with the classifications rules basis rates and system of merit rating approved by the Insurance Commissioner as aforesaid and applied by the rating and inspection bureau association or other agency for rating and inspection approved by him as aforesaid Provided however That any departure from the basis rate filed with and approved by the Insurance Commissioner on account of the application of a system of merit rating approved by him shall be clearly set forth in the insurance contract or endorsements attached thereto

The statistical and actuarial data compiled by the State Workmen's Insurance Fund shall at all times be available to the Insurance Commissioner for his use in judging the adequacy or inadequacy of rates and schedules filed and it shall be the duty of the manager of the State Workmen's Insurance Fund to render all possible assistance to the Insurance Department in carrying out the provisions of this act

The Insurance Commissioner may require every insurance association or corporation which insures employers or employes under the Workmen's Compensation Act of nineteen hundred and fifteen to file with its annual statement a sworn report of its loss experience in such detail and form as may be prescribed by him

The Insurance Commissioner shall have the power to suspend or revoke the license to insure employers against liability for compensation under the Workmen's Compensation Act of nineteen hundred and fifteen of any insurance association or corporation which violates any of the provisions of this act or which fails or neglects promptly to discharge its obligations as insurer of the liability of any employer under the said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 506, the bill just read, be recommitted to the Committee on Appropriations.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 547 (House Bill No. 195), entitled

An Act to amend an act approved the ninth day of April one thousand nine hundred and fifteen entitled "An Act to amend an act entitled 'An Act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other state of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for manufacturing purposes' approved the ninth day of June Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate granite stone or rocks or for dressing polishing working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-three" approved the nineteenth day of April Anno Domini one thousand nine hundred and one extending the same to companies formed for the purposes of manufacturing and selling chemicals foodstuffs cement and cement products and the quarrying of cement rock' approved May twenty-eighth one thousand nine hundred and seven extending the same to companies incorporated for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electrictiy or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control of use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business"' approved the twenty-third day of June one thousand nine hundred and eleven by extending the same to companies incorporated for the purpose of refining manufacturing or sale of petroleum and petroleum products" extending the same to companies engaged in packing manipulating or manufacturing tobacco or manufacturing cigars cigarettes or other tobacco products or for the purpose of briquetting coal or other minerals or for the purpose of manufacturing of rubber in any form.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SEMMENS. Mr. President, I move that Senate Bill No. 568, on second reading, entitled

A Supplement to the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and ninety-eight) entitled "An Act to supervise the operations of fire insurance rate making bureaus and providing for their examination by the Insurance Commissioner prohibiting discrimination in fixing and collecting fire insurance rates requiring companies to maintain and cooperate in maintaining and operating rate making bureaus requiring inspection and survey by such bureaus of all risks specifically rated and regulating agreements between companies or other insurers with respect to fixing and collecting fire insurance rates and repealing existing laws."

be recommitted to the Committee on Insurance.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 623, as follows

An Act to amend the act approved the second day of June one thousand nine hundred and fifteen entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of said act which reads as follows

"Section 3 Certain sums to be paid by employers as hereinafter provided are hereby constituted a Fund to be known as The State Workmens Insurance Fund for the purpose of insuring such employers against liability under (article three of) The Workmen's Compensation Act of one thousand nine hundred and fifteen and of assuring the payment of the compensation therein provided Such fund shall be administered by the Board without liability on the part of the State except as hereinafter provided beyond the amount thereof and shall be applied to the payment of such compensation" is hereby amended to read as follows

Section 3 Certain sums to be paid by employers as hereinafter provided are hereby constituted a Fund to be known as The State Workmens Insurance Fund for the purpose of insuring such employers against liability under The Workmens Compensation Act of one thousand nine hundred and fifteen and of assuring the payment of the compensation therein provided Such fund shall be administered by the board without liability on the part of the

State except as hereinafter provided beyond the amount thereof and shall be applied to the payment of such compensation

Section 2 That section five of said act which reads as follows

"Section 5 (On or before the first day of October in each year the said Board shall prepare and publish a schedule of premiums or rates of insurance for employers who shall have accepted article three of the Workmens Compensation Act of one thousand nine hundred and fifteen which schedule shall be printed and distributed free of charge to such employers as shall make application therefor and) any (such) employer may at his option as hereinafter provided pay to the fund the amount of the premium appropriate to his business or domestic affairs and upon payment thereof shall thereafter be considered a subscriber to the fund and shall be insured as hereinafter provided for the (calendar year) for which such premium is paid and such insurance shall cover all payments becoming due in any (year) because of accidents occuring during the (year) for which said premium is paid" is hereby amended to read as follows:

Section 5 Any employer may at his option as hereinafter provided pay to the fund the amount of the premium computed at the rate approved by the Insurance Commissioner appropriate to his business or domestic affairs and upon payment thereof shall thereafter be considered a subscriber to the fund and shall be insured as hereinafter provided for the period not to exceed one year for which such premium is paid and such insurance shall cover all payments becoming due in any such period because of accidents occurring during the period for which said premium is paid

Section 3 That section six of said act which reads as follows

"Section 6 The said board shall determine the amount of premiums which the subscribers to the fund shall pay and shall fix the premiums for insurance in accordance with the nature of their business and of the various employments of their employes and the probable risk of injury to their employes therein And they shall fix the premiums at such an amount as shall be adequate to enable them to pay all sums which may become due and payable to the employes of such subscribers under the provisions (of article three) of the Workmen's Compensation Act of one thousand nine hundred and fifteen and to create and maintain the surplus provided in section nine of this act and to provide an adequate reserve sufficient to carry all policies and claims to maturity In fixing the premiums payable by any subscriber the board may take into account the condition of the plant work-room shop farm mine quarry operation and all other property or premises of such subscribers in respect to the safety of those employed therein as shown by the report of any inspector appointed by the board or by the Department of Labor and Industry and they may from time to time change the amount of premiums payable by any of the subscribers as (circumstances may require and) the condition of the plant work-room shop farm mine quarry operation or other property or premises of such subscribers in respect to the safety of their employes may justify and they may increase the premiums of any subscriber neglecting to provide safety devices required by law or disobeying the rules or regulations made by the board in accordance with the provisions of section fifteen of this act The insurance of any subscriber shall not be effective until he shall have paid in (full) the premium so fixed and determined" is hereby amended to read as follows

Section 6 The said board shall determine the amount of premiums which the subscribers to the fund shall pay and shall fix the premiums for insurance in according with the nature of their business and of the various employments of their employes and the probable risk of injury to their employes therein And they shall fix the premiums at such an amount as shall be adequate to enable them to pay all sums which may become due and payable to the employes of such subscribers under the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and to create and maintain the surplus provided in section nine of this act and to provide an adequate reserve sufficient to carry all policies and claims to maturity In fixing the premiums payable by any subscriber the board may take into account the condition of the plant work-room shop farm mine quarry operation and all other property or premises of such subscriber in respect to the safety of those employed therein as shown by the report of any inspector appointed by the Board or by the Department of Labor and Industry and they may from time to time change the amount of premiums payable by any of the subscribers as the condition of the plant work-room shop farm mine quarry operation or other property or premises of such subscribers in respect to the safety of their employes may justify and they may increase the premiums of any subscriber neglecting to provide safety devices required by law or disobeying the rules or regulations made by the board in accordance with the provisions of section fifteen of this act The insurance of any subscriber shall not be effective until he shall have paid in the manner hereinafter provided the premium so fixed and determined provided however that the insurance of a subscriber may be continued beyond the expiration of the policy period in accordance with the provisions of section sixteen and provided further that the board may issue a temporary contract which shall become effective as of the hour and date of issue upon the completion of the transaction by the payment of the appropriate premium within such time as the board may designate

Section 4 That section eleven of said act which reads as follows

"Section 11 The board shall keep an accurate account of the money paid in premiums by the subscribers and the disbursements on account of injuries to employes thereof and if at the expiration of any year there shall be a balance remaining after deducting such disbursements the unearned premiums on undetermined risks and the percentage of premiums paid or payable to create or maintain the surplus provided in section nine of this act and after setting aside an adequate reserve so much of the balance as the board may determine to be safely distributable shall be distributed among the subscribers in proportion to the premiums paid by them and the proportionate share of such subscribers as shall remain subscribers to the fund shall be credited to the instalment of premium next due by them and the proportionate share of such subscribers as shall have ceased to be subscribers in the fund shall be refunded to them out of the fund in the manner hereafter provided" is hereby amended to read as follows

Section 11 The board shall keep an accurate account of the money paid in premiums by the subscribers and disbursements on account of injuries to employes thereof and if at the expiration of any year there shall be a balance remaining after deducting such disbursements the unearned premiums on undertermined risks and the percentage of premiums paid or payable to create or maintain the surplus provided in section nine of this act and after setting aside an adequate reserve so much of the balance as the board may determine to be safely distributable shall be distributed among the subscribers in proportion to the premiums paid by them and the proportionate share of such subscribers as shall remain subscribers to the fund shall be credited to the instalment of premium next due by them and the proportionate share of such subscribers shall have ceased to be subscribers in the fund or from whom no instalment of premium is due shall be refunded to them out of the fund in the manner hereafter provided

Section 5 That section thirteen of said act which reads as follows

"Section 13 The said board shall have the power to make all contracts necessary for supplying medical hospital and surgical services as provided in (section three hundred and six subsection (e) article three of) the Workmen's Compensation Act of one thousand nine hundred fifteen" is hereby amended to read as follows

Section 13 The said board shall have the power to make all contracts necessary for supplying medical hospital and surgical services as provided in the Workmen's Compensation Act of one thousand nine hundred fifteen and such further medical hospital and surgical service as the board may deem necessary to prevent disability or death or to decrease the period of disability

Section 6 That section sixteen of said act which reads as follows

"Section 16 Any employer who shall have accepted the provisions of article three of the Workmen's Compensation Act of one thousand nine hundred fifteen and who shall desire to become a subscriber to the said fund for the purpose of insuring therein his liability to (those of) his employes (or any class thereof who have accepted the said provisions) shall make a written application for such insurance to the said board in which application the applicant shall state (under oath or affirmation (a) The nature of) the business or domestic affairs (in) which insurance is (desired (b) the average number of employes expected to be employed in such business during the year for which insurance is sought and the average number of employes if any engaged in such business during the previous calendar year (c) the approximate money wages expected to be paid during the year for which insurance is sought and the money wages paid to such employes during the preceding year (d) the place where such business is to be transacted (e) the place where the employer's payroll and books of accounts are kept and where the employes are customarily paid and such other facts and information as the board shall require and when the employments are subdivided into classes as provided in section ten of this act the applicant shall further state (f) the number of employes of each class expected to be employed or previously employed as aforesaid (g) the approximate money wages expected to be paid or previously paid as aforesaid to employes of each class for which insurance sought Thereupon the board shall make such investigations as they may deem necessary and within thirty days after such application shall issue a certificate showing the classification or group in which such applicant is entitled to be placed and the amount of premium payable by such applicant for the (calendar year or the remainder of the calendar year) for which insurance is sought No insurance shall be issued for a longer period than (a single calendar year)" is hereby amended to read as follows

Section 16 Any employer who shall have accepted the provisions of article three of the Workmen's Compensation Act of one thousand nine hundred fifteen and who shall desire to become a subscriber to the said fund for the purpose of insuring therein his liability to his employes under said act shall make a written application for such insurance to the said board in which application the applicant shall state such facts and information as the board shall require in regard to the business or domestic affairs for which insurance is sought Thereupon the board shall make such investigations as they may deem necessary and within thirty (30) days after such application shall issue a certificate showing the classification or group in which such applicant is entitled to be placed and the amount of premium payable by such applicant for the pe-

riod for which insurance is sought No insurance shall be issued for a longer period than one (1) year and any insurance may be terminated upon ten (10) days' notice by the subscriber to the board of his intention to cancel such insurance provided however that unless notice of cancellation is given on or before the expiration of the policy period the insurance shall continue for a further period of one (1) year or until such notice of cancellation is given In the event of the continuance of a subscription the estimated amount of premium due and payable for the next ensuing period of insurance shall be calculated upon the facts shown by the last preceding application of the subscriber subject to such adjustment as may be made by the board in pursuance of the terms of the policy of insurance

Section 7 That section eighteen of said act which reads as follows

"Section 18 Each subscriber (to said fund) shall within one month after (his subscription has terminated) furnish a written statement under oath or affirmation to the said board setting forth the (maximum average and minimum number of employes insured in the fund that such subscribed had employed during the preceding year and the) actual amount of the money payroll of such (employes for such year and setting forth when the board has subdivided the employments in any group into classes as provided in section ten of this act the number and actual amounts of the money payroll of such employes of each of such classes) and thereupon within (thirty) days the said board shall state the account of such subscriber for such (calendar year) based (on) the facts thus (proven) and shall render a copy of such statement to the subscriber and if the amount of the premium (theretofore) paid by such subscriber shall exceed the amount due according to such stated account then the excess shall be forthwith refunded to the subscriber (by payment out of the fund in the manner hereinafter provided) and if the amount shown by (said statement) exceed the (amount of the) premium (theretofore) paid by such subscriber the excess shall be forthwith due and payable by the subscriber into the fund and until paid shall be a lien as State taxes are a lien upon the real and personal property of the subscriber and if unpaid shall be collectible as State taxes are now collectible with interest at the rate of twelve per centum per annum commencing thirty days after service of the copy of said account which service shall be by registered mail" is hereby amended to read as follows

Section 18 Each subscriber shall within one (1) month after the termination of his policy period furnish a written statement under oath or affirmation to the said board setting forth the actual amount of the money payroll of such subscriber for the period of insurance in such form and detail as the board shall prescribe and thereupon within ninety (90) days the said board shall state the account of such subscriber for such period of insurance based upon the facts thus set forth and shall render a copy of such statement to the subscriber Provided however That the board may at any time cause an audit to be made of the books records and payrolls of such subscriber and if the amount of the premium paid by such subscriber shall exceed the amount due according to such stated account or audit then the excess shall be forthwith refunded to the subscriber in the like manner as surplus is distributable in accordance with section eleven and if the amount shown by such stated account or audit exceed the premium thereof paid by such subscriber the excess shall be forthwith due and payable by the subscriber into the fund and until paid shall be a lien as State taxes are a lien upon the real and personal property of the subscriber and if unpaid shall be collectible as State taxes are now collectible with interest at the rate of twelve per centum per annum commencing thirty days after service of the copy of said account which service shall be by registered mail

Section 8 That section twenty of said act which reads as follows

"Section 20 (Any) subscriber to the fund who shall (within seven days after knowledge or notice of an accident to an employe in the course of his employment as required by section three hundred and eleven of article three of the Workmen's Compensation Act of nineteen hundred and fifteen) have filed with the board a true (statement of such knowledge or a true) copy of (said) notice shall be discharged from all liability for the payment of compensation for (the personal) injury or death of such employe (by such accident) and all (such) compensation due therefore under (article three of) the Workmen's Compensation Act of nineteen hundred fifteen shall be paid out of the fund (Provided however That the report of such accident required by the act entitled "An act requiring employers to make report to the Department of Labor and Industry of accidents to employes and prescribing a penalty for non-compliance therewith" approved the nineteenth day of July one thousand nine hundred and thirteen shall be sufficient compliance with this section if such report be made within said period of seven days and shall state that the employer making the same is a subscriber to the fund) Provided That nothing in this section shall discharge any employer from the duty of supplying the medical and surgical services medicines and supplies required by section three hundred and six of the Workmen's Compensation Act of nineteen hundred and fifteen And provided further That any subscriber who has supplied such services medicines and supplies shall be reimbursed therefor from the fund" is hereby amended to read as follows

Section 20 Every subscriber to the fund who shall have filed with the board a true copy of notice of an accident to an employe in the course of his employment shall be discharged from all liability for the payment of compensation for injury or death of such employe and all compensation due therefor under the Workmens Compensation Act of one thousand nine hundred and fifteen shall be paid out of the fund Provided That nothing in this section shall discharge any employer from the duty of supplying the medical and surgical services medicines and supplies required by section three hundred and six of The Workmen's Compensation Act of one thousand nine hundred and fifteen And provided further That any subscriber who has supplied such services medicines and supplies shall be reimbursed therefor from the fund

Section 9 That section twenty-six of said act which reads as follows

"Section 26 The board may with the approval of the Governor appoint a manager at a salary not to exceed seven thousand five hundred dollars an assistant manager at a salary not to exceed (four) thousand dollars an actuary at a salary not to exceed four thousand five hundred dollars and may with the approval of the Governor appoint at salaries fixed by the board with the approval of the Governor such underwriters bookkeepers comptrollers auditors inspectors examiners medical advisers agents assistants and clerks as may be necessary for the proper administration of the fund and the performance of the duties imposed upon the board by the provisions of the act The Commissioner of Labor and Industry shall include in his annual report a full and complete statement of the administration of the said fund" is hereby amended to read as follows

Section 26 The board may with the approval of the overnor appoint a manager at a salary not to exceed seven thousand five hundred dollars an asistant manager at a salary not to exceed six thousand dollars and actuary at a salary not to exceed four thousand five hundred dollars and may with the approval of the Governor appoint at salaries fixed by the board with the approval of the Governor such underwriters bookkeepers comptrollers auditors inspectors examiners medical advisers agents assistant and clerks as may be necesary for the proper administration of the fund and the performance of the duties imposed upon the board by the provisions of the act The Commissioner of Labor and Industry shall include in his annual report a full and complete statement of the administration of the said fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

The PRESIDENT. The Chair asks that Senate Bill No. 627, on second reading, entitled

An Act providing for the incorporation and government of cities of the third class

go over in its order. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. SPROUL. Mr. President, I move that Senate Bill No. 630, on second reading, entitled

An Act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected and regulating such benefits Providing for the organization of such societies and for their licensing supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies Designating tables of mortality as a basis of rates of contribution Requiring all societies to make annual reports and all foreign societies to appoint the Insurance Commissioner as attorney for service of process Providing penalties for any violations of the act Exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws.

be recommitted to the Committee on Corporations.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 758 (House Bill No. 820), entitled

An Act requiring the erection of detour signs by the authorities by whose direction any public highway may be

closed and providing penalties for failure to comply with the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 857 (House Bill No. 468), entitled

An Act fixing the salaries of the county engineer and deputy county engineer in counties containing a population of more than eight hundred thousand and less than one million four hundred thousand

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to the considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 882, as follows

An Act making it unlawful for any person firm or corporation to dismiss or discharge any employe from his or their employment because of absence for jury duty and providing a penalty therefor.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporation to dismiss or discharge any employe from his or their employment because of the absence of said employe due to service as a juryman in any of the courts of this Commonwealth.

Section 2 The judges of the court for which the said juryman has been called for service shall upon application summons the person firm or corporation by its officers before the court and if it is proven to the satisfaction of the said court that the said person firm or corporation has violated section one of this act the said court shall thereupon impose a fine not exceeding five hundred dollars and upon failure to pay the same commit the said person members of the firm and officers of the said corporation to the county prison until the said fine is paid

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to the considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 915, as follows

An Act to amend section one thousand four hundred and four of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by giving justices of the peace aldermen and magistrates jurisdiction in certain actions between school districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand four hundred and four of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

Section 1404 Where any pupil in any school district in this Commonwealth resides one and one-half miles or more by the public road from the nearest public elementary school in the district such pupil unless proper free transportation be furnished to a suitable school in the district on obtaining the consent of the board of school directors thereof may attend any public elementary school in another school district more convenient of access without the consent of the board of school directors of the district where such pupil resides and the district where such pupil resides shall promptly pay to the district where such pupil attends the cost of his tuition text-books and school supplies only which shall not exceed that of the tuition text-books and school supplies of other pupils pursuing similar courses or studies in the same schools. The board of school directors of any district in this Commonwealth may on account of convenience of access or other reasons permit any pupils to attend the schools of another district on such terms as the two boards of school directors may mutually agree upon

The board of school directors in any school district in this Commonwealth may out of the funds of the district provide for the free transportation of any pupil to and from the public schools" is hereby amended to read as follows

Section 1404 Where any pupil in any school district in this Commonwealth resides one and one-half miles or more by the public road from the nearest public elementary school in the district such pupil unless proper free transportation be furnished to a suitable school in the district on obtaining consent of the board of school directors thereof may attend any public elementary school in another school district more convenient of access without the consent of the board of school directors of the district where such pupil resides and the district where such pupil resides shall promptly pay to the district where such pupil attends the cost of his tuition text-books and school supplies only which shall not exceed that of the tuition text-books and school suplies of other pupils pursuing similar courses or studies in the same schools Provided that upon the refusal of the school district where the pupil resides to promptly pay to the school district where the pupil attends that action may be brought before any justice of the peace alderman or magistrate for the recovery of the said sum subject to the right of appeal by either party as now allowed by law The board of school directors of any district in this Commonwealth may on account of convenience of access or other reasons permit any pupils to attend the schools of another district on such terms as the boards of school directors may mutually agree upon

The board of school directors in any school district in this Commonwealth may out of the funds of the district provide for the free transportation of any pupil to and from the public schools

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to the considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 921 (House Bill No. 694), entitled

A Supplement to an act approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four), entitled "An Act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved highways and county roads; authorizing the relocation, opening, straigtening, widening, extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road," authorizing boroughs, towns and townships to enter into contracts to aid in the construction and maintenance of such roads or highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to the considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 928, as follows

An Act to authorize county commissioners to appropriate from moneys received from dog taxes certain sums to societies for the prevention of cruelty to animals

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the au-

thority of the same That hereafter it shall be unlawful for county commissioners of the several counties of the Commonwealth of Pennsylvania to appropriate from moneys received from taxes upon dogs such sums as they may deem expedient to any duly incorporated society within the county having for its object the prevention of cruelty to animals

All acts or parts of acts inconsistent hereto are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to the considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 938 (House Bill No. 794), entitled

An Act to provide for the extradition of persons of unsound mind and to make uniform the laws of the States which enact the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to the considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 940 (House Bill No. 1032), entitled

An Act validating certain proceedings and elections of any town township or borough held to submit and determine the question of becoming a city of the third class held pursuant to an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June one thousand nine hundred and thirteen as amended by the act approved the thirteenth day of May one thousand nine hundred and fifteen and validating letters patent issued or to be issued in pursuance thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 956, entitled

A joint resolution proposing an amendment to the Constitution of this Commonwealth in accordance with the provisions of the Eighteenth (XVIII) Article thereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the Eighteenth (XVIII) Article thereof

On the question,

Will the Senate agree to the section?

Mr. PHIPPS. Mr. Speaker, I move to amend section 1, page 1, line 1, by striking out the word "enacted" and inserting in lieu thereof the word "resolved"; also line 3, by striking out the words "and it is hereby enacted by the authority of the same."

Mr. McCONNELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Amendment to Article Fourteen Section One

Section 2 That article fourteen (XIV)section one of the Constitution of Pennsylvania which reads as follows

"Section 1 County officers shall consist of sheriffs coroners prothonotaries registers of wills recorders of deeds commissioners treasurers surveyors auditors or controllers clerks of the courts district attorneys and such others as may from time to time be established by law and no sheriff or treasurer shall be eligible for the term next succeeding the one for which he may be elected" is hereby amended to read as follows

Section 1 County officers shall consist of sheriffs coroners prothonotaries registers of wills recorders of deeds commissioners treasurers surveyors auditors or controllers clerks of the courts district attorneys and such others as may from time to time be established by law

The title of the bill was read as follows and agreed to:

A joint resolution proposing an amendment to the Consttiution of this Commonwealth in accordance with the provisions of the Eighteenth (XVIII) Article thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 959, as follows

An Act amending and supplementing an act approved the twenty-second day of July one thousand nine hundred and thirteen entitled "An act relating to domestic animals defining domestic animals so as to include poultry providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof imposing certain duties upon practitioners of veterinary medicine in Pennsylvania regulating the manufacture use and sale of tuberculin mallein and other biological products for use with domestic animals defining the powers and duties of the State Livestock Sanitary Board and the officers and employes thereof fixing the compensation of the Deputy State Veterinarian and providing penalties for the violation of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred twenty-eight) entitled "An act relating to domestic animals defining domestic animals so as to include poultry providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof imposing certain duties upon practitioners of veterinary medicine in Pennsylvania regulating the manufacture use and sale of tuberculin mallein and other biological products for use with domestic animals defining the powers and duties of the State Livestock Sanitary Board and the officers and employes thereof fixing the compensation of the Deputy State Veterinarian and providing penalties for the violation of this act" which reads as follows

"Section 10 No domestic animal shall be imported or brought into this Commonwealth except subject to the following regulation There shall be provided for each bovine animal over six months old a health certificate and a tuberculin test chart each in duplicate from a veterinary inspector of the United States Bureau of Animal Industry or from the State Veterinarian or duly authorized and officially certified veterinarian of the State from whence the animal has been transported or moved The original of the certificate and of the chart shall be attached to the way-bill when the animal shall be brought into the Commonwealth by common carrier and the duplicate sent so as to reach the office of the State Livestock Sanitary Board before the animal reaches the point of destination If the animal shall be brought into the Commonwealth other than by common carrier the office of the State Livestock Sanitary Board shall be notified before such animal shall be brought in The original certificate and the chart shall be in the possession of the person who shall bring such animal into the Commonwealth and shall be surrendered to any officer or agent of the board on demand The duplicates thereof shall be sent to the board as aforesaid Such notice to the board shall state when and where and how the animal is to be brought into the Commonwealth Such certificates and chart shall show that the animal is free from Texas fever ticks and all transmissible diseases The chart must show that an approved preparation of tuberculin has been used and that the examination and tuberculin test have been carried out in a manner approved by the State Veterinarian of Pennsylvania

This section shall not apply to animals brought into the Commonwealth for immediate slaughter or to animals brought into the Commonwealth for temporary exhibition purposes only after a permit for each animal for exhibition purposes shall have been obtained from the State Livestock Sanitary Board The State Veterinarian subject to the approval of the State Livestock Sanitary Board may prescribe such condition for the issuance and duration of such permits as to him may seem proper" is hereby amended so as to read as follows

Section 10 No domestic animal shall be imported or brought into this Commonwealth except subject to the following regulations There shall be provided for each bovine animal except apparently healthy bulls and heifers under

fifteen months of age a health certificate and a tuberculin test chart each in duplicate from a veterinary inspector of the United States Bureau of Animal Industry or from the State Veterinarian or duly authorized and officially certified veterinarian of the State from whence the animal has been transported or moved The original of the certificate and of the chart shall be attached to the waybill when the animal shall be brought into the Commonwealth by common carrier and the duplicate sent so as to reach the office of the State Livestock Sanitary Board before the animal reaches the point of destination If the animal shall be brought into the Commonwealth other than by common carrier the office of the State Livestock Sanitary Board shall be notified before such animal shall be brought in The original certificate and the chart shall be in possession of the person who shall bring such animal into the Commonwealth and shall be surrendered to any officer or agent of the board on demand The duplicates thereof shall be sent to the board as aforesaid Such notice to the board shall state when and where and how the animal is to be brought into the Commonwealth Such certificates and chart shall show that the animal is free from Texas fever ticks and all transmissible diseases The chart must show that an approved preparation of tuberculin has been used and that the examination and tuberculin test have been carried out in a manner approved by the State Veterinarian of Pennsylvania

This section shall not apply to animals brought into the Commonwealth for immediate slaughter or to animals brought into the Commonwealth for temporary exhibition purposes only after a permit for each animal for exhibition purposes shall have been obtained from the State Livestock Sanitary Board The State Veterinarian subject to the approval of the State Livestock Sanitary Board may prescribe such condition for the issuance and duration of such permits as to him may seem proper

Section 2 Section twelve of said act which reads as follows "Section 12 No apparently healthy bull or heifer under six months of age shall be subject to examination or tuberculin test" is hereby amended to read as follows

Section 12 No apparently healthy bull or heifer under fifteen months of age shall be subject to examination or tuberculin test

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 967 (House Bill No. 879), entitled

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to township supervisors of townships and requiring townships to pay the expenses in connection therewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 969 (House Bill No. 902), entitled

An Act to amend section one of an act approved the third day of May one thousand nine hundred and nine entitled "An Act amending an act entitled 'An Act fixing the salaries of county poor directors in counties of over one hundred and fifty thousand population,' approved the eighth day of June one thousand nine hundred and seven by providing for compensation according to population and granting power to employ counsel"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 970 (House Bill No. 903), entitled

An Act authorizing prothonotaries in counties containing over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants to appoint deputy prothonotaries fixing their salary and prescribing their duties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 971 (House Bill No. 913), entitled

An Act authorizing Mildred J. Barclay a resident of the City of Pittsburgh in the County of Allegheny in her own right as well as for the benefit of her minor daughter, Mildred J. Barclay to bring suit in the Court of Common Pleas of Allegheny County against the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 972 (House Bill No. 923), entitled

An Act authorizing Edward A. Woods of Edgeworth Allegheny County Pennsylvania to bring suit in the court of common pleas of Allegheny County against the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 975 (House Bill No. 1001), entitled

An Act to amend part of section two of an act approved the fifth day of March one thousand seven hundred and ninety-one entitled "An Act to enable the Governor to appoint notaries public and for other purposes therein mentioned"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 978 (House Bill No. 1058), entitled

An Act authorizing the establishment of contagious disease hospitals in the several counties of the Commonwealth to be constructed and maintained out of county funds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 979 (House Bill No. 1080), entitled

An Act to amend the first section of an act approved the twenty-first day of April Anno Domini one thousand nine hundred and fifteen entitled "An Act extending the powers and duties of foresters forest rangers game protectors deputy game protectors special deputy game protectors, fish-wardens and deputy fish-wardens of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bill to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 980 (House Bill No. 1084), entitled

An Act authorizing J. A. Croup of Concord Township Butler County Pennsylvania to bring suit against the Common-

wealth of Pennsylvania in the court of common pleas of Butler County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bill to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 981 (House Bill No. 1121), entitled

An Act to amend section fourteen hundred twelve of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be, inconsistent therewith," as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BALDWIN. Mr. President, I move that Senate Bill No. 981 (House Bill No. 1121), the bill just read, be recommitted to the Committee on Education.

Mr. McCONNELL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 984 (House Bill No. 1144), entitled

An Act to amend section one of an act approved the twenty-first day of March, one thousand nine hundred and seven, entitled "An Act authorizing the county commissioners of the several counties, or the town councils of the several boroughs, of this Commonwealth, or both, to appropriate annually a sufficient sum of money to each Post of the Grand Army of the Republic, in their respective counties or boroughs, to aid in defraying the expenses of Memorial Day," as amended; by requiring the commissioners to make appropriations also to Memorial day or similar organizations where there was heretofore an established Post.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 985 (House Bill No. 1146), entitled

An Act authorizing William R. Shellenberger and Emma L. Shellenberger his wife of the township of Athens Bradford County Pennsylvania to bring suit against the Commonwealth.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 986 (House Bill No. 1151), entitled

An Act authorizing Frederick E. Windsor of the Borough of Warren County of Warren to sue the Commonwealth.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 987 (House Bill No. 1170), entitled

An Act authorizing R. B. Taylor of Bellefonte Centre County to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1004, as follows.

An Act to amend section one hundred six and one hundred seven of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred six of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith," which as amended by an act approved the twenty-eighth day of May one thousand nine hundred fifteen (Pamphlet Laws six hundred twenty-seven) entitled "An Act to amend an act approved the eighteenth day of May one thousand nine hundred eleven entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" reads as follows

"Section 106 The last United States census as set forth in the official report thereof shall be the basis on which the population of the several school districts shall be computed No change shall be made from one class of school districts to another except after the taking of a United States census showing the population of any school district to be such as to entitle it to be changed from one class of school districts to another or except where the population of the two districts combined subsequent to the taking of the census and ascertained by such census is such as to entitle the new or combined district to be in a class different from the class of either of the districts so combined" is hereby further amended to read as follows

Section 106 The last United States census as set forth in the official report thereof shall be the basis on which the population of the several school districts shall be computed No change shall be made from one class of school districts to another except after the taking of a United States census showing the population of any school district to be such as to entitle it to be changed from one class of school districts to another or except where the population of the two districts combined subsequent to the taking of the census and ascertained by such census is such as to entitle the new or combined district to be in a class different from the class of either of the districts so combined or except also in any case where since the last preceding census of the United States any territory has been annexed to any city borough town or township whereby the population of such city borough town or township has been increased and the population of such annexed territory cannot be ascertained from the last preceding census of the United States in which case it shall be lawful for the directors of the school districts affected by such annexation to apply to the court of common pleas for the appointment of a commissioner to make an enumeration of the population of such annexed territory The court shall certify the population of the annexed territory so ascertained together with the population of the city borough town or township as shown by the last preceding census of the United States to the Superintendent of Public Instruction The cost of the proceeding including reasonable compensation for the commissioner to be fixed by the court shall be paid by the school district

Section 2 Section one hundred seven which as amended reads as follows

"Section 107 After the taking of each United States census the Superintendent of Public Instruction shall canvass the same so far as it relates to the population of the several school districts in this Commonwealth and where territory

comprising a separate school district is annexed to a city borough or township and the decree of the court or the vote of the electors effecting such annexation has been certified to the Superintendent of Public Instruction if it appear in any such case that the population of any school district in this Commonwealth by such census or by such annexation is such that it should be included in another class of school districts the Superintendent of Public Instruction shall issue a certificate to such district to that effect and such school district shall with the beginning of such school year if such certificate is issued become a school district of the class to which it properly belongs" is hereby further amended to read as follows

Section 107 After the taking of each United States census the Superintendent of Public Instruction shall canvass the same so far as it relates to the population of the several school districts in this Commonwealth and where territory comprising a separate schaal district is annexed to a city borough or township and the decree of the court or the vote of the electors effecting such annexation has been certified to the Superintendent of Public Instruction and where territory has been annexed to a city borough town or township and enumeration of the population of such annexed territory has been made if it appear in any such case that the population of any school district in this Commonwealth by such census or by such annexation is such that it should be included in another class of school districts the Superintendent of Public Instruction shall issue a certificate to such district to that effect and such school district shall with the beginning of such school year if such certificate is issued become a school district of the class to which it properly belongs

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1006, entitled

An Act authorizing registers of wills to deputize the register of wills of another county to take the affidavit of witnesses to wills for the proof of such wills.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the register of wills of any county may deputize and commissionate the register of wills of any other county to receive and take the affidavit of any witness to a will necessary for the proving of such will A copy of such commissioner shall be kept on record in the office of the register of wills where the will is offered for proof

On the question,

Will the Senate agree to the section?

Mr. LEIBY. Mr. President, I move to amend section 1, line 8, by striking out the word "commissioner" and inserting in lieu thereof the word "commission."

Mr. SASSAMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act authorizing registers of wills to deputize the register of wills of another county to take the affidavit of witnesses to wills for the proof of such wills.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1012 (House Bill No. 1344), entitled

An Act regulating the conduct and prescribing the duties of drivers or operators of automobiles motor cycles or other vehicles on public highways who shall injure any person or persons while so driving on said highways and providing penalties for violations of this act.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1019, entitled

An Act to amend an act, entitled "A Supplement to an act, entitled 'An Act relating to roads, highways and bridges,' approved the thirteenth day of June, Anno Domini eighteen hundred and thirty-six," approved the fifth day of May, one thousand nine hundred eleven, so as to provide for the construction, change or alteration of parts of public roads in counties, boroughs or townships without the formality of a view where the costs and expenses to such county, borough or township including damages shall not exceed three hundred dollars.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and the House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred and twenty-three) entitled "A Supplement to an act entitled 'An Act relating to roads highways and bridges' approved the thirteenth day of June Anno Domini eighteen hundred and thirty-six" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the proper authorities of any county or borough or the supervisors or commissioners or other legally constituted road authorities of any township or townships deem it advisable to construct change or alter any part of any public road under their supervision within this Commonwealth and can agree with the property owners affected by such change as to damages they the said county or borough authorities or township supervisors or commissioners or other legally constituted road authorities are hereby authorized upon payment of damages agreed upon to change or alter such part of such public road as contemplated in such agreement without the formality of a view as heretofore provided by law Provided That this authority shall not extend to any change or alteration of any part of any public road in this Commonwealth the costs and expenses of which including damages shall not exceed three hundred dollars And provided further That a petition setting forth the facts accompanied by a map or draft of such proposed change shall be presented to the court of quarter sessions for approval before such actual change is made whereupon the new location thus approved by the court shall be taken and deemed to be the public road to all intents and purposes and the old location shall be taken and deemed to vacated" is hereby amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the proper authorities of any county or borough or the supervisors or commissioners or other legally constituted road authorities of any township or townships deem it advisable to construct change or alter any part of any public road under their supervision within this Commonwealth and can agree with the property owners affected by such change as to damages they the said county or borough authorities or township supervisors or commissioners or other legally constituted road authorities are hereby authorized upon payment of damages agreed upon to change or alter such part of such public road as contemplated in such agreement without the formality of a view as heretofore provided by law Provided That this authority shall not extend to any change or alteration of any part of any public road in this Commonwealth the costs and expenses of which to such county borough or township including damages shall exceed five hundred dollars And provided further That a petition setting forth the facts accompanied by a map or draft of such proposed change shall be presented to the court of quarter sessions for approval before such actual change is made whereupon the new location thus approved by the court shall be taken and deemed to be the public road to all intents and purposes and the old location shall be taken and deemed to be vacated

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 1, page 3, line 22, by striking out the word "five" and inserting in lieu thereof the word "three."

Mr. BURKE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to amend an act entitled "A supplement to an act entitled 'An Act relating to roads highways and bridges' approved the thirteenth day of June Anno Domini eighteen

hundred and thirty-six" approved the fifth day of May one thousand nine hundred eleven so as to provide for the construction change or alteration of parts of public roads in counties boroughs or townships without the formality of a view where the costs and expenses to such county borough or township including damages shall not exceed three hundred dollars.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1022, entitled

An Act to authorize and require the improvement of streets roads and highways in all cities of the Commonwealth where owners of land abutting thereon desire to improve and build upon said land.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an owner or owners owning at least fifty per centum of the land abutting upon any legally opened street road or highway upon the confirmed plan in any city and lying and being between two other streets roads or highways upon the said confirmed plan may give notice to the mayor of said city on or before the first day of September in any year of his or their intention to improve said land by the erection of dwellings or other buildings thereon and file with the said mayor a bond with good and sufficient sureties in form to be approved by the city solicitor of said city conditioned to improve said ground with dwelling or other buildings as set forth in said notice within one year from the completion of said street improvements otherwise to pay into the treasury of the said city the cost of all street improvements in said block not collected by the said city from the abutting property owners within one year after the completion of the same

On the question,

Will the Senate agree to the section?

Mr. PATTON. Mr. President, I move to amend section 1, page 1, line 13, by striking out the word "an" and inserting in lieu thereof the word "and."

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second, third, fourth, fifth and sixth sections of the bill were read as follows and agreed to:

Section 2 Upon payment into the city treasury of the cost of all uncollected street improvements as provided for in section one the city shall assign the liens for said uncollected street improvements to and to mark to the use of the owner or owners or their sureties paying the said money into the city treasury

Section 3 It shall be the duty of the mayor and councils of the said city and they are hereby directed upon receipt of said notice by the mayor as aforesaid on or before the first day of January next succeeding to pass all necessary legislation and make the necessary appropriations for improving said street within the block as aforesaid including all grading filling sewers water pipe sidewalk and cartway paving and curbing together with the cost of connecting the sewer and water pipe with other city sewers or water mains provided said sewers or water mains are within fifteen hundred (1,500) feet from either terminus of the block to be improved

Section 4 It shall be the duty of the proper department of said city within three months from the first day of January next succeeding the receipt of said notice by the mayor to advertise for bids for improving said street road or highway as aforesaid and within nine months from the said first day of January to complete the improvement of said street including all grading filling sewers water pipe sidewalk and cartway paving and curbing

Section 5 The property owner or owners giving said notice and filing said bond may immediately upon giving said notice and filing said bond commence the erection of said dwellings or other buildings and upon failure of said city to pass necessary legislation and make the necessary appropriations for said grading filling sewers water pipe sidewalk and cartway paving and curbing and other necessary street improvements or to complete the same within the time set forth in this act the said property owner or owners shall have a right of action in assumpsit against said city for all loss or damage direct or consequential sustained by him or them by reason of the failure of said city to pass the necessary legislation or make the necessary appropriations for said street improvements or to complete the same within the time above set forth

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed

The title of the bill was read as follows and agreed to:

An Act to authorize and require the improvement of streets roads and highways in all cities of the Commonwealth where owners of land abutting thereon desire to improve and build upon said land.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1023, as follows:

An Act providing for the payment of damages for necessary adjustments to property affected by change of grade where property was improved on the natural surface of the ground without conforming to the established grade regulation where said regulation had been established for more than three years

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That viewers juries referees arbitrators and judges sitting at the trial of cases without juries to assess the damages caued by the opening widening narrowing or the change of grade of any street road or highway shall include in the damage the cost of all necessary adjustments to property where the same has been improved or built upon at the natural surface of the land where the established or confirmed grade regulation has been established or confirmed for a period of more than three years prior to the erection of the improvements or buildings upon said land and the said street road or highway has not been made to conform to the established or confirmed grade regulation

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1037, as follows:

An Act making an appropriation to Carroll R Williams J H Shoebaker and A Morton Cooper of Philadelphia for services as attorneys for the Dairy and Food Commissioner

Whereas pursuant to the provisions of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-three (1893) (Pamphlet Laws one hundred fifty-two (152) entitled "An act to enlarge the powers of the State Board of Agriculture to authorize the said board to enforce the provisions of the act entitled 'An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof' approved May twenty-one Anno Domoni one thousand eight hundred and eighty-five and of other acts in relation to dairy products to authorize the appointment of an agent of the said board who shall be known as the 'Dairy and Food Commissioner' and to define his duties and fix his compensation being supplementtary to an act entitled 'An act to establish a State Board of Agriculture' approved May eighth Anno Domini one thousand eight hundred and seventy-six" Eastburn Reeder was appointed and served as Dairy and Food Commissioner from June one thousand eight hundred and ninety-three until June one thousand eight hundred and ninety-five and was empowered to employ agents and attorneys necessary for the proper discharge of the duties of his office and being without funds to defray his official expenses the Dairymen's Protective Association raised a fund by contributions from its members and issued to the contributors certificates of the indebtedness in amounts of fifty dollars ($50.00) each payable out of an expected appropriation to be made by the next Legislature to reimburse these necssary expenses and turned over the said fund to the said commissioner to be used by him in the performance of his official duties and he expended said fund for that purpose and subsequently when the said commissioner was again without funds contributors to said fund assigned their said certificates to the said commissioner to be used by him in payment of his official attorneys and agents for their services and the said commissioner employed as his official Attorneys Carroll R Williams J H Shoemaker and A Morton Cooper and assigned to Carroll R Williams ten (10) of said certificates and to J H Shoemaker and A Morton Cooper jointly five (5) of the said certificates in part payment for services performed by them as such attorneys And the said Carroll R Williams J H Shoemaker and A Morton Cooper have not been paid for the services for which the said certificates were respectively

assigned to them except by the said certificates and said certificates have not been paid nor has any appropriation been made for the payment thereof nor for the said certificates and the full amount due thereon namely seven hundred fifty dollars ($750.00) is still due and payable with interest therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eleven hundred ninety dollars ($1,190.00) being the principal of five hundred dollars ($500.00) with interest to the amount of six hundred ninety dollars ($690.00) is hereby specifically appropriated to Carroll R Williams of Philadelphia in full payment for the balance due for services performed by him as official attorney for Eastburn Reeder Dairy Food Commissioner of the Commonwealth of Pennsylvania from June one thousand eight hundred and ninety-three to June one thousand eight hundred and ninety-five and that the sum of five hundred ninety-five dollars ($595.00) being the principal of two hundred fifty dollars ($250.00) and interest to the amount of three hundred forty-five dollars ($345.00) is hereby specifically appropriated to J H Shoemaker and A Morton Cooper of said city jointly in full payment for the balance due for services performed by them as official attorneys for the Dairy and Food Commissioner The above sums shall be paid to the said Carroll R Williams J H Shoemaker and A Morton Cooper on warrants of the Auditing General in the usual manner

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1048 (House Bill No. 706), entitled

An Act to repeal a portion of the twenty-fourth clause of section one of the act of May thirty-first one thousand eight hundred forty-four (Pamphlet Laws five hundred eighty-five) entitled "An Act to provide for the ordinary expenses of government repair of the canals and railroads of the State and other claims upon the Commonwealth."

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 1050 (House Bill No. 1057), on second reading, entitled

An Act granting certain powers to cities of the second class in relation to underground tunnels, tubes and subways, including their construction, maintenance, and operation, and the leasing thereof or parts thereof and providing for the ascertaining of the damages by reason of such construction or by reason of the taking, using or appropriating of land necessary and incidental thereto; conferring the power of eminent domain in connection therewith and providing for the approval of the contracts provided for herein by the Public Service Commission.

be recommitted to the Committee on Municipal Affairs.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 1051 (House Bill No. 1060), entitled

An Act empowering cities of the second class to purchase, lease, locate, construct and equip or otherwise acquire transit facilities and to own, maintain, use and operate the same within their corporate limits and within the limits of adjacent cities, boroughs and townships; to exercise the right of eminent domain in connection therewith, and prescribing the manner of ascertaining the damages sustained in connection with such exercise, to sell, pledge, or lease transit facilities, to grant licenses for the use of the same, to enter into agreements for the construction and operation of the same, to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad, railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition, construction, operation and use of transit facilities subject to the provisions of "The Public Service Company Law" of July twenty-sixth, one thousand nine hundred and thirteen and its supplements and amendments.

be recommitted to the Committee on Municipal Affairs

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1053 (House Bill No. 1154), entitled

An Act authorizing the judges of the separate orphans' court in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants to fix and determine the salaries of assistant clerks in said court.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1055 (House Bill No. 1494), entitled

An Act to amend section thirty of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpike or toll roads forming all or part of any State Highway and procedure therein; providing for work or improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in improvement of township or county roads; defining highways and State-aid highways; providing method of application for state aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the Act; and providing for the repeal of certain acts relating to highway department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act."

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1058, as follows:

An Act amending section three of an act entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for'" approved May twelfth one thousand nine

hundred and eleven as amended by the amendment of June fifteen one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-six)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved June fifteen one thousand nine hundred fifteen entitled "An act amending sections one three five six and seven of an act entitled 'A supplement to an act entitled "An act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and one collector of delinquent taxes and repealing certain acts relating to matters herein provided for'" approved May twelfth one thousand nine hundred and eleven as amended by an amendment to the first paragraph of the third section of said act approved May thirty-first one thousand nine hundred and thirteen (Pamphlet Laws three hundred and ninety)" which reads as follows

"Section 3 All taxes levied in accordance with the provisions of section one hereof shall be payable in advance during the months of January February and March of each fiscal year Water-rents or rates which are payable on a flat rate basis shall also be payable in advance during the same months The taxpayers shall also have the option to elect to pay the aforesaid taxes and water-rents or rates quarterly as follows namely The first quarterly payment during the month of Jannary the second quarterly payment during the month of April the third quarterly payment during the month of July and the fourth quarterly payment during the month of October and each of the said quarterly payments shall become delinquent on the first of each succeeding month and shall thereafter bear the same penalties and interest charges as hereinafter provided for delinquent taxes Water which is supplied to consumers on a metered basis shall be payable at such time or times as may be prescribed by ordinance The city shall have power to prescribe by ordinance the time or times at which meters shall be read the terms and conditions on which water will be supplied on a metered service and the time or times on which payment for such water shall be made It shall also have the power to prescribe the discounts if any which shall be allowed for prompt payment and the penalties if any which may be imposed for delayed payments and also to provide for a minimum rate or rates for meter service for all classes of users of water including both domestic and commercial In the absence of any provision by ordinance in reference to the same the board of water assessors shall read all meters not less than four times per year and shall read all meters during the months of October and November of each year and ascertain the amount of water used in each year as shown by said meters for the preceding twelve months or as near thereto as may be convenient and shall assess the water-rents or rates for the water consumed at the rates fixed from time to time by ordinance and the same shall be payable annually during the months of January February and March of each suceeding year

A discount of two per centum shall be allowed on all taxes or water-rents or rates due under the provisions of this act and paid during the month of January During the months of February and March all taxes and water-rents or rates shall be payable at face all of said payments to be made to the city treasurer at his office and at such other place as may be designated by the city treasurer and in case said taxes or water-rents or rates be not paid at the times fixed for the payment of the same said taxes and water-rents or rates shall be deemed delinquent and shall be placed in the hands of the collector of delinquent taxes for collection and two precentum of the total amount of said taxes and water-rents or rates shall forthwith be added to said delinquent taxes and water-rents or rates as a penalty for the non-payment thereof at the times herein prescribed and in addition to said penalty said delinquent taxes and water-rents or rates shall bear interest at the rate of one-half per centum per month on the face amount of said delinquent taxes and water-rents or rates for each and every month or part thereof that the same shall remain delinquent and unpaid.

"Said city shall have the right as heretofore to charge all consumers of water for water furnished by said city and also to make such exemptions or reductions of rates as may be fixed by ordinance to any public charity school religious institution and kindred institution and for said purposes to have and possess all of the rights in respect to the collection of said rents or rates as are now in force or may hereafter be enacted

"Said city shall have the further right to shut off the supply of water to any premises at any time upon the nonpayment of the water-rents or rates levied and assessed for water supplied thereto as and when the same becomes due and payable" be and the same is hereby amended to read as follows

Section 3 All taxes levied in accordance with the provisions of section one hereof shall be payable in advance during the months of January February and March of each fiscal year water rents or rates which are payable on the flat rate basis shall also be payable in advance during the same months The taxpayers shall also have the option to elect to pay the aforesaid taxes or water rents or rates quarterly as follows viz

The first quarterly payment during the months of January February and March the second quarterly payment during the month of April the third quarterly payment during the month of July and the fourth quarterly payment during the month of October The first quarterly payment shall become delinquent if not paid on or before the thirty-first of March the second quarterly payment shall become delinquent if not paid on or before the thirtieth of April the third quarterly payment shall become delinquent if not paid on or before the thirty-first of July and the fourth quarterly payment become delinquent if not paid on or before the thirty-first of October and the said quarterly payments shall when delinquent in each respective instance bear the same penalties and interest charges as hereinafter provided for delinquent taxes Quarterly payments made at any of the respective times hereinbefore provided shall be payable at face except the first quarterly payment which if made during the month of January shall be paid at a discount of two per centum Water which is supplied to consumers on a metered basis shall be payable at such time or times as may be prescribed by ordinance

"The city shall have power to prescribe by ordinance the time or times at which meters shall be read the terms and conditions on which water will be supplied on a metered service and the time or times on which payment for such water shall be made It shall also have the power to prescribe the discounts if any which shall be allowed for prompt payment and the penalties if any which may be imposed for delayed payments and also to provide for a minimum rate or rates for meter service for all classes of users of water including both domestic and commercial In the absence of any provision by ordinance in reference to the same the board of water assessors shall read all meters not less than four times per year and shall read all meters during the months of October and November of each year and ascertain the amount of water used in each year as shown by said meters for the preceding twelve months or as near thereto as may be convenient and shall assess the water-rents or rates for the water consumed at the rates fixed from time to time by ordinance and the same shall be payable annually during the months of January February and March of each succeeding year

A discount of two per centum shall be allowed on all taxes or water-rents or rates due under the provisions of this act and paid during the month of January During the months of February and March all taxes and water-rents or rates shall be payable at face all of said payments to be made to the city treasurer at his office and at such other place as may be designated by the city treasurer and in case said taxes or water-rents or rates be not paid at the times fixed for the payment of the same said taxes and water-rents or rates shall be deemed delinquent and shall be placed in the hands of the collector of delinquent taxes for collection and two per centum of the total amount of said taxes and water-rents or rates, shall forthwith be added to said delinquent taxes and water-rents or rates as a penalty for the non-payment thereof at the times herein prescribed and in addition to said penalty said delinquent taxes and water-rents or rates shall bear interest at the rate of one-half per centum per month on the face amount of said delinquent taxes and water-rents or rates for each and every month or part thereof that the same shall remain delinquent and unpaid

Said city shall have the right as heretofore to charge all consumers of water for water furnished by said city and also to make such exemptions or reductions of rates as may be fixed by ordinance to any public charity school religious institution and kindred institution and for said purposes to have and possess all of the rights in respect to the collection of said rents or rates as are now in force or may hereafter be enacted

Said city shall have the further right to shut off the supply of water at any premises at any time upon the nonpayment of the water-rents or rates levied and assessed for water supplied thereto as and when the same becomes due and payable"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1059, as follows:

An Act empowering cities of the second class under certain conditions to lease streets or highways along navigable streams or streets or highways created by act of Assembly to private persons for a limited time and to receive a rental therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the second class shall have power to lease to any person or persons any street or highway or part thereof laid out or opened along a navigable stream or streets or highways or parts thereof created by Act of Assembly within the limits of said city wherever in the judgment of the corporate authorities of said city the said streets highways or parts thereof are not necessary for immediate public use Said lease or leases may be made for a period of not exceeding ten years subject however to the condition that said lease or leases may be terminated by said city whenever in the judgment of the corporate authori-

ties the same may be necessary or required for the use of the general public

Section 2 The terms of said lease or leases shall be made by ordinance of said city fixing the compensation or terms thereof and prescribing the terms and conditions under which said lease may be terminated as provided by section one hereof

Section 3 The said leases or leasing under the authority of this act or renewal or extensions thereof shall not be taken or construed as a vacation or abandonment of said streets or highways or parts thereof and the said streets or highways or parts thereof which may be leased shall always continue and remain as public streets and highways subject only to the temporary use thereof under the terms and conditions of said leases or leasing

Section 4 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1060, entitled

An Act amending section one of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by the act of May eleventh one thousand nine hundred and eleven (Pamphlet Laws two hundred and thirty-eight).

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of article fifteen of an act entitled "An act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred thirty-eight) which reads as follows

"Section 1 All contracts relating to city affairs shall be let to the lowest responsible bidder after reasonable notice When the contract exceeds five hundred dollars such notice shall be by advertisement when less than that amount or when purchased at public sale advertisement may be dispensed with Every contract shall be let by the mayor and head of the proper department All bids shall be filed with the city controller and shall be opened publicly by the mayor and head of the proper department or either of them at a time and place to be designated in the advertisement or notice to bidders and the figures stated to those present No contract shall be let until councils have passed an ordinance providing for the letting of the same by the mayor and head of the proper department" be and the same is hereby amended to read as follows

Section 1 All contracts relating to city affairs shall be let to the lowest responsible bidder after reasonable notice When the contract exceeds five hundred ($500.00) dollars such notice shall be by advertising when less than that amount or when purchased at public sale advertisement may be dispensed with when the article to be purchased is completely controlled by a patent or by a monopoly or when said article is obtainable from one source only and no substitute article is available then the said contract may be let without advertisement and without competition on the best terms obtainable and in any event not above the customary and market price of said article Every contract shall be let by the mayor and the head of the proper department All bids shall be filed with the city controller and shall be opened publicly by the mayor and head of the proper department or either of them at a time and place to be designated in the advertisement or notice to bidders and the figures stated to those present No contract shall be let until councils have passed an ordinance providing for the letting of the same by the mayor and head of the proper department

The title of the bill was read as follows:

An Act amending section one of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by the act of May eleventh one thousand nine hundred eleven (Pamphlet Laws two hundred thirty-eight)

On the question,

Will the Senate agree to the title?

Mr. DAIX. Mr. President, I move to amend the title, by inserting after the word "one" the words "article fifteen"

Mr. PATTON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 1060, the bill just read, be recommitted to the Committee on Judiciary General.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1070, entitled

An Act establishing nine County Industrial Farms Work Houses and Reformatories; dividing the State into districts for such purpose; authorizing the purchase of sites and the erection and equipment of buildings and works for such institutions; providing for their government and control and for the commitment, admission, employment and discharge of inmates; providing for an apartment for inebriates, and the admission and commitment of inmates thereto; imposing the cost of maintenance on the inmates in certain cases; imposing the cost of the institutions and the maintenance of certain inmates on the counties; and conferring certain powers and duties on certain county officers.

The first and second sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "County Industrial Farm Work House and Reformatory Act of one thousand nine hundred and seventeen"

Section 2 That there are hereby established under the provisions of this act nine institutions each to be known as the county industrial farm work house and reformatory of the ..... district

The third section of the bill was read as follows:

Section 3 The first district shall comprise the counties of Philadelphia Delaware Chester Montgomery and Bucks

The second district shall comprise the counties of Allegheny Beaver Lawrence Butler and Armstrong

The third district shall comprise the counties of York Adams Cumberland Perry Northumberland Lebanon and Lancaster

The fourth district shall comprise the counties of Washington Greene Fayette Somerset Indiana Clearfield Cambria Bedford and Westmoreland

The fifth district shall comprise the counties of Center Blair Huntingdon Fulton Juniata Mifflin and Snyder

The sixth district shall comprise the counties of Erie Crawford Mercer Venango Clarion Forest Warren McKean Elk and Jefferson

The seventh district shall comprise the counties of Potter Tioga Cameron Clinton Lycoming Columbia Montour Union and Sullivan

The eighth district shall comprise the counties of Bradford Susquehanna Wayne Pike Monroe Carbon Wyoming and Lackawanna

The ninth district shall comprise the counties of Berks Lehigh Schuylkill Northampton and Luzerne

On the question,

Will the Senate agree to the section?

Mr. NASON. Mr. President, I move to amend section 3, page 2, line 12, by inserting the word "Dauphin" after the word "Northumberland;" also line 18, by inserting the word "Franklin" after the word "Fulton."

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 Upon the approval of this act a commission shall be created for each of said districts which shall be composed of one county commissioner from each county of the district to be appointed by the president judge of the court of quarter sessions of each county The commission shall serve without

compensation but all of their expenses actually and necessarily incurred shall be paid by the several counties represented in any district in proportion to their population Each of said commissions shall be a body politic and shall have the right to sue and may be sued

Each commission is hereby authorized by a majority vote to select a suitable site for the county industrial farm work house of reformatory in the district Such site may be selected from suitable lands already held by any county of the district for county purposes or from lands donated to the commission for such purposes or any quantity of land within their respective districts not exceeding five hundred (500) acres either with or without buildings erected thereon may be purchased for such site Whenever lands are purchased the commission is authorized to give a mortgage for any part of the cost thereof and to make provision for the payment thereof The title to said sites shall be approved by the county commissioners representing the counties of each district Title thereto shall be taken in the name of the corporation to hold said property for the use of the counties in said district

On the question,

Will the Senate agree to the section?

Mr. NASON. Mr. President, I move to amend section 4, page 3, line 6, by striking out "mission" and inserting in lieu thereof "missioners;" also line 14, by striking out the word "of."

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth section of the bill was read as follows and agreed to:

Section 5 In the selection of a site the commission shall take into consideration the objects and purposes of the institutions and all or as many as practicable of the following enumerated advantages and resources The land selected and purchased shall be of varied topography with natural resources and advantages for many forms of husbandry fruit growing and stock raising for brick making and for the preparation of all other road and paving material and shall have good railroad drainage sewage and water facilities

The sixth section of the bill was read as follows:

Section 6 Upon the selection of location and sites and the purchase of land for any county industrial farm work house and reformatory the president judge of the court of quarter sessions of each of the counties represented in the district shall appoint one member of the board of county commissioners who together shall form a board of trustees for such institution Such trustees shall serve without compensation but their expenses actually and necessarily incurred shall be paid by the several counties represented in the district Such trustees shall constitute a body corporate under the name of the trustees of the county industrial farm work house and reformatory of the..... district and shall have power to sue and may be sued

The members of the first board shall be appointed for the term of two years or as long as they shall continue to be county commissioners for their several counties Thereafter all appointments shall be made for a term of four years respectively In case of a vacancy from any cause the appointment to fill such vacancy shall be made by the president judge of the court of quarter sessions for the unexpired term The president judge of the court of quarter sessions may remove any of the trustees for misconduct incompetency or neglect of duty after opportunity has been given him or them to be heard upon written charges

On the question,

Will the Senate agree to the section?

Mr. NASON. Mr. President, I move to amend section 6, page 4, line 25, by inserting after the word "board" the words "of trustees."

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventh, eighth, ninth and tenth sections of the bill were read as follows and agreed to:

Section 7 All buildings constructed in pursuance of this act shall be plain and inexpensive in character The labor in constructing such buildings and improvements and facilities shall be supplied by the persons committed to the institutions or transferred thereto from any county penal and reformatory institutions so far as found practicable

The board of trustees shall procure such necessary materials erect and equip such buildings or repair buildings already erected employ such skilled labor as cannot be furnished by the prisoners committed thereto or by prisoners transferred thereto from other county penal and refomatory institutions and provide all proper facilities for their use and for the practical use of the institution

Section 8 When the conditions necessary for carrying out the intentions of this act in any district have been provided a superintendent and matron and such other officers as may be deemed necessary shall be appointed by the trustees The duties of such officers shall be prescribed by the rules and regulations of such industrial farm work house and reformatory and they shall hold their offices respectively during the pleasure of said trustees Said appointees shall be bona fide citizens of the district and their compensation shall be fixed by the board of trustees

Section 9 When in any district the arrangements are completed for the reception of inmates it shall be the duty of the court of quarter sessions of every county represented in such district to transfer from the county prison or jail to the industrial farm work house and reformatory all pesons having more than ten (10) days to serve who have been committed for vagrancy drunkenness or disorderly conduct and also such other persons as the court of quarter sessions of such county may direct to be transferred Thereafter when any person is convicted in said court of any offense the punishment whereof is or may hereafter be imprisonment in a county jail said court may sentence such person or persons to either the jail or the industrial farm work house and reformatory at its discretion

All aldermen justices of the peace and magistrates in such county thereafter shall sentence to the industrial farm work house and reformatory all persons convicted of vagrancy drunkenness or disorderly conduct or of any other offenses for which they may now be sentenced to imprisonment in the county jail whenever such sentence is for a period of ten (10) days or more All inmates shall be clothed and treated as provided for in this act and in the rules and regulations of the industrial farm work house and reformatory The superintendent may under the direction of the court of quarter sessions remove any inmate to the county jail for the unexpired portion of his or her term if commitment or to the poor house of the proper city or county or to any hospital or lunatic asylum in such county as cicumstances may require

Section 10 Every person committed to an industrial farm work house and reformatory under the provisions of this act unless disqualified by sickness or otherwise shall be kept at some useful employment such as may be suited to his or her age and capacity and such as may be most profitable to the institution and tend to promote the best interest of the inmate If any person refuses to perform the work assigned to him or her or guilty of other acts of insubordination the superintendent shall punish such person by close confinement and a diet of bread and water only or in such other manner as the rules and regulations hereinbefore provided for may prescribe The superintendent shall keep a record and report to the trustees all such offenses and punishments

The eleventh section of the bill was read as follows:

Section 11 A separate apartment in the institution shall be appropriated to the class of inebrites and drug users hereinafter described to be called the inebriate home the inmates of which shall be subject to such rules and regulations as may be prescribed by the trustees

The superintendent may receive under such regulations as may be prescribed any person or persons of intemperate habits or addicted to the use of narcotic drugs who may make application for admittance All expenses shall be paid weekly in advance by the party making the application

Whenever any person shall hereafter be found by due course of law to be habitually addicted to the use of alcoholic drink or narcotic drug it shall be lawful for the court to commit such person to the inebriate home hereinbefore provided for

On the question,

Will the Senate agree to the section?

Mr. NASON. Mr. President, I move to amend section 11, page 7, lines 27 and 28, by striking out the words "of intemperate habits' 'and inserting in lieu thereof the words, "who are habitual drunkards or habitually;" also page 8, line 5, by striking out the word "drug" and inserting in lieu thereof the word "drugs."

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twelfth section of the bill was read as follows:

Section 12 If any person committed under this act is of sufficient ability to pay the expenses of his or her keeping the court of common pleas is hereby authorized to make an order directing the amount to be paid by such person at such times and in such manner as shall be deemed just and equitable Such order shall be entered of record in the court and thenceforth shall have all the force and effect of a judgment obtained in that court and its payment may be enforced by execution as in other cases

On the question,

Will the Senate agree to the section?

Mr. NASON. Mr. President, I move to amend section 12, page 8, line 8, by inserting after the word "under" the words, "Section eleven of;" also line 10, by striking out the words, "of Common Pleas" and inserting in lieu thereof the words, "committing said person."

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth and twentieth sections of the bill were read as follows and agreed to:

Section 13 The cost of transporting prisoners committed to the county industrial farms and work houses shall be paid except where otherwise provided in this act by the counties respectively from which the prisoners are committed The sheriff of the county on prisoners committed by the court and constables on prisoners committed by magistrates shall receive for such prisoners committed to the industrial farm work house and reformatory no mileage or traveling expenses on writs except the actual cost of transporting said prisoners so committed to the industrial farm work house and reformatory together with any other fees for their services now allowed by law

When any prisoner is discharged from a county industrial farm work house and reformatory the superintendent thereof shall procure for him a railroad ticket to any point to which said prisoner may desire to go not further from said county industrial farm work house and reformatory than the point from which he was sentenced The superintendent or his duly authorized agent shall convey the prisoner to the railroad station deliver the ticket to the proper railroad conductor and formally release the prisoner on the train which he takes to his destination

Section 14 It shall be the purpose of the county industrial farm work house and reformatory to employ the prisoners committed or transferred thereto in work on or about the buildings and farm and in growing produce raising stock et cetera for supplies for its own use or for the use of the several county institutions in said district or for any political division thereof or for any public or charitable institution owned or managed and directed by said counties constituting said district or any political division thereof Such prisoners may also be employed in the preparation of road material and in making brick tile and concrete or other road building material and in the manufacture of other products and materials as may be found practicable for the use of the several counties constituting said district and for the proper and healthful employment of such prisoners

Section 15 All road material brick tile and concrete prepared or made at any industrial farm work house and reformatory not needed for the purposes of such institution shall be offered for sale at a price to be fixed by the board of trustees In offering such material for sale preference shall be given to the counties forming the district of such institution and to the cities boroughs and townships therein All monies so received shall be applied towards paying the overhead expenses of the institution

Section 16 A detailed statement of the reecipts and expenditures by any county constituting a part of said district for any industrial farm work house and reformatory erected under the provisions of this act shall be published by the county commissioners of each county or by the controller in said district Where such report is published by the controller it shall be in the annual statement of the fiscal affairs of such county

Section 17 The original cost of the site and buildings of the industrial farm work house and reformatory and all additions thereto and all fixed overhead charges in conducting the institution shall be paid by the counties constituting the district in the ratio of their population according to the last preceding United States census

The cost of the care and maintenance of the inmates shall of certified monthly to the counties from which inmates have been committed Such cost shall be paid by the counties in proportion to the number of inmates committed from each county except when an inmate pays for his or her own maintenance as hereinbefore provided

All payments shall be on requisition of the board of trustees and on warrants of the county commissioners countersigned by the county controller

Section 18 All the property real and personal authorized to be held by virtue of this act shall be exempt from taxation

Section 19 No county industrial farm work house and reformatory shall be subject to any of the restrictions or limitations imposed by any of the following acts or parts of acts nor shall any of said acts apply to such institutions nor to the inmates thereof nor to the work therein Section four of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred twelve number ninety-nine entitled "An act to abolish the contract system in the prisons and reformatory institutions of the State of Pennsylvania and to regulate the wages of the inmates" the act approved the eighteenth day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred seventy) entitled "An act limiting the number of inmates of State prisons penitentiaries State reformatories and other penal institutions within the State of Pennsylvania to be employed in manufacturing goods therein and prohibiting the use of machinery in manufacturing said goods" or any of its amendments

It is the purpose of this act to fully prescribe all regulations for all county industrial farms work houses and reformatories and no existing laws shall apply thereto

Section 20 Al acts general special or local inconsistent with the provisions of this act are hereby repealed excepting from the operation of this act any county that has already established a county work house under special acts of Assembly

The title of the bill was read as follows and agreed to:

An Act establishing nine county industrial farms work houses and refarmatories dividing the State into districts for such purposes authorizing the purchase of sites and the erection and equipment of buildings and works for such institutions providing for their government and control and for the commitment admission employment and discharge of inmates providing for an apartment for inebriates and the admission and commitment of inmates thereto imposing the cost of maintenance on the inmates in certain cases imposing the cost of the institutions and the maintenance of certain inmates on the counties and conferring certain powers and duties on certain county officers

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1080, as follows

An Act declaring ministers of religion and clergymen who hold themselves in readiness to answer the call of any transportation company in case of accident or sickness employes of such company and providing that special reduced or lower rates may be granted by transportation companies to such ministers and clergymen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all ministers of religion and clergymen who shall keep themselves in readiness to answer the call of any transportation company or the officer or agent of such company and to minister to any person in case of any accident or sickness shall be considered an employe of such company whether or not such minister or clergyman receives any compensation from the company for such services

Section 2 It shall be lawful for any transportation company to issue or grant transportation at special reduced or lower rates to such ministers of religion and clergymen as shall hold themselves in readiness to answer the call of such transportation company as provided in section one of this act In no case however shall there be any discrimination by any company in the rates offered to such minister or clergyman.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1092 (House Bill No. 758), entitled

An Act fixing the salary of the clerk of the county commissioners in counties having a population between one hundred thousand and one hundred and fifty thousand inhabitants.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1099, as follows

An Act to amend section two hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all

laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the appointment of school directors by the court for independent school districts at the time of the establishment of the same and providing for the election of school directors thereafter

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 206 Every independent school district established as herein provided shall have its affairs except as to the election of school directors who shall be appointed as hereinafter provided—administered by a board of school directors subject to all the provisions of this act relating to the class of school districts to which such independent district belongs And the court establishing such independent school district shall at the time of so doing appoint a board of properly qualified residents of the district of like number and for the same terms as is herein provided for such class of districts and in November of every odd year such court shall appoint the proper number of directors for the full term of six years whose terms shall begin on the first Monday of December following their appointment and any vacancy in such board shall be filled by the court for the unexpired term" is hereby amended to read as follows

Section 206 Every independent school district established as herein provided shall have its affairs administered by a board of directors subject to all the provisions of this act relating to the class of school districts to which such independent districts belongs And the court establishing such independent school district shall at the time of so doing appoint a board of school directors of five properly qualified residents of the district who shall serve until the first Monday of December following the next municipal election for school directors as provided for districts of the fourth class in section two hundred and five of said act And at said municipal election a board of five directors shall be elected—one to serve for six years two for four years and two for two years And thereafter directors shall be elected for independent districts as provided in said act of one thousand nine hundred and eleven for districts of the fourth class However in districts already established there shall be one director elected at the municipal election in the year one thousand nine hundred and seventeen two at the municipal election of the year one thousand nine hundred and nineteen and two at the municipal election of the year one thousand nine hundred and twenty-one and thereafter same as provided in said act of one thousand nine hundred and eleven for districts of the fourth class

Section 2 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1102, entitled

An Act further amending an act approved the seventh day of June, one thousand nine hundred and one, entitled "An Act providing for the examination, licensure and registration of person, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cess pools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof," as amended, which act was extended to cities of the third class by an act approved the fourteenth day of May, one thousand nine hundred and nine, entitled "An Act amending sections one, two, eight, twenty-one, twenty-five, twenty-nine, thirty-five, thirty-six, sixty, sixty-one, sixty-two, sixty-six, seventy and seventy-one of an act, entitled 'An Act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage, and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof,' approved the seventh day of June, Anno Domini one thousand nine hundred and one; extending the provisions of said act to cities of the third class, having a system of water-supply and sewerage, of this Commonwealth; and providing further rules, regulations and requirements for the construction or reconstruction of plumbing, house drainage, and cesspools; and providing penalties and forfeitures for violation thereof."

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the seventh day of June one thousand nine hundred and one (Pamphlet Laws four hundred ninety-three) entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" which as amended by an act approved the twelfth day of June one thousand nine hundred thirteen (Pamphlet Laws four hundred seventy-six) entitled "An Act further amending section two of an act approved the seventh day of June one thousand nine hundred and one entitled 'An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof' as heretofore amended and authorizing and requiring second and third class cities to provide for the appointment and payment of plumbing inspectors" reads as follows

"Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle him or them to engage in or work at the business of plumbing or house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

The mayor of said cities is hereby authorized and required to appoint a competent person as plumbing inspector whose duty it shall be to supervise superintend and inspect all plumbing and house drainage in conformity with the provisions of this act And the several cities are hereby authorized and required to make proper provision for the payment of the salary of the said plumbing inspector as provided by law

Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or vent pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate of registry to the board or bureau of health Every person firm or corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate of license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between the first and thirty-first days of December of each and every years surrender the said certificate or license to the department or board or bureau of health and re-register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber shall have failed to make an application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journeymen plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city of this Commonwealth to engage in or work at the business of plumbing or drainage work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work, Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued until he they or it shall have first registered his or its name or their names and addresses as hereinbefore provided" is hereby amended to read as follows

Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle him or them to engage in or work at the business of plumbing or house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination in the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

The mayor of said cities is hereby authorized and required to appoint a competent person as plumbing inspector whose duty it shall be to supervise superintend and inspect all plumbing and house drainage in conformity with the provisions of this act And the several cities are hereby authorized and required to make proper provision for the payment of the salary of the said plumbing inspector as provided by law

Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation is letters not less than three inches high

No person other than a registered plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber,—or person in his or their employ or under his or their supervision—be allowed to alter or make any connection with any drain soil waste or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate of registry to the board or bureau of health

Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between the first and thirty-first days of December of each and every year surrender the said certificate of license for the current year to the department or board or bureau of health and re-register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be neecssary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journeymen plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate have failed to make application for re-registration at the granted by and first second or third class city of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such persons firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and addresses as hereinbefore provided

The license or certificate now or hereafter granted under the provisions of this act may be revoked or temporarily suspended by the director of the department of public safety or the presiding offices of the department or board or bureau of health when any person or persons shall be found guilty of violating any of the provisions of this act or rules

On the question,

Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 1, page 3, line 26, by striking out the word "or" and inserting in lieu thereof the word "and"; also page 6, line 9, by striking out the word "shall" and inserting in lieu thereof the word "should"; also page 8, line 3, by inserting before the word "department" the word "the"; also page 10, line 7, by striking out the word "should" and inserting in lieu thereof the word "shall."

Mr. WHITTEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 That section three of said act of June seventh nineteen hundred and one which reads as follows

"Section 3 From and after the passage of this act the construction of plumbing house drainage and cesspools shall be conducted only under and in accordance with the following rules regulations and requirements namely" is hereby amended to read as follows

Section 3 From and after the passage of this act the construction of plumbing house drainage and cesspools shall be conducted only under and in accordance with the following rules regulations and requirements namely

Except where the replacing of fixtures is required or alterations are to be made which cannot be practically constructed in accordance with the provisions of this act a special permit may be issued by the chief plumbing inspector for such work if in his judgment the conditions require and all reconstruction of old and condemned plumbing shall be done in accordance with the provisions of this act

The third section of the bill was read as follows:

Section 3 That section six of said act of June seventh nineteen hundred and one which reads as follows

Duties of Owners and Plumbers in Constructing Drains et cetera

"Section 6 It shall be the duty of every person constructing or owning any drain soil-pipe passage or connection between a sewer and any ground building erection or place of business and in like manner the duty of the owners of all grounds buildings erections and all parties interested therein or thereat to cause and require that such drain soil-pipe passage or connections shall be adequate for its purpose and shall at all times allow to pass freely all materials that enters or should enter the same and no change of drainage sewerage or the sewer connection of any house shall be permitted unless notice thereof shall have been given the board or bureau of health and assent thereto obtained in writing" is hereby amended to read as follows

Duty of Owners and Plumbers in Constructing Drains et cetera

Section 6 It shall be the duty of every person installing plumber fixtures or constructing or owning any drain soil-pipe passage or connection between a sewer and any ground building erection or place of business and in like manner the duty of the owners of all grounds buildings erections

and all parties interested therein or thereat to cause and require that such drail soil-pipe passage or connections shall be adequate for its purpose and shall at all times allow to pass freely all material that enters or should enter the same and no change of drainage sewerage or the sewer connection of any house shall be permitted unless notice thereof shall have been given the board or bureau of health and assent thereto obtained in writing

On the question,
Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 3, page 12, line 10, by inserting before the word "all" the word "of"; also line 11, by striking out the word "connections" and inserting in lieu heerof the word connection"; also line 22, by striking out the word "plumber" and inserting in lieu thereof the word "plumbing"; also line 27, by inserting before the word "drain" the word "fixtures."

Mr. WHITTEN. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The fourth section of the bill was read as follows:

Section 4. That section eight of said act of June seven nineteen hundred and one which as amended by an act approved May fourteenth nineteen hundred and nine (Pamphlet Laws eight hundred forty) entitled "An Act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof' approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water-supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cesspools and providing penalties and forfeitures for violation thereof" reads as follows

Material of House Drains

"Section 8. The main drainage system of every house or building shall be separately and independently connected with the street sewer where such sewer exists except where two houses are built together on a lot with a frontage of thirty feet or less when one connection with main sewer will be allowed but there shall be a separate house drain for each house connected by a 'Y' connection in the front of such houses at the property line with main house sewer or where one building exists or is erected in the rear of another on an interior lot of single ownership and no private sewer is available or can be made for the rear building through an adjoining alley courtyard or driveway the house drain from the front building may be extended to the rear building and the whole will be considered as one house drain Where it is neecssary to construct a private sewer to connect with sewer on adjacent street such plans may be used as may be approved by the department or board or bureau of health but in no case shall joint drains be laid in cellars parellel with the street or alley

House drains or soil-pipes laid beneath floor must be extra heavy cast-iron pipe (as per table in section sixteen) with leaded and caulked joints and carried five foot outside cellar wall All drains or soil-pipes connected with main drain where it is above the cellar floor shall be of extra heavy cast-iron pipe with leaded and caulked joints or of heavy wrought-iron pipe with screw joints properly secured and carried five feet outside cellar wall and all arrangements of soil or waste pipes shall be as direct as possible Wrought-iron pipes shall be galvanized Changes of direction on pipes shall be made with "Y" branches both above and below the ground and where such pipes pass through a new foundation-wall a relieving arch shall be built over it with two-inch space on either side of main pipe

The size of the main house drain shall be determined by the total area of the buildings and paved surfaces to be drained according to the following table if iron pipe is used If the pipe is terra cotta the diameter shall be one size larger for the same amount of area drainage

Diameter	Fall ¼ Inch per Foot	Fall ½ Inch per Foot
4 ins.,	1,800 sq. ft. drainage area,	2,500 sq. ft. drainage area
5 ins.,	3,000 sq. ft. drainage area,	4,500 sq. ft. drainage area
6 ins.,	5,000 sq. ft. drainage area,	7,500 sq. ft. drainage area
8 ins.,	9,100 sq. ft. drainage area,	13,600 sq. ft. drainage area
10 ins.,	14,000 sq. ft. drainage area,	20,000 sq. ft. drainage area

The main house drains may be decreased in diameter beyond a rain-water conductor or surface inlet by permission of the department or board or bureau of health when the plans show that conditions are such as to warrant such decrease but in no case shall the main house drain be less than four (4) inches in diameter" is hereby amended to read as follows

Material of House Drains

Section 8 The main drainage system of every house or building shall be separately and independently connected with the street sewer where such sewer exists except where two houses are built together in a lot with a frontage of thirty feet or less when one connection with main sewer will be allowed but there shall be a separate house drain for each house connected by a "Y" connection in the front of such houses at the property line with main house sewer or where one building exists or is erected in the rear of another on an interior lot of single ownership and no private sewer is available or can be made for the rear building through an adjoining alley courtyard or driveway the house drain from the front building may be extended to the rear building and the whole will be considered as one house drain or where a private automobile garage exists or is erected in the rear of a dwelling and no living quarters in garage the sewer from garage may be connected to house sewer with extra heavy cast-iron pipe carried to garage and the whole will be considered as one house drain

Where it is necessary to construct a private sewer to connect with sewer on adjacent street such plans may be used as may be approved by the department or board or bureau of health but in no case shall joint drains be laid in cellars parallel with the street or alley

House drains or soil-pipes laid beneath floor must be extra heavy cast-iron pipe (as per table in section sixteen) with locked and caulked joints and carried five feet outside of all exterior walls All drains or soil-pipes connected with main drain where it is above the cellar floor shall be of extra heavy cast-iron pipe with locked and caulked joints or of heavy galvanized wrought-iron pipe with screw joints properly secured and carried five feet outside exterior walls and all arrangements of soil or waste-pipes shall be as direct as possible All wrought-iron pipes shall be galvanized Changes of direction on pipes shall be made with "Y" branches and cleanout plugs installed at all abrupt turns Where sewer and waste-pipes are under floor cleanout plugs must be brought on forty-five degrees angle and finish with floor level and where such pipes pass through a new foundation-wall a relieving arch shall be built over it with two-inch space on either side of main pipe

The size of the main house drain shall be determined by the total area of the buildings and paved surfaces to be drained according to the following table if iron pipe is used If the pipe is terra cotta the diameter shall be one size larger for the same amount of area drainage

Diameter	Fall ¼ Inch per Foot	Fall ½ Inch per Foot
4 ins.,	1,800 sq. ft. drainage area,	2,500 sq. ft. drainage area
5 ins.,	3,000 sq. ft. drainage area,	4,500 sq. ft. drainage area
6 ins.,	5,000 sq. ft. drainage area,	7,500 sq. ft. drainage area
8 ins.,	9,100 sq. ft. drainage area,	13,600 sq. ft. drainage area
10 ins.,	14,000 sq. ft. drainage area,	20,000 sq. ft. drainage area

The main house drains may be decreased in diameter beyond a rain water conductor or surface inlet by permission of the department or board or bureau of health when the plans show that conditions are such as to warrant such decrease but in no case shall the main house when installed trap or house drain be less than four inches (4) in diameter

Gasoline and Oil Separators

The sewers of all factories refiners cleaning establishments garages or other buildings that use or store gasoline or volatile oils shall be equipped with approved gasoline and oil separating catch basins These catch basins or traps shall be arranged according to the latest approved methods and include all traps baffel plates and vents necessary to prevent the gasoline and oil from entering the main sewers The health department is hereby vested with the power to order and insist upon the installation of a device that will prevent gasoline from entering the main sewers and they shall notify and compel the owners or occupants of any building or buildings who allow or permit gasoline or oil entering the sewers to equip all buildings with such devices as they deem necessary to protect the main sewers

Chemical Laboratories

Chemical laboratories factories newspaper offices lithograph offices or any building in which large quantities of acids are used shall make separate arrangements with the plumbing inspector regarding the waste-pipe and vents from such sinks and plumbing fixtures

On the question,
Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 4, page 14, line 25, by striking out the word "foot" and inserting in lieu thereof the word "feet"; also page 16, line 15, by inserting before the word "no" the words "there are"; also by inserting before the word "garage" the word "the"; also line 16, by inserting before the word "house" the word "the"; also page 17, line 2, by striking out "whought" and inserting in lieu thereof the word "wrought"; also line 9, by inserting before the word "forty" the article "a"; also line 10, by striking out the word "degrees" and inserting in

lieu thereof the word "degree"; also by striking out the word "finish" and inserting in lieu thereof the word "flush"; also page 18, line 2, by striking out the words "when installed"; also by inserting before the word "be" the words "when installed."

Mr. WHITTEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth and sixth sections of the bill were reads as follows and agreed to:

Section 5 That section nine of said act of June seventh nineteen hundred and one which reads as follows

Location of Main Trap

Section 9 "The house drain must be provided with a horizontal trap placed immediately inside the cellar wall The trap must be provided with a hand-hole for convenience in cleaning the cover of which must be properly fitted and made gas and air-tight with heavy brass screw-cap ferrule caulked in This class of traps shall be subject to the approval of the board or bureau of health" be and the same is hereby amended to read as follows

Location of Main Trap

Section 9 The house trap should if possible be placed immediately inside the cellar wall The trap must be provided with a hand-pole for convenience in cleaning the cover of which must be properly fitted and made gas and air-tight with heavy brass screw-cap ferrule caulked in The installation of this trap shall be subject to the approval of the board or bureau of health

Section 6 That section twelve of said act of June seventh nineteen hundred and one which reads as follows

Location of House Sewer

"Section 12 "When main sewer is not located on street house sewers must be constructed on outside of buildings and branch into each house separately and in no case will the sewer from one house to another be permitted to run through cellars" be and the same is hereby amended to read as follows

Location of House Sewer

Section 12 When main sewer is not located on street house sewers must be constructed on outside of buildings and lot line and branch into each house separately and in no case will the sewer from one house to another be permitted to run through cellars

The seventh section of the bill was read as follows:

Section 7 That section fourteen of said act of June seventh nineteen hundred and one reads as follows

Material of Sewers between Buildings

"Section 14 Where a sewer is laid between buildings in a passageway alley or courtyard at a less distance than five feet from the buildings it must be constructed of extra heavy cast-iron pipe for a distance corresponding to the length of the foundation of said building" be and the same is hereby amended to read as follows

Material of Sewers Between Buildings

Section 14 Where a sewer is laid between buildings in a passageway alley or courtyard at a less distance than five feet from the buildings and adjoining property line it must be constructed of extra heavy cast-iron pipe for a distance corresponding to the length of the foundations of said buildings or adjoining property line

On the question,

Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 7, page 20, line 8, by inserting before the word "reads" the word "which."

Mr. WHITTEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eighth section of the bill was read as follows:

Section 8 That section twenty of said act of June seventh nineteen hundred and one which reads as follows

Leader Pipes

"Section 20 All buildings shall be kept provided with proper metallic leaders for conducting water from the roofs in such manner as shall protect the walls and foundations of said building from injury In no case shall the water from said leaders be allowed to flow upon the sidewalk but the same shall be conducted by a pipe or pipes to the sewer If there be no sewer in the street upon which such buildings front then the water from the said leaders shall be conducted by proper pipe or pipes below the surface of the sidewalk to the street gutter" be and the same is hereby amended to read as follows

Leader Pipes

Section 20 All buildings shall be kept provided with proper metallic leaders for conducting water from the roofs in such manner as shall protect the walls and foundations of said building or buildings from injury In no case shall the water from said leaders be allowed to flow upon the sidewalk but the same shall be conducted by a pipe or pipes to the storm sewer accessible either from the front or rear of the buildings If there be no storm sewer in the street upon which the building fronts or no such storm sewer otherwise accessible then the water from said leaders shall be conducted by proper pipe or pipes below the surface of the sidewalk to the street gutter In no event shall the waters from said leaders be allowed to flow into sanitary sewers and in case where storm sewers shall now or hereafter be constructed or provided either in font of the buildings or otherwise accessible the owners shall upon twenty days' notice in writing from the Department of Health so to do disconnect such leaders from the sanitary sewers and connect them with the storm sewers

The sanitary sewer as referred to in this act shall mean the public sewer which is now or may hereafter be laid to carry domestic or house sewage only

The storm sewer as referred to in this act shall mean the public sewer which is laid for the sole purpose of providing drainage for storm and surface water and excludes all sewage containing putrefying matter

On the question,

Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 8, page 21, line 5, by striking out before the word "said" the word "the."

Mr. WHITTEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The ninth section of the bill was read as follows and agreed to:

Section 9 That section twenty-one of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Material for Inside and Outside Leaders

"Section 21 Inside leaders must be constructed of cast-iron wrought iron or steel with roof connections made gas and water-tight by means of heavy copper-drawn tubing slipped into the pipe The tubing must extend at least seven (7) inches into iron leader pipes Outside leaders may be sheet metal but they must connect with house drain by means of a cast-iron pipe extending vertically five (5) feet above grade level where the building is located along public driveways or sidewalks Where the building is located off building line and not liable to be damaged the connection shall be made with iron pipe extending at least one foot above grade level" be and the same is hereby further amended to read as follows

Material for Inside and Outside Leaders

Section 21 Inside leaders must be constructed of cast-iron galvanized wrought-iron or steel with approved roof connections made gas and water-tight Outside leaders may be sheet metal but they must connect with house drain by means of cast-iron pipe extending vertically five (5) feet above grade level where the building is located along public driveways or sidewaks Where the building is located off building line and not liable to be damaged the connection shall be made with iron-pipe extending at least one foot above grade level

The tenth section of the bill was read as follows:

Section 10 That section twenty-two of said act of June seventh nineteen hundred and one which reads as follows

Trapping of Leaders

"Section 22 All leaders must be trapped with cast-iron running traps so placed as to prevent freezing" be and the same is hereby amended to read as follows

Trapping of Leaders

Section 22 All leaders must be trapped with cast-iron traps so placed as to prevent freezing One or more leaders may be connected by one trap where leaders traps are placed inside of buildings they must be provided with cleanout plugs caulked in as provided for in section forty-one.

On the question,
Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 10, page 23, line 22, by striking out "conected" and inserting in lieu thereof the word "connected"; also by striking out the word "leaders" and inserting in lieu thereof the word "leader."

Mr. WHITTEN. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The eleventh section of the bill was read as follows:

Section 11 That section twenty-five of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Diameter of Soil-Pipes

Section 25 The smallest diameter of any soil-pipe permitted to be used shall be four-inch The size of soil pipes must be not less than those set forth in the following tables

Maximum Number of Fixtures connected to

Size of Pipe	Soil and Waste Combined Branch	Soil and Waste Combined Main	Soil-Pipe Alone Branch	Soil-Pipe Alone Main
4 in.,	48 fixtures	96 fixtures	8 water-closets	16 water-closets
5 in.,	96 fixtures	192 fixtures	16 water-closets	32 water-closets
6 in.,	268 fixtures	336 fixtures	34 water-closets	68 water-closets

If the building is six (6) and less than twelve stories in height the diameter shall be not less than five (5) inches if more than twelve (12) it shall be six (6) inches in diameter A building six or more stories in height with fixtures located below the sixth floor soil-pipe four (4) inches in diameter will be allowed to extend through the roof provided the number of fixtures does not exceed the number given in the table

All soil-pipes must extend at least two feet above the highest window and must not be reduced in size Traps will not be permitted on main vertical soil or waste lines Each house must have a separate line of soil and vent-pipe No soil or waste line shall be constructed on the outside of building

Fixtures with
One and one-quarter inch traps count as one fixture
One and one-half inch traps count as one fixture
Two inch traps count as two fixtures
Two and one-half inch traps count as three fixtures
Three inch traps (water-closets) count as four fixtures
Four inch traps count as five fixtures" be and the same is hereby further amended to read as follows

Diameter of Soil-Pipes

Section 25 The smallest diameter of any soil-pipe permitted to be used shall be three-inch The size of soil-pipes must not be less than those set forth in the following tables

Maximum Number of Fixtures Connected to—

Size of Pipe	Soil and Waste Combined Branch	Soil and Waste Combined Main	Soil-Pipe Alone Branch	Soil-Pipe Alone Main
3 in.,	6 fixtures	10 fixtures	1 water-closet	1 water-closet
4 in.,	48 fixtures	96 fixtures	8 water-closets	16 water-closets
5 in.,	96 fixtures	192 fixtures	16 water-closets	32 water-closets
6 in.,	268 fixtures	336 fixtures	34 water-closets	68 water-closets

If the building is six (6) and less than twelve (12) stories in height the diameter shall be not less than five (5) inches if more than twelve (12) stories it shall be six (6) inches in diameter A building six or more stories in height with fixtures located below the sixth floor soil-pipe four (4) inches in diameter will be allowed to extend through the roof provided the number of fixtures does not exceed the number given in the table

All soil-pipes must extend at least two feet above the roof and must not be reduced in size Traps will not be permitted on main vertical soil or waste lines Each house must have a separate line of soil and vent-pipes No soil or waste line shall be constructed on the outside of building

Fixtures with
One and one-quarter inch traps count as one fixture
One and one-half inch traps count as one fixture
Two-inch traps count as two fixtures
Two and one-half inch traps count as three fixtures
Three inch traps (water-closets) count as four fixtures
Four-inch traps count as five fixtures

On the question,
Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 11, page 24, line 17, by inserting before the word "it" the word "stories"; also line 21, by striking out "fixutres" and inserting in lieu thereof the word "fixtures"; also page 25, line 1, by striking out the word "vent-pipe" and inserting in lieu thereof the word "vent-pipes"; also line 2, by inserting "a" before the word "building"; also page 26, line 10, by inserting "a" before the word "building."

Mr. WHITTEN. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The twelfth section of the bill was read as follows:

Section 12 That section twenty-six of said act of June seventh nineteen hundred and one which reads as follows

Changes in Direction

"Section 26 All sewer soil and waste pipes must be as direct as possible Changes in direction must be made with 'Y' or half 'Y' branches or one-eight bends Offsets in soil or waste pipes will not be permitted when they can be avoided nor in any case unless suitable provision is made to prevent accumulation of rust or other obstruction Offsets shall be made with forty-five degree bends or similar fittings The use of T 'Y's' (Sanitary T's) will be permitted on upright lines only" be and the same is hereby amended as follows

Change in Direction

Section 26 All sewer soil or waste pipes must be as direct as possible Changes in direction must be made with "Y" or half "Y" branches or one-eight bends Offsets in soil or waste pipes will not be permitted when they can be avoided nor in any case unless suitable provision is made to prevent accumulation of rust or other obstruction Offsets shall be made with forty-five degree bends or similar fittings The use of T "Y's" (Sanitary "T's") will be permitted on upright lines only The use of saddles or the tapping of soil waste or vent pipes is prohibited unless their use is proven to be absolutely necessary.

On the question,
Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 12, page 26, line 23, by striking out the word "one-eight" and inserting in lieu thereof the word "one-eighth"; also page 27, line 3, by inserting before the word "as" the words "to read"; also line 7, by striking out "one-eight" and inserting in lieu thereof the word "one-eighth."

Mr. WHITTEN. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The thirteenth section of the bill was read as follows:

Section 13 That section twenty-seven of said act of June seventh nineteen hundred and one which reads as follows

Joints for Soil and Waste Pipes

"Section 27 Joints in cast-iron pipes and soil and waste-pipes must be so filled with oakum and lead and hand-caulked as to make them gas-tight Connections of lead and cast-iron pipes must be made with brass sleeve or ferrule of the same size as the lead pipe inserted in the hub of the iron pipe and caulked with lead The lead pipe must be attached to the ferrule by wiped joint Joints between lead and wrought iron pipes must be made with brass nipple of same size as lead pipe The lead pipe must be attached to the nipple by wiped joints All connections of lead waste pipe must be made by means of wiped joints" be and the same is hereby amended to read as follows

Joints and Connections

Section 27 All joints and connections prescribed under this title shall be made gas and water tight Joints in galvanized iron mild steel or brass pipe shall be standard screw joints and all burs or cuttings shall be removed

Connections between the sewer side of all plumbing fixture traps and the drainage system shall be made by means of plumbers' wiped joint caulked joint or screw threaded joint or ground metal to metal joints and such joints shall be of as permanent a nature as any portion of the drainage system No putty cement slip joints or composition joints shall be permitted on the sewer side of any trap All joints shall be made up with an approved sealing material Connections between wrought iron mild steel or brass to cast iron shall be either a caulked joint or screwed joint

All unions used on the sewer side of traps shall be ground faced and shall not be concealed or enclosed No slip joint connection will be allowed on the sewer side of the trap

Lead pipe joints in lead pipe or between lead pipes and pipes of brass or copper shall have an exposed surface of the solder to each side of the joint of at least three-quarters (¾) of an inch Joints between lead and iron pipes shall be made by extra heavy cast or drawn screw nipple with either a caulked joint or a soldered nipple with a treaded joint or approved concaved brass bushings

Where cup or similar ferrules are used they shall extend not less than one-quarter (¼) inch above the hub

Where different sizes of pipe or pipes and fittings are to be connected proper size increasers or reducers pitched to an angle of forty-five degrees between the two sizes shall be used

Connections or joints on all sewer soil waste vent and conductor pipes in any and all buildings shall be locked together with material that has a strength equalling the strength of the material used in the wall of the pipe The joints or connections shall be locked together by members which engage oblique surfaces between the hub and pipe all such locking members being independent of the material with which the joints are sealed Joints shall show no signs of failure and shall not develop leaks under a stress that will rupture the wall of the pipe or fittings The sealing and packing material used in making connections or joints on all drainage soil waste vent and conductor pipes shall be composed of material that will not deteriorate and cannot be affected by contact with acids or alkalies The packing and sealing material used in joining the pipes shall be so placed that it cannot work out of the enlarged portion of the connections and all joints shall be so shaped that any end movement of the pipes in the joint would compress the sealing material

Any fitting or connection which has an enlargement chamber or recess with a ledge shoulder or reduction of the pipe area in the direction of the flow on the outlet or drain side of any trap is prohibited

Connections or hangers pipe supports or fixture settings with masonry or stone backing shall be made with expansion bolts without the use of wood plugs

On the question,

Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 13, page 28, line 1, by striking out the word "joints" and inserting in lieu thereof the word "joint;" also line 12, by striking out "ture" and inserting in lieu thereof "tures;" also page 29, line 4, by striking out the word "treaded" and inserting in lieu thereof the word "threaded;" also line 22, by striking out "seaing" and inserting in lieu thereof the word "sealing."

Mr. WHITTEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourteenth section of the bill was read as follows:

Section 14 That section twenty-eight of said act of June seventh nineteen hundred and one which reads as follows

Traps for Bath-tubs Water-closets et Cetera

"Section 28 Every sink bath-tub basin water-closet slop hopper or fixture having a waste pipe must be furnished with a trap which shall be placed as close as practicable to the fixture that it serves and in no case shall they be more than one foot from said fixture The waste-pipe from the bath-tub or other fixtures must not be connected with a water-closet tray" be and the same is hereby amended to read as follows

Traps for Bath-tubs Water-closets et cetera

"Section 28 Every sink bath-tub basin water-closet slop hopper or fixture having a waste-pipe must be furnished with a trap which shall be placed as close as practicable to the fixture that it serves and in no case shall they be more than one foot from said fixture and the horizontal waste from P-trap must not be longer than eighteen inches from vertical vent pipe unless P-trap is crown vented The waste-pipe from the bath-tub or other fixtures must not be connected with a water-closet trap"

On the question,

Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 14, page 30, line 21, by striikng out the word "tray" and inserting in lieu thereof the word "traps."

Mr. WHITTEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifteenth section of the bill was read as follows:

Section 15 That section twenty-nine of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Size of Horizontal and Vertical Wast-pipe Traps and Branches Section Twenty-nine

Horizontal and Vertical	Number of Small Fixtures
1¼ inches	1
1½ inches	2
2 inches	3 to 8
2½ inches	9 to 20
3 inches	21 to 44

If the building is ten (10) or more stories in height the vertical waste-pipe shall not be less than three (3) inches in diameter The use of wrought iron pipe for waste-pipe two inches or less in diameter is prohibited

The size of traps and waste branches for a given fixture shall be as follows

Kind of Fixtures	Size in Inches Trap	Branch
Water closet	3	4
Slop sink with trap combined	3	3
Slop sink ordinary	2	2
Pedestal urinal	3	3
Floor drain or wash	4	4
Yard drain or catch basin	4	4
Urinal trough	2	2
Laundry trays (2 or 5)	2	2
Combination sink and tray (for each fixture)	1½	2
Kitchen sinks (small) for dwellings	1½	1½
Kitchen sinks (large) hotels resturants grease trap	...	2
Pantry sinks	1½	1½
Wash basin one only	1¼	1¼
Bath-tubs 4 x 10 inches drum trap	...	1½
Shower baths	1½	1½
Shower baths (floor)	2	2
Sitz baths	1½	1½
Drinking fountains	1¼	1¼

Be and the same is hereby further amended to read as follows

Size of Horizontal and Vertical Waste-pipe Traps and Branches Section Twenty-nine

Horizontal and Vertical	Number of Small Fixtures
1¼ inches	1
1½ inches	2
2 inches	3 to 8
2½ inches	9 to 20
3 inches	21 to 44

If building is ten (10) or more stories in height the vertical waste pipe shall not be less than three (3) inches in diameter

The size of traps and waste branches for a given fixture shall be as follows

Kind of Fixtures	Size in Inches Trap	Branch
Water closet	3	3
Slop sink with trap combined	3	3
Slop sink ordinary	2	2
Pedestal urinal	3	3
Floor drain or wash	4	4
Yard drain or catch basin	4	4
Urinal trough	2	2
Laundry trays (one set)	2	2
Combination sink and tray (for each fixture)	1½	2
Kitchen sinks (small) for dwellings	1½	1½
Kitchen sinks (large) hotels resturants grease trap	...	2
Pantry sinks	1½	1½
Wash basin one only	1¼	1¼
Bath-tubs 4 x 10 inches drum trap	1	1½
Shower baths	1½	1½
Shower baths (floor)	2	2
Sitz baths	1½	1½
Drinking fountains	1¼	1¼

On the question,
Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 15, page 31, line 10, by striking out the words "Section twenty-nine" and inserting in lieu thereof "Section 29;" also line 15, by striking out, before the word "building" the word "the;" also in the first table on page 32, by striking out "resturants" and inserting in lieu thereof the word "restaurants;" also line 4, by striking out the words, "Section twenty-nine" and inserting in lieu thereof "Section 29;" also on page 33, by striking out in the table, "resturants" and inserting in lieu thereof the word "restaurants;" also in the table, page 33, by striking out in the line reading "Bathtubs 4 x 10 inches drum trap" in the first column under the word "trap" the figure "1."

Mr. WHITTEN. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The sixteenth section of the bill was read as follows:

Section 16 That section thirty-three of said act of June seventh nineteen hundred and one which reads as follows

Safe and Refrigerator Waste-Pipes

"Section 33 Safe waste-pipes must not connect directly with any part of the plumbing system Safe waste-pipes must discharge over an open water supplied publicly placed ordinarily used sink placed not more than three and one-half feet above the cellar floor The safe waste from a refrigerator must be trapped at the bottom of the line only and must not discharge upon the ground floor but over an ordinary portable pan or some properly trapped water supply sink as above In no case shall the refrigerator waste-pipe discharge over a sink located in a room used for living purposes

The branches on vertical lines must be made by "Y" fittings and be carried to the safe with as much pitch as possible Where there is an offset on a refrigerator waste-pipe in cellar there must be cleanout to control the horizontal part of the pipe

In tenement and lodging houses the refrigerator waste-pipes must extend above the roof and not be larger than one and one-half inches nor the branches less than one and one-quarter inches Refrigerator waste-pipes except in tenement houses and all safe waste-pipes must have brass flap-valves at their lower ends Lead safes must be graded and neatly turned over beveled strips at their edges" be and the same is hereby amended to read as follows

Safe and Refrigerator Waste-Pipes

Section 33 A waste-pipe from refrigerators ice-boxes drinking fountains soda water fountains or bar wastes shall not be connected directly with any soil rain waste-pipe or drain sewer or discharge on the open ground They shall discharge into a movable pan or any open sink water supplied or over a floor drain in basement and shall be as short as possible and disconnected from the refrigerator or ice box by at least four (4) inches and where drinking fountains refrigerators or ice boxes are placed in buildings on two (2) or more floors the waste and vent pipes thereof shall continuous and shall run through the roof and in no case shall it be open within six (6) feet of an open soil or waste pipe The size of waste-pipes for refrigerators or drinking fountains for two floors or less shall be at least one and one-half inches and two inches for three floors and over Each refrigerator drinking fountain or ice box shall be provided with a separate trap traps for refrigerators or ice boxes shall be known as a drum trap with an accessible trap screw or cleanout Such traps shall be placed in the one and one-fourth waste-pipe branch and shall be as near as possible to the refrigerator or ice box Such traps need not be separately vented Galvanized wrought iron screw pipe may be used for such waste pipes

On the question,
Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 16, page 33, line 15, by striking out the word "supply" and inserting in lieu thereof the word "supplied;" also page 34, line 6, by striking out the word "cleanout" and inserting in lieu thereof the word "cleanouts;" also line 28, by inserting before the word "continuous" the word "be;" also page 35, line 1, by striking out the word "open;" also line 10, by inserting before the word "waste-pipe" the following: "(1¼ inch)."

Mr. WHITTEN. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The seventeenth section of the bill was read as follows and agreed to:

Section 17 That section thirty-four of said act of June seventh nineteen hundred and one which reads as follows

Material for Vent-Pipes

"Section 34 All vent-pipes must either be of lead brass loricated porcelain enameled iron or galvanized iron pipe" be and the same is hereby amended to read as follows

Material for Vent-Pipes

Section 34 All vent pipes must either be of lead brass extra heavy cast iron or galvanized iron pipe

The eighteenth section of the bill was read as follows:

Section 18 That section thirty-five of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Ventilation of Traps and Soil Lines

"Section 35 Traps shall be protected from siphonage or air pressure by special vent-pipes of a size not less than the following tables

Size of Pipe	Maximum Developed Length in Feet Mains	Number of Traps Vented Branch	Main Verical
1¼ inch vent	20	1	
1½ inch vent	40	2 or less..	
2 inch vent	65	10 or less..	20 or less
2½ inch vent	100	20 or less..	40 or less
3 inch vent	10 or more stories	60 or less..	100 or less

The branch vent-pipes shall be not less than the following sizes

One and one-fourth inches in diameter for one and one-fourth inch traps

One and one-half inches in diameter for one and one-half to two and one-half inch traps

Two inches in diameter for three inch to four inch traps

One-half their diameter for traps five inches and over

Where two (2) or more waster-closets are placed side by side on a horizontal branch the branch line shall have a relief extended as a loop vent A pipe two (2) inches in diameter will be sufficient as a loop vent for two (2) closets A pipe three (3) inches in diameter shall be used as a relief for three (3) or four (4) closets and where more than four (4) closets are located on the same branch the relief shall not be less than four (4) inches in diameter All house drains and soil lines on which water-closet is located must have a four-inch main vent line Where an additional closet is located in the cellar or basement and within ten feet of main soil or vent line no relief vent will be required for said closet but where it is more than ten feet a two-inch vent line will be required Relief vent pipes for water-closets must not be less than two inches in diameter for a length of forty feet and not less than three inches in diameter for more than forty feet

No revent from traps under bell-traps will be required

Any building having a sewer connection with a public or private sewer used for bell-trap connection or floor drainage only a two-inch relief line must be extended to the roof of building from rear end of main drain House drains constructed for roof drainage only will not require a relief vent

A floor-trap for a shower shall be vented unless located in cellar or ground floor the paving of which renders the trap inaccessible If the number of these fixtures on a branch is two (2) or more the waste line shall be extended as a loop vent instead of back venting the separate traps and when located in basement floor they shall be provided with a removable strainer or cleanout

Back vent pipes from traps above the floor must either be connected with crown of trap with ground-in brass coupling or if connected solidly to trap must have a ground-in brass coupling at wall" be and the same is hereby further amended to read as follows

Ventilation of Traps and Soil Lines

Section 35 Traps shall be protected from siphonage or air pressure by special vent-pipes of a size not less than the following tables and where it is a greater distance than that given in table it shall be one size larger its entire length

Size of Pipe	Maximum Developed Length in Feet Mains	Number of Traps Vented Branch	Main Verical
1¼ inch vent	20	1	
1½ inch vent	40	2 or less..	
2 inch vent	65	10 or less..	20 or less
2½ inch vent	100	20 or less..	40 or less
3 inch vent	10 or more stories	60 or less..	100 or less

The branch vent-pipes shall not be less than the following sizes

One and one-fourth inches in diameter for one and one-fourth inch traps

One and one-half inches in diameter for one or (2) one and one-half traps or one two (2) inch trap

Two inches in diameter for three inch to four inch traps

One-half their diameter for traps five inches and over

Where two (2) or more water-closets are placed side by side on a horizontal branch the branch line shall have a relief as a loop vent A pipe two (2) inches in diameter will be sufficient as a loop vent for two (2) closets A pipe three inches in diameter shall be used as a relief for three (3) or four (4) closets and where more than four (4) closets are located on the same branch the relief shall, not be less than four (4) inches in diameter All house drains and soil lines on which a water-closet is located must have a main vent line not less than three (3) inches in diameter Where an additional closets is located in the cellar or basement and within ten feet of main soil or vent line no relief vent will be required for said closet but where it is more than ten feet a two-inch vent line will be required Relief vent pipes for water-closets must not be less than two inches in diameter for a length of sixty-five feet and not less than three inches in diameter for more than sixty-five feet In any house that has a three-inch vent through the roof a closet set on the first floor may be vented with a two-inch pipe

No revent from traps under bell-trap will be required

Any building having a sewer connection with a public or private sewer used for bell-trap connections or floor drainage only a two-inch relief line must be extended to the roof of building from rear end of main drain House drains constructed for roof drainage only will not require a relief vent All bell-traps floor drains or yard cesspools shall be connected to the sewer by means of a joint or connection that is as secure as the joints on the main drainage system Slip joints putty joints or open joints will not be permitted on any part of the drainage system

In the event that a building if higher than an adjoining one the owner of the higher building shall not locate windows within twelve (12) feet of any existing vent stack on the lower building unless the owner of such building shall defray the expense of or shall himself make such alteration necessary to extend the vent pipe above all windows on the higher building

It shall be the duty of the owner of the lower or existing building to make such alteration therein upon the receipt in advance of money or security therefor sufficient for the purpose from the owner of the higher building or he shall permit at the election of the owner of the higher building the right to make such alteration by the owner of said higher building

If the number of those fixtures on a branch is two (2) or more the waste line shall be extended as a loop vent instead of back venting the separate traps and when located in basement floor they shall be provided with a removable strainer or cleanout

Back vent pipes from traps above the floor must either be connected with crown of trap with ground-in brass coupling or if connected solidly to trap must have a ground-in brass coupling at wall

On the question,

Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 18, page 36, line 10, by inserting before the word "to" the word "inch;" also page 38, line 5, by inserting before the word "table" the word "the;" also line 11, by striking out "(2)" and inserting in lieu thereof of the word "two"; also page 39, line 5, by striking out the word "colsets" and inserting in lieu thereof the word "closet."

Mr. WHITTEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The nineteenth, twentieth and twenty-first sections of the bill were read as follows and agreed to.

Section 19 That section thirty-eight of said act of June seventh nineteen hundred and one which reads as follows

Connection for Closet Vents

"Section 38 Rubber connections for back vents will not be permitted without double coupling and thimble inside" be and the same is hereby amended to read as follows

Connection for Closet Vents

Section 38 All wrought iron or mild steel pipe used for soil waste or vent pipes shall be galvanized and not lighter than the commercial grade known as "Full weight" The fittings for wrought iron or mild steel waste soil and refrigerator waste shall be cast or malleable iron or brass recessed drainage fittings with smooth interior waterway and threads tapped out of solid metal so as to give a uniform grade to branches of not less than one-fourth of an inch per foot Threaded fittings for soil waste and vent pipes shall be brass galivanized malleable iron or cast iron All lead pipe used for branch soil waste vent or flush pipes shall be of best quality of drawn pipe of not less weight per lineal foot than shown in the following table

Internal Diameter	Weight per Ft.
1 inch	1 lb. 8 oz.
1¼ inch	2 lb. 8 oz.
1½ inch	3 lb. 8 oz.
2 inch	4 lb. 0 oz.
3 inch	6 lb. 0 oz.
4 inch	8 lb. 0 oz.

Brass pipe for soil waste and vent pipe shall be thoroughly annealed seamless drawn tubing having weight and outside diameter of not less than the following table and shall be of a heft known as iron pipe size pipe

Size	Approximate weight foot brass	Per outside diameter inches	Inside diameter inches
⅛	.25	.405	.281
¼	.43	.540	.375
⅜	.62	.675	.494
½	.90	.840	.625
¾	1.25	1.050	.822
1	1.70	1.315	1.062
1¼	2.50	1.660	1.368
1½	3.00	1.900	1.600
2	4.00	2.375	2.062
2½	5.83	2.875	2.500
3	8.32	3.500	3.062
3½	10.85	4.000	3.500
4	12.30	4.500	4.000
4½	13.74	5.000	4.500
5	15.40	5.563	5.062
6	18.44	6.625	6.125

Brass fittings shall be good quality cast brass having a thickness in their walls not less than the tubular thickness given above for the corresponding brass pipe The thickness of the tapped ends to be one and one-half (1½) times the thickness of the corresponding pipe

Kind of Traps Every trap shall be self-cleaning No form which depends upon the action of movable parts for its seal shall be used No trap which depends upon concealed interior partitions for its seal or which has an interior partition that in case of defect would allow the passage of sewer air shall be used

Traps for bath tubs basins sinks or other similar fixtures shall be made of lead brass galvanized iron or of iron porcelain enameled inside Galvanized or porcelain enameled iron traps shall be extra heavy full bore and have a smooth interior waterway and threads tapped out of solid metal

Iron drum traps shall be made of extra heavy cast or malleable iron galivanized or porcelain enameled on the inside and the drum shall not exceed four (4) inches in diameter

Drum traps shall have a water seal of not more than seven (7) inches nor less than two and one-half (2½) inches

Weter seal Each trap placed on any portion of the drainage system shall have a water seal of not less than two and one-half (2½) inches

Each trap except those in combination with fixtures where the trap seal is plainly visible and accessible shall be provided with a brass trap screw Traps placed between the floor shall have a brass trap screw for cleaning in plain view or flush with the floor or readily accessible from or under the floor

Trap levels and protection All traps shall be rigidly supported and set true with respect to their water level and shall be so located as to protect their seals

Traps prohibited on drains There shall be no trap at the foot of soil or waste pipe stacks

Section 20 That section forty-five of said act of June seventh nineteen hundred and one which reads as follows

Water-Closet Connections with Soil-Pipe

"Section 45 All earthenware traps must have heavy brass floor plates soldered to the lead bends and bolted to the trap flange and the joint made permanently secure and gas-tight" be and the same is hereby amended to read as follows

Water-Closet Connection with Soil-Pipe

Section 45 Water-closets slop sinks clinic slop sinks pedestal urinals and all fixtures having integral traps shall be attached to the drainage system by means of a screw joint fitting or metal to metal joint or by means of a metal to metal or water sealed joint that is attached to the bowl trap in a permanent manner and so designed that any leakage between the bowl and the fixture will register upon the floor over which the bowl is placed this floor or wall connection shall be water sealed in such a manner that the seal will be replenished at each operation of the fixture

Section 21 That section forty-six of said act of June seventh nineteen hundred and one which reads as follows

Water-Closets where Located

"Section 46 Water-closets must not be located in sleeping apartments nor in any room or compartment which has not direct communication with external air either by window

or airshaft of at least four square feet" be and the same is hereby amended to read as follows

Water-Closets where Located

Section 46 Water-closet apartments must not have direct communication with any dining room or kitchen nor shall any water-closet be placed in any dining room or kitchen Water-closet apartments must not be placed in a dining room kitchen or sleeping apartments nor have direct communication with a public dining room restaurant or kitchen nor be placed in any room or compartment which has not direct communication with external air either by window or air shaft of at least four square feet And when any window ventilating any water-closet compartment or bath-room opens directly into a vent shaft no window of any room other than water-closets bath-room or hall shall open into such vent shaft

The twenty-second section of the bill was read as follows:

Section 22 That section forty-seven of said act of June seventh nineteen hundred and one which reads as follows

Water-closets how Supplied

"Section 47 No water-closets except those placed in yards and flush meters volumeter or similar devices shall be supplied directly from the supply pipes" be and the same is hereby amended to read as follows

Water-closets how Supplied

Section 47 All valves of flushing tanks shall be so fitted and adjusted as to prevent the waste of water

The water from flushing tanks shall be used for no other purposes nor will any stop be permitted in flush pipe

All water flushed plumbing fixtures shall be provided with pipes of ample size to furnish a sufficient quantity of water to thoroughly cleanse the bowl at each operation When filing plans the plumber shall furnish the plumbing inspector with a sketch or plan showing the size of the water pipe from the main to each water flushed plumbing fixture He shall furnish the plumbing inspector with all information regarding the size of the water main pressure in the water main or other source of supply The manner of tapping the water main and conducting the water into the building the height of the building the distance the fixtures are located above the water main the distance of the building from the source of supply together with any other information necessary to determine the size of pipe necessary to properly flush each fixture

He shall also furnish the plumbing inspector with a description of each and every fixture together with the information regarding the quantity of water necessary for each operation of such fixture and a description of a device by which the fixtures are being flushed From this information the chief plumbing inspector shall advise the size pipe to be used for supplying water to all fixtures in the building

It shall be the duty of the plumbing inspector to be positive that all plumbing fixtures are supplied with a sufficient quantity and volume of water to thoroughly cleanse the system and each fixture seperately and if for any reason the plumber does not follow the advise of the plumbing inspector in regard to the size of the water pipe the plumber shall before a final certificate is issued change or alter the water piping system in such a manner that all fixtures can be effectually and satisfactorily flushed

Any and all water flushed plumbing fixtures that receive putrescible waste matter shall be so constructed and assembled that it will be impossible for any portion of the contents of the bowl to syphon or flow into the water supply pipes The plumbing inspector shall demand a sample of all water flushed fixtures installed under his jurisdiction including the bowl and flushing device and he shall make a vacuum test on the water supply of the assembled fixtures and be positive the contents of the bowl cannot syphon and be drawn into the water supply pipes

On the question,
Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 22, page 46, line 22, by striking out "seperately" and inserting in lieu thereof the word "separately."

Mr. WHITTEN. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The twenty-third section of the bill was read as follows:

Section 23 That section forty-eight of said act of June seventh nineteen hundred and one which reads as follows

Water-closets

"Section 48 All water-closets must have flushing rim-bowls" be and the same is hereby amended to read as follows

Water-closets

Section 48 A Materials All receptacles used for water-closets urinals or otherwise for the disposal of human excreta shall be either vitrified earthenware hard natural stone or cast iron white porcelain enameled or painted on the outside with at least three (3) coats of non-absorbent and non-corrosive paint

B Bowls The bowls and traps for all fixtures supplied with flushing rims shall be made in one piece and of such shape and form as to hold a sufficient quantity of water when filled up to the trap overflow so as to completely submerge any matter deposited in them and properly flush and scour the soil pipe when the contents of the bowl are discharged except that nothing in this section shall apply to latrine closets

C Open Plumbing All plumbing fixtures shall be installed or set free and open from all enclosing work and where possible all waste and discharge pipes from fixtures shall be run to the wall and the fixture supported independently from the floor

D Low Down Closets Water closets with low down tanks shall be of syphon pattern

E All water flushed fixtures of the flushing rim type must be provided with integral traps and be flushed by some method that will afford a sufficient quantity of water to thoroughly cleanse the bowl at each operation Such flushing device to be arranged in a manner that will provide a sufficient after-fill to completely seal the trap to the overflow line

F Visible Trap Seal All water-closets pedestal urinals hospital clinic slop sinks and flushing rim slop sinks shall be made in one piece with trap and bowl combined and arranged in such a manner that the water in the trap will be visible from the top of the fixture

G Flushing Rims All water-closets pedestal urinals flat back urinals clinic slop sinks and flushing slop sinks shall have flushing rims provided at the extereme top of the bowl The flushing rim shall be made without perceptible interior overhang The flushing outlets through which water is supplied for cleansing the interior of the bowl shall be the only openings above the water seal of the trap and these holes shall be so arranged that the entire inner surface of the bowl to its extreme top can be effiectively scoured at each operation of the flushing device

H Concealed or Exposed Openings No concealed or exposed vent opening will be permitted on the house side of the water seal of any trap No opening shall be placed on the house side of any fixture having an integral flushing rim other than the openings necessary to flush and cleanse the bowl

Closets Prohibited No range closet-either wet or dry nor any evaporating system of closets shall be constructed or allowed inside of any building

On the question,
Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 23, on page 47, in line 22, by striking out "eothenware" and inserting in lieu thereof the word "earthenware"; also page 48, line 16, by striking out "clease" and inserting in lieu thereof the word "cleanse."

Mr. WHITTEN. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The twenty-fourth section of the bill was read as follows:

Section 24 That section fifty-three of said act of June seventh nineteen hundred and one which reads as follows

Construction of Urinals

"Section 53 All urinals must be constructed of materials impervious to moisture and that will not corrode under the action of urine The floor and walls or urinal apartments must be lined with similar non-absorbent and non-corrosive material" be and the same is hereby amended to read as follows

Construction of Urinals

Section 53 All urinals must be constructed of materials impervious to moisture and that will not corrode under the action of urine and must be flushing rim or perforated pipe so as to cleanse all interior parts all urinals must be supplied by automatic tanks or flush valves The floor and walls or urinal apartments must be lined with similar non-absorbent and non-corrosive material

On the question,
Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 24, page 50, line 4, by striking out the word "or" and inserting in lieu thereof the word "of."

Mr. WHITTEN. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-fifth section of the bill was read as follows and agreed to:

Section 25 That section fifty-four of said act of June seventh nineteen hundred and one which reads as follows

Urinal Platforms

"Section 54 The platforms or treads of urinal stalls must not be connected independently to the plumbing system nor can they be connected to any safe waste pipe" be and the same is hereby amended to read as follows

Urinal Platforms

Section 54 The platforms or treads of urinal stalls must not be connected to the plumbing or drainage system nor can they be connected to any safe-waste-pipe

The twenty-sixth section of the bill was read as follows

Section 26 That section fifty-seven of said act of June seventh nineteen hundred and one which reads as follows

Flush Pipes

"Section 57 Water-closet flush pipes must not be less than one and one-quarter inches and urinal flush pipes one-half inch in diameter" be and the same is hereby amended to read as follows

Flush Pipes

Section 57 All flushing rim water supplied fixtures such as water-closets clinic slop sinks pedestal and flat back urinals and slop sinks shall be provided with a trap that has a two and one-half depth of water seal The depth of this seal shall be determined by sealing the waste outlet and attaching a guage provided with a "U" shapes glass tube and a registering device

Each and every bowl of this naure installed in any building shall show a depth of water seal equalling a column of two and one-half (2½) inches of water displaced on one side of the "U" shaped tube above the normal level of the water it shall be the duty of the department of health to supply such testing apparatus and any person wishing to install a fixture of this kind shall when requested furnish a sample bowl or bowls for inspection and approval by the plumbing inspector and no such bowl shall be installed which does not show a two and one-half inch water seal The seal of all traps other than those combined with the fixture may be measured with an ordinary rule but if for any reason the plumbing inspector doubts the depth of seal in any trap he can demand the same to be tested in the same manner as provided for closets

On the question,

Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 26, on page 51, line 4, by striking out "naure" and inserting in lieu thereof the word "nature."

Mr. WHITTEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-seventh section of the bill was read as follows:

Section 27 That section fifty-eight of said act of June seventh nineteen hundred and one which reads as follows

Lining for Closet and Urinal Cisterns

"Section 58 The copper lining of water-closet and urinal cisterns must not be lighter than twelve-ounce copper and must be stamped on lining with maker's name Where lead is used for lining it must not weigh less than four pounds to the square foot All other materials are prohibited" be and the same is hereby amended to read as follows

Lining for Closet and Urinal Closets

Section 58 The waincoting of all toilet rooms shall be set directly against the building partitions and in no case shall a utility corridor or pipe space having an opening at the top communicate with any other room The partitions of all utility corridors or pipe spaces which occur back of any water closets or urinals shall extend from the floor to the ceiling and have separate door opening from the corridor or toilet room into the utility chamber

All such pipe spaces shall be at least thirty (30) inches wide throughout their length and shall be provided with a window twenty-four by sixty (24 x 60) inches said window to connect with the open aid and so placed that it will admit daylight into utility corridor

To avoid maintaining a nuisance the owner of any building containing a utility corridor or pipe space shall have same thoroughly washed and cleaned at least once every ten (10) days and failure to comply with this section shall be considered a misdemeanor

Provision shall be made to avoid damage to drainage system caused by expansion or contraction of the pipes in buildings of extreme height Such devices or methods shall be subject to the approval of the health department

On the question,

Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 27, page 52, in line 2, by striking out "waincoting" and inserting in lieu thereof the word "wainscoating"; also page 52, line 13, by striking out the word "aid" and inserting in lieu thereof the word "air"; also page 52, line 14, by inserting before the word "utility" the word "the."

Mr. WHITTEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-eighth section of the bill was read as follows

Section 28 That section sixty of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Yard Water-Closets

"Section 60 Water-closets when located in yard must be so arranged as to be conveniently and adequately flushed and the water-supply pipes and traps protected from freezing by being placed in a hopper-pit at least four feet below the surface of the ground the walls of which pit shall be constructed of hard burned brick or stone laid in cement mortar or of concrete The walls for pit where one (1) closet is installed may be four (4) inches in thickness or salt-glazed sewer-pipe thirty-six (36) inches in diameter may be used

Where pit is for more than one (1) closet the walls shall be nine (9) inches in thickness The soil-pipes and traps used inside pit must be extra heavy cast-iron and the trap to have hand-hole for cleanout purposes with cleanout caulked in If the closet is located in the rear of a soil or vent-pipe the drain on which it is located shall be vented with a four-inch pipe carried above roof of closet away from any cpening or window All outside closets shall be of the tank pattern The water to be supplied to tank through an automatic seat-action valve The waste from valve may be permitted to discharge on cement floor of pit which shall be provided with four-inch trap and strainer The enclosure of yard water-closets shall be ventilated by slatted openings and there shall be a trap door of sufficient size to permit of convenient access to the hopper-pit" be and the same is hereby further amended to read as follows

Yard Water-Closets

Section 60 Water-closets when located in yard must be so arranged as to be conveniently and adequately flushed and the water-supply pipes and traps protected from freezing by being placed in a hopper-pit at least four feet below the surface of the ground the walls of which pit shall be constructed of hard burned brick or stone laid in cement mortar or of concrete The walls for pit where one (1) closet is installed may be four (4) inches in thickness or salt-glazed sewer-pipe thirty-six (36) inches in diameter may be used

Where pit is for more than one (1) closet the walls shall be nine (9) inches in thickness The soil-pipes and traps used inside pit must be extra heavy cast-iron and the trap to have hand-hole for cleanout purposes with cleanout caulked in If the closet is located in the rear of a soil or vent-pipe the drain on which it is located shall be vented with a four-inch pipe carried above roof of closet away from any opening or window All outside closets shall be of the tank pattern The water to be supplied to tank through an automatic seat-action valve The waste from valve may be permitted to discharge on cement floor of pit which shall be provided with four-inch trap and strainer The enclosure of yard water-closets shall be ventilated by slatted openings and there shall be a trap door of sufficient size to permit of convenient access to the hopper-pit

In case where pits are not used the traps and supply pipes for water-closets must be protected from freezing by clean earth filled around them and accessible cleanout plugs from traps must be brought to surface of closet floor closet floors must be cemented and graded to door The floors must be at least (5) inches above grade of yard or yards

On the question,

Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 28, page 53, line 13, by striking out the word "soil-pipes" and inserting in lieu thereof the word "soil-pipe."

Mr. WHITTEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-ninth section of the bill was read as follows:

Section 29 That section sixty-five of said act of June seventh nineteen hundred and one which reads as follows

Terms Used

"Section 65 The term 'private sewer' is applied to main sewers that are not constructed by and under the supervision of the Department of Public Works

The term 'house-sewer' is applied to that part of the main drain or sewer extending from a point five feet outside of the outer wall of a building vault or area to its connection with public sewer private sewer or cesspool

The term 'house drain' is applied to that part of the main horizontal drain and its branches inside the walls of the building vault or area and extending to and connecting with the house sewer

The term 'soil-pipe' is applied to any vertical line of pipe extending through the roof receiving the discharge of one or more water-closets with or without other fixtures

The term 'waste-pipe' is applied to any pipe extending through roof receiving the discharge from any fixture except water-closets

The term 'vent-pipe' is applied to any special pipe provided to ventilate the system of piping and to prevent trap siphonage and back pressure" be and the same is hereby amended to read as follows

Terms Used

Section 65 A vent-pipe is any pipe provided to ventilate a drainage and plumbing system of piping and to prevent siphonage and back pressure

A back vent-pipe is that part of a vent pipe line which connects directly with an individual trap underneath or back of the fixture and extend either to the branch main soil or waste vent

Soil or waste-vent is that part of the main soil or waste-pipe above the highest installed branch or fixture connection extending through the roof

Subsoil-drain is that part of a drainage system which conveys the subsoil or ground or seep water from the foot of wall or below the cellar bottom under buildings to the house sewer but independent of the house drain

Conductors or roof leaders are conveyors which carry the storm or rain water from the roofs of building to the house or yard drain The term down-spout is usually applied to the vertical portion

Trap is a fitting so constructed as to prevent the passage of air or gas through a pipe without materially affecting the flow of sewerage or waste-water therein

Traps-depth of seal is the height of the water column measured between the points or overflow and the dip or division level separating the inlet and outlet arms of the trap

"Plumber Work" shall include all sanitary or water piping in a building upon which tests are required to appoint five (5) feet outside the foundation walls and shall include the house drain soil and waste stacks conductors and roof leaders and water pipes

On the question,

Will the Senate agree to the section?

Mr. BURKE. Mr. President, I move to amend section 29, page 56, in line 11, by striking out the word "extend" and inserting in lieu thereof the word "extends"; also page 56, in line 28, by striking out the word "or" where it first occurs, and inserting in lieu thereof the word "of"; also page 57, in line 4, by striking out "ap-" and inserting in lieu thereof "a."

Mr. WHITTEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirtieth section of the bill was read as follows and agreed to:

Section 30 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

The title of the bill was read as follows and agreed to:

An Act further amending an act approved the seventh day of June one thousand nine hundred and one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules, regulatings and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as amended, which act was extended to cities of the third class by an act approved the fourteenth day of May one thousand nine hundred and nine entitled "An Act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cesspools and providing penalties and forfeitures for violation thereof"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1105, as follows

An Act to repeal an act entitled "An act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes" approved the twenty-first day of May one thousand nine hundred and thirteen.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act of Assembly entitled "An act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively, and providing for the sale of such land for taxes" approved the twenty-first day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and eighty-five) shall be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1106, as follows

An Act to supplement an act entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June one thousand nine hundred and one providing an additional method for the enforcement and collection of county poor school borough town or township taxes against seated lands authorizing the return of taxes on seated lands in counties poor districts school districts boroughs incorporated towns and townships for county poor school borough town or township taxes respectively and providing for the sale of such lands for such taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the method provided by the act to which this is a supplement for the enforcement and collection of county poor school borough town or township taxes against seated lands the authorities of any county poor district school district borough incorporated town or township are authorized and empowered to make a return of taxes assessed by them against seated lands whenever personal property cannot be found thereon sufficient to pay such taxes to the commissioners of the county on or before the first day of February succeeding the date when the taxes were assessed Whenever any such taxes are not paid within two years after the date of the assessment and such return has been made to the county commissioners of the

county such lands shall be advertised and sold by the county treasurer at the time and in the manner and with the same conditions force and effect as unseated lands

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1115 (House Bill No. 1424), as follows

An Act for the imposition and collection of certain inheritance taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all estates real personal and mixed of every kind whatsoever situated within this Commonwealth whether the person dying seized thereof be domiciled within or without this Commonwealth and all such estates situated in another State, territory or country when the person dying seized thereof shall have his domicile within this Commonwealth passing from any person who may die seized or possessed of such estates either by will or under the intestate laws of this Commonwealth or any part of such estates or interests therein transferred by deed grant bargain or sale made or intended to take effect in possession or enjoyment after the death of the grantor or bargainer to or for the use of father mother husband wife children lineal descendants born in lawful wedlock children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed or to legally adopted children are hereby made subject to a tax of two ($2) dollars on every hundred dollars of the clear value of such estates and at the same rate for any less amount to be paid to the use of the Commonwealth

The tax hereinbefore provided is also imposed on any estate passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such illegitimate child his wife or widow Such tax also applies to any estate passing from an illegitimate child to his mother

Section 2 The register of wills of the county in which letters testamentary or of administration are granted shall appoint an appraiser whenever occasion may require to fix the value of the estates hereinbefore subjected to tax Such appraiser shall make a fair conscionable appraisement of such estates and assess and fix the cash value of all annuities and life estates growing out of said estates upon which annuities and life estates the tax imposed by this act shall be immediately payable out of the estate at the rate of such valuation

Section 3 The compensation of such appraisers shall be as follows namely For each day during which an appraiser shall actually be engaged in making appraisements of property subject to the tax he shall receive the sum of five dollars If it shall be necessary for the appraiser to travel from his place or residence to appraise property subject to the tax he shall be allowed such actual necessary traveling expenses as he may incur which expenses shall be itemized in a sworn statement to be returned to the register and subject to the final approval of the auditor general

Section 4 Whenever because of the complicated nature of an estate subject to the payment of such tax the interest of the Commonwealth shall require the appointment as appraiser of such estate of a person possessed of expert or technical knowledge to ascertain the value thereof reasonable additional compensation shall be allowed such appraiser for the exercise of such expert or technical knowledge In case where after the appointment of an appraiser it shall appear that the proper appraisement of said estate will require the services of a person possessed of expert or technical knowledge whereof the appraiser appointed is not possessed the appraiser may employ the services of a person possessed of expert or technical knowledge to assist him in the appraisement and for such services the person so employed shall receive reasonable compensation In all such cases the register of will appointing the appraiser shall certify to the auditor general that there is an actual necessity for the appointment of an appraiser possessed of expert or technical knowledge or that the appraiser already appointed to appraise the estate in question should be assisted by a person possessed of such knowledge No person shall be appointed as such expert appraiser or as expert assistant to the appraiser until the approval of the auditor general of said appointment is first obtained nor shall any payment be made to any appraiser or to any person employed by him under this section until an itemized statement of the services performed and the compensation recommended shall have been rendered under oath or affirmation to the auditor general for his approval and shall have received the same No clerk or other person employed in the office of a register of wills shall be appointed as an expert appraiser of an estate subject to the payment of such tax nor as an expert to assist the appraiser of such estate

Section 5 It shall be a misdemeanor for an appraiser to take any fee or reward from any executor or administrator legatee lineal descendent or heir of any decedent and for any such offense the register shall dismiss him from such service Upon conviction of such misdemeanor such appraiser shall be fined not exceeding five hundred dollars or imprisoned not exceeding one year or both

Section 6 Any person not satisfied with any appraisement may appeal within thirty days to the orphans' court on paying or giving security to pay all costs together with whatever tax shall be fixed by the court Upon such appeal the court may determine all questions of valuation and of the liability of the appraised estate for such tax subject to the right of appeal to the supreme or superior court

Section 7 The register of wills shall enter in a book to be provided at the expense of the Commonwealth which shall be a public record the returns made by all appraisers under the provisions of this act opening an account in favor of the Commonwealth against each decedent's estate The register may give certificates of payment of such tax from such record The register shall transmit to the auditor general on the first day of each month a statement of all returns made by appraisers during the preceding month upon which the taxes have been paid or remain unpaid which statement shall be entered by the auditor general in a book to be kept for that purpose Whenever any such tax shall have remained due and unpaid for one year the register may apply to the orphans' court by bill or petition to enforce the payment of the same whereupon the court having caused notice to be given to the owner of the real estate charged with the tax and to such other person as may be interested shall proceed according to equity to make such decrees or orders for the payment of the tax out of such real estate as shall be just and proper

Section 8 If the register shall discover that any tax imposed by this act has not been paid the orphans' court may cite the executors or administrators of the decedent whose estate is subject to the tax to file an account or to appear on a certain day and show cause why the tax should not be paid When personal service cannot be had notice shall be given for four weeks once a week in at least one newspaper published in the county If the tax shall be found to be due the delinquent shall pay the tax and costs The register or the auditor general shall employ an attorney of the county to sue for the recovery of the amount of such tax The auditor general in the settlement of accounts of any register may allow him costs of advertising and other reasonable fees and expenses incurred in the collection of the tax

Section 9 Where there is a devise descent or bequest liable to the tax hereinbefore imposed which devise descent or bequest is to take effect in possession or to come into actual enjoyment after the expiration of one or more life estates or a period of years the tax on such estate shall not be payable nor shall interest begin to run thereon until the person liable for the same shall come into actual possession of such estate by the termination of the estates for life or years The tax shall be assessed upon the value of the estate at the time the right of possession accrues to the owner but the owner may pay the tax at any time prior to his coming into possession In such cases the tax shall be assessed on the value of the estate at the time of the payment of the tax after deducting the value of the life estate or estates for years The tax on real estate shall remain a lien on the real estate on which the same is chargeable until paid The owner of any personal estate shall make a full return of the same to the register of wills within one year from the death of the decedent and within that time enter into security for the payment of the tax to the satisfaction of such register In case of failure so to do the tax shall be immediately payable

Section 10 If the tax is paid within three months after the death of the decedent a discount of five per centum shall be allowed If the tax is not paid at the end of one year from the death of the decedent interest shall be charged at the rate of twelve per centum per annum on such tax Where because of claims made upon the estate litigation or other unavoidable cause of delay the estate of any decedent or any part thereof cannot be settled up at the end of the year interest at the rate of six per centum shall be charged upon the tax arising from the unsettled part thereof from the end of such year until there be default Where real or personal estate withheld by reason of litigation or other cause of delay in manner aforesaid from the parties entitled thereto subject to such tax has not been productive to the extent of six per centum per annum the proper parties shall not pay a greater amount as interest to the Commonwealth than they have realized or shall realize from such estate during the time the same has been or shall be withheld as aforesaid

Section 11 The executor or administrator or other trustee paying any legacy or share in the distribution of any estate subject to the said tax shall deduct therefrom at the rate of two dollars in every hundred dollars upon the whole legacy or sum paid or if not money he shall demand payment of a sum to be computed at the same rate upon the appraised value thereof No executor or administrator shall be compelled to pay or deliver any specific legacy or article to be distributed subject to tax except on the payment into his hands of a sum computed on its value as aforesaid In case of neglect or refusal on the part of such legatee to pay the same such specific legacy or article or so much thereof as shall be necessary shall be sold by such executor or administrator at public sale after notice to such legatee and the balance that may be left in the hands of the executor or administrator shall be distributed as is or may be directed by law Every sum of money retained by any executor or administrator or paid into his hands on account of any legacy or distributive share for the use of the Commonwealth shall be paid by him without delay

Section 12 When a legacy subject to tax under this act is given to any person for life or for a term of years or for any other limited period upon a condition of contingency of the same be money the tax thereon shall be retained upon the whole amount but if not money application shall be made to the orphans court to make apportionment if the case require it of the sum to be paid by such legatees and for such further order relative thereto as equity shall require

Whenever any such legacy shall be charged upon or payable out of real estate the heir or devisee before paying the same shall deduct therefrom at the rate aforesaid and pay the amount so deducted to the executor and the same shall remain a charge upon such real estate until paid and the payment thereof shall be enforced by the decree of the orphans' court in the same manner as the payment of such legacy may be enforced

Section 13 Whenever any real estate of which any decedent may die seized shall be subject to the tax the executors and administrators shall give information thereof to the register of the county where administration has been granted within six months after they undertake the execution of their respective duties or if the fact be no known to them within that period then within one month after the same shall have come to their knowledge The owners of such estate immediately upon its vesting shall give information thereof to the register having jurisdiction of the granting of administration

Section 14 Any executor or administrator on the payment of said tax shall take duplicate receipts from the register both of which shall be forwarded forthwith to the auditor general who shall charge the register receiving the money with the amount and seal with the seal of his office and countersign the original receipt and transmit it to the executor or administrator whereupon it shall be a proper voucher in the settlement of the estate In no event shall an executor or administrator be entitled to a credit in his account by the register unless the receipt is so sealed and countersigned by the auditor general

Section 15 Whenever any foreign executor or administrator or trustee shall assign or transfer any stocks or loans in this Commonwealth standing in the name of the decedent or in trust for the decedent which shall be liable for the tax imposed by this act such tax shall be paid on the transfer thereof to the register of the county where such transfer is made otherwise the corporation permitting such transfer shall become liable to pay such tax

Section 16 Whenever debts shall be proved against the estate of a decedent after distribution of legacies from which the tax has been deducted in compliance with this act and the legatee is required to refund any portion of a legacy a portion of the said tax shall be repaid to him by the executor or administrator if the tax has not been paid into the state or county treasury or by the county treasurer if it has been so paid

Section 17 The registers of wills upon their filing with the auditor general the bond hereinafter required shall be the agents of the Commonwealth for the collection of the said tax For services rendered in collecting and paying over the same they shall be allowed to retain for their own use upon the gross amount collected during any year five per centum upon the tax collected if such amount to a sum of fifty thousand ($50,000) dollars or less three percentum on the amounts collected in excess of fifty thousand ($50,000) dollars and not exceeding one hundred thousand ($100,000) dollars two percentum on the amounts collected in excess of one hundred thousand ($100,000) dollars and not over two hundred thousand ($200,000) dollars and one percentum on the amounts collected in excess of two hundred thousand ($200,000) dollars

Section 18 Each register shall give bond to the Commonwealth in such penal sum as the orphans court may direct with two or more sufficient sureties for the faithful performance of the duties hereby imposed and for the regular accounting and paying over of the amounts to be collected and received This bond when executed and approved shall be forwarded to the auditor general

Until such bond and security be given the said tax shall be collected by the county treasurer In such cases all the provisions of this act relating to collection and payment by registers shall apply to the county treasurer

Section 19 Each register of wills shall on the first Monday of each month make return to the Auditor General and return and payment to the state treasurer of all taxes imposed under this act received stating for what estate paid All taxes collected by him and not paid over within one month after his quarterly return of the same he shall pay interest at the rate of twelve per centum per annum until paid

Section 20 The lien of the said tax shall continue until the tax is settled and satisfied and shall be limited to the property chargeable therewith All such taxes shall be sued for within five years after they are due otherwise they shall be presumed to have been paid and cease to be a lien as against any purchasers of real estate

Section 21 In all cases where any amount of such tax is paid erroneously to the register of wills the state treasurer on satisfactory proof rendered to him by said register of wills of such erroneous payment may refund and pay over to the person paying such tax the amount erroneously paid All such applications for the repayment of such tax erroneously paid in the treasury shall be made within two years from the date of payment except when the estate upon which such tax has been erroneously paid shall have consisted in whole or in part of a partnership or other interest of uncertain value or shall have been involved in litigation by reason whereof there shall have been an over-valuation of that portion of the estate on which the tax has been assessed and paid which over-valuation could not have been ascertained within said period of two years in such case the application for repayment shall be made to the state treasurer within one year from the termination of such litigation or ascertainment of such over-valuation

Section 22 This act does not repeal or effect the tax imposed and collected under the act approved May sixth one thousand eight hundred eighty-seven entitled "An Act to provide for the better collection of collateral inheritance taxes" its amendments and supplements

Section 23 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SPROUL. Mr. President, I move that Senate Bill No. 1115 (House Bill No. 1424), the bill just read, be recommitted to the Committee on Finance.

Mr. TOMPKINS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1130, entitled

An Act to further amend section eleven of an act approved the twelfth day of July, one thousand nine hundred and thirteen, entitled "An Act establishing a court for the County of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs; process, or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," as amended, by conferring jurisdiction on the municipal court in certain cases of desertion and non-support in cases of children suffering from epilepsy, nervous or mental defects, and in certain cases of fornication and bastardy proceedings; providing for the transfer by the court of quarter sessions to the municipal court of all cases of desertion and non-support, also in certain cases of fornication and bastardy, and empowering the municipal court to enforce all decrees, orders, judgments and sentences made by the court of quarter sessions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1137 (House Bill No. 418) entitled,

An Act fixing the fees of the recorder of deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 497, entitled

An Act amending sections four and fifty-one of an act entitled "An Act to create a Bureau of Building Inspection and to regulate the construction, maintenance and inspection of buildings and party walls in cities of the first class, approved the 5th day of May, A. D. 1899; by enlarging the powers of the building inspectors as to tearing down or rebuilding dangerous buildings, walls, ceilings, floors or other parts of premises; providing for notice to the owners thereof and service of such notice; and prescribing the practice and procedure with respect to the payment of the costs and charges for tearing down or rebuilding dangerous buildings, walls, ceilings, floors,. or other parts of premises, and making the amount thereof a lien on such premises.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 633 (House Bill No. 176), entitled

An Act to amend section three of an act approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain party officers including state committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the state of the expenses of the same; authorizing the state committee of a political party to make and to alter, amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided herein and repealing inconsistent legislation."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 759 (House Bill No. 875), entitled

An act to authorize the revising editing and printing of twenty-five thousand copies of Bulletin number two hundred and one entitled "Market Gardening" issued by he Department of Agriculture and making an appropriation therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 760 (House Bill No. 876), entitled

An Act to authorize the revising editing and printing of fifteen thousand copies of bulletin number one hundred and eighty-six entitled "Swine Husbandry" issued by the Department of Agriculture and making an appropriation therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 963 (House Bill No. 429), entitled

An act making an appropriation to the Lebanon Sanatorium of Lebanon Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1013 (House Bill No. 882), entitled

An act providing for a Statistician in the Department of Mines and fixing the salary

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1014 (House Bill No. 1375), entitled

An act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMITTED.

Mr. TOMPKINS. Mr. President, I move that Senate Bill No. 1014 (House Bill No. 1375), the bill just read, be recommitted to the Committee on Appropriations.

Mr. SASSAMAN. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1034), entitled

An act relating to the settlement and audit of accounts of officers of poor districts townships and boroughs and reports thereof and appeals therefrom

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1067, entitled

An Act concerning life insurance; the persons who may place, sell or solicit life insurance, and be compensated or benefited therefor; making it unlawful for attorneys (officers, clerks, servants and employes, or persons otherwise hired and engaged, to receive compensation for life insurance placed, sold or solicited for the benefit of, or on the lives of their clients, partners, employers, master, or fellow attorneys, officers, clerks, servants, or employes; making it unlawful to pay such compensation; defining the time of such employment), fixing a penalty for violation of this act, and making said violation a misdemeanor; and repealing existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1077, entitled

An Act to authorize mutual insurance companies so electing to become members of rating bureaus and subject to the provisions of the laws relating thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1095 (House Bill No. 1285), entitled

An Act to amend article six of the second section of an act approved the eleventh day of March one thousand eight hundred and ninety-one entitled "An Act to regulate the issue of policies of insurance and certificates of inspection made by steam boiler insurance companies in all cities of the first class"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1131, entitled

An Act to amend and revise an act, entitled "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," approved the twenty-seventh day of June, one thousand nine hundred and thirteen, changing and modifying the qualifications of commissioners to be appointed by the court of quarter sessions for the division or creation of wards in cities of the third class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1132, entitled

An Act to amend the fifth section of an act approved the first day of May, Anno Domini one thousand nine hundred and thirteen, entitled "An Act to amend the fourth, fifth, eighth and ninth sections of an act, entitled 'An Act to create a Board of Public Charities,' approved the twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-nine, so as to confer additional powers upon said board and its agents and to provide for the appointment of an inspector and fiscal agent, defining his duties and fixing his compensation."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECESS.

Mr. SPROUL. Mr. President, I move that the Senate do now take a recess for five minutes.
Mr. SALUS. Mr. President, I second the motion.
The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS INTRODUCED.

Mr. CROFT. Mr. President. I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROFT, read in his place and presented to the Chair Senate Bill No. 1183, entitled

An Act making an appropriation to the Trustees of the State Hospital for the Insane for the Southeastern District of Pennsylvania, located at Norristown, Pennsylvania.

Which was committed to the Committee on Appropriations

Mr. WHITTEN. Mr. President. I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WHITTEN read in his place and presented to the Chair Senate Bill No. 1184, entitled

An Act to amend section twelve of the act of April seventeenth, one thousand nine hundred and thirteen, entitled "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania; requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth; and providing penalties for violation of its several provisions, and the manner or proceeding to enforce compliance therewith; and providing for the disposition of the license fees, fines and penalties received," by making available these funds as soon as paid into the State Treasury.

Which was committed to the Committee on Game and Fisheries.

REPORT FROM COMMITTEE.

Mr. McNICHOL. Mr. President. I ask unanimous consent to make report from committee at this time.

The PRESIDENT. In there objection. The Chair hears none.

Mr. McNICHOL from the Committee on Judiciary Special reported as amended. Senate Bill No. 1118 (House Bill No. 1063), entitled

An Act to amend section five of an act approved the fifth day of May, one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas and the judges of the Orphans' Courts"

BILL ON FIRST READING.

Mr. McNICHOL. Mr. President. I move that Senate Bill No. 1118 (House Bill No. 1063), entitled

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas and the judges of the orphans' courts"

be read the first time.

Mr. DAIX. Mr. President. I second the motion.

The motion was agreed to.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1118 (House Bill No. 1063), entitled

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas and the judges of the orphans' courts"

And said bill having been read at lenth the first time

Ordered to be laid aside for second reading

HOUSE MESSAGE.

HOUSE NON-CONCURS IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL NO. 1117.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate the House has non-concurred in the amendments made by the Senate to House Bill No. 1117, entitled

An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania or by any county or municipality thereof in its civil service, who have a wife children or parents dependent upon them for support shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment in the army or navy of the United States in time of war or contemplated war; prohibiting the removal from their offices of employments of such officers and employed during the period of their service in the army or navy directing that one-half of the salaries or wages of such officers or employes not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents thereof authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes

RECONSIDERATION OF HOUSE BILL NO. 1117.

Mr. McNICHOL. Mr. President. I move to reconsider the vote by which House Bill No. 1117, entitled

An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania or by any county or municipality thereof in its civil service, who have a wife children or parents dependent upon them for support shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment in the army or navy of the United States in time of war or contemplated war; prohibiting the removal from their offices of employments of such officers and employed during the period of their service in the army or navy directing that one-half of the salaries or wages of such officers or employes not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents thereof authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. McNICHOL. Mr. President, I vote "aye".

Mr. DAIX. Mr. President. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DAIX. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. McNICHOL. Mr. President. I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. McNICHOL. Mr. President, I voted "aye".

Mr. DAIX. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DAIX. Mr. President, I voted "aye".

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. McNICHOL. Mr. President, I ask unanimous consent to amend the title page 1, line 2, by inserting after the word "Pennsylvania" the following: "in its civil service or by any department, bureau, commission or office thereof"; also on page 1, in lines 3, 4 and 5, by striking out after the word "district" the following: "thereof in its civil service who have a wife children or parents dependent upon them for support"; also page 1, in line 7, by inserting after the word "enlistment" the words "or draft"; also page 1, in line 13, by inserting after the word "employes" the following "as have dependent wives children or parents and"; also page 1, in line 15, by striking out after the word "dependents" the word "thereof"; also in section 1, page 2, line 12, by inserting after the word "enlist" the words "or be drafted"; also page 2, in line 13, by striking out after the word "States" the words "having a" also page 2, in line 14, by striking out the entire line; also page 2, line 19, by inserting after the word "shall" the following: "if there is no other person authorized by law to perform the powers and duties of such officer and employe"; also page 2, in line 23 by striking out the word "and"; also in section 2, page 3, in line 4, by inserting after the word "enlisting" the words "or drafted"; also page 3, in line 6, by inserting after the word "enlistment" the words "or draft"; also page 3, in line 10, by inserting after the word "enlistment" the words "or draft"; also section 3, page 4, in line 16, by inserting after the word "enlistment" the words "or draft"; also page 4, in line 24, by inserting after the word "enlisting" the words "or drafted".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS RECOMMITTED.

Mr. SPROUL. Mr. President, I move that Senate Bill No. 970 (House Bill No. 903), entitled,

An act authorizing prothonotaries in counties containing over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants to appoint deputy prothonotaries fixing their salary and prescribing their duties

be recommitted to the Committee on Judiciary General.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

Mr. SPROUL Mr. President, I move that Senate Bill No. 1092 (House Bill No. 758), entitled,

An act fixing the salary of the clerk of the county commissioners in counties having a population between one hundred thousand and one hundred and fifty thousand inhabitants

be recommitted to the Committee on Judiciary General.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX from the Committee on Judiciary General reported as committed, Senate Bill No. 1172 (House Bill No. 1488), entitled

An act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such election.

BILL ON FIRST READING.

Mr. DAIX. Mr. President, I move that Senate Bill No. 1172 (House Bill No. 1488), entitled

An act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such election.

be read the first time.

Mr. McNICHOL. Mr. President. I second the motion.

The motion was agreed to.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1172 (House Bill No. 1488), entitled

An act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such election.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE.

Mr. McNICHOL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL from the Committee on Judiciary Special reported as committed, Senate Bill No. 1125 (House Bill No. 1453), entitled

An Act to amend section one of an act approved the fifth day of May one thousand nine hundred eleven, entitled "An Act to amend section one of an act approved June twenty-second, one thousand eight hundred and ninety-seven entitled 'An Act to amend section four of an act approved June eighth, one thousand eight hundred and eighty-one, entitled "An Act to authorize the erection of a poor house by the Township of Jenkins, Borough of Pittston, and Township of Pittston, in the County of Luzerne," approved May eighth, one thousand eight hundred and fifty-seven, allowing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district,' authorizing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district."

BILL ON FIRST READING.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 1125 (House Bill No. 1453), entitled

An Act to amend section one of an act approved the fifth day of may one thousand nine hundred eleven entitled "An Act to amend section one of an act approved June twenty-second one thousand eight hundred and ninety-seven entitled 'An Act to amend section four of an act approved June eighth one thousand eight hundred and eighty-one entitled "An Act to authorize the erection of a poor house by the township of Jenkins borough of Pittston and township of Pittston in the county of Luzerne" approved May eighth one thousand eight hundred and fifty-seven allowing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district' authorizing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district"

be read the first time.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1125 (House Bill No. 1453), entitled

An Act to amend section one of an act approved the fifth day of may one thousand nine hundred eleven entitled "An Act to amend section one of an act approved June twenty-second one thousand eight hundred and ninety-seven entitled 'An Act to amend section four of an act approved June eighth one thousand eight hundred and eighty-one entitled "An Act to authorize the erection of a poor house by the township of Jenkins borough of Pittston and township of Pittston in the county of Luzerne" approved May eighth one thousand eight hundred and fifty-seven allowing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district' authorizing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE BILL FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House of Representatives as follows:

House Bill No. 1804 (Senate Bill No. 1185), entitled

An Act to amend section four of an act entitled an act to provide for the ordinary expenses of the executive, judicial and legislative departments of the Commonwealth, interest on the public debt and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and fifteen; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifteen.

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEE.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN from the Committee on Appropriations reported as committed, Senate Bill No. 1126 (House Bill No. 1474), entitled

An Act to amend sections one four and five of an act approved the eighteenth day of May one thousand nine hundred and fifteen entitled "An Act establishing a State Commission of Agriculture defining its powers and duties including its powers relative to the Department of Agriculture and the State Livestock Sanitary Board"

Also from the Committee on Appropriations reported as committed, Senate Bill No. 1185 (House Bill No. 1804), entitled

An Act to amend section four of an act entitled an act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and fifteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifteen

BILL ON FIRST READING.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1185 (House Bill No. 1804), entitled

An Act to amend section four of an act entitled an act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and fifteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifteen

be read the first time.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1185 (House Bill No. 1804), entitled

An Act to amend section four of an act entitled an act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and fifteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifteen

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. SPROUL. Mr. President, I move that the Senate do now adjourn until to-morrow morning at 11 o'clock.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.40 o'clock P. M. until Tuesday morning, May 15, 1917, at 11 o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY, MAY 14, 1917.

The House met at 9 o'clock, P. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Rev. Ellis N. Kremer, of Harrisburg, Pa., offered the following prayer.

Almighty God, our Heavenly Father, we invoke Thy blessing upon this body of Thy servants called to public duty in the interest of our beloved State. Strengthen them, we beseech Thee, in wisdom and righteousness and truth. Graciously protect them in health and strength and grant that Thy providential care and the blessings of Thy grace may rest upon those in their homes from whom they are temporarily separated.

We pray for Thy blessing upon the Governor of this Commonwealth and all others in authority over us and for our State. Make us strong and great in the fear of God and in the love of righteousness and responsive, as we have ever been, to the call of the nation in times of perplexity and danger. And, Oh Father, we beseech Thee that Thou will graciously bless our nation now. Grant unto those in authority over us wisdom and strength for the performance of their public duties. Bless our army and navy and grant that the war may be brought to an early and a successful close, and that the institutions of our land may be neither lost to us by the conquest of a foe or by negligence or weakness from within.

Hear us, we beseech Thee and graciously pardon our sins.

We ask it through infinite riches of grace in Jesus Christ, Thy Son, our Lord, to whom, with Thee and the Holy Spirit be honor and praise now and forever, Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, May 10, 1917.

The Clerk proceeded to read the Journal of the proceedings of Thursday, May 10, 1917, when, on motion of Mr. Wood the further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

Mr. LEARY. Mr. Speaker, I ask unanimous consent to introduce a bill at this time.

The SPEAKER. This bill affects only the County of Erie. The Chair hears no objection and unanimous consent is granted.

By Mr. LEARY. House Bill No. 1881.

An Act to authorize the sale and conveyance of portions of the land belonging to the Commonwealth of Pennsylvania, in the County of Erie, now occupied by the Home for Disabled and Indigent Soldiers and Sailors.

Referred to the Committee on Corporations.

Mr. BAKER asked and obtained unanimous consent to introduce a bill at this time.

By Mr. BAKER. House Bill No. 1882.

An Act imposing a state tax on money earned as compensation for the giving of or participation in any theatrical exhibition or performance within this commonwealth by a person, firm, association or corporation residing or domiciled within this commonwealth, and requiring the collection and payment of such tax by the owner, proprietor, manager or operator of theatre or place in which such exhibition or performance takes place.

Referred to the Committee on Ways and Means.

REPORTS FROM COMMITTEES.

Mr. THEODORE CAMPBELL, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1422, entitled

An Act to amend an act approved the thirteenth day of May, one thousand nine hundred and nine, entitled "An Act relating to food; defining food; providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof."

Mr. HEYBURN, from the Committee on Public Roads, reported with a negative recommendation House Bill No. 1672, entitled:

An Act prohibiting the erection of advertising signs, show cases and stands over highways and imposing penalties therefor.

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1880 (Senate Bill No. 1089), entitled

An Act to amend an act approved the second day of July, one thousand eight hundred and ninety-five entitled "An Act to amend an act entitled 'An Act to carry into

effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants,' approved thirty-first March one thousand eight hundred and seventy-six providing for assistant district attorneys and fixing the salary of the same and increasing the salary of county solicitor clerk of the courts recorder of deeds register of wills and treasurer county prison warden or jailor county commissioners controllers coroners county directors of the poor jury commissioners and county detective and decreasing the salaries of auditors and county surveyor" by fixing the salary of county prison warden.

REPORT FROM COMMITTEE ON RULES.

Mr. RAMSEY offered the following report from the Committee on Rules which was twice read, considered and adopted:

Harrisburg, Pa., May 14th, 1917.

Gentlemen: Your Committee in pursuance to the statement made in the report of May 8th, 1917, further report that we find there are in Committees at this date, a total of about eighteen hundred and fifty bills. Some of these are duplicate bills in the different bodies, leaving probably about fifteen hundred bills still in Committee.

After a careful inquiry from the different Chairmen, (aside from the Appropriation Bills) there are probably three or four hundred bills of sufficient importance to be reported for consideration.

Your Committee does not want to be understood as assuring the Legislature that the 14th of June would be a proper date for adjournment. It does, however, conclude upon the information obtained, that the House could wisely fix this date at this time; subject to the approval of the Senate. This suggestion is based upon the presumption that the membership from this time forward give full attendance at all sessions, so as to avoid re-consideration, which so frequently retards action upon other Legislative matters.

RESOLUTION RELATIVE TO FINAL ADJOURNMENT.

We, therefore, present the following Resolution for consideration of the House at this time:

"Resolved, That if the Senate concur, that the General Assembly adjourn sine die at high noon June fourteenth, nineteen hundred and seventeen (1917).

(Signed) WM. T. RAMSEY,
JAMES J. HEFFERNAN,
SAMUEL H. WHITAKER,
W. McCAIG,
JOHN FLYNN.

Mr. STITES. Mr. Speaker, I move that the thanks of this House be extended to the Committee on Rules for their very painstaking and efficient efforts in connection with this matter.

Mr. DAWSON. Mr. Speaker, I second the motion.

The motion was agreed to.

LEAVES OF ABSENCE.

Mr. McKAY asked and obtained leave of absence for his colleague Mr. Aston.

Mr. KENNEDY asked and obtained leave of absence for his colleague Mr. Gormley.

QUESTION OF PERSONAL PRIVILEGE.

Mr. COX. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. COX. Mr. Speaker, I would like to ask the Chair in the passing of the resolution presented by the Rules Committee is it the declaration of the Chair that this House has adopted the resolution.

The SPEAKER. That was the impression of the Chair.

RECONSIDERATION OF VOTE.

Mr. BEYER. Mr. Speaker, I move that the vote by which the House concurred in the Senate Amendments to House Bill No. 1117, File Folio 5305, entitled,

An Act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania or by any county municipality or school district thereof in its civil service who have a wife children or parents dependent upon them for support shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment in the army or navy of the United States in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the army or navy directing that one-half of the salaries or wages of such officers or employes not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents thereof authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or emyloyes respectively and providing for the compensation of such substitutes.

be reconsidered.

Mr. BAKER. Mr. Speaker, I second the motion.

The motion was agreed to.

SENATE AMENDMENTS NON-CONCURRED IN.

Mr. BEYER. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate to the above bill.

Mr. BAKER. Mr. Speaker, I second the motion.

The motion was agreed to and the amendments nonconcurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION CONGRATULATING HON. ROBERT S. SPANGLER.

Mr. COX offered the following resolution which was twice read, considered and agreed to:

Whereas, The Honorable Robert S. Spangler, member of this House from York County has enlisted in the United States Army and is now in training at the Officers' Training Camp at Fort Niagara,

Therefore Be it Resolved, That the House commend and congratulate Mr. Spangler for this timely display of patriotism and wish him all possible success in his military career.

Mr. REITZEL. Mr. Speaker, I ask unanimous consent to have indefinite leave of absence granted to Mr. Spangler from York.

The SPEAKER. Leave of absence is granted.

QUESTION OF PERSONAL PRIVILEGE.

Mr. McKINNEY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. McKINNEY. Mr. Speaker, I notice that in the Legislative Journal of Wednesday, May 8th, I was recorded as voting "Aye" on House Bills No. 1577 and 1578. I desire to be recorded as voting "No."

The SPEAKER. The Chair hears no objection. The change will be made as requested and noted in the Legislative Journal of the House.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 886.

Mr. JEFFERSON W. SMITH. Mr. Speaker, I move that the vote by which House Bill No. 886, File Folio 4277, entitled,

An Act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering providing for the appointment by the governor of an examining board defining the powers and duties of said board regulating barber shops barber schools and barber colleges and apprentices and students therein and providing penalties.

was defeated on final passage on May 8th be reconsidered.

Mr. WALLACE. Mr. Speaker, I second the motion

The SPEAKER. The noes appear to have it.

Whereupon, A division was called for, 102 gentlemen having voted in the affirmative and 14 in the negative.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—94.

Aron,	Drinkhouse,	McKay,	Ruddy,
Arthur,	Dunn,	McNichol,	Schaeffer, A. C.,
Baker,	Ehrhardt,	McPeake,	Smith, J. W.,
Baldi,	Fackler,	McVicar,	Snowden,
Baldridge,	Fowler,	Mearkle,	Somerman,
Barner,	Franklin,	Mehring,	Sones,
Bell,	Fretz,	Michel,	Stadtlander,
Bennett,	Gans,	Miller, C. G.,	Steedle,
Beyer,	Geary,	Milliron,	Sterling,
Black,	Glass,	Morgan, T.,	Stern,
Boyd,	Golder,	Morgan, T. J.,	Stites,
Brady,	Goodwin,	Neary,	Sullivan,
Burnett,	Graham,	Ogden,	Thomas,

Campbell, T.,	Gransback,	Palmer,	Vickerman,
Clements,	Haldeman,	Patterson,	Vogdes,
Conner,	Hollern,	Perry,	Wagner,
Cox,	Hollingsworth,	Phillips,	Walker,
Crosby,	Howarth,	Powell,	Wallace,
Cummins,	Lauler,	Reynolds,	Walter,
Curry,	Mangan,	Rich,	Whitaker,
Davis, W.,	Maurer,	Robertson,	Wickman,
Dawson,	McArdle,	Rogers,	Wobensmith,
Dithrich,	McCaig,	Ross,	Wylie,
Donneley,	McCullough,		

NAYS—67.

Albee,	Haight,	Miller, Allan,	Smith, F. I.,
Benchoff,	Hess,	Miller, G. J. A.,	Smith, O. W.,
Benninger,	Heyburn,	Musser,	Snyder,
Bovee,	Hibshman,	Pickering,	Speicher,
Brumbaugh,	Hoffman,	Ramsey,	Strauss,
Campbell, J. O.,	Isherwood,	Reichenbacher,	Swartz,
Canon,	Jack,	Rhoads, H. L.,	Taylor,
Chestnut,	Jennings,	Ringler,	Ulsh,
Christman,	Jones,	Rininger,	Urich,
Coldsmith,	Leary,	Rinn,	Weimer,
Cook,	Lohr,	Rothenberger,	Wells,
Corbin,	Luppert,	Scott,	West,
Dean,	Marvin,	Shaffer, C. A.,	Williams, G. W.
Dewey,	McCurdy,	Shattuck,	Williams, J. P.,
Eby,	McKinney,	Showalter,	Wood,
Flynn,	Mervine,	Shunk,	Baldwin,
Goodnough,	Miller, A. D.,	Siggins,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

MOTION TO RECONSIDER.

Mr. BLACK. Mr. Speaker, I move that the vote by which House Bill No. 853, File Folio 2505, entitled,

An Act requiring the Commonwealth, and all counties thereof and all public institutions owned, managed and controlled by the Commonwealth or any county thereof, to purchase supplies and certain materials from State correctional institutions; providing for the administration of this act by the Prison Labor Commission and others; and making it unlawful under certain circumstances for the Auditor General of the Commonwealth or any County Controller or the Treasurer of any Public Institution to approve any bill for such materials or supplies purchased elsewhere.

was defeated on final passage on Tuesday, May 8, be reconsidered.

Mr. FRANK I. SMITH. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. FLYNN. Mr. Speaker, when this bill was under consideration by the House last week, I opposed its passage at that time and I gave my reasons which I still persist in and believe are sufficient when properly laid before the House to again result in the defeat of the reconsideration of this bill. This bill provides that every county institution, that every State owned institution, that every charitable institution receiving State-aid must purchase certain supplies from the State Prison Labor Association. I contend, sir, that that is wrong in principle and that it establishes unheard-of practice in legislation in Pennsylvania. I would say, further, that if we would turn our prisons into workshops then the products of these prison workshops should be sold in the open market and not be forced upon our institutions against their will. Under the provisions of this bill a county commissioner could not sign an order for supplies unless they were purchased from this Prison Board. I wish to state further, Mr. Speaker, in this connection that a companion bill which has been introduced into this House provides innumerable jobs.

Some of them carry a salary as high as $7,500 a year. I say that this is one of the most outrageous bills that has been offered in this session of the Legislature, and this motion to re-consider should be voted down.

Mr. MAURER. Mr. Speaker and gentlemen of the House, I rise at this time in defense of this bill. In as much as last week I understand there seemed to be a misunderstanding as to the position that some of us take on a measure of this kind. I have, I think, looked over the bill carefully. I appeared before the Committee that had this bill under consideration; I have heard the friends of the bill discuss it, and I myself spoke on the bill, and I have mingled with people before this bill was ever drafted and discussed this subject with them, and I came to the conclusion that it was a rather favorable measure. The old idea that prisons or penal institutions should be torture chambers I think should give way to a more advanced idea. I contend that seventy-five per cent of the people in a penal institution are not criminals, they are simply unfortunates. I believe that you will all agree with me that none of us here know all the law, and we who are here in touch with at all times should not expect others who are not in as close touch with it as we are, to be in as close touch with the law. It is an easy thing to become a violator of the law. We know from past expereince that it does society no good to place people in solitary confinement, and I do not think it is society's function to wreak vengeance upon those citizens who break the law. I believe it is our duty to try to turn them out o foru penal institutions better ciizens than they were when we got them. Now I cannot understand how solitary confinement or idleness of any kind is going to improve the morals o fanyone. I do object, of course, to placing prison labor in competition with free labor. I object to that because it is not fair to free labor. I think that would be wrong, it would be penalizing those who obey the law and placing a premium on the law breaker. During panic periods when work is very scarce it would be almost a temptation to break into jail to get a job if that were true; but after all we have this condition to meet, what are we going to do with the people in the penal institutions? After all no serious wrong will be done. We do not care to place prison labor in competition with free labor, yet what are they to do with a prisoner? I have asked prisoners many times what they would prefer, whether they would like to be idle or whether they would care to work, and invariable the answer has come, "Give me something to do." They don't want idleness. Now this bill before us provides that prison made goods shall be sold to the public institutions, to the State, to the counties, to the municipalities, the institutions owned by the people. I cannot see anything wrong in that. What is wrong about it? Mr. Flynn, the gentleman from Elk, says it will compel these officials to buy these goods. Well, what about it if it does, what is wrong about that?

Mr. FLYNN. Mr. Speaker, I desire to interrogate the gentleman from Berks.

The SPEAKER. Will the gentleman from Berks, Mr. Maurer, permit himself to be interrogated?

Mr. MAURER. Mr. Speaker, I will when I am through.

What is wrong about it? The bill further provides that "only providing however," we can furnish the goods that they ask for, that they need, and that the goods shall sell at the prevailing market price, it will not give the owners, or the managers of those penal institutions a license to charge exorbitant prices to the various municipal institutions, they can only charge the prevailing price, not including job lots of course, and that is fair. As it is today, how does it go? We know from experience that the brooms that are made in our penal institutions are marked "prison made" goods as the law requires. Then they are sold to a party outside of the state and at whatever price they can arrange for. I do not know the price, but I am tempted to believe the prices are below what we are paying for brooms, and then they are stamped, or a label is put over the "prison made" stamp, and they are sent back to us of the state as coming from another state and we pay the fancy prices. I also know that buying goods under these conditions is desirable to many of these commissioners. I presume they have favorites from whom they would like to buy supplies. They spent $100,000 to $200,000 a year for supplies, and it is worth one's while to have command of such a market. Therefore, it is quite a big thing to be able to buy where you see fit. This will compel them to buy of our own institutions, and why shouldn't they? It will not come directly into competition with free labor. I look forward to the time when we will have great farms in this state where we can raise the food to feed our inmates of hospitals and of the insane asylums and of such places, and instead of their coming to us for big appropriations, as we are now called upon to give, we will give them food instead at little or no cost to us. The best part of it, aside from the economic point of view, is that we are going to turn out better men and better women, and not the kind we usually turn out from penal institutions now. I want to tell you gentlemen, that most of our institutions belong to another age as I see it. Young men go into those penal

institutions and come out with prison records, and are followed and dogged, no matter how honest they try to be, they don't have a chance to be honest. They are spotted, and spied upon when they get a job. I know it because I myself got a number of them out, and when after the poor fellows lost one job after the other they ceased to try. I believe the time has come when we must do something to make the inmates of these institutions good citizens. I know a number of men whose first offense and second offense was of a trifling nature, but they came out with a prison record, and after that those men had no chance in the struggle for an existence. I have seen them in jails sitting in there idling away their time, they are losing their health, and becoming inefficients of the worst order, and instead of that I feel that we should make them practical men, and train them to make their own lives so that they will not have to resort to thievery and other tricks. That is my position. It is wrong to sell our products to private institutions who sell them back to us at advanced prices. Naturally they do not buy them for what they sell them for. If they did that the people who buy them would not buy them if they had to sell them back at the same price. I want to repeat, and I want to make it plain, that I am opposed to prison labor going into competition with free labor in the open market, but I am not opposed to prison labor goods being sold to municipalities or government owned institutions. Theer is a big difference and I want that stated just that way.

Just last week here in Harrisburg the organization of which I have the honor to be president, had a convention here. There were several hundred delegates present from all over the state. That convention passed a resolution favorable to the state ownership of farms where we could do extensive farming and sell the product raised by those prisoners to our state institutions. That was just passed here last week. Some people think that organized labor is selfish and reactionary, but it is not, it is progressive, more so than those people who think least of us, and therefore I am speaking at this time to voice the sentiment of organized labor. I am now ready to answer the question of the gentleman from Elk.

Mr. FLYNN. Mr. Speaker, I no longer care to interrogate the gentleman from Berks, but I would like to answer him in a measure.

The SPEAKER. The gentleman from Elk does not care to press his interrogation. The Speaker recognizes the gentleman from Elk.

Mr. FLYNN. Mr. Speaker, I do not yield even to the member from Berks county in my concern for these unfortunate prisoners. I have no objection to the principle of prison labor. What I do object to particularly is that certain classes of our institutions shall be forced to buy the products of that labor. I represent no organization; I represent no interest except the interest of the people of my district and of the State at large in this matter. It is well known, sir, that there has been inaugurated in this State a system of prison labor whereby these unfortunate prisoners can be given work upon the farms. A large prison is now being built in Centre county and many of our prisoners are being taken care of there in a way not to be brought into competition with the element which the gentleman from Berks county so ably represents. I well understand his position in this matter. He refuses to give the very goods which he would have these prisoners manufacture a real market, an open market, to sell to any one who would care to buy them, because that of course would bring it into competition with union labor, but he is generous enough to give to our county and to our institutions a provision that would compel them to purchase these very goods. That certainly is broad justice. Now then I want to say, Mr. Speaker, that together with a companion bill this bill presents to the membership of this House a proposition which would mean thousands and thousands of dollars in salaries; it would mean additional hundreds of thousands of dollars in the way of manufacturing expense, and I say that that is a wrong principle to use. Let us put these prisoners to work on the farms and on the roads, if you please, and not in the manufacturing business, with an idea of forcing a certain class of institutions to purchase their product. That is what I object to.

Mr. SARIG. Mr. Speaker, I still fail to see why objection should be raised against this bill. Now there are two parties involved in this matter. First we have the welfare of the prisoner, and we have the welfare of the public. Now if we are going to have prison labor, and it has been generally agreed during the last twenty or twenty-five years by all authorities that it is better,—that it is better for the welfare of the prisoner that he should be employed—I say, if we are going to have prison labor, we must have some market for it. We can not put our prisoners to work if we are not allowed to put the goods upon the market. We know that has been the position generally of labor, and there is a great deal of sentiment on account of bringing prison labor into the open market. If we are to work our prisoners what are we going to do with their products, if we dare not use them ourselves for our public institutions? These prisoners are in a sense public wards, in other words, they are taken care of by the public. We appropriate money to take care of them, to correct them, and restrain them, so then while we have them in our charge why shall they not work and why shall we not have the advantage of their work? This bill, as I take it, in my county, would simply tell the county commissioners that as long as the public, the counties, have products of their own, they shall not buy them anywhere else. Is it not reasonable that the goods that can be made in these penal or any other institutions should be used by the public itself before they are thrown out into the open market? Now I have listened to the arguments pro and con and I have not yet seen one argument why this bill should not be passed. The only argument is that it creates jobs and salaries,—that is, a companion bill to it does this. We never had any administration or can have any administration without jobs, and we cannot have the administration of any act or law without having jobs or salaries connected with it. I cannot see why, if we want the prisoners to work that we should not use these products ourselves. It is simply, as I see it, taking money out of one pocket and putting it into the other pocket. It is simply consuming our own products, and not buying anywhere else, and it simply says we shall take these products and use them when we need them. No farmer would buy a lot of grain or cattle if he had enough for himself, and why therefore should we take these products and put them in the open market and then go out into the open market and buy them back, probably at a higher price. I cannot, as I have said, see one single valid objection to this.

Mr. DELL. Mr. Speaker, I want to call your attention to just one feature of this bill that I think will convince you that this bill should not pass this House. Pennsylvania has grown to be an empire of eight millions of people because we have prospered and encouraged our manufacturing institutions. The gentleman argues that the bill before us does not come into competition with labor. Let us see for just one moment whether or not it does come in competition with outside labor.

Mr. THEODORE MORGAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. THEODORE MORGAN. Mr. Speaker, I apologize to the gentleman for interrupting him, but we are unable to hear in this part of the House. I believe that order should be kept back here. The gentlemen in back of the rail are talking, and we cannot hear. If these gentlemen are to remain in the House I think that they should keep order.

The SPEAKER. The Chair has exhausted his efforts even to the point of threatening with the sergeant-at-arms. The Chair feels that with the assistance of the members in the House order could be maintained, but without the assistance of the House it is difficult for the Chair to do so. Order must be obtained back of the rail if the gentlemen desire to remain in the hall of the House.

Mr. DELL. Now, Mr. Speaker, I claim that this bill does come into contact with our outside labor. The provisions of the bill are such that the State of Pennsylvania, at an enormous expense, will establish manufacturing industries within our prison walls. The companion bill—and one of the Prison Commission lives in my town—the companion bill provides that Commissioners, at a big salary, shall have charge of the work. Then they will employ superintendents at large salaries. They will establish printing presses; they will establish various manufacturing industries within the prison walls. Then they come out in the open market and they say to our people outside, "You don't dare buy the product of any other manufacturing in-

dustries,"—a manufacturing industry that employs the labor outside the prison walls,—"unless that institution outside the prison walls can furnish your supplies at a cost less than that which is furnished by the prisoners;" or, in other words, Mr. Speaker, the State will equip a manufacturing industry; the State of Pennsylvania will direct a manufacturing industry and then it will come out on the market and say to the independent or corporate institution outside, "You don't dare sell any of your products unless the State, the county or any municipality in the State cannot find its goods that have been manufactured in the prison walls." Has it occurred to you that your county commissioners, if this bill passes, may not be able even to buy their ballots for the general election printed outside the prison walls, provided a printing establishment is set up within the prison walls and that prison establishment can print the ballots as cheaply as it can be done outside? In my own town we have the great J. C. Blair stationery manufacturing establishment. If this bill were to become a law, and the State of Pennsylvania should be pleased to do so and set up a printing establishment in the Pennsylvania industrial Reformatory, so long as the reformatory prisoners can print their material as cheaply—mark you, it don't say cheaper—so long as they can print it as cheaply as it is done by the J. C. Blair Mfg. Co.—and I use that simply to illustrate the point—the J. C. Blair people could not sell one pound of their stationery any place in the State of Pennsylvania to the school boards, to the election boards, to the boards of county commissioners or to any other board that is under the control of the county. If that is not coming into contact with our free labor, if that is not coming into contact with the principles that have made Pennsylvania a great manufacturing center of America and, indeed, the great manufacturing center of the world, I would like to know how it would be possible for a man to conceive a principle that would come into contact with it. Are we going to foster our free institutions or are we going to say to our men who have put their money in, who are employing their neighbors, are we going to say to them: "You must quit business; the State of Pennsylvania is going to set up opposition to you and no longer shall you be permitted to manufacture your goods?"

I can readily see why some of the gentlemen of the House would favor a measure of this kind but it is dangerous, as I see it, to a Commonwealth like Pennsylvania. If you want to set up government ownership, if you want to set up government control of your manufacturing industries, I can easily see why the gentleman is advocating a measure of this kind; but I don't believe Pennsylvania is ready for a proposition of this kind. We are not ready to turn Pennsylvania over to the great social principle of knocking free labor, of knocking the man who is willing to invest his brain and his money in developing an industry that will furnish the bread and butter that has made this State what it is.

This bill ought to be killed now and forever.

Mr. COX. Mr. Speaker, it is the concensus of opinion that this is a humane piece of legislation. I believe that it is admitted by almost every man in this House; but above that I want to call attention to the fact that Pennsylvania, in the very near future, will tax the efficiency of every man in this State to produce goods. Labor to-day in Pennsylvania is forty per cent. short. How in the world will this affect labor if we now pass this bill? It will produce man-power which has been lying idle so that we can keep up the great productive State of Pennsylvania.

I believe that every man in this House should vote for it, first, because it is humane; and second, because it will help this State to produce more labor and turn out more goods because we realize that in the penal institutions men are doing nothing but wasting away. This is the time that Pennsylvania should show her efficiency not only in labor but in brains, and I believe we all should vote for the bill.

Mr. SARIG. Mr. Speaker and gentlemen of the House, I am still not convinced that this is a bad measure. I listened very carefully to the argument presented by the gentleman from Huntingdon, Mr. Dell. But he seems to be, as I see it, laboring under the impression that one body of men is going to produce a certain amount of goods and compel another body of men to buy those goods. Now, as I see this matter, it is the public, it is the same body of men that is producing the goods through the convicts that is using the goods. We are not offering these goods in the open market and we are not competing with the manufacturers of Pennsylvania when wo do this. I say that while these institutions are owned by the public we have a right—and everybody that has studied criminology tells us that it is for the welfare and benefit of these prisoners that they should be put to work and if they are put to work we must do something with their product and why not then use it ourselves. We are only trying to use the product ourselves which we ourselves have created. Why should the goods—and in my county it is the tax-payers that own the jail and it is the taxpayers that support the jail and it is the tax-payers whose money the county commissioners disburse. Why, it is simply a matter of allowing us to use the product of our own institutions and I can see no reason why the people of Pennsylvania, why the public should not be allowed to use the products that it is enabled to make or to manufacture in the institutions which it supports and maintains.

And furthermore, I say this: That if you don't allow a thing of this kind what are you going to do with their products? Are you going to keep them idle? Are you going to put them into dungeons like years ago and have them sit there, or what are you going to do with them? I say it is for the welfare of the prisoner, it is for the welfare of the convict and it is for the welfare of the public; and I have not yet heard one good valid reason why this bill should not pass this House.

Mr. SIGGINS. Mr. Speaker and gentlemen of the House, there seems to be some misapprehension as to exactly what this bill is. It is not a humane piece of legislation and it is not in the interests of prison labor. The act does not so state, at least. What this act does, it creates a central purchasing agency through which every county and institution must purchase all supplies, whether manufactured by the prisoners or whether produced at the prison or wherever produced so long as furnished through a correctional institution.

Gentlemen, there is no body in this House more interested in the humane side of prison labor than myself. I have been interested for several years in this matter and if this bill were properly drawn I would certainly support it. I believe the prisoners should work. I believe that their supplies should be furnished to institutions, but this bill is not so drawn and it is the form and the wording of the bill that I am against and not the humane side of prison labor.

This bill creates a central purchasing agency from which they buy their supplies. All supplies must be purchased from this Prison Labor Commission. The Act hardly states the basis on which it stands, that the goods are manufactured by the Prison or purchased from a firm, but it states that this State must purchase the supplie.s

Mr. SIMPSON. Mr. Speaker, at the time this bill was before the House I took exceptions to some of the remarks made with reference to the bill, and I yield to no man on the floor with reference to the humane treatment of all the prisoners in all the penal institutions in the State of Pennsylvania. I feel that it is the best thing that we could possibly have to treat all of our prisoners as humanely as it is possible to treat prisoners, and I find that all of the discussion from Dan to Beersheba shows that instead of our housing them up in the four walls of the prison, as this act would compel you to do and turning the prisoners within the bare walls of industry, we find these people come here for the purpose of telling us the proper thing to do as to our prison labor—out upon the lands, to give the prisoners the free open air to work in. Just what we are doing in Centre County to-day. I say that this is the only possible way to treat prisoners humanely and not turn the prisoners into institutions and use them for the purpose of manufacturing materials that will be foisted on every municipality in this State irrespective of whether they want it or not. We should not be restricted by an act such as this, because in this act we see that instead of county commissioners exercising discretionary powers for the purpose of purchasing material that they are compelled to go to this prison board and order, in order to get what they have on hand, and then the Prison Board can set the price on that material, which is just a trifle below the market price, and the county commissioners have no discretion only to buy it. You change your penal institutions into industries; you have wiped out everything

in the penal code if you pass this act and my theory of treating prisoners humanely is to give them the open air; take them out on the land for the purpose of maintaining themselves and not foisting their labor on the general public, because it is only taking labor away from the people who are willing to pay for an honest conscientious day's work and for an honest conscientious day's toil.

Mr. WALKER. Mr. Speaker, in answering the gentleman from Berks on the question regarding labor it is presenting a feature which I feel would be very much like that of the colored fellow who one night was in the woods and a dreadful thunder storm came up and when the lightning was flashing and the thunder was crashing, he dropped down on his knees and raised his head and said, "O Lord, if it is just the same to you, let us have a little less noise and little more light." I concede that the gentleman from Berks is the most enlightened man in this House on this subject and when he says he is in favor of the bill that eliminates the question of competition of free labor. With reference to the remarks which have been made by the gentleman from Huntingdon, I was not surprised to find, by an examination of the Journal of Prison Discipline and Philathropy, that the declared purpose of the reformatory was to prevent young first offenders from becoming confirmed criminals; hence from the beginning they were to obtain honorable and self-supporting employment and their discharge. Among the trades taught at present are those of bakers, barbers, blacksmiths, bookbinders, bricklayers, butchers, carpenters, claymodelers, cooks, electricians farmers, firemen, florists, gardeners, horseshoers, house painters, laundrymen, machinists, moulders, patternmakers, photographers plasterers, plumbers, pressmen, printers, linotype operators, stationary engineers, shoemakers, shoe and clothing cutters, sign painters, stockingmakers, stonemakers, stonemasons, tailors, tinsmiths, wagon makers, woodcarvers and wood turners. I don't believe that the gentleman from Huntingdon would be willing to tell this House that in his own county where there is in existence an institution where these trades are taught that the men in that reformatory in the slightest affected the plant of the stationery house of Blair and Company. If we examine the record which has been submitted on the question of convict free labor in other states, the only objection which can be laid to this act is the objection that it is mandatory, with the result that the public press shows us that only three institutions in the State reported all prisoners employed, and ten counties reported no employment excepting domestic service. The report points out that it is a travesty upon the law to announce a sentence at hard labor and then assign a convict to absolute idleness or light domestic service such as cooking, sweeping, etc.

There is no axiom of modern penology that carries with it more potential good for the convict than the rule that labor at some useful task or trade must be provided and remuneration given. An idle convict is one who has time and opportunity to intensify evil habits, plan revenge upon society in returning to his old haunts and old habits which consequently accelerates his physical and moral disintegration. Useful labor, particularly if it is paid for, will instill in most men the pleasure of the craftsmen in the job well done; will develop in them some pride in their old trade or the one they learn in prison; will send them to sleep with healthy fatigue and turn them out at the end of their term with money in their pockets and an honest trade with which to start anew.

The report complains that the law passed by the last Legislature providing that counties could employ all convicts in manufacturing articles which may be used in other public institutions has not been tried. This State use system is being tried in other parts of the United States and is not only benefiting the convicts, but saving money for the States and counties associated in the project.

The recommendations for using convict labor on roads, which only one county is doing, for the abolition of the fee system of getting the prisoners' food by giving the sheriff a stipulated amount each day, and the substitution of the contract system, is a wise one.

It provides also for public institutions owned, managed and controlled by the Commonwealth. Therefore we find that this act provides for the institutions of that kind, and provides to the county, and any man of this House that is unable to see the benefit in having four thousand able bodied men out of every seven thousand turned into useful labor so that our citizens shall be saved the cost and expense of the high prices, especially in these times, it seems to me he is taking a step backward.

In reply to the gentleman from Allegheny who states that all prisoners should be put on the farms, I would like to inquire of him what good it would do to put over seven thousand men on the fifty-two hundred acres of land that he speaks of in Centre County. Mr. Speaker and gentlemen of the House the bill as you examine into its idea and the companion bill that has been spoken of, and has not yet been passed, and we have a right to examine into that with the same care that we examined into this, I ask you if you believe in the humanity that should be extended by man to his fellow men, agree to the consideration and then pass this bill.

Mr. SIMPSON. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia Mr. Walker.

The SPEAKER. Will the gentleman from Philadelphia Mr. Walker permit himself to be interrogated?

Mr. WALKER. Mr. Speaker, with pleasure.

Mr. SIMPSON. Did I understand the gentleman to say that I made the statement that there were fifty-two acres of land?

Mr. WALKER. Mr. Speaker, fifty-two hundred acres, sir, I said.

Mr. SIMPSON. Fifty-two hundred.

Mr. WALKER. Fifty-two hundred in the Western Penitentiary.

Mr. RAMSEY. Mr. Speaker and gentlemen of the House, like my friend and colleague, the gentleman from Philadelphia, I have listened with a great deal of pleasure to all of the arguments that have been presented for and against this bill, not only to-night, but when it was before the House last week. Of all the arguments that have been presented, I have been most interested in the argument presented by my friend and colleague from Philadelphia, Mr. Walker. I want to say, members of this House, that to my mind, and I think I am speaking for you, when I say we are able, and we are intelligent, and we are good citizens enough to think for ourselves, even in respect to labor. I want to say further, that to my mind this bill is so plain that he who runs may read. It does come in competition with labor if the prisoners are to be put to work at an expense of over $275,000 to purchase the material necessary to start in operation this act. Then I say to you men be fair, and put it down once and for all, and don't go through the back door of a subterfuge. I say to you that this does compete with labor and nothing else. It says, if it says anything, that this stuff, these goods, as manufactured within the prison walls, within our institutions, and I don't care whether it is the State's money, or whose money it is, every institution, every manager of an institution, is allowed to buy? No, he is compelled to buy from the Prison Commission, and if there is one hundred thousand dollars to spend in an institution for product, for terra cotta pipe, for shoes, for what not, he must buy them from the Prison Commission unless, and the exception to my mind is the frailest part of this bill, unless somebody in the open market can undersell the Prison Commission. If that is not competing with labor, then I fail to understand it. I am in the ice business, and if my firm sells ice to an institution and the priosners start to manufacture ice, I cannot sell ice to the institution, and that is competing with labor in the open market as plain as the A, B, C's. This bill has been argued enough to my mind that every man ought to be satisfied that it is not the humane idea, no, man, it is not the humane idea, but it is first appropriating to buy materials $275,000 and then appropriating another $100,000 for salaries to run the show. Don't pass this act now. Your prisoners will be amply cared for. But if you want to put work into the prisoners' hands I say to labor, don't be deceived, this bill places this material in the open market just as much as if prison labor went out to everybody.

Mr. DELL. Mr. Speaker and gentlemen, just a word in reply to what my friend, Mr. Walker, from Philadelphia, said in regard to the reformatory. He did not go on and read all the trades that are taught over there. He should have told you that they run a planing mill, then he would have completed all the different machines and industries that would be necessary to furnish all the materials that would be necessary in building a court house. If the county commissioners, if this bill were to go through, if the county

commissioners were up against building a court house they would be compelled, unless somebody would undersell the institution, they would be obliged to buy all the material made by prison labor, and would not be allowed to go out in the open market to buy it. We do not teach all these trades at the reformatory. I am familiar with all their work. We take the boys from Philadelphia, from Pittsburgh, and from every other town and county in the Commonwealth, and we teach them a trade, and then we send them out over the State to compete with others who have learned a trade, but we do not say we will teach them a trade and then compel every man to buy the products of their trade as against the man who has learned his trade outside of the prison walls.

Mr. RININGER. Mr. Speaker, I believe that this question has been thoroughly discussed, and I therefore move the previous question.

The motion was seconded by the following members:

Messrs. Albee, Beyer, Bovee, Conner, Cox, Wlliam Davis, Drinkhouse, Ehrhardt, Gans, Goodwin, Graeff, McNichol, Conrad G. Miller, Milner, Powell, Rininger, Rogers, Sampsell, Scott, Siggins, Jefferson W. Smith, Snyder, Speicher, Stites, Urich, George W. Williams and John P. Williams.

The SPEAKER. More than twenty members having joined in moving the previous question,

On the question,

Shall the main question be put?

It was agreed to.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Flynn and Mr. Dell and were as follows, viz:

YEAS—75.

Aron,	Ehrhardt,	Maurer,	Rudisill,
Arthur,	Fackler,	McNichol,	Sarig,
Bennett,	Franklin,	McVicar,	Sterling,
Beyer,	Geary,	Mehring,	Stites,
Black,	Glass,	Miller, A. D.,	Swartz,
Campbell, J. O.,	Golder,	Miller, Allan,	Ulsh,
Campbell, T.,	Goodwin,	Morgan, T.,	Vickerman,
Canon,	Gransback,	Musser,	Vogdes,
Chestnut,	Hecht,	Ogden,	Walker,
Conner,	Hess,	Patterson,	Wallace,
Cook,	Horton,	Phillips,	Walter,
Cox,	Howarth,	Reitzel,	Wells,
Curry,	Jack,	Reynolds,	Whitaker,
Davis, W.,	Jennings,	Rhodes, W. M.,	Wickman,
Dean,	Lanius,	Rich,	Williams, G. W.
Dewey,	Laucks,	Richards,	Wobensmith,
Drake,	Malie,	Ringler,	Woodward,
Drinkhouse,	Mangan,	Ross,	Wylie,
Dunn,	Marvin,	Rothenberger,	

NAYS—103.

Albee,	Goodnough,	Mervine,	Siggins,
Baker,	Graeff,	Michel,	Simpson,
Baldridge,	Graham,	Miller, C. G.,	Sinclair,
Barner,	Haight,	Miller, G. J. A.,	Smith, E. R.,
Bell,	Haldeman,	Milliron,	Smith, F. I.,
Benchoff,	Heffernan,	Morgan, T. J.,	Smith, J. W.,
Benninger,	Heyburn,	Neary,	Smith, O. W.,
Boulton, H.,	Hibshman,	Palmer,	Snowden,
Bovee,	Hoffman,	Perry,	Snyder,
Boyd,	Hollingsworth,	Pickering,	Sones,
Brumbaugh,	Isherwood,	Powell,	Speicher,
Burnett,	Jones,	Ramsey,	Sprowls,
Christman,	Kennedy,	Reichenbacker,	Stadtlander,
Clements,	Lauler,	Rhoads, H. L.,	Steedle,
Coldsmith,	Leary,	Rininger,	Stern,
Corbin,	Lewis,	Rinn,	Stofflet,
Crosby,	Lohr,	Robertson,	Strauss,
Dawson,	Luppert,	Rogers,	Taylor,
Dell,	McArdle,	Ruddy,	Thomas,
Dithrich,	McCaig,	Sampsel,	Urich,
Donneley,	McCullough,	Schaeffer, A. C.,	Wagner,
Eby,	McCurdy,	Scott,	West,
Erdman,	McKay,	Shaffer, C. A.,	Williams, J. P.,
Flynn,	McKinney,	Shattuck,	Wood,
Fowler,	McPeake,	Showalter,	Baldwin,
Fretz,	Mearkle,	Shunk,	Speaker.

So the question was determined in the negative and the motion was not agreed to.

MOTION TO PLACE BILL ON CALENDAR.

Mr. PHILLIPS. Mr. Speaker, I move that Senate Bill No. 729, File Folio 1631, entitled

An Act to provide for an additional law judge of the several courts of the Thirty-eighth Judicial District

be placed upon the calendar of the House notwithstanding the negative recommendation of the committee.

Mr. CHRISTMAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. PHILLIPS. Mr. Speaker, this bill passed the Senate a week or so ago. It provides for an additional law judge in the thirty-eighth judicial district, which is Montgomery county. Our idea for asking you to put this bill on the calendar is that it only applies to Montgomery county and we should give these gentlemen a chance to show whether it is necessary for this additional judge in Montgomery county.

Mr. BOYD. Mr. Speaker, I wish to tell the members of the House that this bill has been amply discussed by the members from Montgomery county and by the bar of Montgomery county, and that we held a public hearing in the caucus room of the House, which was duly advertised and attended; and at that committee hearing the members of the Montgomery county bar spoke for and against this bill, that the testimony was duly recorded and printed, and submitted by the sub-committee who heard the testimony, to the Appropriations Committee of this House. That Appropriations Committee, gentlemen, put this bill out with a negative recommendation. I want to tell every one here that I am from the county of Montgomery, and live in the town of Norristown, and that I know what I am talking about when I say that at the present time the majority of the bar, the judges, and the majority of my constituents there, do not want another judge. If you put this bill back on the calendar, you will simply be taking up the valuable time of this House. You will simply have another long discussion such as the many we have endured. You will make it necessary for me to bring out statements against people who are my friends, to show what is back of this bill. You will make it unpleasant for every one, and cause a useless, lengthy and unnecessary amount of discussion. Furthermore the Appropriations Committee ably discussed this and spent sufficient time to say whether they should give seven thousand dollars of this state's money, when no one in that county requested it or adhered to it except those few that appeared here. Gentlemen, we can give you full testimony; we have it in due form, and if you vote to restore this to the calendar we can give you that testimony, but I say it again and I want to impress it on you that this bill had a fair hearing. A delegation came up here for that purpose. It was advertised and the hearing was a public hearing. I see no reason why the will of the Appropriations Committee of the House should be overthrown on this matter.

Mr. SIMPSON. Mr. Speaker, I desire to interrogate the gentleman from Clearfield, Mr. Phillips.

The SPEAKER. Will the gentleman from Clearfield, Mr. Phillips, permit himself to be interrogated?

Mr. PHILLIPS. With pleasure, Mr. Speaker.

Mr. SIMPSON. Mr. Speaker, I desire to ask the gentleman from Clearfield what interest he has in this bill, when it relates to Montgomery county exclusively.

Mr. PHILLIPS. I have no interest in it, Mr. Speaker, any more than to allow these gentlemen to bring this bill up before the House and discuss it. We have had people from other counties that have asked for legislation that referred particularly to their county, and the bills were brought out on the floor of the House and discussed. These gentlemen ought to have the same right as anybody else. They should be given the same right as is given to those who come from some other counties.

Mr. SIMPSON. Is that all the interest you have in it?

Mr. PHILLIPS. I have no further interest in it, Mr. Speaker. I do not expect to be a candidate for judge in Montgomery county.

Mr. SIMPSON. Mr. Speaker, I would not imagine that the gentleman from Clearfield would be a candidate for judge in Montgomery County. I was one of the sub-committee appointed by the Appropriations Committee for the purpose of hearing the arguments for and against this bill. Mr. Boyd, Mr. Flynn and mysel composed that committee. A hearing was set and the bar from Montgomery county appeared before that sub-committee. Senator Croft, I think, had charge of the witnesses, or the attorneys, who spoke for the bill, and the dean of the bar of Montgomery County had charge of the other side. I think the time consumed was about half a day, listening to the testimony, and before the report was made up that sub-committee we waited to get

the stenographic report that was furnished by the stenographer who took the notes at the hearing. At the hearing it developed that there had never been a meeting of the Montgomery County Bar Association for the purpose of discussing this bill or increasing the number of judges in that county. The person who presented the bill himself said that he had not discussed it with a member of the Montgomery County Bar Association, and the reason that he assigned for that was that he did not think it was necessary, no necessity on a matter as important as increasing the law judges of the county; that it was not necessary to bring that up before the bar association of that county, to receive the endorsement of the bar association. Who would know better whether or not a county the size of Montgomery would need an additional law judge,—who would know better than the bar association? Who would know better than the men who appear daily before the courts for the purpose of trying their cases, who would know better than the bar association? They are the people who appear here right along. They are the people who take care of the litigants that appear in those courts, and yet that question was never brought up before that association. I examined the evidence, and every one of them said that at the present time there calendars are up, that there is not a solitary civil case on the calendar of Montgomery county now that could be tried any sooner if they had three additional judges, and every witness that appeared there, every lawyer that appeared for the bill, said that their criminal calendar was disposed of regularly every four months, in two weeks, and they had no need now of an additional judge for the purpose of bringing their cases up in order that the litigants might have their cases tried expeditiously as they should have; but that the judges there could try every case on the calendar and every case was up within six months or as quickly as it is possible to get a case tried from the time of issuing your summons until it is taken before the traverse jury.

When we listened to that testimony,—and that testimony came from both sides, not one alone, came from both sides —and after going over the stenographic report after it had been prepared we formulated this report because we thought it was the only just and equitable thing to do for this House and we felt that Montgomery County is in no need of an additional law judge at the present time. All the discussion with reference to the additional judge happened three years ago when both of their law judges were sick but after they got into position whereby they could take up their work they cleaned up the calendar, and the calendar of Montgomery County is now up and that is the reason that this negative recommendation was made to this House.

Mr. STITES. Mr. Speaker and gentlemen, in this little family squabble that seems to be going on I feel it is somewhat my duty to take a little part. I am somewhat like the Irishman who went into a saloon and saw two men struggling on the floor and he said to the bartender, "Is this a private fight or can anybody get into it?"—Insofar as this question is concerned regarding Montgomery County, I want to say that there did appear to be a difference of opinion about it when the proponents and opponents of the bill appeared before the committee. The older members of the bar seemd opposed to it and a large delegation of the younger members of the bar was strongly in favor of it. It does seem to me as a matter of courtesy that this bill should come on the floor of the House and there have the merits and demerits properly set forth. The bill was introduced by the Senator from Montgomery County, passed the Senate without difficulty and went before the committee of the House. It seems to me it has been a matter of uniform courtesy that in a simple matter of this kind that the bill should have a chance to come upon the floor of the House so that it could be fairly discussed at some length in order that the right side and the wrong side of it might be properly set before the House and therefore it seems to me that this motion should prevail.

Mr. BOYD. Mr. Speaker and gentlemen of the House, I don't rise here as a teller of funny stories. You come down to the Columbus with me after the session is over and I will tell you a bunch of them.

I am up here to defend my county and I know what is right in that county and if it is necessary, if this thing gets on the calendar I will show you what is right in that county because I have it right here in black and white.

Now, as far as Mr. Stites is concerned I don't want to get into a quarrel with him. He and I have gotten along very well during this term and I am not inviting trouble with him. I only want to say this: That Mr. Stites comes from the edge of our county and he seldom practices in our county. He practices mostly in Philadelphia and he gets very little at our bar. He was at the hearing and never said a word for or against this bill, but in the testimony a matter came up that Mr. Stites himself thought of presenting such a bill and perhaps he would b ein sympathy with it. I don't see any reason to go into all these personal things. We don't want to have Montgomery county here on the floor as rotten as Philadelphia.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the "noes" appeared to have it.

Whereupon, a division was called for and fifty-seven gentlemen voting in the affirmative and one hundred four in the negative, the motion was not agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 110, entitled

An act to amend an act approved the twelfth day of May one thousand eight hundred and eighty-seven entitled "An act regulating the compensation of county auditors within this commonwealth"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1875 (Senate Bill No. 958), entitled

An act authorizing the county of Philadelphia to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Philadelphia county for moneys advanced for the payment of expenses incident to the conduct of primary elections.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON THIRD READING.

The SPEAKER. If there is no objection the Chair would like to call up at this time House Bill No. 1804, File Folio 4815, on page 13 of today's calendar, which, if it becomes a law, will allow the members to get a couple hundred dollars this week.

The Chair hears no objection.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1804, entitled

An Act to amend section four of an act, entitled "An Act to provide for the ordinary expenses of the executive, judicial and legislative departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and fifteen; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and fifteen.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138.

Albee,	Franklin,	Mehring,	Snowden,
Aron,	Fretz,	Mervine,	Sones,
Arthur,	Gans,	Miller, C. G.,	Speicher,
Baker,	Glass,	Miller, G. J. A.,	Sprowls,
Baldi,	Golder,	Milliron,	Stadtlander,
Baldridge,	Goodnough,	Morgan, T.,	Steedle,
Barner,	Goodwin,	Musser,	Sterling,
Bell,	Graham,	Neary,	Stern,
Bennett,	Gransback,	Ogden,	Stites,
Benninger,	Haight,	Palmer,	Stoffiet,
Beyer,	Hecht,	Patterson,	Strauss,
Black,	Heffernan,	Perry,	Swartz,
Boulton, H.,	Hess,	Pickering,	Sweitzer,
Bovee,	Heyburn,	Powell,	Taylor,
Boyd,	Hibshman,	Ramsey,	Thomas,

Brady,	Hoffman,	Reichenbacker,	Smith, J. W.,
Brumbaugh,	Hollern,	Reitzel,	Ulsh,
Campbell, T.,	Hollingsworth,	Reynolds,	Urich,
Canon,	Horton,	Rhodes, W. M.,	Vickerman,
Christman,	Howarth,	Richards,	Vogdes,
Coldsmith,	Jennings,	Rininger,	Wagner,
Conner,	Lafferty,	Rinn,	Walker,
Crosby,	Lanius,	Robertson,	Wallace,
Cummins,	Lauler,	Rogers,	Walter,
Curry,	Leary,	Ruddy,	Wells,
Dawson,	Lewis,	Sampsel,	Whitaker,
Dewey,	Luppert,	Schaeffer, A. C.,	Wickman,
Dithrich,	Malie,	Scott,	Williams, G. W
Donneley,	Mangan,	Shaffer, C. A.,	Williams, J. P.,
Drake,	Marvin,	Shattuck,	Wood,
Dunn,	Maurer,	Shunk,	Woodward,
Ehrhardt,	McArdle,	Siggins,	Wylie,
Erdman,	McCaig,	Simpson,	Wynne,
Fackler,	McCullough,	Sinclair,	Zanders,
Flynn,	McKay,	Smith, E. R.,	Baldwin, Speaker.

NAYS—12.

Chestnut,	Dean,	Jack,	Phillips,
Cook,	Drinkhouse,	McCurdy,	West,
Cox,	Eby,	McNichol,	Wobensmith,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 375, as follows:

An Act to amend section one thousand two hundred and ten and to repeal sections one thousand two hundred and eleven one thousand two hundred and thirteen and two thousand eight hundred and five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred and ten of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent herewith" which reads as follows

"Section 1210 The minimum salary of every teacher in the public schools of this Commonwealth holding a professional or a State certificate who has taught successfully for two years and presents a certificate to that effect from the proper superintendent shall be fifty dollars ($50.00) per school month The minimum salary of every other teacher in the public schools of this Commonwealth shall be forty dollars ($40.00) per school month" is hereby amended to read as follows

Section 1210 The minimum salary of every teacher in the public schools of this Commonwealth shall be as follows Those teachers holding a provisional certificate forty-five ($45.00) dollars per school month those teachers holding professional certificates or normal certificates fifty-five dollars ($55.00) per school month and those teachers holding permanent certificates or final normal school diplomas sixty ($60.00) dollars per school month

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 375.

Mr. MILLIRON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. GOODWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. MILLIRON. Mr. Speaker, I move that this bill be recommitted to the Committee on Education.

Mr. GOODWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1352, as follows:

An Act to amend the second section of an act approved the fifteenth day of April one thousand nine hundred thirteen entitled "An Act to amend the second section of an act approved the fifth day of March Anno Domini one thousand nine hundred and seven entitled 'An Act amending section two of the act entitled "An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth" approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trusts or otherwise" by empowering courts to issue writs of execution against any property real or personal belonging to the defendant and writs of attachment execution against the money or property to which defendant may be entitled whether under what is known as a spendthrift trust or otherwise no matter when said trust was created and making same a continuing lien and levy for fifty per centum thereof until the order and costs are paid and abolishing the benefit of the exemption law in such case

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act to amend the second section of an act approved the fifth day of March Ano Domini one thousand nine hundred and seven entitled 'An Act amending section two of the act entitled 'An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth' approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof" by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trusts or otherwise approved the fifteenth day of April Anno Domini one thousand nine hundred and thirteen which reads as follows

Section 2 The information proceedings thereon and warrant shall be returned to the next Court of Quarter Sessions when it shall be lawful for said court after hearing to order the person against whom complaint has been made being of sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to the county prison there to remain until he shall comply with such order or give security by one or more sureties to the Commonwealth and in such sum as the court shall direct for the compliance therewith and to further enforce the compliance with the said order the court may issue the appropriate writ of execution against any money or any property real or personal belonging to the defendant and its writ of attachment execution against property to which he may be in any way entitled whether under what is known as a spendthrift trust or otherwise Where an attachment execution is issued the further proceedings thereon shall be in the manner heretofore practiced and allowed in the case of foreign attachments" be and the same is hereby amended to read as follows

Section 2 The information proceedings thereon and warrant shall be returned to the next Court of Quarter Sessions or other court having jurisdiction thereof when it shall be lawful for said court after hearing to order the person against whom complaint has been made being of sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to the county prison there to remain until he comply with such order or give security by one or more sureties to the Commonwealth and in such sum as the court shall direct for the compliance therewith and to further enforce the appropriate writ of execution against any property real or personal belonging to the defendant and its writ of attachment execution against any money or property to which he may be in any way entitled whether under what is known as a spendthrift trust or otherwise and its said writ of attachment execution shall become a lien and continuing levy upon any money or property to which the may be in any way entitled whether under what is known as a spendthrift trust or otherwise which shall not exceed fifty per centum thereof and shall remain a continuing levy until the order has been paid in full with costs And it is further provided that the person against whom an order is made shall not be entitled to the benefits of any exemption law now in force or hereafter passed And it is further provided that the provisions of this act shall apply to any trust whether it is known as a spendthrift trust or otherwise whether such trust was created or came into existence before or after the passage of this act Where an attachment execution is issued and the further proceedings thereon shall be in the manner heretofore practiced and allowed in the case of foreign attachments

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. WELLS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1391, as follows:

An Act to amend section five of an act approved the tenth day of April one thousand eight hundred and seventy-nine entitled "An Act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of re-payment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the tenth day of April one thousand eight hundred seventy-nine entitled "An Act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of re-payment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations" which reads as follows

"Section 5 In case of non-payment of installments of stock premiums dues or interest by borrowing stockholders for the space of six months payment of the same together with the full principal of the loan may be enforced by proceeding on their securities according to law and the moneys so recovered shall be paid into the treasury of the association for such uses (loans or otherwise) as may be deemed proper by the association and if the said moneys so recovered together with the withdrawal value of the shares of such defaulting borrowed shall exceed the amount it would have required according to the preceding section to have voluntarily repaid the loan together with all the expenses incurred by the association such excess shall be paid to such defaulting borrower" is hereby amended to read as follows

Section 5 In case of non-payment of installments of stock premiums dues or interest by borrowing stockholders for the space of three months payment of the same together with the full principal of the loan may be enforced by proceeding on their securities according to law and the moneys so recovered shall be paid into the treasury of the association for such uses (loans or otherwise) as may be deemed proper by the association and if the said moneys so recovered together with the withdrawal value of the shares of such defaulting borrowed shall exceed the amount it would have required according to the preceding section to have voluntarily repaid the loan together with all the expenses incurred by the association such excess shall be repaid to such defaulting borrower

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. WELLS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1130, as follows:

An Act to amend section forty-five of the act approved the nineteenth day of May one thousand nine hundred and fifteen entitled "An Act relating to the sale of goods"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty-five of the act approved the nineteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred forty-three) entitled "An Act relating to the sale of goods" which reads as follows

"Section 45 First Unless otherwise agreed or it is to be implied from the nature of the contract the buyer of goods is not bound to accept delivery thereof by instalments

Second Where there is a contract to sell goods to be delivered by stated instalments which are to be separately paid for and the seller makes defective deliveries in respect of one or more instalments or the buyer neglects or refuses to take delivery of or pay for one or more instalments (it depends in each case on the terms of the contract and the circumstances of the case whether the breach of contract is so material as to justify the injured party in refusing to proceed further and suing for damages for breach of the entire contract or whether the breach is severable giving rise to a claim for compensation but not to a right to treat the whole contract as broken)" be and the same is hereby amended to read as follows

Section 45 First unless otherwise agreed or it is to be implied from the nature of the contract the buyer of goods is not bound to accept delivery thereof by instalments

Second Where there is a contract to sell goods to be delivered by stated instalments which are to be separately paid for and the seller makes defective deliveries in respect of on or more instalments or the buyer neglects or refuss to take delivery of or pay for one or more instalments such breach of the contract justifies the injured party in refusing to proceed further and in suing for damages for breach of the entire contract unless the terms of the contract and the circumstances of the case disclose a different intention of the parties as to the consequences of such breach

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. WELLS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 733, as follows:

An Act to amend an act approved the eleventh day of June eighteen hundred and seventy-nine entitled "An Act to protect children from neglect and cruelty and relating to their employment protection and adoption" so that it shall not apply to discipline in the public schools

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eleventh day of June eighteen hundred and seventy-nine (Pamphlet Laws one hundred and forty-two) entitled "An Act to protect children from neglect and cruelty and relating to their employment protection and adoption" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person whatsoever who shall cruelly ill-treat abuse or inflict unnecessary cruel punishment upon any infant or minor child and any person having the care custody or control of any minor child who shall willfully abandon or neglect the same shall be guilty of a misdemeanor and upon conviction thereof before any justice of the peace magistrate or court of record shall be fined by such justice magistrate or court of record not less than ten dollars nor more than fifty dollars for each offense" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person whatsoever who shall cruelly ill-treat abuse or inflict unnecessary cruel punishment upon any infant or minor child and any person having the care custody or control of any minor child who shall willfully abandon or neglect the same shall be guilty of a misdemeanor and upon conviction thereof before any justice of the peace magistrate or court of record shall be fined by such justice magistrate or court of record not less than ten dollars nor more than fifty dollars for each offense Provided That it be expressly intended that the provisions of this act or any part thereof shall not apply in any case of corporal punishment administered by any teacher principal supervisor or superintendent in the public schools of this Commonwealth in the regular discharge of his or her duty in maintaining discipline in said schools

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—48.

Albee,	Chestnut,	Hollingsworth,	Powell,
Aron,	Coldsmith,	Howarth,	Reitzel,
Arthur,	Cook,	Jack,	Reynolds,
Baker,	Cox,	Leary,	Rhoads, H. L.,
Baldi,	Davis, W.,	Lewis,	Rothenberger,
Barner,	Dell,	Marvin,	Ruddy,
Bell,	Donneley,	McCurdy,	Simpson,
Benchoff,	Drake,	McPeake,	Sprowls,
Black,	Ehrhardt,	Mitchell,	Stites,

Boulton, H.,	Graham,	Musser,	West,
Brumbaugh,	Hess,	Ogden,	Whitaker,
Canon,	Heyburn,	Pickering,	Williams, G. W.

NAYS—89.

Baldridge,	Horton,	Patterson,	Stadtlander,
Bennett,	Jennings,	Perry,	Steedle,
Beyer,	Jones,	Phillips,	Sterling,
Brady,	Kennedy,	Ramsey,	Stern,
Campbell, J. O.,	Lafferty,	Reichenbacker,	Stofflet,
Campbell, T.,	Lanius,	Rhodes, W. M.,	Strauss,
Conner,	Lauler,	Richards,	Sullivan,
Crosby,	Lohr,	Robertson,	Taylor,
Cummins,	Luppert,	Rudisill,	Thomas,
Dawson,	Mangan,	Sampsel,	Vickerman,
Dean,	McArdle,	Sarig,	Wagner,
Dewey,	McCullough,	Shattuck,	Walker,
Dithrich,	McKay,	Shunk,	Wallace,
Drinkhouse,	McKinney,	Siggins,	Walter,
Dunn,	McNichol,	Sinclair,	Wells,
Franklin,	Mearkle,	Smith, F. I.,	Wickman,
Geary,	Mervine,	Smith, J. W.,	Williams, J. P.,
Glass,	Michel,	Smith, O. W.,	Wobensmith,
Goodwin,	Miller, A. D.,	Snowden,	Wood,
Haight,	Miller, Allan,	Snyder,	Zanders,
Haldeman,	Miller, C. G.,	Sones,	Baldwin,
Hibshman,	Morgan, T. J.,	Speicher,	Speaker.
Hoffman,	Palmer,		

Less than the majority required by the Constitution having voted in the affirmative, the quetsion was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1576, as follows:

An Act to further amend an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering purposes and imposing a tax of one mill on certain capital stock of certain corporations limited partnerships and joint-stock associations organized for manufacturing and laundering purposes and appropriating the money received from such tax for State and State-aid Highway purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the twenty-first section of an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and three) entitled "An Act to amend section twenty-one of an act approved the first day of June one thousand eight hundred eighty-nine entitled 'A further supplement of an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' as amended" which reads as follows

"Section 21 That every corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the Treasury of the Commonwealth annually a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section and it shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within thirty days from the date of the settlement of the account by the Auditor General and the State Treasurer Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided also That corporations limited partnerships and joint-stock associations liable to tax on capital stock under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals And provided further That the provisions of this section shall not apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for laundering or manufacturing purposes which is invested in and actually and exclusively employed in carrying on laundering or manufacturing within the State excepting companies engaged in the brewing or distilling of spirits or malt liquors and such as enjoy and exercise the right of eminent domain but every laundering or manufacturing corporation limited partnership or joint-stock association shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to its laundering or manufacturing business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the laundering or manufacturing plant and business Provided further In case of fire and marine insurance companies the tax imposed by this section shall be at the rate of three mills upon each dollar of the actual value of the whole capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania" is hereby further amended to read as follows

Section 21 That every corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the Treasury of the Commonwealth annually a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section and it shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within thirty days from the date of the settlement of the account by the Auditor General and the State Treasurer Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided also That corporations limited partnerships and joint-stock associations liable to tax on capital stock under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals And provided further In the case of fire and marine insurance companies the tax imposed by this section shall be at the rate of three mills upon each dollar of the actual value of the whole capital stock

Every manufacturing corporation limited partnership or joint-stock association engaged in laundering or manufacturing except as hereinafter provided shall be subject to and pay into the State Treasury annually a tax of one mill on each dollar of the actual value of so much of their capital stock as is invested in and actually and exclusively employed in carrying on laundering or manufacturing within the State

All the capital stock without exception of corporations limited partnerships and joint-stock associations enjoying and exercising the right of eminent domain and so much of the capital stock of every other corporation limited partnership and joint-stock association engaged in laundering and manufacturing as is not invested in and actually and exclusively employed in carrying on laundering or manufacturing in this Commonwealth shall be subject to the tax of five mills hereinbefore provided

All moneys received by the State Treasurer from the one mill tax hereinbefore imposed on corporations limited partnerships and joint-stock associations engaged in laundering and manufacturing shall be kept in a separate fund and shall be used only for the construction improvement maintenance and repair of State and State-aid roads The moneys so received from such one mill tax is hereby specfically appropriated to the State Highway Department to be paid by the State Treasurer upon requisition of the State Highway Commissioner after audit and approval by the Auditor General in the usual manner

Nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pensylvania nor shall this act affect or change the rate of tax now imposed by law on persons firms limited partnerships corporations and joint-stock associations now or hereafter engaged in the brewing or distilling of spirits and malt liquors

On the question,

Shall the bill pass finally?

Agreeably to the provision of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Albee,	Erdman,	McPeake,	Siggins,
Aron,	Fackler,	Mearkle,	Simpson,
Arthur,	Flynn,	Mehring,	Sinclair,
Baker,	Fowler,	Mervine,	Smith, E. R.,
[illegible]	Franklin,	Michel,	Smith, F. I.,
Baldridge,	Fretz,	Miller, A. D.,	Smith, J. W.,
Barner,	Gans,	Miller, Allan,	Smith, O. W.,

Bell,	Geary,	Miller, C. G.,	Snowden,
Benchoff,	Glass,	Miller, G. J. A.,	Snyder,
Bennett,	Golder,	Mitchell,	Sones,
Benninger,	Goodwin,	Morgan, T.,	Speicher,
Beyer,	Graeff,	Morgan, T. J.,	Sprowls,
Black,	Graham,	Murdoch,	Stadtlander,
Boulton, H.,	Gransback,	Musser,	Steedle,
Bovee,	Hecht,	Neary,	Sterling,
Boyd,	Heffernan,	Ogden,	Stern,
Brady,	Hess,	Palmer,	Stites,
Brumbaugh,	Heyburn,	Patterson,	Stofflet,
Burnett,	Hibshman,	Perry,	Strauss,
Campbell, J. O.,	Hoffman,	Phillips,	Sullivan,
Campbell, T.,	Hollingsworth,	Pickering,	Swartz,
Canon,	Horton,	Powell,	Taylor,
Chestnut,	Howarth,	Ramsey,	Thomas,
Christman,	Isherwood,	Reichenbacher,	Ulsh,
Clements,	Jack,	Reitzel,	Urich,
Coldsmith,	Jennings,	Reynolds,	Vickerman,
Conner,	Jones,	Rhoads, H. L.,	Vogdes,
Cook,	Kennedy,	Rich,	Wagner,
Corbin,	Lafferty,	Richards	Walker,
Cox,	Lanius,	Ringler,	Wallace,
Crosby,	Laucks,	Rininger,	Wells,
Cummins,	Lauler,	Rinn,	West,
Curry,	Lewis,	Robertson,	Whitaker,
Davis, W.,	Lohr,	Rogers,	Wickman,
Dawson,	Luppert,	Ross,	Williams, G. W.
Dean,	Malie,	Rothenberger,	Williams, J. P.,
Dell,	Mangan,	Ruddy,	Wobensmith,
Dewey,	Marvin,	Rudisill,	Wood,
Dithrich,	McCaig,	Sampsel,	Woodward,
Donneley,	McCullough,	Schaeffer, A. C.,	Wylie,
Drake,	McCurdy,	Scott,	Wynne,
Drinkhouse,	McKay,	Shaffer, C. A.,	Zanders,
Dunn,	McKinney,	Shattuck,	Baldwin,
Ehrhardt,	McNichol,	Shunk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1076, as follows:

An Act authorizing the Governor of the Commonwealth of Pennsylvania to convey to the estates of Susan E. Bayard and Mary Bayard certain lands in the seventh ward of the City of Pittsburgh County of Allegheny

Whereas By agreement dated the twenty-sixth day of October Anno Domini one thousand nine hundred and fifteen The Fidelity Title and Trust Company Ralph Bayard Baldridge and William M. Galbraith executors of the last wills and testaments of Susan E. Bayard and Mary Bayard agreed with the Armory Board of Pennsylvania to convey to the Commonwealth of Pennsylvania certain property known as "Lots eight nine ten eleven and twelve in the Bayard Place Plan" of lots City of Pittsburgh for the consideration of forty-five thousand dollars and the procuring of a conveyance to said first party for their constituents of the strip of ground on the northerly side of lot number four in said plan lying between the present armory building and lots numbers one two and three in said plan and the rear of property of E. Z. Smith about ten (10) feet more or less in width" and

Whereas Upon the execution of said agreement the party of the second part being unable without legislative authority to convey the said strip of land as part payment for said lands conveyed to the said armory board the terms of the agreement were nevertheless carried out by parties of the first part and the conveyance of said land accordingly made upon receipt of a part of the consideration to wit the sum of forty-five thousand dollars the balance of the consideration to wit the "strip of land ten (10) feet more or less in width" still remains unconveyed to the party of the first part therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth of Pennsylvania is hereby authorized and directed to convey by good and sufficient deed unto the estates of Susan E. Bayard and Mary Bayard the following described piece of property situate in the seventh ward of the City of Pittsburgh Allegheny County Pennsylvania bounded and described as follows

Beginning at a point in the westerly line of Emerson street City of Pittsburgh distant ninety-nine and sixty-one one-hundredths feet southwardly from the southerly line of Alder street thence by lands of the estate of Susan E. Bayard and Mary Bayard and also of E. Z. Smith north seventy-seven degrees forty-four minutes west one hundred and ninety-nine and ninety-four one-hundredths feet to the easterly line of Carron Alley thence by same south five degrees ten minutes west eight and seventy one-hundredths feet to a point on said easterly line of Carron alley thence by a line south seventy-eight degrees thirty-four minutes east which is parallel and one and sixty-two one-hundredths feet northerly from the face of pilasters of Battery B Armory Building now erected on the property of the Commonwealth of Pennsylvania for a distance of one hundred and eighty-four and ninety-seven one-hundredths feet to a point thence north eleven degrees twenty-six minutes east one foot thence south seventy-eight degrees thirty-four minutes east fourteen feet to the easterly line of Emerson street thence by the easterly line on Emerson street north eleven degrees twenty-six minutes east four and seventy-four one-hundredths feet to the place of beginning

Being part of the same lands conveyed to the Commonwealth of Pennsylvania by Susan E. Bayard et al by deed dated the twentieth day of January Anno Domini one thousand nine hundred and ten and recorded in the recorder's office of Allegheny County in deed book volume one thousand six hundred and ninety-three page one

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albee,	Fowler,	McVicar,	Simpson,
Aron,	Franklin,	Mearkle,	Sinclair,
Arthur,	Fretz,	Mehring,	Smith, E. R.,
Baker,	Gans,	Mervine,	Smith, J. W.,
Baldi,	Geary,	Michel,	Smith, L.,
Baldridge,	Glass,	Miller, A. D.,	Smith, O. W.,
Barner,	Golder,	Miller, C. G.,	Snowden,
Bell,	Goodnough,	Miller, G. J. A.,	Snyder,
Benchoff,	Goodwin,	Morgan, T.,	Sones,
Bennett,	Gormley,	Morgan, T. J.,	Speicher,
Benninger,	Graeff,	Murdoch,	Sprowls,
Beyer,	Graham,	Murphy,	Stadtlander,
Black,	Gransback,	Musser,	Steedle,
Boulton, H.,	Haight,	Neary,	Sterling,
Bovee,	Hecht,	Ogden,	Stern,
Boyd,	Heffernan,	Palmer,	Stites,
Brady,	Hess,	Patterson,	Stofflet,
Brumbaugh,	Heyburn,	Perry,	Strauss,
Burnett,	Hibshman,	Phillips,	Sullivan,
Campbell, J. O.,	Hoffman,	Pickering,	Swartz,
Campbell, T.,	Horton,	Powell,	Sweitzer,
Canon,	Howarth,	Ramsey,	Thomas,
Chestnut,	Isherwood,	Reichenbacher,	Ulsh,
Christman,	Jack,	Reitzel,	Urich,
Clements,	Jennings,	Reynolds,	Vickerman,
Coldsmith,	Jones,	Rhoads, H. L.,	Vogdes,
Conner,	Kennedy,	Rhodes, W. M.,	Wagner,
Crosby,	Lafferty,	Rich,	Walker,
Cummins,	Lanius,	Richards,	Wallace,
Curry,	Laucks,	Rininger,	Walter,
Davis, W.,	Lauler,	Rinn,	Weimer,
Dawson,	Leary,	Robertson,	Wells,
Dean,	Lewis,	Rogers,	West,
Dell,	Lohr,	Ross,	Whitaker,
Dewey,	Luppert,	Rothenberger,	Wickman,
Dithrich,	Malie,	Ruddy,	Williams, G. W.
Donneley,	Mangan,	Rudisill,	Williams, J. P.,
Drake,	Marvin,	Sampsel,	Wobensmith,
Drinkhouse,	McArdle,	Sarig,	Wood,
Dunn,	McCaig,	Schaeffer, A. C.,	Woodward,
Ehrhardt,	McCullough,	Shaffer, C. A.,	Wylie,
Erdman,	McCurdy,	Shattuck,	Wynne,
Fackler,	McKay,	Showalter,	Zanders,
Fitzgibbon,	McNichol,	Shunk,	Baldwin,
Flynn,	McPeake,	Siggins,	Speaker.

NAYS—1.

McKinney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 435, as follows:

An Act to further amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by including instruments and devices used for weighing by manufacturers and at mines and quarries and by which the wages of employes are determined

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred seventy-five) entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" which as amended by an act approved the twenty-

fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred sixty) entitled "An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled 'An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof' " reads as follows

"Section 2 That all county and city inspectors so appointed shall be supplied at the expense of their respective counties and cities with standard tests of weights and measures in conformity with those established by the Government of the United States or the Bureau of Standards of the State and the laws of this Commonwealth and to ensure the accuracy of these tests they shall be compared with the standard tests to be purchased by the Secretary of Internal Affairs and when so compared and their correctness established they shall be so stamped or marked in such manner as may be established by the rules and regulations hereinbefore referred to to be put in force by said Secretary of Internal Affairs and approved by the Governor of the Commonwealth

"Each inspector shall report in writing at least once every month to the Chief of the State Bureau of Standards upon blanks furnished by the Chief Such report shall contain (1) The number of tests made since the last preceding report (2) The number of weights measures and balances found by such tests to be correct (3) The number of weights measures and balances found by such tests to be false (4) The number of prosecutions instituted by such inspector since the last preceding report together with the name of the accused the title of the court where prosecution was instituted and the result of such prosecution (5) Such other matters as the Chief may from time to time prescribe

"The inspectors shall take charge of and safely keep the proper standards They shall be furnished by the Chief of the Bureau of Standards of this Commonwealth with full specifications of tolerances and allowances to be used by them in the performance of their duties Each inspector shall have power within his respective jurisdiction to test all instruments and devices used in weighing or measuring anything sold or to be sold and seal the same if found to be correct Such test shall include all appliances connected or used with such instruments or devices For the purpose of making such test each inspector at any reasonable time and without formal warrant may enter upon any premises and may on any public highway stop any vendor or dealer or the agent or servant of such vendor or dealer or stop any vehicle used in delivering any commodity which is weighed or measured as delivered He may condemn and mark as condemned or may seize any false or illegal instrument or device used or intended to be used in weighing or measuring If he shall seize any such instrument or device he shall retain possession thereof until it shall have been used as evidence in any prosecution under the laws of this Commonwealth relating to weights and measures or to the sale of commodities After the determination of such prosecution the false or illegal instrument or device shall be destroyed unless otherwise ordered by the proper court" is further amended to read as follows

Section 2 That all county and city inspectors so appointed shall be supplied at the expense of their respective counties and cities with standard tests of weights and measures in conformity with those established by the Government of the United States or the Bureau of Standards of the State and the laws of this Commonwealth and to ensure the accuracy of these tests they shall be compared with the standard tests to be purchased by the Secretary of Internal Affairs and when so compared and their correctness established they shall be so stamped or marked in such manner as may be established by the rules and regulations hereinbefore referred to to be put in force by said Secretary of Internal Affairs and approved by the Governor of the Commonwealth

Each inspector shall report in writing at least once every month to the Chief of the State Bureau of Standards upon blanks furnished by the Chief Such report shall contain (1) The number of tests made since the last preceding report (2) The number of weights measures and balances found by such tests to be correct (3) The number of weights measures and balances found by such tests to be false (4) The number of prosecutions instituted by such inspector since the last preceding report together with the name of the accused the title of the court where prosecutions was instituted and the result of such prosecution (5) Such other matters as the Chief may from time to time prescribe

The inspectors shall take charge of and safely keep the proper standards They shall be furnished by the Chief of the Bureau of Standards of this Commonwealth with full specifications of tolerances and allowances to be used by them in the performance of their duties Each inspector shall have power within his respective jurisdiction to test all instruments and devices used in weighing or measuring anything sold or to be sold including instruments and devices for weighing by manufacturers and at mines and quarries and which are used for the purpose of determining the wages of employes and seal the same if found to be correct Such test shall include all appliances connected or used with such instruments or devices For the purpose of making such test each inspector at any reasonable time and without formal warrant may enter upon any premises and may on any public highway stop any vendor or dealer or the agent or servant of such vendor or dealer or stop any vehicle used in delivering any commodity which is weighed or measured as delivered He may condemn and mark as condemned or may seize any false or illegal instrument or device used or intended to be used in weighing or measuring If he shall seize any such instrument or device he shall retain possession thereof until it shall have been used as evidence in any prosecution under the laws of this Commonwealth relating to weights and measures or to the sale of commodities After the determination of such prosecution the false or illegal instrument or device shall be destroyed unless otherwise ordered by the proper court

On the question,

Shall the bill pass finally?

Mr. ARON. Mr. Speaker, I would like to have the sponsor of this bill explain it.

Mr. McCURDY. Mr. Speaker, in 1911, the original act that was passed provided that all weighing and measuring devices should be inspected by the Sealer of Weights and Measure, and I have no doubt the man who framed that bill forgot that there was another very important factor in the way of weighing and measuring, and that is the weighing of a workmen's product to determine how much his wages may be. If the original bill was a good one, which no doubt it was, at least we think so, every purchaser of merchandise is supposed now to receive honest weight and honest measure. Now it is equally as fair that a working man who bears the heat and burden of the day, and who has his labors weighed to determine how much wages are due him, it is equally as fair that the scales that weigh his day's labor should be equally as well tested and made secure. That is the requirement of this bill. It requires the Sealer of Weights and Measures to seal and inspect this class of scales in mines, quarries and manufacturing establishments.

Mr. BOULTON. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Blair, Mr. McCurdy, permit himself to be interrogated?

Mr. McCURDY. Yes sir, Mr. Speaker.

Mr. BOULTON. Mr. Speaker, is it not a fact that a bill identical with this in almost every respect was introduced by Mr. Hollern of Cambria County, and has already passed this House and gone to the Senate?

Mr. McCURDY. Mr. Speaker, for the information of the gentleman across on the other side of the House, I would say Mr. Hollern's bill passed this House and required the Sealer of Weights and Measures to inspect the scales of coal mines. This bill requires the Sealer of Weights and Measures to inspect the scales of coal mines, quarries and manufacturers, and therefore I think it is a very fair and just bill, and I hope that the members here will vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122.

Aron,	Fowler,	McKinney,	Shunk,
Arthur,	Franklin,	McNichol,	Siggins,
Baldridge,	Fretz,	McPeake,	Simpson,
Bell,	Geary,	Mearkle,	Smith, O. W.,
Benchoff,	Glass,	Mehring,	Snyder,
Bidelspacher,	Golder,	Mervine,	Sones,
Black,	Goodnough,	Michel,	Speicher,
Bovee,	Graeff,	Miller, A. D.,	Sprowls,
Boyd,	Graham,	Miller, Allan,	Stadtlander,
Brumbaugh,	Gransback,	Miller, C. G.,	Steedle,
Campbell, J. O.,	Haight,	Morgan, T.,	Stofflet,
Campbell, T.,	Haldeman,	Morgan, T. J.,	Strauss,
Canon,	Heffernan,	Murdoch,	Swartz,
Chestnut,	Hibshman,	Musser,	Taylor,
Christman,	Hollingsworth,	Neary,	Thomas,
Coldsmith,	Howarth,	Palmer,	Ulsh,
Conner,	Isherwood,	Perry,	Wagner,
Cook,	Jack,	Powell,	Walker,
Crosby,	Kennedy,	Rothenberger,	Wallace,
Davis, W.,	Lafferty,	Reynolds,	Wells,
Dawson,	Lanius,	Rhodes, W. M.,	West,
Dell,	Lauler,	Rich,	Whitaker,
Dewey,	Leary,	Richards,	Wickman,
Dithrich,	Lewis,	Rininger,	Williams, J. P.,
Donneley,	Lohr,	Robertson,	Wobensmith,
Drinkhouse,	Mangan,	Ross,	Wood,
Eby,	Marvin,	Rothenberger,	Wynne,
Ehrhardt,	Maurer,	Ruddy,	Zanders,
Erdman,	McCurdy,	Sampsel,	Baldwin,
Fackler,	McCullough,	Schaeffer, A. C.,	Speaker.
Flynn,	McKay,	Showalter,	

NAYS—9.

Albee,	Horton,	Scott.	Stern,
Boulton, H.,	McArdle,	Sinclair,	Urich,
Heyburn,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. RININGER. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and (at 11.33 P. M.) the House adjourned until tomorrow morning at 11.00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

VOL. 4. HARRISBURG, PA., TUESDAY, MAY 15, 1917. No. 55.

SENATE.

TUESDAY, May 15, 1917.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the Chair.

PRAYER.

The Chaplain, Rev. Thomas W. Davis, offered the following prayer:

Almighty God, we thank Thee for this beautiful morning. We pray that Thy blessing may be with His Excellency, the Governor, and with his advisers, and with the presiding officer and all the members of this body. We pray for those who have met with an accident or who are retained at home through illness themselves or through the illness of their families. We pray that Thy blessing may be with them in a special manner. Guide us we pray Thee in this great United States so that we shall concentrate our thought and convictions upon the great problems that are facing us today. We ask these blessings in our Saviour's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SPROUL, the further reading was dispensed with, and the Journal was approved.

PETITIONS

PRAYING FOR SPECIAL APPROPRIATION OF TEN THOUSAND DOLLARS TO THE HOMEOPATHIC HOSPITAL AT POTTSTOWN, PA.

The Chair presented petition of citizens of Montgomery, Berks and Chester Counties praying for a special appropriation of ten thousand dollars to the Homeopathic Hospital at Pottstown, Pa.

Which was referred to the Committee on Appropriations.

FAVORING SUSPENSION OF THE FULL CREW LAW.

He also presented petition of the Philadelphia Chamber of Commerce favoring the passage of Senate Bill No. 1033 for the suspension of the operation of the Act of June 19, 1911, during such period as our country may be engaged in war and until six months after the termination of such war.

Which was referred to the Committee on Railroads.

REPORTS FROM COMMITTEES.

Mr. JONES, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 1113 (House Bill No. 619) entitled

An Act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bull-frogs, tad-poles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid.

Mr. JENKINS, from the Committee on Judiciary General, reported as amended Senate Bill No. 999, entitled

An Act to provide for the settlement, registrations, transfer and assurance of titles to land lying in the several counties of the Commonwealth of Pennsylvania, and to establish a court of land registration for said purposes.

Mr. DAIX, from the Committee on Judiciary General, reported as amended Senate Bill No. 780 (House Bill No. 42), entitled

An Act amending an act approved the fifth day of February, Anno Domini one thousand eight hundred and seventy-five, entitled "An Act relative to the establishment and jurisdiction of magistrates courts in the City of Philadelphia, increasing salaries.

Mr. BALDWIN, from the Committee on Game and Fisheries, re-reported as amended Senate Bill No. 1052 (House Bill No. 1140), entitled

An Act to revise, amend and consolidate the law relating to fish and providing penalties.

Mr. BUCKMAN, from the Committee on Game and Fisheries, reported as committed Senate Bill No. 1072, entitled

An Act to amend sections one, three and four of an act approved the 8th day of May, 1909, entitled "An Act to give additional protection to wild birds and animals and game, within the Commonwealth of Pennsylvania; prohibiting the hunting for, or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents; forbidding the ownership or possession of shotgun or rifle by any unnaturalized foreign-born resident, within the Commonwealth; and prescribing penalties for violation of its provisions," by providing that pistol and firearm of any kind be added to the firearms enumerated in said act.

Mr. SEMMENS, from the Committee on Game and Fisheries, re-reported as amended Senate Bill No. 929 (House Bill No. 187), entitled

An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions.

Also, from the Committee on Game and Fisheries, reported as committed Senate Bill No. 1184, entitled

An Act to amend section twelve of the act of April seventeenth, one thousand nine hundred and thirteen, entitled "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania; requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth; and providing penalties for violation of its several provisions, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the license fees, fines and penalties received," by making available these funds as soon as paid into the State Treasury.

Mr. WASBERS, from the Committee on Game and Fisheries, reported as committed Senate Bill No. 892 (House Bill No. 985), entitled

An Act providing for the establishment of auxiliary State game preserves.

Mr. PHIPPS, from the Committee on Judiciary General, reported as committed Senate Bill No. 1163 (House Bill No. 1381), entitled

An Act validating certain borough ordinances; providing for certain street improvements and the liens and bonds imposed and issued in pursuance thereof.

Mr. NASON, from the Committee on Judiciary General, reported as amended Senate Bill No. 1096 (House Bill No. 1305), entitled

An Act to amend the title of an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, entitled "An Act amending section one of an act approved the seventeenth day of April, one thousand nine hundred and five, entitled 'An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations and telegraph, telephone or light or power companies;' extending the provisions thereof to street passenger railway, motor traction, gas or water companies.

Mr. BUCKMAN, from the Committee on Appropriations, reported as amended Senate Bill No. 787, entitled

An Act providing for the appointment of a commission to ascertain the advisability or feasibility of constructing a bridge or tunnel over or under the Delaware River connecting the Commonwealth with the State of New Jersey; defining the powers and duties of said commission; and making an appropriation.

Also, from the Committee on Appropriations, reported as committed Senate Bill No. 917, entitled

An Act making available for expenditure during the two fiscal years beginning June first, one thousand nine hundred and seventeen, the sum of three hundred and fifty thousand dollars remaining unexpended from appropriation made by section two of an act of Assembly approved the eighteenth day of June, one thousand nine hundred and fifteen.

Also, from the Committee on Appropriations, re-reported as committed Senate Bill No. 920, entitled

An Act providing additional employes in the Insurance Department, and fixing their salaries.

Mr. SCHANTZ, from the Committee on Agriculture, reported as committed Senate Bill No. 1123 House Bill No. 1408), entitled

An Act to amend sections one and three of an act approved the first day of May, one thousand nine hundred and nine, entitled "An Act to regulate the manufacture and sale of commercial fertilizers; prescribing penalties for its violation and repealing an act entitled 'An Act to regulate the manufacture and sale of commercial fertilizers; providing for its enforcement and prescribing penalties for its violation,' approved the twenty-fifth day of March, Anno Domini one thousand nine hundred and one."

Mr. BUCKMAN, from the Committee on Appropriations, reported as amended Senate Bill No. 1136, entitled

An Act to fix the salaries or compensation of the several State officers of this Commonwealth; the number and salaries or compensation of the several officers and employes to be employed in the several State departments, boards and commissions.

BILLS INTRODUCED.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 1186, entitled

An Act regulating the physical form of charters, certificates of incorporation of applications, when application shall be made to any of the courts of common pleas for a charter of a corporation of the first class.

Which was committed to the Committee on Corporations.

Mr. McCONNELL read in his place and presented to the Chair Senate Bill No. 1187, entitled

An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania, providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof.

Which was committed to the Committee on Game and Fisheries.

Mr. McKEE read in his place and presented to the Chair Senate Bill No. 1188, entitled

An Act fixing the compensation of certain officers of the General Assembly.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1189, entitled

An Act imposing certain duties upon the directors and officers of life insurance companies, banks and trust companies chartered under the laws of this Commonwealth, with respect to the resignation and election of directors, and prescribing penalties for the violation thereof.

Which was committed to the Committee on Banks and Building and Loan Associations.

TIME OF NEXT MEETING.

Mr. BUCKMAN offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 15, 1917.

Resolved (If the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May twenty-first, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, May twenty-first, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SPROUL. Mr. President, I ask that Senate Bill No. 716, on final passage, entitled

An Act prohibiting holders of brewers license from having offices or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 805, as follows:

A Joint Resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article nine which reads as follows

"Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiency in revenue shall never exceed in the aggregate at any one time one million dollars" be amended so as to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasions suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiency in revenue shall never exceed in the aggregate at any one time one million dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth

Section 2 Said proposed amendment shall be submitted to the qualified electors of the State at the general election to be held on the Tuesday next following the first Monday of November in the year nineteen hundred and eighteen for the purpose of deciding upon the approval and ratification or the rejection of said amendment Said election shall be opened held and closed upon said election day at the places and within the hours at and within which said elections is directed to be opened held and closed and in accordance with the provisions of the laws of Pennsylvania governing elections and amendments thereto Such amendment shall be printed upon the ballots in the form and manner prescribed by the election laws of Pennsylvania and shall in all respects conform to the requirements of such laws

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Baldwin,	Hindman,	Phipps,	Warner,
Buckman,	Jenkins,	Sassaman,	Wasbers,
Burke,	Martin,	Semmens,	Weaver,
Catlin,	McConnell,	Snyder,	Whitten,
Craig,	McNichol,	Sones,	Beidleman,
Daix,	Miller,	Sproul,	Pres. pro tem.
DeWitt,	Nason,	Tompkins,	
Endsley,	Patton,		

NAYS—2.

Leiby, Stewart,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 898 (House Bill No. 1117), as follows:

An Act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment or draft in the army or navy of the United States in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the army or navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any appointive officer or employe regularly employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality or school district within the Commonwealth shall in time of war or contemplated war enlist or be drafted in the army or navy of the United States he shall not be deemed or held to have thereby resigned from or abandoned his said office or employment nor shall he be removable therefrom during the period of his service in the army or navy but the duties of his said office or employment shall if there is no other person authorized by law to perform the powers and duties of such officer or employe during said period to be performed by a substitute who shall be appointed by the same authority who appointed such officer or employe if such authority shall deem the employment of such substitute necessary Such substitute shall receive so much of the salary or wages attached to said office or employment as shall not be paid to the dependent or dependents of said officer or employe as hereinafter provided and such substitute may receive such further compensation from appropriations made for that purpose or otherwise as may be required when added to the amount received under the provisions of this act to constitute a reasonable compensation for his services in the opinion of the authority appointing him

Section 2 Any said offices or employe so enlisting or drafted and having a dependent or dependents as aforesaid may at the time of his enlistment or draft or immediately thereafter file with the head or chief of the department bureau commission or office in which he is employed a statement in writing executed under oath setting forth the fact and date of his enlistment or draft his intention to retain his said office or employment and to resume the duties thereof after the expiration of his service in the army or navy and the names and addresses of his wife children and dependent parent or parents if any such he have and requesting and directing that one-half of the salary or wages of his said office or employment not exceeding two thousand ($2,000.00) dollars per annum shall be paid during his service in the army or navy as follows If he have a wife to his wife for her use and that of his children if he have children and no wife then to such person as he may designate for the use and benefit of his children If he have a dependent parent or parents then he shall direct such sum as he has theretofore been accustomed to contribute to their support to be paid to them and the amount payable to his wife or children if any he have shall be proportionately decreased If he have no wife or children he may direct the entire one-half of his said salary or wages not exceeding two thousand ($2,000.00) dollars per annum to be paid to his dependent parent or parents if any such he have all sums so directed to be paid shall be paid to the person designated in the same porportional installments as nearly as may be as the salary or wages of the soldier were theretofore paid to him With such statement he shall also file powers of attorney authorizing the proper dependents to receive their proportion of said salary or wages as aforesaid

Section 3 The statement required to be filed by section two of this act shall be prima facie evidence of the dependency of any person named as a dependent in said statement but the head of any department bureau commission or office may in case of doubt satisfy himself as to the fact of such dependency and if the person so nominated as a dependent was not in fact dependent upon the officer or employe enlisting in the army or navy at the time of his enlistment or draft shall refuse to make any payment to such person on account of the salary or wages of such officer or employe Such head of a department bureau commission or office shall also satisfy himself before making payments to dependents under the provisions of this act that the officer or employe was alive during the period for which any payment is made No payment shall be made under the provisions of this act to any officer or employe enlisting or drafted as aforesaid and so much of the salary or wages of such officer or employe as is not paid under the provisions of this act to his dependents and his substitute shall be recovered back into the fund from which said salary or wages is paid

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Homsher,	Patton,	Stewart,
Buckman,	Jenkins,	Phipps,	Tompkins,
Catlin,	Leiby,	Salus,	Vare,
Craig,	Martin,	Sassaman,	Warner,
Daix,	McConnell,	Schantz,	Wasbers,
DeWitt,	McKee,	Semmens,	Weaver,
Endsley,	McNichol,	Snyder	Whitten,
Eyre,	Miller,	Sones,	Beidleman,
Graff, W. P.,	Nason,	Sproul,	Pres. pro tem.
Hindman,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1090, as follows:

An Act creating a Division of Dairy and Food in the State Department of Health abolishing the office of Dairy and Food Commissioner and the Division of Dairy and Food in the State Agriculture Department and transferring all powers and duties now by law vested in and imposed upon the Dairy and Food Commissioner and the Dairy and Food Division of the State Department of Agriculture

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby established a Bureau of Dairy and Food in the State Department of Health

Section 2 This bureau shall consist of a Dairy and Food Commissioner as provided for by the act approved the twenty-sixth day of May one thousand eight hundred and ninety-three by the act approved the thirteenth day of March one thousand eight hundred and ninety-five and by the act approved the eighteenth day of May one thousand nine hundred and fifteen who shall be appointed by the State Commissioner of Health and who shall have as many assistants and employes as are now required by the division as operated in the State Department of Agriculture

Section 3 All the powers and duties now by law vested in and imposed upon the Division of Dairy and Food and the office of Dairy and Food Commissioner under the laws creating and regulating that division of the State Department of Agriculture are hereby transferred to the Dairy and Food Commissioner and the Division of Dairy and Food in the State Department of Health and the division and office in the State Department of Agriculture are hereby abolished

Section 4 All laws relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious food shall hereafter be enforced by the Dairy and Food Commissioner of the State Department of Health

Section 5 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. BALDWIN. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER.

Mr. McCONNELL. Mr. President, I ask that Senate Bill No. 1098, on final passage, entitled

An Act amending sections one and ten of an act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen, entitled "An Act to establish a State village for feeble-minded women; providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve, and to erect and furnish buildings on the same, and to manage said institution; and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years; defining the power and duties of the board of managers; and making an appropriation for the purposes aforesaid, also for the expenses of maintenance until June one, one thousand nine hundred and fifteen."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PHIPPS. Mr. President, I ask that Senate Bill No. 289, on third reading, entitled

An Act to further amend part of section one of an act approved the eleventh day of July, one thousand nine hundred and one, entitled "An Act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same," as amended.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 547 (House Bill No. 195), entitled

An Act to amend an act, approved the ninth day of April, one thousand nine hundred and fifteen, entitled "An Act to amend an act, entitled 'An Act to amend an act, entitled "An Act to amend an act, entitled 'An Act to amend an act, entitled "An Act to amend an act, entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel, or glass to erect and maintain buildings and manufacturing establishments, and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the ninth day of June, Anno Domini one thousand eight hundred and eighty-one; extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks, or for dressing, polishing, working, or manufacturing the same, or any of them, and to mineral springs companies, incorporated for the purpose of bottling and selling natural mineral springs water, approved the sixteenth day of June, Anno Domini one thousand eight hundred and ninety-three," approved the nineteenth day of April, Anno Domini one thousand nine hundred and one; extending the same to companies formed for the purpose of manufacturing and selling chemicals, foodstuffs, cement, and cement products, and the quarrying of cement rock;' approved May twenty-eighth, one thousand nine hundred and seven; extending the same to companies incorporated for the manufacture, buying, selling, leasing, using, and operation of electrical apparatus and machinery, and articles of every kind appertaining to or in any wise connected with the production, use, regulation, control, distribution, or application of electricity or electrical energy or products for any use or purpose; constructing, acquiring, using, selling, buying or leasing any works, construction, or plant, or part thereof, connected with or involving such use, distribution, regulation, control or application of electricity, or the control or use of electrical apparatus for any purpose; and of producing, furnishing, and supplying electricity or electrical apparatus in any form and for any purpose, and to carry on a general manufacturing business,'" approved the twenty-third day of June, one thousand nine hundred and eleven; by extending the same to companies incorporated for the purpose of refining, manufacturing or sale of petroleum and petroleum products;" extending the same to companies engaged in packing, manipulating, or manufacturing tobacco, or manufacturing cigars, cigarettes or other tobacco products or for the purpose of briquetting coal or other minerals or for the purpose of manufacturing rubber in any form

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Hackett,	Nason,	Sproul,
Buckman,	Hindman,	Patton,	Stewart,
Burke,	Homsher,	Phipps,	Warner,
Catlin,	Jenkins,	Sassaman,	Wasbers,
Craig,	Leiby,	Schantz,	Weaver,
Daix,	Martin,	Semmens,	Whitten,
DeWitt,	McConnell,	Snyder,	Beidleman,
Endsley,	McNichol,	Scnes,	Pres. pro tem.
Graff, W. P.,	Miller,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 623, entitled

An Act to amend the act approved the second day of June, one thousand nine hundred and fifteen, entitled "An Act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. SPROUL. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 758 (House Bill No 820), entitled

An Act requiring the erection of detour signs by the authorities by whose direction any public highway may be closed and providing penalties for failure to comply with the provisions of this act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	Jenkins,	Patton,	Stewart,
Buckman,	Leiby,	Phipps,	Tompkins,
Burke,	Martin,	Sassaman,	Warner,
Catlin,	McConnell,	Schantz,	Wasbers,
Craig,	McKee,	Semmens,	Weaver,
Daix,	McNichol,	Snyder,	Whitten,
DeWitt,	Miller,	Sones,	Beidleman,
Hindman,	Nason,	Sproul,	Pres. pro tem.
Homsher,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 857 (House Bill No. 468), entitled

An Act fixing the salaries of the county engineer and deputy county engineer in counties containing a population of more than eight hundred thousand and less than one million four hundred thousand.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Jenkins,	Phipps,	Stewart,
Buckman,	Leiby,	Salus,	Tompkins,
Burke,	Martin,	Sassaman,	Warner,
Catlin,	McConnell,	Schantz,	Wasbers,
Craig,	McKee,	Semmens,	Weaver,
Daix,	McNichol,	Snyder,	Whitten,
DeWitt,	Miller,	Sones,	Beidleman,
Endsley,	Nason,	Sproul,	Pres. pro tem.
Hindman,	Patton,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 882, entitled

An Act making it unlawful for any person, firm or corporation to dismiss or discharge any employe from his or their employment because of absence for jury duty and providing a penalty therefor.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. McNICHOL. Mr. President, in the absence of the Senator from Philadelphia, Mr. Salus, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 915, entitled

An Act to amend section one thousand four hundred and four of the act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general special or local, or any parts thereof, that are or may be inconsistent therewith," by giving justices of the peace, aldermen and magistrate jurisdiction in certain actions between school districts.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution ,and were as follows, viz:

YEAS—30.

Baldwin,	Jenkins,	Phipps,	Tompkins,
Buckman,	Leiby,	Sassaman,	Warner,
Craig,	Martin,	Schantz,	Wasbers,
Daix,	**McConnell,**	Semmens,	Weaver,
DeWitt,	McNichol,	Snyder,	Whitten,
Endsley,	Miller,	Sones,	Beidleman,
Graff, W. P.,	Nason,	**Sproul,**	Pres. pro tem.
Hindman,	**Patton,**	Stewart,	

NAYS—1.

Burke,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 921 (House Bill No. 694), entitled

A Supplement to an act approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four), entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expenses thereof; prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road," authorizing boroughs, towns and townships to enter into contracts to aid in the construction and maintenance of such roads or highways.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Hindman,	Patton,	Stewart,
Buckman,	Jenkins,	Phipps,	Tompkins,
Catlin,	Leiby,	Sassaman,	Warner,
Craig,	Martin,	Schantz,	Wasbers,
Daix,	McConnell,	Semmens,	Weaver,
DeWitt,	McKee,	Snyder,	Whitten,
Endsley,	McNichol,	Sones,	Beidleman,
Graff, W. P.,	Nason,	Sproul,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, that the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 928, entitled

An Act to authorize county commissioners to appropriate from moneys received from dog taxes certain sums to societies for the prevention of cruelty to animals.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. SPROUL. Mr. President, there seems to be some misapprehension regarding the provisions of this bill. The bill does not require county commissioners to make an appropriation to Societies for the Prevention of Cruelty to Animals, but it permits them to do so. Under the new Dog Tax Law which requires that all dogs be registered by the country and wear tags, it is necessary for the county commisions to employ somebody to go around and kill unregistered dogs, but is a pretty difficult matter to get any decent man to do that and the result has been in some counties that roughnecks and thugs of the lowest type have been sent around to kill the dogs and this has been done in a very brutal and horrible way and to the great scandal of the community. Now in some counties where there are well or-

ganized societies for the prevention of cruelty to animals, these societies are willing to undertake the putting of these dogs out of the way in a humane and decent manner and this bill permits the county commissioners to make such arrangements.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	Jenkins,	Patton,	Stewart,
Burke,	Leiby,	Phipps,	Tompkins,
Catlin,	Martin,	Sassaman,	Warner,
Craig,	McConnell,	Schantz,	Wasbers,
Daix,	McKee,	Semmens,	Weaver,
DeWitt,	McNichol,	Snyder,	Whitten,
Endsley,	Miller,	Sones,	Beidleman,
Graff, W. P.,	Nason,	Sproul,	Pres. pro tem.
Hindman,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 938 (House Bill No. 794), entitled

An Act to provide for the extradition of persons of unsound mind and to make uniform the laws of the States which enact the same.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. TOMPKINS. Mr. President, I ask unanimous consent to amend Section 3, page 2, line 27, by adding at the end thereof, the following: "Provided, however, that this act shall not apply to any alleged lunatic or person of unsound mind after the question of lunacy or mental deficiency has been legally adjudicated in the courts of this Commonwealth and the said courts have taken jurisdiction and control of the person or estate of said lunatic or person of unsound mind."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 940 (House Bill No. 1032), entitled

An Act validating certain proceedings and elections of any town, township or borough held to submit and determine the question of becoming a city of the third class, held pursuant to an act, entitled "An Act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," approved the twenty-seventh day of June, one thousand nine hundred and thirteen, as amended by the act approved the thirteenth day of May, one thousand nine hundred and fifteen, and validating letters patent issued or to be issued in pursuance thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Baldwin,	Hindman,	Miller,	Sproul,
Buckman,	Homsher,	Nason,	Tompkins,
Burke,	Jenkins,	Patton,	Wasbers,
Catlin,	Leiby,	Phipps,	Weaver,
Craig,	Martin,	Sassaman,	Whitten,
Daix,	McConnell,	Semmens,	Beidleman,
DeWitt,	McKee,	Sones,	Pres. pro tem.
Endsley,	McNichol,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 956 as follows:

A Joint Resolution proposing an amendment to the Constitution of this Commonwealth in accordance with the provisions of the Eighteenth (XVIII) Article thereof

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the Eighteenth (XVIII) Article thereof

Amendment to Article Fourteen Section One

Section 2 That article fourteen (XIV) section one of the Constitution of Pennsylvania which reads as follows

"Section 1 County officers shall consist of sheriffs coroners prothonotaries registers of wills recorders of deeds commissioners treasurers surveyors auditors or controllers clerks of the courts district attorneys and such others as may from time to time be established by law and no sheriff or treasurer shall be eligible for the term next succeeding the one for which he may be elected" is hereby amended to read as follows

Section 1 County officers shall consist of sheriffs coroners prothonotaries registers of wills recorders of deeds commissioners treasurers surveyors auditors or controllers clerks of the courts district attorneys and such others as may from time to time be established by law

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. PHIPPS. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 959, entitled

An Act amending and supplementing an act approved the 22nd day of July, 1913, entitled "An Act relating to domestic animals; defining domestic animals so as to include poultry; providing methods of improving the quality thereof, and of preventing, controlling and eradicating diseases thereof, imposing certain duties upon practitioners of veterinary medicine in Pennsylvania; regulating the manufacture use and sale of tuberculin, mallein and other biological products for use with domestic animals, defining the powers and duties of the State Livestock Sanitary Board and the officers and employes thereof; fixing the compensation of the Deputy State Veterinary and providing penalties for the violation of this act."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Baldwin,	Graff, W. P.,	Nason,	Tompkins,
Buckman,	Hindman,	Patton,	Warner,
Burke,	Jenkins,	Phipps,	Wasbers,
Catlin,	Leiby,	Sassaman,	Weaver,
Craig,	Martin,	Semmens,	Whitten,
Daix,	McConnell,	Snyder,	Beidleman,
DeWitt,	McNichol,	Sones,	Pres. pro tem.
Endsley,	Miller,	Sproul,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 967 (House Bill No. 879), entitled

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to township supervisors of townships and requiring townships to pay the expenses in connection therewith.

And said bill having been read at length the third time, an agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Baldwin,	Graff, W. P.,	Nason,	Stewart,
Buckman,	Homsher,	Patton,	Tompkins,
Burke,	Jenkins,	Schantz,	Warner,
Catlin,	Leiby,	Semmens,	Weaver,
Craig,	McConnell,	Snyder,	Whitten,
DeWitt,	McKee,	Sones,	Beidleman,
Endsley,	McNichol,	Sproul,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 969 (House Bill No. 902), entitled

An Act to amend section one of an act approved the third day of May, one thousand nine hundred and nine, entitled "An Act amending an act, entitled 'An Act fixing the salaries of county poor directors in counties of over one hundred and fifty thousand population,' approved the eighth day of June, one thousand nine hundred and seven, by providing for compensation according to population and granting power to employ counsel."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Baldwin,	Eyre,	Nason,	Tompkins,
Buckman,	Graff, W. P.,	Patton,	Vare,
Burke,	Hindman,	Phipps,	Wasbers,
Catlin,	Jenkins,	Sassaman,	Weaver,
Craig,	Jones,	Semmens,	Whitten,
Daix,	Martin,	Snyder,	Beidleman,
DeWitt,	McConnell,	Sones,	Pres. pro tem.
Endsley,	McNichol,	Sproul,	

NAYS—2.

Leiby, Stewart,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 971 (House Bill No. 913), entitled

An Act authorizing Mildred J. Barclay, a resident of the City of Pittsburgh, in the County of Allegheny, in her own right as well as for the benefit of her minor daughter, Mildred J. Barclay, to bring suit in the Court of Common Pleas of Allegheny County against the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Hindman,	Miller,	Sproul,
Buckman,	Jenkins,	Nason,	Stewart,
Burke,	Jones,	Patton,	Tompkins,
Catlin,	Leiby,	Phipps,	Warner,
Craig,	Lynch,	Sassaman,	Wasbers,
Daix,	Martin,	Schantz,	Weaver,
DeWitt,	McConnell,	Semmens,	Whitten,
Endsley,	McKee,	Snyder	Beidleman,
Graff, W. P.,	McNichol,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 972 (House Bill No. 923), entitled

An Act authorizing Edward A. Woods, of Edgeworth, Allegheny County, Pennsylvania, to bring suit in the court of common pleas of Allegheny County against the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Hindman,	Miller,	Sproul,
Buckman,	Jenkins,	Nason,	Stewart,
Burke,	Jones,	Patton,	Tompkins,
Catlin,	Leiby,	Phipps,	Warner,
Craig,	Lynch,	Sassaman,	Wasbers,
Daix,	Martin,	Schantz,	Weaver,
DeWitt,	McConnell,	Semmens,	Whitten,
Endsley,	McKee,	Snyder,	Beidleman,
Graff, W. P.,	McNichol,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 975 (House Bill No. 1001), entitled

An Act to amend part of section two of an act approved the fifth day of March, one thousand seven hundred and ninety-one, entitled "An Act to enable the Governor to appoint notaries public and for other purposes therein mentioned."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Baldwin,	Graff, W. P.,	Salus,	Tompkins,
Buckman,	Hindman,	Sassaman,	Warner,
Catlin,	Jones,	Semmens,	Wasbers,
Craig,	Martin,	Snyder,	Weaver,
Daix,	Miller,	Sones,	Whitten,
DeWitt,	Nason,	Sproul,	Beidleman,
Endsley,	Patton,	Stewart,	Pres. pro tem.

NAYS—1.

Leiby,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bills to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 978 (House Bill No. 1058), entitled

An Act authorizing the establishment of contagious disease hospitals in the several counties of the Commonwealth to be constructed and maintained out of county funds.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Baldwin,	Jenkins,	Patton,	Tompkins,
Burke,	Leiby,	Phipps,	Warner,
Catlin,	Martin,	Sassaman,	Wasbers,
Craig,	McConnell,	Semmens,	Weaver,
DeWitt,	McKee,	Snyder,	Whitten,
Endsley,	McNichol,	Sones,	Beidleman,
Graff, W. P.,	Miller,	Sproul,	Pres. pro tem.
Hindman,	Nason,		

NAYS—1.

Buckman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. BALDWIN. Mr. President, I ask that Senate Bill No. 979 (House Bill No. 1080), on third reading, entitled

An Act to amend the first section of an act approved the twenty-first day of April, Anno Domini one thousand nine hundred and fifteen, entitled "An Act extending the powers and duties of foresters, forest rangers, game protectors, deputy game protectors, special deputy game protectors, fish-wardens and deputy fish-wardens of this Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 980 (House Bill No. 1084), entitled

An Act authorizing J. A. Croup, of Concord Township, Butler County, Pennsylvania, to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Butler County.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Hindman,	Miller,	Sproul,
Buckman,	Jenkins,	Nason,	Stewart,
Burke,	Jones,	Patton,	Tompkins,
Catlin,	Leiby,	Phipps,	Warner,
Craig,	Lynch,	Sassaman,	Wasbers,
Daix,	Martin,	Schantz,	Weaver,
DeWitt,	McConnell,	Semmens,	Whitten,
Endsley,	McKee,	Snyder,	Beidleman,
Graff, W. P.,	McNichol,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 984 (House Bill No. 1144), entitled

An Act to amend section one of an act approved the twenty-first day of March, one thousand nine hundred and seven, entitled "An Act authorizing the county commissioners of the several counties or the town councils of the several boroughs of this Commonwealth or both to appropriate annually a sufficient sum of money to each post of the Grand Army of the Republic in their respective counties or boroughs to aid in defraying the expenses of Memorial Day," as amended by requiring the commissioners to make appropriations also to Memorial Day or similar organizations where there was heretofore an established post.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	Jenkins,	Patton,	Stewart,
Buckman,	Jones,	Phipps,	Tompkins,
Burke,	Leiby,	Sassaman,	Wasbers,
Catlin,	Martin,	Schantz,	Weaver,
Craig,	McConnell,	Semmens,	Whitten,
DeWitt,	McKee,	Snyder,	Beidleman,
Endsley,	McNichol,	Sones,	Pres. pro tem.
Graff, W. P.,	Miller,	Sproul,	
Hindman,	Nason,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON FINAL PASSAGE.

Mr. McCONNELL. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 1098, on final passage, entitled

An Act amending sections one and ten of an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, entitled "An Act to establish a State village for feeble-minded women; providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve, and to erect and furnish buildings on the same, and to manage said institution, and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years; defining the powers and duties of the board of managers; and making an appropriation for the purposes aforesaid, also for the expenses of maintenance until June first, one thousand nine hundred and fifteen."

Mr. SEMMENS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1098, as follows:

An Act amending sections one and ten of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one thousand nine hundred and fifteen" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a State village for feeble-minded women for the care of feeble-minded women between the ages of sixteen and forty-five is hereby constituted and established the ground and buildings for which are hereby directed to be selected and constructed which village shall be governed and maintained in the manner hereinafter provided and shall be known as the Pennsylvania Village for Feeble-Minded Women That this institution shall be entirely and specially devoted to the reception segregation detention care and training of feeble-minded women of child-bearing age and shall be so planned in the beginning and construction as shall provide separate classification of the numerous groups embraced under the terms 'idiotic' 'imbecile' or 'feeble-minded' It is specially determined that the processes of an agricultural training shall be primarily considered in the educational department and that the employment of the inmates in the care and raising of stock and the cultivation of fruits vegetables roots et cetera shall be made tributary to the maintenance of institution" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a State village for feeble-minded women for the care of feeble-minded women is hereby constituted and established the grounds and buildings for which are hereby directed to be selected and constructed which village shall be governed and maintained in the manner hereinafter provided and shall be known as the Pennsylvania Village for Feeble-Minded Women That this institution shall be entirely and specially devoted to the reception segregation detention care and training of feeble-minded women and shall be so planned in the beginning and construction as shall provide separate classification of the numerous groups embraced under the terms "idiotic" "imbecile" or "feeble-minded" It is specially determined that the processes of an agricultural training shall be primarily considered in the educational department and that the employment of the inmates in the care and raising of stock and the cultivation of fruits vegetables roots et cetera shall be made tributary to the maintenance of institution

Section 2 Section ten of said act which reads as follows

"Section 10 The said board of trustees shall receive and care for as inmates of said village such idiotic and feeble-minded women between the age of sixteen and forty-five as may be committed thereto by any of the courts of quarter sessions of the counties of the Commonwealth as hereinafter provided and all such idiotic feeble-minded women between the age of sixteen and forty-five years may be transferred by the directors of any of the poor districts of any county of the Commonwealth as will be suitable inmates of the village It shall be lawful for the husband parent guardian or other person standing in loco parentis to such feeble-minded person her next of kin the county commissioners or the overseers of the poor or the managers or trustees of any institution having such person in charge or the district attorney of the county in which such person shall reside to apply by petition to the court of quarter sessions of the county in which said idiotic or feeble-minded person shall be resident setting forth in said petition the age and residence of such person and the address of the petitioner praying for the commitment of such persons to the State village for feeble-minded women which said petition shall be accompanied by a certificate made under oath after a personal examination of such feeble-minded person by a reputable physician with an experience of at least five years in the actual practice of his profession setting forth that such person is an idiotic or feeble-minded and a proper subject for commitment to said village Thereupon the said court or a judge thereof shall appoint a day for the hearing of the said petition and shall cause notice thereof to be given to all parties in interest and if at the said hearing it shall be made to appear that said person is of feeble mind and a proper subject for commitment to said village and that the best interests of said person or the welfare of society require such commitment the court shall make an order committing such feeble-minded person to the said State village for feeble-minded women and direct her removal thereto by a proper officer or person at the cost of the said county

"At the said hearing the said court or judge shall inquire as to the estate of such feeble-minded person and if the same be sufficient for the purpose shall make an order directing the payment therefrom of the cost of maintaining such person in said village otherwise that such payment be made by the husband or parent of such or feeble-minded person if it appear that the circumstances of said husband or parent are such as to make such an order proper and advisable and any such order shall be enforceable in the same manner in which orders in desertion cases are now enforceable by law Where the estate of said feeble-minded idiotic or epileptic person is insufficient and the circumstances of her husband or his or her parents are not such as to warrant an order for maintenance on either of them the said or feeble-minded person shall be maintained and cared for in the said institution at the cost of the Commonwealth

"The cost of such hearing shall be paid by the county and the court may in its discretion allow a fee of five dollars ($5.00) to the physician making the examination and a fee of ten dollars ($10.00) to the attorney presenting the petition and appearing at the hearing which fee shall be paid by the county

"The said board of trustees shall also receive all such or feeble-minded women as may be transferred to such institution from any other State institution by the Committee on Lunacy of the Board of Public Charities and the said Committee on Lunacy shall have authority to transfer any inmate of said institution to any other proper State institution

"When in the opinion of the board of trustees it appears probable that the mental condition of any inmate of said institution has so improved that her release will be beneficial to such inmate and not incompatible with the welfare of society the said board may recommend the discharge of such inmate to the court committing her to said institution which recommendation shall be accompanied by a record of the case of such inmate setting forth the date of her commitment the time of her detention the history of her case in the institution and the opinion of the superintendent and medical staff as to her present mental condition whereupon the said court may in its discretion after hearing all persons desirous of being heard in the premises issue an order under the seal of the court upon the said board to discharge the said inmate from the said institution" is hereby amended to read as follows

Section 10 The said board of trustees shall receive and care for as inmates of said village such idiotic and feeble-minded women as may be committed thereto by any of the courts of quarter sessions of the counties of the Commonwealth as hereinafter provided and all such idiotic feeble-minded women may be transferred by the directors of any of the poor districts of any county of the Commonwealth as will be suitable inmates of the village It shall be lawful for the husband parent guardian or other person standing in loco parentis to such feeble-minded person her next of kin the county commissioners or the overseers of the poor or the managers or trustees of any institution having such person in charge or the district attorney of the county in which such person shall reside to apply by petition to the court of quarter sessions of the county in which said idiotic or feeble-minded person shall be resident setting forth in said petition the age and residence of such person and the address of the petitioner praying for the commitment of such persons to the State Village for Feeble-Minded Women which said petition shall be accompanied by a certificate made under oath after a personal examination of such feeble-minded person by a reputable physician with an experience of at least five years in the actual practice of his profession setting forth that such person is an idiot or feeble-minded and a proper subject for commitment to said village Thereupon the said court or a judge thereof shall appoint a day for the hearing of the said petition and shall cause notice thereof to be given to all parties in interest and if at the said hearing it shall be made to appear that said person is of feeble mind and a proper subject for commitment to said village and that the best interests of said person or the welfare of society require such commitment the court shall make an order committing such feeble-minded person to the said State Village for Feeble-Minded Women and direct her removal thereto by a proper officer or person at the cost of the said county

At the said hearing the said court or judge shall inquire as to the estate of such feeble-minded person and if the same be sufficient for the purpose shall make an order directing the payment therefrom of the cost of maintaining such person in said village—otherwise that such payment be made by the husband or parent of such feeble-minded person if it appear that the circumstances of said husband or parent are such as to make such an order proper and advisable and any such order shall be enforceable in the same manner in which orders in desertion cases are now enforceable by law Where the estate of such feeble-minded idiotic or epileptic person is insufficient and the circumstances of her husband or her parents are not such as to warrant an order for maintenance on either of them the said feeble-minded person shall be maintained and cared for in the said institution at the cost of the Commonwealth

The costs of such hearing shall be paid by the county and the court may in its discretion allow a fee of five dollars ($5.00) to the physician making the examination and a fee of ten dollars ($10.00) to the attorney presenting the petition and appearing at the hearing which fee shall be paid by the county

The said board of trustees shall also receive all such feeble-minded women as may be transferred to such institution from any other State institution by the Committee on Lunacy of the Board of Public Charities and the said Committee on Lunacy shall have authority to transfer any inmate of said institution to any other proper State institution

When in the opinion of the Board of trustees it appears probable that the mental condition of any inmate of said institution has so improved that her release will be beneficial to such inmate and not incompatible with the welfare of society the said board may recommend the discharge of such inmate to the court committing her to said institution which recommendation shall be accompanied by a record of the case of such inmate setting forth the date of her commitment the time of her detention the history of her case in the institution and the opinion of the superintendent and medical staff as to her present mental condition whereupon the said court may in its discretion after hearing all persons desirous of being heard in the premises issue an order under the seal of the court upon the said Board to discharge the said inmate from the said institution

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Jenkins,	Phipps,	Stewart,
Buckman,	Jones,	Salus,	Tompkins,
Burke,	Leiby,	Sassaman,	Warner,
Catlin,	Martin,	Schantz,	Wasbers,
Craig,	McConnell,	Semmens,	Weaver,
Daix,	McKee,	Snyder,	Whitten,
DeWitt,	McNichol,	Sones,	Beidleman,
Endsley,	Miller,	Sproul,	Pres. pro tem.
Graff, W. P.,	Nason,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 985 (House Bill No. 1146), entitled

An Act authorizing William R. Shellenberger and Emma L. Shellenberger, his wife, of the Township of Athens, Bradford County, Pennsylvania, to bring suit against the Commonwealth.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Hindman,	Miller,	Sproul,
Buckman,	Jenkins,	Nason,	Stewart,
Burke,	Jones,	Patton,	Tompkins,
Catlin,	Leiby,	Phipps,	Warner,
Craig,	Lynch,	Sassaman,	Wasbers,
Daix,	Martin,	Schantz,	Weaver,
DeWitt,	McConnell,	Semmens,	Whitten,
Endsley,	McKee,	Snyder,	Beidleman,
Graff, W. P.,	McNichol,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 986 (House Bill No. 1151), entitled

An Act authorizing Frederick E. Windsor, of the Borough of Warren, County of Warren, to sue the Commonwealth.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Hindman,	Miller,	Sproul,
Buckman,	Jenkins,	Nason,	Stewart,
Burke,	Jones,	Patton,	Tompkins,
Catlin,	Leiby,	Phipps,	Warner,
Craig,	Lynch,	Sassaman,	Wasbers,
Daix,	Martin,	Schantz,	Weaver,
DeWitt,	McConnell,	Semmens,	Whitten,
Endsley,	McKee,	Snyder,	Beidleman,
Graff, W. P.,	McNichol,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 987 (House Bill No. 1170), entitled

An Act authorizing R. B. Taylor, of Bellefonte, Centre County, to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Hindman,	Miller,	Sproul,
Buckman,	Jenkins,	Nason,	Stewart,
Burke,	Jones,	Patton,	Tompkins,
Catlin,	Leiby,	Phipps,	Warner,
Craig,	Lynch,	Sassaman,	Wasbers,
Daix,	Martin,	Schantz,	Weaver,
DeWitt,	McConnell,	Semmens,	Whitten,
Endsley,	McKee,	Snyder,	Beidleman,
Graff, W. P.,	McNichol,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1004, entitled

An Act to amend sections one hundred six and one hundred seven of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	Jenkins,	Nason,	Sones,
Buckman,	Jones,	Patton,	Sproul,
Burke,	Leiby,	Phipps,	Tompkins,
Catlin,	Martin,	Salus,	Warner,
Craig,	McConnell,	Sassaman,	Wasbers,
DeWitt,	McKee,	Schantz,	Weaver,
Endsley,	McNichol,	Semmens,	Whitten,
Graff, W. P.,	Miller,	Snyder,	Beidleman, Pres. pro tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1006, as follows:

An Act authorizing registers of wills to deputize the register of wills of another county to take the affidavit of witnesses to wills for the proof of such wills.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the register of wills of any county may deputize and commissionate the register of wills of any other county to receive and take the affidavit of any witness to a will necessary for the proving of such will A copy of such commission shall be kept on record in the office of the register of wills where the will is offered for proof

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Leiby,	Phipps,	Stewart,
Buckman,	Lynch,	Salus,	Tompkins,
Catlin,	Martin,	Sassaman,	Warner,
Craig,	McConnell,	Schantz,	Wasbers,
DeWitt,	McKee,	Semmens,	Weaver,
Endsley,	McNichol,	Snyder,	Whitten,
Graff, W. P.,	Miller,	Sones,	Beidleman,
Jenkins,	Nason,	Sproul,	Pres. pro tem.
Jones,	Patton,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1012 House Bill No. 1344), entitled

An Act regulating the conduct and prescribing the duties of drivers or operators of automobiles, motor cycles or other vehicles on public highways who shall injure any person or persons while so driving on said highways and providing penalties for violations of this act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,	Jenkins,	Patton,	Stewart,
Buckman,	Jones,	Phipps,	Tompkins,
Burke,	Leiby,	Salus,	Warner,
Catlin,	Martin,	Sassaman,	Wasbers,
Craig,	McConnell,	Schantz,	Weaver,
DeWitt,	McKee,	Semmens,	Whitten,
Endsley,	McNichol,	Snyder,	Beidleman,
Graff, W. P.,	Miller,	Sones,	Pres. pro tem.
Homsher,	Nason,	Sproul,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1019, as follows:

An Act to amend an act, entitled "A Supplement to an act, entitled 'An Act relating to roads, highways and bridges,' approved the thirteenth day of June, Anno Domini eighteen hundred and thirty-six," approved the fifth day of May, one thousand nine hundred eleven, so as to provide for the construction, change or alteration of parts of public roads in counties boroughs or townships without the formality of a view where the costs and expenses to such county, borough or township including damages shall not exceed three hundred dollars.

Section 1 Be it enacted by the Senate and the House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the fifth day of May one thousand nine hundred eleven (Pamphlet Laws one hundred and twenty-three) entitled "A Supplement to an act entitled 'An Act relating to roads highways and bridges' approved the thirteenth day of June Anno Domini eighteen hundred and thirty-six" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the proper authorities of any county or borough or the supervisors or commissioners or other legally constituted road authorities of any township or townships deem it advisable to construct change or alter any part of any public road under their supervision within this Commonwealth and can agree with the property owners affected by such change as to damages they the said county or borough authorities or township supervisors or commissioners or other legally constituted road authorities are hereby authorized upon payment of damages agreed upon to change or alter such part of such public road as contemplated in such agreement without the formality of a view as heretofore provided by law Provided That this authority shall not extend to any change or alteration of any part of any public road in this Commonwealth the costs and expenses of which including damages shall not exceed three hundred dollars And provided further That a petition setting forth the facts accompanied by a map or draft of such proposed change shall be presented to the court of quarter sessions for approval before such actual change is made whereupon the new location thus approved by the court shall be taken and deemed to be the public road to all intents and purposes and the old location shall be taken and deemed to vacated" is hereby amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the proper authorities of any county or borough or the supervisors or commissioners or other legally constituted road authorities of any township or townships deem it advisable to construct change or alter any part of any public road under their supervision within this Commonwealth and can agree with the property owners affected by such change as to damages they the said county or borough authorities or township supervisors or commissioners or other legally constituted road authorities are hereby authorized upon payment of damages agreed upon to change or alter such part of such public road as contemplated in such agreement without the formality of a view as heretofore provided by law Provided That this authority shall not extend to any change or alteration of any part of any public road in this Commonwealth the costs and expenses of which to such county borough or township including damages shall exceed three hundred dollars And provided further That a petition setting forth the facts accompanied by a map or draft of such proposed change shall be presented to the court of quarter sessions for approval before such actual change is made whereupon the new location thus approved by the court shall be taken and deemed to be the public road to all intents and purposes and the old location shall be taken and deemed to be vacated

And said bill having been read at length the third time, and agreed to,

And the amendment made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Homsher,	Nason,	Sproul,
Buckman,	Jenkins,	Patton,	Stewart,
Burke,	Jones,	Phipps,	Tompkins,
Catlin,	Leiby,	Salus,	Warner,
Craig,	Martin,	Sassaman,	Wasbers,
Daix,	McConnell,	Schantz,	Weaver,
DeWitt,	McKee,	Semmens,	Whitten,
Graff, W. P.,	McNichol,	Snyder,	Beidleman,
Hindman,	Miller,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1022, as follows:

An Act to authorize and require the improvement of streets roads and highways in all cities of the Commonwealth where owners of land abutting thereon desire to improve and build upon said land.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an owner or owners owning at least fifty per centum of the land abutting upon any legally opened street road or highway upon the confirmed plan in any city and lying and being between two other streets roads or highways upon the said confirmed plan may give notice to the mayor of said city on or before the first day of September in any year of his or their intention to improve said land by the erection of dwellings or other buildings thereon and file with the said mayor a bond with good and sufficient sureties in form to be approved by the city solicitor of said city conditioned to improve said ground with dwelling or other buildings as set forth in said notice within one year from the completion of said street improvements otherwise to pay into the treasury of the said city the cost of all street improvements in said block not collected by the said city from the abutting property owners within one year after the completion of the same

Section 2 Upon payment into the city treasury of the cost of all uncollected street improvements as provided for in section one the city shall assign the liens for said uncollected street improvements to and to mark to the use of the owner or owners or their sureties paying the said money into the city treasury

Section 3 It shall be the duty of the mayor and councils of the said city and they are hereby directed upon receipt of said notice by the mayor as aforesaid on or before the first day of January next succeeding to pass all necessary legislation and make the necessary appropriations for improving said street within the block as aforesaid including all grading filling sewers water pipe sidewalk and cartway paving and curbing together with the cost of connecting the sewer and water pipe with other city sewers or water mains provided said sewers or water mains are within fifteen hundred (1,500) feet from either terminus of the block to be improved

Section 4 It shall be the duty of the proper department of said city within three months from the first day of January next succeeding the receipt of said notice by the mayor to advertise for bids for improving said street road or highway as aforesaid and within nine months from the said first day of January to complete the improvement of said street including all grading filling sewers water pipe sidewalk and cartway paving and curbing

Section 5 The property owner or owners giving said notice and filing said bond may immediately upon giving said notice and filing said bond commence the erection of said dwellings or other buildings and upon failure of said city to pass necessary legislation and make the necessary appropriations for said grading filling sewers water pipe sidewalk and cartway paving and curbing and other necessary street improvements or to complete the same within the time set forth in this act the said property owner or owners shall have a right of action in assumpsit against said city for all loss or damage direct or consequential sustained by him or them by reason of the failure of said city to pass the necessary legislation or make the necessary appropriations for said street improvements or to complete the same within the time above set forth

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Baldwin,	Jones,	Salus,	Tompkins,
Buckman,	Leiby,	Sassaman,	Vare,
Burke,	Martin,	Schantz,	Washers,
Catlin,	McConnell,	Semmens,	Weaver,
Endsley,	McNichol,	Snyder,	Whitten,
Graff, W. P.,	Miller,	Sproul,	Beidleman,
Hindman,	Patton,	Stewart,	Pres. pro tem.
Jenkins,	Phipps,		

NAYS—2.

Craig,	Nason,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1023, entitled

An Act providing for the payment of damages for necessary adjustments to property affected by change of grade where property was improved on the natural surface of the ground without conforming to the established grade regulation where said regulation had been established for more than three years.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Baldwin,	Graff, W. P.,	McKee,	Semmens,
Buckman,	Jenkins,	McNichol,	Snyder,
Burke,	Jones,	Miller,	Tompkins,
Catlin,	Leiby,	Patton,	Vare,
Daix,	Lynch,	Phipps,	Weaver,
DeWitt,	Martin,	Salus,	Beidleman,
Endsley,	McConnell.	Schantz.	Pres. pro tem.

NAYS—7.

Hindman,	Sassaman,	Sproul,	Whitten,
Nason,	Sones,	Stewart,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1037, entitled

An Act making an appropriation to Carroll R. Williams, J. H. Shoemaker and A. Morton Cooper, of Philadelphia, for services as attorneys for the Dairy and Food Commissioner.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Hindman,	Miller,	Sproul,
Buckman,	Jenkins,	Nason,	Stewart,
Burke,	Jones,	Patton,	Tompkins,
Catlin,	Leiby,	Phipps,	Warner,
Craig,	Lynch,	Sassaman,	Washers,
Daix,	Martin,	Schantz,	Weaver,
DeWitt,	McConnell,	Semmens,	Whitten,
Endsley,	McKee,	Snyder,	Beidleman,
Graff, W. P.,	McNichol,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. BURKE. Mr. President, I ask that Senate Bill No. 1048 (House Bill No. 706), on third reading, entitled

An Act to repeal a portion of the twenty-fourth clause of section one of the act of May thirty-first, one thousand eight hundred forty-four (Pamphlet Laws five hundred eighty-five) entitled "An Act to provide for the ordinary expenses of government repair of the canals and railroads of the State and other claims upon the Commonwealth."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McKEE. Mr. President, I ask that Senate Bill No. 1053 (House Bill No. 1154), on third reading, entitled

An Act authorizing the judges of the separate orphans' court in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants to fix and determine the salaries of assistant clerks in said court.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1055 (House Bill No. 1494), entitled

An Act to amend section thirty of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and re-

lieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpike or toll roads forming all or part of any State Highway and procedure therein; providing for work or improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in improvement of township or county roads; defining highways and State-aid highways; providing method of application for state aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the Act; and providing for the repeal of certain acts relating to highway department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,	Homsher,	Nason,	Stewart,
Buckman,	Jenkins,	Patton,	Tompkins,
Burke,	Jones,	Phipps,	Vare,
Catlin,	Leiby,	Salus,	Warner,
Craig,	Lynch,	Sassaman,	Wasbers,
Daix,	Martin,	Schantz,	Weaver,
DeWitt,	McConnell,	Semmens,	Whitten,
Endsley,	McKee,	Snyder,	Beidleman,
Graff, W. P.,	McNichol,	Sones,	Pres. pro tem.
Hindman,	Miller,	Sproul,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1058, entitled

An Act amending section three of an act entitled "A Supplement to an act entitled 'An Act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection and disbursement of taxes and water rents or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for,'" approved May twelfth, one thousand nine hundred and eleven, as amended by the amendment of June fifteenth, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-six).

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Leiby,	Phipps,	Stewart,
Buckman,	Lynch,	Salus,	Tompkins,
Catlin,	Martin,	Sassaman,	Vare,
Daix,	McConnell,	Schantz,	Warner,
DeWitt,	McKee,	Semmens,	Weaver,
Endsley,	McNichol,	Snyder,	Whitten,
Hindman,	Miller,	Sones,	Beidleman,
Jenkins,	Nason,	Sproul,	Pres. pro tem.
Jones,	Patton,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1059, entitled

An Act empowering cities of the second class under certain conditions to lease streets or highways along navigable streams or streets or highways created by act of Assembly to private persons for a limited time and to receive a rental therefor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Jenkins,	Patton,	Stewart,
Buckman,	Jones,	Phipps,	Tompkins,
Burke,	Leiby,	Salus,	Vare,
Catlin,	Lynch,	Sassaman,	Warner,
Craig,	Martin,	Schantz,	Wasbers,
Daix,	McConnell,	Semmens,	Weaver,
DeWitt,	McKee,	Snyder,	Whitten,
Endsley,	McNichol,	Sones,	Beidleman,
Graff, W. P.,	Miller,	Sproul,	Pres. pro tem.
Hindman,	Nason,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. LEIBY. Mr. President, inasmuch as this bill is not on our files, I ask that Senate Bill No. 1070, on third reading, entitled

An Act establishing nine County Industrial Farms Work Houses and Reformatories dividing the State into districts for such purpose authorizing the purchase of sites and the erection and equipment of buildings and works for such institutions providing for their government and control and for the commitment admission employment and discharge of inmates providing for an apartment for inebriates and the admission and commitment of inmates thereto imposing the cost of the institutions and the maintenance of certain inmates on the counties and conferring certain powers and duties on certain county officers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1080, entitled

An Act declaring ministers of religion and clergymen who hold themselves in readiness to answer the call of any transportation company in case of accident or sickness employes of such company and providing that special reduced or lower rates may be granted by transportation companies to such ministers and clergymen.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,	Jones,	Phipps,	Tompkins,
Catlin,	Leiby,	Salus,	Vare,
Craig,	Lynch,	Sassaman,	Warner,
Daix,	McConnell,	Schantz,	Wasbers,
DeWitt,	McKee,	Semmens,	Weaver,
Endsley,	McNichol,	Snyder,	Whitten,
Graff, W. P.,	Miller,	Sones,	Beidleman,
Hindman,	Nason,	Sproul,	Pres. pro tem.
Jenkins,	Patton,	Stewart,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1099, entitled

An Act to amend section two hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the appointment of school directors by the court for independent school districts at the time of the establishment of the same, and providing for the election of school directors thereafter.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Baldwin,	Jones,	Phipps,	Vare,
Buckman,	Martin,	Sassaman,	Warner,
Burke,	McConnell,	Schantz,	Wasbers,
Catlin,	McKee,	Snyder,	Weaver,
Daix,	McNichol,	Sones,	Whitten,
DeWitt,	Miller,	Sproul,	Beidleman,
Hindman,	Nason,	Stewart,	Pres. pro tem.
Jenkins,	Patton,	Tompkins,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. BURKE. Mr. President, I ask that Senate Bill No. 1102, on third reading, entitled

An Act further amending an act approved the seventh day of June one thousand nine hundred and one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules, regulatings and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as amended, which act was extended to cities of the third class by an act approved the fourteenth day of May one thousand nine hundred and nine entitled "An Act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cesspools and providing penalties and forfeitures for violation thereof"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1105, entitled

An act to repeal an act entitled "An act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes" approved the twenty-first day of May one thousand nine hundred and thirteen

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,	Jenkins,	Patton,	Stewart,
Buckman,	Jones,	Phipps,	Tompkins,
Burke,	Leiby,	Salus,	Vare,
Catlin,	Lynch,	Sassaman,	Warner,
Craig,	Martin,	Schantz,	Wasbers,
Daix,	McConnell,	Semmens,	Weaver,
DeWitt,	McKee,	Snyder,	Whitten,
Endsley,	McNichol,	Sones,	Beidleman,
Graff, W. P.,	Miller,	Sproul,	Pres. pro tem.
Hindman,	Nason,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Mr. McNICHOL. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate Bill No. 1102, on third reading, entitled

An Act further amending an act approved the seventh day of June, one thousand nine hundred and one, entitled "An Act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cess pools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof," as amended, which act was extended to cities of the third class by an act approved the fourteenth day of May, one thousand nine hundred and nine, entitled "An Act amending sections one, two, eight, twenty-one, twenty-five, twenty-nine, thirty-five, thirty-six, sixty, sixty-one, sixty-two, sixty-six, seventy and seventy-one of an act, entitled "An Act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage, and cesspools, in cities of the second class, and imposing fines, penalties, and forfeitures for violation thereof," approved the seventh day of June, Anno Domini one thousand nine hundred and one; extending the provisions of said act to cities of the third class, having a system of water-supply and sewerage, of this Commonwealth; and providing further rules, regulations and requirements for the construction or reconstruction of plumbing, house drainage, and cesspools; and providing penalties and forfeitures for violation thereof.

Mr. BURKE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1102, as follows:

An Act further amending an act approved thes seventh day of June one thousand nine hundred and one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as amended which act was extended to cities of the third class by an act approved the fourteenth day of May one thousand nine hundred and nine entitled "An Act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rues regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof' approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water-supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction and reconstruction of plumbing house drainage and cesspools and providing penalties and forfeitures for violation thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the seventh day of June one thousand nine hundred and one (Pamphlet Laws four hundred ninety-three) entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" which as amended by an act approved the twelfth day of June one thousand nine hundred thirteen (Pamphlet Laws four hundred seventy-six) entitled "An Act further amending section two of an act approved the seventh day of June one thousand nine hundred and one entitled 'An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof' as heretofore amended and authorizing and requiring second and third class cities to provide for the appointment and payment of plumbing inspectors" reads as follows

"Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

The mayor of said cities is hereby authorized and required to appoint a competent person as plumbing inspector whose duty it shall be to supervise superintend and inspect all plumbing and house drainage in conformity with the provisions of this act And the several cities are hereby authorized and required to make proper provision for the payment of the salary of the said plumbing inspector as provided by law

Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or vent pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate of registry to the board or bureau of health Every person firm or corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate of license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between the first and thirty-first days of December of each and every years surrender the said certificate or license to the department or board or bureau of health and re-register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make an application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journeymen plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city of this Commonwealth to engage in or work at the business of plumbing or drainage work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued until he they or it shall have first registered his or its name or their names and addresses as hereinbefore provided" is hereby amended to read as follows

Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing to the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle him or them to engage in or work at the business of plumbing or house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman therefor shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination in the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

The mayor of said cities is hereby authorized and required to appoint a competent person as plumbing inspector whose duty it shall be to supervise superintend and inspect all plumbing and house drainage in conformity with the provisions of this act And the several cities are hereby authorized and required to make proper provision for the payment of the salary of the said plumbing inspector as provided by law

Every registered master plumber shall have a bona fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or names of the person firm or corporation is letters not less than three inches high

No person other than a registered plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than a registered master plumber,—or person in his or their employ or under his or their supervision—be allowed to alter or make any connection with any drain soil waste or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall surrender his their or its certificate of registry to the board or bureau of health

Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officers' names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing and house drainage for the ensuing year shall between the first and thirty-first days of December of each and every year surrender the said certificate of license for the current year to the department or board or bureau of health and re-register his their or its name or names and business or home address upon such form or forms as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be neecssary for re-registration unless the licensed master or journeyman plumber shall have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journeymen plumbers for re-registra-

tion which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificates issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate have failed to make application for re-registration at the granted by and first second or third class city of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On the completion of such contract or contracts the registration of such persons firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and addresses as hereinbefore provided

The license or certificate now or hereafter granted under the provisions of this act may be revoked or temporarily suspended by the director of the department of public safety or the presiding offices of the department or board or bureau of health when any person or persons shall be found guilty of violating any of the provisions of this act or rules

Section 2 That section three of said act of June seventh nineteen hundred and one which reads as follows

"Section 3 From and after the passage of this act the construction of plumbing house drainage and cesspools shall be conducted only under and in accordance with the following rules regulations and requirements namely" is hereby amended to read as follows

Section 3 From and after the passage of this act the construction of plumbing house drainage and cesspools shall be conducted only under and in accordance with the following rules regulations and requirements namely

Except where the replacing of fixtures is required or alterations are to be made which cannot be practically constructed in accordance with the provisions of this act a special permit may be issued by the chief plumbing inspector for such work if in his judgment the conditions require and all reconstruction of old and condemned plumbing shall be done in accordance with the provisions of this act

Section 3 That section six of said act of June seventh nineteen hundred and one which reads as follows

Duties of Owners and Plumbers in Constructing Drains et cetera

"Section 6 It shall be the duty of every person constructing or owning any drain soil-pipe passage or connection between a sewer and any ground building erection or place of business and in like manner the duty of the owners of all grounds buildings erections and of all parties interested therein or thereat to cause and require that such drain soil-pipe passage or connection shall be adequate for its purpose and shall at all times allow to pass freely all materials that enters or should enter the same and no change of drainage sewerage or the sewer connection of any house shall be permitted unless notice thereof shall have been given the board or bureau of health and assent thereto obtained in writing" is hereby amended to read as follows

Duty of Owners and Plumbers in Constructing Drains et cetera

Section 6 It shall be the duty of every person installing plumbing fixtures or constructing or owning any drain soil-pipe passage or connection between a sewer and any ground building erection or place of business and in like manner the duty of the owners of all grounds buildings erections and all parties interested therein or thereat to cause and require that such fixtures drain soil-pipe passage or connections shall be adequate for its purpose and shall at all times allow to pass freely all material that enters or should enter the same and no change of drainage sewerage or the sewer connection of any house shall be permitted unless notice thereof shall have been given the board or bureau of health and assent thereto obtained in writing

Section 4 That section eight of said act of June seven nineteen hundred and one which as amended by an act approved May fourteenth nineteen hundred and nine (Pamphlet Laws eight hundred forty) entitled "An Act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof' approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to cities of the third class having a system of water-supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cesspools and providing penalties and forfeitures for violation thereof" reads as follows

Material of House Drains

"Section 8 The main drainage system of every house or building shall be separately and independently connected with the street sewer where such sewer exists except where two houses are built together on a lot with a frontage of thirty feet or less when one connection with main sewer will be allowed but there shall be a separate house drain for each house connected by a 'Y' connection in the front of such houses at the property line with main house sewer or where one building exists or is erected in the rear of another on an interior lot of single ownership and no private sewer is available or can be made for the rear building through an adjoining alley courtyard or driveway the house drain from the front building may be extended to the rear building and the whole will be considered as one house drain Where it is neecssary to construct a private sewer to connect with sewer on adjacent street such plans may be used as may be approved by the department or board or bureau of health but in no case shall joint drains be laid in cellars parallel with the street or alley

House drains or soil-pipes laid beneath floor must be extra heavy cast-iron pipe (as per table in section sixteen) with leaded and caulked joints and carried five feet outside cellar wall All drains or soil-pipes connected with main drain where it is above the cellar floor shall be of extra heavy cast-iron pipe with leaded and caulked joints or of heavy wrought-iron pipe with screw joints properly secured and carried five feet outside cellar wall and all arrangements of soil or waste pipes shall be as direct as possible Wrought-iron pipes shall be galvanized Changes of direction on pipes shall be made with "Y" branches both above and below the ground and where such pipes pass through a new foundation-wall a relieving arch shall be built over it with two-inch space on either side of main pipe

The size of the main house drain shall be determined by the total area of the buildings and paved surfaces to be drained according to the following table if iron pipe is used If the pipe is terra cotta the diameter shall be one size larger for the same amount of area drainage

Diameter	Fall ¼ Inch per Foot	Fall ½ Inch per Foot
4 ins.,	1,800 sq. ft. drainage area,	2,500 sq. ft. drainage area
5 ins.,	3,000 sq. ft. drainage area,	4,500 sq. ft. drainage area
6 ins.,	5,000 sq. ft. drainage area,	7,500 sq. ft. drainage area
8 ins.,	9,100 sq. ft. drainage area,	13,600 sq. ft. drainage area
10 ins.,	14,000 sq. ft. drainage area,	20,000 sq. ft. drainage area

The main house drains may be decreased in diameter beyond a rain-water conductor or surface inlet by permission of the department or board or bureau of health when the plans show that conditions are such as to warrant such decrease but in no case shall the main house drain be less than four (4) inches in diameter" is hereby amended to read as follows

Material of House Drains

Section 8 The main drainage system of every house or building shall be separately and independently connected with the street sewer where such sewer exists except where two houses are built together in a lot with a frontage of thirty feet or less when one connection with main sewer will be allowed but there shall be a separate house drain for each house connected by a "Y" connection in the front of such houses at the property line with main house sewer or where one building exists or is erected in the rear of another on an interior lot of single ownership and no private sewer is available or can be made for the rear building through an adjoining alley courtyard or driveway the house drain from the front building may be extended to the rear building and the whole will be considered as one house drain or where a private automobile garage exists or is erected in the rear of a dwelling and there are no living quarters in the garage the sewer from garage may be connected to the house sewer with extra heavy cast-iron pipe carried to garage and the whole will be considered as one house drain

Where it is necessary to construct a private sewer to connect with sewer on adjacent street such plans may be used as may be approved by the department or board or bureau of health but in no case shall joint drains be laid in cellars parallel with the street or alley

House drains or soil-pipes laid beneath floor must be extra heavy cast-iron pipe (as per table in section sixteen) with locked and caulked joints and carried five feet outside of all exterior walls All drains or soil-pipes connected with main drain where it is above the cellar floor shall be of extra heavy cast-iron pipe with locked and caulked joints or of heavy galvanized wrought-iron pipe with screw joints properly secured and carried five feet outside exterior walls and all arrangements of soil or waste-pipes shall be as direct as possible All wrought-iron pipes shall be galvanized Changes of direction on pipes shall be made with "Y" branches and cleanout plugs installed at all abrupt turns Where sewer and waste-pipes are under floor cleanout plugs must be brought on a forty-five degree angle and flush with floor level and where such pipes pass through a new foundation-wall a relieving arch shall be built over it with two-inch space on either side of main pipe

The size of the main house drain shall be determined by the total area of the buildings and paved surfaces to be drained according to the following table if iron pipe is used If the pipe is terra cotta the diameter shall be one size larger for the same amount of area drainage

Diameter	Fall ¼ Inch per Foot	Fall ½ Inch per Foot
4 ins.,	1,800 sq. ft. drainage area,	2,500 sq. ft. drainage area
5 ins.,	3,000 sq. ft. drainage area,	4,500 sq. ft. drainage area
6 ins.,	5,000 sq. ft. drainage area,	7,500 sq. ft. drainage area
8 ins.,	9,100 sq. ft. drainage area,	13,600 sq. ft. drainage area
10 ins.,	14,000 sq. ft. drainage area,	20,000 sq. ft. drainage area

The main house drains may be decreased in diameter beyond a rain water conductor or surface inlet by permission of the department or board or bureau of health when the plans show that conditions are such as to warrant such decrease but in no case shall the main house trap or house drain when installed be less than four (4) inches in diameter

Gasoline and Oil Separators

The sewers of all factories refiners cleaning establishments garages or other buildings that use or store gasoline or volatile oils shall be equipped with approved gasoline and oil separating catch basins These catch basins or traps shall be arranged according to the latest approved methods and include all traps baffel plates and vents necessary to prevent the gasoline and oil from entering the main sewers The health department is hereby vested with the power to order and insist upon the installation of a device that will prevent gasoline from entering the main sewers and they shall notify and compel the owners or occupants of any building or buildings who allow or permit gasoline or oil entering the sewers to equip all buildings with such devices as they deem necessary to protect the main sewers

Chemical Laboratories

Chemical laboratories factories, newspaper offices lithograph offices or any building in which large quantities of acids are used shall make separate arrangements with the plumbing inspector regarding the waste-pipe and vents from such sinks and plumbing fixtures

Section 5 That section nine of said act of June seventh nineteen hundred and one which reads as follows

Location of Main Trap

Section 9 "The house drain must be provided with a horizontal trap placed immediately inside the cellar wall The trap must be provided with a hand-hole for convenience in cleaning the cover of which must be properly fitted and made gas and air-tight with heavy brass screw-cap ferrule caulked in This class of traps shall be subject to the approval of the board or bureau of health" be and the same is hereby amended to read as follows

Location of Main Trap

Section 9 The house trap should if possible be placed immediately inside the cellar wall The trap must be provided with a hand-pole for convenience in cleaning the cover of which must be properly fitted and made gas and air-tight with heavy brass screw-cap ferrule caulked in The installation of this trap shall be subject to the approval of the board or bureau of health

Section 6 That section twelve of said act of June seventh nineteen hundred and one which reads as follows

Location of House Sewer

"Section 12 "When main sewer is not located on street house sewers must be constructed on outside of buildings and branch into each house separately and in no case will the sewer from one house to another be permitted to run through cellars" be and the same is hereby amended to read as follows

Location of House Sewer

Section 12 When main sewer is not located on street house sewers must be constructed on outside of buildings and lot line and branch into each house separately and in no case will the sewer from one house to another be permitted to run through cellars

Section 7 That section fourteen of said act of June seventh nineteen hundred and one which reads as follows

Material of Sewers between Buildings

"Section 14 Where a sewer is laid between buildings in a passageway alley or courtyard at a less distance than five feet from the buildings it must be constructed of extra heavy cast-iron pipe for a distance corresponding to the length of the foundation of said building" be and the same is hereby amended to read as follows

Material of Sewers Between Buildings

Section 14 Where a sewer is laid between buildings in a passageway alley or courtyard at a less distance than five feet from the buildings and adjoining property line it must be constructed of extra heavy cast-iron pipe for a distance corresponding to the length of the foundations of said buildings or adjoining property line

Section 8 That section twenty of said act of June seventh nineteen hundred and one which reads as follows

Leader Pipes

"Section 20 All buildings shall be kept provided with proper metallic leaders for conducting water from the roofs in such manner as shall protect the walls and foundations of said building from injury In no case shall the water from said leaders be allowed to flow upon the sidewalk but the same shall be conducted by a pipe or pipes to the sewer If there be no sewer in the street upon which such buildings front then the water from said leaders shall be conducted by proper pipe or pipes below the surface of the sidewalk to the street gutter" be and the same is hereby amended to read as follows

Leader Pipes

Section 20 All buildings shall be kept provided with proper metallic leaders for conducting water from the roofs in such manner as shall protect the walls and foundations of said building or buildings from injury In no case shall the water from said leaders be allowed to flow upon the sidewalk but the same shall be conducted by a pipe or pipes to the storm sewer accessible either from the front or rear of the buildings If there be no storm sewer in the street upon which the building fronts or no such storm sewer otherwise accessible then the water from said leaders shall be conducted by proper pipe or pipes below the surface of the sidewalk to the street gutter In no event shall the waters from said leaders be allowed to flow into sanitary sewers and in case where storm sewers shall now or hereafter be constructed or provided either in font of the buildings or otherwise accessible the owners shall upon twenty days' notice in writing from the Department of Health so to do disconnect such leaders from the sanitary sewers and connect them with the storm sewers

The sanitary sewer as referred to in this act shall mean the public sewer which is now or may hereafter be laid to carry domestic or house sewage only

The storm sewer as referred to in this act shall mean the public sewer which is laid for the sole purpose of providing drainage for storm and surface water and excludes all sewage containing putrefying matter

Section 9 That section twenty-one of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Material for Inside and Outside Leaders

"Section 21 Inside leaders must be constructed of cast-iron wrought iron or steel with roof connections made gas and water-tight by means of heavy copper-drawn tubing slipped into the pipe The tubing must extend at least seven (7) inches into iron leader pipes Outside leaders may be sheet metal but they must connect with house drain by means of a cast-iron pipe extending vertically five (5) feet above grade level where the building is located along public driveways or sidewalks Where the building is located off building line and not liable to be damaged the connection shall be made with iron pipe extending at least one foot above grade level" be and the same is hereby further amended to read as follows

Material for Inside and Outside Leaders

Section 21 Inside leaders must be constructed of cast-iron galvanized wrought-iron or steel with approved roof connections made gas and water-tight Outside leaders may be sheet metal but they must connect with house drain by means of cast-iron pipe extending vertically five (5) feet above grade level where the building is located along public driveways or sidewaks Where the building is located off building line and not liable to be damaged the connection shall be made with iron-pipe extending at least one foot above grade level

Section 10 That section twenty-two of said act of June seventh nineteen hundred and one which reads as follows

Trapping of Leaders

"Section 22 All leaders must be trapped with cast-iron running traps so placed as to prevent freezing" be and the same is hereby amended to read as follows

Trapping of Leaders

Section 22 All leaders must be trapped with cast-iron traps so placed as to prevent freezing One or more leaders may be connected by one trap where leader traps are placed inside of buildings they must be provided with cleanout plugs caulked in as provided for in section forty-one.

Section 11 That section twenty-five of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Diameter of Soil-Pipes

Section 25 The smallest diameter of any soil-pipe permitted to be used shall be four-inch The size of soil pipes must be not less than those set forth in the following tables

Maximum Number of Fixtures connected to

Size of Pipe	Soil and Waste Combined		Soil-Pipe Alone	
	Branch	Main	Branch	Main
4 in.,	48 fixtures	96 fixtures	8 water-closets	16 water-closets
5 in.,	96 fixtures	192 fixtures	16 water-closets	32 water-closets
6 in.,	268 fixtures	336 fixtures	34 water-closets	68 water-closets

If the building is six (6) and less than twelve stories in height the diameter shall be not less than five (5) inches if more than twelve (12) stories it shall be six (6) inches in diameter A building six or more stories in height with fixtures located below the sixth floor soil-pipe four (4) inches in diameter will be allowed to extend through the roof provided the number of fixtures does not exceed the number given in the table

All soil-pipes must extend at least two feet above the highest window and must not be reduced in size Traps will not be permitted on main vertical soil or waste lines Each house must have a separate line of soil and vent-pipes No soil or waste line shall be constructed on the outside of a building

Fixtures with
One and one-quarter inch traps count as one fixture
One and one-half inch traps count as one fixture
Two inch traps count as two fixtures
Two and one-half inch traps count as three fixtures
Three inch traps (water-closets) count as four fixtures
Four inch traps count as five fixtures" be and the same is hereby further amended to read as follows

Diameter of Soil-Pipes

Section 25 The smallest diameter of any soil-pipe permitted to be used shall be three-inch The size of soil-pipes must not be less than those set forth in the following tables

Maximum Number of Fixtures Connected to—

Size of Pipe	Soil and Waste Combined		Soil-Pipe Alone	
	Branch	Main	Branch	Main
3 in.,	6 fixtures	10 fixtures	1 water-closet	1 water-closet
4 in.,	48 fixtures	96 fixtures	8 water-closets	16 water-closets
5 in.,	96 fixtures	192 fixtures	16 water-closets	32 water-closets
6 in.,	268 fixtures	336 fixtures	34 water-closets	68 water-closets

If the building is six (6) and less than twelve (12) stories in height the diameter shall be not less than five (5) inches if more than twelve (12) stories it shall be six (6) inches in diameter A building six or more stories in height with fixtures located below the sixth floor soil-pipe four (4) inches in diameter will be allowed to extend through the roof provided the number of fixtures does not exceed the number given in the table

All soil-pipes must extend at least two feet above the roof and must not be reduced in size Traps will not be permitted on main vertical soil or waste lines Each house must have a separate line of soil and vent-pipes No soil or waste line shall be constructed on the outside of a building

Fixtures with
One and one-quarter inch traps count as one fixture
One and one-half inch traps count as one fixture
Two-inch traps count as two fixtures
Two and one-half inch traps count as three fixtures
Three inch traps (water-closets) count as four fixtures
Four-inch traps count as five fixtures

Section 12 That section twenty-six of said act of June seventh nineteen hundred and one which reads as follows

Changes in Direction

"Section 26 All sewer soil and waste pipes must be as direct as possible Changes in direction must be made with 'Y' or half 'Y' branches or one-eight bends Offsets in soil or waste pipes will not be permitted when they can be avoided nor in any case unless suitable provision is made to prevent accumulation of rust or other obstruction Offsets shall be made with forty-five degree bends or similar fittings The use of T 'Y's' (Sanitary T's) will be permitted on upright lines only" be and the same is hereby amended to read as follows

Change in Direction

Section 26 All sewer soil or waste pipes must be as direct as possible Changes in direction must be made with "Y" or half "Y" branches or one-eight bends Offsets in soil or waste pipes will not be permitted when they can be avoided nor in any case unless suitable provision is made to prevent accumulation of rust or other obstruction Offsets shall be made with forty-five degree bends or similar fittings The use of T "Y's" (Sanitary "T's") will be permitted on upright lines only The use of saddles or the tapping of soil waste or vent pipes is prohibited unless their use is proven to be absolutely necessary.

Section 13 That section twenty-seven of said act of June seventh nineteen hundred and one which reads as follows

Joints for Soil and Waste Pipes

"Section 27 Joints in cast-iron pipes and soil and waste-pipes must be so filled with oakum and lead and hand-caulked as to make them gas-tight Connections of lead and cast-iron pipes must be made with brass sleeve or ferrule of the same size as the lead pipe inserted in the hub of the iron pipe and caulked with lead The lead pipe must be attached to the ferrule by wiped joint Joints between lead and wrought iron pipes must be made with brass nipple of same size as lead pipe The lead pipe must be attached to the nipple by wiped joint All connections of lead waste pipe must be made by means of wiped joints" be and the same is hereby amended to read as follows,

Joints and Connections

Section 27 All joints and connections prescribed under this title shall be made gas and water tight Joints in galvanized iron mild steel or brass pipe shall be standard screw joints and all burs or cuttings shall be removed

Connections between the sewer side of all plumbing fixtures traps and the drainage system shall be made by means of plumbers' wiped joint caulked joint or screw threaded joint or ground metal to metal joints and such joints shall be of as permanent a nature as any portion of the drainage system No putty cement slip joints or composition joints shall be permitted on the sewer side of any trap All joints shall be made up with an approved sealing material Connections between wrought iron mild steel or brass to cast iron shall be either a caulked joint or screwed joint

All unions used on the sewer side of traps shall be ground faced and shall not be concealed or enclosed No slip joint connection will be allowed on the sewer side of the trap

Lead pipe joints in lead pipe or between lead pipes and pipes of brass or copper shall have an exposed surface of the solder to each side of the joint of at least three-quarters (¾) of an inch Joints between lead and iron pipes shall be made by extra heavy cast or drawn screw nipple with either a caulked joint or a soldered nipple with a threaded joint or approved concaved brass bushings

Where cup or similar ferrules are used they shall extend not less than one-quarter (¼) inch above the hub

Where different sizes of pipe or pipes and fittings are to be connected proper size increasers or reducers pitched to an angle of forty-five degrees between the two sizes shall be used

Connections or joints on all sewer soil waste vent and conductor pipes in any and all buildings shall be locked together with material that has a strength equalling the strength of the material used in the wall of the pipe The joints or connections shall be locked together by members which engage oblique surfaces between the hub and pipe all such locking members being independent of the material with which the joints are sealed Joints shall show no signs of failure and shall not develop leaks under a stress that will rupture the wall of the pipe or fittings The sealing and packing material used in making connections or joints on all drainage soil waste vent and conductor pipes shall be composed of material that will not deteriorate and cannot be affected by contact with acids or alkalies The packing and sealing material used in joining the pipes shall be so placed that it cannot work out of the enlarged portion of the connections and all joints shall be so shaped that any end movement of the pipes in the joint would compress the sealing material

Any fitting or connection which has an enlargement chamber or recess with a ledge shoulder or reduction of the pipe area in the direction of the flow on the outlet or drain side of any trap is prohibited

Connections or hangers pipe supports or fixture settings with masonry or stone backing shall be made with expansion bolts without the use of wood plugs

Section 14 That section twenty-eight of said act of June seventh nineteen hundred and one which reads as follows

Traps for Bath-tubs Water-closets et Cetera

"Section 28 Every sink bath-tub basin water-closet slop hopper or fixture having a waste pipe must be furnished with a trap which shall be placed as close as practicable to the fixture that it serves and in no case shall they be more than one foot from said fixture The waste-pipe from the bath-tub or other fixtures must not be connected with a water-closet traps" be and the same is hereby amended to read as follows

Traps for Bath-tubs Water-closets et cetera

"Section 28 Every sink bath-tub basin water-closet slop hopper or fixture having a waste-pipe must be furnished with a trap which shall be placed as close as practicable to the fixture that it serves and in no case shall they be more than one foot from said fixture and the horizontal waste from P-trap must not be longer than eighteen inches from vertical vent pipe unless P-trap is crown vented The waste-pipe from the bath-tub or other fixtures must not be connected with a water-closet trap"

Section 15 That section twenty-nine of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Size of Horizontal and Vertical Wast-pipe Traps and Branches

Horizontal and Vertical	Number of Small Fixtures
1¼ inches	1
1½ inches	2
2 inches	3 to 8
2½ inches	9 to 20
3 inches	21 to 44

If building is ten (10) or more stories in height the vertical waste-pipe shall not be less than three (3) inches in diameter The use of wrought iron pipe for waste-pipe two inches or less in diameter is prohibited

The size of traps and waste branches for a given fixture shall be as follows

Kind of Fixtures	Size in Inches Trap	Branch
Water closet	3	4
Slop sink with trap combined	3	3
Slop sink ordinary	2	2
Pedestal urinal	3	3
Floor drain or wash	4	4
Yard drain or catch basin	4	4
Urinal trough	2	2
Laundry trays (2 or 5)	2	2
Combination sink and tray (for each fixture)	1½	2

Kitchen sinks (small) for dwellings ..	1½	1½
Kitchen sinks (large) hotels resturants grease trap	...	2
Pantry sinks	1½	1½
Wash basin one only	1¼	1¼
Bath-tubs 4 x 10 inches drum trap	...	1½
Shower baths	1½	1½
Shower baths (floor)	2	2
Sitz baths	1½	1½
Drinking fountains	1¼	1¼

Be and the same is hereby further amended to read as follows

Size of Horizontal and Vertical Waste-pipe Traps and Branches

Horizontal and Vertical	Number of Small Fixtures
1¼ inches	1
1½ inches	2
2 inches	3 to 8
2½ inches	9 to 20
3 inches	21 to 44

If building is ten (10) or more stories in height the vertical waste pipe shall not be less than three (3) inches in diameter

The size of traps and waste branches for a given fixture shall be as follows

Kind of Fixtures	Size in Inches Trap	Branch
Water closet	3	3
Slop sink with trap combined	3	3
Slop sink ordinary	2	2
Pedestal urinal	3	3
Floor drain or wash	4	4
Yard drain or catch basin	4	4
Urinal trough	2	2
Laundry trays (one set)	2	2
Combination sink and tray (for each fixture)	1½	2
Kitchen sinks (small) for dwellings	1½	1½
Kitchen sinks (large) hotels resturants grease trap	...	2
Pantry sinks	1½	1½
Wash basin one only	1¼	1¼
Bath-tubs 4 x 10 inches drum trap	1	1½
Shower baths	1½	1½
Shower baths (floor)	2	2
Sitz baths	1½	1½
Drinking fountains	1¼	1¼

Section 16 That section thirty-three of said act of June seventh nineteen hundred and one which reads as follows

Safe and Refrigerator Waste-Pipes

"Section 33 Safe waste-pipes must not connect directly with any part of the plumbing system Safe waste-pipes must discharge over an open water supplied publicly placed ordinarily used sink placed not more than three and one-half feet above the cellar floor The safe waste from a refrigerator must be trapped at the bottom of the line only and must not discharge upon the ground floor but over an ordinary portable pan or some properly trapped water supplied sink as above In no case shall the refrigerator waste-pipe discharge over a sink located in a room used for living purposes

The branches on vertical lines must be made by "Y" fittings and be carried to the safe with as much pitch as possible Where there is an offset on a refrigerator waste-pipe in cellar there must be cleanouts to control the horizontal part of the pipe

In tenement and lodging houses the refrigerator waste-pipes must extend above the roof and not be larger than one and one-half inches nor the branches less than one and one-quarter inches Refrigerator waste-pipes except in tenement houses and all safe waste-pipes must have brass flap-valves at their lower ends Lead safes must be graded and neatly turned over beveled strips at their edges" be and the same is hereby amended to read as follows

Safe and Refrigerator Waste-Pipes

Section 33 A waste-pipe from refrigerators ice-boxes drinking fountains soda water fountains or bar wastes shall not be connected directly with any soil rain waste-pipe or drain sewer or discharge on the open ground They shall discharge into a movable pan or any open sink water supplied or over a floor drain in basement and shall be as short as possible and disconnected from the refrigerator or ice box by at least four (4) inches and where drinking fountains refrigerators or ice boxes are placed in buildings on two (2) or more floors the waste and vent pipes thereof shall be continuous and shall run through the roof and in no case shall it be within six (6) feet of an open soil or waste pipe The size of waste-pipes for refrigerators or drinking fountains for two floors or less shall be at least one and one-half inches and two inches for three floors and over Each refrigerator drinking fountain or ice box shall be provided with a separate trap traps for refrigerators or ice boxes shall be known as a drum trap with an accessible trap screw or cleanout Such traps shall be placed in the one and one-fourth (1) inch waste-pipe branch and shall be as near as possible to the refrigerator or ice box Such traps need not be separately vented Galvanized wrought iron screw pipe may be used for such waste pipes

Section 17 That section thirty-four of said act of June seventh nineteen hundred and one which reads as follows

Material for Vent-Pipes

"Section 34 All vent-pipes must either be of lead brass loricated porcelain enameled iron or galvanized iron pipe" be and the same is hereby amended to read as follows

Material for Vent-Pipes

Section 34 All vent pipes must either be of lead brass extra heavy cast iron or galvanized iron pipe

The eighteenth section of the bill was read as follows:

Section 18 That section thirty-five of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Ventilation of Traps and Soil Lines

"Section 35 Traps shall be protected from siphonage or air pressure by special vent-pipes of a size not less than the following tables

Size of Pipe	Maximum Developed Length in Feet Mains	Number of Traps Vented Branch	Main	Verical
1¼ inch vent	20	1		
1½ inch vent	40	2 or less..		
2 inch vent	65	10 or less..		20 or less
2½ inch vent	100	20 or less..		40 or less
3 inch vent	10 or more stories	60 or less..		100 or less

The branch vent-pipes shall be not less than the following sizes

One and one-fourth inches in diameter for one and one-fourth inch traps

One and one-half inches in diameter for one and one-half inch to two and one-half inch traps

Two inches in diameter for three inch to four inch traps

One-half their diameter for traps five inches and over

Where two (2) or more waster-closets are placed side by side on a horizontal branch the branch line shall have a relief extended as a loop vent A pipe two (2) inches in diameter will be sufficient as a loop vent for two (2) closets A pipe three (3) inches in diameter shall be used as a relief for three (3) or four (4) closets and where more than four (4) closets are located on the same branch the relief shall not be less than four (4) inches in diameter All house drains and soil lines on which water-closet is located must have a four-inch main vent line Where an additional closet is located in the cellar or basement and within ten feet of main soil or vent line no relief vent will be required for said closet but where it is more than ten feet a two-inch vent line will be required Relief vent pipes for water-closets must not be less than two inches in diameter for a length of forty feet and not less than three inches in diameter for more than forty feet

No revent from traps under bell-traps will be required

Any building having a sewer connection with a public or private sewer used for bell-trap connection or floor drainage only a two-inch relief line must be extended to the roof of building from rear end of main drain House drains constructed for roof drainage only will not require a relief vent

A floor-trap for a shower shall be vented unless located in cellar or ground floor the paving of which renders the trap inaccessible If the number of these fixtures on a branch is two (2) or more the waste line shall be extended as a loop vent instead of back venting the separate traps and when located in basement floor they shall be provided with a removable strainer or cleanout

Back vent pipes from traps above the floor must either be connected with crown of trap with ground-in brass coupling or if connected solidly to trap must have a ground-in brass coupling at wall" be and the same is hereby further amended to read as follows

Ventilation of Traps and Soil Lines

Section 35 Traps shall be protected from siphonage or air pressure by special vent-pipes of a size not less than the following tables and where it is a greater distance than that given in the table it shall be one size larger its entire length

Size of Pipe	Maximum Developed Length in Feet Mains	Number of Traps Vented Branch	Main	Verical
1¼ inch vent	20	1		
1½ inch vent	40	2 or less..		
2 inch vent	65	10 or less..		20 or less
2½ inch vent	100	20 or less..		40 or less
3 inch vent	10 or more stories	60 or less..		100 or less

The branch vent-pipes shall not be less than the following sizes

One and one-fourth inches in diameter for one and one-fourth inch traps

One and one-half inches in diameter for one or two one and one-half traps or one two (2) inch trap

Two inches in diameter for three inch to four inch traps

One-half their diameter for traps five inches and over

Where two (2) or more water-closets are placed side by side on a horizontal branch the branch line shall have a relief as a loop vent A pipe two (2) inches in diameter will be sufficient as a loop vent for two (2) closets A pipe three inches in diameter shall be used as a relief for three (3) or four (4) closets and where more than four (4) closets are located on the same branch the relief shall, not be less than four (4) inches in diameter All house drains and soil lines on which a water-closet is located must have a main vent line not less than three (3) inches in diameter Where an additional closet is located in the cellar or basement and within ten feet of main soil or vent line no relief vent will be required for said closet but where it is more than ten feet a two-inch vent line will be required Relief vent pipes for water-closets must not be less than two inches in diameter for a length of sixty-five feet and not less than three inches in diameter for more than sixty-five feet In any house that has a three-inch vent through the roof a closet set on the first floor may be vented with a two-inch pipe

No revent from traps under bell-trap will be required

Any building having a sewer connection with a public or private sewer used for bell-trap connections or floor drainage only a two-inch relief line must be extended to the roof of building from rear end of main drain House drains constructed for roof drainage only will not require a relief vent All bell-traps floor drains or yard cesspools shall be connected to the sewer by means of a joint or connection that is as secure as the joints on the main drainage system Slip joints putty joints or open joints will not be permitted on any part of the drainage system

In the event that a building if higher than an adjoining one the owner of the higher building shall not locate windows within twelve (12) feet of any existing vent stack on the lower building unless the owner of such building shall defray the expense of or shall himself make such alteration necessary to extend the vent pipe above all windows on the higher building

It shall be the duty of the owner of the lower or existing building to make such alteration therein upon the receipt in advance of money or security therefor sufficient for the purpose from the owner of the higher building or he shall permit at the election of the owner of the higher building the right to make such alteration by the owner of said higher building

If the number of those fixtures on a branch is two (2) or more the waste line shall be extended as a loop vent instead of back venting the separate traps and when located in basement floor they shall be provided with a removable strainer or cleanout

Back vent pipes from traps above the floor must either be connected with crown of trap with ground-in brass coupling or if connected solidly to trap must have a ground-in brass coupling at wall

Section 19 That section thirty-eight of said act of June seventh nineteen hundred and one which reads as follows

Connection for Closet Vents

"Section 38 Rubber connections for back vents will not be permitted without double coupling and thimble inside" be and the same is hereby amended to read as follows

Connection for Closet Vents

Section 38 All wrought iron or mild steel pipe used for soil waste or vent pipes shall be galvanized and not lighter than the commercial grade known as "Full weight" The fittings for wrought iron or mild steel waste soil and refrigerator waste shall be cast or malleable iron or brass recessed drainage fittings with smooth interior waterway and threads tapped out of solid metal so as to give a uniform grade to branches of not less than one-fourth of an inch per foot Threaded fittings for soil waste and vent pipes shall be brass galivanized malleable iron or cast iron All lead pipe used for branch soil waste vent or flush pipes shall be of best quality of drawn pipe of not less weight per lineal foot than shown in the following table

Internal Diameter	Weight per Ft.
1 inch	1 lb. 8 oz.
1¼ inch	2 lb. 8 oz.
1½ inch	3 lb. 8 oz.
2 inch	4 lb. 0 oz.
3 inch	6 lb. 0 oz.
4 inch	8 lb. 0 oz.

Brass pipe for soil waste and vent pipe shall be thoroughly annealed seamless drawn tubing having weight and outside diameter of not less than the following table and shall be of a heft known as iron pipe size pipe

Size	Approximate weight foot brass	Per outside diameter inches	Inside diameter inches
⅛	.25	.405	.281
¼	.43	.540	.375
⅜	.62	.675	.494
½	.90	.840	.625
¾	1.25	1.050	.822
1	1.70	1.315	1.062
1¼	2.50	1.660	1.368
1½	3.00	1.900	1.600
2	4.00	2.375	2.062
2½	5.83	2.875	2.500
3	8.32	3.500	3.062
3½	10.85	4.000	3.500
4	12.30	4.500	4.000
4½	13.74	5.000	4.500
5	15.40	5.563	5.062
6	18.44	6.625	6.125

Brass fittings shall be good quality cast brass having a thickness in their walls not less than the tubular thickness given above for the corresponding brass pipe The thickness of the tapped ends to be one and one-half (1½) times the thickness of the corresponding pipe

Kind of Traps Every trap shall be self-cleaning No form which depends upon the action of movable parts for its seal shall be used No trap which depends upon concealed interior partitions for its seal or which has an interior partition that in case of defect would allow the passage of sewer air shall be used

Traps for bath tubs basins sinks or other similar fixtures shall be made of lead brass galvanized iron or of iron porcelain enameled inside Galvanized or porcelain enameled iron traps shall be extra heavy full bore and have a smooth interior waterway and threads tapped out of solid metal

Iron drum traps shall be made of extra heavy cast or malleable iron galivanized or porcelain enameled on the inside and the drum shall not exceed four (4) inches in diameter

Drum traps shall have a water seal of not more than seven (7) inches nor less than two and one-half (2½) inches

Weter seal Each trap placed on any portion of the drainage system shall have a water seal of not less than two and one-half (2½) inches

Each trap except those in combination with fixtures where the trap seal is plainly visible and accessible shall be provided with a brass trap screw Traps placed between the floor shall have a brass trap screw for cleaning in plain view or flush with the floor or readily accessible from or under the floor

Trap levels and protection All traps shall be rigidly supported and set true with respect to their water level and shall be so located as to protect their seals

Traps prohibited on drains There shall be no trap at the foot of soil or waste pipe stacks

Section 20 That section forty-five of said act of June seventh nineteen hundred and one which reads as follows

Water-Closet Connections with Soil-Pipe

"Section 45 All earthenware traps must have heavy brass floor plates soldered to the lead bends and bolted to the trap flange and the joint made permanently secure and gas-tight" be and the same is hereby amended to read as follows

Water-Closet Connection with Soil-Pipe

Section 45 Water-closets slop sinks clinic slop sinks pedestal urinals and all fixtures having integral traps shall be attached to the drainage system by means of a screw joint fitting or metal to metal joint or by means of a metal to metal or water sealed joint that is attached to the bowl trap in a permanent manner and so designed that any leakage between the bowl and the fixture will register upon the floor over which the bowl is placed this floor or wall connection shall be water sealed in such a manner that the seal will be replenished at each operation of the fixture

Section 21 That section forty-six of said act of June seventh nineteen hundred and one which reads as follows

Water-Closets where Located

"Section 46 Water-closets must not be located in sleeping apartments nor in any room or compartment which has not direct communication with external air either by window or airshaft of at least four square feet" be and the same is hereby amended to read as follows

Water-Closets where Located

Section 46 Water-closet apartments must not have direct communication with any dining room or kitchen nor shall any water-closet be placed in any dining room or kitchen Water-closet apartments must not be placed in a dining room kitchen or sleeping apartments nor have direct communication with a public dining room restaurant or kitchen nor be placed in any room or compartment which has not direct communication with external air either by window or air shaft of at least four square feet And when any window ventilating any water-closet compartment or bathroom opens directly into a vent shaft no window of any room other than water-closets bath-room or hall shall open into such vent shaft

Section 22 That section forty-seven of said act of June seventh nineteen hundred and one which reads as follows

Water-closets how Supplied

"Section 47 No water-closets except those placed in yards and flush meters volumeter or similar devices shall be supplied directly from the supply pipes" be and the same is hereby amended to read as follows

Water-closets how Supplied

Section 47 All valves of flushing tanks shall be so fitted and adjusted as to prevent the waste of water

The water from flushing tanks shall be used for no other purposes nor will any stop be permitted in flush pipe

All water flushed plumbing fixtures shall be provided with pipes of ample size to furnish a sufficient quantity of water

to thoroughly cleanse the bowl at each operation When filing plans the plumber shall furnish the plumbing inspector with a sketch or plan showing the size of the water pipe from the main to each water flushed plumbing fixture He shall furnish the plumbing inspector with all information regarding the size of the water main pressure in the water main or other source of supply The manner of tapping the water main and conducting the water into the building the height of the building the distance the fixtures are located above the water main the distance of the building from the source of supply together with any other information necessary to determine the size of pipe necessary to properly flush each fixture

He shall also furnish the plumbing inspector with a description of each and every fixture together with the information regarding the quantity of water necessary for each operation of such fixture and a description of a device by which the fixtures are being flushed From this information the chief plumbing inspector shall advise the size pipe to be used for supplying water to all fixtures in the building

It shall be the duty of the plumbing inspector to be positive that all plumbing fixtures are supplied with a sufficient quantity and volume of water to thoroughly cleanse the system and each fixture seperately and if for any reason the plumber does not follow the advise of the plumbing inspector in regard to the size of the water pipe the plumber shall before a final certificate is issued change or alter the water piping system in such a manner that all fixtures can be effectually and satisfactorily flushed

Any and all water flushed plumbing fixtures that receive putrescible waste matter shall be so constructed and assembled that it will be impossible for any portion of the contents of the bowl to syphon or flow into the water supply pipes The plumbing inspector shall demand a sample of all water flushed fixtures installed under his jurisdiction including the bowl and flushing device and he shall make a vacuum test on the water supply of the assembled fixtures and be positive the contents of the bowl cannot syphon and be drawn into the water supply pipes

Section 23 That section forty-eight of said act of June seventh nineteen hundred and one which reads as follows

Water-closets

"Section 48 All water-closets must have flushing rim-bowls" be and the same is hereby amended to read as follows

Water-closets

Section 48 A Materials All receptacles used for water-closets urinals or otherwise for the disposal of human excreta shall be either vitrified earthenware hard natural stone or cast iron white porcelain enameled or painted on the outside with at least three (3) coats of non-absorbent and non-corrosive paint

B Bowls The bowls and traps for all fixtures supplied with flushing rims shall be made in one piece and of such shape and form as to hold a sufficient quantity of water when filled up to the trap overflow so as to completely submerge any matter deposited in them and properly flush and scour the soil pipe when the contents of the bowl are discharged except that nothing in this section shall apply to latrine closets

C Open Plumbing All plumbing fixtures shall be installed or set free and open from all enclosing work and where possible all waste and discharge pipes from fixtures shall be run to the wall and the fixture supported independently from the floor

D Low Down Closets Water closets with low down tanks shall be of syphon pattern

E All water flushed fixtures of the flushing rim type must be provided with integral traps and be flushed by some method that will afford a sufficient quantity of water to thoroughly cleanse the bowl at each operation Such flushing device to be arranged in a manner that will provide a sufficient after-fill to completely seal the trap to the overflow line

F Visible Trap Seal All water-closets pedestal urinals hospital clinic slop sinks and flushing rim slop sinks shall be made in one piece with trap and bowl combined and arranged in such a manner that the water in the trap will be visible from the top of the fixture

G Flushing Rims All water-closets pedestal urinals flat back urinals clinic slop sinks and flushing slop sinks shall have flushing rims provided at the extereme top of the bowl The flushing rim shall be made without perceptible interior overhang The flushing outlets through which water is supplied for cleansing the interior of the bowl shall be the only openings above the water seal of the trap and these holes shall be so arranged that the entire inner surface of the bowl to its extreme top can be effectively scoured at each operation of the flushing device

H Concealed or Exposed Openings No concealed or exposed vent opening will be permitted on the house side of the water seal of any trap No opening shall be placed on the house side of any fixture having an integral flushing rim other than the openings necessary to flush and cleanse the bowl

Closets Prohibited No range closet-either wet or dry nor any evaporating system of closets shall be constructed or allowed inside of any building

Section 24 That section fifty-three of said act of June seventh nineteen hundred and one which reads as follows

Construction of Urinals

"Section 53 All urinals must be constructed of materials impervious to moisture and that will not corrode under the action of urine The floor and walls or urinal apartments must be lined with similar non-absorbent and non-corrosive material" be and the same is hereby amended to read as follows

Construction of Urinals

Section 53 All urinals must be constructed of materials impervious to moisture and that will not corrode under the action of urine and must be flushing rim or perforated pipe so as to cleanse all interior parts all urinals must be supplied by automatic tanks or flush valves The floor and walls of urinal apartments must be lined with similar non-absorbent and non-corrosive material

Section 25 That section fifty-four of said act of June seventh nineteen hundred and one which reads as follows

Urinal Platforms

"Section 54 The platforms or treads of urinal stalls must not be connected independently to the plumbing system nor can they be connected to any safe waste pipe" be and the same is hereby amended to read as follows

Urinal Platforms

Section 54 The platforms or treads of urinal stalls must not be connected to the plumbing or drainage system nor can they be connected to any safe-waste-pipe

Section 26 That section fifty-seven of said act of June seventh nineteen hundred and one which reads as follows

Flush Pipes

"Section 57 Water-closet flush pipes must not be less than one and one-quarter inches and urinal flush pipes one-half inch in diameter" be and the same is hereby amended to read as follows

Flush Pipes

Section 57 All flushing rim water supplied fixtures such as water-closets clinic slop sinks pedestal and flat back urinals and slop sinks shall be provided with a trap that has a two and one-half depth of water seal The depth of this seal shall be determined by sealing the waste outlet and attaching a guage provided with a "U" shapes glass tube and a registering device

Each and every bowl of this nature installed in any building shall show a depth of water seal equalling a column of two and one-half (2½) inches of water displaced on one side of the "U" shaped tube above the normal level of the water it shall be the duty of the department of health to supply such testing apparatus and any person wishing to install a fixture of this kind shall when requested furnish a sample bowl or bowls for inspection and approval by the plumbing inspector and no such bowl shall be installed which does not show a two and one-half inch water seal The seal of all traps other than those combined with the fixture may be measured with an ordinary rule but if for any reason the plumbing inspector doubts the depth of seal in any trap he can demand the same to be tested in the same manner as provided for closets

Section 27 That section fifty-eight of said act of June seventh nineteen hundred and one which reads as follows

Lining for Closet and Urinal Cisterns

"Section 58 The copper lining of water-closet and urinal cisterns must not be lighter than twelve-ounce copper and must be stamped on lining with maker's name Where lead is used for lining it must not weigh less than four pounds to the square foot All other materials are prohibited" be and the same is hereby amended to read as follows

Lining for Closet and Urinal Closets

Section 58 The wainscoting of all toilet rooms shall be set directly against the building partitions and in no case shall a utility corridor or pipe space having an opening at the top communicate with any other room The partitions of all utility corridors or pipe spaces which occur back of any water closets or urinals shall extend from the floor to the ceiling and have separate door opening from the corridor or toilet room into the utility chamber

All such pipe spaces shall be at least thirty (30) inches wide throughout their length and shall be provided with a window twenty-four by sixty (24 x 60) inches said window to connect with the open air and so placed that it will admit daylight into the utility corridor

To avoid maintaining a nuisance the owner of any building containing a utility corridor or pipe space shall have same thoroughly washed and cleaned at least once every ten (10) days and failure to comply with this section shall be considered a misdemeanor

Provision shall be made to avoid damage to drainage system caused by expansion or contraction of the pipes in buildings of extreme height Such devices or methods shall be subject to the approval of the health department

Section 28 That section sixty of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Yard Water-Closets

"Section 60 Water-closets when located in yard must be so arranged as to be conveniently and adequately flushed and the water-supply pipes and traps protected from freezing by being placed in a hopper-pit at least four feet below the surface of the ground the walls of which pit shall

be constructed of hard burned brick or stone laid in cement mortar or of concrete The walls for pit where one (1) closet is installed may be four (4) inches in thickness or salt-glazed sewer-pipe thirty-six (36) inches in diameter may be used

Where pit is for more than one (1) closet the walls shall be nine (9) inches in thickness The soil-pipes and traps used inside pit must be extra heavy cast-iron and the trap to have hand-hole for cleanout purposes with cleanout caulked in If the closet is located in the rear of a soil or vent-pipe the drain on which it is located shall be vented with a four-inch pipe carried above roof of closet away from any opening or window All outside closets shall be of the tank pattern The water to be supplied to tank through an automatic seat-action valve The waste from valve may be permitted to discharge on cement floor of pit which shall be provided with four-inch trap and strainer The enclosure of yard water-closets shall be ventilated by slatted openings and there shall be a trap door of sufficient size to permit of convenient access to the hopper-pit" be and the same is hereby further amended to read as follows

Yard Water-Closets

Section 60 Water-closets when located in yard must be so arranged as to be conveniently and adequately flushed and the water-supply pipes and traps protected from freezing by being placed in a hopper-pit at least four feet below the surface of the ground the walls of which pit shall be constructed of hard burned brick or stone laid in cement mortar or of concrete The walls for pit where one (1) closet is installed may be four (4) inches in thickness or salt-glazed sewer-pipe thirty-six (36) inches in diameter may be used

Where pit is for more than one (1) closet the walls shall be nine (9) inches in thickness The soil-pipes and traps used inside pit must be extra heavy cast-iron and the trap to have hand-hole for cleanout purposes with cleanout caulked in If the closet is located in the rear of a soil or vent-pipe the drain on which it is located shall be vented with a four-inch pipe carried above roof of closet away from any opening or window All outside closets shall be of the tank pattern The water to be supplied to tank through an automatic seat-action valve The waste from valve may be permitted to discharge on cement floor of pit which shall be provided with four-inch trap and strainer The enclosure of yard water-closets shall be ventilated by slatted openings and there shall be a trap door of sufficient size to permit of convenient access to the hopper-pit

In case where pits are not used the traps and supply pipes for water-closets must be protected from freezing by clean earth filled around them and accessible cleanout plugs from traps must be brought to surface of closet floor closet floors must be cemented and graded to door The floors must be at least (5) inches above grade of yard or yards

Section 29 That section sixty-five of said act of June seventh nineteen hundred and one which reads as follows

Terms Used

"Section 65 The term 'private sewer' is applied to main sewers that are not constructed by and under the supervision of the Department of Public Works

The term 'house-sewer' is applied to that part of the main drain or sewer extending from a point five feet outside of the outer wall of a building vault or area to its connection with public sewer private sewer or cesspool

The term 'house drain' is applied to that part of the main horizontal drain and its branches inside the walls of the building vault or area and extending to and connecting with the house sewer

The term 'soil-pipe' is applied to any vertical line of pipe extending through the roof receiving the discharge of one or more water-closets with or without other fixtures

The term 'waste-pipe' is applied to any pipe extending through roof receiving the discharge from any fixture except water-closets

The term 'vent-pipe' is applied to any special pipe provided to ventilate the system of piping and to prevent trap siphonage and back pressure" be and the same is hereby amended to read as follows

Terms Used

Section 65 A vent-pipe is any pipe provided to ventilate a drainage and plumbing system of piping and to prevent siphonage and back pressure

A back vent-pipe is that part of a vent pipe line which connects directly with an individual trap underneath or back of the fixture and extends either to the branch main soil or waste vent

Soil or waste-vent is that part of the main soil or waste-pipe above the highest installed branch or fixture connection extending through the roof

Subsoil-drain is that part of a drainage system which conveys the subsoil or ground or seep water from the foot of wall or below the cellar bottom under buildings to the house sewer but independent of the house drain

Conductors or roof leaders are conveyors which carry the storm or rain water from the roofs of building to the house or yard drain The term down-spout is usually applied to the vertical portion

Trap is a fitting so constructed as to prevent the passage of air or gas through a pipe without materially affecting the flow of sewerage or waste-water therein

Traps-depth of seal is the height of the water column measured between the points of overflow and the dip or division level separating the inlet and outlet arms of the trap

"Plumber Work" shall include all sanitary or water piping in a building upon which tests are required to a point five (5) feet outside the foundation walls and shall include the house drain soil and waste stacks conductors and roof leaders and water pipes

Section 30 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

BILL POSTPONED.

Mr. McNICHOL. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. BURKE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order.

The Senate proceeded ot the third reading and consideration of Senate Bill No. 1106, entitled

An Act to supplement an act entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefor; the methods for preserving such liens, and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," approved the fourth day of June, one thousand nine hundred and one, providing an additional method for the enforcement and collection of county, poor, school, borough, town or township taxes against seated lands, authorizing the return of taxes on seated lands in counties, poor districts, school districts, boroughs, incorporated towns and townships for county, poor, school, borough, town or township taxes, respectively, and providing for the sale of such lands for such taxes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Jenkins,	Nason,	Sproul,
Buckman,	Jones,	Patton,	Stewart,
Burke,	Leiby,	Phipps,	Vare,
Catlin,	Lynch,	Salus,	Warner,
Craig,	Martin,	Sassaman,	Wasbers,
DeWitt,	McConnell,	Schantz,	Weaver,
Endsley,	McKee,	Semmens,	Whitten,
Graff, W. P.,	McNichol,	Snyder,	Beidleman,
Hindman,	Miller,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1130, entitled:

An Act to further amend section eleven of an act approved the twelfth day of July, one thousand nine hundred and thirteen, entitled "An Act establishing a court for the County of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the County or City of Philadelphia; regulating the procedure therein and appeals therefrom, and providing for the expenses thereof," as amended, by conferring jurisdiction on the municipal court in certain cases of desertion and non-support in cases of children suffering from epilepsy, nervous or mental defects, and in certain cases of fornication and bastardy proceedings; providing for the transfer by the court of quarter sessions to the municipal court of all cases of desertion and non-support, also in certain cases of fornication and

bastardy, and empowering the municipal court to enforce all decrees, orders, judgments and sentences made by the court of quarter sessions.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. PATTON. Mr. President, I ask unanimous consent to amend Section 1, page 6, line 27, by inserting after the word "defects" the words, "as defined by existing laws relating thereto, and which are hereby made applicable to proceedings in the municipal court"; also page 7, line 10, by inserting after the word "sessions" the words, "of court of oyer and terminer."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill, on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1137 House Bill No. 418), entitled

An Act fixing the fees of the recorder of deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,	Jones,	Phipps,	Tompkins,
Buckman,	Leiby,	Salus,	Vare,
Burke,	Lynch,	Sassaman,	Warner,
Catlin,	Martin,	Schantz,	Wasbers,
Craig,	McConnell,	Semmens,	Weaver,
DeWitt,	McKee,	Snyder,	Whitten,
Endsley,	McNichol,	Sones,	Beidleman,
Graff, W. P.,	Miller,	Sproul,	Pres. pro tem.
Hindman,	Nason,	Stewart,	
Jenkins,	Patton,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Mr. JONES. Mr. President, I move that the Senate do now resume the third reading and consideration of Senate Bill No. 617, on third reading postponed for the present, entitled

An Act providing for and regulating the maintenance and government of a county home in each county of the State having a population of less than one million for indigent orphans and for delinquent, incorrigible, indigent, dependent and neglected children under sixteen years of age and providing for their commitment thereto.

Mr. McKEE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 617, entitled:

An Act providing for and regulating the maintenance and government of a county home in each county of the State having a population of less than one million for indigent orphans and for delinquent, incorrigible, indigent dependent and neglected children under sixteen years of age and providing for their commitment thereto.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. JONES. Mr. President, I ask unanimous consent to amend Section 1, page 2, line 5, by inserting after the word "orphans" the words, "dependent upon the public for support and not otherwise provided for;" also section 2, page 2, line 15, by striking out the word "in" and inserting in lieu thereof the word, "before"; also by striking out the word "all"; also section 4, page 3, line 16, by inserting after the word "county" the words, "having due regard to the religious belief of the parents of such inmate as provided in Section 2."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 497, entitled

An Act amending sections four and fifty-one of an act entitled "An Act to create a Bureau of Building Inspection and to regulate the construction, maintenance and inspection of buildings and party walls in cities of the first class approved the fifth day of May, Anno Domini one thousand eight hundred and ninety-nine by enlarging the powers of the building inspectors as to tearing down or rebuilding dangerous buildings, walls, ceilings, floors or other parts of premises providing for notice to the owners thereof and service of such notice and prescribing the practice and procedure with respect to the payment of the costs and charges for tearing down or rebuilding dangerous buildings walls, ceilings, floors or other parts of premises and making the amount thereof a lien on such premises.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" approved the fifth day of May Anno Domini one thousand eight hundred and ninety-nine which reads as follows

"Section 4 The inspectors of buildings shall under the direction of the Chief of the Bureau of Building Inspection examine all buildings in the court of erection as often as practicable and shall make written reports to the said Chief of the Bureau of Building Inspection of all violations of this act together with the street and number where such violations are found the name of the owner agent or contractor and other matters relative thereto The inspectors of buildings shall under the direction of the Chief of the Bureau of Building Inspection examine all buildings damaged by fire or accident a record shall be made of all walls or buildings found unsafe or dangerous with the name of the owner or agent and the street and number where such dangerous walls or buildings exist" be and the same is hereby amended to read as follows

Section 4 The Inspectors of Buildings shall under the direction of the Chief of the Bureau of Buiding Inspection examine all buildings in the course of erection as often as practicable and shall make written reports to the said Chief of the Bureau of Building Inspection of all violations of this act together with the street and number where such violations are found the name of the owner agent or contractor and other matters relative thereto The inspectors of buildings shall under the direction of the Chief of the Bureau of Building Inspection examine all buildings damaged by fire or accident a record shall be made of all walls or buildings found unsafe or dangerous with the name of the owner or agent and the street and number where such dangerous walls or buildings exist

The Inspectors of Buildings shall under the direction of the Chief of the Bureau of Building Inspection condemn all dangerous buildings or structures unsafe walls ceilings floor or other part of premises buildings or structures wherein a dangerous condition has arisen by reason of fire accident neglect abandonment non-use or occupation or any cause whatsoever and shall order the removal of such dangerous buildings or structures or unsafe walls ceilings floors or other parts of such premises buildings or structures or shall order the tearing out and rebuilding and making safe the dangerous walls ceilings floors or other part of such premises buildings or structures That notice of such orders issued by the inspectors of buildings shall be served upon the registered owner of said premises wherever found either by handing same to such owner in persons or leaving same with an adult member of said owners family at said owners place of residence or by sending same by registered mail to said owner that

if notice cannot be given to said owner as herein indicated then same is to be served upon the tenant or occupant of said premises or upon the agent of said owner who collects the rent therefor or who has charge thereof that if there be no tenant or occupant or agent of said premises then by posting said notice upon a conspicuous part of said premises

On the question,
Will the Senate agree to the section?

Mr. JENKINS. Mr. President, I move to amend Section 1, page 2, line 1, by inserting before the words "to create" the words "entitled an act"; also page 3, line 24, by striking out the word "persons" and inserting in lieu thereof the word "person."

Mr. PATTON. Mr. President, I second the motion.

On the question,
Will the Senate agree to the amendment?

Mr. McNICHOL. Mr. President, I would like to have some explanation from the Senator from Philadelphia, Mr. Jenkins, as to the purport of this bill.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Jenkins, permit himself to be interrogated?

Mr. JENKINS. Mr. President, I will.

Mr. McNICHOL. Mr. President, does this bill change any part of the present building laws of the City of Philadelphia?

Mr. JENKINS. Mr. President, it makes no change in the building law of the City of Philadelphia. There is no alteration of substantive law in this act. It merely provides a method of service on distinct parties, increases the powers of the bureau and attempts to locate the owners. It merely changes the method of service.

Mr. McNICHOL. Mr. President, leaves the law as it is now?

Mr. JENKINS. Mr. President, the substantive law is unchanged.

And the question recurring,
Will the Senate agree to the amendment,
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.
The second section of the bill was read as follows:

Section 2 That section fifty-one of the above mentioned act which reads as follows

"Section 51 In the event of failure to obtain a permit or in any case of final decision either of an inspector or of the bureau or of an examining commission such decision or order or certificate that no permit has been issued may be at once if not complied with certified to any court of common pleas which shall upon application of such bill of complaint duly verified by affidavit either of the Director of Public Safety the Chief of the Bureau of Building Inspection or any inspector thereof or of any member of an examining commission issue a mandatory injunction requiring compliance with such order or decision within five days or within a shorter time if the relief sought is the removal of a dangerous wall ceiling or structure and the court sees proper to fix a shorter time that all petitions bills or complaints to compel compliance with the provisions of this act shall be given priority over other business or cases by any court of common pleas to which the final decision of an inspector the Bureau of Building Inspection or of an examining commission appointed by the Director of Public Safety shall be certified If said injunction is not complied with within the time specified by the court or if it cannot for any reason be served the court shall have power to enforce its order by attachments or to issue an order to any sheriff commanding him to remove the wall building or structure condemned by the building inspectors (either as contrary to the provisions of this act or as dangerous) under the supervision of the Bureau of Building Inspection or such inspector as the Chief of the Bureau shall designate The sheriff shall have power to employ such competent builders riggers and workmen as shall be necessary to carry out the order of the court He shall certify to the court when he has performed the work required to be done the cost incurred and such bill being approved by the court and not being paid by the owner of the premises the court shall have power by mandamus execution to compel the city to pay such cost The court shall upon the issuing of such mandamus execution direct that the prothonotary of the court shall enter the amount thereof as a lien against the premises whereon the order was enforced and the costs incurred and the city paying such costs may thereafter proceed in the case wherein the order was made to collect such bill of costs and the proper docketed costs thereon by the same process and proceedings and under the same restrictions as are now provided for or required by law for the collection of claims for the removal of nuisances in said cities and said lien shall not be discharged by any judicial sale until paid and the said city paying such costs may also by action of assumpsit recover the same from the owner or owners of the said premises" be and the same is hereby amended to read as follows

"Section 51 In any case of final decision either of an inspector or of the Bureau or of an Examining Commission such dicision or order or certificate that no permit has been issued may be at once if not complied with certified to any Court of Common Pleas which shall upon application of such bill of complaint duly verified by affidavit either of the Director of Public Safety the Chief of the Bureau of Building Inspection or any Inspector thereof or any member of an examining commission issue a mandatory injunction requiring compliance with such order or decision within five days or within a shorter time if the relief sought is the removal of an entire dangerous building or structure or a dangerous or unsafe wall ceiling floor or other part of premises building or structure or tearing out and rebuilding and making safe a dangerous wall ceiling floor or other part of premises building or structure and the court sees proper to fix a shorter time that all petitions bills of complaints to compel compliance with the provisions of this act shall be served in the same manner as the orders of the inspectors of buildings as set forth in section fourth hereof and shall be given priority over other business or cases by any Court of Common Pleas to which the final decision of an inspector the Bureau of Inspection or of an examining commission appointed by the Director of Public Safety shall be certified If said injunction is not complied with within the time specified by the court or if it cannot for any reason be served the court shall have power to enforce its orders by attachment for contempt or to issue an order to any sheriff in the form of a Writ of Assistance commanding him to remove the entire dangerous building or structure or the dangerous or unsafe wall ceiling floor or other part of premises building or structure or to tear out and rebuild and make safe the dangerous building structure wall ceiling floor or other part of premises building or structure condemned by the building inspectors (either as contrary to the provisions of this act or as dangerous or unsafe) under the supervision of the Bureau of Building Inspection or such inspectors as the Chief of the Bureau of Building Inspection shall designate The Sheriff shall have power to employ such competent builders riggers and workmen as shall be necessary to carry out the order of the court and shall certify to the court when he has performed the work required to be done whom he employed to do the work and cost thereof as shown by the bill or bills of the party or parties employed by him and whether or not said bill or bills have been paid by or collected from the owner or owners of the premises building or structure whereon said work was done The party or parties employed by the sheriff to do the said work if the bill or bills are not paid by or collected from the owner or owners of said premises building or structure as aforesaid shall only be required to take a rule as of course upon the city to show cause why such bill or bills should not be approved and such rule being made absolute and said bill or bills being approved by the court the court shall have power by mandamus execution to compel the city to pay such bill or bills The court shall upon the issuing of such mandamum execution direct that the prothonotary of the court shall enter the amount thereof as a lien against the premises building or structure whereon the order was enforced and the costs and bills incurred and the city paying such costs and bills may thereafter proceed in the case wherein the order was made to collect such bill of costs and the proper docketed costs thereon by the same process and proceedings and under the same restrictions as are now provided for or required by law for the collection of claims for the removal of nuisances in said cities and said lien shall not be discharged by any judicial sale until paid and the said city paying such bill of costs may also by action in assumpsit recover the same from the owner or owners of said premises building or structure

On the question,
Will the Senate agree to the section?

Mr. JENKINS. Mr. President, I move to amend Section 2, page 4, line 19, by striking out "dyas" and inserting in lieu thereof the word "days"; also page 5, line 2, by striking out the word "attachments" and inserting in lieu thereof the word "attachment"; also page 6, line 3, by striking out the quotation marks before "Section."

Mr. PATTON. Mr. President, I second the motion.

On the question,
Will the Senate agree to the amendments?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.
The title of the bill was read as follows:

An Act amending sections four and fifty-one of an act entitled "An Act to create a Bureau of Building Inspection and to regulate the construction, maintenance and inspection of buildings and party walls in cities of the first class approved the fifth day of May, Anno Domini one thousand eight hundred and ninety-one by enlarging the powers of the building inspectors as to tearing down or rebuilding dangerous buildings, walls, ceilings, floors or other parts of premises providing for notice to the owners thereof and

service of such notice and prescribing the practice and procedure with respect to the payment of the costs and charges for tearing down or rebuilding dangerous buildings walls, ceilings, floors or other parts of premises and making the amount thereof a lien on such premises.

On the question,

Will the Senate agree to the title?

Mr. JENKINS. Mr. President, I move to amend the title, page 1, line 2, by inserting before the words "to create" the words "entitled an act"; also line 6, by striking out the words "ninety-one" and inserting in lieu thereof the words "ninety-nine."

Mr. PATTON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. SPROUL. Mr. President, I ask that Senate Bill No. 627, on second reading, entitled

An Act providing for the incorporation and government of cities of the third class.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 633 (House Bill No. 176), on second reading, entitled

An Act to amend section three of an act approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions and of crtain party officers including State committeemen, a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same; authorizing the State committee of a political party to make and to alter, amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided herein and repealing inconsistent legislation."

be recommitted to the Committee on Elections.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 759 (House Bill No. 875), as follows:

An Act to authorize the revising editing and printing of twenty-five thousand copies of Bulletin number two hundred and one entitled "Market Gardening" issued by the Department of Agriculture and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Agriculture is authorized to cause to be edited and revised the Bulletin number two hundred and one heretofore published by the Department of Agriculture entitled "Market Gardening" and to order the printing of twenty-five thousand copies thereof It shall be the duty of the Superintendent of Public Printing and Binding upon requisition of the Secretary of the Agriculture to have the bulletin printed and delivered to the Department of Agriculture The sum of fifty dollars ($50) or so much thereof as may be necessary is hereby specifically appropriated to carry out the purpose of this act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 759 (House Bill No. 875), the bill just read, be recommitted to the Committee on Appropriations.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 760 (House Bill No. 876), as follows:

An Act to authorize the revising editing and printing of fifteen thousand copies of bulletin number one hundred and eighty-six entitled "Swine Husbandry" issued by the Department of Agriculture and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Agriculture is authorized to cause to be edited and revised the bulletin number one hundred and eighty-six heretofore published by the Department of Agriculture entitled "Swine Husbandry" and to order the printing of fifteen thousand copies thereof It shall be the duty of the Superintendent of Public Printing and Binding upon requisition of the Secretary of Agriculture to have the Bulletin printed and delivered to the Department of Agriculture The sum of fifty dollars ($50) or so much thereof as may be necessary is hereby specifically appropriated to carry out the purpose of this act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 760 (House Bill No. 876), the bill just read, be recommitted to the Committee on Appropriations.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 963 (House Bill No. 429), as follows:

An Act making an appropriation to the Labanon Sanatorium of Lebanon Pennsylvania.

Whereas Private Albert Greener Company K Fourth Pennsylvania Volunteer Infantry while on duty at Mount Gretna during the years one thousand nine hundred and thirteen was admitted to the Lebanon Sanatorium of Lebanon Pennsylvania suffering with appendicitis and

Whereas Said Albert Greener received medical services treatment and board for five weeks at said institulon and

Whereas Said Lebanon Sanatorium of Lebanon Pennsylvania does not receive any State aid from the State of Pennsylvania therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and seventy-five ($175) dollars is hereby specifically appropriated to the Lebanon Sanatorum of Lebanon Pennsylvania for the payment of medical services treatment and board for five weeks beginning September sixth one thousand nine hundred and thirteen to Private Albert Greener of Company K Fourth Pennsylvania Volunteer Infantry

Section 2 The amount hereinbefore appropriated shall be paid to the Lebanon Sanatorium on warrant of the Auditor General drawn upon the State Treasurer upon the filing of vouchers duly verified by oath

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 989 (House Bill No. 1261), entitled

An Act to amend section one of an act, entitled "An Act to provide for the removal of judges of the supreme, superior, common pleas, and orphans' courts, permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties, with half pay for their unexpired terms, and the filling of vacancies caused by such removal," approved the eleventh day of May, one thousand nine hundred and one, as amended by an act, entitled "An Act to amend section one of an act, entitled 'An Act to provide for the removal of judges of the supreme, superior, common pleas, and orphans' courts, permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties, with half pay for their unexpired terms, and the filling of vancancies caused by such removal,' approved May eleventh, one thousand nine hundred and one, so as to allow them full pay during the balance of their terms of office, and, under certain conditions, half pay during the remainder of their lives," approved the twenty-third day of June, one thousand nine hundred and eleven, so as to provide that any judge of the supreme or superior court who has served in judicial office for twenty or more years shall be entitled to receive the benefits of said act immediately after his honorable retirement from office by expiration of term, resignation or otherwise, whether said service be continuous or not.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1013 (House Bill No. 882), entitled

An Act providing for a Statistician in the Department of Mines and fixing the salary.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1034, as follows:

An Act relating to the settlement and audit of accounts of officers of poor districts townships and boroughs and reports thereof and appeals therefrom

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the settlement and audit of the accounts of officers of poor districts townships and boroughs by the auditors controller or other board or individual upon whom the duty of such settlement and audit is imposed by law the amount of any balance or shortage or of any expenditure of a kind or made in a manner prohibited or not authorized by statute or which causes a financial loss to such district township or borough shall be surcharged in the report of such settlement and audit against any officer against whom such balance or shortage shall appear or who by vote act or neglect has made approved or permitted such expenditure

Section 2 That in any appeal from such settlement audit or report the burden shall be upon each officer whose accounts are involved in the appeal of establishing by evidence from original sources his right to credits claimed by him but the opposing party in such appeal may offer any facts figures or findings of the report of audit in evidence and in such case the same shall be taken as prima facie correct

Section 3 Testimony and other evidence in any such appeal may be taken and received by the proper court of common pleas or any judge thereof if so directed by such court or judge otherwise by deposition as now provided by law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1067, entitled

An Act concerning life insurance, the persons who may place, sell or solicit life insurance and be compensated or benefited therefor; making it unlawful for attorneys, officers, clerks, servants and employes or persons otherwise hired or engaged to receive compensation for life insurance placed, sold or solicited for the benefit of or on the lives of their clients, partners, employers, master or fellow attorneys, officers, clerks, servants or employes; making it unlawful to pay such compensation; defining the time of such employment; fixing a penalty for violation of this act and making said violation a misdemeanor and repealing existing laws.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person firm corporation insurance agent broker solicitor or representative knowingly to pay or cause to be paid (any commission or compensation whatsoever) to any attorney (partner) clerk servant employee or any other person howsoever hired or employed by or with any insured or any insured or any beneficiary named in any policy of life insurance or to any partner or fellow officer of such insured or beneficiary in any partnership joint-stock company or corporation any commission or compensation whatsoever because or by reason of such ilfe insurance being placed sold or solicited and it shall be unlawful for any attorney (partner) clerk servant employee or any other person howsoever hired or employed by (or with) any insured or any beneficiary named in any policy of life insurance to receive directly or indirectly any commission compensation or other benefit because or by reason of such life insurance being placed sold or solicited on the life or for the benefit of their respective clients employers or masters or any of them and it shall be unlawful for any attorney officer partner clerk servant or employe of any corporation partnership joint-stock company or individual to receive directly or indirectly any commission compensation or benefit because or by reason of any life insurance being placed sold or solicited on the life or for the benefit of any attorney officer partner clerk servant or employe of the same corporation partnership joint-stock company or individual whether or not such person so being paid or receiving any commission compensation or other benefit in any such case as aforesaid (any such attorney partner officer clerk servant or employe or other person hired or employed by or with the insured or any beneficiary named in any policy of life insurance) be duly licensed by the proper authority in this Commonwealth to place sell or solicit life insurance Provided however That nothing in this act shall be construed to forbid any such payment or receipt of commission compensation or other benefit to or by any duly licensed agent who since the date of his then current license has placed and settled for an amount of life insurance on the lives of persons other than those in the classes above specified at least equal to the amount he has placed and settled for on the lives or for the benefit of any and all persons by or with whom he is employed or associated as aforesaid

On the question,

Will the Senate agree to the section?

Mr. SEMMENS. Mr. President, I move to amend section 1, page 2, line 18, by striking out the word "master" and inserting in lieu thereof the word "masters."

Mr. McCONNELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Every person firm or corporation participating in the payment or receipt of any commission compensation or benefit in violation of this act shall be guilty of a misdemeanor and (for) upon a conviction thereof shall be liable to a fine of not (less than fifty dollars nor) more than five hundred dollars payable to the Commonwealth (and) or imprisonment of not (less than thirty days nor) more than six months or both at the discretion of the court

On the question,

Will the Senate agree to the section?

Mr. SEMMENS. Mr. President, I move to amend section 2, page 3, line 19, by striking out the word "(for)"; also line 22, by striking out the word "(and)."

Mr. McCONNELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the sectio nas amended?

It was agreed to.

The third section of the bill was read as follows and agreed to:

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

The title of the bill was read as follows and agreed to:

An Act concerning life insurance, the persons who may place, sell or solicit life insurance and be compensated or benefited therefor; making it unlawful for attorneys, officers, clerks, servants and employes or persons otherwise hired or engaged to receive compensation for life insurance placed, sold or solicited for the benefit of or on the lives of their clients, partners, employers, master or fellow attorneys, officers, clerks, servants or employes; making it unlawful to pay such compensation; defining the time of such employment; fixing a penalty for violation of this act and making said violation a misdemeanor and repealing existing laws.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1077, as follows

An Act to authorize mutual insurance companies so electing to become members of rating bureaus and subject to the provisions of the laws relating thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any mutual insurance company may by filing with the Insurance Commissioner its election in writing to that effect become a member of a rating bureau subject to all the provisions of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and ninety-eight) entitled "An Act to supervise the operations of fire insurance rate-making bureaus and providing for their examination by the Insurance Commissioner prohibiting discrimination in fixing and collecting fire insurance rates requiring companies to maintain and co-operate in maintaining and operating rate-making bureaus requiring inspection and survey by such bureaus of all risks specifically rated and regulating agreements between companies or other insurers with respect to fixing and collecting fire insurance rates and repealing existing laws" and thereupon and thereafter such companies shall be entitled to the benefits and subject to all the provisions of said act provided that in the apportionment of expenses to any such company charging a premium in excess of the bureau rates the expenses shall be apportioned on the basis of the premiums produced by the bureau rates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1095 (House Bill No. 1285), entitled

An Act to amend article six of the second section of an act approved the eleventh day of March one thousand eight hundred and ninety-one entitled "An Act to regulate the issue of policies of insurance and certificates of inspection made by steam boiler insurance companies in all cities of the first class."

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That article six of the second section of an act approved the eleventh day of March one thousand eight hundred and ninety-one entitled "An Act to regulate the issue of policies of insurance and certificates of inspection made by steam boiler insurance companies in all cities of the first class" which reads as follows

"Article six" It shall be the duty of the inspector of steam engines and boilers in and for all cities of the first class to furnish all steam boiler insurance companies such as aforesaid or their authorized agents with printed forms properly prepared with appropriate headings for the reception of the details of inspection such as are furnished to his own assistants and in addition thereto a form of certificate setting forth that the premium upon the policy of insurance to be issued in connection with the certificate of inspection equals or exceeds the amount provided for in article third of section two of this act and when these forms are returned to him properly filled up with the certificate duly signed he shall record the same as provided for in the city ordinance and the inspector of steam engines and boilers aforesaid is hereby authorized and required to affix his signature and official seal to the certificate of inspection of such insurance companies Provided The details of inspection as aforesaid shall show that the requirement of the city ordinance relative to boiler inspections have been fully complied with and that all provisions of this act relating to the duties of such insurance companies have been fulfilled

"The inspector of steam engines and boilers in and for all cities of the first class shall receive for such approval one dollar for each boiler which shall be paid into the city treasury but said approval shall not be in effect for a longer period than one year from the date thereof Any person or persons possessing such certificate of inspection duly approved as hereinbefore provided for the same not having been rendered invalid as provided for in this act shall be deemed to possess the certificate of the inspector of steam engines and boilers for the purpose of the act of the Assembly and the ordinance of the city to carry the same into effect Provided That nothing in this act shall affect the duty of the inspector to withhold or withdraw such certificate whenever he may deem the engineer incompetent or unreliable as provided for in the city ordinance or whenever he may consider the boiler or boilers unsafe" be and the same is hereby amended to read as follows

Article 6 It shall be the duty of the inspector of steam engines and boilers in and for all cities of the first class to furnish all steam boiler insurance companies such as aforesaid or their authorized agents with printed forms properly prepared with appropriate headings for the reception of the details of the inspection such as are furnished to his own assistants and in addition thereto a form of certificates setting forth that the premium upon the policy of insurance to be issued in connection with the certificate of inspection equals or exceeds the amount provided for in article third of section two of this act and when these forms are returned to him properly filled up with the certificate duly signed he shall record the same as provided for in the city ordinance and the inspector of steam engines and boilers aforesaid is hereby authorized and required to affix his signature and official seal to the certificate of inspection of such insurance companies Provided The details of inspection as aforesaid shall show that the requirements of the city ordinances relative to boiler inspections have been fully complied with and that all the provisions of this act relating to the duties of such insurance companies have been fulfilled

The inspector of steam engines and boilers in and for all cities of the first class shall receive for such approval five dollars for each boiler which shall be paid into the city treasury but said approval shall not be in effect for a longer period than one year from the date thereof Any person or persons possessing such certificate of inspection duly approved as hereinbefore provided for the same not having been rendered invalid as provided for in this act shall be deemed to possess the certificate of the inspector of steam engines and boilers for the purpose of the act of the Assembly and the ordinance of the city to carry the same into effect Provided That nothing in this act shall affect the duty of the inspector to withhold or withdraw such certificate whenever he may deem the engineer incompetent or unreliable as provided for in the city ordinance or whenever he may consider the boiler or boilers unsafe

On the question,

Will the Senate agree to the section?

Mr. SALUS Mr. President, I move to amend section 1, page 2, line 16, by striking out the word "requirement" and inserting in lieu thereof the words "requirements;" also line 18, by inserting after the word "all" the word "the"; also page 3, line 2, by striking out after the word "carry" the word "the"; also line 16, by striking out the word "certificates" and inserting in lieu thereof the word "certificate."

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to amend article six of the second section of an act approved the eleventh day of March one thousand eight hundred and ninety-one entitled "An Act to regulate the issue of policies of insurance and certificates of inspection made by steam boiler insurance companies in all cities of the first class."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. PATTON. Mr. President, I move that Senate Bill No. 1095 (House Bill No. 1285), the bill just read, be recommitted to the Committee on Insurance.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1118 (House Bill No. 1063), entitled

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas and the judges or the orphans' courts."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1125 (House Bill No. 1453), entitled

An Act to amend section one of an act approved the fifth day of May, one thousand nine hundred eleven, entitled "An Act to amend section one of an act approved June twenty-second, one thousand eight hundred and ninety-seven, entitled 'An Act to amend section four of an act approved June eighth, one thousand eight hundred and eighty-one, entitled "An Act to authorize the erection of a poor house by the Township of Jenkins, Borough of Pittston and Township of Pittston, in the County of Luzerne," approved May eighth, one thousand eight hundred and fifty-seven, allowing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district,' authorizing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1131, as follows

An Act to amend and revise an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June one thousand nine hundred and thirteen changing and modifying the qualifications of commissioners to be appointed by the court of quarter sessions for the division or creation of wards in cities of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article two of an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June one thousand nine hundred and thirteen which reads as follows

"Section 1 Wards in cities of the third class may be divided or new wards created therein by the court of quarter sessions of the proper county on application thereto for that purpose by the petition of at least one hundred qualified electors thereof or of the council of such city and upon such petition praying for the division of a ward or for the erection of a new ward out of parts of two or more wards the said court shall appoint five impartial men residents of the city but not of the wards to be affected thereby as commissioners to inquire into the propriety of granting the prayer thereof and it shall be the duty of the commissioners so appointed or any four of them to examine the premises and to make a draft of the ward to be devided showing the division thereof or of the new ward proposed to be created as the case may be and they shall make report to the said court of quarter sessions at its next term together with their opinion of the same and at the term after that at which the report shall be made the court shall make such order thereupon as to it shall appear just and reasonable" be and the same is hereby amended to read as follows

Section 1 Wards in cities of the third class may be divided or new wards created therein by the court of quarter sessions of the proper county on application thereto for that purpose by the petition of at least one hundred qualified electors thereof or of the council of such city and upon such petition praying for the division of a ward or for the erection of a new ward out of parts of two or more wards the said court shall appoint five impartial men residents of the city but not of the wards to be affected thereby as commissioners to inquire into the propriety of granting the prayer thereof excepting however that in cities having not more than three wards said commissioners shall be selected from the city at large and may be residents of the ward or wards to be affected thereby and it shall be the duty of the commissioners so appointed or any four of them to examine the premises and to make a draft of the ward or wards to be devided showing the division thereof or of the new ward or wards proposed to be created as the case may be and they shall make report to the said court of quarter sessions at its next term together with their opinion of the same and at the term after that at which the report shall be made the court shall make such order thereupon as to it shall appear just and reasonable

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1132, entitled

An Act to amend the fifth section of an act approved the first day of May Anno Domini one thousand nine hundred and thirteen entitled "An Act to amend the fourth fifth eighth and ninth sections of an act entitled an act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine, so as to confer additional powers upon said board and its agents and to provide for the appointment of an inspector and fiscal agent, defining his duties and fixing his compensation.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fifth section of an act entitled "To amend the fourth fifth eighth and ninth sections of an act entitled an act to create a Board of Public Charities" approved the first day of May Anno Domini one thousand nine hundred and thirteen which reads as follows

"Section 5 The said commissioners shall have full power either by themselves or the general agents at all times to look into and examine the condition of all charitable reformatory or correctional institutions within the State financially and otherwise to inquire and examine into their methods of instruction the government and management of their inmates the official conduct of trustees directors and other officers and employes of the same the condition of the buildings grounds and other property connected therewith and into all other matters pertaining to their usefulness and good management and for these purposes they shall have free access to the grounds buildings and all books and papers relating to said institutions and all persons now or heerafter connected with the same are hereby directed and required to give such information and afford such facilities for inspection as the said commissioners may require and any neglect or refusal on the part of any officer or person connected with such institution to comply with any of the requirements of this act shall subject the offender to a penalty of one hundred dollars ($100.00) to be sued for and collected by the general agent in the name of the board The commissioners shall also have power to employ such experts clerks stenographers and other employes of all kinds as the business of the Board of Public Charities and that of the committee on lunacy may require

Wherever upon the examination of any jail prison penitentiary or almshouse any condition shall be found to exist therein which in the opinion of said commissioners is unlawful or detrimental to the proper maintenance discipline and hygienic condition of such institution or to the proper care maintenance and custody of the inmates therein the said commissioners shall have power to make such recommendation to the warden inspectors trustees sheriff commissioners overseers of the poor or other officer or officers charged by law with the government of such institution as said commissioners may deem necessary and proper to correct the said objectionable condition and in case of the neglect failure or refusal of such officer or officers to comply with such recommendation or in case of his or their failure to make such attempt to comply therewith as shall be satisfactory to the said commissioners within ninety days from the date of service of said recommendation upon them the said commissioners shall certify the facts in the case together with their recommendation to the district attorney of the proper county whose duty it shall be thereupon to proceed by indictment or otherwise to remedy the said objectionable condition" be and the same is hereby amended so as to read as follows

Section 5 The said commissioners shall have full power either by themselves or by the general agent the assistant general agent or the inspector and fiscal agent at all times to look into and examine the condition of all

charitable reformatory or correctional institutions within the State financially and otherwise to inquire and examine into their methods of instruction the government and management of their inmates the official conduct of trustees directors and other officers and employes of the same the condition of the buildings grounds and other property connected therewith and into all other matter pertaining to their usefulness and good management and for these purposes they shall have free access to the ground buildings and all books and papers relating to said institutions and such agents when designated by the board or its president to make investigations of complaints shall have for the purpose of such investigations only all the powers of the commissioners and all persons now or hereafter connected with the same are hereby directed and .....required to give such information and afford such facilities for inspection as the said commissioners may require and any neglect or refusal on the part of any officer or person connected with such institution to comply with any of the requirements of this act shall subject the offender to a penalty of one hundred dollars ($100.00) to be sued for and collected by the general agent in the name of the board The commissioners shall also have power to employ such experts clerks stenographers and other employes of all kinds as the business of the Board of Public Charities and that of the committee on lunacy may require and specifically an inspector and fiscal agent as a salary of four thousand dollars ($4,000.00) per year whose duty it shall be under the direction of the board or its president to inspect the physical and financial condition of the institutions which are subject to the supervision of the Board of Public Charities to confer with the managers superintendents and other officials of such institutions with a view to standardizing the methods of purchase storage and distribution of supplies and the keeping of accounts thereby promoting economy and efficiency He shall perform such other duties as may be required by the board

Wherever upon the examination of any jail prison penitentiary or almshouse any condition shall be found to exist therein which in the opinion of said commissioners is unlawful or detrimental to the proper maintenance discipline and hygnenic condition of such institution or to the proper care maintenance and custody of the inmates therein the said commissioners shall have power to make such recommendation to the warden inspectors trustees sheriff commissioners overseers of the poor or other officer or officers charged by law with the government of such institution as said commissioners may deem necessary and proper to correct the said objectionable condition and in case of the neglect failure or refusal of such officer or officers to comply with such recommendation or in case of his or their failure to make such attempt to comply therewith as shall be satisfactory to the said commissioners within ninety days from the date of service of said recommendation upon them the said commissioners shall certify the facts in the case together with their recommendation to the district attorney of the proper county whose duty it shall be thereupon to proceed by indicment or otherwise to remedy the said objectionable condition

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 1, page 1, line 4, by inserting before the word "To" and within the quotation, the words "An act"; also line 6, by inserting after the word "charities" and within the quotation, the following: "approved the twenty-fourth day of April, Anno Domini one thousand eight hundred and sixty-nine so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent."

Mr. McNICHOL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to amend the fifth section of an act approved the first day of May Anno Domini one thousand nine hundred and thirteen entitled "An Act to amend the fourth fifth eighth and ninth sections of an act entitled an act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine, so as to confer additional powers upon said board and its agents and to provide for the appointment of an inspector and fiscal agent, defining his duties and fixing his compensation.

On the question,

Will the Senate agree to the title?

Mr. BUCKMAN. Mr. President, I move to amend the title, page 1, line 8, by inserting the word "the" before the word "said"; also by striking out the words "its agents" and inserting in lieu thereof the words "extend the duties and fix the compensation of the Secretary and general agent"; also line 9, by striking out the words, "and to provide" and inserting in lieu thereof the words, "by providing."

Mr. McNICHOL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1172 (House Bill No. 1488), entitled

An act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such election.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1185 (House Bill No. 1804), entitled

An Act to amend section four of an act entitled an act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and fifteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifteen

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 868, entitled

An Act authorizing counties to incur indebtedness for certain purposes and regulating the manner of creating or incurring any such indebtedness and the expenditures of the proceeds of any such indebtedness to provide for the redemption of the same and to impose penalties for the illegal increase thereof or the failure of certain officers to perform their duties under this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 884 (House Bill No. 621), entitled

An Act to amend section four of an act approved the seventeenth day of April, one thousand nine hundred thirteen, entitled "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania; requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees, fines and penalties received."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 888 (House Bill No. 845), entitled

An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1020, entitled

An act providing for the protection of the public health and the prevention of fraud and deception by regulating the testing of milk and cream when the same is bought on the basis of butter fat as determined by the Babcock test, and providing penalties for the violation thereof and providing for the enforcement thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1021, entitled

An Act supplementary to an act approved the twenty-fourth day of June one thousand nine hundred thirteen entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" providing for the examination of the glassware used for testing milk and cream for butterfat with the Babcock test prohibiting the use of inaccurate testing glassware defining the term standard Babcock glassware and fixing penalties for the violations of the provisions of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1041 (House Bill No. 1269), entitled

An Act relating to the jurisdiction powers and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate and for the sale of real estate for the purpose of distribution and the fees, costs and expenses therein.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1042 (House Bill No. 1270), entitled

An Act relating to the organization, jurisdiction and procedure of the orphans courts, the powers and duties of the judges thereof and appeals therefrom.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1043 (House Bill No. 1271), entitled

An Act relating to the jurisdiction, powers and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground rent, leases, extinguishment of ground rents, partitions, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the subdivision of premises so as to command the highest price or greatest rents, and, for such purpose, the laying out or dedication of roads, streets, and alleys or the vacation of such as have not been accepted by the public authorities, where the court shall be of the opinion that such decree will be to the interest and advantage of all those interested, and where the legal title is held by minors, lunatics, habitual drunkards or weak-minded persons, a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years, by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial or charitable society or association incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law, by a corporation or individual or individuals and is subject to a trust of any description whatever, by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record, contingent remainders, executory devisees, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may not have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the state, have died, refuse to act, unreasonably withhold consent or be absent and unheard of; where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor, devisee or appointee to make sale and conveyance; where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decrees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1082, entitled

An Act providing a means of relief and assistance to the families of soldiers resident in the respective counties of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1084 (House Bill No. 1274), entitled

An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1085 (House Bill No. 1272), entitled

An Act relating to the form, execution, revocation and interpretation of wills to noncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1086 (House Bill No. 1273), entitled

An Act relating to the qualification, jurisdiction, powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof, the effect of their acts and appeals therefrom.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1087 (House Bill No. 1275), entitled

An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees, herein designates as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judg-

ments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.
The Senate proceeded to the first reading and consideration of Senate Bill No. 1126 (House Bill No. 1474), entitled

An Act to amend sections one four and five of an act approved the eighteenth day of May one thousand nine hundred and fifteen entitled "An Act establishing a State Commission of Agriculture defining its powers and duties including its powers relative to the Department of Agriculture and the State Livestock Sanitary Board."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1134, entitled

An Act to amend section five hundred sixty of an act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1173, entitled

An Act relating to and regulating the operation of motor vehicles and vehicles propelled by or trailing after motor vehicles on the public highways and the storing of the same requiring the registration of the same and the licensing of all operators other than registered owners thereof providing fees methods and qualifications for all registrations or licenses and the disposition of such fees prohibiting the tampering with motor vehicles by unauthorized persons prohibiting the enactment of any law or ordinance by any city borough incorporated town township or county requiring any taxes registration or license other than herein provided or the regulation of motor vehicle providing procedure and penalties for any violation thereof and the disposition of the fines collected for said violations and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RECONSIDERATION OF HOUSE BILL NO. 751.

Mr. SALUS. Mr. President, I move to reconsider the vote by which Senate Bill No. 1044 (House Bill No. 751), entitled

An Act to fix the compensation for members of the General Assembly.

was defeated on final passage.

The PRESIDENT. How did the Senator vote?
Mr. SALUS. Mr. President, I voted "no."
Mr. LEIBY. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. LEIBY. Mr. President, I voted "no."
The motion was agreed to.
And the question recurring,
Shall the bill pass finally?

BILL POSTPONED.

Mr. SALUS. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. LEIBY. Mr. President, I second the motion.

The motion was agreed to.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were laid upon the table.

BILL RECOMMITTED.

Mr. SPROUL. Mr. President, I move that Senate Bill No. 989 (House Bill No. 1261), entitled,

An Act to amend section one of an act entitled "An Act to provide for the removal of judges of the Supreme Superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpeired terms and the filling of vacancies caused by such removal' approved eleventh day of May one thousand nine hundred and one as amended by an act entitled "An Act to amend section one of an act entitled "An Act to provide for the removal of judges of the Supreme Superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives" approved twenty-third day of June one thousand nine hundred and eleven so as to provide that any judges of the Supreme or Superior Court who has served in judicial office for twenty or more years shall be entitled to receive the benefits of said act immediately after his honorable retirement from office by expiration of term resignation or otherwise whether said service be continuous or not.

be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. SALUS. Mr. President, I second the motion.
The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. LEIBY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LEIBY, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 534, entitled

An Act to repeal sections one two four five six seven eight ten eleven thirteen fourteen fifteen and sixten of an act entitled "An Act relating to the fees salaries and duties of certain county officers in Allegheny County" approved the sixth day of April Anno Domini one thousand eight hundred and seventy-one.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Appropriations, reported as committed Senate Bill No. 949, entitled

An Act requiring that expenses be paid to State employes not later than the tenth of each month for the preceding month.

Also, from the Committee on Appropriations, reported as committed Senate Bill No. 1093 (House Bill No. 768), entitled

An Act to refund to Friedman Manufacturing Company of Pittsburgh Allegheny County money paid for a license to sell oleomargarine.

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1066, entitled

An Act fixing the salary of the Assistant Director of the Legislative Reference Bureau.

Also from the Committee on Appropriations, reported as amended Senate Bill No. 1109, entitled

A Joint Resolution providing for the appointment of a commission to study investigate and revise the insurance laws of the Commonwealth prescribing the powers and duties of the Commission and making an appropriation.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Agriculture, reported as amended Senate Bill No. 1068, entitled

An Act to further amend sections one and two of an act approved the eighteenth day of June, one thousand eight hundred and ninety-seven, entitled "An Act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standard, to prevent the adulteration of the same, providing for the enforcement thereof, and punishment for the violation of the same," as amended, by permitting the addition of water to apple or cider vinegar.

Mr. BALDWIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BALDWIN, from the Committee on Game and Fisheries, reported as committed Senate Bill No. 1187, entitled.

An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania, providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 255.

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing for the recall of Senate Bill No. 255.

MARTIN G. BRUMBAUGH.

RECONSIDERATION OF SENATE BILL NO. 255.

Mr. SPROUL. Mr. President, I move to reconsider the vote by which Senate Bill No. 255, entitled

An Act to fix the time for filing nomination papers for State and municipal officers and for determination by the courts of contested papers.

passed finally.

The PRESIDENT. How did the Senator vote?
Mr. SPROUL. Mr. President, I voted "aye."
Mr. JONES. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. JONES. Mr. President, I voted "aye."
And the question recurring,
Shall the bill pass finally?

Mr. SPROUL. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?
Mr. SPROUL. Mr. President, I voted "aye."
Mr. JONES. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. JONES. Mr. President, I voted "aye."
And the question recurring,
Will the Senate agree to the bill on third reading?

Mr. SPROUL. Mr. President, I ask unanimous consent to amend the bill in the title, line 2, by striking out the words "and municipal;" also in section 1, line 6, by inserting after the word "Commonwealth" the words "in even numbered years;" also in line 7, after the word "election," by striking out the balance of the section; also in section 3, by striking out the entire section; also in section 4, line 1, by striking out the numeral 4 and inserting in lieu thereof the numeral 3.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 320.

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing for the recall of Senate Bill No. 320.

MARTIN G. BRUMBAUGH.

RECONSIDERATION OF SENATE BILL NO. 320.

Mr. CATLIN. Mr. President, I move to reconsider the vote by which Senate Bill No. 320, entitled

An Act amending sections one three four seven ten eleven and repealing section eight of an act entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be collector of the said several taxes prescribing his duties and fixing his compensation" approved the twentieth day of June Anno Domini one thousand nine hundred one.

passed finally.

The PRESIDENT. How did the Senator vote?
Mr. CATLIN. Mr. President, I voted "aye."
Mr. McCONNELL. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. McCONNELL. Mr. President, I voted "aye."
And the question recurring,
Shall the bill pass finally?

Mr. CATLIN. Mr. President, I move to reconsider the vote by which this bill passed third reading.

The PRESIDENT. How did the Senator vote?
Mr. CATLIN. Mr. President, I voted "aye."
Mr. McCONNELL. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. McCONNELL. Mr. President, I voted "aye."
And the question recurring,
Will the Senate agree to the bill on third reading?

Mr. CATLIN. Mr. President, I ask unanimous consent to amend the bill, by striking out Section 3; also section 4, page 4, line 26, by striking out the figure "4" and inserting in lieu thereof the figure "3"; also section 5, page 6, line 1, by striking out the figure "5" and inserting in lieu thereof the figure "4;" also section 6, page 6, line 3, by striking out the figure "6" and inserting in lieu thereof the figure "5;" also section 7, page 6, line 27, by striking out the figure "7" and inserting in lieu thereof the figure "6"; also section 8, page 8, line 22, by striking out the figure "8" and inserting in lieu thereof the figure "7"; also line 23, by striking out "four (4)" and inserting in lieu thereof "three (3)."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RECESS.

Mr. SPROUL. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILL INTRODUCED.

Mr. SPROUL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SPROUL (by request of Mr. CROW) read in his place and presented to the Chair Senate Bill No. 1190, entitled

An Act authorizing the appointment of an executive controller and subordinate officers and defining their powers and duties.

Which was committed to the Committee on Appropriations.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House of Representatives as follows:

House Bill No. 435 (Senate Bill No. 1191) entitled

An Act to further amend an act approved the eleventh day of May, one thousand nine hundred and eleven, entitled "An Act to provide for the appointment of county and city inspectors of weights and measures; providing for their compensation and expenses; prescribing their duties; prohibiting vendors from giving false or insufficient weights, and fixing the penalties for the violation of the provisions hereof," by including instruments and devices used for weighing by manufacturers and at mines and quarries, and by which the wages of employes are determined.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1076 (Senate Bill No. 1192), entitled

An Act authorizing the Governor of the Commonwealth of Pennsylvania to convey to the estates of Susan E. Bayard and Mary Bayard certain lands in the Seventh Ward of the City of Pittsburgh County of Allegheny.

Which was committed to the Committee on Judiciary General.

House Bill No. 1576 (Senate Bill No. 1193), entitled

An Act to further amend an act approved the first day of June one thousand eight hundred and eighty-nine entitled "A Further Supplement to an act entitled 'An Act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering purposes and imposing a tax of one mill on certain capital stock of certain corporations limited partnerships and joint-stock associations organized for manufacturing and laundering purposes, and appropriating the money received from such tax for State and State-aid highway purposes

Which was committed to the Committee on Finance.

House Bill No. 1034 (Senate Bill No. 1194), entitled

An Act to provide for the incorporation and regulation of mutual insurance companies other than life and for the licensing and regulation of such companies from other states and to repeal existing laws.

Which was committed to the Committee on Insurance.

House Bill No. 1072 (Senate Bill No. 1195), entitled

An Act to authorize the construction of branches by railroad companies.

Which was committed to the Committee on Railroads.

House Bill No. 1251 (Senate Bill No. 1196), entitled

An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing state aid for certain agricultural associations and regulating the payment thereof.

Which was committed to the Committee on Appropriations.

House Bill No. 1267 (Senate Bill No. 1197), entitled

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of Pennsylvania.

Which was committed to the Committee on Judiciary General.

House Bill No. 1268 (Senate Bill No. 1198), entitled

An Act authorizing any city of the first class to acquire existing street railway transit facilities within such city or adjacent thereto and the franchises for operating the same by the exercise of the power of eminent domain providing for the determination by The Public Service Commission subject to appeal of the amount of compensation to be paid for the properties and franchises taken and empowering such city to operate maintain use lease license or contract for the operation of the facilities so acquired.

Which was committed to the Committee on Judiciary General.

House Bill No. 1417 (Senate Bill No. 1199), entitled

An Act to provide for an additional law judge of the several courts of the Thirty-first Judicial District.

Which was committed to the Committee on Judicial Apportionment.

HOUSE CONCURS IN SENATE BILL NO. 745.

He also returned to the Senate Senate Bill No. 745, entitled

An Act to validate affidavits acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act.

with the information that the House has passed the same without amendment.

BILL INTRODUCED.

Mr. McNICHOL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 1200, entitled

A Joint Resolution providing for the appointment of a committee to investigate alleged misconduct in public office and making an appropriation therefor.

Which was committed to the committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Judiciary General, reported as committed Senate Bill No. 1181, entitled

An Act to amend sections two and five of the act approved the fourth day of June, one thousand nine hundred and fifteen, entitled "An Act authorizing and regulating the employment of convicts and prisoners on the public highways."

Mr. CATLIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN, from the Committee on Municipal Affairs, re-reported as amended Senate Bill No. 532, entitled

An Act to amend section one of article three of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto."

ADJOURNMENT.

Mr. DAIX. Mr. President, I move that the Senate do now adjourn until to-morrow morning at 10 o'clock.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1.21 o'clock P. M. until Wednesday morning, May 16, 1917, at 10 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, May 15, 1917.

The House met at 11.00 o'clock A. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

Our God, the Father of all, we would draw very near to Thee with love and faith. Graciously pardon all our sins and give us Thy peace. Help us to meet our responsibilities and to fulfil all our obligations. We yearn for deeper, richer blessings upon all of us here assembled as well as the dear ones at home. May the home ties be sanctified and our tender human affections enlarge our hearts so that we shall ever be doing each other good. Bless every one with present and eternal blessing. This beautiful morning fill our hearts and lives with sunshine and make us ever sweeter and happier. We ask all in Thy precious name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Bovee, the further reading was dispensed with, and the Journal was approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 865 (House Bill No. 1883)

An Act to authorize corporations organized for profit under the laws of Pennsylvania to continue the salaries of employes enlisting of enrolling in any branch of the military or naval service of the United States or other protective organization.

Referred to the Committee on Manufactures.

Senate Bill No. 997 (House Bill No. 1884)

An Act to amend section twenty-three of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A Supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations'' approved April seventeenth one thousand eight hundred and seventy-six as amended by section one of an act entitled "An Act to amend section twenty-three of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four as amended by the fifth section of an act entitled "A Supplement to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations' providing for the further regulation of such corporations and for the incorporation and regulation of certain additional corporations' approved April seventeenth one thousand eight hundred and seventy-six requiring the filing of all reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by certain corporations up to and including the date of the proposed sale assignment disposition and conveyance of the franchises and property of such corporations before the returns authorizing such sale assignment disposition and conveyance shall be filed in the office of the Secretary of the Commonwealth" approved June second one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and twenty-four) providing for the time of filing of returns in the office of the Secretary of the Commonwealth by certain corporations selling assigning disposing of and conveying their franchises and property and requiring the filing of all the reports required by the Auditor General of the Commonwealth and the payment of all taxes due the Commonwealth of Pennsylvania by said corporations up to and including the date of proposed sale assignment disposition of and conveyance of the franchises and property of said corporations and certification thereof before one of said returns shall be so filed.

Referred to the Committee on Manufactures.

Senate Bill No. 1025 (House Bill No. 1885)

An Act amending section one of the act of June twenty-three one thousand eight hundred and eighty-five (Pamphlet Laws one hundred forty-five) entitled "An Act to protect oil gas and water wells tanks pipes and machinery connected therewith and to prevent wilful and malicious injury thereto" extending the provisions thereof to reservoirs standpipes pumping stations power houses and other buildings or appliances used for the supply of water or electric current."

Referred to the Committee on Manufacturers.

Senate Bill No. 39 (House Bill No. 1886)

An Act giving perefrences to claims for rent in cases of bankruptcy and insolvency proceedings against tenants.

Referred to the Committee on Judiciary Local.

Senate Bill No. 731 (House Bill No. 1887)

An Act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation.

Referred to the Committee on Banks and Banking.

REPORTS FROM COMMITTEES.

Mr. REITZEL, from the Committee on Judiciary Special, reported as committed House Bill No. 1703, entitled

An Act to prohibit the possession, sale or gift of nitroglycerin, dynamite, gun powder, blasting powder, or other explosives, by unlicensed persons; regulating the issuing of licenses therefor; and providing penalties for the violation thereof.

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1709, entitled

An Act authorizing the recording of all instruments of writing affecting title to real estate, and validating all such records made prior to the passage of this act.

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, reported as amended House Bill No, 1710, entitled

An Act providing for the entry upon the margin of the record of any mortgage, of all assignments, releases, extension of time of payment, changes in the terms thereof or other agreements affecting same, and validating all such entries heretofore made.

Mr. GLASS, from the Committee on Judiciary Special, reported as commtited House Bill No. 1871 (Senate Bill No. 901), entitled

An Act authorizing the several courts of common pleas to appoint volunteer police officers during the present war with Germany or in any war in which this nation may become involved providing for the organization and discipline of such police officers and enumerating their powers.

Mr. LEARY, from the Committee on Corporations, reported as committed House Bill No. 1881, entitled

An Act to authorize the sale and conveyance of portions of the land belonging to the Commonwealth of Pennsylvania, in the County of Erie, now occupied by the Home for Disabled and Indigent Soldiers and Sailors.

Mr. WEST, from the Committee on Judiciary Special, reported with a negative recommendation House Bill No. 596, entitled

An Act to provide for the dissemination of political pamphlets by public authority and for the payment of any deficit in the cost thereof out of public treasuries and to impose duties on the Secretary of the Commonwealth, county commissioners, clerks of courts, assessors and their respective subordinates.

Mr. WEST, from the Committee on Judiciary Secial, reported with a negative recommendation House Bill No. 887, entitled

An Act relating to nomination and elections, the receipt and expenditure of funds intended to influence the result thereof and the preservation and filing of the accounts of the same and the regulation of political advertising; providing for the creation of special committees for political purposes and providing for the forfeiture of a nomination and certificate of election and other penalties for a violation of this act.

Mr. McKINNEY, from the Committee on Judiciary Special, re-reported with a negative recommendation House Bill No. 94, entitled

An Act relating to jurors, the drawing thereof, publication and delivery of the names of persons drawn as jurors and preventing tampering with, visiting or conversing with any juror summoned for service in any of the courts of this Commonwealth about any matter or thing relating to his duties as a juror and providing a penalty for violation thereof.

Mr. STERN, from the Committee on Elections, re-reported as committed House Bill No. 46, entitled

An Act requiring employers to permit all employes to have a leave of absence of two hours on election day without any deduction in wages.

BILL ON FIRST READING.

Mr. LEARY asked and obtained unanimous consent to have House Bill No. 1881 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1881, entitled

An Act to authorize the sale and conveyance of portions of the land belonging to the Commonwealth of Pennsylvania, in the County of Erie, now occupied by the Home for Disabled and Indigent Soldiers and Sailors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

LEAVE OF ABSENCE.

Mr. URICH asked and obtained leave of absence for Mr. Weimer on account of illness.

RESOLUTION RELATIVE TO DRILLING AND MILITARY INSTRUCTION.

Mr. WEST offered the following resolution, which was read and laid over under the rules:

In the House of Representatives, May 15, 1917.

Whereas, The Government of the United States is about to draft into the army all male citizens between the ages of 21 and 31 years, and

Whereas, The act of Congress providing for the conscription of citizens provides what is commonly known as a selective conscription and exempts among others members of the State Legislature, and

Whereas, It is proper and fitting for the defense of the Commonwealth that the members of this Legislature should be drilled and prepared so that they may so far as possible act as a unit in the home defense guard therefore be it

Resolved by the House of Representatives in General Assembly met, That it shall be the duty of each member of this House to meet each morning on each day when the House is in session, one hour before the time fixed for the convening of the House for the purpose of drilling and receiving military instruction; that the Honorable Major Quintin O. Reitzel of Lancaster is hereby designated as the officer in charge of such drilling and military instruction, who is hereby authorized to appoint such officers and subordinates as he may deem proper; That an invitation is hereby extended to the members of the Senate of Pennsylvania to participate in the drilling and military instruction hereby authorized.

MOTION TO MAKE HOUSE BILL NO. 1240 A SPECIAL ORDER.

Mr. WALLACE. Mr. Speaker, I move that House Bill No. 1240, File Folio 3969, entitled

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania, and of the counties therein having a population of two hundred and fifty thousand inhabitants or more, and of such other counties and of such cities of the third class therein as may accept its provisions by a vote of the people of such counties or cities respectively, making any violation of its provisions a misdemeanor and providing penalties for any violations thereof.

on page 31 of to-day's calendar, be made a special order on final passage for Monday, May 21st, 1917, at 10 o'clock P. M.

Mr. EHRHARDT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER declared the nays appeared to have it.

Whereupon,

A division was called for, and fifty-two gentlemen having voted in the affirmative and sixty in the negative, the question was determined in the negative and the motion was not agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1560 (Senate Bill No. 745), entitled

An Act to validate affidavits, acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albee,	Eby,	McCaig,	Shunk,
Aron,	Ehrhardt,	McCullough,	Siggins,
Arthur,	Erdman,	McCurdy,	Sinclair,
Baker,	Fackler,	McKay,	Smith, E. R.,
Baldi,	Fitzgibbon,	McKinney,	Smith, F. I.,
Baldridge,	Flynn,	McNichol,	Smith, J. W.,
Bechtold,	Fowler,	McPeake,	Snowden,
Bell,	Franklin,	McVicar,	Snyder,
Benchoff,	Gans,	Mearkle,	Sones,
Bennett,	Geary,	Mervine,	Speicher,
Benninger,	Glass,	Miller, A. D.,	Sprowls,
Beyer,	Golder,	Miller, Allan,	Stadtlander,
Bidelspacher,	Goodnough,	Miller, C. G.,	Steedle,
Black,	Goodwin,	Miller, G. J. A.,	Sterling,
Boulton, H.,	Graeff,	Milliron,	Stern,
Bouton, V. B.,	Graham,	Morgan, T.,	Stites,
Bovee,	Gransback,	Morgan, T. J.,	Stofflet,
Boyd,	Haight,	Murdoch,	Strauss,
Brady,	Haldeman,	Musser,	Swartz,
Brumbaugh,	Hecht,	Ogden,	Sweitzer,
Burnett,	Heffernan,	Palmer,	Taylor,
Campbell, J. O.,	Hess,	Patterson,	Thomas,
Campbell, T.,	Heyburn,	Phillips,	Ulsh,
Canon,	Hibshman,	Powell,	Urich,
Chestnut,	Hoffman,	Ramsey,	Vickerman,
Christman,	Hollern,	Reichenbacker,	Vogdes,
Clements,	Hollingsworth,	Reitzel,	Wagner,
Coldsmith,	Horton,	Rich,	Walker,
Conner,	Howarth,	Ringler,	Wallace,
Cook,	Isherwood,	Rininger,	Walter,
Corbin,	Jack,	Rinn,	Wells,
Cox,	Jennings,	Robertson,	Whitaker,
Crosby,	Jones,	Rogers,	Wickman,
Curry,	Kennedy,	Ross,	Williams, G. W.
Davis, W.,	Lafferty,	Rothenberger,	Williams, J. P.,
Dawson,	Laucks,	Ruddy,	Wobensmith,
Dean,	Leary,	Rudisill,	Wood,
Dell,	Lohr,	Sampsel,	Woodward,
Dewey,	Luppert,	Sarig,	Wylie,
Dithrich,	Mangan,	Schaeffer, A. C.,	Wynne,
Donneley,	Marvin,	Scott	Zanders,
Drinkhouse,	Maurer,	Shaffer, C. A.,	Baldwin,
Dunn,	McArdle,	Showalter,	Speaker.

NAYS—1.

West,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

Mr. HECHT. Mr. Speaker, I desire to call up at this time from page 28 of to-day's calendar, bills on third reading postponed, House Bill No. 1267, File Folio 4221.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1267, entitled

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HECHT. Mr. Speaker, this resolution pertains to transit matters in the City of Philadelphia, and it is a companion bill to 1268, which I will also call up. There are now pending in the Senate two bills relative to transit matters, and there is going to be a hearing next Wednesday. It has been agreed by everybody in Philadelphia that these bills should go over into the Senate, so all of them can be heard at the one time.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Albee,	Flynn,	McPeake,	Sinclair,
Aron,	Fowler,	McVicar,	Smith, E. R.,
Arthur,	Franklin,	Mearkle,	Smith, F. I.,
Baker,	Fretz,	Mervine,	Smith, J. W.,
Baldi,	Gans,	Miller, A. D.,	Smith, O. W.,
Baldridge,	Geary,	Miller, Allan,	Snowden,
Bechtold,	Golder,	Miller, G. J. A.,	Snyder,
Benchoff,	Goodnough,	Milner,	Sones,
Bennett,	Goodwin,	Morgan, T.,	Speicher,
Benninger,	Graeff,	Morgan, T. J.,	Sprowls,
Beyer,	Graham,	Murdoch,	Stadtlander,
Bidelspacher,	Gransback,	Murphy,	Steedle,
Black,	Haight,	Neary,	Sterling,
Boulton, H.,	Haldeman,	Ogden,	Stern,
Bovee,	Hecht,	Palmer,	Stites,
Boyd,	Heffernan,	Patterson,	Strauss,
Brady,	Hess,	Perry,	Sullivan,
Brumbaugh,	Heyburn,	Phillips,	Swartz,
Campbell, J. O.,	Hibshman,	Pickering,	Sweitzer,
Campbell, T.,	Hoffman,	Powell,	Taylor,
Canon,	Hollingsworth,	Ramsey,	Thomas,
Chestnut,	Horton,	Reichenbacher,	Ulsh,
Christman,	Howarth,	Reitzel,	Urich,
Clements,	Isherwood,	Reynolds,	Vickerman,
Coldsmith,	Jack,	Rhodes, W. M.,	Vogdes,
Conner,	Jennings,	Rich,	Wagner,
Cox,	Jones,	Richards,	Walker,
Crosby,	Lafferty,	Ringler,	Wallace,
Cummins,	Laucks,	Rininger,	Walter,
Curry,	Lauler,	Rinn,	Wells,
Davis, W.,	Leary,	Robertson,	Whitaker,
Dawson,	Lewis,	Rogers,	Wickman,
Dean,	Lohr,	Ross,	Williams, G. W.
Dell,	Luppert,	Ruddy,	Williams, J. P.,
Dewey,	Malie,	Rudisill,	Wobensmith,
Dithrich,	Mangan,	Sampsel,	Wood,
Donneley,	Marvin,	Sarig,	Woodward,
Drinkhouse,	Maurer,	Schaeffer, A. C.,	Wylie,
Eby,	McCaig,	Scott,	Wynne,
Ehrhardt,	McCullough,	Shattuck,	Zanders,
Erdman,	McCurdy,	Shunk,	Baldwin,
Fackler,	McKay,	Siggins,	Speaker.
Fitzgibbon,	McNichol,	Simpson,	

NAYS—6.

Cook,	McKinney,	Rothenberger,	West,
Corbin,	Miller, C. G.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. HECHT. Mr. Speaker, I desire to call up from the same page, bills on third reading postponed, House Bill No. 1268.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1268, entitled

An Act authorizing any city of the first class to acquire existing street railway transit facilities within such city or adjacent thereto and the franchises for operating the same by the exercise of the power of eminent domain, providing for the determination by the Public Service Commission, subject to appeals, of the amount of compensation to be paid for the properties and franchises taken and empowering such city to operate, maintain, use, lease, license or contract for the operation of the facilities so acquired.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albee,	Fackler,	McKay,	Shunk,
Aron,	Fowler,	McKinney,	Siggins,
Arthur,	Franklin,	McNichol,	Simpson,
Baker,	Fretz,	McPeake,	Sinclair,
Baldi,	Gans,	McVicar,	Smith, E. R.,
Baldridge,	Geary,	Mearkle,	Smith, F. I.,
Bechtold,	Glass,	Michel,	Smith, J. W.,
Bell,	Golder,	Miller, A. D.,	Smith, L.,
Benchoff,	Goodnough,	Miller, Allan,	Smith, O. W.,
Bennett,	Goodwin,	Miller, C. G.,	Snyder,
Benninger,	Graeff,	Miller, G. J. A.,	Somerman,
Beyer,	Graham,	Milliron,	Sones,
Bidelspacher,	Gransback,	Morgan, T.,	Spangler,
Black,	Haight,	Morgan, T. J.,	Speicher,
Boulton, H.,	Haldeman,	Murdoch,	Sprowls,
Bouton, V. B.,	Hecht,	Murphy,	Stadtlander,
Bovee,	Heffernan,	Musser,	Steedle,
Boyd,	Hess,	Neary,	Sterling,
Brady,	Hibshman,	Ogden,	Stern,
Brumbaugh,	Heyburn,	Palmer,	Stites,
Campbell, J. O.,	Hoffman,	Patterson,	Stoffiet,
Campbell, T.,	Hollern,	Perry,	Strauss,
Canon,	Hollingsworth,	Phillips,	Sullivan,
Chestnut,	Horton,	Pickering,	Swartz,
Christman,	Hough,	Powell,	Sweitzer,
Clements,	Howarth,	Ramsey,	Taylor,
Coldsmith,	Isherwood,	Reichenbacher,	Thomas,
Conner,	Jack,	Reitzel,	Ulsh,
Cook,	Jennings,	Reynolds,	Urich,
Cox,	Jones,	Rhodes, W. M.,	Vickerman,
Crosby,	Lafferty,	Rich,	Vogdes,
Curry,	Laucks,	Richards,	Wagner,
Davis, W.,	Lauler,	Ringler,	Walker,
Dawson,	Leary,	Rininger,	Wallace,
Dean,	Lewis,	Rinn,	Weimer,
Dell,	Lohr,	Robertson,	Wells,
Dewey,	Luppert,	Rogers,	Whitaker,
Dithrich,	Malie,	Ross,	Wickman,
Donneley,	Mangan,	Ruddy,	Williams, J. P.,
Drake,	Marvin,	Rudisill,	Wobensmith,
Drinkhouse,	Maurer,	Sampsel,	Wood,
Dunn,	McArdle,	Sarig,	Wylie,
Eby,	McCaig,	Schaeffer, A. C.,	Wynne,
Ehrhardt,	McCullough,	Scott,	Zanders,
Erdman,	McCurdy,	Shattuck,	Baldwin,
			Speaker.

NAYS—4.

Flynn,	Mervine,	Rothenberger,	West,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. GEORGE J. A. MILLER. Mr. Speaker, I desire to call up at this time House Bill No. 1417, page 28 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1417, entitled

An act to provide for an additional law judge of the several courts of the Thirty-first Judicial District

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ERDMAN. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. The gentleman from Lehigh, Mr. Erdman, desires to interrogate the sponsor of the bill, Mr. Miller, of Lehigh. Will the gentleman permit himself to be interrogated?

Mr. GEORGE J. A. MILLER. With pleasure, Mr. Speaker.

Mr. ERDMAN. Mr. Speaker, I desire the sponsor of the bill to explain the necessity of this measure.

Mr. GEORGE J. A. MILLER. Mr. Speaker, and gentlemen of the House, the necessity for this measure is best stated in the fact that for more than fifteen years we have had an additional judge in Lehigh County, the only fact being that those additional judges have been judges from other counties. There has not been a term of court in fifteen years that there has not been a judge from another county there. The necessity is there; we have the population and we want a judge who is a resident in the county, a county that has over one hundred and forty thousand population.

Mr. ERDMAN. Mr. Speaker and gentlemen of the House, I am opposed to this measure providing for an additional

judge in the county of Lehigh, comprising the thirty-first judicial district because there is absolutely no necessity for it.

Looking at this bill from a partisan standpoint I possibly ought to be for it, for Lehigh County is a Democratic county, always has been so, practically, from the beginning, and this bill does not provide for a selection by the Governor but for an election next November. If you will take up your Smull's Handbooks and look at the county officials of Lehigh you will notice that, with the exception of those officials given to the minority party, they are all Democratic with one or two exceptions, one of the exceptions is a District Attorney, who is a Republican, and at the election at which he was elected the other Democratic officials were elected by majorities ranging from three to five thousand. Just to show you that if I looked at this bill from a political or partisan viewpoint I possibly should be for it for no doubt under this act the court would be Democratic, would consist of a Democratic judge, and there would be positions for deserving Democrats later on. But I take it, Mr. Speaker and gentlemen of the House, that this is a low point of view to look at such an important matter as this. The test this bill must furnish you, gentlemen of the House, is, is it necessary; is there a need for this judge in Lehigh County? In connection with that I desire to read from a letter written to me by the President Judge of Lehigh County in response to an inquiry from me as to his views on this question, and the letter reads as follows:

"May 1st, 1917.

Hon. Ira T. Erdman, House of Representatives, Harrisburg, Pennsylvania.

My Dear Sir: Replying to your request asking me to state my reasons why I am opposed to an additional law Judge for Lehigh County at this time, allow me to say, that such additional law Judge is absolutely unnecessary for the disposition of the legal business of this county as a plain statement of the facts will demonstrate.

Prior to January, 1916, I made an order reducing the terms of court in Lehigh County from five to four a year; as a result we now dispose of criminal court matters in four weeks instead of five; for several sessions, we disposed of all matters in three or four days of the week. April Term of civil court for years required two weeks for the trial of cases; this year we had twenty-nine cases for the whole term, requiring only one week instead of two weeks, the first time this occurred to my knowledge covering a period of over thirty years. Of the twenty-nine cases to be tried, nine were brought to October Term, 1916, and seventeen to January Term, 1917 in other words, twenty-six cases of the twenty nine were brought and disposed of within six months. Of the twenty-nine cases on the list, five were cases I was not in a position to try, and a call was extended to Judge Henry of Lebanon County to dispose of them. I have not extended a call at any time on account of the pressure of business, but for matters only in which I was interested, or should not preside; during the same time I have presided in other jurisdictions for upwards of five weeks. Matters now before me, argued and to be disposed of, can be so disposed of in one week; we will have no civil court until the third Monday of October, next, with one week of criminal court only between this date and the first Monday of October. With motion and argument courts for the first Mondays of May, June and September, legal matters brought to my attention during that time, can be disposed of in two months. Any litigant may have his litigation disposed of within six months unless continued by reason of illness, or where counsel is engaged in the public service, or a continuance is had for some reason or other.

The fact should be kept in mind that Lehigh County's population by 1920 will surely exceed one hundred and fifty thousand, and that then we may be entitled to an Orphan's Court Judge by reason of Article V, Section XXII of the Constitution of Pennsylvania, reading as follows: 'In every county wherein the population shall exceed one hundred and fifty thousand, the General Assembly shall, and in any other county, may establish a separate Orphans' Court, to consist of one or more Judges who shall be learned in the law;" the Legislature has also passed legislation whereby the Orphans' Court Judge shall aid in disposing of civil and criminal matters in the other courts of the county. If the present bill is passed, we might have three Judges in this county within a very few years trying to kill time at the expense of the tax payers of the county and State.

While the salaries of Judges are paid by the State, the tax payers of the whole State pay such salaries. The expense of an additional court in this county, to be borne entirely by the tax payers of the county, for jurors, tipstaves, court crier, stenographer, etc., would amount to at least four thousand dollars a year, and this at a time when the burdens of the tax payer should not unnecessarily be increased, when the liabilities incident to war will only too soon increase the burden of the tax payer; better it were that instead of establishing an office not needed in this county at this time that the money proposed to be spent be applied towards the care and maintenance, where needed, of families and dependents of our soldiers and sailors about to go to the front, or care for the injured upon their return. I do not ask for an additional Judge, do not need the assistance, and feel confident that if the tax payers of the county impartially investigate this matter, they will agree with me.

One bill alone passed by the present Legislature and approved by the Governor, and this is not referred to in a spirit of criticism, will increase the taxes of Lehigh County by nearly ten thousand dollars a year; I refer to the bill raising the weekly payments by the county to the State for the care of insane from $1.75 to $2.50 per week.

These are a few of the reasons, others might be stated, to support the attitude I have taken. It is not however, a matter for me to decide, but a matter for the Legislature to determine after having the best and fullest information obtainable on the subject.

You are at liberty to use this letter in any way and for any purpose you may see proper in so far as it relates to the subject under discussion.

Respectfully yours,

(Signed) CLINTON A. GROMAN."

Now, Mr. Speaker and gentlemen of this Chamber, is this office necessary? It is a fact that the legal business of Lehigh County instead of increasing with the population has actually decreased in the last ten or fifteen years. When I was in the prothonotary's office twelve years ago at the April term of court we had fifty-nine cases upon the trial list. This year, just twelve years afterwards, last week we only had twenty-nine cases and those were disposed of in one week by the present court. Does that look as though we needed an additional law judge? At that time the criminal business of Lehigh County oftentimes reached the total of one hundred fifty cases at some terms. Rarely does the criminal business at this time reach one hundred cases. In those days the District Attorney derived his emoluments from the office and necessarily the more cases there were the more fees and emoluments he received. Now, the District Attorney is salaried and the result is that the cases have almost been cut in two and yet the gentleman will make it appear as though we needed another judge in Lehigh County. The Workmen's Compensation Law, my friends, has resulted in reducing the business of the courts. A great many cases have occurred in Lehigh County under this act and I want to say that only one case has been appealed to the Court of Common Pleas from the Referees and Compensation Boards' decisions and that case was brought to the Lehigh County court last February, disposed of in two weeks, and in March the plaintiff in that case already received the compensation that he was entitled to under the order of the Compensation Board. I know of this case because I was interested for the plaintiff myself, and I say that this act, passed by us two years ago, has materially reduced the work of the common pleas judges.

Is this bill necessary, my friends? In the neighboring county to Lehigh, where they have two judges and have had them for many years, a county that is only slightly larger than Lehigh and with only a little more law business, if you have a case there to be tried with their two judges it will take you from six to nine months before you can get that case tried at a term of court. So it would seem, my friends, that the more judges there are the more delay. Shakespeare has an oft-quoted pharse to the effect about the law's delay and the insolence of office. I tell you, my friends that this does not apply to Lehigh County, this quotation from the immortal board. If you, my friends, or any of your clients or constituents have a case to be tried in the courts of Lehigh County it matters not whether it be a civil or criminal, or Orphans' Court or Equity Court, you can have that case tried at the very next court if it is ready for trial, and it will be tried unless you show a good and valid reason for continuance.

Why, I ask you then, should this burden of six thousand dollars a year, the judge's salary, be placed upon the State, and the additional burden of four or five thousand dollars a year upon the people of Lehigh County when there is absolutely no necessity for it; when the judge does not want it; when the people do not want it? My friends, we are mobilizing for active participation in the greatest war of the ages and against the strongest military power the world has ever seen. How long that war may last and what the cost will be no man can tell. We know, however, that the cost will be tremendous. Is this a time then, I ask you, to place this burden upon the Commonwealth of Pennsylvania and upon the County of Lehigh when we don't need it? I ask you, gentlemen of this Chamber, in all sincerity, to vote down the measure and let well enough alone.

Mr. GEORGE J. A. MILLER. Mr. Speaker, Lehigh County in the census of 1910 has one hundred and eighteen

thousand eight hundred and thirty-two population—in round numbers a population of one hundred and nineteen thousand. Due to the remarkable industrial activity of the Lehigh Valley, of which I think nearly every member here is aware, our population has jumped to such an extent that a conservative estimate of the population would be one hundred and fifty thousand and yet, mind you, gentlemen of the House, Lehigh County has only one judge. He is the judge of the Court of Common Pleas, Quarter Sessions, Oyer and Terminer and the Orphans' Court. I want to give you a comparison with some of the other counties to show you their population. In 1910, seven years ago, we were the only county in the State of Pennsylvania with over one hundred thousand population that had only one judge. In 1910 there were at least four counties in the State of Pennsylvania who for years had two judges with considerably less population than we had then. There were four more counties of equal population with Lehigh who had two judges for a number of years prior. Since 1910 our population has jumped, as I have said before, to possibly one hundred and fifty thousand and the demand for another judge has become such that the lawyers of Lehigh County practically unanimously petitioned this Legislature for an additional judge. I have a petition here signed by nearly every member of the Lehigh County Bar. Yesterday and today, as many of you are aware, a delegation of the Lehigh County Bar was here in the interest of this bill, headed by the President of the Bar Association of the County. Another fact to remember is this: that for the past fifteen years there has not been a session of court in Lehigh County where they did not have a judge from another county present to assist in disposing of the cases. There has not been a term of court in fifteen years when we did not have two judges on the bench. Now, gentlemen, why should we have judges from other counties, a county as rich as Lehigh? In fact the census report shows that Lehigh County ranks seventh in wealth of the counties in the State of Pennsylvania. Why should that county have but one resident judge and be compelled to call in other judges from other counties at every term to transact its business. For every term of court in the last four years there has either been Judge Henry from Lebanon County, Judge Staples from Monroe County or Judge Barber from Carbon County. In the last fifteen years there has been a judge there in our county continuously at every term of court. Why should we submit to that state of affairs? On the basis of a comparison of population I will call your attention for the moment to the four following counties each of whom have two judges and less population than Lehigh County: Chester, 109,213; Northumberland, 111,420; Erie, 115,517; Delaware, 117,906. There are four other counties, the following four each have two judges and only have a few thousand more population than Lehigh County: Northampton, 127,667; Dauphin, 136,152; York, 136,405; and Washington, 143,608. The Constitution provides that each county having a population of forty thousand shall be a separate judicial district.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Albee,	Fitzgibbon,	McKinney,	Shunk,
Aron,	Fowler,	McNichol,	Siggins,
Arthur,	Franklin,	McPeake,	Simpson,
Baker,	Fretz,	McVicar,	Sinclair,
Baldi,	Gans,	Mearkle,	Smith, E. R.,
Baldridge,	Golder,	Mehring,	Smith, F. I.,
Bechtold,	Goodnough,	Mervine,	Smith, J. W.,
Bennett,	Goodwin,	Michel,	Snowden,
Beyer,	Graeff,	Miller, A. D.,	Snyder,
Bidelspacher,	Graham,	Miller, Allan,	Somerman,
Black,	Gransback,	Miller, C. G.,	Sones,
Boulton, H.,	Haldeman,	Miller, G. J. A.,	Speicher,
Bouton, V. B.,	Hecht,	Milliron,	Sprowls,
Bovee,	Heffernan,	Mitchell,	Stadtlander,
Boyd,	Helt,	Morgan, T.,	Steedle,
Brady,	Hess,	Morgan, T. J.,	Stern,
Brumbaugh,	Heyburn,	Murdoch,	Stites,
Campbell, J. O.,	Hibshman,	Neary,	Sullivan,
Campbell, T.,	Hoffman,	Ogden,	Swartz,
Clements,	Hollingsworth,	Palmer,	Thomas,
Coldsmith,	Horton,	Patterson,	Ulsh,
Conner,	Howarth,	Pickering,	Urich,
Cook,	Jack,	Powell,	Vickerman,
Corbin,	Jennings,	Ramsey,	Wagner,
Cox,	Jones,	Reichenbacher,	Walker,
Crosby,	Kennedy,	Reitzel,	Wallace,
Cummins,	Lanius,	Reynolds,	Walter,
Curry,	Leary,	Rhodes, W. M.,	Whitaker,
Dawson,	Lewis,	Rich,	Williams, G. W.
Dean,	Lohr,	Richards,	Williams, J. P.,
Dell,	Luppert,	Rininger,	Wobensmith,
Dewey,	Malie,	Robertson,	Wood,
Dithrich,	Marvin,	Ross,	Woodward,
Drinkhouse,	Maurer,	Ruddy,	Wylie,
Dunn,	McCaig,	Schaeffer, A. C.,	Zanders,
Eby,	McCullough,	Scott,	Baldwin,
Ehrhardt,	McCurdy,	Showalter,	Speaker.
Fackler,	McKay,		

NAYS—19.

Barner,	Donneley,	Isherwood,	Rothenberger,
Burnett,	Erdman,	Lauler,	Rudisill,
Canon,	Flynn,	Musser,	Smith, O. W.,
Chestnut,	Haight,	Ringler,	Strauss,
Christman,	Hollern,	Rinn,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. BOULTON. Mr. Speaker, I desire to call up at this time from page 29 of to-day's calendar, bills on third reading postponed, House Bill No. 1072, File Folio 3933 .

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1072, entitled

An Act to authorize the construction of branches by railroad companies.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187.

Albee,	Fitzgibbon,	McKay,	Shattuck,
Aron,	Flynn,	McKinney,	Showalter,
Arthur,	Fowler,	McNichol,	Shunk.
Baker,	Franklin,	McPeake,	Siggins,
Baldi,	Fretz,	McVicar,	Simpson,
Baldridge,	Gans,	Mearkle,	Sinclair,
Barner,	Geary,	Mehring,	Smith, E. R.,
Bechtold,	Glass,	Mervine,	Smith, F. I.,
Bell,	Golder,	Michel,	Smith, J. W.,
Bennett,	Goodnough,	Miller, A. D.,	Smith, L.,
Benninger,	Goodwin,	Miller, Allan,	Smith, O. W.,
Beyer,	Gormley,	Miller, C. G.,	Snyder,
Bidelspacher,	Graeff,	Miller, G. J. A.,	Somerman,
Black,	Graham,	Milliron,	Sones,
Boulton, H.,	Gransback,	Milner,	Speicher,
Bouton, V. B.,	Haight,	Mitchell,	Sprowls,
Bovee,	Haldeman,	Morgan, T.,	Stadtlander,
Boyd,	Hecht,	Morgan, T. J.,	Steedle,
Brady,	Heffernan,	Murdoch,	Sterling,
Brumbaugh,	Helt,	Musser,	Stern,
Burnett,	Hess,	Neary,	Stites,
Campbell, J. O.,	Heyburn,	Ogden,	Stofflet,
Campbell, T.,	Hibshman,	Palmer,	Strauss,
Christman,	Hoffman,	Patterson,	Sullivan,
Clements,	Hollern,	Perry,	Swartz,
Coldsmith,	Hollingsworth,	Phillips,	Sweitzer,
Conner,	Horton,	Pickering,	Thomas,
Cook,	Howarth,	Powell,	Ulsh,
Corbin,	Isherwood,	Ramsey,	Urich,
Cox,	Jack,	Reichenbacher,	Vickerman,
Crosby,	Jennings,	Reitzel,	Vogdes,
Cummins,	Jones,	Reynolds,	Wagner,
Curry,	Kennedy,	Rhodes, W. M.,	Walker,
Davis, W.,	Lanius,	Rich,	Walter,
Dawson,	Laucks,	Richards,	Wells.
Dean,	Lauler,	Ringler,	West,
Dell,	Leary,	Rininger,	Whitaker,
Dewey,	Lewis,	Rinn,	Wickman,
Dithrich,	Lohr,	Robertson,	Williams, G. W.
Donneley,	Luppert,	Rogers,	Williams, J. P.,
Drake,	Mangan,	Ross,	Wobensmith,
Drinkhouse,	Marvin,	Rothenberger,	Wood,
Dunn,	Maurer,	Ruddy,	Woodward,
Eby,	McArdle,	Rudisill,	Wylie,
Ehrhardt,	McCaig,	Sampsel,	Wynne,
Erdman,	McCullough,	Schaeffer, A. C.,	Zanders,
Fackler,	McCurdy,	Scott,	Baldwin,
			Speaker.

NAYS—1.

Benchoff,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MR. WHITAKER IN THE CHAIR.

BILLS ON THIRD READING.

Mr. PALMER. Mr. Speaker, I desire to call up at this time from page 30 of to-day's calendar, bills on third reading postponed, House Bill No. 315, File Folio 1773.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 315, entitled

An Act to further amend section thirteen of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand and one) entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record providing for non-partisan nominations and elections for said offices abolishing certain existing methods of nomination in such cases and the use of party or political names and appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses" as amended

On the question,

Will the House agree to the bill on third reading? z

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STADTLANDER. Mr. Speaker, I would like to have the sponsor of this bill explain it.

Mr. PALMER. Mr. Speaker, the law passed in 1913 providing that where a man running on a non-partisan ticket receives fifty-one per cent. of the total number of votes passed he shall be declared elected. When the court came to consider that act they decided it meant fifty-one per cent. of the ballots cast, so that running on a ticket at the same time with a non-partisan nomination there may be five thousand ballots cast for another candidate, whereas only twenty-five hundred may vote for the judge. The court decided that the candidate in order to be elected under this act would have to obtain more votes than were cast for the judges. This act makes that fifty-one per cent. proposition operative, and that is exactly what the law means.

Mr. STADTLANDER. Mr. Speaker, I desire to interrogate the gentleman from Schuylkill.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. PALMER. Mr. Speaker, yes sir.

Mr. STADTLANDER. Mr. Speaker, what provision does your act make in a case where there are two or more judges running in the same election?

Mr. PALMER. Mr. Speaker, that would just divide it by two or three. In other words if one man or if two men or if five men were running for judge with two to be elected, the two top men must beat the other men on the ticket. They must get over the fifty-one per cent., divided by two which is twenty-five and a half per cent. Whereas in the case of but two they would have to obtain fifty per cent. of the votes cast.

Mr. STADTLANDER. Mr. Speaker, I desire to further interrogate the gentleman. Does your act provide in case of a person receiving fifty-one or more per cent. and is the name placed in the uncontested column?

Mr. PALMER. Mr. Speaker, yes sir, if nominated.

Mr. STADTLANDER. Does that apply to the primary election?

Mr. PALMER. The Act of 1913 has so declared. The Act of Assembly declares them to be elected if they receive fifty-one per cent. of the votes.

Mr. WALTER. Mr. Speaker, in answer to the gentleman from Schuylkill, this would enable a comparatively small minority of the voters of a judicial district to nominate the judge. Now the Act of 1913, which permitted an election, or practically an election, prior to the general election in November was a long step away from democracy. This proposition would further extend it, and it would seem only right and proper that a man running for the most important office in the county should receive fifty-one per cent. of all the votes cast at that election, whether they were cast for that particular office or not. This is giving a minority the right to name a judge, and all the people who go to an election who have not interest enough to vote for the judge should still be counted in the same way in ascertaining a majority of the votes cast for the office of judge.

Mr JAMES O. CAMPBELL. Mr. Speaker, I would like to interrogate the gentleman from Schuylkill.

The SPEAKER. Will the gentleman from Schuylkill, Mr. Palmer, permit himself to be interrogated?

Mr. PALMER. Yes, sir, Mr. Speaker.

Mr. JAMES O. CAMPBELL. I would like to ask the gentleman who would have been elected to the Supreme Court at the primaries last spring if this bill had been effective at that time.

Mr. PALMER. Mr. Speaker, Mr. Charles Palmer.

Mr. JAMES O. CAMPBELL. Mr. Speaker, I wish to call the attention of the House to that fact. Last spring at the primaries we named a candidate, or two candidates, for the office of Supreme Court Judge. The first name on the list was Mr. Palmer, the second or lower name on the list was Mr. Walling. If this bill had been effective at that time Mr. Palmer would have been elected because he had a majority of the votes that were cast for that office, although it was not a majority of the votes cast at the election. In the question of a State-wide primary the voters are not always very much concerned in the election of the judicial candidates and they are not usually familiar with the men. I know nothing about Mr. Palmer personally, I wish to cast no reflection upon him whatever, but I believe firmly that the result of that vote was not that the majority of the people in Pennsylvania preferred Mr. Palmer to Mr. Walling, but that they voted for the first man on the list, not being familiar with the record of either man.

Mr. SIGGINS. Mr. Speaker, I desire to interrogate the gentleman from Schuylkill.

The SPEAKER. Will the gentleman from Schuylkill, Mr. Palmer, permit himself to be interrogated?

Mr. PALMER. Mr. Speaker, I will.

Mr. SIGGINS. Mr. Speaker, the original act of which this is an amendment provides where one of the candidates receives a greater number of votes than one-half, does it not?

Mr. PALMER. Mr. Speaker, fifty-one per cent.

Mr. SIGGINS. Mr. Speaker, not fifty-one and a half per cent.

Mr. PALMER. Mr. Speaker, more than a half.

Mr. SIGGINS. Mr. Speaker, it might not be fifty-one per cent.

Mr. PALMER. Mr. Speaker, it might not be.

Mr. SIGGINS. Then if there were simply two candidates for a judicial office under this amendment, the man who received the most votes would be elected at the primaries.

Mr. PALMER. Mr. Speaker, yes, sir, that is right, unless those men who may have voted a non-partisan ticket cast a blank ballot, then the candidate might not have obtained over his fifty-one per cent.

I would like to answer both the gentleman from Franklin and the gentleman from Butler, if the House has finished.

The gentleman from Franklin presents the argument that perhaps people would not vote. Well, why should their votes if they do not vote either for or against a man be counted? Certainly the people know for whom they want to vote, and the decision should be made upon the men who are interested enough to vote either for or against, for if a man does not vote on a ticket, his vote should not be counted in determining the majority. I am sure there will always be enough voters interested either one way or the other that a decision can be reached. The argument simply is that if a man may have been negligent, of course his vote should count just as much as if he were not negligent.

To the gentleman from Butler, let me say the fault perhaps in Mr. Palmer receiving more votes than Mr. Walling was due to the fact that his name began with the letter "P" instead of the letter "W." Now that matter should be remedied by another act of Assembly, and there has been an act introduced to cover that question. He was the first on the list, and by the time it was over, they had advertised Mr. Palmer, the candidate, to such a great extent that they

had gone as far as to slander him. I am sure I do not know anything about him, but I know this, that before it was over it became a matter of advertisement and Mr. Walling was finally elected. This act will simply mean that you will have to begin to advertise to months prior to the time you would have begun to advertise. That is all there is to it. They cannot answer that, and this will save repetition of what has happened.

Mr. WALLACE. I think, Mr. Speaker, that the provisions of this proposed act are not good. There are a great many people in this Commonwealth who now think that even fifty-one per cent. of the votes cast does not entitle a man to an exclusive right of the ballot. We must not forget, Mr. Speaker, that minorities have rights in this Commonwealth. I do not believe there ever was any intention to make a primary election an election of a candidate. The primary is intended to give place upon the ballot. It is very questionable indeed if fifty-one per cent. should, as a matter of right, give a man the exclusive place on the ballot. Certainly the provisions of this bill would be unjust in depriving the minority of the right which they have, and ought to have. Do not let us make a primary nomination an election. We have that provision near enough now, and I think this would be very unwise and should be voted down.

Mr. PALMER. Mr. Speaker, the gentleman from Lawrence should have presented those arguments at the 1913 session. I did not have anything to do with the making of fifty-one per cent. of the votes an election of a man on the non-partisan ticket. That was what the law declared, that was passed by the session of 1913. This bill simply makes operable the provisions of that act of 1913. The intention of that act, and the intention of this act, is to do what the good citizenship has been clamoring to be done on the judicial ticket, taking it out of politics as much as possible.

Agreeably to order,

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—76.

Albee,	Flynn,	McKinney,	Schaeffer, A. C.,
Aron,	Franklin,	McNichol,	Scott,
Baldi,	Fretz,	Mehring,	Sinclair,
Bennett,	Gans,	Miller, C. G.,	Smith, E. R.,
Benninger,	Glass,	Miller, G. J. A.,	Smith, J. W.,
Boulton, H.,	Golder,	Milliron,	Smith, O. W.,
Clements,	Gransback,	Milner,	Snowden,
Conner,	Haight,	Morgan, T. J.,	Sones,
Cox,	Hecht,	Palmer,	Speicher,
Crosby,	Hess,	Patterson,	Steedle,
Cummins,	Heyburn,	Pickering,	Stites,
Curry,	Hollern,	Powell,	Stoffiet,
Davis, W.,	Horton,	Ramsey,	Thomas,
Dawson,	Jack,	Reitzel,	Walker,
Donneley,	Jones,	Reynolds,	Wells,
Drinkhouse,	Lewis,	Rininger,	Whitaker,
Dunn,	Lohr,	Rinn,	Wobensmith,
Ehrhardt,	Luppert,	Robertson,	Wood,
Fackler,	Marvin,	Rothenberger,	Zanders,

NAYS—85.

Baker,	Dewey,	McCurdy,	Shunk,
Baldridge,	Dithrich,	McKay,	Siggins,
Barner,	Drake,	McVicar,	Simpson,
Bechtold,	Eby,	Mervine,	Snyder,
Benchoff,	Goodwin,	Michel,	Somerman,
Beyer,	Graeff,	Miller, A. D.,	Sprowls,
Bidelspacher,	Graham,	Miller, Allan,	Stadtlander,
Black,	Heyburn,	Morgan, T.,	Stern,
Bouton, V. B.,	Hoffman,	Murdoch,	Taylor,
Bovee,	Hollingsworth,	Musser,	Ulsh,
Boyd,	Howarth,	Neary,	Urich,
Brady,	Isherwood,	Ogden,	Vickerman,
Brumbaugh,	Kennedy,	Phillips,	Vogdes
Burnett,	Lanius,	Rhodes, W. M.,	Wagner,
Campbell, J. O.,	Laucks,	Rich,	Wallace,
Campbell, T.,	Lauler,	Ringler,	Walker,
Canon,	Malie,	Ross,	Wickman,
Chestnut,	Mangan,	Ruddy,	Williams, G. W.
Coldsmith,	Maurer,	Rudisill,	Williams, J. P.,
Cook,	McArdle,	Sampsel,	Wylie,
Corbin,	McCullough,	Showalter,	Baldwin,
Dell,			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the qeustion was determined in the negative and the bill falls.

Mr. MEARKLE. Mr. Speaker, I desire to call up House Bill No. 1034, File Folio 2935, from page 29 of today's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1034, entitled

An Act to provide for the incorporation and regulation of mutual insurance companies other than life and for the licensing and regulation of such companies from other states and to repeal existing laws.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184

Albee,	Franklin,	McNichol,	Showalter,
Aron,	Fretz,	McPeake,	Shunk,
Baker,	Gans,	McVicar,	Siggins,
Baldridge,	Geary,	Mearkle,	Simpson,
Barner,	Glass,	Mehring,	Sinclair,
Bechtold,	Golder,	Mervine,	Smith, E. R.,
Benchoff,	Goodnough,	Michel,	Smith, F. I.,
Beyer,	Goodwin,	Miller, A. D.,	Smith, O. W.,
Bidelspacher,	Graeff,	Miller, C. G.,	Smith, L.,
Black,	Graham,	Miller, G. J. A.,	Smith, O. W.,
Bovee,	Gransback,	Milliron,	Snyder,
Boyd,	Haight,	Milner,	Somerman,
Brady,	Haldeman,	Mitchell,	Sones,
Brumbaugh,	Hecht,	Morgan, T.,	Speicher,
Burnett,	Heffernan,	Morgan, T. J.,	Sprowls,
Campbell, J. O.,	Hess,	Murdoch,	Stadtlander,
Campbell, T.,	Heyburn,	Musser,	Steedle,
Canon,	Hibshman,	Neary,	Sterling,
Chestnut,	Hoffman,	Ogden,	Stern,
Christman,	Hollern,	Palmer,	Stites,
Clements,	Hollingsworth,	Patterson,	Stoffiet,
Coldsmith,	Horton,	Perry,	Strauss,
Conner,	Hough,	Phillips,	Sullivan,
Cook,	Howarth,	Pickering,	Swartz,
Corbin,	Isherwood,	Powell,	Taylor,
Cox,	Jack,	Ramsey,	Thomas,
Crosby,	Jennings,	Reichenbacher,	Ulsh,
Cummins,	Jones,	Reitzel,	Urich,
Curry,	Kennedy,	Reynolds,	Vickerman,
Davis, W.,	Lanius,	Rhodes, W. M.,	Vogdes,
Dawson,	Laucks,	Rich,	Walker,
Dean,	Lauler,	Richards,	Wallace,
Dell,	Leary,	Ringler,	Walter,
Dewey,	Lewis,	Rininger,	Wells,
Dithrich,	Lohr,	Rinn,	West,
Donneley,	Luppert,	Robertson,	Whitaker,
Drake,	Malie,	Rogers,	Wickman,
Drinkhouse,	Mangan,	Ross,	Williams, G. W.
Dunn,	Marvin,	Rothenberger,	Williams, J. P.,
Eby,	Maurer,	Ruddy,	Wobensmith,
Ehrhardt,	McArdle,	Rudisill,	Wood,
Erdman,	McCaig,	Sampsel,	Woodward,
Fackler,	McCullough,	Schaeffer, A. C.,	Wylie,
Fitzgibbon,	McCurdy,	Scott,	Wynne,
Flynn,	McKay,	Shaffer, C. A.,	Zanders,
Fowler,	McKinney,	Shattuck,	Baldwin,
			Speaker.

NAYS—0

The majority required by the Consttiution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Mr. HESS. Mr. Speaker, I desire to call up at this time from page 32 of today's calendar, bills on final passage postponed, House Bill No. 1251, File Folio 3607.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 1251, entitled

An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173

Albee,	Fackler,	McKay,	Simpson,
Aron,	Fitzgibbon,	McNichol,	Sinclair,
Arthur,	Flynn,	McPeake,	Smith, E. R.,
Baker,	Fowler,	McVicar,	Smith, F. I.,
Baldi,	Franklin,	Mearkle,	Smith, J. W.,
Baldridge,	Fretz,	Mehring,	Smith, L.,

Barner,	Gans,	Mervine,	Smith, O. W.,
Bechtold,	Geary,	Michel,	Snowden,
Bell,	Glass,	Miller, Allan,	Snyder,
Benchoff,	Golder,	Miller, C. G.,	Somerman,
Bennett,	Goodnough,	Miller, G. J. A.,	Sones,
Benninger,	Goodwin,	Milliron,	Spangler,
Beyer,	Graeff,	Mitchell,	Speicher,
Bidelspacher,	Graham,	Morgan, T.,	Sprowls,
Black,	Gransback,	Morgan, T. J.,	Stadtlander,
Bouton, V. B.,	Haight,	Murdoch,	Steedle,
Bovee,	Haldeman,	Musser,	Sterling,
Boyd,	Hecht,	Neary,	Stern,
Brady,	Heffernan,	Ogden,	Stites,
Brumbaugh,	Helt,	Palmer,	Stofflet,
Burnett,	Hess,	Patterson,	Strauss,
Campbell, J. O.,	Heyburn,	Pickering,	Sullivan,
Campbell, T.,	Hibshman,	Powell,	Swartz,
Canon,	Hoffman,	Ramsey,	Sweitzer,
Chestnut,	Hollingsworth,	Reichenbacker,	Taylor,
Christman,	Horton,	Reitzel,	Thomas,
Clements,	Hough,	Reynolds,	Ulsh,
Coldsmith,	Howarth,	Rhoads, H. L.,	Urich,
Conner,	Isherwood,	Rhodes, W. M.,	Vickerman,
Cook,	Jack,	Rich,	Vogdes,
Corbin,	Jennings,	Ringler,	Wagner,
Cox,	Jones,	Rininger,	Walker,
Crosby,	Kennedy,	Rinn,	Wallace,
Cummins,	Lafferty,	Robertson,	Walter,
Curry,	Lanius,	Rogers,	Wells,
Davis, W.,	Laucks,	Rothenberger,	West,
Dawson,	Lauler,	Ruddy,	Whitaker,
Dean,	Leary,	Rudisill,	Wickman,
Dell,	Lewis,	Sampsel,	Williams, G. W.
Dewey,	Lohr,	Sarig,	Williams, J. P.,
Dithrich,	Luppert,	Schaeffer, A. C.,	Wobensmith,
Donneley,	Malie,	Scott,	Wood,
Drake,	Mangan,	Shaffer, C. A.,	Woodward,
Drinkhouse,	Marvin,	Shattuck,	Wylie,
Dunn,	Maurer,	Showalter,	Wynne,
Eby,	McArdle,	Shunk,	Zanders,
Ehrhardt,	McCaig,	Siggins,	Baldwin,
Erdman,	McCullough,		Speaker.

NAYS—2.

McCurdy, McKinney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered that the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Mr. McVICAR. Mr. Speaker, I desire to call up at this time from page 28 of to-day's calendar, bills on third reading postponed, House Bill No. 23, File Folio 2317.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 23, entitled

An Act authorizing township commissioners and township supervisors to adopt certain roads streets and highways as public roads and providing for their maintenance improvement and repair.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180

Albee,	Fackler,	McCurdy,	Shaffer, C. A.,
Aron,	Fitzgibbon,	McKay,	Shattuck,
Arthur,	Flynn,	McKinney,	Showalter,
Baker,	Fowler,	McNichol,	Shunk,
Baldi,	Franklin,	McPeake,	Siggins,
Baldridge,	Fretz,	McNichol,	Simpson,
Barner,	Gans,	Mehring,	Sinclair,
Bechtold,	Geary,	Mervine,	Smith, E. R.,
Bell,	Glass,	Michel,	Smith, F. I.,
Benchoff,	Golder,	Miller, A. D.,	Smith, J. W.,
Bennett,	Goodnough,	Miller, Allan,	Smith, L.,
Benninger,	Goodwin,	Miller, G. J. A.,	Snowden,
Beyer,	Graeff,	Milliron,	Snyder,
Bidelspacher,	Graham,	Milner,	Somerman,
Black,	Gransback,	Mitchell,	Sones,
Boulton, H.,	Haight,	Morgan, T.,	Spangler,
Bouton, V. B.,	Haldeman,	Morgan, T. J.,	Speicher,
Bovee,	Hecht,	Murdoch,	Sprowls,
Boyd,	Heffernan,	Murphy,	Stadtlander,
Brady,	Helt,	Neary,	Steedle,
Brumbaugh,	Hess,	Ogden,	Sterling,
Burnett,	Heyburn,	Palmer,	Stern,
Campbell, J. O.,	Hibshman,	Patterson,	Stites,
Canon,	Hollern,	Perry,	Stofflet,
Chestnut,	Hollingsworth,	Phillips,	Strauss,
Christman,	Horton,	Pickering,	Sullivan,
Clements,	Howarth,	Powell,	Swartz,
Coldsmith,	Isherwood,	Ramsey,	Sweitzer,
Conner,	Jack,	Reichenbacker,	Thomas,
Cook,	Jennings,	Reitzel,	Ulsh,
Corbin,	Jones,	Reynolds,	Urich,
Cox,	Kennedy,	Rhodes, W. M.,	Vickerman,
Crosby,	Lafferty,	Rich,	Vogdes,
Cummins,	Lanius,	Richards,	Wagner,
Curry,	Laucks,	Ringler,	Walker,
Davis, W.,	Lauler,	Rininger,	Wallace,
Dawson,	Leary,	Rinn,	Walter,
Dean,	Lewis,	Robertson,	Wells,
Dell,	Lohr,	Rogers,	Whitaker,
Dewey,	Luppert,	Ross,	Wickman,
Dithrich,	Malie,	Rothenberger,	Williams, J. P.,
Donneley,	Mangan,	Ruddy,	Wobensmith,
Drake,	Marvin,	Rudisill,	Wood,
Drinkhouse,	Maurer,	Sampsel,	Woodward,
Dunn,	McArdle,	Sarig,	Wylie,
Eby,	McCaig,	Schaeffer, A. C.,	Wynne,
Ehrhardt,	McCullough,	Scott,	Baldwin,
Erdman,			Speaker.

NAYS—2.

Miller, C. G., West,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. BEYER. Mr. Speaker, I desire to call up at this time from page 27 of today's calendar, bills on third reading postponed, House Bill No. 60, File Folio 2165'

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 60, entitled

An Act to amend section seventy-five of an act approved the thirty-first day of March, one thousand eight hundred and sixty (Pamphlet Laws three hundred eighty-two), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth," by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BEYER. Mr. Speaker, this is a bill which places in the hands of the jury the right to designate to the court in a homicide case, where their verdict is murder in the first degree, whether or not it shall be life imprisonment or capital punishment. Some time ago we passed on this proposition in a different form, abolishing capital punishment altogether. This leaves the matter entirely in the hands of the jury. My own opinion, based upon experience of a good many years in the criminal courts of my own county, is this, that it has shown me this fact, that very often there are cases of a highly technical character where upon a mere technical point a jury may be instructed to render a verdict of murder in the first degree. In a case of that character where there are mitigating circumstances, the power is placed in the hands of the jury to certify to the court whether they prefer life imprisonment or capital punishment. As chairman of the committee having this bill and the companion bill in charge, I want to say in justice to the district attorneys and a great many of the judges of this Commonwealth, that those who did not favor the absolute abolishment of capital punishment either wrote letters to the committee or appeared before the committee contending in behalf of this bill. They believed it was more possible to summon a jury in a capital case where they had some discretion than where the jury was bound to render a verdict one way without some regard of the consequences of their verdict. I think under those circumstances this bill ought to pass.

Mr. WALTER. Mr. Speaker, this bill places in the hands of the jury the right to determine the punishment. Juries now have an absolute right under the instruction of the court to determine the degree. The objections to this bill are made not only by those who are in favor of capital punishment, but those who desire its abolition. The argument advanced against the bill by those who make a study of this subject is that it subjects the criminal to mob law. Wherever public sentiment runs high against the crime, the criminal will probably be sentenced to death. Where it is indifferent, or where there are some circumstances which

palliate the taking of the life in the eyes of the people rather than in the eyes of the law, the jury will probably let that man off with life imprisonment. Now, Mr. Speaker, I can understand why those who are opposed to capital punishment altogether, should urge the passage of the bill which was defeated a few weeks ago, but how this bill can contribute to the good order of society and the safety of life, I fail to see. Even the peace-loving people, who believe it wrong to take life, are not in favor of this bill. The action of this body seemed to meet with rather general approval in the defeat of the Tompkins-Wells-Hess bill a few weeks ago, and I believe the action of this body with respect to this bill should be the same, and the good order of society and the safety of human life would be better promoted by the laws that now exist than by making it as this bill proposes to make it. This bill, in precisely the same form, passed two years ago and was vetoed by his Excellency, the Governor of the Commonwealth. A similar bill was passed in 1909, and was vetoed by Governor Stuart, and all of the members of this House have received, in connection with the other bill, a copy of his excellent veto message.

In connection with that copy, if you will remember, was a letter from Judge Ralston which was used very freely in the argument on the other bill that was before this House. You have all the information now, fresh in your minds, that you had when the other bill was before you and I trust that this bill will be defeated as the other one was.

Mr. BALDWIN. Mr. Speaker, I think we all appreciate that all laws should have as much flexibility in them as possible. I would like to state to the House that I have not thought anything on this bill, neither had I expected to say a word on it, nor did I know that it was so near passing. Nearly all of the criminal laws that we have on the statute books have a flexibility in them, namely, with fixing a maximum and fixing a minimum, and we very frequently fix a maximum only and leave the minimum entirely to the discretion of the court. Any person who has ever thought serioulsy on that questiou realizes the wisdom because there are so many circumstances surrounding the same class of offenses that from the humane standpoint mitigate the real crime. Now, a great many people think that the taking of human life calls for the law to take another to protect society. There are circumstances surrounding capital offenses which do call for certain flexibility in the treating of capital punishment. If this law had never been tried in any state of the Union or any nation in the world we might hesitate as to whether we could afford to put it on the statute books of Pennsylvania. It has been tried in a number of States and it has been the law in the State of Illinois which I think was the first State that tried, we might say, the experiment and it is still there.

To my mind this is a proper piece of legislation because in practice there are many instances where the jury would like to punish the individual arraigned before the court but yet, because there is no flexibility in the law and the punishment means death, the accused goes free and too often to prey upon society and commit another offense of a similar character. My own judgment is that it is far better to place this flexibility in the law and leave it to the discretion of the judge and the jury; of course, the judge only comes in when the party pleads guilty, which, I believe, under the criminal law regarding a capital offense he is not allowed to plead but, as I understand under this statute—not being a lawyer—he would be allowed to plead and it will then place a flexibility in the law so that you will secure the conviction, in my judgment, in many instances where under the present law you do not secure a conviction. You will remove from society a threat that hangs over them by such citizen who may be at large.

I want to impress you with this fact and I believe you would be willing to make the guess: The placing of a statute on our statute books does not guarantee that it will stay there more than two years. Every member that has ever served in this House more than one session will realize that he voted for legislation the session before that he was glad to have an opportunity to amend at the coming session. If you place this statute on the statute books of Pennsylvania you have not tied the hands of the people of Pennsylvania for all times to this proposition. You have simply said that we will try this experiment for two years and if at the end of two years we find society has not been protected, surely you will have, for I have, enough confidence in the coming Legislature to know that they will correct the mistake, if there be a mistake. This is progressive legislation. This is following in the footsteps of other states that have had this law on heir statute books for years and who have not changed back. Now, we all profess to be progressive. It is true we do not take that political title always but I venture to say there is not a man on the floor of this House who will say that he does not stand for progress, wise progress in legislation. Now, when you know that if this went on the statute, if that be a mistake, that that mistake can only last a period of two years, is it not right for us, in the face of the conditions that we all know in the past, to make this step and if it be retrogression rather than progression that the next Legislature can correct it?

This is one of the most serious propositions that can come before this legislative body; namely, it deals with the protection of life in society, the public at large. I have no sympathy, of course, nor any thought of sympathy for the man who would commit murder, but I do have serious thought for the protection of society and if we find by this experiment that we remove from society a great number of men that do not have the mental balance to keep them from committing crimes of this character, then we have protected the lives of society. Surely, surely you are willing to make a try of this proposition for two years. I myself, as you all know, am opposed to capital punishment and had not this great government of ours been at war with a foreign nation I should have voted for the abolishment of capital punishment; and it is with this thought and this thought alone that I feel that you can well afford, every one of you, to try this experiment for a period of two years and I hope that the House will pass this bill.

Mr. WALKER. Mr. Speaker and gentlemen of the House, I wish to heartily concur in what the learned Speaker of this House has said on this bill and I do it particularly in view of the fact that we had so well discussed a few weeks ago the question of the abolishment of capital punishment. We all remember when that subject was before the Committee of Judiciary General from both Bodies in the hall of this House, and afterwards when it was discussed by the members upon the floor of this House, that it was given out as a fact, substantiated by those who had made a particular study of it, that at present the curse of capital punishment laid in the fact that the juries did not weigh carefully and considerately all the facts that were placed before them but they waited, as it were, for a loop-hole by which to save a prisoner's life. Therefore in many cases they took these various cases of murder—by laying wait, and murder by means of poisons and the defendants were given the second degree. The jury did refuse to bring in a verdict of murder of the first degree, but brought in a verdict of murder in the second degree, so that under the law, under the strict interpretation of it, the man who should have been electrocuted was permitted to live. I submit that that is unfair for two reasons: first, it is unfair to the Commonwealth; second, it is unfair to the other degree where credit of second degree murder was involved of where murderers were convicted who did not commit murder with pretense and malice aforethought. Therefore, this act is of interest towards these men who are suffering for the commission of crime under second degree murder. It is also a fair act towards the people of the Commonwealth in that it says to a man who is unfortunate enough to commit murder while in his cups or while under great anger—it is true you have committed murder but we realize that it was not with malice and prepense aforethought and therefore the jury has a right to say to such a man that you will take life imprisonment which is different from a murder committed by poison or by laying in wait a man with a dastard purpose and to him the jury can say: "You must go and meet your doom in the electric chair." It is fair in that it says your first degree murderers may be given the first degree sentence. Gentlemen, this bill ought to pass.

Mr. DITHRICH. Mr. Speaker, I have personal reasons why I would like to support this bill but my conviction

that comes from years of practice of criminal cases and from a study of the question convinces me that it is a dangerous experience for us to try. We are dealing with human life; it is already held too cheaply. Only yesterday in my district three men were murdered in cold blood in the perpetration of a bank robbery. If the men are captured, and they probably will be, one of our good criminal lawyers, if this bill becomes a law, could plead with a jury and could go into the question of punishment from the sympathetic side which is not permitted under existing law and by appealing to their sympathy could possibly have their sentence made life imprisonment. If that act does what it says there is not to be so much opposition to it but in the states referred to where this law has been tried it has been proven that life imprisonment means on an average a term of possibly ten or twelve years. In our neighboring state of West Virginia they have a law identical with this. Only in March of this year the Governor on retiring from office in that state pardoned sixty-five criminals who were serving sentence including sixteen persons who were convicted of first degree murder. In California they have a similar law and there is where a jury compromises between life imprisonment as in the B. murder case the judge commented on the fact of the law which made possible such inadequate punishment for a crime committed. The point has been raised that we need more flexibility in the law, but if the gentlemen of this House would consider that we have in Pennsylvania different degrees of murder on which verdicts can be rendered; namely, first degree murder, second degree murder, voluntary manslaughter and involuntary man-slaughter. If there is any question of doubt as to a man's guilt there is never a verdict of first degree murder returned. You have the evidence and the testimony of men who have been engaged in the practice of criminal law for many more years than I have who have not known of a single case in Pennsylvania where a man was convicted of first degree murder or who was convicted unless there was a clear case of murder in the first degree. You are also aware of the fact that a jury can recommend in case of a man, a prisoner convicted, the clemency of the court. Never has a recommendation in the State of Pennsylvania been ignored in a case of that sort. We had the question of capital puishment before us some time ago and I am proud of the stand that the House took on that question in face of the powerful effort that was made to pass that bill. Now we have before us a compromise measure which places the burden upon a jury. A jury has enough to do to consider the facts and when we pass a bill of this kind we are striking down one of the fundamental principles that has always existed. When you allow a jury to consider both the facts and the law that is dangerous and that has been a principle that has been handed down to us in years past and it has been maintained that it shall be kept separate, always. In this bill you will have to say, as a juror, not only whether or not the man is guilty, from the facts in the case, but from a fact of law. What would be the result? They as jurors could argue that certain punishment only apply in cases of a certain kind or of a certain offense and should not apply to the others. They could appeal to the members of the jury possibly or religious grounds or on racial grounds. The result would be a compromise verdict and in very many cases where a man might be guilty of murder the sentence would be life imprisonment. This is a matter that should be left to the court. If the court refuses you can then go before the Board of Pardons of the State of Pennsylvania and ask for a commutation of sentence; but don't by any means leave that with the jury. That responsibility properly belongs with the judge and it should not be transferred to the jury. It is with the judge and there it should stay. I sincerely hope that the House will vote down this bill.

Mr. McKAY. Mr. Speaker, I have listened with a great deal of interest to the speakers who have preceded me. I am not going to make an extended speech. If I cannot be eloquent, I can at least be brief. It may not be generally known that on the same date on which this bill was introduced I introduced a similar bill—a companion bill. I had no knowledge whatever that the gentleman who is now in the Chair (Mr. Whitaker) had introduced a bill of this character. Neither did he know that I had introduced one. That was on the twenty-third of January. This bill has been on the calendar for some time and you have looked it over and the gentleman from Franklin who slaims simply that because our Executive has vetoed a bill identical with this bill this one should not pass, which is no argument whatever at this time. Let me assure you that what he did two years ago is not to be considered just now. I am reliably informed that the sentiment is, get the bill passed and then send it over here. We have a competent man, Mr. Speaker, the attorney of my county, than whom there is none better.

I could stand here for half an hour, which I will not do, and read you letters from other persons, attorneys, district attorneys and judges of this State who are in favor of this bill. I will just read one little item and we will leave it with you gentlemen of the House. You today are the jury in this case, you Mr. Speaker and gentlemen of the House are the jury to decide this case. And I say to you in the name of all that is right and fair vote for this bill.

"The enactment of a law giving the jury the right to qualify its verdict would practically do away with compromise second degree verdicts. It cannot be gain said that there is a growing sentiment against the death penalty and many jurors on account of it, balk at voting for first degree verdicts. If given the power to fixe the penalty, the average jury would fix it at life imprisonment, but the power to fix the death penalty could and probably would be exercised in cases of an aggravated nature."

That seems to be the conclusion of the whole matter, Mr. Speaker and gentlemen of the House. I want to say to you in all fairness, because I sat here for four months this session, and four years ago I sat here for six months and during all that time I had not taken a moment of time of the House in any way whatever, simply to cast my vote as I saw fit, as my constituents back home and my conscious would dictate to me, I say to you gentlemen of the House and Mr. Speaker, if you vote for this bill, your people back home I assure you will not censure you for doing what you believe to be right and your conscience I know will be satisfied.

Mr. SIGGINS. Mr. Speaker and gentlemen of the House, I am a firm believer in the abolition of capital punishment, and have been for the past fifteen years. When that bill was before this House, I voted in favor of it, but I am opposed to this bill, and I am opposed to it for the reasons that I do not believe that this legislature should put upon a jury of twelve men the burden which this legislature would not assume. It has been stated upon the floor of the House that there should be flexibiliy in the penalty for murder in the first degree. I desire ot call your attention to the fact that all flexibility in sentences as penalties for various crimes upon the statute books today is placed in the courts and not the jury. Besides there is no flexibiliy in—

Mr. BEYER. Mr. Speaker, I desire to interrogate the gentleman from Warren, Mr. Siggins.

The SPEAKER. Will the gentleman from Warren, Mr. Siggins, permit himself to be interrogated?

Mr. SIGGINS. Mr. Speaker, just as soon as I get through.

In this particular instance there is no flexibiliy between a penalty for life and capital punishment because they both end in death, it is only a matter of time when that death occurs. Gentlemen, if you were to pass this law and put this burden upon the twelve men drawn as a jury, then an attorney would come into a case, defending a particular man, and he would put it up to those twelve men that they have the power of life and death, and that they are actually the executioners if they vote in favor of inflicting capital punishment on the defendant. On the question of inflicting capital punishment upon a person who has committed a crime, who is mentally unbalanced, the laws of the present time are in such shape that they can properly take of such unfortunates.

Mr. BEYER. Mr. Speaker, I move that the House take a recess until 3.30 and continue the discussion after the recess.

Mr. WALKER. Mr. Speaker, I second the motion.

The motion was not agreed to.

Mr. WALKER. Mr. Speaker and gentlemen of the House, there was one point brought out on the floor of this House that seems to me to be rather a reflection upon our people. One of the gentlemen referred to the fact, or presumed the fact that this bill if passed would put a very heavy burden upon our jurors. Now inasmuch as twenty-six states have

acts similar to this, I do not think that we as a legislature ought to go on record as agreeing that those twenty-six states and Illinois have had such an act on their books, since states have better jurors; and if great states like Massachu- 1902 in one case, and since 1908 in another, and have never repealed it or revised it, it occurs to me that we can safely trust this proposition with the juries of Pennsylvania.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provision of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112

Albee,	Donneley,	Leary,	Neary,
Aron,	Drinkhouse,	Lewis,	Ringler,
Arthur,	Ehrhardt,	Luppert,	Rinn,
Baker,	Erdman,	Mangan,	Rothenberger,
Baldi,	Fackler,	Maurer,	Sampsel,
Bechtold,	Flynn,	McArdle,	Sarig,
Bell,	Fowler,	McCullough,	Showalter,
Bennett,	Franklin,	McCurdy,	Sinclair,
Beyer,	Gans,	McKay,	Smith, E. R.,
Bidelspacher,	Glass,	McNichol,	Smith, J. W.,
Black,	Golder,	McPeake,	Snowden,
Bouton, V. B.,	Goodnough,	McVicar,	Speicher,
Bovee,	Goodwin,	Mehring,	Stern,
Boyd,	Graeff,	Mervine,	Strauss,
Brumbaugh,	Graham,	Miller, A. D.,	Swartz,
Campbell, J. O.,	Haight,	Miller, Allan,	Thomas,
Campbell, T.,	Hecht,	Miller, C. G.,	Vickerman,
Canon,	Hess,	Mitchell,	Vogdes,
Christman,	Heyburn,	Morgan, T. J.,	Wagner,
Conner,	Hibshman,	Neary,	Walker,
Cook,	Hoffman,	Ogden,	West,
Cox,	Hollingsworth,	Perry,	Whitaker,
Cummins,	Horton,	Phillips,	Wickman,
Curry,	Howarth	Pickering,	Williams, J. P.,
Dawson,	Isherwood,	Ramsey,	Wobensmith,
Dean,	Jack,	Reichenbacher,	Zanders,
Dell,	Lafferty,	Rhodes, W. M.,	Baldwin,
Dewey,			Speaker.

NAYS—52.

Baldridge,	Helt,	Palmer,	Snyder,
Barner,	Jennings,	Powell,	Somerman,
Benchoff,	Jones,	Reitzel,	Sones,
Boulton, H.,	Lohr,	Reynolds,	Stadtlander,
Burnett,	Malie,	Robertson,	Stites,
Clements,	Marvin,	Ruddy,	Stoffiet,
Coldsmith,	McKinney,	Rudisill,	Ulsh,
Corbin,	Mearkle,	Schaeffer, A. C.,	Urich,
Davis, W.,	Miller, G. J. A.,	Scott,	Wallace,
Dithrich,	Milliron,	Shunk,	Walter,
Drake,	Milner,	Siggins,	Williams, G. W.
Dunn,	Murdoch,	Simpson,	Wood,
Eby,	Musser,	Smith, L.,	Wylie,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS.

Mr. BEYER. Mr. Speaker, I move that we take a recess until 3.30 o'clock this afternoon.

The motion was agreed to and (at 1.10 P. M.) the House took a recess until 3.30 o'clock P. M.

AFTER RECESS.

The House reconvened at 3.30 P. M.

MR. WHITAKER IN THE CHAIR

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

TIME OF NEXT MEETING.

In the Senate, May 15, 1917.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May twenty-first, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, May twenty-first, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to bill numbered and entitled as follows:

Senate Bill No. 770

An Act to further amend an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said Bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith," as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspensin of licenses given by said Bureau and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven by providing for further instruction prior to examination for licensure; by clarifying section five (5) and twelve (12).

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

House Bill No. 986

An Act making a deficiency appropriation to the Department of Agriculture.

House Bill No. 40

An Act amending an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by increasing the amount of salary to be paid to the judges of the municipal court of Philadelphia.

House Bill No. 1805

An Act to amend an act entitled "An Act relating to prothonotaries and their duties, and to their deputies, and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the twenty-sixth day of May, Anno Domini one thousand eight hundred ninety-seven, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

House Bill No. 195

An Act to amend an act approved the ninth day of April one thousand nine hundred and fifteen entitled "An Act to amend an act entitled 'An Act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other state of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to take have and hold

real estate necessary and proper for manufacturing purposes' approved the ninth day of June Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate granite stone or rocks or for dressing polishing working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-three" approved the nineteenth day of April Anno Domini one thousand nine hundred and one extending the same to companies formed for the purposes of manufacturing and selling chemicals foodstuffs cement and cement products and the quarrying of cement rock' approved May twenty-eighth one thousand nine hundred and seven extending the same to companies incorporated for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electrictiy or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control of use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business"' approved the twenty-third day of June one thousand nine hundred and eleven by extending the same to companies incorporated for the purpose of refining manufacturing or sale of petroleum and petroleum products" extending the same to companies engaged in packing manipulating or manufacturing tobacco or manufacturing cigars cigarettes or other tobacco products or for the purpose of briquetting coal or other minerals or for the purpose of manufacturing rubber in any form.

House Bill No. 820

An Act requiring the erection of detour signs by the authorities by whose direction any public highway may be closed and providing penalties for failure to comply with the provisions of this act.

House Bill No. 468

An Act fixing the salaries of the County Engineer and Deputy County Engineer in counties containing a population of more than eight hundred thousand and less than one million four hundred thousand.

House Bill No. 694

A Supplement to an act approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four), entitled "An Act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation, opening, straightening, widening, extension and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road" authorizing boroughs towns and townships to enter into contracts to aid in the construction and maintenance of such roads or highways.

House Bill No. 1032

An Act validating certain proceedings and elections of any town township or borough held to submit and determine the question of becoming a city of the third class held pursuant to an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June one thousand nine hundred and thirteen as amended by the act approved the thirteenth day of May one thousand nine hundred and fifteen and validating letters patent issued or to be issued in pursuance thereof.

House Bill No. 879

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to township supervisors of townships and requiring townships to pay the expenses in connection therewith.

House Bill No. 902

An Act to amend section one of an act approved the third day of May one thousand nine hundred nine entitled "An Act amending an act entitled 'An Act fixing the salaries of county poor directors in counties of over one hundred and fifty thousand population' approved the eighth day of June one thousand nine hundred and seven by providing for compensation according to population and granting power to employ counsel."

House Bill No. 913

An Act authorizing Mildred J. Barclay a resident of the City of Pittsburgh in the County of Allegheny in her own right as well as for the benefit of her minor daughter Mildred J Barclay to bring suit in the Court of Common Pleas of Allegheny County against the Commonwealth of Pennsylvania.

House Bill No. 923

An Act authorizing Edward A Woods of Edgeworth Allegheny County Pennsylvania to bring suit in the court of common pleas of Allegheny County against the Commonwealth of Pennsylvania.

House Bill No. 1001

An Act to amend part of section two of an act approved the fifth day of March, one thousand seven hundred and ninety-one, entitled "An Act to enable the Governor to appoint notaries public and for other purposes therein mentioned."

House Bill No. 1058

An Act authorizing the establishment of contagious disease hospitals in the several counties of the Commonwealth to be constructed and maintained out of county funds.

House Bill No. 1084

An Act authorizing J. A. Croup, of Concord Township, Butler County, Pennsylvania, to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Butler County.

House Bill No. 1144

An Act to amend section one of an act approved the twenty-first day of March, one thousand nine hundred and seven, entitled "An Act authorizing the county commissioners of the several counties, or the town councils of the several boroughs, of this Commonwealth, or both, to appropriate annually a sufficient sum of money to each Post of the Grand Army of the Republic, in their respective counties or boroughs, to aid in defraying the expenses of Memorial Day," as amended; by requiring the commissioners to make appropriations where there was heretofore an established post.

House Bill No. 1146

An Act authorizing William R. Shellenberger and Emma L. Shellenberger, his wife, of the Township of Athens, Bradford County, Pennsylvania, to bring suit against the Commonwealth.

House Bill No. 1151

An Act authorizing Frederick E. Windsor, of the Borough of Warren, County of Warren, to sue the Commonwealth.

House Bill No. 1170

An Act authorizing R. B. Taylor, of Bellefonte, Centre County, to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

House Bill No. 1344

An Act regulating the conduct and prescribing the duties of drivers or operators of automobiles, motor cycles or other vehicles on public highways who shall injure any person or persons while so driving on said highways and providing penalties for violations of this act.

House Bill No. 1494

An Act to amend section thirty of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees; providing for the taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to

the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make make to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein; providing for the work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petition; providing for percentage of cost of improvement or repairs to be paid by the State, county, township, borough or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act."

House Bill No. 418

An Act fixing the fees of the recorder of deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants.

With information that the Senate has passed the same without amendment.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 1117

An Act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department, bureau, commission or office thereof or by any county, municipality or school district shall not be deemed or held to have resigned or abondoned their offices or employments by reason of enlistment or draft in the army or navy of the United States in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the army or navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives, children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes.

With information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk then read the amendments as follows:

In title, line 2, after the word "Pennsylvania" insert "in its civil service or by any department bureau commission or office thereof"; also in line 4 strike out the word "or"; also in line 4 after the word "municipality" insert "or school district" and strike out the following "thereof in its civil service who have a wife children or parents dependent upon them for support"; also in line 9 after "enlistment" insert "or draft"; also in line 15 insert after "employees" "as have dependent wives children or parents"; also on page 2, line 2, strike out the word "thereof."

In section 1, line 7, after "county" strike out the word "or"; in same line after "municipalities" insert "or school district"; also insert at beginning of line 9 the following "or be drafted"; in line 10, after the word "States" strike out "having a wife children or parents dependent upon him for support"; also in line 15, after "shall" insert "if there is no other person authorized by law to perform the powers and duties of such officer or employe"; also on line 21 strike out "and such" and insert "such."

In section 2, page 3, line 8, after "enlisting" insert "or drafted"; also in line 10 after "enlistment" insert "or draft"; also in line 14 after "enlistment" insert "or draft."

In section 3, page 4, line 20, after "enlistment" insert "or draft"; also in line 28 after "enlisting" insert "or drafted."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—115.

Albee,	Gans,	Miller, C. G.,	Sinclair,
Aron,	Golder,	Miller, G. J. A.,	Smith, J. W.,
Arthur,	Graeff,	Milliron,	Smith, L.,
Baker,	Graham,	Milner,	Snowden,
Baldi,	Gransback,	Morgan, T. J.,	Somerman,
Baldridge,	Haight,	Murphy,	Sones,
Bechtold,	Haldeman,	Ogden,	Speicher,
Benchoff,	Heffernan,	Palmer,	Stadtlander,
Bennett,	Hess,	Perry,	Steedle,
Beyer,	Heyburn,	Pickering,	Stern,
Bidelspacher,	Hollingsworth,	Powell,	Stites,
Bovee,	Isherwood,	Ramsey,	Stofflet,
Boyd,	Jack,	Reichenbacher,	Strauss,
Campbell, J. O.,	Jones,	Reynolds,	Sullivan,
Campbell, T.,	Lafferty,	Rich,	Sweitzer,
Clements,	Laucks,	Ringler,	Thomas,
Conner,	Lewis,	Rininger,	Urich,
Curry,	Luppert,	Rinn,	Vogdes,
Davis, W.,	Mangan,	Robertson,	Walker,
Dawson,	Marvin,	Rothenberger,	Wallace,
Dell,	Maurer,	Rudisill,	Walter,
Dithrich,	McArdle,	Sampsel,	Williams, G. W.
Drinkhouse,	McCurdy,	Sarig,	Williams, J. P.,
Eby,	McKinney,	Schaeffer, A. C.,	Woodward,
Ehrhardt,	McPeake,	Scott,	Wylie,
Erdman,	Mearkle,	Showalter,	Wynne,
Fackler,	Mehring,	Shunk,	Zanders,
Flynn,	Miller, A. D.,	Siggins,	Baldwin,
Fretz,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 1310

An Act to confer additional powers upon fire insurance companies.

With information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk then read the amendments as follows:

In section 1, line 7, after "shall" strike out "have the power;" also in line 8, after "possessed" insert "have the power;" also in line line 10, after "bombardment" insert "invasion insurrection riot civil war or commotion and military or ursurped power."

Mr. MEARKLE. Mr. Speaker, the amendments are satisfactory to the sponsor of the bill.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—115.

Albee,	Geary,	Mearkle,	Shunk,
Arthur,	Glass,	Mehring,	Simpson,
Baker,	Goodnough,	Mervine,	Smith, E. R.,
Baldi,	Graeff,	Miller, Allan,	Smith, J. W.,
Barner,	Gransback,	Miller, G. J. A.,	Smith, L.,
Benchoff,	Haight,	Milliron,	Snowden,
Bennett,	Haldeman,	Morgan, T. J.,	Somerman,
Benninger,	Heffernan,	Musser,	Sones,
Black,	Hess,	Palmer,	Speicher,
Boyd,	Heyburn,	Perry,	Stadtlander,
Campbell, J. O.,	Hoffman,	Pickering,	Stern,
Campbell, T.,	Hollern,	Powell,	Sterling,

Canon,	Hollingsworth,	Ramsey,	Stites,
Chestnut,	Horton,	Reitzel,	Swartz,
Christman,	Howarth,	Reynolds,	Taylor,
Clements,	Isherwood,	Rich,	Urich,
Coldsmith,	Jack,	Ringler,	Wagner,
Conner,	Jones,	Rininger,	Walter,
Corbin,	Lafferty,	Robertson,	Wells,
Cox,	Laucks,	Ross,	Whitaker,
Curry,	Lauler,	Rothenberger,	Wickman,
Davis, W.,	Leary,	Ruddy,	Williams, G. W.
Dithrich,	Marvin,	Rudisill,	Williams, J. P.,
Donneley,	McCaig,	Sarig,	Wobensmith,
Drinkhouse,	McCurdy,	Schaeffer, A. C.,	Woodward,
Ehrhardt,	McKinney,	Scott,	Wynne,
Fackler,	McPeake,	Shattuck,	Zanders.
Flynn,	McVicar,	Showalter,	Baldwin,
Fretz,			Speaker.

NAYS—1.

Baldridge,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 1017

An Act prohibiting the handling or driving of horses or other animals or teams or vehicles on the public highways of the Commonwealth by an intoxicated person and providing penalties therefor.

With information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk then read the amendments as follows:

In section 1, page 2, line 2, strike out "one hundred ($100.00)" and insert "five ($5.00);" also in line 3, after "than" strike out "five" and insert at the beginning of line four "one;" also in line 4, after "hundred" strike out "($500.00)" and insert "($100.00);" also in line 5, after "than" strike out "one year" and insert "three months."

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126

Albee,	Franklin,	Mearkle,	Sinclair,
Aron,	Gans,	Michel,	Smith, E. R.,
Arthur,	Geary,	Miller, Allan,	Smith, J. W.,
Baker,	Glass,	Miller, C. G.,	Snowden,
Baldi,	Goodnough,	Miller, G. J. A.,	Snyder,
Baldridge,	Goodwin,	Mitchell,	Somerman,
Benchoff,	Graeff,	Morgan, T. J.,	Sones,
Benninger,	Gransback,	Musser,	Speicher,
Bidelspacher,	Haight,	Ogden,	Sprowls,
Boulton, H.,	Haldeman,	Palmer,	Stadtlander,
Bouton, V. B.,	Heffernan,	Phillips,	Steedle,
Boyd,	Hess,	Powell,	Sterling,
Brumbaugh,	Heyburn,	Reichenbacker,	Stern,
Burnett,	Hollern,	Reitzel,	Stites,
Campbell, T.,	Hollingsworth,	Reynolds,	Stofflet,
Canon,	Hough,	Rhodes, W. M.,	Strauss,
Chestnut,	Howarth,	Rich,	Sullivan,
Christman,	Isherwood,	Ringler,	Taylor,
Clements,	Jones,	Rininger,	Thomas,
Conner,	Kennedy,	Robertson,	Vickerman,
Cox,	Lafferty,	Ross,	Wagner,
Cummins,	Laucks,	Rothenberger,	Walter,
Davis, W.,	Lauler,	Rudisill,	West,
Dawson,	Lewis,	Sampsel,	Whitaker,
Dewey,	Luppert,	Sarig,	Williams, G. W.
Dithrich,	Mangan,	Schaeffer, A. C.,	Williams, J. P.,
Donneley,	Marvin,	Scott,	Wood,
Drinkhouse,	McArdle,	Shattuck,	Woodward,
Dunn,	McCaig,	Showalter,	Wynne,
Ehrhardt,	McCurdy,	Shunk,	Zanders,
Fitzgibbon,	McKinney,	Siggins,	Baldwin,
Flynn,	McPeake,	Simpson,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 855.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval House Bill No. 855, entitled "An Act to repeal an act approved the nineteenth day of March one thousand nine hundred fifteen entitled 'A further supplement to an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise' and transferring certain cases undisposed of in the county court of Allegheny County to the court of quarter sessions of said county for the purpose of hearing and disposition."

This bill repeals the act of March 19, 1915 (P. L. 5), which act constituted the County Court of Allegheny County the juvenile court for that county. This bill revests such stantially all—bodies corporate having to do with the has attracted wide comment. Petitions from many—substantially all—bodies corporated having to do with the welfare of children are before me in opposition to the bill. Public hearings and interviews with reputable and high-minded citizens have been held. I am convinced that the bill was framed to correct alleged administrative weakness and not for any partisan purpose. The question however is not one of administrative situation but of fundamentally wise legislative care of children. It is the trend of modern socialogical thought, confirmed by almost universal practice, to place juvenile delinquents under the care of one judge—whose broad sympathies, wise counsel, and prolonged experience fits him best to deal in a corrective way with these cases. The judges of quarter sessions frankly admit this and declare that they are unable to assign any one judge to those cases. They admit their inability wisely to do this service and agree that it belongs to the County Court. The Act of 1915 needs time to work itself into the procedure of the courts and will I hope be so organized as to give the children the best service.

For these reasons this bill is not approved.

MARTIN G. BRUMBAUGH.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding?

Mr. WOBENSMITH. Mr. Speaker, I move that the communication, together with the bill, be laid upon the table.

Mr. MILLIRON. Mr. Speaker, I second the motion.

The motion was agreed to.

RESOLUTION RELATIVE TO "THE STAR SPANGLED BANNER."

Mr. HOLLERN asked and obtained unanimous consent for the presentation and consideration of the following resolution which was twice read, consideerd and agreed to:

Whereas, "The Star Spangled Banner" is recognized as the national anthem of the United States of America, and as such is entitled to all respect; and,

Whereas, There is a danger that "The Star Spangled Banner" may be cheapened because of the indiscriminate manner in which, and the inauspicious times at which it is played, therefore,

Be it Resolved (if the Senate concur), That it is the sense of the Legislature of the State of Pennsylvania that "The Star Spangled Banner" should at no times be incorporated in a medley or fantasia of popular or patriotic airs; nor should "The Star Spangled Banner" be cheapened through frequent and inartistic rendition in moving picture or other theatres, but that, like the "Marsellaise," the national anthem of France, "The Star Spangled Banner" should be kept free from the taint of what is known as "slapstick patriotism," and should be rendered or sung only at opportune times, and never in such a manner as would cheapen this stirring and martial air so dear to American hearts.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION RECALLING HOUSE BILL NO. 846 FROM THE GOVERNOR.

Mr. DITHRICH asked and obtained unanimous consent for the presentation and consideration of the following resolution which was twice read, considered and agreed to.

In the House of Representatives, May 15, 1917.

Resolved (if the Senate concur), That House Bill No. 846, File Folio 3767, entitled "An Act providing for the

creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES.

Mr. GLASS, from the Committee on Municipal Corporations, reported as committed House Bill No. 1449, entitled

An Act validating certain borough ordinances and fixing the time within which actions may be brought under such ordinance.

Mr. MEHRING, from the Committee on Elections, reported as committed House Bill No. 1538, entitled

An Act to amend section ten of an act approved the tenth day of June, one thousand eight hundred ninety-three, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended.

Mr. WALKER, from the Committee on Judiciary General, reported as amended House Bill No. 456, entitled

An Act to amend part of the tenth section of an act, entitled "An Act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances: the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales," approved the fourth day of June, one thousand nine hundred and one, as said tenth section was amended by an act approved the first day of May, one thousand nine hundred and seven, and further amended by an act approved the twenty-seventh day of April, one thousand nine hundred and nine, and which was still further amended by an act approved the twentieth day of June, one thousand nine hundred and eleven.

Mr. HORTON, from the Committee on Judiciary Local, reported as committed House Bill No. 1662, entitled

An Act to provide for the entering upon the locality index in the offices of the prothonotaries of the courts of common pleas of the respective counties of this Commonwealth of the assessment of benefits occasioned by the opening, widening, narrowing, vacating, change of grade, or construction of roads, streets, highways, sewers, or bridges.

Mr. GOLDER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1528, entitled

An Act to regulate the manner of creating or incurring, or increasing the indebtedness against counties and the expenditure of the proceeds of any such indebtedness, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof or the failure of certain officers to perform their duties under this act.

Mr. BOUTON, from the Committee on Manufacturers, reported as committed House Bill No. 1358, entitled

An Act to amend section three of an act, entitled "An Act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," approved the twenty-fifth day of July, one thousand nine hundred thirteen, as amended.

Mr. ZANDERS, from the Committee on Manufacturers, reported as committed House Bill No. 1599, entitled

An Act creating a Salary Board of the Commonwealth of Pennsylvania; defining the powers and duties of the same; and providing penalties for the violation thereof.

Mr. DEWEY, from the Committee on Judiciary Local, reported as committed House Bill No. 1787, entitled

An Act to regulate the salaries of tipstaves in the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace and orphans' courts in counties having a population of over eight hundred thousand and less than one million four hundred thousand inhabitants.

Mr. PICKERING, from the Committee on Manufacturers, reported as committed House Bill No. 1520, entitled

An Act supplemental to an act, entitled "An Act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by defining the procedure in prosecutions; and by repealing all acts or parts of acts inconsistent with the provisions thereof," approved the twenty-fifth day of July, one thousand nine hundred thirteen, providing for the granting of modifications of the provisions of said act affecting the hours and conditions of employment of females in certain establishments except the maximum hours per week, providing for the terms and conditions of such modifications, providing for the changing and withdrawing of such modifications, and providing penalties for violation thereof.

Mr. WALTER, from the Committee on Judiciary Local, reported as committed House Bill No. 1788, entitled

An Act to regulate the salaries of criers in the courts of common pleas in counties having a population of over eight hundred thousand and less than one million four hundred thousand inhabitants.

Mr. DAWSON, from the Committee on Ways and Means, reported as committed House Bill No. 1882, entitled

An Act imposing a State tax on money earned as compensation for the giving of or participation in any theatrical exhibition or performance within this Commonwealth by a person, firm, association or corporation residing or domiciled without this Commonwealth, and requiring the collection and payment of such tax by the owner, proprietor, manager, lessee or operator of theatre or place in which such exhibition or performance takes place.

Mr. STITES, from the Committee on Judiciary Local, reported as committed House Bill No. 1418, entitled

An Act to provide that capital stock taxes shall, upon the foreclosure of a mortgage on real estate, not mode by the corporation against which such taxes were assessed, be postponed in payment to mortgages, not made by such corporation, discharged by a sale, judicial or otherwise, and the necessary and proper costs of foreclosure.

Mr. ULSH, from the Committee on Judiciary Local, reported as committed House Bill No. 1411, entitled

An Act authorizing Robert J McAllister, of Dunnstable Township, Clinton County, Pennsylvania, to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County.

Mr. MERVINE, from the Committee on Manufacturers, reported as committed House Bill No. 1681, entitled

An Act to provide that notice, whenever required by law in connection with the formation, amendment, increase or reduction of capital stock, conduct of business, merger, transfer of franchises, or dissolution of corporations, joint stock companies, limited partnerships or partnership associations; or required in connection with proceedings before the Public Service Commission of Water Supply Commission of the Commonwealth of Pennsylvania; or required to be given by any department, board, board of trustee, public official or commission of this Commonwealth, shall, in addition to the publication now or hereafter required, be also published in a periodical issued at the capital city of this Commonwealth; providing for the designation of such periodical and providing against the charging of excessive rates for the publication of such notices.

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed House Bill No. 1796, entitled

An Act to amend sections one and four of the act entitled "An Act providing a system of employment and compensation for the inmates of the Eastern Penitentiary, Western Penitentiary, and the Pennsylvania Industrial Reformatory at Huntingdon, and for such other correctional institutions as shall be hereafter established by the Commonwealth, and making an appropriation therefor," approved the first day of June, A. D. one thousand nine hundred and fifteen by providing for the manufacture of supplies for and the sale thereof to the Government of the United States.

Mr. LAULER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1741, entitled

An Act relating to the repair of sidewalks and the removal of snow, ice, weeds and other obstructions from sidewalks in villages in townships of the first class; and providing for the filing and collection of municipal liens.

Mr. CANON from the Committee on Education reported as committed House Bill No. 1357 entitled

An Act to amend section five hundred and sixty of an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. WALLACE, from the Committee on Judiciary Local, reported as committed House Bill No. 1659, entitled

An Act to validate judgments heretofore entered in any actions of assumpsit to recover upon a ground rent deed or to recover any sum charged upon real property by will or deed, or to charge particular land with the payment of a particular debt running with the land, and judgments heretofore entered in any actions of scire facias sur mortgage, where the return to the writ of summons or scire facias shows that it has been served upon any of the defendants or real owners outside the Commonwealth by mailing a true and attested copy of the writ in a registered letter, but fails to show that such defendants or real owners cannot be served within the Commonwealth and to validate sheriff's sales heretofore had by virtue of such judgments.

Mr. DUNN, from the Committee on Labor and Industry, reported as committed House Bill No. 1311, entitled

A Supplement to an act, entitled "An Act regulating, through the Commissioner of Labor and Industry, the business of assisting employers to obtain employes, and persons to secure employment, including the business of collecting information to the same end, and prescribing penalties," approved the seventh day of June, Anno Domini one thousand nine hundred and fifteen; vesting in the Commissioner of Labor ad Industry and his authorized agents special powers of arrest in certain cases; prescribing penalties; and providing that the procedure thereunder shall be in the form of summary criminal proceedings.

Mr. McCAIG, from the Committee on Municipal Corporations, reported as committed House Bill No. 1674, entitled

An Act amending section 2 of an act entitled "An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand, a Board for the Assessment and Revision of Taxes for State and county purposes; prescribing the method of their appointment, their powers and duties; fixing their salary, to be paid by the proper county; and abolishing the office of ward, borough and township assessors, insofar as respects the assessment of State and county taxes," approved the thirteenth day of June, one thousand nine hundred and eleven.

Mr. SWARTZ, from the Committee on Labor and Industry, reported as amended House Bill No. 1637, entitled

An Act authorizing the Governor, upon certain conditions, to suspend by proclamation, restrictions relating to labor contained in any law of this Commonwealth and providing for the publication of such proclamation and the payment of the costs thereof.

Mr. COX, from the Committee on Elections, reported as committed House Bill No. 1551 (Senate Bill No. 561), entitled

An Act to further amend the act approved the fifth day of March one thousand nine hundred and six, entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth; to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions," by providing for special registrations for special elections.

Mr. HEYBURN, from the Committee on Education, reported as committed House Bill No. 1431 (Senate Bill No. 376), entitled

An Act to amend section eleven hundred and twenty-one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered; and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same; method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," as amended.

Mr. LEWIS, from the Committee on Education, reported as committed House Bill No. 1430 (Senate Bill No. 375), entitled

An Act to amend section eleven hundred and thirty of an act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, method of collecting such revenue and repealing all laws, general, special or local, or any parts thereof that are or may be, inconsistent therewith."

Mr. RAMSEY, from the Committee on Municipal Corporations, reported as committed House Bill No. 1835 (Senate Bill No. 847), entitled

An Act relating to commissioners of public parks.

Mr. ERDMAN, from the Committee on Manufactures, reported as committed House Bill No. 1885 (Senate Bill No. 1025), entitled

An Act amending section one of the act of June twenty-three, one thousand eight hundred and eighty-five (Pamphlet Laws one hundred forty-five), entitled "An Act to protect oil, gas and water wells, tanks, pipes and machinery connected therewith and to prevent wilful and malicious injury thereto," extending the provisions thereof to reservoirs, standpipes, pumping stations, power houses, and other buildings or appliances used for the supply of water or electric current.

Mr. BECHTOLD, from the Committee on Manufactures, reported as committed House Bill No. 1883 (Senate Bill No. 865), entitled

An Act to authorize corporations organized for profit under the laws of Pennsylvania to continue the salaries of employes enlisting or enrolling in any branch of the military or naval service of the United States or other protective organization.

Mr. McNICHOL, from the Committee on Manufactures, reported as committed House Bill No. 1849 (Senate Bill No. 814), entitled

An Act authorizing any company incorporated under the laws of any other state for the manufacturing purchasing and selling of rubber boots shoes tires and goods of which rubber caucho gutta percha balata or any of their substitutes are a component part and the various materials entering into the manufacturing of any and all such goods to erect and maintain buildings and manufacturing establishments and to have and to hold real estate to an amount necessary and proper therefor.

Mr. PICKERING, from the Committee on Manufactures, reported as committed House Bill No. 1869 (Senate Bill No. 916), entitled

An Act providing for the organization government discipline maintenance and regulation of an additional armed land force for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged.

Mr. STADTLANDER, from the Committee on Judiciary General, reported as committed House Bill No. 1830 (Senate Bill No. 878), entitled

An Act fixing the fee for services of jurors summoned by the sheriff of any county having a population of over five hundred thousand and not more than one million four hundred thousand inhabitants under writs of inquisition condemnation inquiry of damages lunacy and habitual drunkard proceedings or under writs or process issued directing inquests.

Mr. BIDELSPACHER, from the Committee on Judiciary Local, reported with a negative recommendation House Bill No. 1355, entitled

An Act empowering the courts of common pleas to appoint a Divorce Proctor and assistants; defining their duties in connection with divorce proceedings; and fixing their salaries.

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1244, entitled

An Act to repeal an act entitled "An Act in relation to legal advertisements in the County of Lycoming," approved the tenth day of April, one thousand eight hundred and seventy-three.

COMMUNICATION FROM THE PHILADELPHIA BOURSE.

The SPEAKER. The Chair lays before the House a communication received by the gentleman from Delaware, the Speaker of the House, which the Clerk will read.

The Clerk read the communication as follows:

Request for the suspension of an Act of Assembly approved June 19, 1911, entitled "An Act to promote the safety of travelers and employees upon railroads, by compelling common carriers by railroad to properly man their trans."

RESOLUTION OF THE PHILADELPHIA BOURSE.

An organization composed of over 2,500 business men, firms and corporations, having as one of its objects the improvement of the commercial interests of the City, State and Nation, acting through its Board of Directors at a meeting held May 9th, 1917.

To the Honorable, the Governor of the Commonwealth of Pennsylvania, and to the Senate and House of Representatives in Assembly met:

Whereas, In this period of national emergency and shortage of labor due to war conditions and other causes it is of the utmost importance that every man not imperatively needed for service by his present employer for the work in which he is now engaged, and who in the judgment of his employer can be spared from such work, should be released for other useful service and

Whereas, The temporary suspension of the Act of June 19th, 1911, entitled "An Act to promote the safety of travelers and employees upon railroads by compelling common carriers by railroads to properly man their trains," would be of great value to the nation; therefore

Resolved, That the Philadelphia Bourse earnestly urges the members of the Legislature now in session assembled to promptly provide by appropriate legislation for the suspension of the operation of the said Act of June 19th, 1911, during such period as our country may be engaged in war and until six months after the termination of such war.

Resolved, That to effect the object advocated by us we urge the enactment into law of Senate Bill No. 1033.

True Copy.

Attest:

EMIL ALBRECHT,
Secretary.
(Seal of the Philadelphia Bourse).

MOTION TO PLACE BILL ON CALENDAR.

Mr. MITCHELL asked and obtained unanimous consent for the presentation and consideration of the following motion, which was twice read as follows and considered:

Moved by Lex N. Mitchell, seconded by Fletcher W. Stites, that House Bill No. 1679, File Folio 5523, be placed on the calendar notwithstanding the negative recommendation of the Committee on Law and Order.

The SPEAKER. The Clerk will read the title of the bill.

The title of the bill was read as follows:

House Bill No. 1679

An Act to prohibit during the period of the present war the manufacture, sale and gift of intoxicating liquor except for certain purposes and under certain conditions; providing penalties for its violation and repealing all laws or parts of laws in conflict with the same.

On the question,

Will the House agree to the motion?

Mr. SNYDER. Mr. Speaker, I ask for a roll call on the motion.

Mr. STITES. Mr. Speaker, I second the call.

Mr. STERN. Mr. Speaker, it seems to me that before the House should be called upon to vote on tihs question that the gentleman who made the motion should explain the nature of the bill so that we may intelligently vote upon the question upon which a roll call has been asked.

Mr. MITCHELL. Mr. Speaker and gentlemen of the House, the bill is brief. This is a bill to prohibit the manufacture and sale of intoxicating liquors in the State of Pennsylvani for and during the present war, an absolutely dry measure for and during the period of the war for the purpose of conserving the grain for food-stuffs instead of having it manufactured into intoxicating liquors.

Mr. PERRY. Mr. Speaker and membersof the House, this bill was considered and considered intelligently by the Law and Order Committee, of which I have the honor to be a member. In the absence of the chairman of that committee I think it is incumbent upon me to take this stand and tell the House that this bill, the same as all other bills that came into the Law and Order Committee, had a full and intelligent hearing. This House, Mr. Speaker, is called upon to pass a measure which the United States Senate repudiated only yesterday; therefore, I think if the United States does not show any hardship as far as the grain is concerned that Pennsylvania is in no need of any such legislation is this and I therefore call upon the House to vote this motion down.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Snyder and Mr. Stites.

Mr. VICKERMAN. Mr. Speaker, I ask for a verification of the roll.

The SPEAKER. The roll will be verified.

The roll was verified as follows:

YEAS—64.

Barner,	Dewey,	McKay,	Rudisill,
Bell,	Drake,	McKinney,	Shattuck,
Benchoff,	Dunn,	McNichol,	Showalter,
Bennett,	Eby,	McVicar,	Siggins,
Bidelspacher,	Glass,	Miller, Allan,	Smith, E. R.,
Black,	Goodwin,	Milliron,	Snyder,
Brumbaugh,	Haight,	Mitchell,	Stites,
Burnett,	Helt,	Morgan, T.,	Vickerman,
Campbell, J. O.,	Hoffman,	Morgan, T. J.,	Walker,
Canon,	Hollingsworth,	Musser,	Wallace,
Chestnut,	Isherwood,	Ogden,	Walter,
Coldsmith,	Jack,	Phillips,	Whitaker,
Cook,	Kennedy,	Reichenbacker,	Williams, G. W.
Corbin,	Laucks,	Reynolds,	Williams, J. P.,
Dean,	Lohr,	Rich,	Wood,
Dell,	McCurdy,	Ross,	Wylie,

NAYS—104.

Albee,	Fowler,	McPeake,	Shunk,
Aron,	Franklin,	Mearkle,	Simpson,
Arthur,	Gans,	Mehring,	Sinclair,
Baldi,	Geary,	Mervine,	Smith, F. I.,
Baldridge,	Golder,	Miller, A. D.,	Smith, J. W.,
Bechtold,	Graeff,	Miller, C. G.,	Smith, O. W.,
Benninger,	Graham,	Milner,	Snowden,
Beyer,	Gransback,	Murdoch,	Sones,
Bouton, V. B.,	Haldeman,	Neary,	Speicher,
Bovee,	Hecht,	Patterson,	Sprowls,
Boyd,	Hess,	Perry,	Stadtlander,
Brady,	Heyburn,	Pickering,	Steedle,
Christman,	Hibshman,	Powell,	Stern,
Clements,	Hollern,	Ramsey,	Stofflet,
Conner,	Horton,	Reitzel,	Strauss,
Crosby,	Howarth,	Rhodes, W. M.,	Sullivan,
Cummins,	Jones,	Richards,	Swartz,
Curry,	Lafferty,	Ringler,	Taylor,
Dawson,	Lauler,	Rinn,	Ulsh,
Dithrich,	Leary,	Robertson,	Vogdes,
Donneley,	Luppert,	Rogers,	Wagner,
Drinkhouse,	Malie,	Rothenberger,	Wells,
Ehrhardt,	Mangan,	Ruddy,	West,
Erdman,	Marvin,	Sampsel,	Wickman,
Fackler,	McArdle,	Sarig,	Wobensmith.
Flynn,	McCaig,	Schaeffer, A. C.,	Zanders,

So the question was determined in the negative and the motion was not agreed to.

BILLS ON THIRD READING.

Mr. STOFFLET. Mr. Speaker, I desire to call up at this time from page 29 of to-day's calendar, bills on third reading postponed, House Bill No. 1023, File Folio 3923.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1023, entitled

An Act making it a misdemeanor for any person under twenty-one years of age to procure or attempt to procure intoxicating liquors.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALTER. Mr. Speaker, this bill was before the House last week and was pretty thoroughly discussed. I assume that the members recall that discussion, but I want to call their attention to this feature of the bill which makes it a misdemeanor for a minor to procure liquor. It is now a misdemeanor for a minor to procure liquor and if he procures liquor by misrepresenting his age he is subject to prosecution, and I presume there have been prosecutions and convictions under that act. This would, as was pointed out, absolutely destroy the evidence both before the license court and in a trial for misdemeanor, because it is a practice in criminal law that no man can be compelled to give evidece that is incriminating; he cannot be compelled to incriminate himself. I have known of landlords who have had lads procure liquor and have them sign to that effect and when they did so the minors had that held over them as a threat of prosecution in case they were prosecuted and this would effectually close the mouth of the minor as a witness, and how can a man be compelled to testify against

himself? It would only be from the bystander that evidence could be procured. It would embarrass courts in the administration of the Brook's Law and bring about a state of affairs that would not be conducive to good order or good morals. I trust that the House will defeat this bill.

Mr. WALLACE. Mr. Speaker, when this bill was up last week I spoke at some length against it. I spoke against it, unfortunately, in the absence of the sponsor without knowing that the sponsor was not here. It looks innocent on its face but it is really a very dangerous bill. A license to sell intoxicating liquors is provided by the Brook's High License Law which is a law to regulate and restrain the selling of intoxicating liquors and in regulating and restraining it as our law does, or intends to do, it recognizes it as being more or less a dangerous commodity, if you may call it such. It is very different from any other line of merchandise that everybody has the right to sell, as a matter of right, because this is only sold under a special privilege and it is absolutely necessary for the law to impose upon men with this privilege some restraint and one of those restraints that is imposed is the requirement that they must not sell to minors. They must accept this condition when they accept this special privilege, and the burden of meeting that requirement is difficult sometimes. We all know that and we admit it, but when he accepts a special privilege by the court, when the saloonkeeper or hotelman accepts this privilege, it is with a full understanding that he is to engage in a business that the law is restraining and regulating and he accepts it with the full knowledge that he must abide by the provisions of that law. Now here is where the difficulty comes in: Under both the Constitution of the United States and the Constitution of Pennsylvania there is a provision that a man may not be compelled to testify to anything which will incriminate himself. Gentlemen, you see that if you pass this bill you make it a misdemeanor on the part of the minor and you close his mouth as well as the mouth of the man who sells intoxicating liquors and having closed the mouth of the minor it is absolutely impossible to convict either of them. You don't want that proposition at all and if the saloon keepers are wise they do not want it. I don't believe that the better element of them do want it. A similar bill to this one has been passed by this General Assembly in the past but has always fallen by the wayside and for the reason that it makes it absolutely impossible to convict either the one who commits the misdemeanor or the one who brings it about. We admit that it imposes certain requiremens on the saloonkeeper or the licensee and that vendors of merchandise are not required to do that, but bear in mind, always, that they have a special privilege to do a thing that the law recognizes as being dangerous. Gentlemen, don't pass this bill because it will make conviction in every case absolutely impossible.

Mr. STOFFLET. Mr. Speaker, the argument that you have just listened to is absolutely baseless. It is admitted by the gentlemen who have argued against this bill that no person is obliged to testify in a court to anything that will incriminate himself. That being the case what more can be added by the passage of this bill? Absolutely nothing. The member from Lawrence County has rather insinuated that this is a liquor measure. It is not. This bill was suggested to me by a gentleman who is very wealthy and who is known all over the eastern part of the State of Pennsylvania for his benevolence, his donation to charitable institutions of all kinds, and he is interested in churches and Suday Schools and particularly in young people. If this bill does anything it deters many a minor from going into a hotel. I would like to know why it is any more of a misdemeanor for a minor to go into a hotel to procure liquor than it is a misdemeanor fo ra minor to attempt to procure liquor, for it is as much of a crime to attempt to commit rape or attempt to commit murder as it is actually to commit such a crime, and why is it any more of a crime to attempt to procure liquor in a saloon or hotel by a young man who is under twenty-one years of age as it is to procure it. If this bill is passed the minor is guilty of a misdemeanor before the hotelkeeper has ever sold him one drop of liquor. So far as closing the mouth of the landlord is concerned there is nothing to it. It seems to me that the gentlemen who argued against this bill would want to make the liquor business appear as disreputable as possible and use that as a way to get rid of it much sooner. If we can save the young men who are under twenty-one years of age I would ask them not to go to a place where liquor is sold. Any day there in my own town, and in many other towns, there are young men and girls not over sixteen to seventeen years of age who go into places like that and are served with liquor. Pass this bill and you will find that a great many of these girls would not attempt to commit a misdemeanor or violate this act. I hope that the gentlemen of the House will see this as I see it. If we can deter ten men yearly from going into hotels under twenty-one years of age, this bill is worthy of passage, and should receive sufficient votes to become a law.

Mr. BEYER. Mr. Speaker and gentlemen of the House, if there is any one sincere in his purpose to bring about the prohibition of liquor, he certainly ought to start with the young man under twenty-one years of age, and make it impossible for him to go into a public place and misrepresent his age. I take it for granted that this bill is a step in the right direction for the protection of the innkeeper against the lying young men who at times go into saloons and step up to be served by misrepresenting their age. There are upon the books of our state today decisions of our courts which have held that even where a young man was twenty-one years of age the next day after he had gotten a drink that he still being within the age limit and having been served by the proprietor of a saloon makes the saloon keeper amenable to the law, and his license was taken away from him. Now the man wants to be honest in the regulation of his business, and he ought to be encouraged. There is nothing in this act with regard to the subject of incrimination. The question of a young man's age is not proved by his own oath, it is proven by those who know something about the occasion of his birth, and it is proven by the records which may be on hand, and I take it for granted that the act is drawn up primarily because of the fact that it often happens that a saloon keeper who means to do the right thing as far as the running of his business is concerned loses his license because of the fact that he is deceived by some young man who is under age and selling him drinks. You men know from your own experience as young boys that very often a young man who was not twenty-one years of age was able to go into a saloon and get a drink when you perhaps, because of the fact that you looked more youthful were not able to get a drink at the same counter.

The only way to prevent occurrences of that kind is to put the burden where it properly belongs, upon him who misrepresents his age, and leaving the question of proof to the court and the jury after that.

Mr. WALTER. Mr. Speaker, it has been stated, under misapprehension I take it, that there is something in this bill about misrepresentation. There is nothing of the kind in the bill. I will read it, it is very short: "That any person under twenty-one years of age who shall procure or attempt to procure or have furnished to him by sale, gift or otherwise any intoxicating liquors shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding fifty dollars or undergo an imprisonment not exceeding sixty days or both in the discretion of the court." That makes a criminal of a young man under twenty-one years of age who walks into a bar and is served without anybody asking the question. I do not believe the House wants to brand men, or boys, with that which is criminal and make them subject to prosecution if they don't say a word. The mere taking of a drink is a crime! It is not a crime on the part of an adult to take a drink, and I do not see why it should be a crime on the part of those under twenty-one years of age.

Mr. BEYER. Mr. Speaker, I should like to interrogate the gentleman from Franklin, Mr. Walter.

The SPEAKER. Will the gentleman from Franklin, Mr. Walter, permit himself to be interrogated?

Mr. WALTER. Mr. Speaker, I will.

Mr. BEYER. Mr. Speaker, I would like to ask the gentleman whether it is not a fact, even as a proposition of law, that if a young man under twenty-one years of age were to walk into a saloon and ask for that which he had no right to have, whether he does not by the mere fact of asking, and attempting to secure that drink, impliedly misrepresent his age?

Mr. WALTER. Mr. Speaker, it may be, but if he does so, I would answer the gentleman by saying that the statute makes misrepresenting one's age subject to punishment.

Mr WALLACE. Mr. Speaker, I just want to reply to the gentleman from Philadelphia, and ask him the question, or any other man in this House, remembering the provisions of the Constitution of the United States and the Constitution of Pennsylvania, if a minor goes into a place and buys intoxicating liquor and there does not happen to be ay other person about to hear him ask, or see him get the drink, how are you going to convict him if you pass this bill. Now do not let us dodge the issue, it is fair and square. You know what it means, and every man who is familiar with the present law and with the Constitution knows that the result will be exactly as I state it. Now how will you convict that man from whom a minor buys drinks and no other person happens to be present to see the occurrence.

Mr. STADTLANDER. Mr. Speaker, I would like to interrogate the gentleman from Lawrence, Mr. Wallace.

The SPEAKER. Will the gentleman from Lawrence,, Mr. Wallace, permit himself to be interrogated?

Mr. WALLACE. With pleasure, Mr. Speaker.

Mr. STADTLANDER. How would you convict a man who was guilty of larceny and no witnesses about?

Mr. WALLACE. Mr. Speaker, that might be done by circumstantial evidence.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—104.

Albee,	Franklin,	McPeake,	Shunk,
Aron,	Gans,	Mearkle,	Simpson,
Baldi,	Geary,	Mehring,	Smith, E. R.,
Baldridge,	Golder,	Mervine,	Smith, F. I.,
Bechtold,	Graham,	Miller, A. D.,	Smith, J. W.,
Bennett,	Gransback,	Miller, C. G.,	Smith, O. W.,
Benninger,	Haight,	Murdoch,	Snowden,
Beyer,	Haldeman,	Musser,	Sones,
Bouton, V. B.,	Hecht,	Neary,	Speicher,
Bovee,	Heyburn,	Palmer,	Sprowls,
Boyd,	Hibshman,	Patterson,	Stadtlander,
Brady,	Hollern,	Perry,	Steedle,
Christman,	Horton,	Powell,	Stern,
Clements,	Howarth,	Ramsey,	Stofflet,
Conner,	Jones,	Reichenbacher,	Strauss,
Crosby,	Lafferty,	Reynolds,	Sullivan,
Cummins,	Lauler,	Rhodes, W. M.,	Sweitzer,
Curry,	Leary,	Richards,	Taylor,
Dawson,	Luppert,	Ringler,	Thomas,
Dithrich,	Malie,	Rinn,	Urich,
Donneley,	Mangan,	Robertson,	Vogdes,
Drinkhouse,	Marvin,	Rogers,	Walker,
Dunn,	McArdle,	Rothenberger,	West,
Erdman,	McCaig,	Ruddy,	Wickman,
Fackler,	McKinney,	Sarig,	Wobensmith,
Fowler,	McNichol,	Schaeffer, A. C.,	Zanders,

NAYS—60.

Barner,	Dewey,	McCurdy,	Shattuck,
Bell,	Drake,	McKay,	Showalter,
Benchoff,	Goodwin,	McVicar,	Siggins,
Bidelspacher,	Graeff,	Miller, Allan,	Snyder,
Black,	Helt,	Milliron,	Stites,
Brumbaugh,	Hess,	Milner,	Swartz,
Burnett,	Hoffman,	Mitchell,	Ulsh,
Campbell, J. O.,	Isherwood,	Morgan, T.,	Vickerman,
Canon,	Jack,	Ogden,	Wallace,
Chestnut,	Kennedy,	Phillips,	Wells,
Coldsmith,	Laucks,	Reitzel,	Whitaker,
Cook,	Lewis,	Rich,	Williams, G. W.
Corbin,	Lohr,	Rudisill,	Williams, J. P.,
Dean,	Maurer,	Sampsel,	Wood,
Dell,	McCullough,	Shaffer, C. A.,	Wylie,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Mr. MILNER. Mr. Speaker, I desire to call up at this time House Bill No. 1325, File Folio 5315, from page 33 of to-day's calendar, bills on final passage postponed.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 1352, entitled

An Act to amend the second section of an act approved the fifteenth day of April, one thousand nine hundred and thirteen, entitled "An Act to amend the second section of an act approved the fifth day of March Anno Domini one thousand nine hundred and seven entitled "An Act amending section two of the act entitled "An Act for the relief of wives and children deserted by their husbands and fathers, within this Commonwealth," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-seven, by authorizing and empowering courts to fix the allowance for the support of wives and children, without limitation as to the amount thereof, by empowering courts to issue writs of attachment against the money or property belonging to, or which the husbands and fathers may be entitled to, whether under what is known as spendthrift trusts or otherwise," by empowering courts to issue writs of execution against any property real or personal, belonging to the defendant and writs of attachment execution against the money or property to which defendant may be entitled whether under what is known as a spendthrift trust or otherwise no matter when said trust was created and making same a continuing lien and levy for fifty per centum thereof until the order and costs are paid and abolishing the benefit of the exemption law in such case.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Albee,	Donneley,	Luppert,	Rudisill,
Aron,	Drinkhouse,	Mangan,	Sampsel,
Arthur,	Dunn,	Marvin,	Sarig,
Baldi,	Eby,	Maurer,	Schaeffer, A. C.,
Baldridge,	Ehrhardt,	McCaig,	Shattuck,
Barner,	Erdman,	McKay,	Shunk,
Bechtold,	Fackler,	McNichol,	Simpson,
Bell,	Flynn,	Mearkle,	Smith, E. R.,
Benchoff,	Franklin,	Mehring,	Smith, J. W.,
Bennett,	Fretz,	Michel,	Smith, O. W.,
Benninger,	Gans,	Miller, Allan,	Snyder,
Beyer,	Geary,	Miller, C. G.,	Somerman,
Bidelspacher,	Glass,	Milner,	Speicher,
Black,	Golder,	Morgan, T.,	Sprowls,
Bouton, V. B.,	Goodwin,	Morgan, T. J.,	Stadtlander,
Bovee,	Graeff,	Murdoch,	Sterling,
Boyd,	Graham,	Neary,	Stern,
Brumbaugh,	Gransback,	Ogden,	Stites,
Burnett,	Haight,	Palmer,	Stofflet,
Campbell, T.,	Haldeman,	Patterson,	Strauss,
Canon,	Hecht,	Perry,	Sullivan,
Chestnut,	Heffernan,	Powell,	Taylor,
Christman,	Helt,	Ramsey,	Urich,
Clements,	Heyburn,	Reichenbacher,	Vogdes,
Conner,	Hibshman,	Reitzel,	Wagner,
Corbin,	Hollern,	Reynolds,	Wallace,
Cox,	Hollingsworth,	Rhodes, W. M.,	Whitaker,
Crosby,	Howarth,	Rich,	Wickman,
Cummins,	Isherwood,	Ringler,	Williams, G. W.
Curry,	Jennings,	Rininger,	Williams, J. P.,
Davis, W.,	Jones,	Rinn,	Wobensmith,
Dawson,	Lafferty,	Robertson,	Wood,
Dean,	Laucks,	Rogers,	Wylie,
Dell,	Leary,	Rothenberger,	Wynne,
Dewey,	Lewis,	Ruddy,	Zanders,
Dithrich,	Lohr,		

NAYS—7.

Hoffman,	McKinney,	Siggins,	West,
McCurdy,	McVicar,	Sones,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Mr. BLACK. Mr. Speaker, I desire to call up at this time House Bill No. 190, File Folio 3503, from page 27 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 190, entitled

An Act providing a system whereby persons absent from their regular polling places may cast their votes; imposing certain powers and duties upon the county commissioners, prothonotaries, judges of election, return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Aron,	Dean,	Laucks,	Shaffer, C. A.,
Arthur,	Dell,	Leary,	Shattuck,
Baker,	Dewey,	Lohr,	Showalter,
Baldi,	Dithrich,	Luppert,	Shunk,
Baldridge,	Donneley,	Maurer,	Siggins,
Bechtold,	Drake,	McCullough,	Smith, E. R.,
Bell,	Drinkhouse,	McCurdy,	Smith, F. I.,
Benchoff,	Dunn,	McKay,	Smith, O. W.,
Bennett,	Eby,	McNichol,	Somerman,
Beyer,	Erdman,	Mehring,	Sones,
Bidelspacher,	Fackler,	Miller, A. D.,	Sprowls,
Black,	Fowler,	Miller, Allan,	Stadtlander,
Bovee,	Franklin,	Miller, C. G.,	Stern,
Boyd,	Fretz,	Milliron,	Strauss,
Brumbaugh,	Gans,	Musser,	Sullivan,
Burnett,	Geary,	Ogden,	Swartz,
Campbell, J. O.,	Glass,	Palmer,	Taylor,
Canon,	Golder,	Phillips,	Vickerman,
Chestnut,	Gransback,	Ramsey,	Vogdes,
Christman,	Haight,	Reichenbacher,	Wallace,
Clements,	Hecht,	Rhodes, W. M.,	West,
Coldsmith,	Heffernan,	Rich,	Whitaker,
Conner,	Heyburn,	Ringler,	Williams, G. W.
Corbin,	Hollern,	Rinn,	Wobensmith,
Crosby,	Horton,	Ruddy,	Wood,
Curry,	Isherwood,	Rudisill,	Wynne,
Davis, W.,	Jack,	Schaeffer, A. C.,	Zanders
Dawson,			

NAYS—27.

Albee,	Jones,	Mearkle,	Speicher,
Ehrhardt,	Kennedy,	Mervine,	Steedle,
Goodwin,	Lauler,	Reitzel,	Ulsh,
Graeff,	Lewis,	Reynolds,	Urich,
Graham,	Mangan,	Robertson,	Walter,
Hibshman,	Marvin,	Rothenberger,	Wylie,
Hoffman,	McKinney,	Sampsel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. BLACK. Mr. Speaker, I desire to call up at this time House Bill No. 191, File Folio 2061, from page 27 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 191, entitled

An Act to amend section one of an act approved the eighteenth day of April, one thousand eight hundred ninety-three, entitled "An Act providing that voters in this Commonwealth shall cast their ballots at polling places inside the election district in which they are domiciled and making it the duty of the courts of quarter sessions of the several counties to carry out the provisions of the same."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BLACK. Mr. Speaker, this is merely a rider to the other bill, and the intention of it is to clear up the election laws.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Consttiution, the yeas and nays were taken and were as follows, viz:

YEAS—118

Aron,	Franklin,	Miller, C. G.,	Smith, J. W.,
Baker,	Fretz,	Milner,	Smith, O. W.,
Baldi,	Golder,	Musser,	Snowden,
Baldridge,	Goodnough,	Neary,	Sones,
Barner,	Goodwin,	Ogden,	Speicher,
Bechtold,	Graeff,	Palmer,	Sprowls,
Bennett,	Haldeman,	Phillips,	Stadtlander,
Beyer,	Heffernan,	Powell,	Steedle,
Bidelspacher,	Hess,	Ramsey,	Stites,
Black,	Heyburn,	Reichenbacher,	Stofflet,
Bouton, V. B.,	Hibshman,	Reynolds,	Strauss,
Boyd,	Hollern,	Rhodes, W. M.,	Swartz,
Brumbaugh,	Hollingsworth,	Rich,	Taylor,
Burnett,	Horton,	Ringler,	Thomas,
Campbell, J. O.,	Howarth,	Rinn,	Ulsh,
Canon,	Isherwood,	Robertson,	Vickerman,
Chestnut,	Jack,	Rogers,	Vogdes,
Clements,	Laucks,	Ross,	Walker,
Coldsmith,	Luppert,	Rothenberger,	Wallace,
Conner,	Mangan,	Ruddy,	Wells,
Corbin,	Marvin,	Rudisill,	West,
Crosby,	Maurer,	Sampsel,	Whitaker,
Dean,	McCullough,	Sarig,	Williams, G. W.
Dithrich,	McCurdy,	Schaeffer, A. C.,	Williams, J. P.,
Donneley,	McKay,	Shaffer, C. A.,	Wobensmith,
Drake,	McPeake,	Shattuck,	Woodward,
Dunn,	McVicar,	Showalter,	Wylie,
Ehrhardt,	Mearkle,	Shunk,	Wynne,
Erdman,	Mehring,	Siggins,	Zanders
Fackler,	Miller, Allan,	Smith, F. I.,	

NAYS—9.

Albee,	Lewis,	Mervine,	Stern,
Benninger,	McKinney,	Reitzel,	Urich,
Graham,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. MILLIRON. Mr. Speaker, I desire to call up at this time House Bill No. 1031, File Folio 2075, from page 27 of today's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1031, entitled

A Supplement to an act, approved the second day of June, one thousand nine hundred and thirteen (P. L. 396), entitled "An Act creating a Department of Labor and Industry, defining its powers and duties; establishing an Industrial Board; providing for the appointment of a Commissioner of Labor, inspectors, statisticians, clerks, and others to enforce the provisions of this act, and providing salaries for the same; prescribing a standard of reasonable and adequate protection to be observed in the rooms, buildings, and places where labor is employed; empowering the said Industrial Board to make, alter, amend and repeal rules and regulations relating thereto; transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry, and abolishing the Department of Factory Inspection; and providing a penalty for the violation of the provisions of this act, or the rules and regulations of the said board," authorizing the Industrial Board to adopt a seal; and providing that certified copies of all records, documents and rulings of said board shall be received in evidence.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. NEARY. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Armstrong permit himself to be interrogated?

Mr. MILLIRON. Mr. Speaker, I will.

Mr. NEARY. Mr. Speaker, I would just like to have the sponsor of this bill explain it.

Mr. MILLIRON. Mr. Speaker, this bill provides that the Department of Labor and Industry, where it is necessary for them to produce any evidence on any cases that they may have at this time or after the passage of this act, may adopt a seal, and when it is certified to by the president and secretary of the board, have that evidence transcribed, and it shall be received as evidence in court instead of taking a pile of books like these we have on our desks. It will permit them to transcribe the evidence that pertains to a particular case.

Mr. NEARY. Mr. Speaker, I would like to further interrogate the gentleman and ask him if this bill makes any new positions.

Mr. MILLIRON. Mr. Speaker, it makes no new positions and the only expense created is the expense of buying a seal. I might say further that it is not necessary to pay any particular attention to the passage or defeat of this bill, as that will be amply taken care of when it reaches the Executive Chamber.

Mr. STERN. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Armstrong permit himself to be interrogated?

Mr. MILLIRON. Mr. Speaker, I refuse to be interrogated further.

Mr. STERN. Mr. Speaker, this bill seems to me, in the absence of an answer from its sponsor, to be weak in this fact that it might result in the record of a board, such as this board that is mentioned in this bill, the Industrial Board of the Department of Labor and Industry, having

introduced in a court and being made positive evidence in that court. Now it seems to me if the Department of Labor and Industry or this Industrial Board would have a hearing before it and reach any conclusion either as to fact or as to law that the effect of this act would be that the court would construe that as positive evidence of the facts contained in the report; and it seems to me this is giving a prerogative to an industrial department of the government that does not belong to it. It seems to me it is widening the judicial scope of this government, which at this time is vested in a Department of the Judiciary, and I do not think it is good practice to allow that right to be given to the Industrial Board or any other department. For that reason I propose to vote against the bill.

Mr. WALTER. Mr. Speaker, it might be helpful if one would read the bills with some consideration. This bill is rather carefully drawn and provides that certified copies shall be evidence, and concludes in this language: "Where the original records, documents and rulings of said board would be admitted in evidence." In my judgment it does not do a thing more than the gentleman from Armstrong said it did. It is very plain and only makes that evidence where the originals would be positive evidence. It would be up to the court to determine whether or not it was relevant and material, and it only relieves the department from the burden of transporting the original records and provides that they may make certified copies. It is only a question of whether the clerk or the secretary of the board would make accurate copies. The bill ought to be passed for the reason that it is a convenience.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—115.

Albee,	Ehrhardt,	Mehring,	Shattuck,
Baker,	Franklin,	Mervine,	Showalter,
Baldi,	Golder,	Miller, Allan,	Shunk,
Barner,	Goodnough,	Miller, C. G.,	Siggins,
Bechtold,	Goodwin,	Miller, G. J. A.,	Smith, F. I.,
Bell,	Graeff,	Milliron,	Somerman,
Bennett,	Gransback,	Mitchell,	Speicher,
Beyer,	Haight,	Murdoch,	Sprowls,
Bidelspacher,	Hecht,	Musser,	Sterling,
Boulton, H.,	Hess,	Neary,	Stites,
Bouton, V. B.,	Hibshman,	Palmer,	Stoffiet,
Bovee,	Hoffman,	Phillips,	Strauss,
Brumbaugh,	Hollern,	Powell,	Swartz,
Burnett,	Howarth,	Ramsey,	Thomas,
Campbell, J. O.,	Jack,	Reichenbacher,	Ulsh,
Canon,	Jones,	Reitzel,	Urich,
Christman,	Laucks,	Rhodes, W. M.,	Wagner,
Clements,	Lewis,	Rich,	Walker,
Coldsmith,	Lohr,	Richards,	Wallace,
Conner,	Malie,	Ringler,	Walter,
Cox,	Mangan,	Rininger,	Whitaker,
Curry,	Marvin,	Rinn,	Wickman,
Dawson,	Maurer,	Robertson,	Williams, G. W
Dean,	McCullough,	Rothenberger,	Williams, J. P.,
Dell,	McCurdy,	Rudisill,	Wobensmith,
Dewey,	McKay,	Sarig,	Wylie,
Drake,	McKinney,	Schaeffer, A. C.,	Wynne,
Drinkhouse,	McPeake,	Shaffer, C. A.,	Zanders,
Dunn,	McVicar,		

NAYS—23.

Baldridge,	Erdman,	Mearkle,	Stadtlander,
Boyd,	Fackler,	Perry,	Stern,
Brady,	Graham,	Sampsel,	Taylor,
Chestnut,	Horton,	Scott,	Vogdes,
Cummins,	Lauler,	Snowden,	West,
Dithrich,	Luppert,	Sones,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

TIME EXTENDED ON BILL.

Mr. MERKLE. Mr. Speaker, I desire to call up at this time from page 28 of today's calendar House Bill No. 478, File Folio 2181, bills on third reading postponed, entitled

An Act regulating the use of vehicles on the public highways; requiring lights on certain vehicles and providing penalties for the violation thereof.

and ask the unanimous consent for an extension of five days.

The SPEAKER. Is there any objection? The Chair hears none, and the extension is granted.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1556 (Senate Bill No. 797), entitled

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer, general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million five hundred thousand.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163

Albee,	Ehrhardt,	Maurer,	Sarig,
Aron,	Erdman,	McCaig,	Schaeffer, A. C.,
Arthur,	Fackler,	McCullough,	Scott,
Baker,	Flynn,	McCurdy,	Shaffer, C. A.,
Baldridge,	Franklin,	McKay,	Showalter,
Barner,	Fretz,	McKinney,	Shunk,
Bechtold,	Gans,	McNichol,	Siggins,
Bell,	Geary,	McPeake,	Simpson,
Benchoff,	Glass,	McVicar,	Smith, E. R.,
Bennett,	Golder,	Mearkle,	Smith, F. I.,
Benninger,	Goodnough,	Mehring,	Smith, J. W.,
Beyer,	Goodwin,	Miller, A. D.,	Smith, O. W.,
Bidelspacher,	Graeff,	Miller, C. G.,	Snyder,
Black,	Graham,	Miller, G. J. A.,	Somerman,
Boulton, H.,	Gransback,	Milliron,	Sones,
Bouton, V. B.,	Haight,	Milner,	Speicher,
Bovee,	Haldeman,	Mitchell,	Sprowls,
Brady,	Hecht,	Morgan, T. J.,	Stadtlander,
Brumbaugh,	Heffernan,	Murdoch,	Steedle,
Burnett,	Helt,	Murphy,	Stern,
Campbell, J. O.,	Hess,	Neary,	Stites,
Campbell, T.,	Heyburn,	Ogden,	Stoffiet,
Canon,	Hibshman,	Palmer,	Strauss,
Chestnut,	Hollern,	Perry,	Swartz,
Christman,	Hollingsworth,	Phillips,	Taylor,
Clements,	Horton,	Pickering,	Thomas,
Coldsmith,	Howarth,	Powell,	Urich,
Conner,	Isherwood,	Ramsey,	Vogdes,
Corbin,	Jack,	Reichenbacker,	Wagner,
Cox,	Jennings,	Reitzel,	Wallace,
Crosby,	Jones,	Reynolds,	Walter,
Curry,	Kennedy,	Rhodes, W. M.,	West,
Dawson,	Laucks,	Rich,	Whitaker,
Dell,	Lauler,	Richards,	Wickman,
Dewey,	Leary,	Ringler,	Williams, G. W.
Dithrich,	Lewis,	Rininger,	Wobensmith,
Donneley,	Lohr,	Rinn,	Wylie,
Drake,	Luppert,	Robertson,	Wynne,
Drinkhouse,	Malie,	Rothenberger,	Zanders,
Dunn,	Mangan,	Ruddy,	Baldwin,
Eby,	Marvin,	Rudisill,	Speaker.

NAYS—2.

Sampsel, Williams, J. P.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 196, entitled

An Act making an appropriation for the purpose of reimbursing counties for monies advanced to incorporated county agricultural associations and for reimbursing incorporated county agricultural associations for premiums paid on exhibits.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albee,	Ehrhardt,	McKay,	Shunk,
Aron,	Erdman,	McKinney,	Siggins,
Arthur,	Fackler,	McNichol,	Smith, E. R.,
Baker,	Fitzgibbon,	McPeake,	Smith, F. I.,
Baldi,	Fowler,	McVicar,	Smith, L.,
Baldridge,	Franklin,	Mearkle,	Smith, O. W.,
Barner,	Fretz,	Mehring,	Snyder,
Bechtold,	Geary,	Mervine,	Somerman,
Bell,	Golder,	Miller, A. D.,	Sones,
Benchoff,	Goodnough,	Miller, C. G.,	Speicher,
Bennett,	Goodwin,	Milliron,	Sprowls,
Benninger,	Graeff,	Mitchell,	Stadtlander,
Beyer,	Graham,	Morgan, T.,	Steedle,
Bidelspacher,	Gransback,	Morgan, T. J.,	Sterling,
Black,	Haight,	Musser,	Stern,
Boulton, H.,	Haldeman,	Neary,	Stites,
Bovee,	Hecht,	Ogden,	Stofflet,
Boyd,	Heffernan,	Palmer,	Strauss,
Brady,	Helt,	Patterson,	Swartz,
Brumbaugh,	Hess,	Phillips,	Taylor,
Burnett,	Hibshman,	Pickering,	Thomas,
Campbell, J. O.,	Hoffman,	Powell,	Ulsh,
Canon,	Hollern,	Reichenbacher,	Urich,
Chestnut,	Hollingsworth,	Reitzel,	Vickerman,
Christman,	Horton,	Reynolds,	Vogdes,
Clements,	Howarth,	Rhodes, W. M.,	Wallace,
Conner,	Isherwood,	Rich,	Walter,
Corbin,	Jennings,	Richards,	Wells,
Cox,	Kennedy,	Ringler,	West,
Crosby,	Laucks,	Rininger,	Whitaker,
Cummins,	Lauler,	Robertson,	Wickman,
Curry,	Leary,	Rogers,	Williams, G. W.
Dawson,	Lewis,	Rothenberger,	Williams, J. P.,
Dean,	Lohr,	Ruddy,	Wobensmith,
Dell,	Luppert,	Rudisill,	Wood,
Dewey,	Malie,	Sampsel,	Woodward,
Dithrich,	Mangan,	Sarig,	Wylie,
Donneley,	Marvin,	Schaeffer, A. C.,	Wynne,
Drake,	Maurer,	Scott,	Zanders,
Drinkhouse,	McCaig,	Shaffer, C. A.,	Baldwin,
Dunn,	McCurdy,	Showalter,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1562 (Senate Bill No. 670), entitled

An Act to increase the powers of courts in proceedings for desertion and non-support of wives, children or aged parents, and in proceedings for failure to comply with orders of court in fornication and bastardy proceedings or other proceedings for the support of illegitimate children; directing that imprisonment in such cases be at hard labor in such institution as the court shall name; providing for the payment by such institution, or in certain cases by the county from which the defendant was committed, of the sum of sixty-five cents per day, to be paid to the person designated by the order of the court; providing for the issuance of attachments and for the disbursement of moneys collected on forfeiture of bonds, bail bonds or recognizances; and providing for the payment by the county of the expenses incident to carrying out this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Albee,	Drinkhouse,	Leary,	Ross,
Aron,	Dunn,	Lewis,	Ruddy,
Arthur,	Ehrhardt,	Lohr,	Rudisill,
Baker,	Erdman,	Luppert,	Sampsel,
Baldi,	Fackler,	Malie,	Sarig,
Baldridge,	Fitzgibbon,	Mangan,	Schaeffer, A. C.,
Barner,	Flynn,	Marvin,	Scott,
Bechtold,	Franklin,	Maurer,	Shaffer, C. A.,
Bell,	Fretz,	McArdle,	Showalter,
Benchoff,	Geary,	McCaig,	Shunk,
Bennett,	Glass,	McCullough,	Smith, E. R.,
Benninger,	Golder,	McKay,	Smith, J. W.,
Beyer,	Goodnough,	McKinney,	Smith, O. W.,
Bidelspacher,	Goodwin,	McNichol,	Somerman,
Black,	Graeff,	McPeake,	Sones,
Boulton, H.,	Graham,	McVicar,	Speicher,
Bouton, V. B.,	Gransback,	Mehring,	Stadtlander,
Bovee,	Haight,	Mervine,	Steedle,
Brady,	Haldeman,	Miller, A. D.,	Stern,
Burnett,	Hecht,	Miller, C. G.,	Stites,
Canon,	Helt,	Milliron,	Stofflet,
Chestnut,	Hess,	Morgan, T.,	Strauss,
Christman,	Heyburn,	Murdoch,	Swartz,
Clements,	Hibshman,	Neary,	Thomas,
Coldsmith,	Hoffman,	Ogden,	Ulsh,
Conner,	Hollern,	Palmer,	Urich,
Cox,	Hollingsworth,	Pickering,	Wells,
Crosby,	Horton,	Powell,	West,
Cummins,	Howarth,	Ramsey,	Whitaker,
Curry,	Isherwood,	Reitzel,	Wickman,
Dawson,	Jack,	Reynolds,	Williams, G. W.
Dean,	Jennings,	Rhodes, W. M.,	Williams, J. P.,
Dell,	Jones,	Rich,	Wobensmith,
Dewey,	Kennedy,	Ringler,	Wylie,
Dithrich,	Laucks,	Rinn,	Wynne,
Donneley,	Lauler,	Robertson,	Zanders,
Drake,			

NAYS—9.

McCurdy,	Reichenbacker,	Rothenberger,	Taylor,
Miller, G. J. A.,	Rininger,	Siggins,	Walter,
Phillips,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1465 (Senate Bill No. 766), entitled

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields, situate in the Township of Coal near Shamokin, Northumberland County, Pennsylvania, for deficiency in maintenance for the two fiscal years commencing June first, one thousand nine hundred and fifteen.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200.

Albee,	Fackler,	McNichol,	Showalter,
Aron,	Fitzgibbon,	McPeake,	Shunk,
Arthur,	Flynn,	McVicar,	Siggins,
Baker,	Fowler,	Mearkle,	Simpson,
Baldi,	Franklin,	Mehring,	Sinclair,
Baldridge,	Fretz,	Mervine,	Smith, E. R.,
Barner,	Gans,	Michel,	Smith, F. I.,
Bechtold,	Geary,	Miller, A. D.,	Smith, J. W.,
Bell,	Glass,	Miller, Allan,	Smith, L.,
Benchoff,	Golder,	Miller, C. G.,	Smith, O. W.,
Bennett,	Goodnough,	Miller, G. J. A.,	Snowden,
Benninger,	Goodwin,	Milliron,	Snyder,
Beyer,	Graeff,	Milner,	Somerman,
Bidelspacher,	Graham,	Mitchell,	Sones,
Black,	Gransback,	Morgan, T.,	Speicher,
Boulton, H.,	Haight,	Morgan, T. J.,	Sprowls,
Bouton, V. B.,	Haldeman,	Murdoch,	Stadtlander,
Bovee,	Hecht,	Murphy,	Steedle,
Boyd,	Heffernan,	Musser,	Sterling,
Brady,	Helt,	Neary,	Stern,
Brumbaugh,	Hess,	Ogden,	Stites,
Burnett,	Heyburn,	Palmer,	Stofflet,
Campbell, J. O.,	Hibshman,	Patterson,	Strauss,
Campbell, T.,	Hoffman,	Perry,	Sullivan,
Canon,	Hollern,	Phillips,	Swartz,
Chestnut,	Hollingsworth,	Pickering,	Sweitzer,
Christman,	Horton,	Powell,	Taylor,
Clements,	Howarth,	Ramsey,	Thomas,
Coldsmith,	Isherwood,	Reichenbacker,	Ulsh,
Conner,	Jack,	Reitzel,	Urich,
Cook,	Jennings,	Reynolds,	Vickerman,
Corbin,	Jones,	Rhoads, H. L.,	Vogdes,
Cox,	Kennedy,	Rhodes, W. M.,	Wagner,
Crosby,	Lafferty,	Rich,	Walker,
Cummins,	Laucks,	Richards,	Wallace,
Curry,	Lauler,	Ringler,	Walter,
Davis, D. F.,	Leary,	Rininger,	Weimer,
Davis, W.,	Lewis,	Rinn,	Wells,
Dawson,	Lohr,	Robertson,	West,
Dean,	Luppert,	Rogers,	Whitaker,
Dell,	Malie,	Ross,	Wickman,
Dewey,	Mangan,	Rothenberger,	Williams, G. W.
Dithrich,	Marvin,	Ruddy,	Williams, J. P.,
Donneley,	Maurer,	Rudisill,	Wobensmith,
Drake,	McArdle,	Sampsel,	Wood,
Drinkhouse,	McCaig,	Sarig,	Woodward,
Dunn,	McCullough,	Schaeffer, A. C.,	Wylie,
Eby,	McCurdy,	Scott,	Wynne,
Ehrhardt,	McKay,	Shaffer, C. A.,	Zanders,
Erdman,	McKinney,	Shattuck,	Baldwin,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably o order,

The House proceeded to the third reading and consideration of House Bill No. 1296 (Senate Bill No. 282), entitled

An Act making an appropriation for the Dixmont Hospital for the Insane to make good the deficit in operation of said hospital to January first, one thousand nine hundred and seventeen.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200.

Albee,	Fackler,	McNichol,	Showalter
Aron,	Fitzgibbon,	McPeake,	Shunk,
Arthur,	Flynn,	McVicar,	Siggins,
Baker,	Fowler,	Mearkle,	Simpson,
Baldi,	Franklin,	Mehring,	Sinclair,
Baldridge,	Fretz,	Mervine,	Smith, E. R.,
Barner,	Gans,	Michel,	Smith, F. I.,
Bechtold,	Geary,	Miller, A. D.,	Smith, J. W.,
Bell,	Glass,	Miller, Allan,	Smith, L.,
Benchoff,	Golder,	Miller, C. G.,	Smith, O. W.,
Bennett,	Goodnough,	Miller, G. J. A.,	Snowden,
Benninger,	Goodwin,	Milliron,	Snyder,
Beyer,	Graeff,	Milner,	Somerman,
Bidelspacher,	Graham,	Mitchell,	Sones,
Black,	Gransback,	Morgan, T.,	Speicher,
Boulton, H.,	Haight,	Morgan, T. J.,	Sprowls,
Bouton, V. B.,	Haldeman,	Murdoch,	Stadtlander,
Bovee,	Hecht,	Murphy,	Steedle,
Boyd,	Heffernan,	Musser,	Sterling,
Brady,	Helt,	Neary,	Stern,
Brumbaugh,	Hess,	Ogden,	Stites,
Burnett,	Heyburn,	Palmer,	Stofflet,
Campbell, J. O.,	Hibshman,	Patterson,	Strauss,
Campbell, T.,	Hoffman,	Perry,	Sullivan,
Canon,	Hollern,	Phillips,	Swartz,
Chestnut,	Hollingsworth,	Pickering,	Sweitzer,
Christman,	Horton,	Powell,	Taylor,
Clements,	Howarth,	Ramsey,	Thomas,
Coldsmith,	Isherwood,	Reichenbacher,	Ulsh,
Conner,	Jack,	Reitzel,	Urich,
Cook,	Jennings,	Reynolds,	Vickerman,
Corbin,	Jones,	Rhoads, H. L.,	Vogdes,
Cox,	Kennedy,	Rhodes, W. M.,	Wagner,
Crosby,	Lafferty,	Rich,	Walker,
Cummins,	Laucks,	Richards,	Wallace,
Curry,	Lauler,	Ringler,	Walter,
Davis, D. F.,	Leary,	Rininger,	Weimer,
Davis, W.,	Lewis,	Rinn,	Wells,
Dawson,	Lohr,	Robertson,	West,
Dean,	Luppert,	Rogers,	Whitaker,
Dell,	Malie,	Ross,	Wickman,
Dewey,	Mangan,	Rothenberger,	Williams, G. W.
Dithrich,	Marvin,	Ruddy,	Williams, J. P.,
Donneley,	Maurer,	Rudisill,	Wobensmith,
Drake,	McArdle,	Sampsel,	Wood,
Drinkhouse,	McCaig,	Sarig,	Woodward,
Dunn,	McCullough,	Schaeffer, A. C.	Wylie,
Eby,	McCurdy,	Scott,	Wynne,
Ehrhardt,	McKay,	Shaffer, C. A.,	Zanders,
Erdman,	McKinney,	Shattuck,	Baldwin, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

TIME EXTENDED ON BILL.

Mr. MEARKLE. Mr. Speaker, I desire to call up at this time from page 29 of to-day's calendar, bills on third reading postponed, House Bill No. 1365, File Folio 3847, entitled

An Act requiring public adjusters engaged in the adjustment of claims for loss or damage by fire under a policy or policies of insurance upon property in this Commonwealth to be licensed by the Insurance Commissioner; defining such public adjuster; providing for the payment of a fee for the issuance of a license and prescribing penalties for any violation of the act.

and ask the unanimous consent for an extension of five days.

The SPEAKER. Is there any objection? The Chair hears none, and the extension is granted.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1554 (Senate Bill No. 817), entitled

An Act to amend the second section of an act approved the thirteenth day of June, Anno Domini one thousand nine hundred and eleven, entitled "An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand, a Board for the Assessment and Revision of Taxes for State and County purposes, prescribing the method of their appointment, their powers and duties; fixing their salary, to be paid by the proper county; and abolishing the office of ward, borough and township assessors, in so far as respects the assessment of State and county taxes;" by changing the pay of subordinate assessors from four to five dollars per day.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Albee,	Erdman,	McArdle,	Simpson,
Aron,	Fackler,	McCullough,	Smith, E. R.,
Arthur,	Fitzgibbon,	McKay,	Smith, J. W.,
Baker,	Flynn,	McKinney,	Smith, L.,
Baldi,	Franklin,	McNichol,	Smith, O. W.,
Baldridge,	Fretz,	McVicar,	Snowden,
Barner,	Geary,	Mearkle,	Snyder,
Bechtold,	Glass,	Mervine,	Somerman,
Bell,	Golder,	Miller, Allan,	Sones,
Bennett,	Goodnough,	Milliron,	Speicher,
Benninger,	Graeff,	Mitchell,	Sprowls,
Beyer,	Graham,	Morgan, T. J.,	Stadtlander,
Black,	Gransback,	Musser,	Steedle,
Boulton, H.,	Haight,	Neary,	Sterling,
Bouton, V. B.,	Haldeman,	Ogden,	Stern,
Bovee,	Hecht,	Palmer,	Stites,
Boyd,	Helt,	Patterson,	Stofflet,
Brady,	Hess,	Perry,	Strauss,
Burnett,	Heyburn,	Phillips,	Sullivan,
Canon,	Hibshman,	Pickering,	Swartz,
Christman,	Hoffman,	Powell,	Taylor,
Clements,	Hollingsworth,	Ramsey,	Thomas,
Coldsmith,	Horton,	Reitzel,	Ulsh,
Conner,	Howarth,	Reynolds,	Urich,
Corbin,	Isherwood,	Rich,	Wagner,
Cox,	Jack,	Richards,	Wallace,
Crosby,	Jennings,	Ringler,	Walter,
Cummins,	Jones,	Rininger,	Wells,
Curry,	Kennedy,	Rinn,	West,
Dawson,	Laucks,	Robertson,	Whitaker,
Dean,	Lauler,	Rothenberger,	Wickman,
Dell,	Leary,	Ruddy,	Williams, G. W.
Dewey,	Lewis,	Rudisill,	Williams, J. P.,
Dithrich,	Lohr,	Sampsel,	Wobensmith,
Donneley,	Luppert,	Schaeffer, A. C.	Wood,
Drake,	Malie,	Scott,	Woodward,
Drinkhouse,	Mangan,	Shaffer, C. A.,	Wylie,
Dunn,	Marvin,	Showalter,	Wynne,
Ehrhardt,	Maurer,	Shunk,	Zanders,

NAYS—3.

Benchoff,	Bidelspacher,	McCurdy,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

TIME EXTENDED ON BILL.

Mr. BEYER. Mr. Speaker, I ask that all bills on the postponed calendars be extended for a further period of five days.

The SPEAKER. Is there any objection? The Chair hears none, and the time on all bills on the postponed calendars will be extended five days.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1543 (Senate Bill No. 812), entitled

An Act fixing the residence of the warden of the county jail or prison in counties of this Commonwealth where the government of such jail or prison is or may hereafter be vested in a prison board.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albee,	Erdman,	McCaig,	Sarig,
Aron,	Fackler,	McCullough,	Schaeffer, A. C.,
Arthur,	Fitzgibbon,	McCurdy,	Scott,
Baker,	Flynn,	McKay,	Shaffer, C. A.,
Baldi,	Franklin,	McKinney,	Shattuck,
Baldridge,	Fretz,	McNichol,	Showalter,
Barner,	Gans,	McPeake,	Shunk,
Bell,	Geary,	McVicar,	Siggins,
Benchoff,	Glass,	Mearkle,	Simpson,
Bennett,	Golder,	Mehring,	Smith, E. R.,
Benninger,	Goodnough,	Mervine,	Smith, F. I.,
Beyer,	Goodwin,	Michel,	Smith, J. W.,
Bidelspacher,	Graeff,	Miller, Allan,	Smith, O. W.,
Black,	Graham,	Miller, C. G.,	Snyder,
Boulton, H.,	Gransback,	Milliron,	Somerman,
Bouton, V. B.,	Haight,	Milner,	Sones,
Boyd,	Haideman,	Mitchell,	Speicher,
Brady,	Hecht,	Morgan, T. J.,	Sprowls,
Brumbaugh,	Heffernan,	Murdoch,	Stadtlander,
Burnett,	Hess,	Murphy,	Steedle,
Campbell, J. O.,	Heyburn,	Musser,	Sterling,
Campbell, T.,	Hibshman,	Ogden,	Stern,
Canon,	Hoffman,	Palmer,	Stites,
Chestnut,	Hollern,	Patterson,	Stoffiet,
Christman,	Hollingsworth,	Phillips,	Swartz,
Clements,	Horton,	Pickering,	Taylor,
Conner,	Howarth,	Powell,	Thomas,
Cook,	Isherwood,	Ramsey,	Ulsh,
Corbin,	Jack,	Reichenbacker,	Urich,
Cox,	Jennings,	Reitzel,	Vogdes,
Crosby,	Jones,	Reynolds,	Walker,
Cummins,	Kennedy,	Rhodes, W. M.,	Wallace,
Curry,	Laucks,	Rich,	Walter,
Dawson,	Lauler,	Richards,	Wells,
Dean,	Leary,	Ringler,	West,
Dell,	Lewis,	Rininger,	Whitaker,
Dewey,	Lohr,	Rinn,	Wickman,
Dithrich,	Luppert,	Robertson,	Williams, G. W.,
Donneley,	Malie,	Rogers,	Williams, J. P.,
Drake,	Mangan,	Rothenberger,	Wood,
Drinkhouse,	Marvin,	Ruddy,	Wylie,
Dunn,	Maurer,	Rudisill,	Zanders,
Ehrhardt,	McArdle,	Sampsel,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1557 (Senate Bill No. 792), entitled

An Act authorizing and empowering the several counties of this Commonwealth to locate, lay out, open, construct and maintain public bridges whether wholly or partly within any city, borough or township therein, across any river or stream dividing or separating any part of said county from any other part thereof, together with the necessary bridge approaches, viaduct or other approaches, to conveniently connect the same with existing streets or public roads in such cities, boroughs or townships; authorizing the cities and boroughs wherein such bridges are located, to share in the cost thereof and to provide approaches therefor; authorizing the taking and appropriation of property and rights of property, public or private, for such purposes; providing a method for making compensation for property taken, injured or destroyed thereby; authorizing the several counties to enter upon and over public streets or roads in cities, boroughs or townships for said purposes; authorizing the several counties to appropriate money, levy taxes and incur indebtedness therefor; and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street railway, telegraph, telephone or other corporations or persons making use thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STADLANDER. Mr. Speaker, this bill, which originated in the Senate, practically affects Allegheny County. As the gentlemen of the House know the topography of Allegheny is peculiar in itself. The towns are located in valleys and on hillsides and the only way we can reach the several parts of the city are by means of bridges. The law to-day does not give the county commissioners the power to build a bridge from a city to a borough to a township. The purpose is to erect a bridge between the City of Pittsburgh on the north side and that of McKees Rocks. The manufactories are principally located on the south side of the ridge. The Schoen Pressed Steel Car Co. and other factories are on that side. Possibly four to five thousand men cross this river each day to their work. In order to do that they pass by means of ferries and some years ago the question was agitated for the purpose of building a bridge for the reason that about forty men were drowned in the Ohio River and I respectfully ask every man in the House, as a humanitarian measure, to pass this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albee,	Flynn,	McNichol,	Shaffer, C. A.,
Aron,	Franklin,	McPeake,	Showalter,
Arthur,	Fretz,	McVicar,	Shunk,
Baker,	Gans,	Mearkle,	Siggins,
Baldi,	Geary,	Mehring,	Sinclair,
Baldridge,	Golder,	Mervine,	Smith, E. R.,
Bechtold,	Goodnough,	Miller, A. D.,	Smith, F. I.,
Benchoff,	Goodwin,	Miller, Allan,	Smith, J. W.,
Bennett,	Graeff,	Miller, C. G.,	Snowden,
Benninger,	Graham,	Miller, G. J. A.,	Somerman,
Beyer,	Gransback,	Milliron,	Sones,
Bidelspacher,	Haight,	Morgan, T.,	Speicher,
Black,	Haldeman,	Morgan, T. J.,	Sprowls,
Boulton, H.,	Hecht,	Murdoch,	Stadtlander,
Bouton, V. B.,	Helt,	Musser,	Steedle,
Boyd,	Hess,	Neary,	Sterling,
Brady,	Heyburn,	Ogden,	Stern,
Brumbaugh,	Hibshman,	Palmer,	Stoffiet,
Burnett,	Hoffman,	Perry,	Strauss,
Campbell, T.,	Hollern,	Phillips,	Sullivan,
Canon,	Hollingsworth,	Pickering,	Swartz,
Chestnut,	Horton,	Powell,	Taylor,
Clements,	Howarth,	Ramsey,	Thomas,
Coldsmith,	Isherwood,	Reichenbacker,	Urich,
Conner,	Jack,	Reitzel,	Vickerman,
Corbin,	Jennings,	Reynolds,	Vogdes,
Crosby,	Jones,	Rhodes, W. M.,	Walker,
Cummins,	Kennedy,	Rich,	Wallace,
Curry,	Laucks,	Richards,	Walter,
Dawson,	Lauler,	Ringler,	Wells,
Dean,	Leary,	Rininger,	West,
Dell,	Lewis,	Rinn,	Whitaker,
Dewey,	Luppert,	Robertson,	Wickman,
Dithrich,	Malie,	Rogers,	Williams, G. W.,
Donneley,	Mangan,	Rothenberger,	Williams, J. P.,
Drake,	Marvin,	Ruddy,	Wobensmith,
Dunn,	Maurer,	Rudisill,	Wood,
Ehrhardt,	McCaig,	Sampsel,	Woodward,
Erdman,	McCullough,	Sarig,	Wylie,
Fackler,	McCurdy,	Schaeffer, A. C.,	Wynne,
Fitzgibbon,	McKinney,	Scott,	Zanders,

NAYS—1.

Barner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

BILL ON THIRD READING.

Mr. BRADY asked and obtained unanimous consent to call up at this time House Bill No. 1516, on page 12 of to-day's calendar, bills on third reading, for the purpose of recommitting to the Committee on Electric Railways.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1516, entitled

An Act to provide for the payment of salaries to constables in the County of Philadelphia and requiring all fees payable to them for the service of process out of magistrates courts under seal to be paid into the county treasury.

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. BRADY. Mr. Speaker, I move that this bill be recommitted to the Committee on Electric Railways.

Mr. PERRY. Mr. Speaker, I second the motion.

The motion was agreed to.

RESOLUTION.

Mr. STEEDLE. Mr. Speaker, I rise at this time to present to this House a resolution out of respect to the memory of Dr. William Addison Magee and ask for its adoption.

The SPEAKER. The Clerk will read the resolution.

The Clerk then read the resolution as follows:

Whereas, News has just been received of the death at Atlantic City, this morning, of Hon. Doctor William Addison Magee, a Member of the House of Representatives sessions of 1909 and 1911; brother of the late Senator Christopher L. Magee, and uncle of Public Service Commissioner William A. Magee, and of the late Senator Charles J. Magee, all of Allegheny County, therefore be it

Resolved, That in respect to the memory of our esteemed former Member the House of Representatives do now adjourn until to-morrow morning at eleven o'clock.

On the question,
Will the House agree to the resolution?
It was agreed to.

ADJOURNMENT TO THE MEMORY OF DR. WILLIAM ADDISON MAGEE.

Whereupon, in pursuance of the foregoing resolution (at 5.50 o'clock P. M.) the House adjourned until to-morrow morning at 11.00 o'clock.

ERRATA.

Mr. DITHRICH. Mr. Speaker, on Wednesday, May the 9th, I appear to have voted "aye" on House Bill No. 1425, as appears in the Legislative Journal, page 2179. At the time of the calling of this bill I was not present and did not vote.

The SPEAKER. The correction will be made.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1917 — 122nd of the General Assembly

VOL. 4. HARRISBURG, PA., WEDNESDAY, MAY 16, 1917. No. 56.

SENATE.

WEDNESDAY, May 16, 1917.

The Senate met at 10 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the Chair.

PRAYER.

The Chaplain, Rev. Thomas W. Davis, offered the following prayer:

Almighty God, we thank Thee for our American ideals and for American opportunities. We think Thee that in this great world crisis, because of these high ideals, America has become the conscience of the world. We ask Thee to so guide our men in places of authority that they may continue to think and think very seriously, until they reach points of conviction so that the best brains we have shall be used for the regulating of the affairs of our great government. These blessings we ask in our Saviour's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. SPROUL, the further reading was dispensed with, and the Journal was approved.

PETITION.

FAVORING APPROPRIATION TO THE VILLAGE FOR FEEBLE-MINDED WOMEN OF CHILD BEARING AGE AT LAURELTON, AND ALSO FAVORING APPROPRIATION FOR THE STATE INSTITUTIONS FOR THE FEEBLE-MINDED AT POLK AND SPRING CITY.

The Chair presented petition of citizens of Pennsylvania favoring appropriation to the Village for Feeble-Minded Women of Child Bearing Age at Laurelton, and also favoring appropriation for the State Institutions for the Feeble-Minded at Polk and Spring City.

Which was referred to the Committee on Appropriations.

LEAVE OF ABSENCE.

Mr. NASON asked and obtained leave of absence for the Senator from Crawford, Mr. R. E. Smith.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were laid upon the table.

BILLS INTRODUCED.

Mr. JENKINS read in his place and presented to the Chair Senate Bill No. 1201, entitled

An Act requiring all persons contracting with the Commonwealth, or any department or officer thereof, or any municipal corporation, division or subdivision of the Commonwealth, to accept the provisions of the State Workingmen's Compensation Act and to insure the said contractor's liability thereunder, or secure an exemption from insurance, in accordance with the terms of the said act in respect to such contract.

Which was committed to the Committee on Judiciary General.

Mr. SEMMENS read in his place and presented to the Chair Senate Bill No. 1202, entitled

A Supplement to an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 1203, entitled

An Act transferring the care, custody and ownership of the Brig Niagara to the City of Erie.

Which was committed to the Committee on Appropriations.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 1204, entitled

An Act to amend section one thousand six hundred and three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same; and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

Mr. STEWART read in his place and presented to the Chair Senate Bill No. 1205, entitled

An Act prohibiting all game hunting for a period of two years or during the longer duration of the present war; and fixing a penalty.

Which was committed to the Committee on Military Affairs.

Mr. SPROUL read in his place and presented to the Chair Senate Bill No. 1206, entitled

An Act to provide for the control, management, protection and preservation of estates of persons absent from their homes and unheard of for a period of one year; and the appointment of a trustee for the said absent and unheard of persons; authorizing the trustee to support the wife and children of the said absent and unheard of persons; defining the powers of the trustee, and authorizing the mortgaging, sale or leasing of real estate of said absent and unheard of persons.

Which was committed to the Committee on Judiciary General.

REPORT FROM COMMITTEE.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN from the Committee on Appropriations reported as committed Senate Bill No. 1203, entitled

An Act transferring the care, custody and ownership of the Brig Niagara to the City of Erie.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1017.

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1017, entitled

An Act prohibiting the handling or driving of horses or other animals or teams or vehicles on the public highways of the Commonwealth by an intoxicated person and providing penalties therefor.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1117.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1117, entitled

An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department, bureau, commission or office thereof or by any county, municipality or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment or draft in the army or navy of the United States in time of war or contemplated war; prohibiting the removal from their offices or employment of such officers and employes during the period of their service in the army or navy; directing that one-half of the salaries or wages of such officers or employes as have dependent wives, children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1310.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1310, entitled

An Act to confer additional powers upon fire insurance companies.

HOUSE BILL NO. 846 RECALLED FROM THE GOVERNOR.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to.

In the House of Representatives, May 15, 1917.

Resolved (if the Senate concur), That House Bill No. 846, File Folio 3767, entitled "An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

TIME OF NEXT MEETING.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 15, 1917.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, May twenty-first, at nine o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, May twenty-first, at nine o'clock.

RESOLUTION RELATING TO RENDITION OF "THE STAR SPANGLED BANNER.

He also presented extract from the Journal of the House of Representatives, which was read as follows:

In the House of Representatives, May 15, 1917.

Whereas, "The Star Spangled Banner" is recognized as the national anthem of the United States of America, and as such is entitled to all respect; and,

Whereas, There is a danger that "The Star Spangled Banner" may be cheapened because of the indiscriminate manner in which, and the inauspicious times at which it is played, therefore,

Be it Resolved (if the Senate concur), That it is the sense of the Legislature of the State of Pennsylvania that "The Star Spangled Banner" should at no times be incorporated in a medley or fantasia of popular or patriotic airs; nor should "The Star Spangled Banner" be cheapened through frequent and inartistic rendition in moving picture or other theatres, but that, like the "Marsellaise," the national anthem of France, "The Star Spangled Banner" should be kept free from the taint of what is known as "slapstick patriotism," and should be rendered or sung only at opportune times, and never in such a manner as would cheapen this stirring and martial air so dear to American hearts.

Mr. McKEE. Mr. President, I move that the resolution just read be referred to the Committee on Military Affairs.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

HOUSE CONCURS IN SENATE BILL NO. 812.

He also returned to the Senate Senate Bill No. 812, entitled

An Act fixing the residence of the warden of the county jail or prison in counties of this Commonwealth where the government of such jail or prison is or may hereafter be vested in a prison board.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 817.

He also returned to the Senate Senate Bill No. 817, entitled

An Act to amend the second section of an act approved the thirteenth day of June, Anno Domini nineteen hundred and eleven, entitled "An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand, a Board for the assessment and revision of taxes for State and county purposes, prescribing the method of their appointment, their powers and duties; fixing their salary, to be paid by the proper county; and abolishing the office of ward, borough and township assessors, in so far as respects the assessment of state and county taxes" by changing the pay of subordinate assessors from four to five dollars per day

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 282.

He also returned to the Senate Senate Bill No. 282, entitled

An Act making an appropriation for the Dixmont Hospital for the Insane to make good the deficit in operation of said hospital to January 1st 1917

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 766.

He also returned to the Senate Senate Bill No. 766, entitled

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland County Pennsylvania for deficiency in maintenace for the two fiscal years commencing June first one thousand nine hundred fifteen

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 792.

He also returned to the Senate Senate Bill No. 792, entitled

An Act authorizing and empowering the several counties of this Commonwealth to locate lay out open construct and maintain public bridges whether wholly or partly within any city borough or township therein across any river or stream dividing or separating any part of said county from any other part thereof together with the necessary bridge approaches viaduct or other approaches to conveniently connect the same with exisiting streets or public roads in such cities boroughs or townships authorizing the cities and boroughs wherein such bridges are located to share in the cost thereof and to provide approaches therefor authorizing the taking and appropriation of property and

rights of property public or private for such purposes providing a method for making compensation for property taken injured or destroyed thereby authorizing the several counties to enter upon and over public streets or roads in cities boroughs or townships for said purposes authorizing the several counties to appropriate money levy taxes and incur indebtedness therefor and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street railway telegraph telephone or other corporations or persons making use thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use.

with the information that the House has passed the same without amendment.

SENATE BILL NO. 670 RETURNED WITH AMENDMENTS.

He also returned to the Senate Senate Bill No. 670, entitled

An Act to increase the powers of courts in proceedings for desertion and non-support of wives children or aged parents and in proceedings for failure to comply with orders of court in fornication and bastardy proceedings or other proceedings for the support of illegitimate children directing that imprisonment in such cases be at hard labor in such institution as the court shall name providing for the payment by such institution or in certain cases by the county from which the defendant was committed of the sum of sixty-five cents per day to be paid to the person designated by the order of the court providing for the issuance of attachments and for the disbursement of moneys collected on forfeiture of bonds bail bonds or recognizances and providing for the payment by the county of the expenses incident to carry out this act.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SALUS. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives in the foregoing bill.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend the title, line 13, by striking out "isuuance" and inserting in lieu thereof the word "issuance"

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Hindman,	Nason,	Sproul,
Beales,	Homsher,	Patton,	Stewart,
Buckman,	Jenkins,	Phipps,	Tompkins,
Burke,	Leiby,	Salus,	Warner,
Craig,	Lynch,	Sassaman,	Wasbers,
DeWitt,	Martin,	Schantz,	Weaver,
Endsley,	McConnell,	Semmens,	Whitten,
Eyre,	McKee,	Snyder,	Beidleman,
Graff, W. P.,	Miller,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 797 RETURNED WITH AMENDMENTS.

He also returned to the Senate Senate Bill No. 797, entitled

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million five hundred thousand

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. SALUS. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives in the foregoing bill.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

Whereupon,

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend Section 1, page 3, by striking out lines 16 and 17; also page 4, line 8, by striking out the word "pages" and inserting in lieu thereof the word "papers"; also line 13 by striking out the words "two dollars" and inserting in lieu thereof the words "one dollar"; also page 9, line 15, by striking out the word "of" and inserting in lieu thereof the word "or"; also page 11, line 21, by inserting after the word "service" the words "in other cases"

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Hindman,	Miller,	Sones,
Beales,	Jenkins,	Nason,	Sproul,
Buckman,	Jones,	Patton,	Stewart,
Craig,	Leiby,	Salus,	Tompkins,
DeWitt,	Lynch,	Sassaman,	Warner,
Endsley,	Martin,	Schantz,	Weaver,
Eyre,	McConnell,	Semmens,	Whitten,
Graff, W. P.,	McKee,	Snyder,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

NOMINATIONS BY THE GOVERNOR.

The Chair cleared his table and laid before the Senate communication in writing from His Excellency the Governor of the Commonwealth which was read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 16, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Lester L. Swaney, East Pittsburgh.
Joseph H. Wagner, Braddock.

ARMSTRONG COUNTY.

Willis Clawson, Kiskiminetas Twp.

PHILADELPHIA COUNTY.

Mrs. Harriett M. Lawler, Philadelphia.
James W. McCully, Philadelphia.

WASHINGTON COUNTY.

Miss Carrie D. Lewis, Washington.
D. M. Fry, Burgettstown.
Miss Lillian H. Strouse, Monongahela City.

MARTIN G. BRUMBAUGH.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. SALUS.

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. Salus,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Homsher,	Miller,	Sproul,
Beales,	Jenkins,	Patton,	Stewart,
Buckman,	Jones,	Phipps,	Tompkins,
Craig,	Kline,	Salus,	Warner,
DeWitt,	Leiby,	Sassaman,	Weaver,
Endsley,	Lynch,	Schantz,	Whitten,
Eyre,	Martin,	Semmens,	Beidleman,
Graff, W. P.,	McConnell,	Snyder,	Pres. pro tem.
Hindman,	McKee,	Sones,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

APPROVAL OF SENATE BILL NO. 864.

The Chair cleared his table and laid before the Senate communication in writing from His Excellency the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 15, 1917.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen. I have the honor to inform you that I have this day approved and signed Senate Bill No. 864, entitled "An Act creating a Commission of Public Safety and Defense to prepare for the defense of the Commonwealth the safety of its people and the protection of their property and to aid the Government of the United States in protecting and defending said Government and the people thereof and their property and making an appropriation."

MARTIN G. BRUMBAUGH.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 745, entitled

An Act to validate affidavits, acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act.

Senate Bill No. 282, entitled

An Act making an appropriation for the Dixmont Hospital for the Insane to make good the deficit in operation of said hospital to January first, one thousand nine hundred and seventeen.

Senate Bill No. 766, entitled

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields, situate in the Township of Coal near Shamokin, Northumberland County, Pennsylvania, for deficiency in maintenance for the two fiscal years commencing June first, one thousand nine hundred fifteen.

Senate Bill No. 792, entitled

An Act authorizing and empowering the several counties of this Commonwealth to locate, layout, open, construct and maintain public bridges whether wholly or partly within any city, borough or township therein across any river or stream dividing or separating any part of said county from any other part thereof, together with the necessary bridge approaches, viaduct or other approaches to conveniently connect the same with existing streets or public roads in such cities, boroughs or townships; authorizing the cities and boroughs wherein such bridges are located to share in the cost thereof and to provide approaches therefor; authorizing the taking and appropriation of property and rights of property, public or private, for such purposes; providing a method for making compensation for property taken, injured or destroyed thereby; authorizing the several counties to enter upon and over public streets or roads in cities, boroughs or townships for said purposes; authorizing the several counties to appropriate money, levy taxes and incur indebtedness therefor and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street railway, telegraph, telephone or other corporations or persons making use thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use.

Senate Bill No. 812, entitled

An Act fixing the residence of the warden of the county jail or prison in counties of this Commonwealth where the government of such jail or prison is or may hereafter be vested in a prison board.

Senate Bill No. 468, entitled

An Act to enable two or more boroughs that are contiguous or in close proximity to be united and to become one city wherever each of said boroughs shall have heretofore voted or shall hereafter vote to become a city of the third class under laws now enacted or which may hereafter be enacted and wherever each of said boroughs has duly received or shall hereafter duly receive letters patent constituting it a city of the third class but where sufficient time shall not have elapsed after the granting of such letters patent for the holding of a municipal election; providing for the consequences of such consolidation, the government of such consolidated city, the payment of the indebtedness of each of the united territories and the enforcement of debts and claims due to and from each and fixing the jurisdiction over the said consolidated city in the courts of the county in which the majority of its inhabitants shall reside.

Senate Bill No. 567, entitled

An Act to amend section nineteen of an act approved the thirteenth day of June, one thousand eight hundred and thirty-six, entitled "An Act relating to roads, highways and bridges."

Senate Bill No. 692, entitled

An Act authorizing tenants in common and coparceners of land to pay their proportionate share of the taxes assessed against the land and providing that the sale thereof for unpaid taxes shall not impair or divest the title of those who have paid their respective shares of such taxes.

Senate Bill No. 789, entitled

An Act validating divorces granted on the ground of the hopeless insanity of the respondent under the provisions of an act approved the eighteenth day of April, nineteen hundred and five, entitled "An Act to amend section eight of the act approved the thirteenth day of April, eighteen hundred and forty-three, entitled 'An Act to convey certain real estate and for other purposes,' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis and to further regulate the procedure in action for divorce."

Senate Bill No. 770, entitled

An Act to further amend an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said Bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith," amended to read "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said Bureau and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith," by providing for further instruction prior to examination for licensure, clarifying section five (5) and twelve (12).

Senate Bill No. 662, entitled

An Act regulating the packing of apples; providing penalties for violations and imposing certain duties upon the Department of Agriculture.

Senate Bill No. 480, entitled

An Act to amend section five of an act approved the seventh day of June one thousand nine hundred and fifteen entitled "An Act to amend revise and consolidate the law providing for the burial of certain honorably discharged soldiers sailors and marines at the expense of the counties in which they shall die or have a legal residence at the time of their death to provide a system for effecting the burial of such soldiers sailors and marines to provide headstones and markers for the graves of such soldiers sailors and marines and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers sailors and marines."

Senate Bill No. 624, entitled

An Act dividing the Middle Coal-field Poor District into four districts and providing for the nomination and election of a director and auditor from each district, and one director at large to be elected by the voters of all districts; fixing the time when such nominations and elections shall be held and when those elected shall take office; providing for appointments and filling of vacancies; placing the affairs of the district under the supervision and control of the court of quarter sessions of Carbon County; making it lawful to erect new or additional buildings for said district after the approval of the court of quarter sessions of Carbon County; and repealing certain acts.

Senate Bill No. 203, entitled

An Act defining and regulating boxing and wrestling contests.

Senate Bill No. 171, entitled

A Supplement to the act of April twenty-eighth, eighteen hundred ninety-three, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class," providing for the election of a township solicitor in townships of the first class; fixing his term of office; prescribing his duties and qualifications and authorizing the board of township commissioners to fix his compensation.

Senate Bill No. 249, entitled

An Act amending section one of an act, entitled "To amend section one of an act ceding jurisdiction over real estate in the County of Philadelphia to be acquired by the United States," approved April fifteen, Anno Domini one thousand nine hundred and three, increasing the limitation as to area of land, the jurisdiction of which is ceded from twenty thousand square feet to forty thousand square feet, approved the twenty-fifth day of May, Anno Domini one thousand nine hundred and seven, increasing the limitation as to area of land the jurisdiction of which is ceded from forty thousand square feet to eighty thousand square feet.

Senate Bill No. 817, entitled

An Act to amend the second section of an act approved the thirteenth day of June, Anno Domini one thousand nine hundred and eleven, entitled "An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand a Board of Assessment and Revision of Taxes for State and county purposes; prescribing the method of their appointment, their powers and duties; fixing their salary to be paid by the proper county and abolishing the office of ward, borough and township assessors in so far as respects the assessment of State and county taxes," by changing the pay of subordinate assessors from four to five dollars per day.

Senate Bill No. 670, entitled

An Act to increase the powers of courts in proceedings for desertion and non-support of wives, children or aged parents and in proceedings for failure to comply with orders of court in fornication and bastardy proceedings or other proceedings for the support of illegitimate children; directing that imprisonment in such cases be at hard labor in such institution as the court shall name; providing for the payment by such institution or in certain cases by the county from which the defendant was committed of the sum of sixty-five cents per day to be paid to the person designated by the order of the court; providing for the issuance of attachments and for the disbursement of moneys collected on forfeiture of bonds, bail bonds or recognizances and providing for the payment by the county of the expenses incident to carry out this act.

Senate Bill No. 797, entitled

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer, general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million five hundred thousand.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) in the presence of the Senate signed the same.

RESOLUTION FAVORING PASSAGE BY CONGRESS OF DAYLIGHT SAVING LEGISLATION.

Mr. BEALES offered the following resolution, which was twice read as follows:

In the Senate, May 16, 1917.

Whereas, Enemy governments have passed laws advancing the time one hour during the long summer days for the purpose of conserving their resources, and other belligerents have done likewise as a measure of economic war necessity, therefore,

Resolved (if the House of Representatives concur), That the General Assembly of Pennsylvania endorses the efforts of the business interests now being made to secure the passage by the Congress of the United States of legislation known as daylight saving to advance the standard time one hour during the summer months.

Resolved, further, that a copy of these resolutions be forwarded to the Senators and Representatives in Congress from Pennsylvania.

Mr. BEALES. Mr. President, this resolution is in reference to the daylight saving bill which is before Congress to-day and which all of us have heard about. I ask unanimous consent that Rule 39 be dispensed with in order that the resolution may be considered at this time.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 255, as follows:

An Act to fix the time for filing nomination papers for State officers and for determination by the courts of contested papers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter nomination papers made by independent bodies of citizens naming candidates for State offices shall be filed with the Secretary of the Commonwealth in even numbered years at least sixty (60) days before the day of election

Section 2 With respect to papers filed with the Secretary of the Commonwealth objections shall be heard and finally determined by the proper court at least thirty (30) days before the day of election objections and legal procedure to be conducted as now provided by law

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Baldwin,	Leiby,	Phipps,	Stewart,
Beales,	Lynch,	Salus,	Tompkins,
Buckman,	Martin,	Sassaman,	Warner,
Craig,	McConnell,	Schantz,	Weaver,
DeWitt,	McKee,	Semmens,	Whitten,
Endsley,	Miller,	Snyder,	Beidleman,
Eyre,	Nason,	Sones,	Pres. pro tem.
Jenkins,	Patton,	Sproul,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 320, as follows:

An Act amending sections one three four seven ten eleven and repealing section eight of an act entitled 'An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be collector of the said several taxes prescribing his duties and fixing his compensation" approved the twentieth day of June Anno Domini one thousand nine hundred and one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" approved the twentieth day of June Anno Domini one thousand nine hundred and one which reads as follows

"Section 1. Be it enacted by the Senate and the House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That the several city treasurers hereafter elected in cities of the third class of this Commonwealth by virtue of their office shall be the collectors of all the city school and poor taxes assessed or levied in their respective cities and shall perform the duties and be subject to the hereinafter provisions of this act" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several city treasurers hereafter elected or appointed in cities of the third class of this Commonwealth by virtue of their office shall be collectors of the city school and poor taxes assessed or levied in their respective cities by the proper authorities therein

Section 2 That section three of said act which reads as follows

"Section 3 The several city school and poor authorities now empowered or which may be hereafter empowered to levy taxes upon persons and property within the said cities of the third class shall on the first day of June in each year make out and deliver their respective duplicates of taxes assessed to the said city treasurer as the collector of the said several taxes which taxes shall be collected by the said city treasurer by virtue of his office as herein provided and the said duplicates shall at all times be open to the proper inspection of the taxpayers and of the proper auditing and examining officers and shall be delivered by the said treasurer at the expiration of his term to his successor in office" be and the same is hereby amended to read as follows

Section 3 The several city and poor authorities now empowered or which may be hereafter empowered to levy taxes upon persons and property within each of the said cities of the third class shall on the first day of March in each year make out and deliver their respective duplicates of taxes assessed to the said city treasurer of the respective city as the collector of the said taxes which shall be collected by the city treasurer by virtue of his office as aforesaid and the proper school authorities shall make out and deliver the school duplicates of their respective school districts of said city at the time and in the manner provided by law All duplicates of taxes placed in the hands of said treasurer shall at all times be open to the proper inspection of the taxpayers and of the proper auditing and examining officers of said city or of the school district as the case may be and shall be delivered by said treasurer at the expiration of his term to his successor in office.

Section 3 That section seven of said act as the same was amended by an act approved the twenty-seventh day of June Anno Domini one thousand nine hundred thirteen which as amended reads as follows

"Section 7 All persons who shall make payment on or before the first day of August in each year of any city or poor tax levied within the respective city of the third class and charged against the said persons in the proper duplicate shall be entitled to a reduction or abatement of one per centum from the amount thereof Upon all taxes remaining unpaid from the first day of September of each tax year three per centum shall be added thereto and upon the first day of every succeeding month thereafter there shall be added or charged an additional penalty for non-payment of one per centum until such taxes are paid which penalties shall be added to the taxes by the said treasurer as collector and be collected by him" be and the same is hereby amended to read as follows

Section 7 All persons who shall make payment during the months of March and April in each year of city and poor tax shall be entitled to a reduction or abatement of one per centum from the amount thereof and all such taxes shall be payable at their face during the months of May and June in each year Upon all city and poor tax remaining unpaid on the first day of July in each year one per centum shall be added thereto and upon the first day of each succeeding month thereafter there shall be added or charged an additional penalty for non-payment of one per centum until such taxes are paid which penalty shall be added to the taxes by said treasurer as collector and be collected by him

Section 4 That section eight of said act be and the same is hereby repealed

Section 5 That section ten of said act which reads as follows

"Section 10 The said treasurer as collector of taxes shall at least once a month pay over to himself as city treasurer and school treasurer or charge himself therewith all the city school and poor taxes collected by him at the same time he shall make a return or report to the city controller verified by affidavit showing by whom and upon what properties the real estate city taxes have been paid and also make a report and return to such officer or representative of the board of school controllers and to such other authority in said city as shall be entitled thereto verified as aforesaid showing by whom and upon what properties the real estate school and poor taxes have been paid" be and the same is hereby amended to read as follows

Section 10 The said treasurer as collector of taxes shall at least once a month pay over to himself as city treasurer or charge himself therewith all the city and poor taxes collected by him and at the same time he shall make a report or return to the superintendent of accounts and finance verified by affidavit showing by whom and upon what properties the real estate city ond poor taxes have been paid

Section 6 That section eleven of said act which reads as follows

"Section 11 Upon the payment to said treasurer as said collector of any taxes assessed against real estate it shall be his duty to satisfy the real estate taxes thus paid upon the duplicates in his hands He shall finally settle with the proper authorities all duplicates of taxes delivered to him on or before the first Monday of April following the date of the delivery of such duplicates and pay over the amount charged against him except such sums as he may be exonerated from collecting by the proper authorities which exonerations may be made in the manner as heretofore practiced" be and the same is hereby amended to read as follows

Section 11 Upon the payment to said treasurer as said collector of any taxes assessed against real estate it shall be his duty to satisfy the real estate taxes thus paid upon the duplicates in his hands He shall finally settle with the proper authorities all duplicates of city and poor taxes delivered to him on or before the first Monday of January following the date of the delivery of such duplicates and pay over the amount charged against him except such sums as he may be exonerated from collecting by the proper authorities which exonerations may be made in the manner as heretofore practiced Upon the expiration of the term of office of the city treasurer in case of any of the taxes which he was commanded to collect remain unpaid he shall have the right

(a) To collect all the delinquent taxes for the space of one year after the expiration of his term of office and for this purpose all warrants issued to him during his term of office shall be effective to him as collector of taxes for the space of one year after the expiration of his term as city treasurer

(b) To certify real estate taxes remaining unpaid and delinquent to the city solicitor for filing in the court of common pleas as a city lien

(c) Or he may turn over the unpaid or delinquent taxes on real estate to his successor in office who shall have power to collect the same either by having the same filed in court as a lien or sell the same at public sale as provided by law authorizing the sale of real estate for the payment of delinquent taxes

In case the said treasurer as collector of taxes pays the taxes levied against any real estate he shall be entitled to collect the same from the person or persons who are liable therefor by his warrant so long as it is in force and have the said taxes filed in court as a lien for his use and after the expiration of his term as city treasurer he shall continue in office as the collector of school taxes until the end of the then current school year

Section 7 The provisions contained in sections two (2) and three (3) of this act shall not go into effect until the first day of January Anno Domini nineteen hundred eighteen

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	Hindman,	Nason,	Sones,
Beales,	Jenkins,	Patton,	Sproul,
Buckman,	Leiby,	Phipps,	Stewart,
Craig,	Lynch,	Salus,	Tompkins,
DeWitt,	Martin,	Sassaman,	Warner,
Endsley,	McConnell,	Schantz,	Weaver,
Eyre,	McKee,	Semmens,	Whitten,
Graff, W. P.,	Miller,	Snyder,	Beidleman, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 617 on final passage, entitled

An Act providing for and regulating the maintenance and government of a county home in each county of the State having a population of less than one million for indigent orphans and for delinquent, incorrigible, indigent, dependent and neglected children under sixteen years of age and providing for their commitment thereto.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS RECOMMITTED.

Mr. McKEE. Mr. President, I move that Senate Bill No. 716, on final passage, entitled

An Act prohibiting holders of brewers licenses from having offices or agents soliciting business in counties unless by authority of an agency license and providing for the revocation of certain licenses

be recommitted to the Committee on Military Affairs.

Mr. BUCKMAN. Mr. President, I second the motion.
The motion was agreed to.

Mr. TOMPKINS. Mr. President, I move that Senate Bill No. 938 (House Bill No. 794), on final passage, entitled

An Act to provide for the extradition of persons of unsound mind and to make uniform the laws of the States which enact the same

be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. LEIBY. Mr. President, I second the motion.
The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,
The Senate resumed consideration of Senate Bill No. 1130, as follows:

An Act to further amend section eleven of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled "An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended by conferring jurisdiction on the municipal court in certain cases of desertion and non-support in cases of children suffering from epilepsy nervous or mental defects and in certain cases of fornication and bastardy proceedings providing for the transfer by the court of quarter sessions to the municipal court of all cases of desertion and non-support also in certain cases of fornication and bastardy and empowering the municipal court to enforce all decrees orders judgments and sentences made by the court of quarter sessions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred eleven) entitled "An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended by an act approved the seventeenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand seventeen) entitled "An Act supplementing and amending section eleven of an act entitled 'An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof' approved the twelfth day of July one thousand nine hundred and thirteen by conferring jurisdiction on the court in certain additional criminal actions involving and including forgery kidnapping perjury rape and robbery and by conferring exclusive jurisdiction upon the said court in all proceedings concerning or trials of charges brought against all persons adults or minors accused of disorderly street-walking and in all procedings concerning or trials of charges brought against all minors between the ages of sixteen and twenty-one years absenting themselves from school or who shall disobey their parents' command or be found idle in the streets and against all disorderly children and defining disorderly children and repealing all acts or parts of acts inconsistent herewith" which reads as follows

"Section 11 The said court hereby created shall have jurisdiction in all criminal actions and suits for penalties except that it shall not have jurisdiction in the trial of indictments for arson burglary murder voluntary manslaughter treason or misprison of treason or for violation or conspiracy to violate the election or registration laws of this Commonwealth or for embezzlement by any public officer or any offense involving breach of official duties by any public officer Provided however That nothing herein contained and no exception to the jurisdiction of the said court herein set forth shall be construed to deprive the said court of exclusive jurisdiction in those cases hereinafter in this section set forth

"The jurisdiction of the said municipal court shall be exclusive

"(a) In all proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children and in all proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves and in all proceedings for the custody of children

"(b) In all proceedings concerning dependent delinquent or neglected children as defined by existing laws relating thereto which are hereby made applicable to proceedings in the municipal court

"(c) In all proceedings concerning or trials of charges brought against all persons whether adults or minors accused of disorderly street-walking

"(d) In all proceedings concerning or trials of charges brought against all minors between the ages of sixteen and twenty-one years who shall disobey their parents' command or be found idle in the streets and against all disorderly children

"(e) All children not under the age of sixteen years deserting their homes without good and sufficient cause or keeping company with dissolute or vicious persons against the lawful commands of their fathers mothers or guardians or other person standing in the place of a parent shall be deemed disorderly children

"The judges of the said municipal court shall be ex-officio justices of the peace When defendants are bound over for trial in any case indictments may be presented against them before the grand jury in accordance with existing laws which indictments may be tried either in existing courts or in the municipal court as the case may be Provided however That if it shall be decided by the courts that provisions herein for exclusive jurisdiction in municipal court or for abolishing preliminary hearings in certain cases are unconstitutional the intent of the Legislature is hereby expressed that said provisions only shall be void and that all other provisions of this act shall be valid and enforceable" be further amended to read as follows

Section 11 The said court hereby created shall have jurisdiction in all criminal actions and suits for penalties except that it shall not have jurisdiction in the trial of indictments for arson burglary murden voluntary manslaughten treason or misprison of treason or for violation or conspiracy to violate the election or registration laws of this Commonwealth or for embezzlement by any public officer or any offense involving breach of official duties by any public officer Provided however That nothing herein contained and no exception to the jurisdiction of the said court herein set forth shall be construed to deprive the said court of exclusive jurisdiction in those cases hereinafter in this section set forth

The jurisdiction of the said municipal court shall be exclusive

(a) In all proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children and in all proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves and in all proceedings for the custody of children

(b) In all proceedings concerning dependent delinquent or neglected children as defined by exisiting laws relating thereto which are hereby made applicable to proceedings in the municipal court

(c) In all proceedings concerning or trials of charges brought against all persons whether adults or minors accused of disorderly street-walking

(d) In all proceedings concerning or trials of charges brought against all minors between the ages of sixteen and twenty-one years who shall disobey their parents' command or be found idle in the streets and against all disorderly children

(e) All children not under the age of sixteen years deserting their homes without good and sufficient cause or keeping company with dissolute or vicious persons against the lawful commands of their fathers mothers or guardians or other person standing in the place of a parent shall be deemed disorderly children

(f) In all proceedings wherein it is charged that a mother has deserted her child or children or has neglected to maintain her child or children or wherein it is alleged that a grandfather or a grandmother has neglected to maintain his or her grandchild or grand children or wherein it is alleged that any child is suffering from epilepsy nervous or mental defects as defined by existing laws relating thereto and which are hereby made applicable to proceedings in the municipal court

(g) In all prosecutions or proceedings for the offence of fornication and bastardy or for failure to support a child or children of unmarried parents and such exclusive jurisdiction shall include the issuance of the original warrant of arrest or other writ Provided however That the court of quarter sessions shall retain its jurisdiction over fornication and bastardy proceedings in all cases where the offence of fornication and bastardy is included in a more serious offence for which the person is being tried in said court of quarter sessions of court of oyer and terminer

The judges of the said municipal court shall be ex-officio justices of the peace When defendants are bound over for trial in any case indictments may be presented against them before the grand jury in accordance with existing laws which indictments may be tried either in existing courts or in the municipal court as the case may be Provided however That if it shall be decided by the courts that provisions herein for exclusive jurisdiction in municipal court or for abolishing preliminary hearings in certain cases are unconstitutional the intent of the Legislature is hereby expressed that said provisions only shall be void and that all other provisions of this act shall be valid and enforceable

All cases of desertion and non-support and for fornication and bastardy (except in cases where the offence of fornication and bastardy is included in a more serious offence) instituted in the court of quarter sessions pursuant to the authority of existing law which are pending and undisposed of in said court at the time this act

takes effect together with all orders decrees judgments or sentences' are hereby transferred to the municipal court The said municipal court is hereby authorized to hear determine and dispose of the cases hereby transferred and shall have full power and authority to enforce any and all orders decrees judgments or sentences heretofore entered or imposed in said cases by the said court of quarter sessions with the same power and effect as if such cases had been originally instituted in the said municipal court

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Jenkins,	Patton,	Sproul,
Beales,	Leiby,	Phipps,	Stewart,
Buckman,	Lynch,	Salus,	Tompkins,
Craig,	Martin,	Sassaman,	Warner,
DeWitt,	McConnell,	Schantz,	Weaver,
Endsley,	McKee,	Semmens,	Whitten,
Eyre,	Miller,	Snyder,	Beidleman,
Graff, W. P.,	Nason,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. PHIPPS. Mr. President, I ask that Senate Bill No. 289, on third reading, entitled

An Act to further amend part of section one of an act approved the eleventh day of July one thousand nine hundred and one entitled "An Act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same" as amended

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 497, as follows:

An Act amending sections four and fifty-one of an act entitled "An Act entitled an act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" approved the fifth day of May Anno Domini one thousand eight hundred and ninety-nine by enlarging the powers of the building inspectors as to tearing down or re-building dangerous buildings walls ceilings floors or other parts of premises providing for notice to the owners thereof and service of such notice and prescribing the practice and procedure with respect to the payment of the costs and charges for tearing down or re-building dangerous buildings walls ceilings floors or other parts of premises and making the amount thereof a lien on such premises

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act entitled "An Act entitled an act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" approved the fifth day of May Anno Domini one thousand eight hundred and ninety-nine which reads as follows

"Section 4 The inspectors of buildings shall under the direction of the Chief of the Bureau of Building Inspection examine all buildings in the court of erection as often as practicable and shall make written reports to the said Chief of the Bureau of Building Inspection of all violations of this act together with the street and number where such violations are found the name of the owner agent or contractor and other matters relative thereto The inspectors of buildings shall under the direction of the Chief of the Bureau of Building Inspection examine all buildings damaged by fire or accident a record shall be made of all walls or buildings found unsafe or dangerous with the name of the owner or agent and the street and number where such dangerous walls or buildings exist" be and the same is hereby amended to read as follows

Section 4 The Inspectors of Buildings shall under the direction of the Chief of the Bureau of Buiding Inspection examine all buildings in the course of erection as often as practicable and shall make written reports to the said Chief of the Bureau of Building Inspection of all violations of this act together with the street and number where such violations are found the name of the owner agent or contractor and other matters relative thereto The inspectors of buildings shall under the direction of the Chief of the Bureau of Building Inspection examine all buildings damaged by fire or accident a record shall be made of all walls or buildings found unsafe or dangerous with the name of the owner or agent and the street and number where such dangerous walls or buildings exist

The Inspectors of Buildings shall under the direction of the Chief of the Bureau of Building Inspection condemn all dangerous buildings or structures unsafe walls ceilings floor or other part of premises buildings or structures wherein a dangerous condition has arisen by reason of fire accident neglect abandonment non-use or occupation or any cause whatsoever and shall order the removal of such dangerous buildings or structures or unsafe walls ceilings floors or other parts of such premises buildings or structures or shall order the tearing out and rebuilding and making safe the dangerous walls ceilings floors or other part of such premises buildings or structures That notice of such orders issued by the inspectors of buildings shall be served upon the registered owner of said premises wherever found either by handing same to such owner in persons or leaving same with an adult member of said owners family at said owners place of residence or by sending same by registered mail to said owner that if notice cannot be given to said owner as herein indicated then same is to be served upon the tenant or occupant of said premises or upon the agent of said owner who collects the rent therefor or who has charge thereof that if there be no tenant or occupant or agent of said premises then by posting said notice upon a conspicuous part of said premises

Section 2 That section fifty-one of the above mentioned act which reads as follows

"Section 51 In the event of failure to obtain a permit or in any case of final decision either of an inspector or of the bureau or of an examining commission such decision or order or certificate that no permit has been issued may be at once if not complied with certified to any court of common pleas which shall upon application of such bill of complaint duly verified by affidavit either of the Director of Public Safety the Chief of the Bureau of Building Inspection or any inspector thereof or of any member of an examining commission issue a mandatory injunction requiring compliance with such order or decision within five days or within a shorter time if the relief sought is the removal of a dangerous wall ceiling or structure and the court sees proper to fix a shorter time that all petitions bills or complaints to compel compliance with the provisions of this act shall be given priority over other business or cases by any court of common pleas to which the final decision of an inspector the Bureau of Building Inspection or of an examining commission appointed by the Director of Public Safety shall be certified If said injunction is not complied with within the time specified by the court or if it cannot for any reason be served the court shall have power to enforce its order by attachments or to issue an order to any sheriff commanding him to remove the wall building or structure condemned by the building inspectors (either as contrary to the provisions of this act or as dangerous) under the supervision of the Bureau of Building Inspection or such inspector as the Chief of the Bureau shall designate The sheriff shall have power to employ such competent builders riggers and workmen as shall be necessary to carry out the order of the court He shall certify to the court when he has performed the work required to be done the cost incurred and such bill being approved by the court and not being paid by the owner of the premises the court shall have power by mandamus execution to compel the city to pay such cost The court shall upon the issuing of such mandamus execution direct that the prothonotary of the court shall enter the amount thereof as a lien against the premises whereon the order was enforced and the costs incurred and the city paying such costs may thereafter proceed in the case wherein the order was made to collect such bill of costs and the proper docketed costs thereon by the same process and proceedings and under the same restrictions as are now provided for or required by law for the collection of claims for the removal of nuisances in said cities and said lien shall not be discharged by any judicial sale until paid and the said city paying such costs may also by action of assumpsit recover the same from the owner or owners of the said premises" be and the same is hereby amended to read as follows

"Section 51 In any case of final decision either of an inspector or of the Bureau or of an Examining Commission such dicision or order or certificate that no permit has been issued may be at once if not complied with certified to any Court of Common Pleas which shall upon application of such bill of complaint duly verified by affidavit either of the Director of Public Safety the Chief of the Bureau of Building Inspection or any Inspector thereof or any member of an examining commission issue a mandatory injunction requiring compliance with such order or decision within five days or within a shorter time if the relief sought is the removal of an entire dangerous building or structure or a dangerous or unsafe wall ceiling floor or other part of premises building or structure or tearing out and rebuilding and making safe a dangerous wall ceiling floor or other part of premises building or structure and the court sees proper to fix a shorter time that all petitions bills of complaints to compel compliance with the provisions of this act shall be served in the same manner

as the orders of the inspectors of buildings as set forth in section fourth hereof and shall be given priority over other business or cases by any Court of Common Pleas to which the final decision of an inspector the Bureau of Inspection or of an examining commission appointed by the Director of Public Safety shall be certified If said injunction is not complied with within the time specified by the court or if it cannot for any reason be served the court shall have power to enforce its orders by attachment for contempt or to issue an order to any sheriff in the form of a Writ of Assistance commanding him to remove the entire dangerous building or structure or the dangerous or unsafe wall ceiling floor or other part of premises building or structure or to tear out and rebuild and make safe the dangerous building structure wall ceiling floor or other part of premises building or structure condemned by the building inspectors (either as contrary to the provisions of this act or as dangerous or unsafe) under the supervision of the Bureau of Building Inspection or such inspectors as the Chief of the Bureau of Building Inspection shall designate The Sheriff shall have power to employ such competent builders riggers and workmen as shall be necessary to carry out the order of the court and shall certify to the court when he has performed the work required to be done whom he employed to do the work and cost thereof as shown by the bill or bills of the party or parties employed by him and whether or not said bill or bills have been paid by or collected from the owner or owners of the premises building or structure whereon said work was done The party or parties employed by the sheriff to do the said work if the bill or bills are not paid by or collected from the owner or owners of said premises building or structure as aforesaid shall only be required to take a rule as of course upon the city to show cause why such bill or bills should not be approved and such rule being made absolute and said bill or bills being approved by the court the court shall have power by mandamus execution to compel the city to pay such bill or bills The court shall upon the issuing of such mandamum execution direct that the prothonotary of the court shall enter the amount thereof as a lien against the premises building or structure whereon the order was enforced and the costs and bills incurred and the city paying such costs and bills may thereafter proceed in the case wherein the order was made to collect such bill of costs and the proper docketed costs thereon by the same process and proceedings and under the same restrictions as are now provided for or required by law for the collection of claims for the removal of nuisances in said cities and said lien shall not be discharged by any judicial sale until paid and the said city paying such bill of costs may also by action in assumpsit recover the same from the owner or owners of said premises building or structure

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Jenkins,	Patton,	Sproul,
Beales,	Leiby,	Phipps,	Stewart,
Buckman,	Lynch,	Salus,	Tompkins,
Craig,	Martin,	Sassaman,	Warner,
DeWitt,	McConnell,	Schantz,	Weaver,
Endsley,	McKee,	Semmens,	Whitten,
Eyre,	Miller,	Snyder,	Beidleman,
Graff, W. P.,	Nason,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. BALDWIN. Mr. President, I ask that Senate Bill No. 532, on third reading, entitled

An Act to amend section one of Article three of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 534, entitled

An Act to repeal sections one two four five six seven eight ten eleven thirteen fourteen fifteen and sixteen of an act entitled "An Act relating to the fees salaries and duties of certain county officers in Allegheny County" approved the sixth day of April Anno Domini one thousand eight hundred and seventy-one

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Leiby,	Phipps,	Stewart,
Beales,	Lynch,	Salus,	Tompkins,
Buckman,	Martin,	Sassaman,	Warner,
Craig,	McConnell,	Schantz,	Weaver,
DeWitt,	McKee,	Semmens,	Whitten,
Endsley,	Miller,	Snyder,	Beidleman,
Eyre,	Nason,	Sones,	Pres. pro tem.
Jenkins,	Patton,	Sproul,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. EYRE. Mr. President, the Joint Committee of the House and Senate Appropriation are investigating at this time the question of department expenses, and I move that Senate Bill No. 920, entitled

An Act providing additional employes in the Insurance Department and fixing their salaries

be recommitted to the Committee on Appropriations for the purpose of investigating the necessity of additional employes.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE.

Mr. LYNCH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LYNCH, from the Committee on Public Health and Sanitation, reported as committed Senate Bill No. 899 (House Bill No. 1247), entitled

An Act to amend fifth clause of section three of an act approved the 13th day of May, 1909, entitled "An Act relating to food, defining food, providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale, the offering for sale, or exposing for sale, or the having in possession with intent to sell of adulterated misbranded or deleterious foods, prescribing certain duties of the Dairy and Food Commissioner in reference thereto, and providing penalties for the violation thereof"

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 963 (House Bill No. 429), entitled

An Act making an appropriation to the Lebanon Sanatorium of Lebanon Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,	Homsher,	Nason,	Sproul,
Beales,	Jenkins,	Patton,	Stewart,
Buckman,	Leiby,	Phipps,	Tompkins,
Catlin,	Lynch,	Salus,	Warner,
Craig,	Martin,	Sassaman,	Wasbers,
Daix,	McConnell,	Schantz,	Weaver,
Endsley,	McKee,	Semmens,	Whitten,
Eyre,	McNichol,	Snyder,	Beidleman,
Hackett,	Miller,	Sones,	Pres. pro tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 979 (House Bill No. 1080), entitled

An Act to amend the first section of an act approved the twenty-first day of April Anno Domini one thousand nine hundred and fifteen entitled "An Act extending the powers and duties of foresters forest rangers game protectors deputy game protectors special deputy game protectors fish-wardens and deputy fish-wardens of this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Leiby,	Phipps,	Stewart,
Beales,	Lynch,	Salus,	Tompkins,
Buckman,	Martin,	Sassaman,	Vare,
Craig,	McConnell,	Schantz,	Warner,
DeWitt,	McKee,	Semmens,	Weaver,
Endsley,	Miller,	Snyder,	Whitten,
Eyre,	Nason,	Sones,	Beidleman,
Jenkins,	Patton,	Sproul,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. EYRE. Mr. President, I move that Senate Bill No. 1013 (House Bill No. 882), on third reading, entitled

An Act providing for a Statistician in the Department of Mines and fixing the salary

be recommitted to the Committee on Appropriations.

Mr. LEIBY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1034, entitled

An Act relating to the settlement and audit of accounts of officers of poor districts townships and boroughs and reports thereof and appeals therefrom

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Jenkins,	Nason,	Sproul,
Beales,	Leiby,	Patton,	Stewart,
Buckman,	Lynch,	Phipps,	Tompkins,
Craig,	Martin,	Sassaman,	Warner,
DeWitt,	McConnell,	Schantz,	Weaver,
Endsley,	McKee,	Semmens,	Whitten,
Eyre,	McNichol,	Snyder,	Beidleman,
Graff, W. P.,	Miller,	Sones,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1048 (House Bill No. 706), entitled

An Act to repeal a portion of the twenty-fourth clause of section one of the act of May thirty-first one thousand eight hundred forty-four (Pamphlet Laws five hundred eighty-five) entitled "An Act to provide for the ordinary expenses of government repair of the canals and railroads of the State and other claims upon the Commonwealth"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Jenkins,	Nason,	Sones,
Beales,	Leiby,	Patton,	Sproul,
Buckman,	Lynch,	Phipps,	Stewart,
Craig,	Martin,	Salus,	Warner,
DeWitt,	McConnell,	Sassaman,	Weaver,
Endsley,	McKee,	Schantz,	Whitten,
Eyre,	McNichol,	Semmens,	Beidleman,
Hackett,	Miller,	Snyder,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. McCONNELL. Mr. President, I move that Senate Bill No. 1052 (House Bill No. 1140), on third reading, entitled

An Act to revise amend and conslidate the law relating to fish and providing penalties

be recommitted to the Committee on Game and Fisheries.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to

BILL OVER IN ORDER.

Mr. LYNCH. Mr. Speaker, I ask that Senate Bill No. 1053 (House Bill No. 1154), on third reading, entitled

An Act authorizing the judges of the separate orphans' court in counties having a population of over eight hundred thousand and less than one million five hundred thousand inhabitants to fix and determine the salaries of assistant clerks in said court

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1067, as follows:

An Act concerning life insurance the persons who may place sell or solicit life insurance and be compensated or benefitted therefor making it unlawful for attorneys officers clerks servants and employes or persons otherwise hired and engaged to receive compensation for life in-

surance placed sold or solicited for the benefit of or on the lives of their clients partners employes master or fellow attorneys officers clerks servants or employes making it unlawful to pay such compensation (defining the time of such employment) fixing a penalty for violation of this act and making said violation a misdemeanor and repealing existing laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person firm corporation insurance agent broker solicitor or representative knowingly to pay or cause to be paid (any commission or compensation whatsoever) to any attorney (partner) clerk servant employee or any other person howsoever hired or employed by or with any insured or any insured or any beneficiary named in any policy of life insurance or to any partner or fellow officer of such insured or beneficiary in any partnership joint-stock company or corporation any commission or compensation whatsoever because or by reason of such ilfe insurance being placed sold or solicited and it shall be unlawful for any attorney (partner) clerk servant employee or any other person howsoever hired or employed by (or with) any insured or any beneficiary named in any policy of life insurance to receive directly or indirectly any commission compensation or other benefit because or by reason of such life insurance being placed sold or solicited on the life or for the benefit of their respective clients employers or masters or any of them and it shall be unlawful for any attorney officer partner clerk servant or employe of any corporation partnership joint-stock company or individual to receive directly or indirectly any commission compensation or benefit because or by reason of any life insurance being placed sold or solicited on the life or for the benefit of any attorney officer partner clerk servant or employe of the same corporation partnership joint-stock company or individual whether or not such person so being paid or receiving any commission compensation or other benefit in any such case as aforesaid (any such attorney partner officer clerk servant or employe or other person hired or employed by or with the insured or any beneficiary named in any policy of life insurance) be duly licensed by the proper authority in this Commonwealth to place sell or solicit life insurance Provided however That nothing in this act shall be construed to forbid any such payment or receipt of commission compensation or other benefit to or by any duly licensed agent who since the date of his then current license has placed and settled for an amount of life insurance on the lives of persons other than those in the classes above specified at least equal to the amount he has placed and settled for on the lives or for the benefit of any and all persons by or with whom he is employed or associated as aforesaid

Section 2 Every person firm or corporation participating in the payment or receipt of any commission compensation or benefit in violation of this act shall be guilty of a misdemeanor and upon a conviction thereof shall be liable to a fine of not (less than fifty dollars nor) more than five hundred dollars payable to the Commonwealth or imprisonment of not (less than thirty days nor) more than six months or both at the discretion of the court

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Baldwin,	Leiby,	Patton,	Sproul,
Beales,	Lynch,	Phipps,	Stewart,
Buckman,	Martin,	Sassaman,	Tompkins,
Craig,	McConnell,	Schantz,	Warner,
DeWitt,	McKee,	Semmens,	Weaver,
Endsley,	Miller,	Snyder,	Whitten,
Eyre,	Nason,	Sones,	Beidleman,
Jenkins,			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1070, as follows:

An Act establishing nine County Industrial Farms Work Houses and Reformatories; dividing the State into districts for such purpose; authorizing the purchase of sites and the erection and equipment of buildings and works for such institutions; providing for their government and control and for the commitment, admission, employment and discharge of inmates; providing for an apartment for inebriates, and the admission and commitment of inmates thereto; imposing the cost of maintenance on the inmates in certain cases; imposing the cost of the institutions and the maintenance of certain inmates on the counties; and conferring certain powers and duties on certain county officers.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "County Industrial Farm Work House and Reformatory Act of one thousand nine hundred and seventeen"

Section 2 That there are hereby established under the provisions of this act nine institutions each to be known as the county industrial farm work house and reformatory of the ..... district

Section 3 The first district shall comprise the counties of Philadelphia Delaware Chester Montgomery and Bucks

The second district shall comprise the counties of Allegheny Beaver Lawrence Butler and Armstrong

The third district shall comprise the counties of York Adams Cumberland Perry Northumberland Dauphin Lebanon and Lancaster

The fourth district shall comprise the counties of Washington Greene Fayette Somerset Indiana Clearfield Cambria Bedford and Westmoreland

The fifth district shall comprise the counties of Center Blair Huntingdon Fulton Franklin Juniata Mifflin and Snyder

The sixth district shall comprise the counties of Erie Crawford Mercer Venango Clarion Forest Warren McKean Elk and Jefferson

The seventh district shall comprise the counties of Potter Tioga Cameron Clinton Lycoming Columbia Montour Union and Sullivan

The eighth district shall comprise the counties of Bradford Susquehanna Wayne Pike Monroe Carbon Wyoming and Lackawanna

The ninth district shall comprise the counties of Berks Lehigh Schuylkill Northampton and Luzerne

Section 4 Upon the approval of this act a commission shall be created for each of said districts which shall be composed of one county commissioner from each county of the district to be appointed by the president judge of the court of quarter sessions of each county The commission shall serve without compensation but all of their expenses actually and necessarily incurred shall be paid by the several counties represented in any district in proportion to their population Each of said commissions shall be a body politic and shall have the right to sue and may be sued

Each commission is hereby authorized by a majority vote to select a suitable site for the county industrial farm work house and reformatory in the district Such site may be selected from suitable lands already held by any county of the district for county purposes or from lands donated to the commission for such purposes or any quantity of land within their respective districts not exceeding five hundred (500) acres either with or without buildings erected thereon may be purchased for such site Whenever lands are purchased the commission is authorized to give a mortgage for any part of the cost thereof and to make provision for the payment thereof The title to said sites shall be approved by the county commissioners representing the counties of each district Title thereto shall be taken in the name of the corporation to hold said property for the use of the counties in said district

Section 5 In the selection of a site the commission shall take into consideration the objects and purposes of the institutions and all or as many as practicable of the following enumerated advantages and resources The land selected and purchased shall be of varied topography with natural resources and advantages for many forms of husbandry fruit growing and stock raising for brick making and for the preparation of all other road and paving material and shall have good railroad drainage sewage and water facilities

Section 6 Upon the selection of location and sites and the purchase of land for any county industrial farm work house and reformatory the president judge of the court of quarter sessions of each of the counties represented in the district shall appoint one member of the board of county commissioners who together shall form a board of trustees for such institution Such trustees shall serve without compensation but their expenses actually and necessarily incurred shall be paid by the several counties represented in the district Such trustees shall constitute a body corporate under the name of the trustees of the county industrial farm work house and reformatory of the..... district and shall have power to sue and may be sued

The members of the first board of trustees shall be appointed for the term of two years or as long as they shall continue to be county commissioners for their several counties Thereafter all appointments shall be made for a term of four years respectively In case of a vacancy from any cause the appointment to fill such vacancy shall be made by the president judge of the court of quarter sessions for the unexpired term The president judge of the court of quarter sessions may remove any of the trustees for misconduct incompetency or neglect of duty after opportunity has been given him or them to be heard upon written charges

Section 7 All buildings constructed in pursuance of this act shall be plain and inexpensive in character The labor in constructing such buildings and improvements and facilities shall be supplied by the persons committed to the institutions or transferred thereto from any county penal and reformatory institutions so far as found practicable

The board of trustees shall procure such necessary materials erect and equip such buildings or repair buildings already erected employ such skilled labor as cannot be furnished by the prisoners committed thereto or by prisoners transferred thereto from other county penal and refomatory institutions and provide all proper facilities for their use and for the practical use of the institution

Section 8 When the conditions necessary for carrying out the intentions of this act in any district have been provided a superintendent and matron and such other officers as may be deemed necessary shall be appointed by the trustees The duties of such officers shall be prescribed by the rules and regulations of such industrial farm work house and reformatory and they shall hold their offices respectively during the pleasure of said trustees Said appointees shall be bona fide citizens of the district and their compensation shall be fixed by the board of trustees

Section 9 When in any district the arrangements are completed for the reception of inmates it shall be the duty of the court of quarter sessions of every county represented in such district to transfer from the county prison or jail to the industrial farm work house and reformatory all persons having more than ten (10) days to serve who have been committed for vagrancy drunkenness or disorderly conduct and also such other persons as the court of quarter sessions of such county may direct to be transferred Thereafter when any person is convicted in said court of any offense the punishment whereof is or may hereafter be imprisonment in a county jail said court may sentence such person or persons to either the jail or the industrial farm work house and reformatory at its discretion

All aldermen justices of the peace and magistrates in such county thereafter shall sentence to the industrial farm work house and reformatory all persons convicted of vagrancy drunkenness or disorderly conduct or of any other offenses for which they may now be sentenced to imprisonment in the county jail whenever such sentence is for a period of ten (10) days or more All inmates shall be clothed and treated as provided for in this act and in the rules and regulations of the industrial farm work house and reformatory The superintendent may under the direction of the court of quarter sessions remove any inmate to the county jail for the unexpired portion of his or her term if commitment or to the poor house of the proper city or county or to any hospital or lunatic asylum in such county as circumstances may require

Section 10 Every person committed to an industrial farm work house and reformatory under the provisions of this act unless disqualified by sickness or otherwise shall be kept at some useful employment such as may be suited to his or her age and capacity and such as may be most profitable to the institution and tend to promote the best interest of the inmate If any person refuses to perform the work assigned to him or her or guilty of other acts of insubordination the superintendent shall punish such person by close confinement and a diet of bread and water only or in such other manner as the rules and regulations hereinbefore provided for may prescribe The superintendent shall keep a record and report to the trustees all such offenses and punishments

Section 11 A separate apartment in the institution shall be appropriated to the class of inebrites and drug users hereinafter described to be called the inebriate home the inmates of which shall be subject to such rules and regulations as may be prescribed by the trustees

The superintendent may receive under such regulations as may be prescribed any person or persons who are habitual drunkards or habitually addicted to the use of narcotic drugs who may make application for admittance All expenses shall be paid weekly in advance by the party making the application

Whenever any person shall hereafter be found by due course of law to be habitually addicted to the use of alcoholic drink or narcotic drug it shall be lawful for the court to commit such person to the inebriate home hereinbefore provided for

Section 12 If any person committed under section eleven of this act is of sufficient ability to pay the expenses of his or her keeping the court committing said person is hereby authorized to make an order directing the amount to be paid by such person at such times and in such manner as shall be deemed just and equitable Such order shall be entered of record in the court and thenceforth shall have all the force and effect of a judgment obtained in that court and its payment may be enforced by execution as in other cases

Section 13 The cost of transporting prisoners committed to the county industrial farms and work houses shall be paid except where otherwise provided in this act by the counties respectively from which the prisoners are committed The sheriff of the county on prisoners committed by the court and constables on prisoners committed by magistrates shall receive for such prisoners committed to the industrial farm work house and reformatory no mileage or traveling expenses on writs except the actual cost of transporting said prisoners so committed to the industrial farm work house and reformatory together with any other fees for their services now allowed by law

When any prisoner is discharged from a county industrial farm work house and reformatory the superintendent thereof shall procure for him a railroad ticket to any point to which said prisoner may desire to go not further from said county industrial farm work house and reformatory than the point from which he was sentenced The superintendent or his duly authorized agent shall convey the prisoner to the railroad station deliver the ticket to the proper railroad conductor and formally release the prisoner on the train which he takes to his destination

Section 14 It shall be the purpose of the county industrial farm work house and reformatory to employ the prisoners committed or transferred thereto in work on or about the buildings and farm and in growing produce raising stock et cetera for supplies for its own use or for the use of the several county institutions in said district or for any political division thereof or for any public or charitable institution owned or managed and directed by said counties constituting said district or any political division thereof Such prisoners may also be employed in the preparation of road material and in making brick tile and concrete or other road building material and in the manufacture of other products and materials as may be found practicable for the use of the several counties constituting said district and for the proper and healthful employment of such prisoners

Section 15 All road material brick tile and concrete prepared or made at any industrial farm work house and reformatory not needed for the purposes of such institution shall be offered for sale at a price to be fixed by the board of trustees In offering such material for sale preference shall be given to the counties forming the district of such institution and to the cities boroughs and townships therein All monies so received shall be applied towards paying the overhead expenses of the institution

Section 16 A detailed statement of the receipts and expenditures by any county constituting a part of said district for any industrial farm work house and reformatory erected under the provisions of this act shall be published by the county commissioners of each county or by the controller in said district Where such report is published by the controller it shall be in the annual statement of the fiscal affairs of such county

Section 17 The original cost of the site and buildings of the industrial farm work house and reformatory and all additions thereto and all fixed overhead charges in conducting the institution shall be paid by the counties constituting the district in the ratio of their population according to the last preceding United States census

The cost of the care and maintenance of the inmates shall of certified monthly to the counties from which inmates have been committed Such cost shall be paid by the counties in proportion to the number of inmates committed from each county except when an inmate pays for his or her own maintenance as hereinbefore provided

All payments shall be on requisition of the board of trustees and on warrants of the county commissioners countersigned by the county controller

Section 18 All the property real and personal authorized to be held by virtue of this act shall be exempt from taxation

Section 19 No county industrial farm work house and reformatory shall be subject to any of the restrictions or limitations imposed by any of the following acts or parts of acts nor shall any of said acts apply to such institutions nor to the inmates thereof nor to the work therein Section four of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred twelve number ninety-nine entitled "An act to abolish the contract system in the prisons and reformatory institutions of the State of Pennsylvania and to regulate the wages of the inmates" the act approved the eighteenth day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred seventy) entitled "An act limiting the number of inmates of State prisons penitentiaries State reformatories and other penal institutions within the State of Pennsylvania to be employed in manufacturing goods therein and prohibiting the use of machinery in manufacturing said goods" or any of its amendments

It is the purpose of this act to fully prescribe all regulations for all county industrial farms work houses and reformatories and no existing laws shall apply thereto

Section 20 All acts general special or local inconsistent with the provisions of this act are hereby repealed excepting from the operation of this act any county that has already established a county work house under special acts of Assembly

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Baldwin,	Lynch,	Phipps,	Sproul,
Beales,	Martin,	Sassaman,	Tompkins,
Buckman,	McConnell,	Schantz,	Warner,
Craig,	McKee,	Semmens,	Wasbers,
Endsley,	Miller,	Snyder,	Whitten,
Eyre,	Nason,	Sones,	Beidleman,
Jenkins,	Patton,		Pres. pro tem.

NAYS—2.

Leiby, Stewart,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1077, entitled

An Act to authorize mutual insurance companies so electing to become members of rating bureaus and subject to the provisions of the laws relating thereto

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	Leiby,	Phipps,	Stewart,
Beales,	Lynch,	Salus,	Tompkins,
Buckman,	Martin,	Sassaman,	Warner,
Craig,	McConnell,	Schantz,	Wasbers,
DeWitt,	McKee,	Semmens,	Weaver,
Endsley,	Miller,	Snyder, J.	Whitten,
Eyre,	Nason,	Sones,	Beidleman,
Graff, W. P.,	Patton,	Sproul,	Pres. pro tem.
Jenkins,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. E. E. Beidleman) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 40, entitled

An Act amending an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof"

House Bill No. 195, entitled

An Act to amend an act approved the ninth day of April one thousand nine hundred and fifteen entitled "An Act to amend an act entitled 'An Act to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An Act to amend an act entitled 'An Act authorizing companies incorporated under the laws of any other state of the United States for the manufacture of any form of iron steel or glass to erect and maintain buildings and manufacturing establishments and to take have and hold real estate necessary and proper for manufacturing purposes' approved the ninth day of June Anno Domini one thousand eight hundred and eighty-one extending the same to companies formed for the purpose of quarrying slate granite stone or rocks or for dressing polishing working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-three" approved the nineteenth day of April Anno Domini one thousand nine hundred and one extending the same to companies formed for the purposes of manufacturing and selling chemicals foodstuffs cement and cement products and the quarrying of cement rock' approved May twenty-eighth one thousand nine hundred and seven extending the same to companies incorporated for the manufacture buying selling leasing using and operation of electrical apparatus and machinery and articles of every kind appertaining to or in any wise connected with the production use regulation control distribution or application of electrictiy or electrical energy or products for any use or purpose constructing acquiring using selling buying or leasing any works construction or plant or part thereof connected with or involving such use distribution regulation control or application of electricity or the control of use of electrical apparatus for any purpose and of producing furnishing and supplying electricity or electrical apparatus in any form and for any purpose and to carry on a general manufacturing business"' approved the twenty-third day of June one thousand nine hundred and eleven by extending the same to companies incorporated for the purpose of refining manufacturing or sale of petroleum and petroleum products" extending the same to companies engaged in packing manipulating or manufacturing tobacco or manufacturing cigars cigarettes or other tobacco products or for the purpose of briquetting coal or other minerals or for the purpose of manufacturing rubber in any form.

House Bill No. 418, entitled

An Act fixing the fees of the recorder of deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants.

House Bill No. 468, entitled

An Act fixing the salaries of the County Engineer and Deputy County Engineer in counties containing a population of more than eight hundred thousand and less than one million four hundred thousand.

House Bill No. 694, entitled

A Supplement to an act approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four), entitled "An Act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation, opening, straightening, widening, extension and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road" authorizing boroughs towns and townships to enter into contracts to aid in the construction and maintenance of such roads or highways.

House Bill No. 820, entitled

An Act requiring the erection of detour signs by the authorities by whose direction any public highway may be closed and providing penalties for failure to comply with the provisions of this act.

House Bill No. 879, entitled

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to township supervisors of townships and requiring townships to pay the expenses in connection therewith.

House Bill No. 902, entitled

An Act to amend section one of an act approved the third day of May one thousand nine hundred nine entitled "An Act amending an act entitled 'An Act fixing the salaries of county poor directors in counties of over one hundred and fifty thousand population' approved the eighth day of June one thousand nine hundred and seven by providing for compensation according to population and granting power to employ counsel."

House Bill No. 913, entitled

An Act authorizing Mildred J. Barclay a resident of the City of Pittsburgh in the County of Allegheny in her own right as well as for the benefit of her minor daughter Mildred J Barclay to bring suit in the Court of Common Pleas of Allegheny County against the Commonwealth of Pennsylvania.

House Bill No. 923, entitled

An Act authorizing Edward J Woods of Edgewood borough Allegheny County Pennsylvania to bring suit in the court of common pleas of Allegheny County against the Commonwealth of Pennsylvania.

House Bill No. 986, entitled

An Act making a deficiency appropriation to the Department of Agriculture

House Bill No. 1001, entitled

An Act to amend part of section two of an act approved the fifth day of March, one thousand seven hundred and ninety-one, entitled "An Act to enable the Governor to appoint notaries public and for other purposes therein mentioned."

House Bill No. 1017, entitled

An Act prohibiting the handling or driving of horses or other animals or teams or vehicles on the public highways of the Commonwealth by an intoxicated person and providing penalties therefor.

House Bill No. 1032, entitled

An Act validating certain proceedings and elections of any town township or borough held to submit and determine the question of becoming a city of the third class held pursuant to an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June one thousand nine hundred and thirteen as amended by the act approved the thirteenth day of May one thousand nine hundred and fifteen and validating letters patent issued or to be issued in pursuance thereof.

House Bill No. 1058, entitled

An Act authorizing the establishment of contagious disease hospitals in the several counties of the Commonwealth to be constructed and maintained out of county funds.

House Bill No. 1084, entitled

An Act authorizing J. A. Croup, of Concord Township, Butler County, Pennsylvania, to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Butler County.

House Bill No. 1117, entitled

An Act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department, bureau, commission or office thereof or by any county, municipality or school district shall not be deemed or held to have resigned or abondoned their offices or employments by reason of enlistment or draft in the army or navy of the United States in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the army or navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives, children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes.

House Bill No. 1144, entitled

An Act to amend section one of an act approved the twenty-first day of March, one thousand nine hundred and seven, entitled "An Act authorizing the county commissioners of the several counties, or the town councils of the several boroughs, of this Commonwealth, or both, to appropriate annually a sufficient sum of money to each Post of the Grand Army of the Republic, in their respective counties or boroughs, to aid in defraying the expenses of Memorial Day," as amended; by requiring the commissioners to make appropriations where there was heretofore an established post.

House Bill No. 1146, entitled

An Act authorizing William R. Shellenberger and Emma L. Shellenberger, his wife, of the Township of Athens, Bradford County, Pennsylvania, to bring suit against the Commonwealth.

House Bill No. 1151, entitled

An Act authorizing Frederick E. Windsor, of the Borough of Warren, County of Warren, to sue the Commonwealth.

House Bill No. 1170, entitled

An Act authorizing R. B. Taylor, of Bellefonte, Centre County, to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania.

House Bill No. 1310, entitled

An Act to confer additional powers upon fire insurance companies.

House Bill No. 1344, entitled

An Act regulating the conduct and prescribing the duties of drivers or operators of automobiles, motor cycles or other vehicles on public highways who shall injure any person or persons while so driving on said highways and providing penalties for violations of this act.

House Bill No. 1494, entitled

An Act to amend section thirty of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees; providing for the taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make make to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein; providing for the work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petition; providing for percentage of cost of improvement or repairs to be paid by the State, county, township, borough or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act."

House Bill No. 1805, entitled

An Act to amend an act entitled "An Act relating to prothonotaries and their duties, and to their deputies, and to enable said deputies to act for the said prothonotaries in case of their sickness, absence or other temporary disability," approved the twenty-sixth day of May, Anno Domini one thousand eight hundred ninety-seven, by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. E E. Beidleman) in the presence of the Senate signed the same.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1109, as follows:

A Joint Resolution providing for the appointment of a commission to study investigate and revise the insurance laws of the Commonwealth prescribing the powers and duties of the commission and making an appropriation

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That there is hereby constituted a commission to be known as the Commission to Revise the Insurance Laws of the Commonwealth This Commission shall be composed of two members of the Senate to be appointed by the President pro tempore of the Senate two members of the House of Representatives to be appointed by the Speaker of the House of Representatives and three persons to be appointed by the Governor of the Commonwealth Any vacancy occurring in the membership of the Commission shall be filled by the remaining members of the Commission The Commission shall immediately after the appointment of all its members organize by the election of a chairman

Section 2 It shall be the duty of the Commission to study investigate and revise the laws of the Commonwealth relating to insurance and to report their findings to the next General Assembly and to recommend in such report such changes in the existing laws as to the Commission may seem desirable

Section 3 The members of the Commission shall receive no compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duties The Commission is authorized to appoint a stenographer and a secretary at such reasonable compensation as it may determine

Section 4 To carry out the purposes of this act the sum of ten thousand ($10,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the use of the Commission Payment of the aforesaid appropriation shall be made on order of the chairman of the Commission and on warrant of the Auditor General on the State Treasurer in the usual manner

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Baldwin,	Leiby,	Phipps,	Stewart,
Beales,	Lynch,	Sassaman,	Tompkins,
Buckman,	Martin,	Schantz,	Warner,
Craig,	McConnell,	Semmens,	Weaver,
DeWitt,	McKee,	Snyder	Whitten,
Endsley,	Miller,	Sones,	Beidleman,
Eyre,	Nason,	Sproul,	Pres. pro tem.
Jenkins,	Patton,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SASSAMAN. Mr. President, I ask that Senate Bill No. 1118 (House Bill No. 1063), on third reading, entitled

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas and the judges of the Orphans' Courts"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1125 (House Bill No. 1453), entitled

An Act to amend section one of an act approved the fifth day of May one thousand nine hundred eleven entitled "An Act to amend section one of an act approved June twenty-second one thousand eight hundred and ninety-seven entitled 'An Act to amend section four of an act approved June eighth one thousand eight hundred and eighty-one entitled "An Act to authorize the erection of a poor house by the township of Jenkins borough of Pittston and township of Pittston in the county of Luzerne" approved May eighth one thousand eight hundred and fifty-seven allowing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district' authorizing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Baldwin,	Lynch,	Salus,	Tompkins,
Beales,	Martin,	Sassaman,	Vare,
Buckman,	McConnell,	Schantz,	Warner,
Craig,	McKee,	Semmens,	Washers,
DeWitt,	Miller,	Snyder,	Weaver,
Endsley,	Nason,	Sones,	Whitten,
Eyre,	Patton,	Sproul,	Beidleman,
Jenkins,	Phipps,	Stewart,	Pres. pro tem.
Leiby,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1131, entitled

An Act to amend and revise an act, entitled "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," approved the twenty-seventh day of June, one thousand nine hundred and thirteen, changing and modifying the qualifications of commissioners to be appointed by the court of quarter sessions for the division or creation of wards in cities of the third class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Leiby,	Phipps,	Stewart,
Beales,	Lynch,	Salus,	Tompkins,
Buckman,	Martin,	Sassaman,	Warner,
Craig,	McConnell,	Schantz,	Washers,
DeWitt,	McKee,	Semmens,	Weaver,
Endsley,	Miller,	Snyder	Whitten,
Eyre,	Nason,	Sones,	Beidleman,
Jenkins,	Patton,	Sproul,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1132, as follows:

An Act to amend the fifth section of an act approved the first day of May Anno Domini one thousand nine hundred thirteenth entitled "An Act to amend the fourth fifth eighth and nineth sections of an act entitled an act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine so as to confer addition powers upon the said board and extend the duties and fix the compensation of the secretary and general agent by providing for the appointment of an inspector and fiscal agent defining his duties and fixing his compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fifth section of an act entitled "To amend an act the fourth fifth eighth and ninth sections of an act entitled an act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent" approved the first day of May Anno Domini one thousand nine hundred and thirteen which reads as follows

"Section 5 The said commissioners shall have full power either by themselves or the general agents at all times to look into and examine the condition of all charitable reformatory or correctional institutions within the State financially and otherwise to inquire and examine into their methods of instruction the government and management of their inmates the official conduct of trustees directors and other officers and employes of the same the condition of the buildings grounds and other property connected therewith and into all other matters pertaining to their usefulness and good management and for these purposes they shall have free access to the grounds buildings and all books and papers relating to said institutions and all persons now or heerafter connected with the same are hereby directed and required to give such information and afford such facilities for inspection as the said commissioners may require and any neglect or refusal on the part of any officer or person connected with such institution to comply with any of the requirements of this act shall subject the offender to a penalty of one hundred dollars ($100.00) to be sued for and collected by the general agent in the name of the board The commissioners shall also have power to employ such experts clerks stenographers and other employes of all kinds as the business of the Board of Public Charities and that of the committee on lunacy may require

Wherever upon the examination of any jail prison penitentiary or almshouse any condition shall be found to exist therein which in the opinion of said commissioners is unlawful or detrimental to the proper maintenance discipline and hygienic condition of such institution or to the proper care maintenance and custody of the inmates therein the said commissioners shall have power to make such recommendation to the warden inspectors trustees sheriff commissioners overseers of the poor or other of-

ficer or officers charged by law with the government of such institution as said commissioners may deem necessary and proper to correct the said objectionable condition and in case of the neglect failure or refusal of such officer or officers to comply with such recommendation or in case of his or their failure to make such attempt to comply therewith as shall be satisfactory to the said commissioners within ninety days from the date of service of said recommendation upon them the said commissioners shall certify the facts in the case together with their recommendation to the district attorney of the proper county whose duty it shall be thereupon to proceed by indictment or otherwise to remedy the said objectionable condition" be and the same is hereby amended so as to read as follows

Section 5 The said commissioners shall have full power either by themselves or by the general agent the assistant general agent or the inspector and fiscal agent at all times to look into and examine the condition of all charitable reformatory or correctional institutions within the State financially and otherwise to inquire and examine into their methods of instruction the government and management of their inmates the official conduct of trustees directors and other officers and employes of the same the condition of the buildings grounds and other property connected therewith and into all other matter pertaining to their usefulness and good management and for these purposes they shall have free access to the ground buildings and all books and papers relating to said institutions and such agents when designated by the board or its president to make investigations of complaints shall have for the purpose of such investigations only all the powers of the commissioners and all persons now or hereafter connected with the same are hereby directed and .....required to give such information and afford such facilities for inspection as the said commissioners may require and any neglect or refusal on the part of any officer or person connected with such institution to comply with any of the requirements of this act shall subject the offender to a penalty of one hundred dollars ($100.00) to be sued for and collected by the general agent in the name of the board The commissioners shall also have power to employ such experts clerks stenographers and other employes of all kinds as the business of the Board of Public Charities and that of the committee on lunacy may require and specifically an inspector and fiscal agent as a salary of four thousand dollars ($4,000.00) per year whose duty it shall be under the direction of the board or its president to inspect the physical and financial condition of the institutions which are subject to the supervision of the Board of Public Charities to confer with the managers superintendents and other officials of such institutions with a view to standardizing the methods of purchase storage and distribution of supplies and the keeping of accounts thereby promoting economy and efficiency He shall perform such other duties as may be required by the board

Wherever upon the examination of any jail prison penitentiary or almshouse any condition shall be found to exist therein which in the opinion of said commissioners is unlawful or detrimental to the proper maintenance discipline and hygnenic condition of such institution or to the proper care maintenance and custody of the inmates therein the said commissioners shall have power to make such recommendation to the warden inspectors trustees sheriff commissioners overseers of the poor or other officer or officers charged by law with the government of such institution as said commissioners may deem necessary and proper to correct the said objectionable condition and in case of the neglect failure or refusal of such officer or officers to comply with such recommendation or in case of his or their failure to make such attempt to comply therewith as shall be satisfactory to the said commissioners within ninety days from the date of service of said recommendation upon them the said commissioners shall certify the facts in the case together with their recommendation to the district attorney of the proper county whose duty it shall be thereupon to proceed by indicment or otherwise to remedy the said objectionable condition

And said bill having been read at length the third time, and agreed to,

And amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Leiby,	Phipps,	Stewart,
Beales,	Lynch,	Salus,	Tompkins,
Buckman,	Martin,	Sassaman,	Warner,
Craig,	McConnell,	Schantz,	Wasbers,
DeWitt,	McKee,	Semmens,	Weaver,
Endsley,	Miller,	Snyder	Whitten,
Eyre,	Nason,	Sones,	Beidleman,
Jenkins,	Patton,	Sproul,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. SASSAMAN. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate Bill No. 1118 (House Bill No. 1063), entitled

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas and the judges of the Orphans' Courts"

Mr. WHITTEN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1118 (House Bill No. 1063), as follows:

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas and the judges of the orphans' courts"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred eighty-two) entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas and the judges of the Orphans' Courts" which reads as follows

"Section 5 The annual salary of each of the judges of the courts of common please learned in the law in judicial districts having a population of two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) shall be eight thousand five hundred dollars ($8,500) in judicial districts having a population of ninety thousand (90,000) and less than two hundred and fifty thousand (250,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be seven thousand dolars ($7,000) in judicial districts having a population of less than ninety thousand (90,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be six thousand dollars ($6,000) but each of the judges of the court of common pleas of Dauphin County shall receive two thousand dollars ($2,000) additional for trying the Commonwealth's civil cases" be amended to read as follows

Section 5 The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred thousand (200,000) and less than five hundred thousand (500,000) shall be eight thousand five hundred dollars ($8,500) in judicial districts having a population of one hundred forty thousand (140,000) and less than two hundred thousand (200,000) the annual salary of each of the judges of the court of common pleas learned in the law shall be eight thousand dollars ($8,000) In judicial districts having a population of ninety thousand (90,000) and less than one hundred forty thousand (140,000) the annual salary of each of the judges of the court of common pleas learned in the law shall be seven thousand dollars ($7,000) in judicial districts having a population of less than ninety thousand (90,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be six thousand dollars ($6,000) but each of the judges of the court of common pleas of Dauphin County shall receive four thousand dollars ($4,000) additional for trying the Commonwealth's civil cases

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Baldwin,	Jenkins,	Patton,	Sproul,
Beales,	Lynch,	Phipps,	Tompkins,
Buckman,	Martin,	Salus,	Weaver,
Craig,	McConnell,	Sassaman,	Whitten,
DeWitt,	McKee,	Schantz,	Beidleman,
Endsley,	Miller,	Semmens,	Pres. pro tem.
Eyre,	Nason,	Sones,	

NAYS—4.

Leiby,	Snyder	Stewart,	Wasbers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1172 (House Bill No. 1488) on third reading, entitled

An act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such election.

be recommitted to the Committee on Appropriations for the purpose of amendment.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1185 (House Bill No. 1804), entitled

An Act to amend section four of an act entitled an act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and fifteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifteen

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,	Leiby,	Phipps,	Stewart,
Beales,	Lynch,	Salus,	Tompkins,
Buckman,	Martin,	Sassaman,	Warner,
Craig,	McConnell,	Schantz,	Wasbers,
DeWitt,	McKee,	Semmens,	Weaver,
Endsley,	Miller,	Snyder,	Whitten,
Eyre,	Nason,	Sones,	Beidleman,
Jenkins,	Patton,	Sproul,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 627, as follows:

An Act providing for the incorporation and government of cities of the third class

CHAPTERS

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

CHAPTER I

Incorporation of Cities of the Third Class

ARTICLE I

Section 101 That cities of the third class shall be chartered whenever a majority of the electors of any town township or borough or any two or more contiguous towns townships or boroughs situate within the limits of the same county or situate in two or more contiguous counties and having a population of at least ten thousand according to the last preceding United States census shall each separately vote at any general or municipal election in favor of the same

Section 102 The council or corporate authorities of any such town township or borough or of any such contiguous towns townships or boroughs as the case may be may on their own motion or shall upon petition of one hundred or more qualified electors thereof by resolution duly passed and recorded among its minutes submit to the qualified electors thereof the question of whether any such town township or borough or whether any such contiguous towns townships or boroughs shall become a city of the third class

Section 103 The said council or the corporate authorities as the case may be shall give notice by the publication of said resolution during at least four weeks immediately prior to the next general or municipal election in all of the newspapers published in said towns township or boroughs and if no newspaper is published in said towns township or boroughs then publication shall be made in not more than two newspapers published in the county or counties wherein the towns townships or boroughs are located that such an election will be held

Section 104 The council or the corporate authorities shall certify said resolution to the county commissioners of the proper county or counties who shall thereupon cause the said question to be printed at the foot of the official ballot to be used at the said general or municipal election in the towns township borough or boroughs aforesaid in the manner provided by the general election law for the submission of such questions

Section 105 The election officers within said town township or towns townships borough or boroughs shall count the votes so cast for and against such city charter and shall make return thereof to the clerk of the court of quarter sessions of the proper county or counties on blanks to be furnished by the corporate authorities of said town or towns township or townships borough or boroughs who shall compute the same and certify the result thereof to the corporate authorites aforesaid The clerk of the court shall also make a duplicate return to the Secretary of the Commonwealth Each return shall be duly certified in the manner required by law

Section 106 In receiving counting and making return of the votes cast the inspectors judges and clerks of the said election shall be governed by the laws of the Commonwealth regulating general elections and all the electors inspectors judges and clerks voting at and in attendance upon the election to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth

Section 107 Any city of the third class heretofore or hereafter formed out of a borough formed by the consolidation of boroughs partly lying or situate in different counties shall for all municipal purposes of government and control be deemed and considered as under and within the jurisdiction of the courts of that county in which is situate the borough first incorporated of those forming such consolidated borough

Section 108 Whenever by the returns of the election in any towns townships or boroughs aforesaid it shall appear that in each separately there is a majority against the city charter no further proceeding shall be had and it shall not be lawful to hold another election upon that question in such towns townships or boroughs for three years thereafter

Section 109 If it shall appear by the said returns that there is a majority in each in favor of the city charter the Governor shall issue letters patent under the great seal of the Commonwealth reciting the facts defining the boundaries of said city and constituting the same a body corporate and politic by the name of the city of ..... and the corporate authorities of any such town township or borough shall within sixty days after such election furnish to the Secretary of the Commonwealth the necessary information in regard to the boundaries of said city

Section 110 All of the property and estates whatsoever real and personal of the towns townships or boroughs which shall have thus become a city of the third class are hereby severally and respectively vested in the corporation or body

politic of said city by the name style and title given thereto as aforesaid and for the use and benefit of the citizens thereof forever The charters of the said towns townships or boroughs shall continue in full force and operation and all officers under the same shall hold their respective offices until the first Monday of January following the municipal election next succeeding the issuing of the letters patent to the said city at which time the officers of said city chosen at the preceding municipal election shall enter upon their respective terms of service and the city government shall be duly organized under this act All suits prosecutions debts and claims whatsoever shall thereupon become transferred to the said city which in all suits pending shall be substituted as a party and be under the management and control thereof as fully and completely as if no alteration had been made in said charter All claims and demands of whatsoever nature whether payable presently or in the future existing against the said towns townships or boroughs when the said charter shall go into operation shall by force thereof be recoverable from or against the said city

Section 111 Where two or more towns townships or boroughs shall under the provisions of this act be incorporated into a city the debt or debts of each of said towns townships or boroughs contracted prior to such consolidation shall be paid by the new city and all the territory included within the limits of such city shall be liable for all the floating and bonded indebtedness and the interest thereon of all the territory included within the limits of such city and all taxes thereafter levied shall be uniform throughout the territorial limits of the new city

CHAPTER II

Annexation of Territory

ARTICLE I

(a) Annexation of Borough Township or Part of a Township

Section 201 Any borough or township or part of a township adjoining any city of the third class and being a part of the county in which the same is situated may be annexed to such adjoining city in the following manner namely—In the case of a borough the town council may pass an ordinance for such annexation whenever three-fifths of the taxable inhabitants of such borough shall present a petiiton asking therefor In the case of a township or part of a township whenever three-fifths of the taxable inhabitants of such township or part of a township shall present a petition to council of said city asking for such annexation which said petition in case a part only of a township desires to be admitted shall be accompanied by a plot of the same

Section 202 Upon presentation to the council of such city of a certified copy of the ordinance in case of a borough or of the petition in the case of a township or of the petition and plot in the case of a part of a township said council may by ordinance annex such borough township or part of a township to the said city

Section 203 The action of said city council after ten days shall be final and conclusive unless an appeal therefrom shall be taken within said ten days to the court of quarter sessions of the county upon such appeal the clerks of said city council and of said borough council shall certify to the said court all the papers and proceedings in the case whereupon the court shall examine and inquire and if the proceedings appear to have been in conformity with the law shall approve the same and thereupon said annexation shall take effect

Section 204 Whenever any borough or township or part of a township adjoining any city of the third class and being part of the county in which the same is situated is annexed to such city all the territory within the limits of the city as thus enlarged by such annexation shall be liable for the floating and bonded indebtedness and the interest thereon of both the annexed territory and the city to which it is annexed and the taxes shall be uniform throughout the territorial limits of the whole city

(b) Annexation of Out-Lots

Section 220 Upon the application by petition signed by a majority or more of the taxable citizens owners of any out-lots or sections of land containing not more than one hundred acres lying adjacent to any city of the third class and being part of the county in which the same is situated to the court of quarter sessions of the respective county stating that they desire the same to be annexed to said city the necessity therefor and describing the lots or land to be annexed with a map or draft of the same which petition shall be sworn to by one or more of the petitioners and shall be accompanied by a resolution of the council of said city approving of the annexation the said court shall thereupon appoint three viewers to inquire into and investigate the allegations and facts stated in the said petiiton

Section 221 The said viewers or a majority of them shall make report to the said court at its next sessions after their appointment If they report that they find the statements and facts of said petition to be true and recommend the annexation as prayed for the said court shall make an order or decree to carry the same into effect and the said out-lots or sections of land shall thereafter be a part of said city as fully as if the same had been originally a part thereof The costs of the proceedings in all cases shall be paid by the city If the report of said viewers shall be adverse to the prayer of the petitioners the petition shall be dismissed

Section 222 When it shall appear to said court of quarter sessions that the township from which any part or portion or any out-lots or section of land has been taken has moneys or funds on hand or is indebted it shall be the duty of said court to determine and decree how much of said funds or moneys shall be paid as a ratable and equitable part of the said city or to the said township as the case may be

CHAPTER III

Wards

ARTICLE I

(a) Creation of New Wards

Section 301 Wards in cities of the third class may be divided or new wards created therein by the court of quarter sessions of the proper county on application thereto for that purpose by petition by the conucil of such city or by at least one hundred qualified electors thereof praying for the division of a ward or for the erection of a new ward out of parts of two or more wards

Section 302 The court shall thereupon appoint five impartial men residents of the city but not of the wards to be affected thereby as commissioners to inquire into the propriety of granting the prayer thereof

Section 303 The commissioners so appointed or any four of them shall examine the premises and make a draft of the ward to be divided showing the division thereof or of the new ward proposed to be created as the case may be They shall make report to the court at its next term together with their opinion of the same and at the term after that at which the report shall be made the court shall make such order thereupon as to it shall appear just and reasonable

Section 304 If the commissioners or a majority of them report favorably to such a division or creation the court shall order a vote of the qualified electors of the ward to be affected thereby to be taken on the question of division or creation thereof and shall appoint an election to be held on the day of municipal or general election when the election officers of the ward or wards proposed to be divided or affected thereby shall hold such election at the places and in the manner provided by law for the regulation of municipal elections

Section 305 The mayor of the said city shall give at least fifteen days public notice by advertisement in at least three newspapers if so many be printed in said city or by handbills posted in public places in said ward or wards that such an election will be held and of the time and place of holding the same

Section 306 The court of quarter sessions shall certify to the county commissioners the question to be submitted to the electors which shall be printed at the foot of the ballot in the manner now provided by the general election law for the printing of similar questions

Section 307 The officers of such election shall count the said votes in the manner prescribed by law and shall forthwith make out a return showing the number of votes for and against such new ward and shall deliver the same to the clerk of the court of quarter sessions of the proper county within three days

The said clerk shall record said return and forthwith lay it before the court If it appear that a majority of the votes so taken are for a new ward said court shall thereupon order and decree the creation of such new ward or wards agreeably to the lines marked out and returned by the commissioners and shall number the new wards and cause a certified copy of the whole proceeding to be placed on record among the minutes of council If a majority of votes shall be against the new ward no further action shall be had upon such proceeding nor shall any new application for such new ward be heard for two years from the date of such election

Section 308 No ward shall contain less than three hundred taxable inhabitants according to the last preceding enumeration and no city of the third class shall contain more than twenty-one wards

(b) Detachment of Part of One Ward and Attachment to Another Ward

Section 325 On the petition of at least twenty-five electors resident within the district to be stricken off or attached or of the council of any city of the third class to the court of quarter sessions of the proper county praying for the detaching from one ward a part thereof and attaching the same to another ward the said court shall appoint five impartial men resident of the city but not of the ward to be affected thereby as commissioners to inquire into the propriety of granting the prayer thereof

Section 326 The commissioners or any four of them shall examine the premises and make a draft of the wards affected showing the lines as the division will affect them and shall make a report to said court at the next term together with their opinion of the necessity of the same At next term after that at which the report shall be made the court shall take such action thereon as to it shall appear just and reasonable

Section 327 If the commissioners or a majority of the commissioners report in favor of the petition the court shall order a vote of the qualified electors of the ward from which the territory is to be stricken off to be taken on the question and shall appoint an election to be held on the day of the municipal or general election when the election officers of the ward shall hold such election at the place and in the manner provided by law for the regulation of municipal elections

Section 328 The mayor of such city shall give at least fifteen days public notice by advertisement in at least three newspapers if so many are printed in said city or by handbills in the most public places in said ward that such an election will be held and of the time and place of holding the same

Section 329 The court of quarter sessions shall certify to the county commissioners the question to be submitted to the electors of such ward which shall be printed at the foot of the ballot in the manner now provided by the general election law for the printing of similar questions

Section 330 The officers of such election shall count the said votes in the manner prescribed by law and shall forthwith make out a return showing the number of votes for and against such separation and shall deliver the same to the clerk of the court of quarter sessions of the proper county within three days The said clerk shall record said return and forthwith lay it before the court If it shall appear that a majority of the votes so taken are for the separation the said court shall thereupon order and decree the separation from the one ward and the attachment to the other ward agreeably to the lines marked out and returned by the commissioners and shall cause a certified copy of the whole proceedings to be placed of record among the minutes of council If a majority of votes shall be against such separation no further action shall be had upon such proceedings nor shall any new application for such separation and addition be heard for two years from the date of such election

(c) Creation of New Wards or Attachments to Existing Wards Caused by Annexation of Territory

Section 350 Whenever any borough township or part thereof out-lots or section of land shall be annexed to an adjoining or adjacent city it shall be the duty of the court upon petition and proof to make such order or decree as will give to the people of the annexed territory representation in the government of the said city by including said territory within the limits of an adjacent ward or wards or by creating a new ward or wards thereof and said court shall in case of the creation of new wards or ward appoint the election officers and place for holding the first election of ward officers and for that purpose may order a special election if said court shall deem the same necessary to be conducted in the manner provided by law for conducting municipal elections The officers elected at such special election shall hold their respective offices until their successors are elected at the municipal election held on the Tuesday following immediately after the first Monday of November in the odd-numbered year next succeeding the same and shall be duly qualified

CHAPTER IV

ELECTION OF OFFICERS—VACANCIES IN OFFICE

ARTICLE I

(a) General Provisions

Section 401 The court of quarter sessions shall appoint the places for holding the municipal and general elections in all of the election districts in each city of the third class All elections for regular terms of service shall be held on the first Tuesday after the first Monday of November in odd-numbered years

Section 402 Whenever an election shall be held for city officers for the regular terms of service the mayor shall procure at the expenses of the city from the prothonotary of the court of common pleas of the county by which court the returns thereof shall be computed a certified copy under the seal of the court of the vote for all such officers as computed by the court according to law and shall lay the same before the council on the date and time fixed by law for its biennial organization and the said certificates shall be filed among the city archives and a copy thereof entered upon the journal

Section 403 The officers herein provided for shall for regular terms of service be nominated at the Fall party primary and on party tickets in the manner now provided by the act of Assembly approved the twelfth day of July one thousand nine hundred and thirteen entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" and its amendments and supplements or in such manner as may hereafter be provided by law

Section 404 Qualified registered electors of the city only shall be eligible to any elective city office Persons elected to any city office shall serve until their successors are duly elected and qualified

Section 405 The electors of each city of the third class shall elect (a) A mayor (b) One member of council from each ward (c) A city treasurer (d) A city controller and (e) Three city assessors

(b) Members of Council

Section 410 The regular term of office of members of council except as herein otherwise provided shall be four years The members of council shall hereafter be elected by wards and each ward shall be entitled to elect one member of council The members of council in each city of the third class are divided into two classes as follows All members of council elected from even-numbered wards shall constitute the first class and all members of council elected from odd-numbered wards shall constitute the second class

Section 411 At the municipal election in the year one thousand nine hundred and seventeen each city of the third class shall elect one member of council from each ward in such city and at said election members of council of the first class shall be elected for a term of four years and members of council of the second class shall be elected for a term of two years and the ballots used at said election shall designate in each instance the term for which each councilman is elected Members of council elected at said election shall serve for terms of two or four year as the case may be from the first Monday of January succeeding their election

Section 412 At each biennial municipal election thereafter members of council of the first class or members of council of the second class as the case may be shall be elected by wards for terms of four years to take the place of those members of council whose term of office expire on the first Monday of January succeeding such election and the members of council of the first class or the members of council of the second class as the case may be elected at such municipal elections shall serve from the first Monday of January succeeding their election

Section 413 In the case of the erection of a new ward the members of council from such ward first elected shall serve for the same length of time as the unexpired terms of the members of council for like numbered wards odd or even as the case may be

(c) Mayor

Section 415 At the municipal election in the year preceding the expiration of the term of office of any mayor of any city of the third class now in office and quadrennially thereafter the electors of such city shall elect one person as mayor to serve for a term of four years from the first Monday of January next succeeding his election

(d) City Treasurer

Section 420 At the municipal election in the year one thousand nine hundred and seventeen and quadrennially thereafter the electors of the city shall elect one person as city treasurer to serve for a term of four years from the first Monday of January next succeeding his election

(e) City Controller

Section 425 At the municipal election in the year preceding the expiration of the term of office of any city controller of any city of the third class now in office and quadrennially thereafter the electors of such city shall elect one person as city controller to serve for a term of four years from the first Monday of January next succeeding his election

(f) City Assessors

Section 430 Each city of the third class shall elect three city assessors and the regular term of each city assessor except as herein otherwise provided shall be six years

Section 431 At the municipal election in the year one thousand nine hundred and seventeen the qualified electors of each city of the third class shall elect three city assessors one for a term of two years one for a term of four years and one for a term of six years and the ballots used at said election shall designate the term for which each city assessor is to be elected The city assessors elected at said election shall serve from the first Monday of January succeeding their election

Section 432 At each biennial municipal election thereafter the qualified electors of each city of the third class shall elect one person as city assessor to serve for a term of six years from the first Monday of January succeeding such election

Section 433 The terms of office of all city assessors in office at the date of the passage of this act shall cease and determine on the first Monday of January one thousand nine hundred and seventeen

(g) Vacancies in Office

Section 435 Vacancies in the office of member of council mayor city treasurer city controller or city assessor happening by death resignation removal or otherwise and occurring at least thirty days before any general or municipal election shall be filled for the unexpired term at such election by a special election and all persons elected at such special elections shall take their office on the first Monday of January succeeding such election

Section 436 Nominations to fill vacancies shall be made at a special primary to be held on the day of the holding of any spring or fall primary as now provided by law and in case such nominations cannot be made at such special primary then such nominations shall be made in such manner as may be provided by party rule

Section 437 The mayor shall give ten days' notice by proclamation of the holding of any special primary or special election as herein provided

Section 438 Pending elections to fill vacancies as herein provided the council of such city shall by a majority vote of all the members elected thereto appoint some qualified person to fill such vacancy until a properly qualified person may be elected and qualified as provided in section four hundred and thirty-five

Section 439 In a case of a special election to fill a vacancy or vacancies the mayor shall procure from the prothonotary of the county a certificate of the vote as returned into his office by the proper election officers and as computed by the return board and shall lay the same before

the council at the next regular meeting succeeding such election which council shall enter among its proceedings

CHAPTER V

Corporate Powers

ARTICLE I

Section 501 The corporate powers and the number character powers and duties of the officers of cities of the third class now in existence by virtue of the laws of this Commonwealth shall be and remain as now provided by law except where otherwise provided by this act

Section 502 Every city of the third class is hereby declared to be a body corporate and politic and shall have perpetual succeession and shall have power

I To sue and be sued

II To purchase and hold real and personal property for the use of the city

III To lease and sell and to convey any real or personal property owned by the city and to make such order respecting the same as may be conductive to the best interests of the city

IV To make all contracts and do all other acts in relation to the property and affairs of the city necessary to the exercise of its corporate or administrative powers

V To have and use a corporate seal and alter the same at pleasure and every such seal shall have upon it the word "Pennsylvania" the name of the city and the year of its original incorporation

The powers hereby granted shall be exercised by the mayor and council of such cities in the manner herein provided

Section 503 Every city of the third class in its corporate capacity is authorized and empowered to enact ordinances for the following purposes in addition to the other powers granted by this act

I To levy and collect taxes for general revenue purposes not to exceed ten mills on the dollar in any one year on all persons real personal and mixed property within the limits of said city taxable according to the laws of the State of Pennsylvania for county purposes the valuation of such property to be assessed as hereinafter provided

II To provide for the assessment and collection of taxes in addition to the above not exceeding in any one year one per centum on the dollar upon the assessed valuation on all persons real personal and mixed property within said city taxable for county purposes for the payment of interest on bonded indebtedness and for the payment of loans to support the government and to make the necessary improvements in said city

III To impose a poll tax for general revenue purposes not exceeding one dollar annually on all male inhabitants above the age of twenty-one years

IV To levy and collect a license tax for general revenue purposes not exceeding one hundred dollars each annually on all auctioneers contractors druggists hawkers peddlers produce or merchandise venders bankers brokers undertakers pawnbrokers trading stamp or premium companies or dealers warehouses or storage houses merchants of all kinds persons selling or leasing goods upon installments grocers confectioners butchers wholesale meat dealers restaurants billiard parlors bowling alleys billiard tables pool and other gaming tables drays hacks carriages omnibuses automobiles carts wagons street railway cars and other vehicles used in the city for hire or pay lumber dealers including commission men and all persons who make a business of buying lumber for sale at wholesale or retail furniture dealers saddle or harness dealers stationers jewelers livery or automobile or boarding stable keepers real estate agents agents of fire life or other insurance companies market house companies and owners of market houses garage companies express companies or agencies telegraph telephone steam heating gas natural gas water electric light or power companies or agencies or individuals furnishing communication light heat or power by any of the means enumerated and to regulate the collection of the same

V To borrow money on the credit of the city and to pledge the credit and revenue thereof for the payment of the same to an amount not exceeding two per centum upon the assessed value of the taxable property in said city and with the consent of the people of the said city obtained at an election held under the provisions of the Constitution and the general laws of this Commonwealth to increase the indebtedness of such city to an amount not exceeding in the aggregate seven per centum upon the assessed valuation of the taxable property therein

VI To provide for the issuing of bonds and for the application of bonds already issued by cities heretofore incorporated for the purpose of funding any and all indebtedness now existing or hereafter created of the city now due or to become due Such bonds shall mature within not more than thirty years from the date of their issue in substantially equal annual instalments the amount of which in any year shall not be increased over the amount of prior instalments in a sum exceeding the reduction in the annual interest caused by the payment of such prior instalments The first of such instalments shall mature in not more than two years Such bonds shall bear interest at a rate not exceeding six per centum per annum with interest coupons attached payable annually or semi-annually and the said bonds shall not be sold or exchanged for less than their par value

VII To provide for the payment of the debts and expenses of the city and to appropriate money therefor

VIII To make provision for a sinking fund to pay at maturity the existing bonded indebtedness of the city and to levy and collect taxes on all taxable property in the city in addition to all other taxes for the purpose of paying the same and all other indebtedness hereafter created under and subject to the limitations and requirements of this act and of the Constitution and laws of this Commonwealth

IX To create any office public board or department which they may deem necessary for the good government and interest of the city to prescribe the powers thereof and to regulate and prescribe the terms duties and compensation of all such officers and of all officers who are members of any public board of any department so created But no ordinance shall be passed increasing or diminishing the salary or compensation of any officer or of any member of any public board or department after his or their election or appointment In case of the creation of any public board or department the members thereof shall except where otherwise provided by this act be elected or chosen by the council but no two persons from the same ward shall serve on the same board at the same time

X To require from all officers and agents of the city elected or appointed lawful bonds and security for the faithful performance or their duties and no officer or agent required by law or ordinance to give bond as aforesaid shall be sworn into office or enter upon the duties thereof until such bond shall have been duly approved by the proper authority

XI To provide for the removal of officers of the city whose officers are established by ordinance and whose removal is not otherwise herein provided for

XII To establish and maintain night-watch and police and define the duties of the same

XIII To regulate the police of the city and to impose fines forfeitures and penalties for the violation of any ordinance and provide for the recovery and collection of the same and in default of payment to provide for confinement in the city or county prison or at hard labor upon the streets or elsewhere for the benefit of the city

XIV To provide for the erection or purchase of lock-ups or watch houses in some convenient part of the city for the detention and confinement of vagrants and persons arrested by the police officers until the persons so arrested can be taken before the proper magistrates for hearing and committed to prison or discharged but no person shall be detained therein for a longer time than twenty-four hours except upon the order of a magistrate legally authorized who may commit such person for further hearing

XV To erect or purchase establish and maintain hospitals prisons work-houses and houses of correction for juvenile or other offenders and to prescribe regulations for the government thereof and also to erect all public buildings necessary for the use of the city and of any department thereof to purchase or take use and occupy private lands upon which to erect any of the said buildings to purchase take use and occupy within the limits of the respective city or within the county adjacent thereto private lands upon which to establish and maintain a hospital or hospitals for the treatment and separation of persons suffering with contagious and infectious diseases to purchase or take use and occupy within the limits of such city or within the county adjacent thereto private lands upon which to establish and maintain a poor-farm with all necessary and convenient buildings and appliances where the city may support and maintain such poor persons as such city is by law required to support and maintain and the damages accuring by reason of the acquisition of any private property for the purposes aforesaid shall be compensated in the manner now or which may be hereafter provided by law for the ascertainment and payment of damages for private property taken for public uses

XVI To establish and enforce suitable police regulations for the protection of persons and property at public squares parks depots depot-grounds and other places of public resort and for the arrest and commitment of professional thieves and suspicious persons found in any part of the city who can give no reasonable account of themselves

XVII To offer rewards for the arrest and conviction of persons guilty of capital or other high crimes within the city but no policeman shall be entitled to receive any share thereof

XVIII To license and collect a license tax from all skating-rinks operas theatres concerts shows circuses menageries and all kinds of public exhibitions for pay (except those for religious educational or charitable purposes) to regulate the same and to restrain all exhibitions of indecent or immoral character

XIX To regulate the time and place of bathing in the rivers and other public water in and adjoining said city

XX To establish stands for coaches cabs omnibuses carriages wagons automobiles and other vehicles for hire and to enforce the observance and use thereof and to fix the rates and prices for the transportation of persons and property from one part of the city to another

XXI To restrain prohibit and suppress tippling shops houses of prostitution gambling houses gaming cock or dog fighting and other disorderly or unlawful establishments or practices desecration of the Sabbath day commonly called Sunday and all kinds of public indecencies

XXII To prevent and restrain riots noises disturbances or disorderly assemblies in any street house or place in the city to regulate prevent and punish the discharge of firearms rockets powder fire-works or any other dangerous combustible material in the streets lots grounds alleys or in the vicinity of any buildings to prevent and punish the carrying of concealed deadly weapons to arrest fine or set at work on the streets or elsewhere all vagrants found in said city to prevent and punish horse-racing fast driving or riding in the streets highways alleys bridges or places in the

city and all games practices or amusements therein likely to result in danger or damage to any person or property and to prevent and punish the riding or driving of horses mules oxen cattle or other teams or the passage of any vehicle drawn thereby or self-propelled over upon or across sidewalks and to regulate the passing of the same through the public streets

XXIII To purchase and own grounds for and to erect and establish market houses milk depots and market places for which latter purpose parts of any street or sidewalk may be temporarily used and to provide and enforce suitable general market regulations to contract with any person or persons or association of persons companies or corporations for the erection and regulation of market houses milk depots and market places on such terms and conditions and in such manner as the councils may prescribe and raise all necessary revenue therefor as herein provided and also to levy and collect a license tax from every person or persons who may be authorized by councils to occupy any portion of the streets or sidewalks for temporary public market purposes

XXIV To regulate the weighing and measuring of every commodity sold in the city in all cases not otherwise provided by law provide for and regulate the inspection and weighing of hay grain and coal and the measuring of wood bark and fuel to be used in the city and to designate the place or places of inspecting and weighing of the same and to regulate and prescribe the place or places for exposing for sale hay coal bark and wood and to demand and receive reasonable fees for inspection weighing and measuring as aforesaid and for the regulation and stamping of weights and measures

XXV To provide for the construction and maintenance of levees and ferries within the jurisdiction of any city or within the limits thereof to erect wharves on navigable waters adjacent to the city regulate the use thereof collect wharfage and establish wharf and dock line and to provide for protection against floods by constructing and maintaining dikes walls or embankments along and by removing obstructions from and deepening the channel of rivers and streams flowing through or adjacent to the city and to construct maintain and manage municipal boat houses and bath houses

XXVI To establish and change the channels beds and mouths of water course through lands marshes or waters within or adjacent to the city to crib wall and cover them over and to prevent and remove obstructions therefrom at the expenses of those causing the same to establish make and regulate public wells cisterns aqueducts and reservoirs of water and to provide for filling the same to establish the lines of banks of streams of water which pass through or along the boundary of such city and by proceeding at law or equity to prevent and remove all such encroachments on the banks of streams and water courses as threaten will or do injure said city or the property therein

XXVII To purchase lands and premises for public parks and to levy and collect such special taxes as may be necessary to pay for the same and to make appropriations for the improvement and regulations for the government of parks owned or controlled by the city

XXVIII To provide for the erection of all needful pens pounds and buildings within or without the city limits to appoint keepers thereof and to regulate or prohibit the running at large of cattle hogs horses mules sheep goats dogs or other animals also geese ducks chickensfowls et cetera and to cause such as may be running at large to be impounded and sold to discharge the costs and penalties provided for the violation of such prohibitions and the expenses of impounding and of keeping the same and of such sale to regulate and provide the taxing the owners and harborers of dogs and to destroy dogs found at large contrary to any ordinance providing the owners cannot be found or who neglect to care for such dogs

XXIX To make regulations for the enforcement of the laws of the Commonwealth relating to the control of communicable contagious diseases and for the enforcement of the regulations and orders of the State Department of Health to make regulations to secure the general health of the inhabitants and to remove prevent and abate nuisances

XXX To make all necessary orders and regulations to prevent the introduction of contagious or pestilential diseases into the city to enact quarantine laws for that purpose and to enforce the same

XXXI To purchase fire engines hooks ladders trucks fire-alarms and other apparatus for the extinction of fires to organize a fire department with or without pay to make the necessary appropriations for the maintenance of the same and to prescribe rules and regulations for the government of the officers and companies belonging thereto and if paid department to provide by ordinance for the election or appointment of the officers and companies belonging thereto

XXXII To regulate the construction and inspection of fire-places chimneys stoves stove-pipes ovens boilers kettles forges or any apparatus used in any building manufactory or business and to order the suppression or cleaning thereof when deemed necessary for the prevention of fires to regulate and control the production and emission of smoke from any chimney locomotive smoke-stack or other sources to regulate or prohibit the manufacture sale storage or transportation of inflammable or explosive substances within the city and to prescribe limits within which no dangerous obnoxious or offensive business shall be carried on

XXXIII To provide a system for the inspection of buildings to insure their structural or sanitary safety and incombustibility and for the appointment of one or more building inspectors to prescribe limits within which buildings shall not be constructed reconstructed enlarged or additions made thereto or into or within which they or any of them shall not be removed except the same be of incombustible materials with fire-proof roof and any building erected reconstructed enlarged or having additions made thereto or removed into or within such limits contrary to the provisions of any ordinance forbidding the same shall be a public nuisance and abatable as such and may be restrained by injunction

XXXIV To provide for and regulate the lighting of the streets with gas or electric lights or light by other means and to require and regulate the numbering of houses

XXXV To have the exclusive right at all times to supply the city with gas or other light and such persons partnerships and corporations therein as may desire the same at such prices as may be agreed upon and also to have at all times the unrestricted right to make erect and maintain the necessary buildings machinery and apparatus for manufacturing and distributing the same or in territory not supplied with light to make contracts with and authorize any person company or association so to do and to give such person company or association the privilege of supplying gas or other light as aforesaid for any length of time not exceeding ten years

XXXVI To have the exclusive right at all times to supply the city with water and such persons partnerships associations and corporations therein as may desire the same at such prices as may be agreed upon and for that purpose to have at all times the unrestricted right to make erect and maintain all proper works machinery buildings cisterns reservoirs pipes and conduits for the raising reception conveyance and distribution of water or in territory not supplied with water to make contracts with and authorize any person company or association so to do and to give such person company or association the privilege of furnishing water as aforesaid for any length of time not exceeding ten years Provided That the provisions of this clause shall not apply to any city wherein the title to the water-works therein located is in the name of the commissioners of water-works

XXXVII To enter upon the land or lands lot or lots of any person or persons within the city at all reasonable hours by their duly appointed city engineer in order to set out the foundations and regulate the walls to be built between party and party as to the breadth and thickness thereof which foundation shall be laid equally upon the lands of the persons between whom such party wall is to be made and the first builder shall be reimbursed one moiety of the charge of such party wall or for so much thereof as the next builder shall have occasion to make use of before such next builder shall or may use or break into said wall

XXXVIII To enter upon the land or lands lot or lots of any person or persons within the city at all reasonable hours by their duly appointed city engineer in order to regulate partition fences and when adjoining parties shall improve or enclose their lots such fences shall be made in the manner generally used and kept in good repair at the equal expense of the parties unless the owners or occupants between whom such fence is erected shall agree otherwise

XXXIX To make all such ordinances by-laws rules and regulations not inconsistent with the Constitution and laws of this Commonwealth as may be expedient or necessary in addition to the special powers in this section granted for the proper management care and control of the city and its finances and the maintenance of the peace good government safety and welfare of the city and its trade commerce and manufactures and the same to alter modify and repeal at pleasure and to enforce all ordinances by inflicting penalties for the violation thereof not exceeding one hundred dollars for any one offense recoverable with costs together with judgment of imprisonment not exceeding thirty days if the amount of said judgment and costs shall not be paid

XL To manufacture ice and to sell the same to the inhabitants of such city at such rates as shall be fixed by ordinance and to that end may erect equip and maintain such buildings and other structures and may purchase or hire and maintain such vehicles as may be deemed necessary for such purpose

XLI Upon the petition of the owners or occupiers of such property who shall represent a majority of the feet front of any street or part thereof to cause to be sprinkled with water any public street or part thereof not less than one block or if such street is paved to be cleaned during such time as it may be necessary at the expense of the owners of property abutting upon the same Said councils may cause such sprinkling to be done with the water of the city when water works are owned or operated by such city and with sprinkling carts and apparatus owned by such city or may contract for the use of said carts and apparatus with the lowest responsible bidder

XLII To make sidewalks and to provide for the cost thereof either in whole or in part from the general revenues of the city and to require owners of property abutting on any public street lane or alley to construct pave curb repave and recurb the sidewalks and keep the same in good repair along such property with such materials at such grades and under such regulations as may be prescribed by ordinance and upon failure of such owners to comply therewith upon notice to authorize the same to be done by the city and the expense thereof to be levied and collected from such owners with costs which amount shall be a lien upon such premises from the time of the commencement of the work which date shall be fixed by certificate of the city engineer filed with the clerk and may be collected by action at law or such lien may be filed and proceeded in as herein provided in the case of municipal liens or the cost may be borne by the city in whole or in part if in part the rest

to be collected from the owners in manner as above provided

XLIII To require the removal of all obstructions and nuisances from the sidewalks curbstones gutters streets and public alleys ways and street crossings at the expense of the owners or occupiers of the ground fronting thereon or at the expense of the person or persons placing the same there and to regulate the planting trimming care and protection of shade trees in the streets the building of cellar and basement ways and other excavations through or under the sidewalks in said city

XLIV To make and establish such and so many uniform rules and regulations as to them may seem expedient for the better regulation of porches porticos benches doorsteps railings bulk bay or jut windows areas cellar doors and cellar windows signs and sign posts boards poles or frames awnings awning posts or other devices or things projecting over under into or otherwise occupying the sidewalks or other portion of any of the streets lanes or alleys and in relation to boxes bales barrels hogsheads crates or articles of merchandise lumber coal wood ashes building materials or any other article or thing whatsoever placed in or upon any of the said sidewalks or other portion of said streets lanes or alleys and also to prevent and remove all encroachment thereon

XLV Under the supervision of the Public Service Commission to provide for and require the construction and maintenance of bridges or other crossings over or under railroad tracks and to enter into contracts with railroad companies for the construction and maintenance of the same to require the erection of safety gates and the placing of flagmen at the intersection of railroads with public streets to forbid the obstruction of the said crossings by locomotives or railroad cars and also to make reasonable regulations concerning the rate of speed at which locomotives cars or trains shall pass upon or across the streets within the built-up portions of the city

CHAPTER VI

Legislative and Executive Departments Elected and Appointed Officers

ARTICLE I

General and Penal Provisions

Section 601 All officers of the several cities of the third class whether elected or appointed shall before entering upon their respective duties take and subscribe the oath prescribed by section first of article seven of the Constitution of this Commonwealth Any person refusing to take such oath shall forfeit his right to the office and any person violating his oath of office shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding one year or both at the discretion of the court

Section 602 No municipal department shall create any debt or make any contract except in pursuance of previous authority of law or ordinance

Section 603 Every officer of the city receiving or having in his possession any money accounts property or effects belonging to the city shall upon the termination of his office deliver over the same to the city or to his duly qualified successor

Section 604 The fiscal year of each of said cities of the third class shall begin on the first Monday of January in each and every year The council shall at the end of the fiscal year cause to be published in not more than two newspapers printed and circulated in said city a summarized statement of the receipts and expenditures of the city during the preceding year its present funded and floating indebtedness and the date of maturity of the funded debt a schedule of its assets with the character and value thereof and the amount of the taxable property therein

Section 605 The several departments of the city government shall before the commencement of the fiscal year present to council an estimate of the probable receipts and expenditures and of the amount required by each of said departments for the public service during the ensuing year Council shall then proceed to make the annual appropriations thereto

Section 606 No appropriation shall be made for any purpose until the interest accruing on the funded debt of the city and the principal of such part of said debt as may be coming due the salaries of officers and the ordinary and necessary expenses of the city shall first be provided for

Section 607 When all appropriation for the expenditures for the ensuing year shall be finally made the council shall fix the tax rate at such figure as with all sources of revenue will fully meet and cover the aggregate amount of such appropriations and no appropriation shall be made for any purpose in excess of the estimated receipts for the current fiscal year

Section 608 No member of council or other officer of such city shall purchase any warrant order or claim for labor or supplies furnished to such city nor be interested directly or indirectly in the purchase of the same for any sum less than the amount specified therein and any such person purchasing a warrant order or claim in violation of this section shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding one hundred dollars

Section 609 A member of council or other city officer or employe who shall solicit demand or receive or consent to receive directly or indirectly for himself or for another from any person partnership association or corporation any money office appointment employment testimonial reward thing of value or enjoyment or of personal advantage or promise thereof for his vote or official influence or for withholding the same or with an understanding expressed or implied that his vote or official action shall be in any way influenced thereby or who shall solicit or demand any such money or other advantage matter or thing aforesaid for another as the consideration of his vote or official influence or for withholding the same or shall give or withhold his vote or influence in consideration of the payment or promise of such money advantage matter or thing to another shall be held guilty of bribery and upon conviction thereof shall be punished by a fine not exceeding ten thousand dollars and by separate and solitary confinement at labor for a period not exceeding five years and shall be forever incapable of holding any place of profit or trust in this Commonwealth

Section 610 Any person who shall directly or indirectly offer give or promise any money or thing of value testimonial privilege or personal advantage to any member of council or other city officer or employe to influence him in the performance or non-performance of any of his public or official duties shall be guilty of bribery and be punished in such manner as that offense is by law punishable

Section 611 No portion of the property of the city shall be used for purposes of private gain by any officer councilman agent or employe of said city or of any department thereof nor shall the same be wilfully used or injured or be sold or disposed of in any manner without the consent of council by any such officer councilman agent or employe Nor shall any officer councilman agent or employe of said city or any department thereof be interested directly or indirectly either personally or as a member or officer of any partnership association or corporation contracting with the city or any department thereof for the purchase sale use lease occupation or enjoyment of any of the works material or property of said city Any violation of the provisions of this section shall be a misdemeanor and upon conviction thereof the person or persons so offending shall be punished by a fine not exceeding one thousand dollars and by imprisonment not exceeding one year or either at the discretion of the court trying the same and upon such conviction the party offending shall be forthwith removed from his office or employment and shall not thereafter be eligible to election or appointment to any place of profit or trust under said city or any department thereof

Section 612 No member of council or other city officer shall become the surety in any bond or obligation given to the city by any other officer or by any agent or contractor for the faithful performance of any trust agency or contract Any person becoming surety in violation of the provisions hereof shall forfeit his office and be deemed guilty of a misdemeanor punishable upon conviction by a fine not exceeding five hundred dollars

Section 613 No member of council or other officer of such city shall either directly or indirectly be a party to or in any manner interested in any contract or agreement with such city for any matter cause or thing whatsoever by which any liability or indebtedness is in any way or manner created against such city and if any contract or agreement shall be made in violation of the foregoing provision the same shall be null and void and no action shall ever be maintained thereon against said city

CHAPTER VI

Legislative and Executive Departments Elected and Appointed Officers

ARTICLE II

The Council

Section 620 The legislative power of every city of the third class shall be vested in one body to be known as the council and which shall be composed of one member from each ward in such city

Section 621 The council shall be a continuous body and it shall be lawful for any council to complete any unfinished or legislation begun by a preceding council

Section 622 Members of the council shall be at least twenty-five years of age They shall have been citizens and inhabitants of the State three years and inhabitants of the wards which they respectively represent one year next before their election and shall reside therin during their terms of service The members of council shall receive no compensation for their services

Section 623 No officer of the United States or of the State of Pennsylvania (except notaries public or officers of the militia) nor any municipal or county officer or employe of the city or of any department thereof shall serve as a member of council during his continuance in such office or employment

Section 624 Members of council shall take the oath for city officers which oath shall be administered to the president-elect of the council by the mayor or some other person authorized by law to administer oaths and by the president to the members-elect and officers of the council

Section 625 The council shall judge of the qualifications of its members and contested elections shall be determined by the court of law in such manner as shall be directed by law

Section 626 The sessions of council shall be public and a majority of the council shall constitute a quorum but a less number may adjourn from time to time and shall have power to compel the attendance of absent members under such regulations and penalties as may be prescribed by ordinance or rule

Section 627 Council shall have power to vacate the seat of any of its members for misbehavior official misconduct or neglect of duty and the vacancy thereby caused shall be filled in the manner provided for the filing of vacancies in sections four thirty-five four thirty-six four thirty-seven four thirty-eight and four thirty-nine of this act

Section 628 The members of council of the several cities of the third class shall assemble in their respective places of meeting for the purpose of organization at ten o'clock in the forenoon of the first Monday of January in each even-numbered year and at such organization meeting shall elect a president and city clerk The city clerk shall be elected for a term of two years and until his successor is duly elected and qualified and his compensation shall be fixed by ordinance The terms of all city clerks now in office shall cease and determine on the first Monday of January one thousand nine hundred and eighteen

Section 629 The council of each of said cities shall hold stated meetings at least once in each month at such time or times as may be fixed by ordinance and may hold special meetings at such other times as the mayor the president or any three members of council may deem proper to call the same upon twenty-four hours' notice to each member which notice shall state whether such meeting is to be convened for special or general business The council may adopt rules to govern its proceedings

Section 630 The council shall keep a journal of its proceedings which shall be at all times open to public inspection All voting in council shall be viva voce and the yeas and nays of the members on any question shall at the request of any member be entered on the journal Except where he shall be personally or privately interested no member shall withhold his vote on any measure or question unless he shall state his reasons therefor to the council which may excuse him and enter the reasons upon the journal

Section 631 No ordinance shall be passed by council except by bill and no bill shall be so altered or amended on its passage as to change its original purpose

No bill shall be considered unless referred to a joint or separate committee returned therefrom and printed for the use of the members and no bills except general appropriation bills shall be passed containing more than one subject which shall be clearly expressed in its title

Section 632 Every bill shall be read at length in the council All amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill and no bill shall be passed finally upon the same day on which it was introduced On its final passage the vote shall be taken by yeas and nays and the names of the persons voting for and against the same shall be entered on the journal No bill shall be passed finally unless a majority of the members elected are recorded thereon as voting in its favor

Section 633 A member who has a personal or private interest in any measure or bill proposed or pending before council shall disclose the fact to the council and shall not vote thereon nor take part in the discussion of the same If such interested member shall vote without disclosing his interest in such measure or bill and the same is carried by his vote he shall forfeit his office and such measure or bill shall be void

Section 634 Every legislative act of the council shall be by resolution or ordinance and every ordinance or resolution which shall have passed the council shall be presented duly certified to the mayor for approval If he approves he shall sign the same but if he shall not approve he shall return it with his objections to the council which shall thereupon proceed to reconsider it

If upon such reconsideration two-thirds of the members elected to the council shall pass the said ordinance or resolution it shall become effective as though the mayor had signed the same In all such cases the vote of councils shall be determined by yeas and nays and the names of the members voting be duly entered upon the journal

Every ordinance or resolution which the mayor shall not return to the council within fifteen days from the date of its presentation to him as aforesaid shall become a law as fully and effectively as if he had approved the same

The mayor may disapprove of any item or items of any bill making appropriations and such item or items shall be void unless repassed according to the rules herein prescribed for the passage of bills over the mayor's veto

Section 635 All ordinances may be proved by the certificate of the city clerk under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by authority of the city shall be read and received as evidence in all courts and places without further proof

Section 636 All ordinances shall unless otherwise provided therein take effect immediately upon their approval by the mayor and every ordinance prescribing a penalty for the violation thereof shall be forthwith published at least three times in not more than two newspapers printed and circulated within the city in such manner as councils may direct All ordinances shall within one month after their passage be certified and recorded by the city clerk in a book provided by the city for that purpose which shall be at all times open to the inspection of the citizens

Section 637 All actions prosecutions complaints and proceedings for the violation of the ordinances of the city and for fines penalties and forfeitures imposed thereby shall be instituted in the corporate name of the city and may be conducted in the manner prescribed by law

Proceedings for the violation of the city ordinances may be commenced by warrant or summons at the discretion of the mayor or alderman before whom the complaint is made but no warrant shall be issued except upon complaint upon oath or affirmation specifying the ordinance for the violation of which the same is issued All process shall be directed to and served by any policeman or constable of the city who shall execute the same anywhere within the city or in the county of which it is part or elsewhere as may be provided by law

Warrants shall be returnable forthwith and every summons shall be returnable in not less than five nor more than eight days from the date thereof and upon such return the like proceedings shall be had in all cases as are or may be directed by law in relation to summary convictions or proceedings for the recovery of penalties before justices of the peace with the same right of appeal from any final judgment entered therein

All fines and penalties for the violation of the city ordinances received by any magistrate and all fees costs fines and penalties received by any alderman in cases heard before him while presiding in the mayor's police court shall be paid by the magistrate before whom the same are recovered into the city treasury monthly according to a statement thereof certified by oath or affirmation before the city controller and filed with him

Any alderman of the city may at the request of the mayor where he for any reason may be unable or unwilling to act attend the mayor's police court and there perform all such duties and exercise all such powers as to which he has concurrent jurisdiction with the mayor and for such services shall be allowed such compensation as councils may provide

Section 638 The council shall prescribe by ordinance the number duties and compensation of the officers and employes of the city and no payment shall be made from the city treasury or be in any way authorized to any person except an officer or employe elected or appointed in pursuance of law

Section 639 No ordinance shall be passed giving any extra compensation to any officer servant employe agent or contractor nor providing for the payment of any claim against the city without previous authority of law and any officer drawing or countersigning any warrant or passing any voucher for the same or paying the same shall be guilty of a misdemeanor and on conviction thereof be punished by a fine not exceeding five thousand dollars and imprisonment not exceeding one year

Section 640 All stationery paper and fuel used in the council and in other departments of the city government and all work and materials required by the city shall be furnished and the printing advertising and all other kinds of work to be done for the city except ordinary repairs of highways shall be performed under contract to be given to the lowest responsible bidder under such regulations as shall be prescribed by ordinance

Council may by ordinance provide a contingent fund for necessary repairs or incidental expenses not provided for in the annual contracts for labor or supplies and such fund shall be appropriated to such purposes exclusively and may be expended without advertising for bids

CHAPTER VI

LEGISLATIVE AND EXECUTIVE DEPARTMENTS ELECTED AND APPOINTED OFFICERS

ARTICLE III
The Mayor

Section 645 The mayor of each of said cities of the third class shall be at least twenty-five years of age and shall have been a citizen and inhabitant of the State four years and an inhabitant of the city for one year next before his election and shall not be eligible to reelection for the next succeeding term

Section 646 The mayor shall be inaugurated and take the oath of office at ten o'clock in the forenoon of the first Monday of January succeeding his election

Section 647 Except as herein otherwise provided the council shall by ordinance fix the salary of the mayor but the salary as fixed by ordinance shall in no case be less than five hundred dollars nor more than three thousand five hundred dollars per annum The mayors elected at the municipal election in the year one thousand nine hundred and seventeen shall receive the following annual salaries based upon the last United States census In cities having a population of less than fifteen thousand inhabitants five hundred dollars in cities having a population of fifteen thousand and over and less than thirty thousand inhabitants one thousand two hundred dollars in cities having a population of thirty thousand and over and less than fifty thousand inhabitants two thousand five hundred dollars in cities having a population of fifty thousand and over and less than seventy thousand inhabitants three thousand dollars and in cities having a population of seventy thousand inhabitants and over three thousand five hundred dollars

The mayors now in office and whose terms extend beyond the first Monday of January one thousand nine hundred and eighteen shall for the remainder of their re-

spective terms continue to receive the same salary as they were entitled to prior to the passage of this act

All mayors in office at the date of the passage of this act whose terms of office extend beyond the first Monday of January one thousand nine hundred and eighteen shall continue to hold their office until the end of their respective terms

Section 648 The mayor shall be the chief executive magistrate of the city It shall be his duty to be vigilant and active in causing the ordinances and the laws of the Commonwealth relating to the government of the city to be executed and enforced therein and in order to enable him more effectually to preserve the public peace within the city all the powers which are devolved by the laws of this State upon sheriffs to prevent and suppress mobs riots and tumultuous assemblies are hereby conferred upon him He shall have the authority upon occasions of threatened public disorder to require and enforce the closing of bars and to suspend in all places the sale of liquors during the continuance thereof He shall also have authority upon such occasions or whenever in his judgment it is necessary for the public safety or to preserve order to appoint supernumerary policemen to serve for such period as he may designate not exceeding ten days whose compensation shall be fixed by council

Section 649 The mayor shall supervise the conduct of all city officers examine the grounds of all reasonable complaints against any of them and cause all of their violation or neglect of duty to be promptly punished or reported to the proper tribunal for correction and for the purpose aforesaid he is hereby empowered to issue subpoenas and compulsory process under his official seal for the attendance of such persons and the production of such books and papers as he may deem necessary

Section 650 The mayor shall have authority at all times to call upon any of the officials of the city or heads of departments for such information as to the affairs under their control and management as he may require and may call special meetings of council to consider any matters which he may think proper to lay before them

Section 651 The mayor shall communicate to council at their first stated meeting in January of each year and from time to time as he may deem expedient a statement of the condition and affairs of the city in respect to its government finances and improvements together with suggestions and recommendations of all such measures as he may deem conducive to the interests and welfare thereof

Section 652 The mayor shall have the criminal jurisdiction of an alderman within the city and shall have no civil jurisdiction except in relation to actions for fines penalties or forfeitures imposed by virtue of the ordinances of the city or the laws of this Commonwealth relating thereto He shall have the power of a committing magistrate under the acts of Assembly relating to tramps and vagrants and shall in addition have authority to commit to any city or county prison for a term not exceeding thirty days any dissolute or disorderly persons in default of payment of such fines or penalties as may be fixed by ordinance with cost of arrest

Section 653 The mayor shall keep a docket and shall enter therein all actions and proceedings had before him and the said docket with the entries therein and duly certified transcripts thereof shall be received in evidence in the same manner and with like effect as the docket entries and transcripts of aldermen are by law admissible for similar purposes

Section 654 The mayor shall charge and receive for all official services the same fees and costs as pertain by law to the aldermen of the city for similar services but shall pay over the same into the city treasury monthly according to a statement thereof verified by oath or affirmation before the controller and filed with him The mayor shall receive a fixed annual salary to be provided by ordinance

Section 655 The mayor shall nominate and by and with the advice and consent of a majority of all members elected to council appoint all subordinate officers of the city whose offices are created by ordinance excepting the city clerk and any clerks of the council or of any department of the city government which clerks shall be appointed or elected by such council or departments respectively and such other officers authorized to be otherwise appointed or elected under the provisions of this act and he may remove from office any such officers by him appointed for inability official misconduct or neglect of duty and in like manner fill all vacancies which may occur during the terms of such officers

When the mayor shall send nominations of subordinate officers whose offices are created by ordinance if said nominations are not approved and confirmed it shall be the duty of the mayor to again nominate or designate another person or persons to fill the office or position and so on until the nominations are made which are approved or confirmed by the council in the manner aforesaid

Section 656 The mayor is empowered to take acknowledgements of any instruments in writing solemnize marriages and administer oaths and affirmations and shall attest all his act with his official seal

Section 657 The mayor shall issue his proclamation to the qualified electors of the city at least ten days before the municipal election stating therein the officers to be voted for at such election

CHAPTER VI

Legislative and Executive Departments Elected and Appointed Officers

ARTICLE IV

The City Treasurer

Section 665 The city treasurer shall be a competent accountant and shall have been a resident of the city and an elector thereof for at least three years previous to his election

He shall give a lawful bond to the city with two or more sufficient sureties or with a surety or other company authorized by law to act as surety to be approved by council in such sum as they may by ordinance direct conditioned for the honest and faithful discharge of his official duties and the safe-keeping and payment over of all public moneys entrusted to his care He shall receive a fixed annual salary to be provided by ordinance

Section 666 The city treasurer shall demand and receive all moneys payable to the city from whatever source and shall pay all warrants duly countersigned by the city controller His accounts shall be kept in such manner as to clearly exhibit all the items of receipts and expenditures of the city the sources from whence the moneys are received and the objects for which the same are disbursed and he shall keep separate and distinct accounts of the receipts and expenditures of the city the sinking fund and the water and lighting department respectively and also of every special fund which may come into his hands

Section 667 No money shall be paid out of the city treasury unless the same shall have been previously appropriated by councils to the purpose for which it is to be drawn which shall be explicitly mentioned in the warrant therefor

Section 668 The treasurer shall keep the public funds in such banks or financial depositories as councils may direct and shall verify his cash accounts monthly or whenever required to the satisfaction of a standing committee of council and city controller and upon the affidavit of a majority of such committee or of the controller to any default therein he may be suspended from office and another treasurer may be temporarily appointed as council may determine and upon proof of such default the treasurer shall be removed from office and the vacancy caused thereby shall be filled as provided in the act in the case of vacancies in the office of city treasurer

Section 669 The city treasurer shall upon the determination of his office deliver over to the city or to his duly qualified successor any moneys accounts property or effects belonging to the corporation

CHAPTER VI

Legislative and Executive Departments Elected and Appointed Officers

ARTICLE V

The City Controller

Section 675 The city controller shall possess the qualifications herein prescribed for the city treasurer He shall give bond to the city with two or more sufficient sureties or with a surety or other company authorized by law to act as surety to be approved by council in such sum as they may by ordinance direct conditioned for the faithful discharge of his official duties and shall receive a fixed annual salary to be provided by ordinance

All city controllers in office at the date of the approval of this act whose terms of office extend beyond the first Monday of January one thousand nine hundred and eighteen shall continue to hold their offices until the expiration of their respective terms

Section 676 The city controller shall superintend the fiscal concerns of the city and shall manage the same in the manner required by the laws of this State ard the ordinances and resolutions of the city councils in accordance therewith

He shall examine audit and settle all accounts whatsoever in which the city is concerned either as debtor or creditor where provision for the settlement thereof is made by law and where no such provision or an insufficient provision has been made he shall examine such accounts and report to the council the facts relating thereto with his opinion thereon He shall have authority to administer oaths or affirmations in relation to any matter touching the authentication of every account with or claim or demand against the city but shall not be entitled to receive any fee therefor

Section 677 The city controller shall keep a regular set of books in which shall be opened and kept as many accounts under appropriate titles as may be necessary to show separately and distinctly all the estates and property whatsoever real and personal vested in the city all trusts in the care of the same all debts due to and owing by the city all the receipts and expenditures of the various departments of the city government and all appropriations made by council and the sums under the same respectively

Section 678 He shall have the supervision and control of the accounts of all departments bureaus and officers of the city who shall collect receive or disburse the public moneys or who are charged with the management or custody thereof shall audit their respective accounts and may at any time require from any or all of them a statement in writing of any and all moneys or property of the city in their hands or under their control He shall likewise audit and report upon the accounts of any such

officer upon the death resignation removal or expiration of the term of the said officer

Section 679 The city controller shall immediately upon the discovery of any default irregularity or delinquency report the same to the council

Section 680 The city controller shall countersign all warrants upon the city treasurer the form whereof shall be prescribed by council and shall not suffer any appropriation made by the city council to be overdrawn No warrant shall be countersigned unless there is money in the treasury to pay the same In every case in which an appropriation shall be exhausted and the object of which is not completed he shall immediately report the fact to the council and accompany such report with a statement of the moneys which have been drawn on such appropriation and the particular purpose for which they were drawn Whenever a warrant on the treasurer shall be presented to him to be countersigned the person presenting the same shall if the controller require produce evidence

(a) That the amount expressed in the warrant is due to the person in whose favor it is drawn

(b) That the supplies or the services for payment of which the warrant is drawn have been furnished or performed according to law and the terms of the contract

Section 681 Every contract involving an appropriation of money shall designate the item of appropriation on which it is founded and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the controller on the contract before it shall take effect as a contract The payments required by such contract shall be made from the fund appropriated therefor

If the controller shall certify any contract in excess of the appropriation made therefor the city shall not be liable for such excess but the controller and his sureties shall be liable for the same which may be recovered in an action at law by the contracting party aggrieved

It shall be the duty of the controller to certify contracts for the payment of which sufficient appropriations have been made

This section does not apply to contracts for public improvements heretofore or hereafter made the cost of which has been or shall be assessed in whole or in part upon the properties abutting or benefited except as to that part of such improvements directed to be paid out of an appropriation from the city treasury

Section 682 The city controller shall from time to time and as often as he may deem expedient or the council shall direct suggest plans to the council for the management and improvement of the city finances

He shall make a report verified by oath or affirmation to the council at the first stated meeting in January in each year of the public accounts of the city and of the trusts in its care exhibiting all the expenditures thereof respectively the sources from which the revenues and funds are derived and in what manner the same have been disbursed Each account shall be accompanied by a statement in detail of the several appropriations made by council the amount drawn on each appropriation and the balance outstanding to the debit or credit of such appropriations at the close of the fiscal year which report shall be published in pamphlet form

He shall also at the first stated meeting in January in each year present to council a detailed statement of the estimated receipts expenditures and liabilities of every kind for the ensuing year with the balance of unexpended appropriations and all other information of value as a basis for fixing the levy and tax rate for the next fiscal year

CHAPTER VI

Legislative and Executive Departments Elected and Appointed Officers

ARTICLE VI

The City Engineer

Section 685 The council of each city of the third class shall on the first Monday of January one thousand nine hundred and eighteen and every fourth year thereafter by a majority vote of all members elected thereto elect for a term of four years and until his successor has been qualified a competent civil engineer who shall be styled the city engineer All vacancies in the office of city engineer shall be filled by the council for the unexpired term He shall receive a fixed annual salary to be fixed by ordinance

The terms of all city engineers in office at the date of the approval of this act shall cease and determine on the first Monday of January one thousand nine hundred and eighteen

Section 686 The engineering matters of the city shall be under the superintendence direction and control of the city engineer and no department of the city shall employ or retain any additional engineer except with the previous assent of council and the city engineer shall appoint such number of assistants and employes as council shall authorize by ordinance

The said city engineer shall be required to give bond for the faithful performance of his duties in such sum as may be prescribed by ordinance Said bond shall be approved by council

Section 687 The city engineer shall perform such duties as council shall prescribe with reference to the construction reconstruction maintenance and repair of streets roads pavements sewers bridges culverts and other engineering work He shall prepare plans specifications and estimates for all such work undertaken by such city and shall whenever required furnish council the committees thereof the mayor public boards or heads of departments with reports information or estimates on any city engineering work or questions submitted by either of them in their official capacity

Section 688 The city engineer shall immediately after the completion of any municipal improvement the cost and expense of which in whole or in part is to be paid by the abutting property make a certificate in which he shall state the day or time an which the particular improvement was completed and shall file the same with the city clerk who shall enter the said day or time of completion in a book to be by him kept for said purposes and the said day or time mentioned in said certificate shall be conclusive on all parties as to the time the said work was completed

The time of completion of the work referred to in this section and in other parts of this act shall be taken to mean the time of the completion of the whole contract for the improvement

He shall also furnish to said clerk a certificate showing the time on which any such particular improvement was commenced and such certificate shall be conclusive evidence of the time when the said improvement was begun and an entry of such date shall be made by said clerk in the books aforesaid

Section 689 The said engineer shall also have the charge and direction of all surveys and regulations authorized by any act of Assembly or ordinance of such city and shall perform such other duties as council shall direct

CHAPTER VI

Legislative and Executive Departments Elected and Appointed Officers

ARTICLE VII

The City Solicitor

Section 695 The council shall on the second Monday of January or as soon thereafter as practicable elect by the vote of a majority of the members of council one person learned in the law and qualified to practice in the Supreme Court of this Commonwealth who shall be styled the city solicitor and who shall serve for the term of four years from the date of his election and until his successor shall be duly qualified Vacancies in said office shall be filled by council for the unexpired term

He shall give a lawful bond to the corporation with two or more sufficient sureties or with corporate surety to be approved by council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance The city solicitor shall receive an annual salary to be fixed by ordinance

Section 696 The law matters of the city shall be under the superintendence direction and control of the city solicitor and no department of the city shall employ or retain any additional councel in any matter or cause except with the previous assent of council

Section 697 The city solicitor shall keep his office within the city and there shall be deposited and preserved therein all patents deeds leases mortgages and other assurances of title and all contracts bonds books and other evidences of debt belonging to the city unless the council shall otherwise provide or direct

Section 698 The city solicitor shall prepare all bonds obligations contracts leases conveyances and assurances to which the city or any department thereof may be a part as may be directed by resolution or ordinance

He shall commence and prosecute all and every suit or suits action or actions brought by the corporations for or an account of any of the estates rights trusts privileges claims or demands of the same as well as defend all actions or suits against the said corporation or any officer thereof wherein or whereby any of the estates rights privileges trusts ordinances or acts of the corporation or any department thereof may be brought in question before any court in this Commonwealth and shall do all and every professional act incident to the office which he may be lawfully authorized or required to do by the mayor or by any ordinance or resolution of the said councils

Section 699 The city solicitor shall whenever required furnish the council the committees thereof the mayor or the heads of departments with his opinion in writing upon any question of law which may be submitted by either of them in their official capacities

Section 700 There shall be kept in the office of the city solicitor a city lien-docket which shall be open to public inspection and in which he shall cause to be entered all claims for curbing paving or re-paving sidewalks assessments of damages and contributions for opening public streets lanes and alleys or parts thereof for grading paving and macadamizing the same for water and lighting frontage tax and water and lighting rates sewerage city taxes and other matters that may be the subject of claim on the part of the city which have been or shall be returned to the solicitor as remaining due and unpaid after the period prescribed by law or ordinance for the payment of such claims

It shall be the duty of the head of each department wherein any such claim shall originate to furnish to the city solicitor within the period prescribed by law or ordi-

nance a statement of all claims for curbing paving et cetera which remain due or unpaid a certified copy of which the said heads of departments shall at the same furnish to the city controller

Upon payment of any lien or other debt of record due the city to any person authorized to receive the same it shall be the duty of the city solicitor forthwith to enter satisfaction thereon

Section 701 The city solicitor shall at least once in every month make a return to the city controller under oath or affirmation of each item of moneys received by or through him or his assistants by virtue of his office or on account of any matters connected therewith and immediately upon making such return he shall pay over the amount in his hands to the city treasurer He shall in like manner pay into the city treasury all fees received by him in his official capacity but this provision shall not be taken to include the judgment fee allowed him in his capacity of attorney under any act of Assembly of this Commonwealth

CHAPTER VI

Legislative and Executive Departments Elected and Appointed Officers

ARTICLE VIII

Police

Section 710 The council shall fix by ordinance the number rank and compensation of the members of the city police force and prescribe all necessary rules and regulations for the organization and government thereof

It shall be a misdemeanor in office for any policeman to ask demand or receive any other compensation or reward whatsoever for his official services to be followed by dismissal from office Provided however That members of the police force may receive and retain rewards offered for the arrest of persons accused of crimes committed outside of the city in which they hold office

Section 711 The mayor shall nominate and by and with the advice and consent of a majority of all the members elected to the council appoint said policeman When the mayor shall send nominations of police officers to the council if said nominations are not approved and confirmed it shall be the duty of the mayor to again nominate or designate another person or persons to fill the position and so on until such nominations are approved and confirmed

Section 712 The mayor may in his discretion suspend any policeman for a period not exceeding thirty days without pay and may when he deems it expedient dismiss any policeman In case of the temporary absence of any policeman from duty from sickness or otherwise the mayor may appoint a substitute to serve for such period as he may designate not exceeding ten days for such compensation as may be fixed by the council

Section 713 The mayor shall designate from the force the chief and other subordinate officers who shall be subject to the direction and control of the mayor and shall serve as such officers until their successors be duly designated and they may be deposed from such offices at any time by the mayor who designated them or by his successor in office

Section 714 Policemen shall be ex-officio constables of the city and shall and may without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of said city for the violation of which a fine or penalty is imposed

They shall have authority to serve and execute all criminal process or processes for the violation of the city ordinances which may be issued by the mayor or any alderman and shall charge the same fees and costs as pertain by law to the constables of the city for similar services but the said fees and costs shall be received and collected by the mayor and by him paid into the city treasury monthly Policemen shall obey the orders of the mayor and make report to him which report shall be laid by him before council whenever required

Section 715 The mayor shall exercise a constant supervision and control over their conduct and hear and determine all complaints against them in the discharge of their duties and he shall be required to remove from office any member or officer of the police force upon a resolution to that effect passed by two-thirds of the members elected to the council

CHAPTER VII

Board of Health

ARTICLE I

Section 750 The council of any city of the third class may by ordinance create a board of health as herein provided with the powers and duties herein enumerated or the council may exercise all the rights duties and obligations imposed by existing legislation upon such boards of health

Section 751 The said board shall consist of five members who shall serve without compensation and none of whom shall be members of council At least two of their number shall be reputable physicians of not less than two years' experience in the practice of their profession

The board shall be appointed by districts to be fixed by council representing as equally as may be all portions of the city and shall serve for the term of five years from the first Monday of April succeeding their appointment

The mayor shall nominate and by and with the consent of the council appoint the members of said board and shall in like manner remove any or all of them for official misconduct or neglect of duty and fill all vacancies for the unexpired term

At the first appointment the mayor shall designate one of the members to serve for one year one to serve for two years one to serve for three years one to serve for four years and one to serve for five years and thereafter one member of said board shall be appointed annually to serve for the term of five years

In all cities where boards of health are in existence at the date of the passage of this act the members of such boards shall continue in office until the expiration of their respective terms and their successors shall be appointed for terms of five years respectively as herein provided

Section 752 The members of the board shall severally take and subscribe the oath herein prescribed for city officers and shall annually organize by the choice of one of their number as president They shall elect a secretary not of their body who shall keep the minutes of their proceedings and perform such other duties as may be directed by the board and a health officer who shall execute the orders of the board and for that purpose the said health officer shall have and exercise the powers and authority of a policeman of the city The secretary and health officer shall receive such salary as may be fixed by the board and shall hold their offices during the pleasure of the board They shall severally give bond to the city in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe the oath required of members of the board

Section 753 All fees which shall be collected or received by the board or by any officer thereof in his official capacity shall be paid over into the city treasury monthly together with all penalties which shall be recovered for the violation of any regulation of the board

Section 754 The president and secretary of the board shall have full power to administer oaths or affirmations in any proceeding or investigation touching the regulations of the board but shall not be entitled to receive any fee therefor

Section 755 The said board of health shall have power and it shall be their duty to make and enforce all needful rules and regulations to prevent the introduction and spread of infectious or contagious diseases by the regulation of intercourse with infected places by the arrest separation and treatment of infected persons and persons who shall have been exposed to any infectious or contagious disease and by abating and removing all nuisances which they shall deem prejudicial to the public health to enforce vaccination to mark infected houses or places to prescribe rules for the construction and maintenance of house drains waste and soil pipes and cesspools and to make all such other regulations as they shall deem necessary for the preservation of the public health

They shall also have power with the consent of councils in case of the prevalence or apprehended prevalence of any contagious or infectious disease within the city to establish one or more hospitals and to make provision and regulations for the management of the same

The board may in such cases appoint as many ward or district physicians and other sanitary agents as they may deem necessary whose salaries shall be fixed by the board before their appointment

It shall be the duty of all physicians practicing within the city to report to the secretary of the said board of health the names and residences of all persons coming under their professional care afflicted with such contagious or infectious diseases in the manner directed by the said board

Section 756 The said board of health shall have power as a body or by committee as well as the health officer together with his subordinates assistants and workmen under and by order of said board to enter at any time upon any premises in the city upon which there is suspected to be any infectious or contagious diseases or nuisance detrimental to the public health for the purpose of examining and abating the same

Section 757 All written orders for the removal of nuisances issued to the health officer by order of said board attested by the secretary shall be executed by him and his subordinates and workmen and the costs and expenses thereof shall be recoverable from the owner or owners of the premises from which the nuisance shall be removed or from any person or persons causing or maintaining the same in the manner herein provided

The amount of the cost and expense thereof shall also be a lien upon the premises which has caused or from which the nuisance shall be removed from the time of the commencement of the work which date shall be fixed by certificates of the health officer filed with the city clerk and said lien may be filed and proceeded in as herein provided in the case of municipal liens

Section 758 It shall be the duty of the board of health to submit annually to councils before the commencement of the fiscal year an estimate of the probable receipts and expenditures of the board during the ensuing year and councils shall then proceed to make such appropriation thereto as they shall deem necessary

The board shall in the month of January of each year submit a report in writing to councils of its operations for the preceding year with the necessary statistics thereof together with such other information or suggestions relative to the sanitary condition and requirements of the city as it may deem proper and councils shall publish the same in their official journal It shall also be the duty of the board to communicate to the State Board of Health copies of all its reports and publications together with such sanitary information as may from time to time be required by said State board

Section 759 In addition to the powers and duties herein enumerated the board of health shall have all the powers and duties conferred upon such boards by existing laws

CHAPTER VIII

Streets Avenues Alleys and Lanes

ARTICLE I

Section 801 Cities of the third class shall have power to lay out open widen straighten alter extend improve establish or re-establish grades of and keep in good order and repair and in safe passable condition any street avenue alley or lane or any part thereof within the city limits or to vacate and discontinue the same whenever deemed expedient for the public good and to construct and maintain bridges and culverts and to provide for the cost thereof either in whole or in part from the general revenues of the city

No ordinance for the opening widening straightening extending or vacating of any street avenue alley or lane or parts thereof shall be passed or adopted except in the manner provided in sections eight hundred and six and eight hundred and seven of this act

In the making of any such improvements the damages occasioned by the taking injury and destruction of private property and the benefits incident thereto shall be assessed in the manner provided in chapter ten of this act

Section 802 That cities of the third class shall have power to vacate in whole or in part all streets lanes and alleys within their corporate limits laid out by this Commonwealth whenever the same or the portion to be vacated shall have remained unopened for a continuous period of thirty years next preceding such vacation

In the exercising the power aforesaid all proceedings for the ascertaining of damages and the assessment of benefits incident thereto shall be as provided in chapter ten of this act

Section 803 Cities of the third class shall have power to grade pave or macadamize any public street lane or alley or part thereof which is now or may hereafter be laid out and opened in any of said cities and have the same set with curbstone and to provide for the payment of the cost and expenses thereof in whole or in part by the city or by the owners of real estate bounding and abutting thereon according to the foot-front rule as herein provided or according to benefits as provided in chapter ten of this act as council shall by ordinance determine except in case of grading only in which case the said cost and expense shall be assessed according to benefits

Section 804 When the costs and expenses or any part thereof are to be paid for by the foot-front rule the city shall assess or cause to be assessed the said cost and expense upon the real estate abounding or abutting on the line of the improvement by an equal assessment on said property in proportion to the number of feet the same fronts on the respective lane or alley or part thereof to be improved

The council must provide for an equitable reduction from the frontage of lots at all street and other intersections and at other places where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unequal

Section 805 When the costs and expenses of any grading paving macadamizing or other improvement of any street lane or alley or part thereof is to be paid for by the owners of real estate abutting as aforesaid according to benefits the same shall be assessed by viewers appointed by the court of common pleas as is provided by chapter ten of this act

Section 806 No ordinance shall be passed providing for the paving macadamizing grading or other improvement of any street avenue lane or alley or part thereof or for the opening widening straightening or extending or vacating thereof as hereinbefore provided except upon the petition of a majority in number or interest of the owners of property abutting on the line of the proposed improvement to be verified by the affidavit of one or more of the petitioners (a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purpose of said petition) unless the ordinance for such improvement shall have been passed by the affirmative votes of at least two-thirds of the members of council in which latter case council may direct the improvement to be made at the cost or in part at the cost of the owners or at the cost of the city in whole or in part without petition

Section 807 No such ordinance ordering any street or alley or part thereof to be thus improved without a petition therefor shall be finally passed in a less period than thirty days from the date of its introduction and in the meantime copies of such ordinance shall be published in the official newspaper or newspapers of said cities for three consecutive weeks once a week immediately following the introduction thereof and in case said city shall have no official newspaper then in at least one and not more than two newspapers published in the county in which such city is situate once a week for three consecutive weeks

The requirements for such publication shall not preclude the amendments of any paving ordinance as to the kind of pavement with which any street or alley or part thereof is proposed to be paved

The passage of the ordinance providing for any of the aforesaid improvements upon petition therefor and the publication of the name sof the petitioners in one newspaper or newspapers published in said city by one insertion at least five days before the passage of said ordinance shall be conclusive that a majority in number or interest have petitioned therefor

Section 808 The cost and expenses of any improvement of streets done and completed under a nordinance providing for the assessment of the cost and expense therefor under the foot-front rule may be assessed according to benefits upon the passage of an ordinance to that effect within six months after the completion of the work which assessment according to benefits shall be made in like manner and in like effect and if the original ordinance providing for the improvement had provided for such assessment

Section 809 Before the paving repaving or repairing of any street lane or alley the city councils may provide by ordinance for the laying renewing and repairing of all gas water steam or other pipes or conduits and for making the necessary house connections with said pipes and also for the necessary house connections and branches with and leading into main or lateral sewers

In no case except as a sanitary measure of which council shall be the judge shall they require such house connections to be extended further from such sewers or from such gas water steam or other piper or conduits than to the inner line of the curbstone of such street or highway

Council may after notice to all individuals partnerships associations and corporations and owners affected and default of compliance therewith cause said pipes to be laid renewed or repaired and said connections made and collect the cost of laying and repairing all pipes and pipe connections from the companies corporations or persons owning or operating the said gas water steam and other pipes or conduits with interest and the cost of the sewer connections shall be a first lien against the land for whose benefit such connections are made and a specification of lien shall be filed therefor and the lien and the proceedings thereon shall be as in the case of other municipal liens

Section 810 Whenever any ordinance is passed providing for the grading paving or macadamizing of any street lane or alley or part thereof or for the construction of any sewer the expense whereof is to be defrayed by local assessments as herein provided it may be prescribed in such ordinance that the assessments may be paid in not more than ten equal installments payable at such times as may be fixed by ordinance the last thereof not to be more than ten years after the commencement of the work on the improvement for which it is assessed The installments shall bear interest at the rate of not more than six per centum per annum commencing at such time as may be fixed by ordinance If any of said installments shall remain unpaid for two months after the same shall become due and payable the whole of the assessment remaining unpaid shall be due and payable and may be collected in the manner municipal claims are now by law collected or by an action at law Any person upon whom such assessment has been made may pay all or as many as he chooses of such installments before the same are due

CHAPTER IX

Sewerage

ARTICLE I

Section 901 The council of any city of the third class shall have power without petition therefor to construct and reconstruct or cause to be constructed sewers of all kinds in its public streets lanes alleys highways and over and across public and private lands or property and to extend the same beyond the limits of the city and to pay the cost and expense thereof out of the general revenues or special funds raised for said purpose or to assess the same in whole or in part upon abutting property as hereinafter mentioned For the purpose of constructing any sewer and for any extension beyond the limits of the city the council may take and occupy private property

Where the cost of constructing any sewer is paid for wholly from city funds the respective city shall have authority to charge reasonable fee for tapping or connecting with said sewer

Section 902 In the construction of main sewers or of any sewer which can be used in part for main sewerage purposes and in all cases where said sewer will also serve as a local sewer the said city is authorized to and may provide for assessing the abutting property with the local sewerage part thereof according to the foot front or the assessed valuation of the said property for city purposes or according to benefits

The cost of all main sewers or of any sewers used in part for main sewerage purposes over and above the

amount assessed for local sewerage as above provided shall be paid for from the city fund as aforesaid

Council may also provide that the cost and expense of local lateral branch and other sewers may be assessed against the abutting property according to the foot front or according to the assessed valuation thereof for city purposes or according to benefits

Section 903 It shall be lawful for any such city to construct or cause to be constructed a system of sewers in streets lanes alleys and highways with extensions thereof and with lateral and branch sewers therefrom in other streets lanes alleys and highways and in public and private lands at the same time as part of the same improvement and under the same contract and the cost and expenses thereof may be assessed as herein provided

Section 904 Where council determine to construct local lateral and other sewers and to assess the cost and expenses thereof according to the foot front rule they shall provide for a reduction of one-half or other equitable part or portion from the frontage of the longest side of all corner lots and at other places where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unequal and if the owner of the abutting property is not satisfied with allowance or reduction or refuses he shall have the right to have three viewers appointed by the court of common pleas and the proceedings shall be the same as in cases where land is taken for the widening of a street or damage claimed for change of grade

Section 905 Where the council determine to construct main local lateral or branch sewers and to assess the cost and expense thereof according to benefits in addition to the remedy for the assessment of the said cost and expense by viewers appointed by court as provided in chapter ten of this act the said council may appoint three disinterested freeholders as viewers who or a majority of whom shall assess the cost and expense of said viewers upon the lands abounding or abutting thereon in proportion as nearly as may be to the benefits which may result to each lot or parcel of land

Said viewers or a majority thereof shall report their assessment to the council in the manner set forth in section nine hundred and six of this act

Section 906 Said viewers or a majority of them shall make a report in writing specifying the amount assessed by them upon each lot or parcel of land for main or local sewerage separately and file the same with the city clerk within such time as the council shall direct

After the report is filed council shall cause not less than ten days' public notice to be given in two newspapers of the city if so many be published therein of the object of such assessments and that the same will come before them for confirmation at a time to be specified in said notice

Objections to the assessment shall be in writing and be filed with the city clerk and may be heard before the council at the time specified in the notice Council may after hearing objections modify set aside or confirm said assessments If council set aside the first or any other assessment they may appoint other viewers of the same qualifications as hereinbefore provided and cause new assessments to be made and the proceedings shall be the same as herein directed in case of the first assessment

Section 907 After making assessments for sewerage of any kind council may direct that they be certified to the city treasurer or to such party as said assessments may be assigned to for collection and if such assessments be not paid within such time as council may by ordinance prescribe it shall be lawful to file liens therefore in the prothonotary's office of the proper county as provided by this act and said liens shall bear interest from the time the assessments were payable at the rate of six per centum per annum until paid

CHAPTER X

Eminent Domain Assessment of Damages and Benefits

ARTICLE I

Section 1001 Any city of the third class shall have power in the laying out opening widening extending vacating or grading of streets lanes or alleys or in the erection construction or extension of water gas or electric light works slopes embankments or sewers or in the changing of water courses or for any other purpose authorized by this act to take use occupy or injure private lands property toll-bridges or materials

Section 1002 In case the compensation for the damages done or the benefits accruing therefrom have not been agreed upon the court of common pleas of the proper county or any law judge thereof in vacation on application thereto by petition by said city or by any persons interested shall appoint three members of the board of viewers of the county as viewers to view and ascertain the damages done and the benefits which have accrued by reason of the said taking use occupancy or injury

The court shall appoint a time not less than twenty nor more than thirty days thereafter for the viewers to meet at or upon the premises where the damages are alleged to be sustained or the property taken or on the line of said street or sewer improvement as the case may be of which time and place ten days' notice shall be given by the petitioners to the said viewers and to all parties interested by personal service upon the parties their agents attorneys or legal representatives by publication in one or more newspapers or by hand bills posted upon the premises or other wise as the said court shall direct having regard to the circumstances in each case

Section 1003 The said viewers or any two of them having been duly sworn or affirmed faithfully justly and impartially to decide and true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises or examined the property or materials shall estimate and determine the quantity quality and value of said lands so taken occupied or injured or to be taken occupied or injured or the property and materials so used or taken away as the case may be and having a due regard to and making just allowance for the advantages which may have resulted or which may seem likely to result to the owner or owners of said lands property or materials in consequence of the making of the improvements aforesaid and after having made a fair and just comparison of said advantages and disadvantages they shall estimate and determine their value and whether any and if any what amount of damages has been or may be sustained and to whom the same is payable

After having determined the damages sustained to all the properties affected by said improvements together with the benefits as hereinafter mentioned they shall make report thereof to the said court

Section 1004 The councils fo said cities shall have power to provide by ordinance for the payment of damages sustained by the making of the improvements aforesaid or by the vacation of any public highway either by the city or by assessments upon property benefited by such improvements and in the latter case the viewers appointed to assess damages shall also assess upon any property benefited by such improvements such amount for the special advantages which may accrue to the said several properties from such improvements as they may deem proper and shall report the same to the said court In no case shall the assessments for benefits exceed the damages awarded or agreed upon

Section 1005 All parties against whom benefits have been assessed shall have the same right to file exceptions to said report or to appeal therefrom as is herein provided for in the case of assessments of damages for property taken injured or destroyed

Section 1006 If any damages be awarded and the report be confirmed by the said court judgment shall be entered thereon and if the amount thereof be not paid within thirty days after the entry of such judgment execution may then issue thereon as in other cases of debt for the sum so awarded but assessments for benefits shall be collected as hereinafter provided The costs and expenses incurred in the proceedings aforesaid shall be defrayed by the said city

Section 1007 In all cases where the parties have not agreed upon the amount of damages claimed or where by reason of the absence or legal incapacity of the owner or owners no such agreement can be made for lands property or materials to be taken occupied or injured the city shall tender sufficient security to the party claiming or entitled to any damages or to the attorney or agent of any person absent or to the agent or other officer of a corporation or to the guardian or committee of any one under legal incapacity the condition of which shall be that the said city shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided for by this act

In case the party or parties claiming damages refuse or do not accept the security so tendered the said city shall then give the party his or their agent attorney or other officer a written notice of the time when the same will be presented for filing in the court and thereafter the said city may present said security to the court of common pleas of the county where the lands or other property are situated and if approved the security shall be filed in said court for the benefit of those interested and recovery may be had thereon for the amount of damages assessed and if the same be not paid it may be collected by execution on the judgment in the issue formed to try the question

Section 1008 The viewers provided for in the foregoing sections of this article may be appointed before or at any time within six years after the entry taking appropriation or injury or after the passing of any ordinance providing for any matter set forth in section one thousand and one of any property or materials for constructing said improvements and upon the report of said viewers or any two of them being filed in said court any party may within thirty days thereafter file his her or their appeal from said report to said court

Such appeal shall be in writing and accompanied by an affidavit of the appellants or their agent or attorney that the same is not taken for the purpose of delay but because the affiant firmly believes that injustice has been done

After such appeal either party may put the cause at issue in the form directed by said court and the same shall be tried by said court and a jury and after final judgment either party may have an appeal therefrom to the Supreme or Superior Court in the manner prescribed in other cases

Section 1009 The said court of common pleas shall have power to order what notices shall be given in connection with any part of the proceedings and may make all such orders as it may deem requisite If any exceptions be filed

with any appeal to the proceedings they shall be speedily disposed of and if allowed a new view shall be ordered and if disallowed the appeal shall proceed as hereinbefore provided

Section 1010 In case any such city shall repeal any ordinances passed or discontinue any proceeding taken providing for any of the improvements mentioned in the first section of this article prior to the entry upon taking appropriation or injury to any property or materials and within thirty days after the filing of the report of viewers assessing damages and benefits the said city shall not thereafter be liable to pay any damages which have been or might have been assessed but all costs upon any proceeding had thereon shall be paid by said city including attorney fees to be fixed by the court on behalf of the owner or owners

Section 1011 In all cases where lands or property have been heretofore taken used occupied or appropriated for any of the purposes aforesaid within five years last past or where any ordinance has been passed providing for such taking using or occupancy and the damages sustained thereby or the benefits accruing therefrom have not yet been legally determined it shall be lawful to proceed and determine said damages and benefits and collect the same under the provisions of this article with the same effect as if said improvements had been undertaken or proceeded in after the passage of this act whether there has been any actual physical taking or not

Section 1012 Except where otherwise provided whenever the cost of local improvements of any kind in said cities of the third class is to be assessed by the city upon the abutting properties according to the foot-front or by viewers appointed by the council at least five days' notice of the time and place of making the assessment to pay the cost and expense of said local improvements shall be made by the person or persons authorized by council to make said assessment by publication in one or more newspapers for three successive days and by serving notice either personally upon the owner if he can be found in the city or on an adult person residing on each of the properties to be affected by said assessment at which time and place all parties interested shall be heard by the persons or person authorized to make said assessment In case there is no personal service upon the owner or an adult person cannot be found residing upon any property that may be affected by said assessments said notice shall be deemed to have been properly served if tacked or posted conspicuously on the premises

CHAPTER XI

Water and Lighting Department

ARTICLE I

Section 1101 The council of any city of the third class is hereby authorized and empowered to purchase for such price as may be agreed upon by council of the city and a majority of the stockholders of the company all the real personal and mixed estate of any water gas or electric light company or companies in such city or adjacent thereto and thereupon the said city shall possess and exercise all the rights powers privileges and franchises by law belonging or pertaining to such company or companies and may take and appropriate any stream or streams of water spring or springs lands tenements hereditament property and materials near or accessible to such city which may be necessary for the erection and maintenance of water gas or electric light works and for the supplying of said city with water or light and may enter into and upon any lands inclosures streets or highways to procure materials for the construction of said works doing as little damage as possible to property and making compensation to the owner or owners of all species of property taken appropriated or injured by them for the purposes aforesaid as herein provided

The powers granted by this section shall not be exercised by council until authority so to do shall have been given them by a majority of the voters at a special election held for that purpose of which election the mayor shall give notice as provided for municipal elections

Section 1102 Any city which now has the title to any water gas or electric light works by conveyance to the same in its corporate name or which may hereafter erect or purchase water gas or electric light works under the provisions of this act are hereby empowered to create a department to be called the water and lighting department and for the organization and government of the same the council is hereby authorized and empowered to divide the city into three districts for the election of a board of commissioners which districts shall be numbered one two and three one commissioner to be chosen from each respective district of which he shall be a resident at the time of his election No member of councils or person holding any city office shall be eligible as a member of said board

Section 1103 The council may on the first Monday of January or within thirty days thereafter elect one person from each of said districts as a member of the board of commissioners of the water and lighting department At the first election each member of council shall vote for but two commissioners and the three persons being one from each of said districts having the highest number of votes shall be declared elected

The commissioners so elected shall serve for the term of one two and three years respectively to be computed from the date of election and until their successors are duly elected and qualified

The term of each shall be determined by lot at the first meeting of the board and thereafter on the first Monday of January of each year or within thirty days thereafter the council shall elect one commissioner to serve for the term of three years

Section 1104 The members of the board of commissioners created as aforesaid shall receive such compensation for their services as may be provided by ordinance Before entering upon their respective duties they shall take and subscribe the oath herein prescribed for city officers and they shall be removable by council for misdemeanor in office or neglect of duty All vacancies occurring in the board shall be filled by council for the unexpired term

Section 1105 It shall be the duty of the board to take charge of the water and lighting department so created as aforesaid and by their sole authority to employ and dismiss at pleasure a superintendent and a clerk who shall be secretary of the board whose compensation shall be fixed by council and to employ such laborers mechanics and workmen as they may deem necessary for the economical and efficient administration of said department

They shall purchase such materials and supplies as may be required for keeping the works in good repair and have charge and control of all constructions repairs enlargements and extensions of the works and shall conduct and manage the affairs and business of the department in accordance with law and the directions of the city council

Section 1106 The said board of commissioners so created shall whenever called upon by council make and submit to them full estimates of the cost charges and expenses of any new work enlargement extension or water or lighting supply or alteration which council may contemplate making relative to said works

Said board may at any time submit to council any suggestions and estimates they may seem proper to make touching the improvement extension or enlargement of said works but no new construction reconstruction extension supply of water or light or enlargement of said works shall be undertaken by said commissioners so created or materials or supplies be purchased therefor without the previous consent and direction of council

Section 1107 Whenever an extension of a supply of water or light to portions of the city not previously supplied shall be made by the said commissioners so created they shall make out a full statement of the number of feet of mainpipes laid or extended through any of the streets of the city in which main pipes were not laid before the said extension and shall file the same in the department

Section 1108 It shall be the duty of the clerk of said department forthwith on receipt of said statement to make out a list of all owners of houses lots and buildings on each side of the street through which said pipes are extended and to charge said owners and each of them for each and every house lot or building so situated in said streets at such rate per foot as the council may by ordinance fix for said mains extending along the front of their respective houses lots and buildings Nothing herein contained shall be construed to prevent the council from providing for the payment of water and gas pipes by the city

Section 1109 Said charge shall be called the frontage water tax or lighting tax as the case may be and shall be collected and recovered in the manner provided by this act for the recovery of municipal claims

Section 1110 Whenever any pipes for the conveyance of water or light shall be laid in any of the streets or highways within such city the owners of the ground in front of which the same shall be laid shall pay for the expense thereof such sum for each foot of the front of their ground upon such street as the council may by ordinance direct

On all corner lots an allowance shall be made fo one-third (1-3) the length of their front but such allowance shall be always and only on the street or highway having the longest front and in case both fronts are of equal dimensions the allowance shall be made in the street in which the pipes shall be last laid but in no case shall the allowance exceed sixty (60) feet on any corner lot

When a corner lot shall have erected upon it two or more separate tenements there shall only be an allowance made equal to one-third (1-3) of the depth of the corner tenement and the yard adjoining

Section 1111 That the provisions of this chapter so far as it relates to charges for the laying of pipes shall not apply to any lot or piece of ground in such city upon which there may be a supply of water or gas obtained from any other source whatever but if at any time the owner of such lot or piece of ground shall desire to obtain a supply of water or gas from the works of such city then and in that case the provisions of this chapter shall first be compiled with

Section 1112 The commissioners shall have power by and with the approval of council to fix the water and lighting rates and the quantity to be used and for that purpose they shall on the first Monday of March in each year establish the rates for the succeeding year which rates shall be submitted by them to council for their approval and when approved such rates shall not be changed for and during the year but if not approved the existing rates shall continue until modified by the commissioners with the approval of council

Section 1113 The city councils shall provide by ordinance for the collection of all the lighting and water rates

that may accrue from time to time to the said city for the use of water or light fixing the time when such rates shall be payable and the penalties for non-payment thereof and such rates shall be charged to the respective owners of the real estate on which such water or light is used and if the same shall not be paid in accordance with the provisions of such ordinance claims for the amounts due shall be registered in the city lien docket if any there be and such claims may be collected in the same manner as other municipal claims

Section 1114 The said commissioners created as aforesaid shall annually at a stated meeting of council in the month of January report to said councils a full statement of all the repairs alterations reconstructions new constructions expenditures and everything relating to the management and cost of the city of maintaining the said works

Sections 1115 The treasurer of the city shall keep his accounts in such manner as to show in his monthly report distinctly and separately the entire amount of revenue realized during each month from the water and lighting departments of said city respectively and the revenues derived from the said water and lighting departments shall be applied exclusively to the purposes of said departments respectively and the surplus if any to the reduction of the debt thereof

Section 1116 Any surplus revenues from said water and lighting departments after the payment of all the debts of said respective departments shall be applied as follows The surplus from the water revenues to the reduction of the bonded indebtedness which has been created by the city for the purchase erection and construction of its water works and the surplus from the lighting revenues to the reduction of any bonded indebtedness which has been created by the city for the purchase erection and construction of its lighting plant

Section 1117 The council shall pass such ordinances rules and regulations as may be necessary for carrying into effect the provisions of this chapter not inconsistent with this act and may impose fines and penalties for the violation of such ordinances rules and regulations recoverable in the manner hereinbefore provided for the recovery of fines and penalties for the violation of other city ordinances and subject to the like limitation as to the amount thereof

CHAPTER XII

Taxation

ARTICLE I

Section 1201 The city assessors elected pursuant to the provisions of this act shall be qualified electors of the city and shall have been residents of the city five years previous to their election and shall be owners of real estate therein and shall compose a board of city assessors No two members of the board of city assessors shall be residents of the same ward If at any election two persons from the same ward shall be among the three persons within the city who have received the highest vote as city assessor the one of such two who shall have received the highest vote shall be elected and the person who received the fourth highest vote and who is not resident in such ward shall be declared elected

Council shall not permit any person elected assessor to enter upon the duties of his office nor continue in office when he does not have and possess all the qualifications aforesaid and for this purpose they shall have power by a majority vote of all members elected to council to declare the said office vacant at any time a person has not or ceases to have the qualifications aforesaid and thereupon the vacancy caused thereby shall be filled in the manner provided in this act for the filling of vacancies in office

Section 1202 Each of said assessors before entering upon his duties shall take and subscribe the oath prescribed by law to be taken by the municipal officers of the said cities and file the same with the city clerk

Section 1203 The board may during each triennial year and on intervening years appoint such assistant assessors to serve for such length of time as council may authorize direct or appoint either by resolution or ordinance Such assistant assessors shall be removable at the pleasure of the board and also by a vote of a majority of each branch of council The compensation or salary of the city assessors and of the assistant assessors shall be fixed by ordinance of council and shall not be decreased after their election or appointment but nothing herein nor in the act to which this is a supplement shall prevent the increase thereof by ordinance

Section 1204 The Board of Assessors shall make or cause to be made during the year of the triennial assessment for county purposes a full just equal and impartial assessment of all property real personal and mixed and all matters and things within the city subject by law to taxation for city purposes and a just and perfect list of all property exempt by law from taxation with a just valuation of the same

Section 1205 With their assessments they shall return such dimension description or quantity of each lot or parcel of land as will be sufficient to identify the same together with the number and kind of improvements It shall be the further duty of said assessors to return annually a list of all the male inhabitants over twenty-one years of age

Section 1206 In all cases they shall value the property at such sums as the same would in their judgment bring at a fair public sale thereof

Section 1207 The said city assessors may assess real estate in the name or names of the registered owner actual owner (legal or equitable) reputed owner owner of the life estate occupier vendor or vendee any person who has or had any connection with the legal title thereof or an interest in the premises or has charge or control thereof in the name of the husband when lands are owned by the wife partnership property in the name of the partnership or in the name of the partners or of any of them trust property in the name of the trustee or trustees or of any of them or in the name of the cestui que trust property of a minor in the name of the minor or his guardian property of a lunatic in the name of the lunatic or his committee and property formerly belonging to a person since deceased may be assessed in the name of the decedent or in the name of the estate of said decedent or of his administrator or administrators executor or executors or his heirs generally or in the name of any administrator executor or heir and in assessing the same in the names of the executors administrators or heirs it shall not be necessary to designate them by their christian or surnames and other property not herein provided for may be assessed in the manner the same is assessed for county taxation

This section shall not prevent the collection under existing laws of any tax assessed against property by a sufficient designation or description where the same has been assessed in the name of any person or persons who are not the owners thereof

Where lands of owners are part within and part without the city limits they shall be assessed in the same manner and within the same jurisdiction as if the same were being assessed for county purposes

Section 1208 On the years succeeding the trienniel assessment the said assessors shall perform the following duties with reference to the assessment of real estate viz

(a) They shall assess any real estate in the manner aforesaid which has been omitted and correct any errors which may have been made in making the triennial assessment

(b) Add to the assessment any property which has ceased to be exempt

(c) Add to the value of any real estate the value of any new building or new or other new improvements

(d) Deduct from the value of any real estate any depreciation caused by destruction injury or otherwise howsoever

(e) Where tracts as assessed at the triennial assessment have been subdivided they shall equalize and apportion the assessment of the lands thus subdivided upon the basis of the value as fixed at the triennial assessments upon the whole lot or tract

(f) Where any borough township part of borough or township or any tract or tracts of land have been added to the city since the last triennial assessment to make a full just and impartial assessment of the property in the annexed district and return the same in a like manner as if it were a triennial assessment

(g) When any property has been transferred to make the proper changes or transfers upon the proper assessment book and duplicates

(h) To perform such other duties as may be prescribed by ordinance necessary to the making of proper assessments or valuations

The assessors shall perform the following duties as to the assessment of the personal estate and other matters and subjects of taxation viz

(a) Assess any personal property or subjects of taxation omitted at the triennial assessment and to add such additional personal estate and subjects of taxation as the person assessed may have acquired since the triennial assessment

(b) Make deductions where such property has been disposed of

(c) Reduce valuations when property has been depreciated lost or destroyed

When any real estate is assessed which has been omitted errors corrected or any increase is made in valuation or by additions for any cause after the triennial assessment or where valuations have been made upon subdivisions of any lot or tract such assessments shall not be considered final or conclusive without first giving to the person or party affected thereby at least five days' notice of a time and place where such person or party may be heard by the board of assessors

Section 1209 When the said assessors ascertain that any property is omitted they shall assess the same for the omitted years but not back further than and including the last preceding year of the triennial assessment and the person or party owning said omitted real estate shall be liable for the tax against the said lands for the omitted year or years at the tax rate levied during the omitted year and the proper authorities shall make out the proper tax and place the amount thereof in the hands of the city treasurer for collection

Section 1210 The said assessors shall have the right to procure such books maps et cetera as may be necessary to the performance of their duties and when authorized by council may employ clerks for the purpose of transcribing and making duplicates and assessment books They and each of them shall have power to administer oaths and to require under oath of every taxable or person in charge or control of any property an inventory of his taxable property with his estimation of the just full fair and impartial value thereof and which in his judgment the same would bring at a fair public sale thereof Such estimation shall

not be conclusive but shall be subject to revision by increase decrease or equalization with other property

Section 1211 Where any city has established a registry of real estate the said assessors shall have the right to obtain from said department such information as to the registered owners of real estate as said department is able to furnish and under such rules and regulations as shall be established by ordinance of council and it shall be a sufficient description of any real estate in any assessment books or duplicates to designate the same by such city lot number other number or such other designation as the same shall appear in the registry department

Section 1212 The said board of assessors shall complete their triennial assessment and the annual assessments in intervening years on or before the first day of September in each year and they shall have power to add to the duplicates in the hands of the city treasurer any subject of taxation omitted therefrom and to rectify any and all errors and mistakes made therein

Section 1213 When the time or times and place for the meeting or meetings of the board of revision and appeal shall have been fixed it shall be the duty of said board of city assessors to give or cause to be given at least five days' printed or written notice to each and every taxable inhabitant of the city resident therein if he she or they can be found of the amount or sum for which he she or they stand rated in any triennial assessment and also of any sum or amount for which said persons stand rated by reason of any change in his her or their assessment in any intervening year by reason of any cause whatsoever together with the time and place of hearing appeals of said board of revision and appeal

Any person dissatisfied or aggrieved by the assessment made by the board of assessors may appeal to the said board of revision and appeal and be heard at the time fixed in the notice to be served as aforesaid In case the property owner is not found the notice above provided for may be served upon any tenant or other occupant of the premises

Section 1214 Any assessor may be removed from office by a vote of two-thirds of all the members elected to council and the vacancy thus occasioned may be filled in the manner hereinbefore provided Any assessor or assessors who shall wilfully omit neglect or refuse to assess any property liable to taxation shall be held responsible to the proper city for any loss or damage caused thereby

Section 1215 The council of each of said cities of the third class shall have authority to pass such ordinance as they may deem proper and necessary providing for and regulating the manner of making the aforesaid assessments valuations and transfers and the taking of appeals to the board of revision and appeal and regulating proceedings before said board on any and all matters not specifically provided for in this act

Section 1216 The council of each city of the third class shall on or before the first Monday of February one thousand nine hundred and eighteen and every fourth year thereafter elect five citizens owners of real estate therein and none of whom shall be members of council who shall constitute a board of revision of taxes and appeals The said board of revision may in any year other than a triennial year if they shall deem a new assessment necessary on or before the first day of May issue their precept to the city assessor requiring him to make out and return a full just and equal assessment of property within the city or such parts thereof as the said board of revision may deem advisable and they shall take and receive the triennial and yearly assessment as returned by the city assessors and shall have power and authority to revise equalize or alter such assessments in any and every year by increasing or reducing the valuation either in individual cases or by wards or parts of wards and to add to the assessment book and to the duplicate thereof in the hands of the city treasurer any property or the occupation of any person subject to taxation omitted therefrom and any real estate in such city which has been exempt from taxation and has ceased to be occupied and used for the purpose or purposes which entitle it to such exemption as taxable for the portion of the year commencing at the time when the right to exemption ceases and such real estate shall thereupon become subject to taxation at the rate fixed for the year for the proportionate part of the year during which it is not entitled to exempton

It shall be their duty to rectify all errors and when deemed necessary they may require the attendance of the assessors and assistant assessors of any of them or other citizens before them for examination on oath or affirmation either singly or together and they shall hear and determine all appeals by taxpayers from the assessments made by the city assessor at such time and place as they may prescribe at least five days' printed or written notice of which shall be given It shall be the further duty of said assessor to give five days' written or printed notice to every taxable inhabitant of the city of any increase or addition to the valuation assessed against him by the city assessor together with the time and place of hearing appeals therefrom

For the purposes of all hearings and for all other purposes necessary to the discharge of his duties the said board shall have authority to administer oaths and affirmations touching any matter relating thereto and any wilfully false statement under oath as to any material fact by the complainant or attorney shall be deemed perjury and be punishable as such The city clerk shall serve as clerk of said board

The said board shall procure and have the custody and control of all books relating to assessment of city taxes and keep them arranged according to wards and dates and shall furnish the city assessors the necessary books for taking the assessment which on the completion of such assessment shall be returned to such board of revision of taxes and appeal

The said board shall complete their labors and the hearing and determination of all appeals on or before the first day of December of each year after which the assessment shall be copied by wards into duplicate for the use of the city and the duplicate shall be placed in the hands of the city treasurer for collection as now provided by law The assessment so corrected and copied shall be and remain a lawful assessment for the purpose of city taxation until altered as provided by this act

The decision of the board shall be subject to an appeal to the court of common pleas wherein such city is situated in accordance with the existing laws whose decision shall be final and if the appeal to the court shall be groundless the appellant shall pay the costs of the appeal

CHAPTER XIII

Registry of Real Estate

ARTICLE I

Section 1301 For the purpose of procuring accurate information in reference to the ownership of all real estate the councils of each of said cities of the third class shall provide by ordinance for a registry thereof in accordance with this chapter

Section 1302 The city engineer of any of said cities in which such registry shall be established as aforesaid shall cause to be made such necessary books or plans as will show the situation and dimensions of each property therein with the city number and name of the owner or owners thereof with blank spaces for the name of future owners and dates of future transfers of title

For such purposes the city engineer shall have free access without charge to any of the public records wherein the necessary information may be obtainable therefor and may also cause search to be made in any other place for any muniments or evidences of title not reported to him as hereinafter provided and requisite for the completion of the said books maps or plans

Section 1303 The said books maps and plans shall be carefully preserved in the department of surveys of said cities and shall be so kept by additions from time to time as to show the ownership of every lot or piece of real estate or sub-division thereof within the city limits with the successive transmissions of title from the date of the commencement of such plans

Section 1304 Certified copies under the hand of the said engineer or any of the entries in said books maps or plans shall be received in evidence in the same manner as the books maps and plans themselves might be admissible for such purpose and may also be furnished to any person desiring the same for such fee or compensation for the use of the city as may be fixed by ordinance

Section 1305 It shall be the duty of all owners of unregistered real estate within the city limits within one month from the date of the approval of the ordinance establishing such registry and of every subsequent purchaser devisee or person acquiring title by partition or otherwise to any real estate therein within one month after acquiring such title to furnish to the city engineer at his office descriptions of their respective properties upon blanks to be furnished by the city and at the same time to present their conveyances to be stamped by said engineer without charge as evidence of the registration thereon

Any person or persons neglecting or refusing to comply with the provisions of this section for a period of thirty days after public notice of the requirements thereof shall be liable to a penalty of five dollars to be recovered with costs of suit in the name and for the use of the city as penalties for the violation of city ordinances are recoverable

Section 1306 The sheriffs of the respective counties in which such cities are situated shall present for registry the deeds of all properties within the city limits sold by them at judicial sales whether in partition or otherwise and the prothonotaries and recorders of deeds thereof shall not admit for record any deed for any city property bearing date subsequent to the approval of the ordinance for the establishment of such registry unless the same shall have first been duly stamped as herein directed as proof of registry

Any prothonotary or recorder who shall record any deed before the provisions of this section shall have first been complied with shall be liable to a penalty of five dollars for each deed recorded in violation thereof to be recovered with costs of suit in the manner hereinbefore provided

CHAPTER XIV

Topographical Survey

ARTICLE I

Section 1401 Any city of the third class shall have power by ordinance to cause a topographical survey thereof to be made by their duly appointed city engineer or by such other civil engineer and assistants as they may employ for that purpose

Section 1402 It shall be the duty of said engineer upon being duly authorized thereto to procure and keep in his office such necessary plot or other books as shall be necessary for the purpose of entering or recording thereon all the streets avenues and highways of the city already opened or to be hereafter opened and to survey and mark the lines of all the streets avenues and highways of the city already opened or intended to be opened for public use and to survey and lay out new streets avenues and highways as council may deem necessary for a regular and convenient city plan and if thereto specially directed he shall fix and report a grade for any proposed new streets For the said purposes the said engineer and his assistants shall have full power and authority to enter upon the lands and premises of any person or persons within the said city

Section 1403 When the survey shall be completed the said engineer shall make or cause to be made a draft or plan thereof with every provision and explanation for a full understanding of the same distinctly designated where the new streets avenues and highways shall thereafter be opened and shall return the same to the council and it shall remain in the office of the city clerk and open to inspection by those interested until finally approved as hereinafter provided

Section 1404 It shall be the duty of the said council to give at least thirty days' previous notice in at least two of the public newspapers published in said city (if so many be published therein) and by posting at least ten handbills upon lands or territory contained in the map or plan returned for approval that on a certain day or days to be fixed by the council the said council will hear any objection that may be made to said draft or plan by any freeholder or citizen of said city or interested person

The council at the time appointed or at any subsequent time within three months shall determine whether any and what alterations shall be made in the said plan or draft and when the same is finally approved whether as returned or as altered and changed said council may direct that the same be entered and recorded in the plot-book of street plans in the office of the city engineer

Section 1405 In case the city engineer is directed to report grades for said streets avenues or highways the same shall be noted on said draft or plan and be returned with his surveys and said grades shall be subject to alterations and changes by council in the manner aforesaid and when approved by the said council shall become part of the plans and be entered and be recorded as aforesaid Upon the recording of said plan or draft in the street plan book and the passage of an ordinance approving said street drafts or plans and grades (or of either as the case may be) therein designating the book and page or pages at or in which the said plan or plans are recorded thereafter all the streets avenues and highways as designated upon said approved plan and recorded as aforesaid shall be adjudged and taken to be laid out and located public highways

In case the council shall thereafter change or alter or should they by themselves or their officers deviate from the regulations of the streets avenues or highways so as aforesaid established and damages thereby accrue to the property of any person or persons in consequence thereof the said city shall be liable for the payment of such damages

Section 1406 Sectional surveys or drafts may be returned to the council by said engineer at any time and be confirmed as aforesaid with like force and effect

Section 1407 The said engineer may from time to time as he shall deem expedient and the said council shall direct make report of the surveys plans and regulations by him made in convenient sections without awaiting the completion of the entire survey and shall make duplicate drafts and plans of said section in the manner hereinbefore prescribed and the same proceedings shall be had for the final confirmation of such partial or sectional drafts and plans as is herein directed in relation to the confirmation of the entire survey and with like effect and force

Section 1408 If any owner or owners of real estate or any other person shall erect or construct any house or other building within the line of any street avenue or highway as surveyed and marked on the draft or plan aforesaid or upon any section thereof after the final confirmation of the same such owner or person shall not be entitled to claim or recover any damages which may be caused by the removel of such house or buildings for the opening or widening of any such street avenue or highway

Section 1409 All proceedings for the opening widening grading or otherwise improving of the public streets avenues or highways so as aforesaid surveyed established and confirmed and the payment of damages or contributions therefor shall be regulated as provided by law

CHAPTER XV

Indebtedness

ARTICLE I

Section 1501 For the purpose of creating a sinking fund for the gradual extinguishment of the present bonds and funded debt of the respective cities of the third class the council of each thereof shall annually (until payment of bonds and funded debts be fully provided for) by special tax or otherwise levy and collect in addition to the other taxes of said corporations a tax of not less than one-fourth of one mill and not exceeding three mills upon the assessed value of the taxable property of each of the said cities to be called the sinking fund which shall be paid into the city treasury and shall be applied toward the extinguishment of said bonds and funded debt whose payment is not otherwise provided for and to no other purpose whatever The said bonds when purchased shall be conspicuously stamped to show that they were purchased for the sinking fund of said city and the interest on said bonds shall be collected and used in a like manner with the taxes collected for the sinking fund

Section 1502 Whenever by the Constitution and laws of this Commonwealth any city of the third class shall be authorized to increase its indebtedness by borrowing money on the faith and credit of said city the proposed ordinance to effect the loan shall be introduced at a stated meeting of the council and the draft thereof published in at least two of the newspapers of the city if so many be published therein once a week for four weeks before the final consideration and passage thereof by the said council The specific purpose or purposes for which the loan is authorized shall be distinctly set out in the said ordinance and the moneys received for said loan shall not be used for any purpose other than those so stated and the said city shall at or before the time of authorizing the said loan provide for the collection of an annual tax sufficient to pay the interest and also the principal of the said loan within thirty years in annual installments

Section 1503 Any of the said cities of the third class may in the manner prescribed by law redeem its existing bonded indebtedness as fast as the same may become due and payable by the issue of new bonds therefor bearing interest at a rate not exceeding six per centum per annum Such bonds shall mature within not more than thirty years from the date of their issue in substantially equal annual installments the amount of which in any year shall not be increased over the amount of prior installments in a sum exceeding the reduction in the annual interest caused by the payment of such prior installments the first of such prior installments the first of such installments shall mature in not more than two years Said bonds shall be exempt from all taxation except for State purposes

Section 1504 The mayor treasurer and controller of each of the said cities shall constitute a board of commissioners of the sinking-fund of the city The mayor shall be chairman and the controller secretary and it shall be the duty of the board to keep the accounts of the sinking fund and to see to the proper application and superintend the investment of the same in accordance with law and the directions of the city council The said commissioners shall meet as often as may be necessary keep a record of the proceedings and shall annually in the month of January make a report to council of the condition and application of the fund together with such recommendations in relation thereto as they shall deem expedient Provided That council shall not direct the investment of any moneys to he credit of the sinking fund except in the loans of said cities respectively the loans of the United States or the loans of the State of Pennsylvania and the income derived from any of said investments shall be credited and applied to the said several sinking-funds respectively

CHAPTER XVI

Application of Act Saving Clause

ARTICLE I

Section 1601 The term "cities of the third class" shall include only

First All cities which have been incorporated under the provisions of an act of Assembly entitled "An act dividing cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of the cities of the third class approved the twenty-third day of May one thousand eight hundred and seventy-four or which may hereafter be incorporated under the provisions of this act

Second All cities which have accepted the provisions of said act of the twenty-third day of May one thousand eight hundred and seventy-four in the manner prescribed in the fifty-seventh section thereof

Third All other cities of the proper population or any city of less population than ten thousand inhabitants incorporated prior to May twenty-third one thousand eight hundred and seventy-four by a special act of Assembly only from and after the date of their acceptance of the provisions of the said act of twenty-third day of May one thousand eight hundred and seventy-four in the manner prescribed in the fifty-seventh section thereof

Fourth All cities which mave been incorporated under the provisions of the act of May twenty-third one thousand eight hundred and eighty-nine entitled "An act providing for the incorporation and government of cities of the third class"

Fifth All cities which have been incorporated under the provisions of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto"

Sixth All cities incorporated under the provisions of this act

Section 1602 The provisions of this act so far as they are the same as those of existing laws are intended as

a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded nor affect the corporate existence of any city heretofore incorporated The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All ordinances regulations and rules made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed Any person holding office under any act of Assembly repealed by this act shall continue to hold such office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 1603 The provisions of this act shall be severable and if any provisions thereof shall be declared unconstitutional such decision shall not affect any of the remaining provisions of this act

CHAPTER XVII

Repeal

ARTICLE I

Section 1701 The following acts of Assembly are hereby repealed absolutely viz

An act entitled "An act providing for the incorporation and government of cities of the third class" approved the twenty-third day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred seventy-seven) and all amendments thereto

An act entitled "A supplement to an act entitled 'An act providing for the incorporation and government of cities of the third class' approved May twenty-third one thousand eight hundred and eighty-nine providing for the assessment and collection of special taxes upon properties abutting for street sprinkling and street cleaning" approved the second day of May one thousand eight hundred ninety-nine (Pamphlet Laws one hundred eighty-eight) an act entitled "A supplement to an act approved twenty-third day of May one thousand eight hundred and eighty-nine entitled 'An act for the incorporation and government of cities of the third class' providing for the adjustment of the indebtedness of such cities and boroughs or townships annexed thereto" approved the twenty-fifth day of April one thousand nine hundred and three (Pamphlet Laws three hundred and twelve)

An act entitled "An act supplementary to an act entitled 'An act providing for the incorporation and government of cities of the third class' approved the twenty-third day of May Anno Domini one thousand eight hundred eighty-nine and the amendments thereof enlarging modifying defining and prescribing the powers and duties of the city assessor elected in pursuance of article fifteen of the said act and its amendments relating to their qualifications compensation and obligations and providing that the councils of each of the said cities shall have and exercise certain powers with reference to said assessors the Board of Revision and Appeal and the assessment and collection of taxes" approved the twenty-ninth day of March one thousand nine hundred five (Pamphlet Laws seventy one)

An act entitled "A supplement to an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled 'An act for the incorporation and government of cities of the third class' authorizing third class cities to manufacture and sell ice" approved the twenty-fifth day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred fifty number three hundred fifty-three)

An act entitled "An act providing for the incorporation regulation and government of cities of the thrid class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June one thousand nine hundred thirteen (Pamphlet Laws five hundred sixty-eight number three hundred sixty-seven) and all amendments thereto

An act entitled "A supplement to an act approved the twenty-seventh day of June one thousand nine hundred and thirteen entitled 'An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto'" approved the thirteenth day of May one thousand nine hundred fifteen (Pamphlet Laws three hundred nine)

All other acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 868, as follows:

An Act authorizing counties to incur indebtedness for certain purposes and regulating the manner of creating or incurring any such indebtedness and the expenditure of the proceeds of any such indebtedness to provide for the redemption of the same and to impose penalties for the illegal increase thereof or the failure of certain officers to perform their duties under this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fiscal authorities of any county in order to provide funds for the defense of the county in time of war and for any emergency arising by reason of the fact that the United States is at war may in any year create and incur an indebtedness or an increase of any existing indebtedness against such county and issue bonds to secure the same to any amount but so always that the total indebtedness of such county shall never exceed seven per centum upon the assessed value of the taxable property therein but the fiscal authorities of such county shall not create and incur any new debt or an increase of any existing indebtedness against the said county to an amount exceeding two per centum upon such assessed valuation of property without the consent of the electors thereof at a public election held in accordance with the provisions of this act

Section 2 Any bonds issued under the provisions of this act shall be in sums of not less than one hundred dollars each bearing interest at a rate not exceeding six per centum per annum payable semi-annually and the principal thereof payable not later than thirty years from the date thereof and the said bonds shall not be sold at less than their par value

Section 3 Before issuing any bonds to secure a debt or increase of indebtedness under the provisions of this act the fiscal authorities of any county shall assess and levy an annual tax the collection of which shall commence the first year after the debt or increase of indebtedness shall have been created or incurred which tax shall be sufficient for the payment of the interest on the said bonds and also the principal thereof within a period not exceeding thirty years from the date when the said debt or increase of indebtedness shall have been created or incurred and the moneys arising from such tax shall be applied at such period as the county may stipulate in such bonds to the redemption at par of the said outstanding bonds

Section 4 It shall also be the duty of the fiscal authorities of any county before issuing any bonds under the provisions of this act to request the county auditors or the county controller as the case may be to prepare a statement showing the actual indebtedness of such county the amount of the last preceding assessed valuation of the taxable property therein the amount of the debt to be incurred and the form number and date of maturity of the obligations to be issued therefor When so requested it shall be the duty of the county auditors or county controller to prepare such statement and to file the same verified upon oath or affirmation in the office of the clerk of the court of quarter sessions of the proper county Certified copies of the record of such statement under the seal of the said court shall be competent evidence in all the courts of this Commonwealth

Section 5 Whenever the fiscal authorities of any county shall desire to create or incur a new indebtedness or increase an existing indebtedness under the provisions of this act to an amount in the aggregate not exceeding two per centum upon the assessed value of the property therein as fixed and determined by the last preceding valuation thereof they shall duly record upon their minutes their vote or ordinance authorizing and directing the creation or incurrence of the debt or the increase of indebtedness and the issuance of bonds to secure the same and when a tax shall have been levied and assessed and a statement by the county auditors or controller filed as required by sections three and four of this act it shall be lawful for the bonds to be issued

Section 6 Whenever the fiscal authorities of any county by their vote or ordinance shall have signified a desire to create or incur a debt or increase the existing indebtedness against such county under the provisions of this act to an amount exceeding two per centum and not exceeding seven per centum upon the assessed value of the property therein as fixed and determined by the last preceding valuation thereof they shall give notice during at least thirty days by weekly advertisements in two newspapers in such county and if no newspaper be published therein by at least twenty printed handbills posted in the most public parts thereof of an election to be held at the places of holding the municipal elections in the said county on a day to be by them fixed for the purpose of obtaining the assent of the electors thereof to such increase of indebtedness

Said notice shall contain a statement of the amount of the last assessed valuation of the amount of the existing debt of the amount and percentage of the proposed indebtedness or increase of indebtedness and of the purpose or purposes for which the indebtedness is to be created or incurred or increased

Such election shall be held at the place time and under the same regulations as provided by law for the holding of municipal elections and it shall be the duty of the inspectors of such elections to receive tickets and to deposit the same in a box provided for that purpose as is provided by law in regard to other tickets received at said election and the tickets so received shall be counted and a return thereof made to the clerk of the court of quarter sessions of the proper county duly certified as is required by law together with a certified copy of the vote or ordinance and the advertisement and the said clerk shall make a record of the same and furnish a certified copy thereof under seal showing the result to the fiscal

authorities of such county and the same shall be placed of record upon the minutes thereof The fiscal authorities of such county shall in all cases fix the time of holding such election on the day of the municipal or general election unless more than ninety days elapse between the date of the vote or ordinance desiring such increase and the day of holding the said municipal or general election If any other day be fixed for such election the expense of holding the same shall be paid by the county for the benefit of which it shall be held In receiving and counting and in making returns of the votes cost the inspectors judges and clerks of said election shall be governed by the laws of this Commonwealth regulating municipal elections and the vote shall be counted by the court as is now provided by the general laws governing municipal elections and all the penalties of the said election laws for the violation thereof are hereby extended to and shall apply to the voters inspectors judges and clerks voting at and in attendance upon the elections held under the provisions of this act

Section 7 Whenever by the returns of such election it shall appear that a majority of the electors voting upon the question shall have voted against creating or incurring or increasing the indebtedness as proposed such indebtedness shall not be created or incurred or increased

If the returns of such election shall show that a majority of the electors voted upon the question voted in favor of creating or incurring or increasing the indebtedness the fiscal authorities of the county when a tax shall have been levied and assessed and a statement by the county auditors or controller filed as required by sections three and four of this act may create or incur or increase the indebtedness to the amount named and specified in the notice given by them for the holding of such election not exceeding seven per centum of the last assessed valuation of the property therein

Section 8 The funds accruing from any issue of bonds authorized by this act shall be used for the purpose for which the said bonds shall have been issued

Section 9 The existing indebtedness of any such county evidenced by outstanding bonds heretofore issued may be provided for as the same shall mature by a reissue of bonds to the holders of said outstanding bonds or by the issue and sale at not less than par of new bonds and the present floating indebtedness of any such county may be funded by the issue and sale at not less than par of bonds in sums not less than one hundred dollars each Provided That no such bonds shall be issued for a longer period than thirty years from the date thereof and it shall be the duty of the fiscal authorities of such county to provide for the payment of principal and interest of all such bonds in the manner established by section three of this act

Section 10 The fiscal authorities of every county shall at the end of their fiscal year prepare and publish in at least two newspapers in such county if so many be printed therein a statement showing in detail the actual indebtedness the amount of the funded debt the amount of the floating debt thereof the valuation of taxable property therein the assets of the county with the character and value thereof and the date of maturity of the respective forms of funded debt thereof

Section 11 The fiscal authorities of a county shall within the meaning of this act mean the county commissioners unless the powers of the county with reference to taxation revenues and finance shall have been vested by law in any city within or coterminous with the same in which case the councils of such city shall be deemed the fiscal authorities of such county. In so acting the councils of any such city shall exercise the powers conferred by this act exclusively on behalf of the county containing such city and the bonds when issued by the city on behalf of the county shall name the county alone as obligor and shall not be enforceable against such city nor shall they be any part of the indebtedness of such city

The word "indebtedness" as used in this act shall include all manner of debt as well floating as funded of the said county and the net amount of such indebtedness shall be ascertained by deducting from the gross amount thereof the moneys in the treasury all outstanding solvent debts and all revenue applicable within one year to the payment of the same

Section 12 Any of the fiscal authorities of any county who shall wilfully assist in authorizing such county to create or incur or increase so much of an indebtedness that the total indebtedness of such county shall by the addition thereof exceed seven per cent upon the assessed value of the taxable property therein or who shall execute any bond therefore shall be guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding ten thousand dollars and undergoing imprisonment not exceeding one year or either at the discretion of the court.

Section 13 Any county auditor or county controller who shall neglect or refuse to prepare and file the statement required by section four of this act when duly requested by the fiscal authorities of such county shall be guilty of a misdemeanor and on conviction thereof shall be fined not exceeding ten thousand dollars and undergo an imprisonment not exceeding one year or either at the discretion of the court

Section 14 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 884 (House Bill No. 621), entitled

An Act to amend section four of an act approved the seventeenth day of April, one thousand nine hundred thirteen, entitled "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania; requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees, fines and penalties received."

The said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McCONNELL. Mr. President, I move that Senate Bill No. 884 (House Bill No. 621) the bill just read be recommitted to the Committee on Game and Fisheries.

Mr. SEMMENS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 888 (House Bill No. 845), entitled

An Act authorizing cities of the first class to make appropriations for the support of destitute families of persons sentenced to imprisonment and providing a system of control and administration for the distribution thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. SEMMENS. Mr. President, I ask that Senate Bill No. 929 (House Bill No. 187) on second reading, entitled

An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1020, as follows:

An Act providing for the protection of the public health and the prevention of fraud and deception by regulating the testing of milk and cream when the same is bought on the basis of butter fat as determined by the Babcock test and providing penalties for the violation thereof and providing for the enforcement thereof

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania it shall be unlawful for any person firm or corporate body by himself herself itself or themselves or by his her its or their agents servants or employes engaged in the business of buying milk or cream on the basis of or in any manner with reference to the amount or percentage of fat contained therein to under-read over-read or otherwise fraudulently manipulate the Babcock test used for determining the percentage of fat in said milk or cream or to falsify the record thereof or to make the Babcock reading except when the fat has a temperature of one hundred thirty degrees to one hundred forty-five degrees Fahrenheit or to use for such test quantities other than seventeen and six-tenths (17.6) cubic centimeters in the case of milk and nine (9) grams of eighteen (18)

grams in the case of cream In all tests of cream the cream shall be weighed instead of measured into the test bottle

Section 2 Dairy and Food Commissioner of the State Department of Agriculture and his agents are hereby authorized to enter and inspect the premises and to examine the books and records of any person firm or corporate body engaged in the business of buying milk or cream on the basis of or in any way with reference to the amount or percentage of butter fat contained therein

Section 3 Any person firm or corporate body engaged in the business of buying milk or cream on the basis of or in any way with reference to the amount or percentage of butter-fat contained therein as determined by the Babcock test shall make such test of the milk or cream bought from each patron or seller at least once every sixteen days The milk or cream purchases from each patron shall be represented by a composite sample taken from each of the several lots of milk or cream bought from the said patron and shall cover a period of not more than sixteen days The composite samples to which a suitable preservative has been added shall be made up of aliquot parts taken from each of the several lots of milk or cream bought from each patron or seller concerned and shall cover the same period of time as that of every other composite sample of milk or cream used to determine the percentage of butterfat in the milk or cream bought from each patron Each composite sample shall be plainly labeled with the name of the patron whose milk or cream the composite sample represents and with the date of the first and last day of the period of time covered by the said composite sample

Section 4 After such composite samples have been tested their residues shall be kept intact on the premises for a further period of not less than ten days in order to make possible a check test The Dairy and Food Commissioner and his agents are hereby authorized to make check tests and it shall be the duty of the said officer by his properly designated agents from time to time to make such tests

Section 5 Any person firm or corporate body or the agent servant or employe of any person firm or corporate body engaged in the business of buying milk or cream on the basis of or in any manner with reference to the amount of percentage of butter-fat contained therein that shall in any way defraud the producer of butter-fat which rightfully belongs to the said producer shall be amenable to the penalties provided for in this act

Section 6 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) or upon default of payment of such fine to be imprisoned in the county jail for not more than thirty days

Section 7 The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act

Section 8 All fines and penalties imposed and received for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1021, as follows:

An Act supplementary to an act approved the twenty-fourth day of June one thousand nine hundred and thirteen entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting venders from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" providing for the examination of the glassware used for testing milk and cream for butterfat with the Babcock test prohibiting the use of inaccurate testing glassware defining the term standard Babcock glassware and fixing penalties for the violations of the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person firm company association corporation or agent thereof engaged in the business of buying milk or cream on the basis of or in any manner with reference to the amount or percentage of butterfat contained therein as determined by the Babcock test shall use standard Babcock test bottles pipettes and weights as defined in section two of this act All such Babcock test bottles pipettes and weights so used shall have been inspected for accuracy by the Bureau of Standards of Pennsylvania or its proper officer or agent and shall be legibly and indelibly marked by the said Bureau of Standards or its inspectors of weights and measures with the letters "S. G. P." (Standard Glassware Pennsylvania) and no Babcock bottle pipette or weight shall be used for such test unless so examined and marked by the said inspectors of weights and measures It shall be unlawful for any person firm company association corporation or any of their agents to use any other than standard test bottles pipettes and weights which have been examined and marked as provided in this section to determine the amount of fat in milk or cream bought on the butterfat basis as determined by the Babcock test

Section 2 The term "Standard Babcock Testing Glassware" shall apply to glassware and weights complying with the following specifications

(a) Standard Milk Test Bottles

Graduation The total per centum graduation shall be eight The graduated portion of the neck shall have a length of not less than sixty-three and five-tenths millimeters (two and one-half inches) The graduation shall represent whole per centum five-tenths per centum and tenths per centum The tenths per centum graduation shall not be less than three millimeters in length the five-tenths per centum graduations shall be one millimeter longer than the tenths per centum graduations projecting one millimeter to the left the whole per centum graduations shall extend at least one-half way around the neck to the right end projecting two millimeters to the left of the tenths per centum graduations Each per centum graduation shall be numbered the number being placed on the left of the scale The error at any point of the scale shall not exceed one-tenth per centum

Neck The neck shall be cylindrical and the cylindrical shape shall extend for at least nine millimeters below the lowest and above the highest graduation mark The top of the neck shall be flared to a diameter of not less than ten millimeters

Bulb The capacity of the bulb up to the junction of the neck shall not be less than forty-five cubic centimeters The shape of the bulb may be either cylindrical or conical with the smallest diameter at the bottom If cylindrical the outside diameter shall be between thirty-four and thirty-six millimeters if conical the outside diameter of the base shall be between thirty-one and thirty-three millimeters and the maximum diameter between thirty-five and thirty-seven millimeters

The charge of the bottle shall be eighteen grams

The total height of the bottle shall be between one hundred and fifty and one hundred and sixty-five millimeters (five and seven-eighths and six and one-half inches)

(b) Standard Cream Test Bottles

Three types of bottles shall be accepted as standard cream test bottles a fifty per centum nine gram short-neck bottle a fifty per centum nine gram long-neck bottle and a fifty per centum eighteen gram long-neck bottle

Fifty per centum nine gram short-neck bottles Graduation The total per centum graduation shall be fifty The graduated portion of the neck shall have a length of not less than sixty-three and five-tenths millimeters (two and one-half inches) The graduation shall represent five per centum one per centum and five-tenths per centum The five per centum graduations shall extend at least half way around the neck (to the right) The five-tenths per centum graduation shall be at least three millimeters in length and the one per centum graduations shall have a length intermediate between the five per centum and the five-tenths per centum graduations Each five per centum graduation shall be numbered the number being placed on the left of the scale The error at any point of the scale shall not exceed five-tenths per centum

Neck The neck shall be cylindrical and the cylindrical shape shall extend at least nine millimeters below the lowest and nine millimeters above the highest graduation mark The top of the neck shall be flared to a diameter of not less than ten millimeters

Bulb The capacity of the bulb up to the junction of the neck shall not be less than forty-five cubic centimeters The shape of the bulb may be either cylindrical or conical with the smallest diameter at the bottom If cylindrical the outside diameter shall be between thirty-four and thirty-six millimeters if conical the outside diameter of the base shall be between thirty-one and thirty-three millimeters and the maximum diameter between thirty-five and thirty-seven millimeters

The charge of the bottle shall be nine grams All bottles shall bear on top of the neck above the graduations in plainly legible characters a mark defining the weight of the charge to be used (nine grams)

The total height of the bottle shall be between one hundred and fifty and one hundred and sixty-five millimeters (five and seven-eighths and six and one-half inches) same as standard milk test bottles

Fifty per centum nine gram long-neck bottles

The same specifications in every detail as specified for the fifty per centum nine gram short-neck bottle shall apply for the long-neck bottle with the exception however that the total height of this bottle shall be between two hundred and ten and two hundred and thirty-five millimeters (eight and one-fourth and eight and seven-eighths inches) and that the total length of the graduation shall not be less than one hundred and twenty millimeters

Fifty per centum eighteen gram long-neck bottles The same specifications in every detail as specified for the fifty per centum nine gram lock-neck bottles except that the charge of the bottle shall be eighteen grams All bottles shall bear on the top of the neck the graduation in plainly legible characters a mark defining the weight of the charge to be used (eighteen grams)

(c) The Standard Babcock Pipette Total length of pipette not more than three hundred and thirty millimeters (thirteen and one-fourth inches) Outside diameter of suction tube six to eight millimeters Length of suction tube one hundred and thirty millimeters Outside diameter of delivery tube four and five tenths to five and five-tenths millimeters Length of delivery tube one hundred to one hundred and twenty millimeters Distance of graduation

mark above bulb thirty to sixty millimeters Nozzle straight Delivery seventeen and six-tenths cubic centimeters of water at twenty degrees centigrade in five to eight seconds

(d) Standard Weights The standard weights shall be of nine (9) grams and eighteen (18) grams' denominations

Section 3 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall be subject to the same penalties as provided in the act to which this is a supplement

Section 4 The Bureau of Standards of the State of Pennsylvania through its inspectors of weights and measures shall be charged with the enforcement of the provisions of this act

Section 5 The provisions of this act shall take effect January first one thousand nine hundred and eighteen with the exception that the provisions of section two as respects the denominations of the glassware therein specified shall not be held to require the abandonment of the use of glassware of other denominations in use at the time of the passage of this act provided that the said glassware of other than standard denominations shall have been certified after examination by the proper officer of the Pennsylvania Bureau of Standards to be correct to their graduations

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1041 (House Bill No. 1269), as follows:

An Act relating to the jurisdiction powers and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate and for the sale of real estate for the purpose of distribution and the fees costs and expenses therein

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the orphans' court of each county of this Commonwealth shall have jurisdiction but not exclusive jurisdiction in the partition and valuation of real estate within the county or any decedent testate or intestate whether such decedent was at the time of his death seised or possessed of such real estate solely or as tenant in common or joint owner with any other person or persons and whether or not the surviving spouse of such decedent shall elect to take against his or her will and notwithstanding there may be a limitation of an estate or interest in the premises or some part thereof to a person or persons not in existence and several undivided interests in any premises derived from different ancestors by descent or devise may be parted or valued in one proceeding in said court Provided That such court shall not have such jurisdiction during the continuance of any life estate in the whole of such real estate

(b) Partition may be made under this act of lands and coal-rights therein and of lands and timber-rights thereon of any decedent whether the rights of all the parties be co-extensive with the whole or not and whether the rights of some of them extend only to the land and part of the coal therein or only to the land and part of the timber thereon or only to an undivided interest in the land or in the coal therein or in the timber thereon and any person having an interest as herein set forth may compel partition of the entire tract of land and coal or land and timber provided said coal or said timber has not been entirely severed so as to constitute a separate estate

Section 2 The jurisdiction of the orphans' court under this act shall be exercised on the petition of the surviving spouse of the decedent of any heir of the decedent in a case of intestacy or of any devisee having an interest in the real estate in question in a case of testacy whether the interest of such person be vested in possession or in the remainder or of any person having a life interest in an undivided share of such real estate or of any alienee or devisee of any party in interest If the party be a weakminded person for whom a guardian has been appointed or a minor lunatic or habitual drunkard the petition shall be filed by the guardian or committee of such party

Section 3 On such petition supported by oath or affirmation the court may award a citation returnable at a day certain not less than ten days after the issuing thereof directed to all the parties in interest other than the petitioner or petitioners to show cause why an inquest in partition should not be awarded Such citation shall be served in the manner provided by law for the service of other citations in the orphans' court

Section 4 All parties in interest including those entitled in remainder shall be named in the petition citation decree and notices when known but if it shall appear on oath or affirmation that the names or residences of any of the parties are unknown to the petitioner for the partition the orphans' court shall have the power to direct such notices as shall appear to the court to be reasonable and proper to be given to such parties by publication describing the parties as far as practicable and the proceedings shall be as effectual to all intents and purposes as if all the parties had been named in the proceedings

Section 5 Where any of the parties in interest reside outside of the Commonwealth of Pennsylvania and their

places of residence are known the court may in its discretion authorize any citations or notices provided for by this act to be served upon them personally or by registered mail or direct publication thereof

Section 6 If on the return of such citation no answer or an insufficient answer be filed or if after hearing on petition answer replication and proofs it shall appear proper the court may appoint on the agreement and nomination of the parties three or more commissioners to divide or value the real estate described in the partition with the same effect as a sheriff's inquest for the same purpose or if the parties cannot so agree may award an inquest to make partition among the parties in accordance with their respective interests the inquest to consist of three men

Section 7 The compensation of such commissioners and of the jurors when an inquest is awarded shall be fixed by the court but shall not exceed five dollars a day each for each day engaged in making such partition and valuation unless the parties interest shall agree in writing to a larger compensation Such commissioners and jurors shall also receive in addition to their daily pay three cents per mile circular for each mile necessarily traveled by them counting from the place at which said commissioners or jurors first met

Section 8 The commissioners or inquest shall if the same can be done without prejudice to or spoiling the whole make partition of the real estate in purparts among the parties entitled in accordance with their respective interests be equal or otherwise and shall make return thereof to the court

Section 9 (a) When any such estate cannot be divided among the parties entitled thereto without prejudice to or spoiling the whole the said commissioners or the said inquest as the case may be shall make and return a just appraisement thereof to the court

(b) When equal partition in value or partition in accordance with the respective interests of the parties cannot be made by the said commissioners or the said inquest they shall make a just appraisement of the respective purparts or shares into which they may divide the estate and the court shall award that one or more of the purparts or shares shall be subject to the payment of such sum or sums of money as shall be necessary to equalize the value of the said purparts according to the said appraisement thereof which sum or sums of money shall be paid or secured to be paid by the several persons accepting such purparts in the manner prescribed in section seventeen hereof

(c) When such estate cannot conveniently be divided into shares equal in number to the number of parties entitled the said commissioners or the said inquest shall make a just appraisement of the respective purparts or shares into which they may divide the estate and the parties to whom such shares shall be awarded or some one in their behalf shall pay or secure to be paid to the other parties interested their respective parts of the value thereof in the manner prescribed in section seventeen hereof

Section 10 Where the decedent shall die seised or possessed as tenant in common or joint owner of any undivided interest in fee simple in any lands or tenements the commissioners or inquest shall value and return said interest undivided in all cases and if such decedent had other real estate such interest shall be valued and returned either by itself or in connection with some other portion of such decedent's real estate as one of the purparts or shares into which they shall divide the whole real estate and upon the return thereof the proceedings shall be as in other cases

Section 11 In all cases of appraisement or partition mentioned in sections eight and nine of this act the orphans' court shall on application grant a rule on all persons interested including those interested in remainder to come into court at a certain day to be fixed by the court to accept or refuse the estate or a share or portion thereof as the case may be A copy of such rule shall be served upon each party personally ten days before the return thereof in case such party resides within the county or if any party shall reside outside the county the court may in its discretion authorize service of such rule upon him personally or direct such publication thereof as shall appear to the court to be reasonable and proper

Section 12 In all cases of partition of real estate now pending or hereafter to be instituted in any orphans' court wherein a valuation shall have been made or shall be made of the whole or parts thereof the same shall be allotted to such one or more of the parties in interest whether entitled in possession or in remainder or to an undivided interest for life and including the surviving spouse of the decedent who shall at the return of the rule to accept or refuse to take at the valuation offer in writing the highest price therefor above the valuation returned but if no higher offer be made for such real estate or any part thereof it shall be allotted or ordered to be sold as herein provided

Section 13 (a) When no bid above the appraisement of such real estate or any part thereof shall be made as provided in section twelve of this act the court may order such real estate or part thereof to and among the parties in interest including those entitled in remainder as follows

First to the surviving spouse of the decedent if entitled under the interstate law or under the will of the decedent to a share of such real estate or part thereof in fee

Second To the other parties in interest in the order of their seniority in age

(b) In case the party entitled to a choice do not come into court in person or by guardian or committee or attorney duly constituted or in case he shall refuse the same a record shall be made thereof and the court may and shall direct the same to be offered to the next in succession according to the rules provided in clause (a) of this section

(c) In any case where a party has elected to take the real estate of a decedent in one county or any share thereof if divided into shares such party shall not have the right of preference or election to take the real estate or any share thereof in any other county or any other share in the same county until all the other parties shall have neglected after due notice or refused to take the same at such valuation

Section 14 The orphans' court having jurisdiction in any case of partition shall have power wherever it shall appear advisable and proper to cause the share or shares of the party or parties appearing in court to be allotted and assigned to them and to permit the residue of the premises to remain for the person or persons entitled thereto and subject to a future partition among them if more than one person be so entitled

Section 15 Where the real estate or any part thereof shall be allotted to the widow as the highest bidder two-thirds of the purchase money thereof in cases where by existing laws the widow is entitled to a dower of one-third in the real estate and one-half of the purchase money thereof in cases where by existing laws the widow is entitled to a dower of one-half in the real estate shall be paid to those entitled thereto as provided by law the remaining one-third or one-half of such purchase money as the case may be shall be paid to a trustee or trustees to be appointed by the court which trustee or trustees shall give bond in double the amount to be received the trustee or trustees as aforesaid shall pay semi-annually in lieu of dower the interest on said one-third or one-half of the purchase money as the case may be to the widow during her life and at her death the said trustee or trustees shall pay the purchase money to such persons as are entitled by law thereto

Section 16 Upon return made by commissioners appointed by agreement of the parties or of the inquisition taken or when the real estate or any purpart thereof is awarded or allotted by the court and a final decree is entered the partition thereby made shall be firm and stable forever subject only to the right of appeal

Section 17 (a) In every case provided for in section twelve or section thirteen of this act the party bidding in or accepting the real estate or some one on his behalf shall pay to the other parties interested their proportional parts of the value of such estate according to the amount of the bid or the just appraisement thereof made in manner aforesaid as the case may be or shall give good security by recognizance or otherwise to the satisfaction of the court for the payment thereof with legal interest at such time or times as in the judgment of the court shall be to the advantage of those entitled to the estate and the persons to whom or for whose use payment or satisfaction shall be so made in any of the cases aforesaid for the respective parts or shares of such real estate shall be forever barred of all right or title to the same

(b) Where the court shall decree any share or shares to any person not residing within this Commonwealth with the payment of owelty annexed it shall be lawfully for the court upon application made by any party lawfully interested in the same to order a rule upon such party his or her legal heirs or representatives requiring the payment of said owelty at such time and upon such terms and conditions as the court shall direct If the said rule cannot be served within this Commonwealth the court may in its discretion authorize service of such rule upon him or them personally or direct such publication thereof as shall appear to the court to be reasonable and proper Upon return and proof of service or publication as aforesaid and upon refusal or neglect to comply with the said rule the court may enforce the same by ordering a sale of such share or shares for the purposes aforesaid as in other cases of sales under this act

(c) Wherever it shall appear than any party or parties in whose favor a lien exists until payment be made to them of their respective shares of the money due from the party or parties to whom the real estate or any purpart thereof is awarded at the appraisement or at a price bid therefor above the appraisement is or are unknown or cannot be found the court shall have power to appoint a trustee to whom the shares of money due said unknown or other party may be paid with power in said trustee upon payment to him of said money to satisfy said lien upon the proper records whereupon the said land shall be freed and discharged from said lien Such trustee shall first file a bond to be approved by the court conditioned for the faithful application of the money to him so paid as aforesaid according to the trust and order of court it shall be the duty of the trustee to invest the said moneys in securities authorized by law

Section 18 (a) Should the widow of the decedent be living at the time of the partition and entitled to a life estate in one-half or one-third of the real estate under the intestate laws or should such widow elect to take against the will of the decedent and thereby be entitled to such life estate she shall not be entitled to payment of the sum at which her purpart or share of the estate shall be valued but the same together with interest thereof shall be and remain charged upon the premises if the whole be taken by one person or upon the respective shares if divided as hereinbefore mentioned and the legal interest thereof shall be semi-annually and regularly paid by the persons to whom such real estate shall be adjudged their heirs or assigns holding the same according to their respective portions to the said widow during her natural life in lieu and full satisfaction of her dower at common law and the same may be recovered by the widow by distress or otherwise as rents in this Commonwealth are recoverable On the death of the widow the said principal sum shall be paid by the persons to whom the said real estate shall have been adjudged their heirs or assigns holding the premises to the persons thereunto legally entitled

(b) When the real estate of any decedent shall consist of several different tracts or pieces of land and the same shall be adjudged to any of the parties entitled thereto or ordered to be sold by any orphans' court such court shall have authority to decree that the share or purpart of the widow of such decedent in the whole of said real estate where such widow is entitled to a life interest together with the interest thereof shall be and remain charged on one or more of the said tracts or pieces of land in the manner and for the purposes now provided by law and that the remaining tracts or pieces of land shall be wholly discharged from the share or purpart of such widow or any part thereof Provided That the pieces or tracts of land upon which such purpart or share shall be so charged as aforesaid shall in the opinion of such court be fully sufficient to secure the payment of the principal and interest of such purpart or share and Provided further That such widow shall have the same remedies for recovery of her interest as are provided in clause (a) of this section

Section 19 Should any person other than the widow of the decedent be entitled under the intestate laws or should any person including the widow of the decedent be entitled under the will of the decedent to a life interest in an undivided share of the real estate the share of such tenant for life shall not be paid to him or her but the same together with interest thereof shall be and remain charged upon the premises if the whole be taken by one person or upon the respective shares if divided as hereinbefore mentioned and the legal interest thereof shall be semi-annually and regularly paid by the persons to whom such real estate shall be adjudged their heirs or assigns holding the same according to their respective portions to the said tenant for life during his or her natural life and the same may be recovered by such life tenant as debts of like nature in this Commonwealth are recoverable On the death of the life tenant the said principal sum shall be paid by the persons to whom the said real estate shall have been adjudged their heirs or assigns holding the premises to the persons thereunto legally entitled

Section 20 In case of partition of real estate now or hereafter held by two or more persons as tenants in common where one or more of said tenants shall have been or shall hereafter be in possession of said real estate the parties in possession shall have deducted from their distributive shares of said real estate the proportional part of the rental value thereof to which their co-tenant or co-tenants are entitled for the time such real estate shall have been in possession as aforesaid

Section 21 Upon an appraisement or valuation of real estate made as provided in section nine or section ten of this act should all the parties neglect after due notice as provided in section eleven hereof or refuse to take the same or any part thereof at the valuation or to bid above the appraisement as provided in section twelve hereof the court shall on the application of anyone of the parties grant a rule upon the other parties interested to show cause why the estate or part thereof so appraised and not taken at the appraisement or bid for should not be sold which rule shall be returnable at such time as the court having respect to the circumstances of the case may direct and service of such rule shall be made in the manner provided by law for the service of citations in the orphans' court On the return of such rule the court may on due proof of notice to all persons interested make a decree authorizing and requiring the executor or administrator as the case may be to expose such real estate or part thereof to public sale at such time and place and on such terms as the court may decree Provided That the rule to show cause herein directed may be dispensed with by the court on the application of all the parties in interest if of full age and sui juris and of the guardians or committees of such as are weak-minded persons for whom guardians have been appointed minors lunatics or habitual drunkards for such decree and public notice of such sale shall be given by the person who is to make the sale once a week for a period of three weeks before the day appointed therefor by advertisement in at least one newspaper published in the county if there be one or if there be none then in ad adjoining county and in all cases notice shall also be given by handbills one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such estate and in any case the court may by general rule or special order require such further notice as it shall deem advisable

Section 22 In all cases of the partition or valuation of real estate the orphans' court may upon the application of any party in interest instead of the separate rules herein provided for such cases grant a rule upon the parties interested to appear and accept or refuse the said real estate at the valuation or in case they or any of them should neglect or refuse to take and accept the same as aforesaid show cause why the said real estate or any part thereof should not be sold

Section 23 (a) Whenever any person shall die seised of real estate and the parties in interest desire the same to be converted into money for distribution it shall be lawful for the orphans' court of the proper county in its discretion upon the joint petition of the widow and heirs or devisees and the guardians or commmittees of such as are minors or under disability in whom the real estate of the decedent shall have vested by descent or will and legatees whose legacies are charged on said real estate or the representatives of such as may be deceased or under disability to order the executor or administrator or a trustee to be appointed by said court to make sale of said real estate Such petition shall set forth the description of the property the desire to have the same sold and its estimated value according to the affidavits of two disinterested and competent persons and said petition shall be duly sworn to Said order shall provide that before making sale the executor administrator or trustee shall give bond in double the estimated value of the said real estate and shall proceed thereafter in all respects in the manner provided by this act in cases of the sale of real estate under proceedings in partition The proceeds of such sale after payment of the expenses thereof shall be distributed to and among those entitled thereto the same as real estate Such sale shall have the same effect in all respects as a public sale in proceedings in partition of real estate under this act

(b) When the lands in respect to which a petition for sale shall be filed under the provisions of clause (a) of this section shall lie in one or more adjoining tracts in different counties or shall lie in two or more counties but not in adjoining tracts the proceedings shall be in the courts designated in sections thirty-seven and thirty-eight of this act respectively

Section 24 Whenever any real estate shall be ordered to be sold under proceedings in partition the orphans' court is hereby authorized and required in case of the neglect or refusal of the executor or administrator to execute such order or in case there be no executor or administrator or in case the court for any reason deems it advisable to appoint some suitable person trustee for the purpose of making such sale who shall be subject to the same restrictions and have the same powers and whose proceedings shall have the same effect to all intents and purposes as are provided in the case of such sales by executors or administrators

Section 25 In all cases where the carrying out of any decree of the court under the provisions of this act shall involve the receipt of money the court shall direct the person acting under the decree to file a bond to the Commonwealth in a sufficient amount conditioned for the proper application of all moneys to be received Such bond shall inure to the benefit of all persons interested and be executed by two individual sureties or by one corporate surety approved by the court No such decree shall be executed until such bond with sureties as may be required shall be filed Provided That where a corporation duly authorized by law shall be designated to carry out any such decree the court may in lieu of security as aforesaid permit such corporation to enter its own bond without surety

Section 26 All public or private sales of real estate or of any part or purpart thereof under the provisions of this act shall have the effect of judicial sales as to the discharge of liens upon the real estate or part or purpart thereof so sold

Section 27 In all cases of sales of real estate under the provisions of this act when the entire purchase money shall not be paid in case the purchaser or purchasers shall enter recognizance in the orphans' court with sufficient security to be approved by said court for the payment of the purchase money or any balance thereof over and above the costs and expenses of said proceedings to the parties who may be entitled to the same Such recognizance shall be a lien on the real estate so sold until fully paid and satisfied

Section 28 Whenever a public or private sale of real estate shall be directed or confirmed under the provisions of this act the person or persons purchasing the real estate so sold and taking title thereto in pursuance of the decree of the court shall take such title free and discharged of any obligation to see to the application of the purchase money

Section 29 Where a decree for the sale of real estate shall be made by the orphans' court in the event provided for in section twenty-one hereof the court shall direct that if there be a widow entitled to a life interest in such real estate under the intestate laws or should such widow elect to take against the will and thereby be entitled to such life estate the share of the widow in the purchase money shall remain in the hands of the purchaser during the natural life of the widow The interest thereof shall be semi-annually and regularly paid to her by the purchaser his heirs and assigns holding the premises and may be recovered by distress or otherwise as rents are recoverable in this Commonwealth which the said widow shall accept in full satisfaction of her dower in such premises and at her decease her share of the purchase money shall be paid to the persons legally entitled thereto

Section 30 In the case of a sale of real estate under proceedings in partition in the orphans' court should any person other than the widow of the decedent be entitled under the intestate laws or should any person including the widow of the decedent be entitled under the will of the decedent to a life interest in an undivided share of the real estate the share of such person shall not be paid to him or her but shall remain charged on such or other real estate according to the directions of the court and the legal interest thereof shall be semi-annually and regularly paid by the purchaser of such real estate his heirs or assigns holding the same during the natural life of such life tenant and the same may be recovered by such life tenant as debts of like nature in this Commonwealth are recoverable and on the death of the life tenant the said principal sum shall be paid by the person by whom the said real estate shall have been purchased his heirs or assigns holding the premises to the persons thereunto legally entitled

Section 31 In any case of a sale of real estate under the provisions of this act instead of the life interest of any person in an undivided share of the real estate remaining charged on the real estate as aforesaid the court may on the petition of the person entitled to the life interest or of the purchaser direct the purchaser to pay such principal sum to a suitable person or corporation who shall

be appointed by the court as trustee to receive and hold such principal sum invest the same in securities authorized by law pay the income thereon after deducting all legal charges to the person entitled thereto and upon the death of such person to pay over such principal sum to the persons thereunto legally entitled after deducting all legal charges thereon Such trustee shall enter such security as the court may direct and shall not be an insurer of the trust fund and shall be liable to the persons interested in the income or corpus of the trust fund only for such care prudence and diligence in the execution of the trust as other trustees are liable for

Section 32 In all cases where the letters testamentary or of administration shall be revoked or the executor administrator or trustee or one or more of the co-executors co-administrators or co-trustees authorized to make a sale of real estate under the provisions of this act shall be removed by the court or shall die or become insane or otherwise be incapable before such sale is affected or before a deed of conveyance is made to the purchaser such sale or such conveyance shall be made in the manner and with the effects as provided by law in other cases of sales by executors administrators or trustees under like circumstances

Section 33 In all cases where in consequence of proceedings in partition the share or any part thereof of a party in interest in real estate shall be converted into money either by reason of the impracticability or inequality of partition or by virtue of a sale or otherwise the orphans' court before making a final decree confirming the partition or distributing the proceeds of sale as the case may be may appoint a suitable person as auditor to ascertain whether there are any liens or other incumbrances on such real estate affecting the interests of the parties If it shall appear by the report of such auditor or otherwise that there are such liens the court may order the amount of money which may be payable to any of the parties against whom liens exist to be paid into court and shall have full power to decree the distribution thereof among the creditors or others entitled thereto Where recognizance or other security shall be given for the payment of money the court may make an order on the party giving such recognizance or other security to pay the amount thereof into court when the same shall become due to be distributed in like manner among the persons holding liens at the time of the partition

Section 34 Upon the sale of any real estate by an executor administrator or trustee in proceedings in partition in the orphans' court it shall be the duty of the said executor administrator or trustee to file in the orphans' court of the proper county an account of the proceeds of such sale

Section 35 (a) The costs in all cases of partition in the orphans' court with a reasonable allowance to the partitioners for counsel fees to be taxed by the court or under its direction shall be paid by all the parties in proportion to their several interests

(b) In all cases of sales of real estate under the provisions of this act it shall be lawful for the court to order and decree that the costs and expenses of said proceedings including a reasonable compensation to the executor administrator or trustee by whom said sale shall be made shall be paid on the confirmation of such sale out of the proceeds thereof

Section 36 (a) When any orphans' court having jurisdiction of any procedings in the partition of real estate shall order or has ordered any such real estate or any purparts thereof to be sold said court may authorize or direct a private sale thereof or may approve ratify and confirm a private sale thereof made under an order for a public sale if in the opinion of the court under all the circumstances a better price can be obtained at a private sale than at a public sale thereof

(b) Before authorizing or directing any private sale of real estate under this act public notice thereof shall be given by advertisement printed in at least one newspaper and in the legal periodical if any designated by rule of court for the publication of legal notices published in the county where such real estate is situated and in such other papers as may be designated by the court once a week for a period of three weeks prior to the date fixed by such order for authorizing or confirming such sale and also written or printed notices one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such real estate Before authorizing or directing such sale the court shall require proof by affidavit to be filed in the proceeding that notice as aforesaid has been given Such notice shall specify the location and description of the real estate proposed to be sold the name of the proposed purchaser and the price agreed to be paid

(c) On the day fixed by such order and notice for authorizing or directing such private sale any party interested as heir devisee or intending purchaser or any legatee whose legacy is by the express terms of the will or by law charged on such real estate may appear and object to such private sale on account of the insufficiency of the price and if such objection be sustained may offer to give or pay a substantial increase for such property The court at its discretion may thereupon authorize or direct such sale or refuse to authorize or direct the same and accept any substantially increased offer and may authorize the sale of such property to such new bidder upon compliance with the conditions of sale and giving such security as shall be directed by the court Such party interested or legatee may appear as aforesaid and object to such sale on any legal or equitable grounds Nothing herein contained shall be construed to affect the existing law with respect to objections to public sales

Section 37 When the lands in respect to which application for partition shall be made to the orphans' court as aforesaid lie in one or more adjoining tracts in different counties it shall be lawful for the orphans' court of the county in which the mansion house is situated or if there be no mansion house the court of the county where the principal improvements may be or if there be no improvements the court or either county on the application of any person interested either to proceed by the appointment of commissioners as aforesaid or to issue its writ to the sheriff of the county within the jurisdiction of the court specifying the lands of which a partition or valuation is to be made Thereupon the said sheriff shall summon an inquest to divide or value the said lands in the same manner as if the whole were within his proper bailiwick Upon the return thereof or upon the return of the commissioners appointed by the court as aforesaid the court may further proceed therein in all respects as if all the said lands were in the county Any recognizance taken in pursuance of such proceedings shall be as effectual to all intents and purposes as if the lands bound by it were wholly within the county where such recognizance is taken A certified copy of the proceedings which may be had shall within twenty days after the final decree therein be delivered to the clerk of the orphans' court of each county in which the application shall not have been made and in which any part of the said lands are situated which shall be entered on the records of such court at the joint expense of all parties concerned

Section 38 (a) All proceedings for the partition of valuation of real estate under the provisions of this act where the real estate to be divided or valued is situated in two or more counties of this Commonwealth but not in adjoining tracts shall be brought only in the county where the decedent whose land is to be divided or valued had his domicile or if he had no domicile in the State then in the county where the larger part of the estate in value shall be situated or with leave of such court the parties interested may institute proceedings in the orphans' court in each county where such real estate is situated

(b) In proceedings under this section all process writs and notices required to be served personally upon any person or persons interested in such proceedings may be served by the sheriff of any county of this State under deputization from the sheriff of the county in which such proceedings have been instituted or commenced

(c) The commissioners or jurors for making partition or valuation under the provisions of this section may be selected from the county in which such proceedings are instituted or from any one or more of the counties in which such land is situated The compensation and mileage of said commissioners or jurors shall be the same as is provided in section seven of this act

(d) This section shall include all proceedings in partition necessary to be had as well before as after the refusal of the parties to take real estate at the valuation and the said courts in which such proceedings are had are hereby authorized to order the sale of such real estate after such refusal in the same manner as if all the real estate were situated in the county in which such proceedings are instituted Provided That the sales of such real estate shall be held in the county in which the real estate is situated unless otherwise ordered by the said courts

(e) Except as otherwise provided by this section the proceedings hereunder shall be the same as provided by this act in other cases of partition and valuation

(f) Certified copies of the record may be filed in every county where such real estate shall be situated in the office of the clerk of the orphans' court thereof and be received in evidence with the like effect as the records of the court where filed

Section 39 (a) In all cases of partition in the orphans' court where the court shall order and decree any party taking any portion of the estate at a bid or at the appraisement or purchasing the same at a sale as hereinbefore provided to give any recognizance for the payment of any part of bid valuation or purchase price the court shall have power to appoint an auditor for the purpose of ascertaining advancements and making distributed among the heirs and parties in interest In all cases in which such auditor has not been or may not be appointed it shall be the duty of the court to make a calculation exhibiting the amounts due the respective parties in interest and to direct the clerk of the court to record said calculation upon the partition docket of the court as a part of the proceedings in each case for which services the clerk shall be entitled to a fee of one dollar

(b) 1 Where a recognizance has been or shall hereafter be taken in any orphans. court in any partition proceeding as hereinbefore provided for and the same or any part thereof shall be satisfied or paid to the person or persons interested therein his her or their agent or attorneys any such person so having received satisfaction of the amount coming to him shall enter an acknowledgment thereof upon the record of such court which shall be satisfaction and discharge of the said recognizance to the amount acknowledged to be paid and the recognizance shall cease to be a lien on the real estate of the conusor to a greater amount than the principal and interest actually remining due

2 If any person who shall have received satisfaction as aforesaid for his claim or lien secured by such recognizance shall neglect or refuse to enter upon the record his acknow-

ledgment thereof upon the written request of the owner of the premises bound by such recognizance or any part thereof or of his legal representatives or other persons interested therein on tender of all the costs for entering such acknowledgment the orphans' court on due proof to them made that the entire amount due to any heir legatee or distributee shall have been fully paid and discharged may make an order for the relief of such person from any recognizance or other recorded lien Such order being certified to the proper court where such lien may appear shall be entered on the records and shall inure and be received as a full satisfaction and discharge of the same

Section 40 In all cases arising under this act where there is a limitation of an estate or interest in the premises or some part thereof to a person or persons not in existence the court shall have power to appoint a trustee to represent such unborn person or persons in the proceedings and shall have power to make such further or other orders in regard to the property or purpart in which such person or persons may become interested or the proceeds of the sale thereof or any recognizance given with respect thereto as justice and equity may require

Section 41 It shall be the duty of the clerks of the orphans' courts of the several counties of this Commonwealth and they are hereby required to enter in a book to be procured for that purpose to be called a partition docket all the proceedings in partition in every case in their respective courts from the commencement to the final judgment and decree thereon which shall be and the same is hereby made the record of said court for which service such clerks shall be entitled to receive the same fees as the recorders of deeds receive for recording to be taxed and paid as part of the costs of such proceedings

Section 42 It shall be the duty of the clerks of the orphans' courts of the several counties of this Commonwealth and they are hereby required to keep a separate index to be known as the partition index in which shall be entered in alphabetical order the names of all persons to whom any real estate shall be allotted or awarded in partition proceedings in said courts and the names of all purchasers of real estate in such proceedings

Section 43 Any party aggrieved by any definitive decree or judgment of any orphans' court or by any order or decree awarding or refusing to award an inquest or by an order of sale under the provisions of this act may appeal therefrom to the proper appellate court as in other cases of appeals from the orphans' court

Section 44 This act shall be known and may be cited as the Orphans Court Partition Act of 1917

Section 45 The following acts and parts of acts of Assembly are repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause

Section twenty-two of an act entitled "An Act directing the descent of intestates' real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nineteenth one thousand seven hundred and ninety-four three Smith's Laws one hundred and forty-three absolutely

Section eight of an act entitled "An Act supplementary to the act entitled 'An Act directing the descent of intestates real estate and distribution of their personal estates and for other purposes therein mentioned' " passed April fourth one thousand seven hundred and ninety-seven three Smith's Laws two hundred and ninety-six in so far as it relates to the orphans' court

An Act entitled "A further supplement to the act entitled 'An Act directing the rescent of intestates real estate and distribution of their personal estates and for other purposes therein mentioned' " approved April second one thousand eight hundred and four (Pamphlet Laws four hundred and fifty-nine) absolutely

An Act entitled "A further supplement to an act entitled 'An Act directing the descents of intestates real estates and distribution of their personal estates and for other purposes therein mentioned' " approved April first one thousand eight hundred and five (Pamphlet Laws two hundred and five) absolutely

Sections six seven and eight of an act entitled "An Act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned" approved April seventh one thousand eight hundred and seven (Pamphlet Laws one hundred and fifty-five) absolutely and section nine of said act in so far as it relates to the orphans court

Section two of an act entitled "An Act to amend certain parts of an act entitled 'An Act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned' " approved March twenty-sixth one thousand eight hundred and eight (Pamphlet Laws one hundred and forty-four) absolutely

Sections five and six of an act entitled "A Supplement to the act entitled 'A further supplement to the act entitled an act to alter the judiciary system of this Commonwealth' passed the eighth day of April eighteen hundred and twenty-six" approved April fourteenth one thousand eight hundred and twenty-eight (Pamphlet Laws four hundred and eighty-four) absolutely

Sections thirty-six to forty-six inclusive and forty-eight to fifty-one inclusive of an act entitled "An Act relating to orphans' courts" approved March twenty-ninth one thousand eight hundred and thirty-two (Pamphlet Laws one hundred ninety) absolutely

Section forty-two forty-four forty-five and forty-six of an act entitled "An Act relating to executors and administrators" approved February twenty-fourth one thousand eight hundred and thirty-four (Pamphlet Laws seventy-three) absolutely

Section two of an act entitled "Supplement to the act passed the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts' " approved April fourteenth one thousand eight hundred and thirty-five (Pamphlet Laws two hundred and seventy-five) absolutely

Section four of an act entitled "A further supplement to an act entitled an act relating to orphans' courts passed the twenty-ninth day of March one thousand eight hundred and thirty-two and the supplement thereto passed the fourteenth of April one thousand eight hundred and thirty-five and for other purposes" approved April thirteenth one thousand eight hundred and forty (Pamphlet Laws three hundred and nineteen) absolutely

Section eight of an act entitled "An Act to incorporate the Butler County Mutual Insurance Company and for other purposes" approved April twenty-fourth one thousand eight hundred and forty-three (Pamphlet Laws three hundred and fifty-nine) absolutely

An Act entitled "An Act supplementary to the acts relating to orphans' court" approved April sixth one thousand eight hundred and forty-four (Pamphlet Laws two hundred and fourteen) absolutely

Section one of an act entitled "A Supplement to the act of Assembly passed the twenty-ninth March one thousand eight hundred and thirty-two relating to the proceedings in the orphans' court of this Commonwealth and for other purposes" approved April fifteenth one thousand eight hundred and forty-five (Pamphlet Laws four hundred and fifty-eight) absolutely

Section one of an act entitled "An Act in relation to partitions approved April twenty-one one thousand eight hundred and forty-six (Pamphlet Laws four hundred and twenty-six) absolutely

An Act entitled "An Act relative to the orphans' court" approved March thirteenth one thousand eight hundred and forty-seven (Pamphlet Laws three hundred and nineteen) absolutely

Section four of an act entitled "A Supplement to an act relative to the venders of mineral waters and an act relative to the Washington Coal Company to sheriffs' sales of real estate to the substitution of executors and trustees when plaintiffs to partition in the courts of common pleas and for other purposes" approved April ninth one thousand eight hundred forty-nine (Pamphlet Laws five hundred twenty-four) except in so far as it relates to sales made before its date

Section ten of an act entitled "An Act to enable Thomas Hoge to make a fee simple title to enable the trustees under the wills of Ephraim Clark and Catharine Yohe Alex Calder administrator Joseph B. Baker guardian and Nancy John and William Kline to sell certain real estate relative to a school house in Elizabeth Township Lancaster County to amend the charter of the second Jackson beneficial society of Philadelphia and to extend the jurisdiction of the orphans' court" approved April tenth one thousand eight hundred and forty-nine (Pamphlet Laws five hundred and ninety-one) except in so far as it validates partition proceedings begun before its date

Section two of an act entitled "An Act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rent to trustees of married women to appeals from awards of arbitrators by corporations to hawkers and pedlers in the counties of Butler and Union to the payment of costs in actions by informers in certain cases to taxing lands situate in different townships and in relation to fees of county treasurers of Lycoming Clinton and Schuylkill to provide for recording the accounts of executors administrators guardians and auditors reports to amend and after existing laws relative to the administration of justice in this Commonwealth" became a law April twenty-fifth one thousand eight hundred and fifty by reason of the Governor's failure to return it within ten days (Pamphlet Laws five hundred sixty-nine) absolutely and section ten of the same act in so far as it relates to the orphans' court

Section twenty-two and twenty-three of an act entitled "An Act to incorporate the Wyoming County Mutual Insurance Company relating to Library Street in the City of Philadelphia giving jurisdiction to the court of common pleas in Tioga County in a certain divorce case and relating to paving in front of the prison in the County of Philadelphia" approved April twenty-sixth one thousand eight hundred and fifty (Pamphlet Laws five hundred and seventy-seven) insofar as they relate to recognizances in partition

Section one of an act entitled "An Act relative to suits in dower and partitions" approved February twentieth one thousand eight hundred and fifty-four (Pamphlet Laws eighty-nine) insofar as it relates to the orphans' court

An Act entitled "A further supplement to the act entitled "An Act relating to orphans' courts" passed the twenty-ninth day of March one thousand eight hundred and thirty-two" approved April twelfth one thousand eight hundred and fifty-five (Pamphlet Laws two hundred and fourteen) absolutely

Section four of an act entitled "An Act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate" approved April twenty-seventh one thousand eight hundred and fifty-five (Pamphlet Laws three hundred and sixty-eight) insofar as it relates to the orphans' court

Sections one and two of an act entitled "A Supplement to an act relative to suits in dower and partition passed twentieth February one thousand eight hundred and fifty-

four" approved April seventeenth one thousand eight hunhundred and fifty-six (Pamphlet Laws three hundred and eighty-six) absolutely

Section ten of an act entitled "An Act for the greater certainty of title and more secure enjoyments of real estate" approved April twenty-second one thousand eight hundred and fifty-six (Pamphlet Laws five hundred and thirty-two) insofar as it relates to the orphans' court

An Act entitled "An Act requiring administrators and trustees upon the sale of real estate after proceedings in partition to file in the registers office of the proper county an account of their said administration or trusteeship" approved April eleventh one thousand eight hundred and sixty-three (Pamphlet Laws three hundred and forty-one) absolutely

An Act entitled "An Act relative to costs in cases of partition" approved April twenty-seventh one thousand eight hundred and sixty-four (Pamphlet Laws six hundred and forty-one) insofar as it relates to the orphans' court

An Act entitled "An Act relating to the committees of the estates of lunatics and habitual drunkards" approved March twenty-second one thousand eight hundred and sixty-five (Pamphlet Laws thirty-one) insofar as it relates to the orphans' court

An Act entitled "An Act relating to proceedings in partition" approved March twenty-seventh one thousand eight hundred and sixty-five (Pamphlet Laws forty-five) absolutely

An Act entitled "A Supplement to an act relating to orphans' courts approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two" approved January seventh one thousand eight hundred and sixty-seven (Pamphlet Laws one thousand three hundred and sixty-seven) absolutely

An Act entitled "An Act to extend the jurisdiction of the orphans' court of York and Fayette Counties" approved February thirteenth one thousand eight hundred and sixty-seven (Pamphlet Laws one hundred and sixty) absolutely

An Act entitled "An Act to repeal a portion of an act entitled 'An Act relating to proceedings in partition' approved the twenty-seventh day of March Anno Domini one thousand eight hundred and sixty-five" approved April twenty-eighth one thousand eight hundred and sixty-eight (Pamphlet Laws one hundred and five) absolutely

An Act entitled "A Supplement to an act entitled 'An Act relative to the orphans' court' approved the thirteenth day of March one thousand eight hundred and forty-seven confirming certain partitions" approved February twenty-sixth one thousand eight hundred and sixty-nine (Pamphlet Laws four) except insofar as it confirms partitions made before its date

An Act entitled "A further supplement to an act entitled 'An Act relative to suits in dower and partition' approved the twentieth day of February Anno Domini one thousand eight hundred and fifty-four and its supplement approved the seventeenth day of April Anno Domini one thousand eight hundred and fifty-six" approved March thirtieth one thousand eight hundred and sixty-nine (Pamphlet Laws fifteen) insofar as it relates to the orphans' court

An Act entitled "A Supplement to the act relating to orphans' court approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two" Approved April thirtieth one thousand eight hundred and sixty-nine (Pamphlet Laws twenty-eighth) except insofar as it relates to declarations theretofore made by married women

Section two of an act entitled "An Act relating to dowers" approved April twentieth one thousand eight hundred and sixty-nine (Pamphlet Laws seventy-seven) absolutely

An Act entitled "A further supplement to an act relating to orphans' court approved the twenty-ninth day of March one thousand eight hundred and thirty-two regulating the sale of real estate by executors administrators or trustees" approved May twenty-third one thousand eight hundred and seventy-one (Pamphlet Laws two hundred and seventy-four) absolutely

An Act entitled "A further supplement to an act relative to suits in dower and partition approved the twentieth day of February Anno Domini one thousand eight hundred and fifty-four and its supplements approved the thirtieth day of March Anno Domini one thousaid eight hundred and sixty-nine construing said act and extending jurisdiction of the courts therein" approved May fourteenth one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and fifty-six) insofar as it relates to the orphans' court

An Act entitled "An Act relating to the estates of decedents" approved May fourteenth one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and sixty-six) absolutely

An Act entitled "An Act enlarging the powers of the orphans' court in regard to fixing the time for the payment of owelty" approved May eighth one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and forty) absolutely

An Act entitled "An Act relating to partition of real estate" approved May first one thousand eight hundred and seventy-nine (Pamphlet Laws forty) insofar as it relates to the orphans' court

An Act entitled "An Act to provide for the keeping of a partition docket by the several clerks of the orphans' courts" approved April fourth one thousand eight hundred and eighty-nine (Pamphlet Laws twenty-three) absolutely

An Act entitled "An Act to enlarge the jurisdiction of the orphans' court in cases of testacy approved May ninth one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and forty-six) absolutely

An Act entitled "An Act relating to sale of the real estate of decedents" approved June twelfth one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and sixty-one) absolutely

An Act entitled "An Act relating to the partition of real estate empowering the courts having jurisdiction to decree and approve and to approve ratify and confirm private sales" approved May twenty-second one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and fourteen) insofar as it relates to the orphans' court

An Act entitled "An Act to provide for the liability of tenants in common in possession of their co-tenants out of possession" approved June twenty-fourth one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and thirty-seven) insofar as it relates to the orphans' court

An Act entitled "An Act relating to proceedings in partition and other actions and for the appointment of commitees ad litem therein when any of the defendants are lunatics" approved June twenty-sixth one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and eighty-one) insofar as it relates to the orphans' court

An Act entitled "An Act amending an act entitled 'An Act relating to proceedings in partition and other actions and for the appointment of commitees ad litem therein when any of the defendants are lunatic or persons of weak mind" approved the twenty-sixth day of June one thousand eight hundred and ninety-five so as to extend the some proceedings in the orphans' court and to enlarge the powers of said committees" approved June tenth one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-three) insofar as it relates to the orphans' court

An Act entitled "An Act relating to partition of real estate and the appointment of a trustee to satisfy liens and to invest the moneys coming into his hands by proceeding in partition" approved April third one thousand nine hundred and three (Pamphlet Laws one hundred and fifty-one) insofar as it relates to the orphans' court

An Act entitled "A Supplement to an act entitled 'An Act for the greater certainty of title and more secure enjoyment of real estate" approved the twenty-second day of April one thousand eight hundred and fifty-six so as to authorize a widow to accept real estate in partition or compete in bidding therefor and regulating and establishing a mode of payment therefor by the widow" approved June first one thousand nine hundred and seven (Pamphlet Laws three hundred and sixty-four) insofar as it relates to the orphans' court

An Act entitled "An Act to amend an act entitled 'A Supplement to an act entitled "An Act for the greater certainty of title and more secure enjoyment of real estate" approved twenty-second day of April Anno Domini eighteen hundred and fifty-six so as to authorize a widow to accept real estate in partition or compete in bidding therefor and regulating and establihsing a mode of payment therefor by the widow' approved the first day of June Anno Domini nineteen hundred and seven by providing the method by which the dower interests of the widow and the principal of the dower fund should be secured in certain cases" approved May eighth one thousand nine hundred and nine (Pamphlet Laws four hundred and eighty-nine) insofar as it relates to the orphans' court

An Act entitled "An Act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred ninety-three entitled 'An Act relating to sale of the real estate of decedents' " approved May twenty-third one thousand nine hundred and thirteen (Pamphlet Laws three hundred and four) absolutely

An Act entitled "An Act to amend section three of an act approved the fourteeth day of May Anno Domini one thousand eight hundred seventy-four entitled 'A further supplement to an act relative to suits in dower and partition approved the twentieth day of February Anno Domini one thousand eight hundred and fifty-four and its supplement approved the thirtieth day of March Anno Domini one thousand eight hundred and sixty-nine constructing said act and extending jurisdiction of the courts therein' by extending the provisions thereof to include persons having an undivided interest in the land or in the coal or timber thereon when the same has not been entirely severed and permitting such persons to compel partition of the entire tract" approved May sixth one thousand nine hundred and fifeen (Pamphlet Laws two hundred and sixty-nine) insofar as it relates to the orphans' court

All other acts of Assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1042 (House Bill No. 1270), as follows:

An Act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every county of this Commonwealth there shall continue to exist as heretofore a court of record the name and style whereof shall be "The Orphans' Court of (the respective) County"

(b) In the counties of Philadelphia Allegheny Luzerne Berks Schuylkill Westmoreland Montgomery Lancaster Lackawanna and Fayette in orphans' court shall be a separate court of record which shall consist in the county of Philadelphia of five judges learned in the law any one whom may hold the said court and hear and determine all matters and things therein cognizable in the county of Allegheny of three judges learned in the law any one of whom may hold the said court and hear and determine all matters and things therein cognizable and in the counties of Luzerne Berks Schuylkill Westmoreland Montgomery Lancaster Lackawanna and Fayette each of one judge learned in the law and the said judges shall be elected at the same elections and be commissioned for the same term in the same manner as the judges of the courts of common pleas of the respective counties where separat orphans' courts are or shall be established in the counties where separate orphans courts are or shall be established the annual salaries of said judges shall be the same as are paid to the judges of the courts of common pleas in the respective counties where such orphans' courts are or shall be established to be paid in the same manner as the salaries of said judges of the courts of common pleas are now or may be by law payable

(c) The orphans' court of each county except in the counties where separate orphans' courts are or shall be established by law shall be composed of the judge or judges when there are more than one of the court of common pleas thereof but any one judge learned in the law shall have power to hold the court and hear and determine all matters and things therein cognizable

(d) 1 In all counties in which there is or hereafter may be established a separate orphans' court the Governor shall issue a commission as president of said court to the judge of said court who shall be the oldest in commission and continuous service and if there shall be two or more judges of any of said courts whose commissions are of the same date and whose term of service commenced at the same time they shall draw lots for a commission as president of said court and certify the result to the Governor who shall issue a commission as president of said court to the judge who shall draw the right to receive the same

2 In all separate orphans' courts composed of only one judge he shall be styled the president judge of said court and be commissioned as such

3 When the president judge of any of said courts shall be re-elected he shall be again commissioned as and continue to be the president judge of said court and when the said president judge shall go out of office the judge of said court who shall be oldest in commission and continuous service shall be commissioned as and be the president judge thereof

4 Whenever at any election two or more judges of any of said courts are elected who shall not have been commissioned and served as judges of said court immediately before the commencement of the terms for which they were elected they shall draw lots for priority of commission and certify the result to the Governor who shall issue the commissions of said judges on different days giving the priority of commission to the judge draw-

ing the right to receive the same

Section 2 The orphans' court of each county whether separate or otherwise is hereby declared to be a court of record with all the qualities and incidents of a court of record at common law Its proceedings and decrees in all matters within its jurisdiction shall not be reversed or avoided collaterally in any other court but they shall be liable to reversal modification or alteration on appeal

Section 3 (a) Whenever by reason of sickness absence interest or other cause a judge of any separate orphans' court or a judge of the court of common pleas in a judicial district having no separate orphans' court may be unable to sit in any matter depending in the orphans' court of such district and there shall be no other judge of the orphans' court or of the court of common pleas of such district available for the purpose it shall be lawful for said judge to call upon any judge of a separate orphans' court of any judge of the court of common pleas of any other judicial district having no separate orphans' court to preside in and determine such matter with the same force and effect as he the regular commissioned judge of such district if presiding might do

(b) Such judge of another judicial district called in as provided by clause (a) of this section shall be entitled to receive as compensation for so presiding the sum of twenty dollars a day and carfare and no more No payment shall be made for any day consumed in such service of more than expenses and carfare unless said judge so assigned actually presides in open court on such day

Section 4 (a) The judges of the court of common pleas of any judicial district having a separate orphans' court shall when called upon by the president judge of such separate orphans' court as hereinafter provided have power to hear and determine when certified according to the provisions of clause (b) of this section all matters causes and things whatsoever in such separate orphans' court so fully and effectually and to dispose thereof in the same manner as may be done by the judges of said separate orphans' court sitting therein

(b) Nothing in this section shall be construed to make it compulsory upon the judges of said court of comon pleas to render the services aforesaid but whenever the proper despatch of business requires it and an arrangement can be made with a judge of such court of common pleas for such service the president judge of the separate orphans' court of the said district may certify all matters to be heard and determined by such judge of the court of common pleas specially presiding as aforesaid

(c) In judicial districts having more than one judge of the separate orphans' court whenever the president judge of such court shall be absent from the district or disabled by sickness and occasion shall occur it shall be competent for the judge next oldest in commission being then in the district and able to act to arrange for the services herein provided for and to make the necessary certificates in like manner and to the same intent effect and purpose as the same could be done by the said president judge

(d) No additional compensation shall be received by said judges of the court of common pleas for any service rendered in pursuance of this section but they shall be entitled to be paid such mileage and other actual expenses as are provided by law for judges of this Commonwealth when holding court outside of the district for which they shall have been commissioned

Section 5 (a) In addition to the powers now possessed and exercised by the judges of the separate orphans' courts of this Commonwealth said judges shall when called upon by the president judge of the court of common pleas of the same judicial district as hereinafter provided have power to hear and determine when certified according to the provisions of clause (b) of this section all pleas actions causes civil or criminal issues and all issues and other matters in equity in the court of common pleas court of oyer and terminer and general jail delivery and court of quarter sessions of the peace for said judicial district so fully and effectually and to dispose thereof in the same manner as may be done by the judges of the court of common pleas sitting in said courts

(b) Nothing in this section shall be construed to make it compulsory upon the judges of said orphans' courts to render the services aforesaid but whenever the proper despatch of business requires it and an arrangement can be made with a judge of the court of common pleas of the same judicial district may certify all matters or issues to be heard and determined by such orphans' court judge specially presiding as aforesaid

(c) In districts having one or more additional law judges whenever the president judge shall be absent from the district or disabled by sickness and occasion shall occur it shall be competent for the addtional law judge and in districts having more than one additional law judge for the one oldest in commission being then in the district and able to act to arrange for the service herein provided for and to make the necessary certificates in like manner and to the same intent effect and purpose as the same could be done by the said president judge

(d) No additional compensation shall be received by the said orphans' court judges for any service rendered in pursuance of this section but they shall be entitled to be paid such mileage and other actual expenses as are provided by law for judges of this Commonwealth when holding court outside of the district for which they shall have been commissioned

Section 6 Every orphans' court shall have a seal for the use of the said court having engraved thereon the same device as is engraved on the great seal of the state together with the name of the respective court and such seal may be renewed under the direction of such court as often as occasion shall require

Section 7 The commissioners of the several counties wherein separate orphans' courts are now or hereafter shall be established shall provide proper and suitable apartments as may be required by said courts in which the business of said courts shall be held and conducted and in which the records thereof shall be safely and securely kept

Section 8 (a) The register of wills of each county in which a separate orphans' court is now or hereafter shall be established shall be clerk of such court and subject to its directions in all matters pertaining to his office and he may appoint an assistant clerk or clerks but only with the consent and approval of said court

In each county having no separate orphans' court a clerk of the orphans' court shall be elected and commissioned in accordance with the existing law

(b) 1 In each county of this Commonwealth the clerk of the orphans' court shall have the custody of the records and of the seal of the respective court and keep the same at the place of holding such court and in the apartments provided by law for that purpose and he shall faithfully perform under the direction of the court all the duties appertaining to his office

2 Said clerks are hereby authorized and required to keep in dockets provided for the purpose a full record of all proceedings of their respective courts and place upon record in a fair legible hand or in typewriting in a book or books to be provided for that purpose all accounts of executors administrators guardians and trustees as well as all reports of auditors appointed by said courts respectively omitting the testimony and documents accompanying the same the fees for this service to be one-half of the amount now allowed by law for the recording of deeds

3 Any person who shall offer any written or printed instrument to be filed in any orphans' court or in the office of the clerk of any orphans' court which instrument shall be in any other than the English language shall furnish at his own expense to the clerk of such court a sworn translation in English of such instrument thus offered and the clerk shall attach or cause to be attached such translation to the original and file both the original and the translation of record in his office in all cases where filing is now or hereafter may be required by law but in all cases where recording is now or hereafter may be required both the original and the translation in English shall be recorded Such clerk shall not file or mark filed record or mark recorded any written or printed instrument in violation of this clause nor shall any paper filed or recorded in violation of this clause be notice to any person in any legal proceeding whatever nor be received or considered in evidence in any proceeding at law or in equity

(c) The separate orphans' courts of this Commonwealth may establish a bill of costs to be chargeable to parties and the estates before them for settlement for the services of the clerks of said courts respectively in the transaction of business of said courts In counties wherein no separate orphans' courts have been or shall be established the law as to fees to be charged by clerks of the orphans' courts shall remain as heretofore

Section 9 The jurisdiction of the several orphans' courts whether separate or otherwise shall extend to and embrace

(a) The appointment control removal and discharge of the guardians of minors and the settlement of their accounts

(b) The appointment of trustees for any person interested in the real or personal estate of any decedent and the control removal discharge and settlement of the accounts of trustees so appointed and of testamentary trustees whether the testamentary trustees be appointed nominatim or virtue officii

(c) The appointment of trustees for absent persons the control removal and discharge of trustees so appointed and the settlement of their accounts

(d) The control removal and discharge of executors and administrators deriving their authority from the register of the respective county and the settlement of their accounts

(e) The distribution of the assets and surplusage of the estates of decedents among creditors and others interested

(f) The sale of real estate of decedents for payment of their debts

(g) The disposition of the title to real estate of decedents and of persons disabled from dealing therewith in order to render the same freely alienable and productive to the living owners thereof

(h) The partition of the real estate of decedents among the parties entitled thereto the valuation of such real estate and the sale thereof for the purpose of distribution

(i) The specific execution of contracts made by decedents to sell and convey any real estate of which such decedent shall die seised and of contracts made by decedents to purchase any real estate

(j) Proceedings for the collection or enforcement of payment or delivery of all legacies whether pecuniary specific or otherwise and whether charged on real estate or not

(k) Proceedings for the discharge of real estate of decedents from the lien of debts of decedents and for the discharge of real and personal estates from the liens of legacies annuities dower recognizances and other charges

(l) All cases within their respective counties wherein executors administrators guardians or trustees may be possessed of or are in any way accountable for any real or personal estate of the decedent

(m) All appeals from the orders or decrees of the registers of wills of their respective counties and all proceedings removed from said registers by certification

(n) The exercise of all other powers needful to the doing of anything which is or may be hereafter required or permitted to be done in said court whether incidental to the powers hereinbefore enumerated or in addition thereto

And such jurisdiction shall be exercised under the limitations and in the manner provided by law

Section 10 The several orphans' courts shall have full power and authority to make from time to time such rules for regulating the practice thereof respectively and for expediting the determination of suits causes and proceedings therein as in their discretion they shall judge necessary or proper for the exercise of the powers hereby conferred or which may hereafter be conferred Provided That such rules shall not be inconsistent with the Constitution and laws of this Commonwealth

Section 11 The orphans' courts of every county of this Commonwealth shall be held during every term of the court of common pleas of the respective county and at such other times and as often as the judges thereof shall think necessary or proper

Section 12 (a) In all cases in which heirs legatees or distributees are interested and in consequence of such interest notice shall be required to be given to them or any of them of any proceedings in the orphans' court such notice shall except in the case of the accounts of executors or administrators and in other cases specially provided for be given in such manner personally by registered mail or by publication as shall appear to the court to be reasonable and proper according to general rules adopted by the court or special orders made by the court in particular cases

(b) The judges of the respective orphans' courts shall have power and are hereby authorized to make such rules and regulations as they may deem proper for the publication of advertisements of notices to parties in all cases within their jurisdiction Provided That said court shall have supervision of and regulate the cost of such publication in all cases as well by special order in particular cases as by general rules

Section 13 All process subpoenas certificates copies of records and other documents which shall be issued out of any of said courts shall be attested in the name of the president judge thereof alone

Section 14 The several orphans courts shall have power to fix the return-days of all process issuing out of the respective court whenever such return-days are not otherwise provided for by law

Section 15 The several orphans' courts of this Commonwealth shall have full power in vacation to administer the business of the court and to issue process Provided That said process shall be made returnable only in the county where the proceeding is pending

Section 16 The said courts shall have power to prevent by orders in the nature of writs of injunction acts contrary to law or equity prejudical to property over which they shall have jurisdiction Provided That security may be required as in other cases of writs of injunction

Section 17 The manner of proceeding in the orphans' court to obtain the appearance of a person amenable to its purisdiction and the procedure in default of appearance shall be as follows

(a) On petition to the court of any person interested whether such interest be immediate or remote setting forth facts necessary to give the court jurisdiction the specific cause of complaint and the relief desired and supported by oath or affirmation the orphans' court or any judge thereof may award a citation retunable at a day certain not less than ten days after the issuing thereof

(b) Such citation may be served by the party obtaining the same or by any authorized agent or if required by the party it shall be served by the sheriff or coroner as the case may require of the proper county

(c) The manner of service shall be by giving a copy thereof to the respondent personally or by leaving such copy with some adult member of his family at his place of residence

(d) Such service may be made anywhere within this Commonwealth and if such party resides outside the Commonwealth and his place of residence is known and the proceeding concerns property situate within the Commonwealth the court may in its discretion authorize service to be made on such party personally wherever found or by registered mail or may direct notice to be given by publication in such manner as shall appear to the court to be reasonable and proper according to general rules adopted by the court or special orders made by the court in particular cases

(e) If the respondent be not found and have no known residence within the county such citation may be served in like manner upon the person or persons who may be the surety or sureties of such party in any bond or recognizance given by him for the performance of any trust or duty in respect to which such citation may have issued

(f) The return to a citation if made by the party on whose petition it issued or his agent as aforesaid shall be on oath or affirmation and in all cases of service the return shall state how such citation was served

(g) If the party to be cited cannot be found and has no known residence and there is no surety on whom service of the citation can be made as aforesaid and the facts shall be so stated in the return on oath or affirmation by the party complaining or by some one competent to make affidavit in that behalf the orphans 'court may award another citation or pluries citation returnable in like manner with the first

(h) At the time of awarding such second or further citation the court may make an order for publication of the same in such place or places and for such length of time as the court having regard to the supposed place of residence of the respondent and other circumstances shall direct

(i) 1 At the time appointed for the appearance of the respondent should he not appear according to the requisition of the citation and if due proof be made of the service thereof or when service cannot be made of the publication thereof as hereinbefore prescribed the court may with or without another citation as justice may require proceed to make such order or decree in respect to the subject matter as may be just and necessary

2 It shall be lawful for the court on such proof to order that the petition of the complainant be taken as confessed and in case where there is personal service to grant relief according to the prayer thereof When there is no personal service the court shall and when there is personal service the court may in its discretion hear testimony in support of the allegations of the petition or direct a reference to a master or auditor to take proof of the facts and circumstances set forth in the petition and to report thereon and also to report an account against such respondent if necessary On the report of such master or auditor the court shall make such order or decree as may be just and necessary

Section 18 (a) Compliance with an order or decree of the court may be enforced

1 By attachment of the person

2 By sequestration of real or personal property

3 In case of a decree for the payment of money against a party who has appeared the complainant may have a writ of execution in the nature of a writ of fieri facias against personal property only which writ may be allowed by the court or by any judge thereof

4 Whenever any person against whom a decree for the payment of money has been made by any orphans' court is possessed of or entitled to any stock deposits or debts due him or to any legacy or interest in the estate of a decedent the same may be levied on or attached in satisfaction of such decree by the same process and in the same manner as is now or may hereafter be provided by law in the case of judgments of any court of common pleas A writ of attachment for said purpose may be allowed by said orphans' court or any judge thereof as writs of fieri facias in said court are allowed and may be served out of the county in which the same may be issued but service on the party against whom such decree was made shall not be required if he be not found in said county

5 Writs of testatum fieri facias may be issued out of any orphans' court in the same manner that writs of execution in the nature of writs of fieri facias are allowed by this act and the sheriff or other officer to whom any such writ is directed shall proceed to levy and sell the personal property of the person or persons against whom the same shall be issued in the same manner in all respects as if such writ had issued out of a court of common pleas

(b) 1 Writs of attachment of the person and sequestration shall be directed to and executed by the sheriff or coroner as the case may require of the proper county

2 When any executor administrator guardian or trustee shall reside or move out of the county in which his appointment shall have taken place or shall not possess real or personal property in such county sufficient to satisfy any decree or order of the orphans' court of such county it shall be lawful for the orphans' court of such county to issue process to the county in which such executor administrator guardian or trustee may be or in which he may have real or personal estate amenable to such process and such process shall be executed by the sheriff or coroner as the case may require of the county in which such executor administrator guardian or trustee may be or may possess real or personal estate as aforesaid

3 Writs of sequestration shall be in the following form The Commonwealth of Pennsylvania To the sheriff of the county of greeting Whereas A B (here set out the decree or so much thereof as is material to explain the duty to be performed) Therefore we command you that you do at proper and convenient hours in the day time go to and enter upon all the messauges lands tenements and real estates of the said A B and that you do collect take and get into your hands not only the rents issues and profits of all his said real estates but also all his goods chattels and personal estate and detain and keep the same under sequestration in your hands and also that you attach all stocks held by him in incorporated companies and keep the same under attachment until our said orphans' court shall make other order to the contrary and you are to return with this writ an inventory or schedule of the property you have requestered or attached and a certificate under your hand of the manner in which you shall have executed this writ to our said court on the day of next

Witness et cetera

4 A sequestration shall not abate by the death of the complainant or respondent

5 It shall be the duty of the sheriff or the coroner as the case may be immediately after receiving any such writ of sequestration to file a copy thereof in the office of the prothonotary of the court of common pleas of the same county who shall forthwith enter the substance thereof on his docket with the names of the parties and index the same in the judgment index and the entry thereof shall thenceforth operate to charge the real estate of the respondent according to the form and effect of such writ and shall bind the same in the hands of all pur-

chasers and mortgagees subsequently to such entry without other notice Provided that if such sequestration shall be dissolved by the order of the orphans' court the respondent or any person interested in such real estate may have a certificate of the same from the clerk of the said court which it shall be the duty of such clerk to furnish on application and which being entered on the docket of said court of common pleas shall have the effect of a satisfaction of such lien

6 When proof shall be made on oath or affirmation to the satisfaction of the court or to any judge thereof at the time of filing the petition as aforesaid that the respondent has absconded or is about to abscond or depart from his usual place of abode to the prejudice of the complainant it shall be lawful for the court or for such judge to allow the issuing of a writ of attachment of the person or a writ of sequestration or both in the first instance against such respondent and on the return thereof the like proceedings may be had as are authorized on the return of a citation

7 If such attachment of the person or sequestration issued in the first instance be executed the court or any judge thereof may dissolve the same on the respondent giving security to the satisfaction of the court or of such judge to appear on a day certain to answer to the petition and to abide the orders and decrees of the court in the premises

8 Any person attached as for contempt in refusing to obey an order or decree of the orphans' court whether for the payment of money or in any other case may be discharged from custody by said court or his complying with the order or decree of the court or paying the money for which such order or decree has been made or upon his purging himself of contempt to the satisfaction of the court by whose order he was attached

9 When proof shall be made on oath or affirmation to the satisfaction of the court or of any judge thereof at the time of presenting a petition or at any stage of the cause that the party therein named has in his possession trust property or effects which he is wasting or otherwise disposing of contrary to his duty and the trust or that he is about to abscond and to carry such trust property or effects out of the jurisdiction of the court it shall be lawful for the court or such judge to award a writ in the name of the Commonwealth to the sheriff or coroner as the case may require of the proper county returnable on a day certain commanding him to take possession of all such trust property and effects specified in such writ and to hold the same subject to the order of the court and also to attach all debts due to such trust whether by bond mortgage or otherwise and all stocks in incorporated companies and serve a copy of such writ upon each debtor and upon each company in which stock may be held belonging to the trust as aforesaid Provided That before the execution of such writ the sheriff or coroner as the case may be may require of the party at whose instance such writ may have been issued sufficient security to indemnify him against any damages arising from the execution thereof And Provided Also That if the party against whom such writ may issue shall give sufficient security to such sheriff or coroner that the trust property or effects specified in such writ shall be forthcoming at the return thereof then such sheriff or coroner shall not execute the same but shall make return of the facts to the court

10 The like proceedings may be had where the court has made a final order and decree for the delivery of the trust property and effects by the respondent to any person who may be designated by law or by the order of the court to receive them

11 On the return of such writ the court may make such order respecting the disposition of such trust property and effects as may be necessary and proper according to the principles of justice and equity

12 When a decree shall have been made against any party who shall not have appeared according to the requisitions of the citation and a sequestration shall have issued against the real or personal estate of such party the court may order the decree to be satisfied out of the estate and effects sequestered Provided That such order shall not be carried into execution until the complainant shall have given security to the satisfaction of the court to abide the order of the court touching the restitution of what he may have received in case the respondent shall appear and be admitted to defend the suit but if such security shall not be given the estate and effects sequestered or the proceeds thereof shall remain subject to the direction of the court to abide its further order

13 If the party against whom such decree shall have been made or his representatives shall within one year after personal notice of such decree and within five years after the entry thereof when no such notice shall have been given present a petition to the same court praying to be admitted to be heard and shall pay such costs as the court shall adjudge the party so petitioning shall be admitted to a defense and the case shall then proceed in like manner as if such party had appeared in due season and no decree had been made

14 If such party or his representatives shall not within such period present a petition as aforesaid the court may make such final order and decree both in respect to any estate or effects that may have been sequestered and in respect to the matters in controversy in the case as may be according to justice and equity and may if necessary award a writ in the nature of a fieri facias in the manner hereinbefore provided as in the case where the party appears

(c) Each of the orphans' courts shall have power to award process to levy and recover such fines forfeitures and amercements as shall be imposed taxed or adjudged by them respectively

(d) Writs of fieri facias shall be directed to and executed by the sheriff or coroner as the case may require of the proper county and the proceedings thereon shall be the same as on writs of fieri facias against personal property issued by the court of common pleas of the same county

(e) 1 It shall be the duty of the prothonotaries of the courts of common pleas to file and docket whenever the same shall be furnished by any parties interested certified transcripts of any definite orders of the orphans' court of the same or any other county upon parties other than fiduciaries to pay certain sums of money which transcripts so filed shall constitute judgments which shall be liens against the real estate of the persons ordered to pay from the time of such entry until payment distribution or satisfaction Executions may be issued thereon out of said court of common pleas against the real estate only of such persons by any party or parties interested for the recovery of so much as may be due to them respectively The liens of such judgments shall cease at the expiration of five years from the time of the entry aforesaid unless revived by scire facias in the manner by law directed in the cases of judgments of the courts of common law

In case of an appeal from the orphans' court the judgment shall be for no more than the amount finally decreed by the appellate court to be due and it shall be the duty of the prothonotary of the common pleas on such decree of the appellate court being certified to him to enter on his docket the amount so found due and decreed by the appellate court If such amount be greater than that decreed by the orphans' court the judgment for such excess shall take effect only from the time of entering the decree of the appellate court but if the amount be reduced by the final decree of the appellate court the prothonotary shall reduce the amount originally entered on his judgment docket and index accordingly and such final decree upon appeal being certified and filed in said court of common pleas the said term of five years shall be counted from the time of such entry

2 When the person liable shall have fully paid and discharged the amount of such judgment the parties who have received payment shall acknowledge satisfaction thereof on the record of the court of common pleas In case of neglect or refusal so to do for the space of thirty days after request in writing and tender of all the costs the orphans' court on due proof to them made that the entire amount due from such person according to the order of the orphans court has been fully paid and discharged may make an order for his release from such recorded judgment which order being certified to the court of common pleas shall be entered on their records and shall operate as a full satisfaction and discharge of such judgment

Section 19 The fees to be taken by the sheriffs of each county for the services enjoined by this act shall be the same as those allowed for like services and for executing a writ of sequestration the same fees shall be allowed as upon a writ of foreign attachment together with reasonable costs and expenses according to the discretion of the court On all writs and process sent from another county no mileage shall be allowed except for the distance actually traveled but an allowance shall be made for the transmission of such writs and process to the clerk of the court from which they may have issued at the common rates of postage

Section 20 (a) Each of the orphans' courts of this Commonwealth is empowered to issue writs of subpoena under its official seal into any county of this Commonwealth to summon and bring before the respective court any person to give testimony in any cause or matter depending before it under the penalties that are or shall be appointed and allowed in any such case by the laws of this Commonwealth

(b) 1 In all proceedings begun by petition where an issue of fact is raised it shall be within the discretion of the orphans' court by general rule or by special order in the case to provide for the reference of the case to a master to take the testimony and report his findings and his recommendations as to a decree or to provide for the taking of depositions before a notary public or other official authorized to administer oaths and affirmations or to provide for the taking of testimony before a judge of said court The office of examiner in the orphans' court appointed merely for the purpose of taking testimony is hereby abolished except in the cases mentioned in paragraph three of this clause and except in cases where at the time of the approval of this act examiners have been appointed and are still in office

2 Every orphans' court of this Commonwealth shall have power to make rules regulating the taking of depositions of aged infirm and going witnesses and the issuance and execution of commissions to take testimony and letters rogatory

3 Where the testimony of any witness is desired to be read in evidence in any proceeding now or hereafter pending in any orphans' court of this Commonwealth and such witness resides in any other state territory or possession of the United States of America or in any foreign country the court may on the application of any party provide for the taking in such other state territory possession or foreign country of the testimony of such witness or witnesses orally before an examiner appointed by the court or before any person authorized by the laws of such other state territory possession or foreign country to administer oaths. In granting any such application the court may impose such terms as it shall deem proper as to the payment by the party applying therefor of the costs and expenses in-

volved including reasonable counsel fees and traveling expenses and may prescribe the notice to be given and the time within which such testimony shall be taken

(c) The orphans' court shall have power to compel the production of any books papers or other documents necessary to a just decision of the question before them or before an auditor or master

(d) Every orphans' court of this Commonwealth shall have the jurisdiction and powers of a court of chancery so far as relates to the perpetuation of testimony in all cases including cases of lost or destroyed records of such court whether such records were lost or destroyed before or after the passage of this act and the same proceedings orders decrees and judgment shall be had under this section mutatis mutandis as in cases now authorized by law and with the like effect and when proved such records shall have the same legal operation as the original records would have had Notice of any proceeding under this clause shall be given to all persons interested or their guardians or committees

(e) 1 On appeal from the decision of any register of wills or in proceedings removed from any register of wills by certification the orphans' court shall hear the testimony de novo unless all parties appearing in the proceeding shall agree that the case shall be heard on the testimony taken before such register Provided That in all cases the court shall have power to require the production before it for examination of witneses already examined or of any other witnesses

2 The testimony of all witnesses examined in any cause litigated before any orphans' court on appeal from any register of wills or on removal from any register of wills by certification shall be taken in writing and made a part of the proceedings therein upon which testimony the court having jurisdiction of such cause by appeal may affirm reverse alter or modify the decree of the orphans' court

Section 21 (a) The orphans' court shall have power to send an issue to the court of common pleas of the same county for the trial of facts by jury whenever they shall deem it expedient so to do

(b) Whenever a dispute upon a matter of fact arises before any orphans' court on appeal from any register of wills or on removal from any register of wills by certification the said court shall at the request of either party direct a precept for an issue to the court of common pleas of the county for the trial thereof which in the case of an issue devisavit vel non shall be substantially in the following form (L. S.) County ss The Commonwealth of Pennsylvania To the judges of the court of common pleas of the said county greeting Whereas A B on the day of in the year et cetera presented to G H our register of wills of said county for probate a certain writing hereto annexed purporting to have been made the day of in the year et cetera (or otherwise describing the paper in question) which said writing the said A B avers is the last will and testament of the said C D and whereas E D who is a son and heir of the said C D (or intermarried with F D who is a daughter and heir et cetera according to the fact) hath objected before our said register that the said writing was procured by duress and constraint (stating the matters of fact objected) and whereas our said register hath admitted (or refused to admit) said writing to probate as the last will and testament of the said C D and whereas the said E D hath appealed from the decree of our said register to our orphans' court for the said county (or as the case may be) and whereas the said E D (or A B) hath requested that an issue may be directed into our said court of common pleas to try by a jury the validity of the said writing and the matters of fact which may be objected thereto in our said court therefore we command you that you cause an action to be entered upon the records of our said court as of the day of the delivery of this our precept into the office of the prothonotary of our said court between the said A B and the said E D so that an issue therein may be formed upon the merits of the controversy between the said parties and tried in due course according to the practice of our said courts in actions commenced by writ and further that you cause all other persons who may be interested in the estate of the said C D as heirs relations or next of kin devisees legatees or executors to be warned so that they may come into our said court and become party to the said action if they shall see cause and that you certify the result of the trial so had in the premises into our said orphans' courts Attest I J President Judge of the Orphans' Court of the said county

Where the issue directed is other than an issue devisavit vel non the foregoing form shall be changed so far as necessary in accordance with the circumstances of the case

And the facts established by the verdict returned shall not be re-examined in any appeal

(c) 1 Before an issue shall be directed upon the distribution of money arising from any sale of real estate made under order of the orphans' court the applicant for such issue shall make affidavit that there are material facts in dispute therein and shall set forth the nature and character thereof upon which affidavit the court shall determine whether such issue shall be granted subject to appeal by such applicant if the issue be refused in like manner as in other cases in which such appeal is or may be allowed by law

2 Upon granting any such issue it shall be discretionary with the court upon the application of the party or parties appearing by the record prima facie entitled to the said fund to order the same to be invested pendente lite in investments allowed by law in the case of trustees

Section 22 (a) Any party aggrieved by the definitive sentence or decree of any orphans' court or his legal representatives may appeal therefrom to the proper appellate court within six months from the time of the pronouncing such final sentence or decree Provided That no appeal from any decree of such court concerning the validity of a will or the right to administer shall suspend the powers or prejudice the acts of any executor or administrator to whom letters have been granted and Provided further That no reversal or modification of any decree or proceedings of the orphans' court for the sale of real estate shall have the effect of divesting any estate or interest acquired under such decree or proceeding by persons not party thereto where the orphans' court had jurisdiction of the case

(b) The Supreme and Superior Courts of the Commonwealth shall in all cases of appeal from the definitive sentence or decree of the orphans' court hear try and determine the same as to right and justice may belong and decree according to the equity thereof and may refer the same to auditors when in their discretion they may think proper

Section 23 This act shall be known and may be cited as the Orphans' Court Act of 1917

Section 24 The following acts and parts of acts of assembly are repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause of such act

Sections one eight and nine of an act entitled "An Act for establishing orphans' courts" passed March twenty-seventh seventeen hundred and thirteen one Smith's Laws eighty-one absolutely

Sections five six and eighteen of an act entitled "An Act to establish the judicial courts of this Commonwealth in conformity to the alterations and amendments in the Constitution" passed April thirteenth seventeen hundred and ninety-one three Smith's Laws twenty-eight absolutely

Section twenty-four of an act entitled "An Act directing the descent of intestates' real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nineteenth seventeen hundred and ninty-four three Smith's Laws one hundred and forty-three absolutely

Sections forty forty-one and forty-two of an act entitled "An Act relating to registers and registers' courts" approved March fifteenth eighteen hundred and thirty-two Pamphlet Laws one hundred and thirty-five absolutely

Sections one to four inclusive fifty-two and fifty-five to sixty inclusive of an act entitled "An Act relating to orphans' courts" approved March twenty-ninth eighteen hundred and thirty-two Pamphlet Laws one hundred and ninety absolutely

Sections fifty-two to fifty-seven inclusive of an act entitled "An Act relative to the organization of the courts of justice" approved April fourteenth eighteen hundred and thirty-four Pamphlet Laws three hundred and forty-one absolutely

Section four of an act entitled "Supplement to the act passed the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts" approved April fourteenth eighteen hundred and thirty-five Pamphlet Laws two hundred and seventy-five absolutely

Section two of an act entitled "An Act supplementary to the various acts relating to orphans' and registers courts and executors and administrators and the act relating to the measurement of grain salt and coal" approved June sixteenth eighteen hundred and thirty-six Pamphlet Laws six hundred and eighty-two absolutely

Section nineteen of an act entitled "An Act relating to the jurisdictions and powers of courts" approved June sixteenth eighteen hundred and thirty-six Pamphlet Laws seven hundred and eighty-four absolutely and sections twenty-one and twenty-two of the same act insofar as they relate to the orphans' court

Section eight of an act entitled "An Act to confer upon the orphans' court of Lancaster County certain powers in relation to the real estate of John Lindemuth deceased and for other purposes" approved April fourth eighteen hundred and forty-three Pamphlet Laws one hundred and thirty-one insofar as it relates to the orphans' court

Sections two and three of an act entitled "An Act relative to lien creditors becoming purchasers at judicial sales and for other purposes" approved April twentieth eighteen hundred and forty-six Pamphlet Laws four hundred and eleven insofar as they relate to the orphans' court

Section two of an act entitled "A further supplement to an act entitled 'An Act relating to executions' passed the sixteenth day of June one thousand eight hundred and thirty-six" approved April twenty-first eighteen hundred and forty-six Pamphlet Laws four hundred thirty absolutely

Section eighteen of an act entitled "An Act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rent to trustees of married women to appeals from awards of arbitrators by corporations to hawkers and peddlers in the Counties of Butler and Union to the payment of costs in actions by informers in certain cases to taxing lands situate in different townships and in relation to fees of county treasurers of Lycoming Clinton and Schuylkill to provide for recording the accounts of executor administrators guardians and auditors' reports and to amend and alter existing laws relative to the administration of justice in this Commonwealth" which became a law April twenty-fifth eighteen hundred and fifty by reason of the Governor's failure to return it within ten days Pamphlet Laws five hundred and sixty-nine absolutely

Section one of an act entitled "An Act relating to official seals" approved March sixth one thousand eight hundred

and fifty-four Pamphlet Laws one hundred and fifty-five insofar as it relates to the orphans' court

An Act entitled "An Act relative to the perpetuation of testimony in cases of lost records" approved April first one thousand eight hundred and sixty-three Pamphlet Laws two hundred and five absolutely

Sections two three four and six to ten inclusive of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth one thousand eight hundred and seventy-four Pamphlet Laws two hundred and six absolutely

An Act entitled "An Act authorizing the holding of orphans' courts by other than the regularly commissioned judges in certain cases" approved March fourth one thousand eight hundred and seventy-five Pamphlet Laws five absolutely

An Act entitled "An Act relating to orphans' courts" approved March eighteenth one thousand eight hundred and seventy-five Pamphlet Laws twenty-nine absolutely

An Act entitled "An Act authorizing the president or additional law judges of the courts of common pleas to hold courts of quarter sessions and oyer and terminer and orphans' courts in certain cases" approved April seventh one thousand eight hundred and seventy-six Pamphlet Laws nineteen insofar as it relates to the orphans' court

An Act entitled "An Act to provide for the appointment of a president judge of the separate orphans' courts and to provide for the commission thereof" approved May twenty-fourth one thousand eight hundred and seventy-eight Pamphlet Laws one hundred and thirty-one absolutely

An Act entitled "An Act to regulate the compensation of auditors and commissioners" approved June fourth one thousand eight hundred and seventy-nine Pamphlet Laws eighty-four insofar as it relates to auditors and commissioners appointed by the orphans' court

An Act entitled "An Act to amend section three of the act of Assembly of May nineteenth one thousand eight hundred and seventy-four entitled 'An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for the counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof fixing the salaries of judges of separate orphans' courts' " approved June thirteenth one thousand eight hundred and eighty-three Pamphlet Laws ninety-one absolutely

An Act entitled "An Act relative to the transfer of orders and decrees for the payment of money for the purpose of lien and execution into other counties than those where they were originally rendered" approved June fifth one thousand eight hundred and eighty-five Pamphlet Laws seventy-eight insofar as it relates to orders and decrees of the orphans' court

An Act entitled "An Act relative to the granting of citations and rules to show cause by the courts of this Commonwealth" approved May seventh one thousand eight hundred and eighty-nine Pamphlet Laws one hundred and two insofar as it relates to the orphans' court

An Act entitled "An Act requiring all public records within this Commonwealth to be kept in the English language" approved May thirty-first one thousand eight hundred and ninety-three Pamphlet Laws one hundred and eighty-eight insofar as it relates to papers filed or recorded in the orphans' court or the office of the clerk thereof

An act entitled "An Act to authorize the judges of separate orphans courts to hear and determine proceedings in equity at the request of the judges of the common pleas" approved April eighteenth one thousand nine hundred and five Pamphlet Laws two hundred and eight absolutely

An act entitled "An Act authorizing the parties in interest or their counsel to select auditors and masters needed in judicial proceedings except in divorce cases" approved April first one thousand nine hundred and nine Pamphlet Laws ninety-five in so far as it relates to proceedings in the orphans' court

An act entitled "An Act to provide for the taking of testimony to be used in any of the civil courts of record in this Commonwealth of witnesses residing in any other state or in any foreign country" approved June eighth one thousand nine hundred and eleven Pamphlet Laws seven hundred and nine in so far as it relates to the orphans' court

An act entitled "An Act to authorize the judges of separate orphans' court at the request of the judges of the common pleas to hear and determine all issues in the court of common pleas courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace" approved July nineteenth one thousand nine hundred and thirteen Pamphlet Laws eight hundred and forty-four absolutely

An act entitled "An Act to authorize the judges of the courts of common pleas of judicial districts having separate orphans' courts to hear and determine all matters in such courts at the request of the judges thereof" approved April twenty-first one thousand nine hundred and fifteen Pamphlet Laws one hundred and fifty-six absolutely

All other acts of Assembly or parts thereof that are in any way in conflict with this act or any part thereof are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1043 (House Bill No. 1271), as follows:

An Act relating to the jurisdiction powers and procedure of the orphans' court and the court of common pleas as to sales mortgages conveyances on ground rent leases extinguishment of ground rents partition exchange squaring and adjusting of lines between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the subdivision of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of such as have not been accepted by the public authorities where the court shall be of opinion that such decree will be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may not have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the state have died refuse to act unreasonably withhold consent or the absent and unheard of where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decrees

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the orphans' court in all cases where real estate or a groundrent issuing thereout shall be or shall have been acquired by descent or last will partly by deed and partly by descent or last will or by purchase by a trustee executor or guardian and in all other cases the court of common pleas of each county of this Commonwealth shall have jurisdiction with respect to real estate situate within the county and in the cases hereinafter specified to authorize or confirm

(a) The sale mortgaging conveying on groundrent and leasing thereof or the extinguishment or assignment of groundrents issuing thereout

(b) The amicable partition and exchange thereof

(c) The squaring and adjusting of lines between adjoining owners

(d) The consolidation and combination of mining lands with other adjoining mining lands so that they shall form one tract and the leasing thereof in such manner that the several persons interested therein shall be seised of undivided interests in the whole proportionate to their several undivided interests before such combination and consolidation the rents or royalties received under the lease to be apportioned among them in like proportions

(e) The joining by owners of undivided interest in making and taking conveyances in order to change in part or in whole the route or location of any right of way or passage existing over and upon adjoining or other lands

(f) The subdivision of the premises so as to command the highest price or greatest rents and for such purpose where the premises shall admit of or require it the laying out and dedication of roads streets and alleys or the vacating of such as shall not have been paid for or received into actual use by the public if found to be inconvenient and to make an unprofitable division of the property

Provided That such court shall be of the opinion that such decree will be to the interest and advantage of all those interested therein and without prejudice to any trust charity or purpose for which the real estate or ground rent shall be held and without the violation of any law which may confer an immunity or exemption from sale or alienation

Section 2 The several courts aforesaid shall exercise the jurisdiction conferred by section one of this act in all cases

(a) Where the legal title is held (One) By minors lunatics or habitual drunkards so duly found by inquisition or by weak-minded persons for whom guardians have been appointed (Two) By a married woman or married man whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years (Three) By corporations of any kind having no capacity to convey or by any unincorporated association (Four) By any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or now or hereafter prescribed by law (Five) By a corporation of any kind or individual or individuals and is subject to a trust of any description whatever (Six) By any person who may have been absent and unheard from for seven years under those circumstances from which the law would presume his or her decease (Seven) Or any interest therein is held by any person under legal disability to dispose thereof

(b) Where the legal title is an estate tail or is subject to contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained at the time of the entry of the decree

(c) In all cases where estates shall have been devised or granted for special or limited purposes

(d) Where there is a power of sale but (One) the time may not have arrived for its exercise (Two) any preliminary act may not have been done to bring it into exercise (Three) the time limited for its exercise may have expired (4) any one or more persons required to consent or join in its exercise may be a minor non compos mentis removed out of the State have died refuse to act unreasonably withhold consent or be absent and unheard of

(e) Where there has been or shall be a defective appointment in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance of real estate

(f) Where a trust has been created and no power conferred on the trustee to do any of the acts which the court is empowered to authorize or confirm under the provisions of section one hereof

Such jurisdiction may be exercised whether the ownership or interest in real estate be held in severalty joint tenancy or tenancy in common or by husband and wife as tenants by entireties

Section 3 Nothing herein contained shall be taken to repeal or impair the authority of any Act of Assembly general or private authorizing the sale of real estate by decree of court or otherwise nor to affect or impair any rights or powers otherwise existing in any person or corporation to do any of the acts which the court is empowered to authorize or confirm under the provisions of section one of this act

Section 4 All jurisdiction conferred by this act on the orphans' court or the court of common pleas shall be exercised on the petition of any party in interest supported by oath or affirmation and if all proper parties shall not voluntarily appear as petitioners or respondents the court shall fix a day for them to appear and cause a citation to be served on all persons in being who shall not have appeared and who shall have any present or expectant interest in the premises warning them to appear and that they shall be heard on the day designated and for those who cannot otherwise be served cause advertisement to be made in manner most likely to afford notice and service made in any part of the United States and the territories and possessions thereof or elsewhere with oath or affirmation of the fact taken before any judge or justice of the peace or notary public or any person authorized by the laws of the United States to take oaths or affirmations in foreign countries and filed of record shall be good service Service having been made as aforesaid the court shall on the day fixed make such decree as shall be proper in the premises Guardians shall be notified and appear for their wards and if minors have no guardian the court may appoint one for them in the manner now or hereafter prescribed by law for the appointment of guardians and such appointment may be made on the petition of any party interested with notice to the persons who shall by law be charged with the duty of petitioning for the appointment of a guardian Committees and guardians shall be notified and appear for lunatics habitual drunkards and weak-minded persons and in each of such cases notice shall be given to the next of kin Trustees shall be notified and appear for the cestuis que trust provided that cestuis que trust of age and sound mind having vested interests or interests subject to a condition precedent shall also be notified and all cestius que trust not in being or unascertained shall be represented by the trustees aforesaid

Section 5 In all cases where under the provisions of this act sales mortgages leases or conveyances on ground rent shall be authorized or directed the same shall be made by executors administrators guardians trustees committees or owners having a present vested interest or trustees appointed for the purpose as the court may order

Section 6 Where lands and tenements are held by will or otherwise for life or pur autre vie by any person or persons with remainder to any minor or minors and it shall appear to the court of the proper county that it would be to the interests of such minor or minors that the same should be sold in every such case upon the application of the tenant or tenants for life or pur autre vie as the case may be the said court shall appoint a trustee to make sale of said lands and the said trustee shall receive and hold the proceeds of such sale in trust for the parties in interest therein and shall invest the same in investments authorized by law and shall pay the interest thereof as it shall accrue to the tenants for life or pur autre vie until the estate for life or pur autre vie shall have terminated and shall then pay over the principal sum to the person or persons entitled to such remainder

Section 7 Every such decree made by the court shall have the effect as to the title authorized to be transferred (a) of a common recovery to bar an estate tail or a remainder whether contingent or to a class (b) of barring executory devises (c) Of defeating the right of the Commonwealth to forfeit real estate that may have been held by or for any corporation in excess of the amount now or hereafter duly authorized by law only however in the case where no proceedings to procure a forfeiture shall have been commenced before the filing of the petition (d) Of discharging the lien of decedents debts not of record In all cases where the proceedings shall be for the purpose of freeing the title of any of the limitations or defeasibility described in this section that purpose shall be set forth in the petition in addition to the explanation of the title

Section 8 The title transferred in pursuance of any such decree of the court shall be such as is authorized in the decree which title shall be indefeasible by any person ascertained or unascertained or any class of persons mentioned in the petition or decree and having a present or expectant interest in the premises and shall be unprejudiced by any error in the proceedings of the court and where security shall be entered in accordance with the provisions hereof no party who shall pay over money in pursuance of the decree of the court shall be liable to see to the application thereof or be in any manner liable for or affected by any lien of debts of a decedent not of record or by any trust limitation of or defects in the title set out in the petition or decree in pursuance of which the money is paid over

Section 9 In all cases where the court shall authorize or confirm the making of a mortgage in any of the cases provided for in this act the title shall upon the mortgage being duly paid and satisfied of record revert to its former condition except that nothing herein contained shall operate to extend the lien of the debts of a decedent not of record beyond the time now or hereafter allowed by law and upon legal proceedings being brought upon the mortgage or bond accompanying the same as may now or hereafter be provided by law and the title being sold at sheriffs sale in pursuance of such proceed-

ings the surplus proceeds of the sale if any after paying the mortgage with interest and all costs and liens which may by law be payable out of the fund shall be paid over to the party who made the mortgage or such other person as the court may direct or appoint for that purpose to be held by him as part of the mortgage money and subject to the same liens or limitations provided that the sheriff shall not pay over any such sum until such additional bond shall be filed as the orphans court may require under the circumstances of the case

Section 10 The purchase money mortgage money ground or other rents reserved or the title received in the case of an exchange or partition for the title subject to a lien or limitation shall be held for and applied to the use and benefit of the same persons and for the same interests legal or equitable present or future vested contingent or executory as the title so sold mortgaged conveyed on ground rent let partitioned or exchanged had been subject or held excepting only the case of an estate tail or the title of a corporation subject to forfeiture which in each case shall by the proceedings without the necessity of a bond being filed by either the corporation or the tenant in tail be converted into an absolute estate in fee simple and all remainders whether contingent or to a class executory devises and debts of a decedent not of record shall be transferred to the fund or title raised by the proceedings in pursuance of the decree as to which fund or title they shall take effect in like manner as they would have taken effect as to the title transferred under the decree The court shall make such order or orders from time to time as to the distribution or investment of such funds as may be requisite to protect the interest of all persons who are or may become entitled thereto or to any part thereof In every case of a sale mortgage lease or conveyance on ground rent under the provisions hereof the purchase money mortgage money ground rent or other rents reserved shall nevertheless have and retain the quality of real estate as respects the devolution under the intestate laws of the interest of any infant lunatic or person non compos mentis as whose property the land was sold mortgaged leased or conveyed on ground rent The court having jurisdiction may direct the application of such proceeds or part thereof for the maintenance and education of minor parties whose personal estate shall be insufficient for such purposes or generally for the maintenance and education of parties having the like interests vested or expectant provided such moneys can be equally and equitably so applied and without diminution of the capital that may of right become the property of parties having unbarred interests or title in remainder or by executory devise

Section 11 No principal moneys raised by sale or mortgage as aforesaid shall be expended for any other purpose than for the payment of liens upon or the improvement of the same real estate when mortgaged or other real estate when held for the same uses and persons except as provided in section ten of this act and it shall be the duty of the court to decree the proper application of all purchase moneys and rents with the aid of an auditor when deemed necessary to the discharge of liens and to parties interested as and when they may be entitled

Section 12 In all cases where an application shall be made to the court for a decree authorized under any of the provisions of this act the court may appoint a suitable person as master to investigate the facts of the case and to report upon the expediency of granting the application and in cases where authority is asked to make a sale or mortgage upon the amount to be raised thereby and upon such report being made the court may decree accordingly

Section 13 In all cases where the carrying out of any decree of the court under the provisions of this act shall involve the receipt of money by the person carrying it out the court shall direct the person acting under the decree to file a bond to the Commonwealth in a sufficient amount conditioned for the proper application of all moneys to be received which bond shall inure to the benefit of all parties interested and be executed by two individual sureties or by one corporate surety approved by the court and before any such decree shall be executed such bond with sureties as may be required shall be filed Provided That where a corporation duly authorized by law shall be designated to carry out any such decree the court may in lieu of security as aforesaid permit such corporation to enter its own bond without surety

Section 14 Whenever by the provisions of this act it shall be lawful for the court to order the public sale of real estate public notice of such sale shall be given by the person who is to make the sale once a week for a period of three weeks before the day appointed therefor by advertisement in the legal periodical if any designated by rule of court for the publication of legal notices and in at least one newspaper published in the county if there be one or if there be none then in an adjoining county and in all cases notice shall also be given by handbills one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such estate

Section 15 Whenever under the provisions of this act the court has power to authorize or confirm a sale of real estate the same may be made upon such terms as the court shall approve all unpaid purchase money to be secured on the premises by mortgage

Section 16 All deeds mortgages or leases executed in pursuance of any decree of the court under the provisions of this act may be acknowledge before any officer or person now or hereafter authorized by the laws of this Commonwealth to take the acknowledgment of deeds and other instruments of writing to be recorded therein

Section 17 (a) In all cases where the sale of real estate shall be made by an executor administrator guardian or trustee under an order of or confirmed by the court or where the making of a mortgage by such fiduciary shall be authorized by said court and the letters testamentary or of administration shall be revoked or the executor administrator guardian or trustee shall be removed or shall die or become insane or otherwise be incapable before a conveyance is made to the purchaser or before a mortgage is executed and delivered it shall be lawful for the successor of such executor administrator guardian or trustee having first given security to be approved by said court for the faithful appropriation of the proceeds of such sale to execute and deliver to the purchased a deed of conveyance for the estate so sold on the purchaser's full compliance with the terms and conditions of sale or to execute and deliver said mortgage If there shall be no successor who shall have given security as aforesaid the said court shall have power on petition of the purchaser to direct the clerk of the court to execute and deliver to the purchased the necessary deed of conveyance on his full compliance with the terms and conditions of sale paying into court the moneys payable and executing and delivering to the clerk any bond and mortgage required by the said terms and conditions which moneys and bond and mortgage shall remain subject to the disposition of the court or where the making of a mortgage by a fiduciary shall be authorized by said court the court under the circumstances aforesaid shall have power to direct the clerk of the court to execute and deliver such mortgage The like proceedings may be had where an executor administrator guardian or trustee shall neglect or refuse to execute and deliver such deed or mortgage for the space of thirty days after due notice of an order of the court requiring him to execute and deliver the same

(b) In all cases where the sale of real estate shall be made by co-executors co-administrators co-guardians or co-trustees under an order of or confirmed by the court or where the making of a mortgage by such co-fiduciaries shall be authorized by said court and if one or more of such co-fiduciaries shall be removed or shall die or become insane or otherwise be incapable before a conveyance is made to the purchaser or before such mortgage is executed and delivered said court may upon the facts being made to appear by petition duly verified authorize the surviving or remaining fiduciary or fiduciaries to execute and deliver to the purchaser a deed of conveyance for the real estate so sold on the purchasers full compliance with the terms and conditions of sale or to execute and deliver such mortgage

(c) Where authority is or shall be given by decree of any court to executors administrators guardians or trustees to sell real estate and any of such executors administrators guardians or trustees shall have died been removed become insane or otherwise incapable or cease to act before a sale is effected in all such cases said court may upon the facts being made to appear by petition duly verified authorize the surviving or remaining fiduciary or fiduciaries to effect such sales with as full effect in all particulars as if effected or executed by the executors administrators guardians or trustees in office at the time the sale was originally decreed

(d) Every sale made and every deed or mortgage executed and deliver in pursuance of and agreeably to the provisions of this section shall vest the property therein described in the grantee or mortgagee as fully and effectually as if the same had been made executed and delivered by all the fiduciaries to whom the authority to sell or mortgage was originally given

(e) In all cases of sales or mortgages under the order of or confirmed by the court the title of the purchaser or mortgagee shall not be affected by the subsequent revocation of the letters testamentary or of administration of the executor or administrator making such sale or mortgage or by the subsequent removal of the executor administrator guardian or trustee making such sale or mortgage

(f) Whenever in pursuance of proceedings in the court of any county any person therein described as a trustee guardian executor administrator or as standing in any other fiduciary relation to the parties interested shall grant and convey or mortgage any real estate in which proceedings security shall be duly entered by him or her under the order or decree of the court no irregularity or defect in his or her original appointment or the absence of any proper qualification in respect thereto shall affect the title of the grantee purchaser or mortgagee or the liability of the sureties but the same shall be as valid in all respects as if such irregularity or defect had not existed

Section 18 Whenever any court having jurisdiction under this act to decree a sale or mortgage of real state shall issue its order to any executor administrator guardian or trustee specially appointed for the purpose or otherwise to sell or mortgage such real estate and shall in any case within its jurisdiction give authority to any executor administrator guardian or trustee to bid at such sale and shall confirm the sale to such fiduciary or shall authorize the making of such mortgage to any executor administrator guardian or trustee the said court may make an order directing its clerk to execute a deed or mortgage as the case may be for said real estate to such purchaser or moragagee who shall give security and shall account for the amount of said purchase money or mortgage money in the settlement of his accounts to said court

Section 19 (a) In all proceedings under the provisions of this act where the real estate shall lie wholly within one county the petition shall be presented only in the court of that county

(b) When an application shall be made under the provisions of this act for the sale mortgaging leasing or other proceedings relating to real estate through which real estate the line dividing two or more counties runs the court of the county in which the mansion house is situated or if there be no mansion house the court of the county where the principal improvements may be or if there be no improvements the court of either county may exercise jurisdiction as to the whole of such real estate irrespective of the county line and any such sale mortgaging leasing or other decree relating to real estate shall be as effectual as if the whole of such real estate had been within the county whereof said court has jurisdiction Notices of said proceedings as required by this act shall be given in all the counties in which the land is situated and a certified copy of all proceedings shall be filed in the proper court of each county in which said land is situated Any mortgage taken to secure the purchase money or any part thereof shall be duly recorded in each of the counties in which said lands lie as required by law

Section 20 (a) The courts of the several counties of this Commonwealth in all cases where under the provisions of this act such courts have power to order the sale of real estate may authorize or direct a private sale if in the opinion of the court under all the circumstances a better price can be obtained at private than at public sale as where the interest shall be undivided or for any other sufficient cause

(b) Any party interested as heir devisee or intending purchaser or any legatee whose legacy is by the express terms of the will or by law charged on such real estate may appear and object to such private sale on account of the insufficiency of the price and if such objection be sustained may offer to give or pay a substantial increase for such property and the court at its discretion may thereupon authorize or direct such sale or refuse to authorize or direct the same and accept any substantially increased offer and may authorize the sale of such property to such new bidder upon compliance with the conditions of sale and giving such security as shall be directed by the court or such party interested or legatee may appear as aforesaid and object to such sale on any legal or equitable grounds Provided That nothing herein contained shall be construed to affect the existing law with respect to objections to public sales

Section 21 All public sales of real estate under the provisions of this act shall be subject to confirmation by said court but in the case of private sales authorized or directed under the provisions of this act no return or confirmation shall be necessary

Section 22 All public sales of real estate under the provisions of this act shall have the effect of judicial sales as to the discharge of liens upon the real estate so sold but private sales shall not discharge the liens of debts of record

Section 23 Whenever a public or private sale of real estate shall be authorized directed or confirmed by any court under the provisions of this act the person or persons purchasing the real estate so sold and taking title in pursuance of the decree of the court shall take such title free and discharge of any obligation to see to the application of the purchase money

Section 24 In all cases and proceedings under this act appeals may be taken to the proper appellate court from the orphans' court as now provided by law in other cases and from the court of common pleas as provided in equity cases Provided That if any decree be carried into execution before the appeal be perfected and written notice thereof given to any vendee mortgagee or lessee any reversal thereof shall not affect the right or title of such vendee mortgagee or lessee but the purchase or mortgage moneys or rents shall stand in lieu of the premises sold or mortgaged or leased so far as thus encumbered Provided further That before any decree be carried into effect to afford such indemnity twenty-one days be allowed from its entry to take and perfect such appeal

Section 25 This act shall be known and may be cited as the Revised Price Act of 1917

Section 26 The following acts and parts of acts of Assembly are repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause of such act

Section ten of an act entitled "An act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned" approved April seventh one thousand eight hundred and seven (Pamphlet Laws one hundred fifty-five) absolutely

Section two of an act entitled "A supplement to the intestate law of this Commonwealth" approved April eighth one thousand eight hundred twenty-six (Pamphlet Laws two hundred fifty-five) absolutely

Section one of an act entitled "An act supplementary to the various acts relating to orphans' and registers' courts and executors and administrators and the act relating to the measurement of grain salt and coal" approved June sixteenth one thousand eight hundred thirty-six (Pamphlet Laws six hundred eighty-two) absolutely

Section two of an act entitled "A supplement to an act entitled 'An act relating to orphans' courts' approved the twenty-ninth of March one thousand eight hundred and thirty-two" approved March sixteenth one thousand eight hundred and forty-seven (Pamphlet Laws four hundred seventy-four) absolutely

Sections one to five inclusive of an act entitled "An act supplementary to an act passed the twenty-ninth day of March one thousand eight hundred and thirty-two entitled 'An act relating to orphans' courts' and relating to contracts of decedents and escheats in certain cases and relative to the district court of the city and county of Philadelphia and to registers of wills" approved April third one thousand eight hundred and fifty-one (Pamphlet Laws three hundred and five) absolutely

Sections one to eight inclusive and section ten of an act entitled "An act relating to the sale and conveyance of real estate" approved April eighteenth one thousand eight hundred and fifty-three (Pamphlet Laws five hundred and three) absolutely

Sections one and three of an act entitled "A supplement to an act entitled 'An act relating to the sale and conveyance of real estate'" approved April thirteenth one thousand eight hundred and fifty-four (Pamphlet Laws three hundred and sixty-eight) absolutely

Section five of an act entitled "An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate" approved April twenty-seventh one thousand eight hundred and fifty-five (Pamphlet Laws three hundred and sixty-eight) absolutely

An act entitled "A further supplement to the act entitled 'An act relating to the sale and conveyance of real estate passed the eighteenth day of April one thousand eight hundred and fifty-three' approved April first eighteen sixty-three (Pamphlet Laws one eighty-seven) absolutely

An act entitled "Supplement to an act entitled 'An act relating to the sale and conveyance of real estate' approved the eighteenth day of April Anno Domini one thousand eight hundred and fifty-three" approved April eighteenth one thousand eight hundred and sixty-four (Pamphlet Laws four hundred and sixty-two) absolutely

An act entitled "A supplement to an act relating to the sale and conveyance of real estate approved the eighteenth day of April one thousand eight hundred and fifty-three" approved April seventeenth one thousand eight hundred and sixty-six (Pamphlet Laws one hundred and eight) absolutely

Sections one and two of an act entitled "An act relating to judicial sales and the preservation of the lien of moregages" approved March twenty-third one thousand eight hundred and sixty-seven (Pamphlet Laws forty-three) absolutely

An act entitled "A further supplement to an act entitled 'An act relating to the sale and conveyance of real estate' approved the eighteenth day of April Anno Domini one thousand eight hundred and fifty-three authorizing the courts to decree the leasing and combination of lands for mining purposes" approved June eighth one thousand eight hundred and seventy-four (Pamphlet Laws two hundred and seventy-seven) absolutely

Section one of an act entitled "An Act to amend the second section of an act entitled 'An Act relative to the sale and conveyance of real estate' approved the eighteenth day of April one thousand eight hundred and fifty-three extending the provisions thereof to real estate upon which are limited vested remainders which are liable to open and let in after born children and validating sales of real estate heretofore made by proceedings under said act of lands and tenements subject to such remainders" approved June fourteenth one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and forty-four) absolutely

Sections one and two of an act entitled "An act authorizing the several orphans' courts of this Commonwealth to decree the sale mortgaging leasing or conveyance upon ground-rent of lands devised or held with remainder to a class of persons some or all of whom are unborn and to validate certain sales and conveyances heretofore made by decree of court in such cases" approved June fifteenth one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and fifty-nine) absolutely

An act entitled "An act amending an act approved April seventeenth one thousand eight hundred and sixty-six entitled 'A supplement to an act relating to the sale and conveyance of real estate' approved the eighteenth day of April one thousand eight hundred and fifty-three providing that deeds may be acknowledged before any justice of the peace notary public or other officer having authority to take acknowledgement of deeds or other instruments of writing" approved April twenty-second one thousand nine hundred and three (Pamphlet Laws two hundred and forty-one) absolutely

An act entitled "An act relating to acknowledgements of deeds authorizing county treasurers county commissioners sheriffs executors administrators trustees or other persons acting in an official or representative capacity where now required or authorized to make acknowledgement of deeds or other instruments before justices of the peace to make acknowledgements of deeds and other instruments before a notary public or any officer authorized by law to take acknowledgements of deeds and validating all such acknowledgements heretofore made before other officers than justices of the peace" approved April twenty-third one thousand nine hundred and nine (Pamphlet Laws one hundred and fifty-six) in so far as it relates to acknowledgements of deeds or other instruments made in pursuance of decrees entered under the provisions of this act

An act entitled "An act authorizing the several orphans' courts to empower guardians of the estates of minors to join with the cotenants of said minors in effecting amicable partition of lands held in common" approved May twenty-third one thousand nine hundred and thirteen (Pamphlet Laws three hundred and forty-five) absolutely

An act entitled "A supplement to an act approved the eighteenth day of April one thousand eight hundred fifty-three entitled 'An act relating to the sale and conveyance of real estate" approved May twenty-eighth one thousand nine hundred and fifteen (Pamphlet Laws six hundred and thirty-five) absolutely

All other acts of Assembly or parts thereof that are in any way in conflict with this act or any part thereof are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1082, as follows:

An Act providing a means of relief and assistance to the famlies of soldiers resident in the respective counties of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the president judge in all single county districts of the courts of common pleas and in double districts of a judge of the court of common pleas and the county commissioners of the several counties of this Commonwealth shall constitute a board of relief therein to meet monthly or as often as they find it necessary at the office of the county commissioners and upon reasonable claim or suggestion furnish such amount of support or relief in each individual case as the board may deem proper and equitable for the families of persons resident in their respective counties in any degree dependent upon soldiers either volunters or otherwise as are enrolled and mustered into service from the respective counties under either orders from the Governor of the Commonwealth or by authority of the Government of the United States during the war with Germany the claims or suggestions for such relief to be made in writing setting forth the facts of the case with such proofs and verifications as the board may require such claim to be filed in the office of the respective counties with such evidence of the necessity for relief as may be required by a general order of such board payments ordered for relief on such claims to be made by orders drawn in the usual form with an endorsement on the back of each "Issued by the Board of Relief" which endorsement shall be signed by one of the members of the board and all the orders and vouchers issued and paid on such claims shall be duly audited by the county auditors or other authorities and published in the annual statement of the public expenditures of the respective counties And if it shall be found requisite by the commissioners of any county of the Commonwealth they are hereby authorized and empowered to make a temporary loan or loans at a rate of interest not exceeding to legal rate to carry into effect the measures of relief provided by this act

Section 2 That it shall be lawful for the county commissioners or the proper authorities of any county to levy taxes therein if necessary for the payment of such appropriations as may have been or hereafter be made by the proper authorities in the respective countis for the relief of the families of soldiers from the respective counties which may have been received and mustered into the service of the United States in the exigency of the country in the war with Germany and such assessment and levy of taxes in any county for the purpose aforesaid in any one year shall not exceed two and one-half mills upon the dollar on the taxable property of such county and it shal be lawful for the reief board of any county to receive and accept contributions and donations from any source to the reief fund and appropriate the same on any application for relief together with the public fund existing for the relief purpose aforesaid

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1084 (House Bill No. 1274), entitled

An Act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1085 (House Bill No. 1272), entitled

An Act relating to the form execution revocation and interpretation of wills to noncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1086 (House Bill No. 1273), entitled

An Act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs therefor the effects of their acts and appeals therefrom

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1087 (House Bill No. 1275), as follows:

An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiducaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiducaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiducaries refunding bonds transcripts to the court of common pleas of balances due by fiducaries the rights powers and liabilities of non-resident and foreign fiducaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents

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Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That as used in this act the term "fiduciary" shall include executors administrators guardians and trustees whether domiciliary or ancillary subject to the jurisdiction of the orphans' court of any county of this Commonwealth

Section 2 (a) Letters testamentary and of administration shall be grantable only by the register of wills of the county within which was the family or principal residence of the decedent at the time of his decease and if the decedent had not such residence in this Commonwealth then ancillary letters testamentary or of administration shall be grantable only by the register of the county where the principal part of the goods and estate of such decedent within this Commonwealth shall be

(b) No letters testamentary or of administration shall in any case be originally granted upon the estate of any decedent after the expiration of twenty-one years from the day of his decease except on the order of the orphans' court upon due cause shown

(c) Whenever letters of administration are by law necessary the register having jurisdiction shall grant them in such form as the case shall require to the widow if any of the decedent or to such of his relations or kindred as by law may be entitled to the residue of his personal estate or to a share or shares therein after payment of his debts or he may join with the widow in the administration such relations or kindred or such one or more of them as he shall judge will best administer the estate preferring always of those so entitled such as are in the nearest degree of consanguinity with the decendent and also preferring males to females and in case of the refusal or incompetency of every such person to one or more of the principal creditors of the decedent applying therefor or to any fit person at his discretion Provided That if such decedent was a married woman her husband shall be entitled to the administration in preference to all other persons and Provided further That in all cases of an administration with a will annexed where there is a general residue of the estate bequeathed the right to administer shall belong to those having the right to such residue and the administration in such case shall be granted by the register to such one or more of them as he shall judge will best administer the estate

(d) Every application to any register of wills for the issuance of letters testamentary or of administration shall be in the form of a petition duly verified by affidavit setting forth the residence and citizenship and the place day and hour of death of the decedent the estimated value of his property real and personal the location of his real property and in the case of an intestacy the names and residences of the surviving spouse if any and of the next of kin of the intestate together with an averment that the persons named are the surviving spouse and all the next of kin of the intestate

Section 3 (a) Whenever the executors named in any last will and testament shall all refuse or renounce the trust and execution thereof the register having jurisdiction as aforesaid may receive the probate of such will and grant letters of administration with it annexed to the persons by law entitled thereto

(b) Whenever a sole executor or the survivor of several executors shall die leaving goods or estate of his testator unadministered the register having jurisdiction shall notwithstanding such executor may have made his last will and testament and appointed an executor or executors thereof grant letters of administration of all such goods and estate in the same manner as if the executor had died without having made any testament or last will and the executor of such deceased executor shall in no case be deemed executor of the first testator

(c) In all cases where the administration of the estate of any decedent shall become vacant by reason of death or of any decree of the orphans' court or from any other cause the register having jurisdiction shall on proper proof being made of the fact grant new letters in such form as the case shall require to the person or persons by law entitled thereto

(d) All and singular the powers duties and liabilities of executors are hereby extended to administrators with a will annexed

(e) Administrators de bonis non with or without a will annexed shall have power to demand and recover from their predecessors in the administration or their legal representa-

tives all moneys goods and assets remaining in their hands due and belonging to the estate of the decedent and to commence and prosecute actions upon promises made to such predecessors in their representative character and to take and defend appeals and sue forth and defend writs of scire facias and writs of execution upon judgments obtained by or in the name of the executors or administrators into whose place they may have come and also to proceed with and perfect all unexecuted executions which may have been issued thereon at the instance of such predecessors Provided That when any suit shall have been brought by an administrator de bonis non for the recovery of moneys goods or assets remaining in the hands of his predecessors or their legal representatives before they shall have settled their final administration account the court in which such action shall be brought shall have power to stay the proceedings therein on the defendants' filing such an account in the register's office of the proper county within a reasonable time to be fixed by said court until said account shall have been finally settled and confirmed and on the production of a certified copy of said account so settled and confirmed the court in which such suit shall be pending is hereby authorized and required to render judgment for the balance which shall thereby appear to be due to either party

Section 4 The register of wills having jurisdiction may when the circumstances of the case require grant to any fit person or persons letters of administration durante minoritate durante absentia or pendente lite security to be entered as in other cases of administration

Section 5 All such acts of administration as would be in due course of law in case of intestacy if done in good faith and without notice of a will and all such acts of any executor as would be in due course of law if the will under which letters testamentary were issued were the last will of the testator and if done in good faith and without notice of a later will shall not be impeached though a will or a later will should afterward be discovered and established

Section 6 (a) Whenever hereafter any person shall be presumed to be dead on account of absence for seven or more years from the place of his or her last domicile whether the same be within this Commonwealth or in any other state territory or possession of the United States or in any foreign country any person entitled under the last will and testament of such presumed decedent or under the intestate laws to any share in his or her estate within this Commonwealth or the escheater for the Commonwealth may present a petition to the orphans' court of the county of such person's last residence or where the presumed decedent was a non-resident of this Commonwealth in the orphans' court of the county where the greater part of his property within this Commonwealth may be situated setting forth the facts which raise the presumption of death The said court if satisfied as to the person who would be entitled to letters testamentary or of administration were the presumed decedent in fact dead shall cause to be advertised in a newspaper published in said county once a week for four successive weeks together with such other advertisement as the court according to the circumstances of the case shall deem expedient or advisable the fact of such application together with notice that on a day certain which shall be at least two weeks after the last appearance of said advertisement the court or master appointed by the court for that purpose will hear evidence concerning the alleged absence of the presumed decedent and the circumstances and duration thereof

(b) Whenever hereafter letters of administration or letters testamentary shall have been granted in any other state territory or possssion of the United States or in any foreign country on the estate of a resident thereof presumed to be dead on account of absence for seven or more years from the place of his last domicile it shall be lawful for the person or persons or trust company to whom such letters have been granted to present a petition to the orphans' court of the county within this Commonwealth in which all or the greater portion of the estate of said presumed decedent may be found accompanied by a complete exemplification of the record of the grant of such letters praying for the grant of ancillary letters testamentary or of administration upon the estate of such presumed decedent situate owing or belonging to him within this Commonwealth The said court if satisfied that the person or trust company proposed in such petition would be a fit person or company to whom such letters might be issued shall cause publication to be made in the manner and for the period as provided in clause (a) of this section of the fact of such application together with notice that on a day certain which shall be at least two weeks after the last appearance of said advertisement the court or a master appointed for the purpose will hear evidence concerning the alleged absence of the presumed decedent and the circumstances and duration thereof

(c) At the hearing in either of the cases provided for in the preceding clauses of this section the orphans' court shall take such legal evidence as shall be offered for the purpose of ascertaining whether the presumption of death is established or may appoint a master to take such testimony and report his findings thereon and no person shall be disqualified to testify by reason of his or her relationship as husband or wife to the presumed decedent or of his or her interest in the estate of the presumed decedent

(d) If satisfied upon such hearing or upon the report of such master that the legal presumtion of death is made out the court shall so decree and the court may determine in such decree the date when such presumption arose and shall forthwith cause to be published for three successive weeks in the manner provided in clause (a) of this section a notice requiring the presumed decedent i falive to produce in court satisfactory evidence of his continuance in life such evidence to be produced within twelve weeks from the date of the last publication of the notice in the case of an original application for the grant of letters and within four weeks from such date in the case of an application for ancillary letters

(e) If within said period evidence satisfactory to the orphans' court of the continuance in life of the presumed decedent shall be presented said decree shall be vacated but if such evidence shall not be forthcoming such decree shall be confirmed absolutely and it shall be the duty of the court to order the register of wills to issue letters of administration to the person thereto entitled or to receive for probate the last will and testament of such presumed decedent and if duly proved to admit the same to probate and issue letters testamentary thereunder and the said letters until revoked and all acts done in pursuance thereof and in reliance thereupon shall be as valid as if the presumed decedent were really dead.

(f) Whenever the said court shall enter a decree that the presumption of death of any person has been established and such decree shall be confirmed absolutely the real estate of the presumed decedent shall pass and devolve as in the case of actual death and the persons entitled by will or under the intestate laws may enter and take possession In case the presumption of death is thereafter rebutted by adequate proof that the presumed decedent is in fact alive and said decree is vacated said real estate shall revert to him as fully as though such decree had never been entered subject however to payment of the costs and expenses of the proceedings and advertisement aforesaid Such decree when confirmed absolutely may be recorded in the office of the recorder of deeds of the proper county in the deed-book and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the names of the persons taking the real estate and if so recorded and the persons taking the real estate sell or mortgage the same the purchaser or mortgagee shall take a good title free and discharged of any interest or claim of the presumed decedent but the persons taking such real estate shall not sell convey or mortgage the same or any part thereof without first giving bond in an amount to be fixed by the orphans' court and with sureties to be approved by said court conditioned to account for and pay over to the presumed decedent in case he is actually alive the value of the real estate sold or conveyed or in case of the making of a mortgage to pay the amount of the mortgage and interest thereon or in case of a foreclosure of such mortgage to account for and pay over the value of the real estate mortgaged When the presumed decedent shall have been absent and unheard of for twenty-one years such bond shall be taken without sureties

(g) The executor or administrator to whom letters have been issued upon the estate of a presumed decedent as aforesaid shall administer the estate in the same manner and with the same effect as the same would be administered under existing laws of this Commonwealth if the presumed decedent were in fact dead and the orphans' court at the audit of the account of an ancillary administrator of a presumed decedent shall decree the balance if any shown thereby to the expense of administration and the debts of the presumed decedent due to residents of this Commonwealth and the overplus if any to the executor or administrator of said presumed decedent in the foreign jurisdiction for the purpose of administration and distribution

(h) Before any distribution of the proceeds of the estate of such presumed decedent the persons other than creditors entitled to receive the same shall respectively give sufficint real or personal security to be approved by the orphans' court having jurisdiction in such sum and form as the court shall direct with condition that if the said presumed decedent shall in fact be at the time alive they will respectively refund the amounts received by each on demand with interest thereon If any person or persons entitled to reseive the same shall refuse or neglect or be unable to enter such security the orphans' court may upon petition of any person interested and upon due notice to all persons interested so far as such notice can reasonably be given appoint a suitable person or corporation as trustee to receive and hold the share of the distributee refusing or neglecting or being unable to enter security as aforesaid until the further order of the court such trustee not to be an insurer of the trust fund and to be liable to be person or persons interested therein only for such care prudence and diligence in the execution of the trust as other trustees are liable for If the said court shall be satisfied from the evidence adduced at the hearing to ascertain whether the presumption of death is established or from the report of the master that there is no likelihood of the presumed decedent's being still alive then the said court may at its discretion accept refunding bonds from the distributees of the presumed decedent's estate without requiring sureties thereon

(i) The orphans' court may revoke the said letters and vacate the decree that the presumption of death has been established at any time on due and satisfactory proof that the presumed decedent is in fact alive After such revication all the powers of the executors or administrator shall cease but all receipts or disbursements of assets and other acts previously done by him shall remain as valid as if the said letters were unrevoked The executor or administrator shall settel an account of his administration down to the time of such revocaton and shall transfer all assets remaining in his hands to the person as whose executor or administrator he has acted or to his duly authorized agent or attorney Noth-

ing in this section contained shall validate the title of any person to any money or property received as surviving spouse next of kin heir legatee or devisee of such presumed decedent but the same may be recovered from such prson in all cases in which such recovery would be had if this act had not been passed

(j) After revocation of the letters and vacation of the decree that the presumption of death has been established the person erroneously presumed to be dead may on suggestion filed of record of the proper facts be substituted as plaintiff or petitioner in all actions or proceedings at law in equity or in any orphans' court brought by the executor or administrator whether prosecuted to judgment or decree or otherwise He may in all actions or proceedings previously brought against the executor or administrator be substituted as defendant or respondent on proper suggestion filed by himself or by proper service of writ or other process but shall not be compelled to go to trial in less than three months from the time of such suggestion filed or process served Judgments or decrees recovered against the executor or administrator before revocation and vacation as aforesaid of the letters and decree may be opened on application by the presumed decedent made within three months from the said revocation and supported by affidavit denying specifically on the knowledge of the affiant the cause of action or specifically alleging the existence of facts which would be a valid defense but if within the said three months such application shall not be made or being made the facts exhibited shall be adjudged an insufficient defense the judgment or decree shall be conclusive to all intents saving the defendant's right to have it reviewed as in other cases on appeal Notwithstanding the substitution of the presumed decedent as defendant in any judgment or decree as aforesaid it shall continue as a lien upon his real estate in the county for the period of five years from the date of its entry as other judgments unless and until it shall be set aside by the court below or reversed in the proper appellate court

(k) Whenever hereafter letters testamentary or of administration shall be issued upon the estate of any person presumed to be dead on account of absence of seven years or more from the place of his last domicile in accordance with the foregoing provisions of this section the person having custody of any will which may have been left by such presumed decedent in case letters of administration have been issued or of any later will in case letters testamentary have been issued or any creditor or any person interested in the estate may file a petition in the orphans' court in which the proceedings to establish the death by presumption have been held as aforesaid setting forth the facts of the case a copy of said will or later will or an averment that such will exists and the names of all persons interested in the estate of the presumed decedent Upon the filing of such petition said court after due notice to all parties in interest may enter an order directing the register of wills to receive proof in support of the averments of said petition and if established to admit said will or later will to probate and if an executor be named in said will to revoke said letters of administration or in case an earlier will shall have been admitted to probate to set aside such probate and revoke the letters testamentary issued thereunder

(l) Thereupon the register of wills shall issue a citation to the person to whom letters of administration or letters testamentary have been issued as aforesaid and to all persons interested in the estate of the presumed decedent to appear upon a day fixed and to show cause why the said alleged will or later will should not be admitted to probate

(m) Upon the return of the citation if the register of wills shall be satisfied from all the evidence that may be adduced that the proposed will was in fact the last will and testament made by the presumed decedent before his departure or disappearance from his residence the said will shall be admitted to probate as if the testator were in fact dead If upon such probate it appears that an executor is named in the will the letters of amdinistration previously granted shall be revoked and letters testamentary shall be issued to said executor in the same manner and form as if the testator were in fact dead but if no executor shall be named in such will then a certified copy of said will shall be attached to the letters of administration theretofore issued or to a certified copy of such letters Thereafter the executor or administrator shall execute the said will according to its terms and all property of the decedent shall be distributed and pass as provided by said will to the several legatees and devisees named therein In case an earlier will shall have been admitted to provate the letters testamentary issued thereunder shall be revoked and letters shall be issued under the said last will or if no executor shall be named in said last will then letters of administration with the will annexed shall be issued to the person or persons entitled thereto

(n) The costs attending the issuance or revocation of letters shall be paid out of the estate of the presumed decedent and costs arising upon an application for letters which shall not be granted shall be paid by the applicant

Section 7 (a) Before any register shall issue letters of administration letters testamentary or of administration with the will annexed he shall administer an oath or affirmation to the person or persons receiving the same in the following form namely You do swear (or affirm) that as executor of the last will and testament (or as administrator of the estate) of A B deceased (as the case may be) you will well and truly administer the goods and chattels rights and credits of said deceased according to law and also will diligently and faithfully regard and well and truly comply with the provisions of the law relating to collateral inheritances.

(b) In all cases where a corporation is or shall be charged with the execution of any trust the president vice-president trust officer secretary treasurer or actuary of such corporation shall make the oath or affirmation directed to be taken by private persons in such cases

Section 8 (a) It shall be the duty of every register upon his granting any letters of administration domiciliary or ancillary of the goods and chattels of any person dying intestate to take a bond or bonds from the person or persons receiving such letters with two or more sufficient individual sureties or sufficient corporate security or the register may in his discretion permit any corporation to which letters are granted to give its own bond without surety In fixing the amount of any bond respect shall be had to the value of the estate and all bonds shall be in the name of the Commonwealth with a condition in the following form namely The condition of this obligation is that if the above-bounden A B administrator of all and singular the goods chattels and credits of C D deceased do make or cause to be made a true and perfect inventory of all and singular the goods chattels and credits of the said deceased which have come or shall come to the hands possession or knowledge of him the said A B or into the hands and possession of any other person or persons for him and the same so made do exhibit or cause to be exhibited into the registers office in the county of within thirty days from the date hereof and the same goods chattels and credits and all other the goods chattels and credits of the said deceased at the time of his death which at any time after shall come to the hands and possession of the said A B or into the hands and possession of any other person or persons for him do well and truly administer according to law and further do make or cause to be made a just and true account of his said administration at the expiration of six months from the date hereof or when thereunto required by the orphans court and all the rest and residue of the said goods chattels and credits which shall be found remaining upon the said administrators account the same being first examined and allowed by the orphans court of the county having jurisdiction shall deliver and pay unto such person or persons as the said orphans court by their decree or sentence pursuant to law shall limit and appoint and shall well and truly comply with the laws of this Commonwealth relating to collateral inheritances and if it shall hereafter appear that any last will and testament was made by the said deceased and the same shall be proved according to law if the said A. B. being thereunto required do surrender the said letters of administration into the registers office aforesaid then this obligation to be void otherwise to remain in full force Provided That in every case of special administration the form of the foregoing condition shall be modified so as to suit the circumstances of such case

(b) It shall be the duty of the register of wills in granting letters of administration with the will annexed to take a bond as prescribed in the foregoing clause that shall include adequate security for the faithful accounting for the proceeds of any sales of real estate the administrator may make under such will and the sureties taken shall be liable therefor as well as for any personal effects to come into the hands of the administrator who shall settle his account thereof before the orphans' court

(c) Before the register shall issue letters testamentary to any executor not being an inhabitant of this Commonwealth he shall take from him a bond with two or more sufficient individual sureties being inhabitants of this Commonwealth or with sufficient corporate security or the register may in his discretion permit any corporation to which such letters are granted to give its own bond without surety In fixing the amount of any bond respect shall be had to the value of the estate to be administered and all bonds shall be in the name of the Commonwealth with the following condition namely The condition of this obligation is that the said A B executor of the last will and testament of C D deceased shall make a true and perfect inventory of all and singular the goods chattels and credits of the said deceased being within this Commonwealth which have come or shall come to his hands possession or knowledge or into the hands and possession of any other person for him and the same so made do exhibit into the office of the register of the county of.....within thirty days from the date hereof and the same goods do well and truly administer according to law and make a just and true account of all his actings and doings therein at the expiration of six months from the date hereof or when thereunto legally required and shall faithfully account for the proceeds of any sales of real estate he may make under such will and shall well and truly comply with the laws of this Commonwealth relating to collateral inheritances and in all other respects with the laws of this Commonwealth relating to his duty as executor then this obligation to be void otherwise to remain in full force

(d) If any register shall grant letters testamentary to any person not being an inhabitant of of this Commonwealth or shall grant any letters of administration to any person or persons whatsoever without having in either case taken a bond in the manner hereinbefore prescribed such letters shall be void and every person acting under them shall be deemed and may be sued and in all respects treated as an executor of his own wrong and the register granting the same and his sureties shall be liable to pay all damages which shall accrue to any person by reason thereof

(e) In any case where application is made for letters testamentary or of administration on the estate of a decedent who was at the time of his death a fiduciary it shall be within the discretion of the register of wills to

whom such application is made to require the person or corporation to whom such letters are issued to enter in addition to any other bond required by this act a bond in a sufficient amount with sureties as aforesaid or in case of a corporation its own bond with or without sureties condition for the proper application of the property held by such decedent as fiduciary and coming into the hands and possession of the person or corporation to whom such letters are issued

(f) All bonds taken by any register in pursuance of this act from any executor or administrator may be excepted to before such register by any person interested in respect of the sufficiency of the sureties therein or the amount of the bond or for any other cause Whenever any such exception shall be so made to any such bond the register shall give notice thereof to the executor or administrator and require him to appear before him in a reasonable time not exceding ten days and show cause against the allowance of such exception If upon the hearing of the objections of all persons interested and of such executor or administrator or of such of them as shall appear such register shall see cause he shall order such executor or administrator to find additional sureties or to give security in a larger amount or make such other order as the case may require If such executor or administrator shall refuse to comply with such order or if he shall neglect so to do during the space of thirty days after the making thereof the register shall revoke the letters granted to him and grant other letters in such form as the case shall require to the person by law next entitled thereto such person giving to such register the security by him ordered as aforesaid No such exception shall be so made or proceedings thereunto be had before the register after three months elapsed from the time of the filing of a full and perfect inventory by such executor or administrator of the whole of the estate in question

Section 9 (a) All bonds given or hereafter to be given by fiduciaries shall be held in trust for the use of the Commonwealth and such person or persons as may be interested therein and suits may be brought thereon from time to time by all persons interested therein as provided in the sixth section of the act entitled "An Act relating to bonds with penalties and official bonds" approved the fourteenth day of June eighteen hundred and thirty-six

(b) Whenever any fiduciary has heretofore given or shall hereafter give any bond conditioned for the due performance of his duties or for the accounting for money in his hands such fiduciary or any creditor beneficiary or other party in interest may present a petition to the orphans' court of the proper county alleging that the amount of such bond is greater than the exigencies of said trust require and setting forth the facts and circumstances upon which such allegation is based and praying that such bond be reduced to an amount which shall be stated in the petition At the hearing of said petition after such notice as the court may require if any the court may at its discretion reduce the bond to such an amount as it may deem proper and necessary to give adequate protection to all parties concerned but not to an amount lower than that specified in said petition The costs of said proceeding shall at the discretion of the court be paid out of the estate to protect which said bond was given or by the petitioner

(c) Any fiduciary required by law or by the order of any orphans' court to give a bond as such may include as a part of the lawful expense of executing his trust such reasonable sum paid to a company authorized under the laws of this State so to do for becoming his surety on such bond as may be allowed by the court in which he is required to account not exceeding however one per centum per annum on the amount of such bond

Section 10 The executors or administrators of every decedent shall immediately after the granting of letters testamentary or of administration to them cause notice thereof to be given in one newspaper published at or near the place where such decedent resided and in the legal periodical if any designated by rule of court for the publication of legal notices once a week during at least six successive weeks together with their names and places of residence and in every such notice they shall request all persons having claims or demands against the estate of the said decedent to make known the same and all persons indebted to the said decedent to make payment to them without delay

Section 11 (a) It shall be the duty of the said executors or administrators to make a true and perfect inventory of all the goods chattels and credits of the deceased as far as they may know or can ascertain them and file the same in the register's office within thirty days from the time of administration granted Provided That in the case of a will of a decedent not resident at the time of his decease within this Commonwealth proved in another state or in a foreign country where of letters testamentary or of administration with the will annexed may be granted in this state or in a case of ancillary administration of the estate of a non-resident intestate the inventory herein mentioned shall be of the goods chattels and credits of the deceased within this Commonwealth

(b) In case of the failure or refusal of any executor or administrator to file an inventory as aforesaid the orphans' court shall have power on petition of any creditor of the decedent or any party in interest to issue a citation to such executor or administrator to show cause why he should not file such inventory and if no sufficient cause be shown on the return of such citation said court may order the filing of such inventory and may enforce such order by attachment as in other cases

(c) All bonds notes and other evidences of debt also all other claims and demands for money or any other personal property owned or held by the deceased at the time of his decease shall as far as the same may be known to his executors or administrators be included in the inventory to be made and returned as aforesaid

(d) The appointment of any person to be an executor shall in no case be deemed a release or extinguishment of any debt or demand which the testator may have had against him but such debt shall be included in the inventory and be subject to distribution like other personal estate

(e) The rents of any real estate accruing to any person as tenant for life of such estate who had demised the same for a term or time not fully expired at his decease shall go to and be vested in the executors or administrators of such tenant and the due proportion of such accruing rent to be computed according to the time elapsed at the decease of such tenant shall be included in the inventory of personal assets

(f) The arrearages of any rent-charge or other rent or reservation in nature of a rent due at the death of any tenant of such rent in fee-simple of fee-tail or for term of life or lives shall go to and be vested in the executors or administrators of such tenant and be included in the inventory and appraised as personal assets

(g) All estates in lands or tenements of which the decedent was seised at the time of his decease for the life or lives of another person or persons shall unless such estate have been limited to the decedent and his heirs go to the executors or administrators of such decedent and be included in the inventory and be subject to distribution in like manner as leases for terms of years

(h) Whenever personal property or assets of any kind not contained in the inventory made and returned as aforesaid shall afterwards come to the possession or knowledge of the executor or administrator he shall make an inventory thereof and file the same in the office of the proper register within thirty days from the time of the discovery thereof

(i) Every executor or administrator shall cause a just appraisement to be made by two or more appraisers of the goods chattels and credits of the decedent of which an inventory is to be made agreeably to the preceding clauses of this section and the said appraisers shall be sworn or affirmed well and truly and without prejudice or partiality to value and appraise said goods chattels and credits and in all respects to perform their duty as appraisers to the best of their skill and judgment

(j) It shall be the duty of the executors and administrators having given convenient notice to the appraisers of the decedent's estate of a time and place for making the inventory and appraisement thereof to produce or make known to them in the presence of such of the persons interested in the estate as may attend the whole of the personal estate of the decedent which may have come to their possession or knowledge and the inventory and appraisement thereof being finished and certified by the appraisers to file the same in the office of the proper register

(k) The appraisers of the estate of a descendent shall be respectively entitled to receive therefrom as compensation for their services in appraising the estate as aforesaid such sum as the orphans' court having jurisdiction of the accounts of the executors or administrators shall deem proper taking into consideration the labor skill and responsibility involved

Section 12 (a) The widow if any or if there be no widow or if she has forfeited her rights then the children forming part of the family of any decedent dying testate of intestate within this Commonwealth or dying outside of this Commonwealth but whose estate is settled in this Commonwealth may retain or claim either real or personal property or the proceeds of either real or personal property belonging to said estate to the value of five hundred dollars and the property so retained or claimed shall not be sold but suffered to remain for the use of the widow or children It shall be the duty of the executor or administrator of such decedent to have the said property if personal appraised and set apart to said widow or children by the appraisers appointed to appraise the other personal estate of the decedent or if real then by two appraisers to be appointed by the orphans' court who may be the same persons appointed to appraise the personal estate If said five hundred dollars or any part thereof shall be claimed out of money or the proceeds of real or personal property belonging to the estate it shall be the duty of the executor or administrator to set apart to said widow or children the amount so claimed out of said money or out of the proceeds of said real or personal property after he shall have sold the same Should any or all of the appraisers of the other personal estate be unable to make the appraisement of personal property provided for by this section or should there be no such appraisers the orphans' court of the proper county may appoint a properly qualified appraiser or appraisers of the other personal estate of the decedent.

(b) The provisions of this section allowing the widow or children of a decedent to retain real property or the proceeds thereof to the value of five hundred dollars shall not affect or impair any liens for the purchase money of such real property

(c) Such appraisers shall be sworn or affirmed to appraise the property claimed by the widow or children of the decedent under the provisions of this act The compensation of such appraisers for making an appraisement of personal property shall be included in the compensation allowed by the orphans' court for the performance of their duties as appraisers of the other personal estate of the decedent and shall be paid out of the decedent's estate and the compensation of appraisers appointed by the orphans' court as aforesaid shall be fixed by said court and shall be paid out of the decedent's estate

(d) Upon due proof of compliance with such requirements as to notice by advertisement or otherwise as may be prescribed by the orphans' court of the proper county by general rule or otherwise such court may enter a decree directing the payment of the money or confirming the appraisement of the personal or real estate chosen by said widow or children and said appraisement signed and certified by the appraisers and approved by the court shall be filed among the records thereof Provided That all expenses of such advertisement or notice shall be paid out of the decedent's estate

(e) 1 In the case of any decedent leaving to survive him any minor child or children forming part of his family and no widow his administrator or executor without request made to him by any one shall have appraised and set aside for the use and benefit of all such minor children of said decedent property to the full value of five hundred dollars

2 The guardian of said child or children and if there be none the administrator or executor with the appraisers shall make selection of the property to be set aside and in so doing the said guardian or the said administrator or executor with the appraisers shall be governed by the necessities of such child or children under the circumstances of each case

(f) When any decedent shall leave to survive him a widow or children and an estate not exceeding in value five hundred dollars it shall be lawful for such widow or for such children by any next friend or guardian if to said children the right belongs to petition the orphans' court of the proper county for the appointment of two appraisers who shall appraise and set aside any property of said decedent selected by such widow or by such next friend or guardian in the same manner and with the same effect as if letters testamentary or of administration had issued and the appraisers been selected in the usual way Such appraisers shall be sworn or affirmed and shall receive for their services such compensation as shall be allowed by said court

(g) Whenever the widow or children of any decedent shall claim the sum of five hundred dollars in value or any part thereof under the provisions of this act out of real estate left by said decedent and the real estate appraised cannot be divided so as to set apart the amount so claimed in value without prejudice to or spoiling the whole or any parcel of said real estate and the appraisers may have appraised or shall appraise and value the same at an amount equal to or exceeding the amount claimed by said widow or children out of said real estate over and above the liens that are upon it the orphans court to which such application shall be made may confirm such appraisement and set apart for the use of the widow or children such real estate subject to whatever liens may be against the same conditioned however that the widow or children shall pay the amount of the valuation or appraisement over and above the liens that may be against the said real estate in excess of the amount claimed by said widow or children out of said real estate within one year from the date of confirmation of such valuation If the widow or children making such claim shall fail to make payment as above provided the court on application of any person interested shall direct the executor or administrator to sell the said real estate and the procedure in such case shall be the same as is provided by law in cases of sales of real estate for the payment of debts of a decedent

(h) The real estate if taken by the widow or children as aforesaid shall vest in her or them and her or their heirs or assigns subject to any liens upon it on her or their paying the surplus over and above the amount claimed by her or them out of said real estate to the parties entitled thereto Should the real estate be sold as provided in clause (g) of this section then the sum of five hundred dollars or such part thereof as may be claimed out of the real estate shall be paid out of the purchase money to the widow or children and the balance after payment of costs and expenses distributed to the heirs or other persons legally entitled thereto

(i) In all cases where the appraisement of property real or personal or both is confirmed and the property set apart to the widow or children under the provisions of this section said widow or children shall be entitled to receive for her or their own use the net rents income interest and dividends thereof from the date of the death of such decedent Provided That where the property so set apart shall consist of real estate appraised at an amount exceeding the amount claimed by said widow or children out of said real estate over and above the liens that are upon it and the widow or children shall fail to pay the excess over the amount so claimed as provided in clause (g) of this section and the property shall thereupon be sold there shall be deducted from the sum to be paid to said widow or children out of the proceeds of such sale a proportionate part of the rents and income of such real estate received by such widow or children

(j) Whenever the widow or children of any decedent shall claim the said five hundred dollars in value or any part thereof under the provisions of this section out of the real estate left by the said decedent and lying in any county of this State other than the county wherein said decedent shall be domiciled at the time of his death and the orphans court having jurisdiction of the accounts of the personal representatives of said decedent shall be satisfied upon petition filed of the propriety of allowing such claim it shall be lawful for such court to make a decree authorizing such widow or children to file her or their petition in the orphans' court of the county wherein such real estate may lie or in a case where the real estate is divided by a county line in the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county praying for the appointment of two appraisers Upon the filing of such petition duly verified it shall be the duty of the latter court to appoint such appraisers who shall be duly sworn or affirmed and shall appraise said real estate and shall be compensated as directed by said court and proceedings shall thereupon be had in said court and subject to its supervision and control in the same manner and with the same effect as is provided in clauses (g) (h) and (i) of this section In every such case a certified copy of the decree confirming such appraisement or of such decree of sale and the confirmation thereof as the case may be shall forthwith be filed with the clerk of the orphans' court having jurisdiction of the accounts of the personal representatives of the said decedent The latter court shall in all cases have exclusive jurisdiction of the distribution of the surplus paid by such widow or children or of the proceeds of such sale after the payment of costs and expenses as the case may be

(k) In all cases where a decree shall be entered by any orphans' court confirming an appraisement of real estate and setting apart the same for the use of the widow or children a certified copy of such decree shall be recorded in the office of the recorder of deeds of each county where such real estate shall lie in the deed book and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name or names of the widow or children and shall be registered in the survey bureau or with the proper authorities empowered by law to keep a register of real estate if any there be in each of said counties The charges for recording and registering shall be the same as are provided by law for similar services and shall be paid out of the estate of the decedent

Section 13 (a) All debts owing by any person within this State at the time of his decease shall be paid by his executors or administrators so far as they have assets in the manner and order following namely One Funeral expenses medicine furnished and medical attendance given during the last illness of the decedent and servants wages not exceeding one year Two Rents not exceeding one year Three All other debts without regard to the quality of the same except debts due to the Commonwealth which shall be last paid

(b) No executor or administrator shall be compelled to pay any debt of the decedent except such as are by law preferred in the order of payment to rents until six months be fully elapsed from the granting of the administration of the estate

Section 14 Rents of real estate accruing after the death of the owner of such real estate who shall die on or after the day on which this act shall go into effect shall be assets for the payment of debts of such decedent whenever the personal estate shall be insufficient therefor Wherever the personal estate of such decedent shall appear to be probably insufficient for the payment of debts the orphans' court having jurisdiction of the accounts of the executor or administrator shall upon application of any creditor of the decedent or upon application of the executor or administrator or of any other person interested authorize and direct the executor or administrator to collect such rents for such period as the court shall fix In such case the executor or administrator shall have power to collect such rents by action at law distress or otherwise as the decedent in his lifetime might have done as to rents of such real estate and rents so collected shall be accounted for by the executor or administrator in his account of the personal estate of the decedent

Section 15 (a) No debts of a decedent including the cost of settlement of the estate and the funeral expenses of the decedent except as provided in clauses (b) (g) and (h) hereof shall remain a lien on the real estate of such decedent longer than one year after the decease of such debtor unless within said period an action for the recovery thereof be brought against the executor or administrator of such decedent and such action shall be indexed within said period against the decedent and such executor or administrator in the judgment index in the county in which such action is brought and also in the county in which the real estate sought to be charged is situate and be duly prosecuted to judgment and then to be a lien only for the period of five years unless the same be revived by writ of scire facias against the decedent his heirs executors or administrators and the devisee alienee or owner of the land sought to be charged in the manner now provided in the case of the revival of judgments

The plaintiff may at his election join such surviving spouse and heirs and the devisee alienee or owner of the land in such original action in which event such action shall be indexed as aforesaid against all defendents so joined

(b) No bond covenant debt or demand which it not payable within the said period of one year after the decease of the debtor shall remain a lien upon the real estate of such decedent longer than one year after his death unless within said period after his decease a copy or particular written statement thereof be filed in the office of the prothonotary of the county where the real estate to be charged is situate and be indexed against the decedent and the executor or administrator in the judgment index in the county where the executor or administrator resides and also in the county in which the real estate sought to be charged is situate and then to be a lien only for the period of one year after the said bond covenant debt or demand becomes due unless within said period of one year an action for the recovery thereof be brought indexed and duly prosecuted to judgment as pro-

vided in clause (a) of this section

(c) The provisions of clause (a) of this section shall be retroactive Provided however That in case of any bond covenant debt or demand that would be sooner barred an action for the recovery thereof may be commenced within one year after passage of this act in manner as provided in clause (a) of this section

(d) It shall be the duty of the prothonotary of any county of this Commonwealth when an action is brought or statement is filed as aforesaid in his office upon praecipe of the plaintiff or his attorney to index the same against the decedent his executor or administrator and any other defendants therein in the judgment index as other liens are indexed and to certify the same as liens in any certificate of liens that he may be required to make by virtue of his office The prothonotary of any court in which said action may be brought shall upon request furnish a copy of such praecipe which when duly certified under the seal of the court may be filed in any other county of this Commonwealth in which the real estate sought to be charged with the debts of such decedent may be situate and when so filed shall be indexed against the parties named therein upon the judgment index in such county

(e) No execution for the levy or sale of any real estate of any decedent shall be issued upon any judgment obtained in an action against his personal representatives under the forgoing clauses of this section unless the surviving spouse and heirs and the devisee alienee or owner of the land sought to be charged and the guardians of such as are minors shall have been made parties to such action or if they shall not have been so made parties unless they shall be warned by a writ of scire facias issued against them on such judgment If any of the parties reside outside of the county the court may by general rule or special order direct service of such writ of scire facias by publication or otherwise

(f) Judgments which were not liens on the real estate of the decedent by entry or revival by due process of law within five years prior to the death of such decedent shall not be revived as liens of record against real estate by the death of the defendant but shall rank and be treated simply as ordinary debts not of record and the lien thereof shall be continued after the expiration of one year from the decease of such debtor only by writ of scire facias to revive issued within one year after the death of the decedent indexed as provided in clauses (a) and (d) of this section and duly prosecuted to judgment and then to be a lien only for the period of five years unless the same be revived by writ of scire facias as provided in clause (a) of this section

(g) All judgments which at the time of the death of a decedent shall be liens on real estate owned by said decedent at the time of his death or on real estate which shall have been conveyed by deed not duly recorded during his lifetime shall continue to bind such real estate during the term of five years from his death although such judgments be not revived by scire facias or otherwise after his death Such judgments shall during such term rank according to their priority at the time of such death and after the expiration of such term such judgments shall not continue liens on the real estate of such decedent unless revived by scire facias or otherwise according to the laws regualting the revival of judgments Any judgment against such decedent which may be a lien upon real estate sold or aliened by such decedent during his life may be revived by writ of scire facias according to law and for the purpose of any such revival the writ of scire facias may be issued in the name of such decedent with the same force and effect as if it were issued in the name of his executors administrators or legal representatives but before any judgment shall be entered thereon the legal representatives shall be made parties defendant and a scire facies shall be served on such legal representatives

(h) Nothing contained in this section shall in any way affect or impair the lien of any mortgage given and executed and duly recorded during the lifetime of any decedent but the bond secured by such mortgage except as to real estate on which said mortgage is a lien shall be subject to all the provisions hereof

(i) No execution for the levy or sale of any real or personal estate of any decedent shall be issued upon any judgment obtained against him in his lifetime unless his personal representatives have been first warned by a writ of scire facias to show cause against the issuing thereof notwithstanding the teste of such execution may bear date antecedently to his death

(j) In all cases where property real or personal of a decedent is sold upon an execution and more money raised than is sufficeint to pay off liens of record the balance shall be paid over to the executor or administrator for distribution but before any such payment shall be made such executor or administrator shall give bond to the satisfaction of the court conditioned for the legal distribution of such money Provided always That such money shall be distributed as the real estate of which it is the proceeds would have been

(k) In every case of an execution against the executors or administrators of a decedent whether founded upon a judgment obtained against such decedent in his lifetime or upon a judgment obtained against them in their representative character if it shall be made to appear to the satisfaction of the court issuing such execution that there is reason to believe that the personal assets and the rents of real estate are insufficient to pay all just demands upon the estate such court shall thereupon stay all proceedings upon such execution until the executors or administrators shall have made application to the proper orphans' court for the sale of the real estate of the decedent or for the apportionment of the assets or both as the case may require

(l) It shall be competent for the court in the cases aforesaid on application of the plaintiff in such judgment or of any other person interested as heir devisee or otherwise to order the executors of administrators to make application to the orphans' court for the purpose as is hereinbefore mentioned and to enforce such order by attachment

Section 16 (a) Whenever it shall satisfactorily appear to the executor or administrator that the personal estate of the decedent together with the rents of real estate is insufficient to pay all just debts and the expenses of the administration he shall proceed without delay in the manner hereinafter provided to sell or mortgage under the direction of the orphans' court having jurisdiction of his accounts so much of the real estate as shall be necessary to supply the deficiency

(b) The orphans' court which possesses jurisdiction of the accounts of an executor or administrator shall have power to authorize a sale or mortgage of real estate by such executor or administrator in the following cases viz

1 On the application of the executor or administrator setting forth that the personal estate and the rents of real estate of the decedent are insufficient for the payment of debts

2 On the application of such executor or administrator or of any creditor of the decedent setting forth that on the final settlement of the administration account it appears that the personal assets together with the rents of real estate of the decedent are insufficient to pay the balance appearing to be due from the estate of such decedent either to the accountant or creditors

(c) No authority for the sale or mortgage of real estate for the payment of debts of a decedent shall be granted until the executor or administrator shall have exhibited to the court having jurisdiction of his accounts a true and perfect inventory and conscionable appraisement of all the personal estate whatsoever of the decedent together with a full and correct statement of all the real estate of such decedent wherever situated which has come to his knowledge and of the rental value of such real estate and also a just and true account upon oath or affirmation of all the debts of the decedent which have come to his knowledge

(d) When a mortgage authorized under the provisions of this section shall fall due or shall be about to fall due the orphans' court which authorized such mortgage may on the application of the executor or administrator or of any party in interest and although the period of the lien of the decedent's debts may have expired at the time of such application authorize the refunding of such mortgage and the making of a new bond and mortgage the proceeds of which may be used for the payment and satisfaction in whole or in part of the said existing mortgage and necessay expenses Such new mortgage may be for such period and on such terms as to said court shall seem advisable

(e) In all cases where an application shall be made to the court for a decree authorizing the sale or mortgage of real estate under the provisions of this section the court may appoint a suitable person as master to investigate the facts of the case and to report upon the expediency of granting the application and the amount to be raised by such sale or mortgage and upon such report being made the court may decree accordingly

(f) In all cases where the carrying out of any decree of the orphans' court under the provisions of this section shall involve the receipt of money by the person carrying it out the court shall direct the person acting under the decree to file a bond to the Commonwealth in a sufficient amount conditioned for the proper application of all moneys to be received which bond shall inure to the benefit of all parties interested and be executed by two individual sureties or by one corporate surety approved by the court and no such decree shall be executed until such bond with sureties as may be required shall be filed Provided That where a corporation duly authorized by law shall be designated to carry out any such decree the court may in lieu of security as aforesaid permit such corporation to enter its own bond without surety

(g) Whenever by the provisions of this section it shall be lawful for the court to order the public sale of real estate public notice of such sale shall be given by the person who is to make the sale once a week for a period of three weeks before the day appointed therefor by advertisement in at least one newspaper published in the county if there be one or if there be none then in an adjoining county and in all cases notice shall also be given by handbills one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such estate

(h) Whenever under the provisions of this section the court has power to authorize or confirm a sale of real estate the same may be made upon such terms as the court shall approve all unpaid purchase money to be secured on the premises by mortgage

(i) All deeds or mortgages executed in pursuance of any decree of the court under the provisions of this section may be acknowledged before any officer or person now or hereafter authorized by the laws of this Commonwealth to take the acknowledgement of deeds and other instruments of writing to be recorder therein

(j) 1 In all cases where the sale of real estate shall be made by an executor or administrator under an order of or confirmed by the orphans' court or where the making of a mortgage by such executor or administrator

shall be authorized by said court under the provisions of this section and the letters testamentary or of administration shall be revoked or the executor or administrator shall be removed by the court or shall die or become insane or otherwise be incapable before a conveyance is made to the purchaser or before a mortgage is executed and delivered it shall be lawful for the successor of such executor or administrator having first given security to be approved by the said court for the faithful appropriation of the proceeds of such sale or mortgage to execute and deliver to the purchaser a deed of conveyance for the estate or sold on the purchaser's full compliance with the terms and conditions of sale or to execute and deliver said mortgage If there shall be no such successor who shall have given security as aforesaid the said court shall have power on petition of the purchaser to direct the clerk of the court to execute and deliver to the purchaser the necessary deed of conveyance on his full compliance with the terms and conditions of sale paying into court the moneys payable and executing and delivering to the clerk any bond and mortgage required by the said terms and conditions which moneys and bond and mortgage shall remain subject to the disposition of the court or where the making of a mortgage by an executor or administrator shall be authorized by said court the court under the circumstances aforesaid shall have power to direct the clerk of the court to execute and deliver such mortgage The like proceedings may be had where an executor or administrator shall neglect or refuse to execute and deliver such deed or mortgage for the space of thirty days after due notice of an order of the court requiring him to execute and deliver the same

2 In all cases where the sale of real estate shall be made by co-executors or co-administrators under an order of or confirmed by the orphans' court or where the making of a mortgage by such co-executors or co-administrators shall be authorized by said court under the provisions of this section and one or more of such co-executors or co-administrators shall be removed by said court or shall die or become insane or otherwise be incapable before a conveyance is made to the purchaser or before such mortgage is executed and delivered said court may upon the facts being made to appear by petition duly verified authorize the surviving or remaining executor or executors administrator or administrators to execute and deliver to the purchaser a deed of conveyance for the real estate so sold on the purchaser's full compliance with the terms and conditions of sale or to execute and deliver such mortgage

3 Where authority is or shall be given by decree of any orphans' court to executors or administrators to sell real estate under the provisions of this section and any of such executors or administrators shall have died been removed become insane or otherwise be incapable or cease to act before a sale is effected in all such cases said court may upon the facts being made to appear by petition duly verified authorize the surviving or remaining executor or executors administrator or administrators to effect such sale with as full effect in all particulars as if effected or executed by the executors or administrators in office at the time the sale was originally decreed

4 Every sale made and every deed or mortgage executed and delivered in pursuance of and agreeably to the provisions of this section shall vest the property therein described in the grantee or mortgagee as fully and effectually as if the same had been made executed and delivered by all the executors or administrators to whom the authority to sell or mortgage was originally given

5 In all cases of sales or mortgages under the order of or confirmed by the orphans' court under the provisions of this section the title of the purchaser or mortgagee shall not be affected by the subsequent revocation of the letters testamentary or of administration of the executor or administrator making such sale or mortgage or by the subsequent removal of the executor or administrator making such sale or mortgage

6 Whenever in pursuance of proceedings in the orphans' court of any county under the provisions of this section any person therein described as an executor or administrator shall grant and convey or mortgage any real estate in which proceedings security shall be duly entered by him or her under the order or decree of the court no irregularity or defect in his or her original appointment or the absence of any proper qualification in respect thereto shall affect the title of the grantee or purchaser or the liability of the sureties but the same shall be as valid in all respects as if such irregularity or defect had not existed

(k) Whenever any orphans' court having jurisdiction under this section to decree a sale or mortgage of real estate shall issue its order to any executor or administrator to sell or mortgage such real estate and shall in any case within its jurisdiction give authority to any executor or administrator to bid at such sale and shall confirm the sale to such fiduciary or shall authorize the making of such mortgage to any executor or administrator the said court may make an order directing its clerk to execute a deed or mortgage as the case may be for said real estate to such purchaser or mortgagee who shall give security and shall account for the amount of said purchase money or mortgage money in the settlement of his accounts to said court

(l) 1 When the real estate with respect to which application shall be made to the orphans' court having jurisdiction of the accounts of the executor or administrator in cases of sales or mortgages for the payment of debts of decedents under clause (b) of this section is situated in the same county the said court may order the sale or mortgage of such part or so much of such real estate as to them shall appear necessary When the real estate is situated wholly in another county or counties and the orphans' court to which such application shall be made shall be satisfied of the propriety of a sale or mortgage of some portion of such real estate not within their jurisdiction it shall be lawful for such court to make a decree authorizing the raising of so much money as the said court may think necessary from real estate situated in such county or counties as they may designate and thereupon it shall be the duty of the orphans' court of the county wherein the real esate so designated is situated upon the petition of such executor or administrator to make an order for the sale or mortgage as they shall think expedient of so much and such parts of such real estate as shall in their opinion be necessary to raise the specified sum and such executor or administrator shall in all cases make return of his proceedings in relation to such sale or mortgage to the orphans' court of the county in which the real estate so sold or mortgaged lies Provided That where the orphans' court to which such application shall be made shall make a decree authorizing the raising of money from real estate which is wholy without the county where such application shall be made and is divided by a county line the further proceedings shall be in the orphans' court of the county where the mansion house is situated or if there is no mansion house in the county where the principal improvements are or if there be no improvements in either county

2 When application shall hereafter be made to the orphans' court having jurisdiction of the accounts of any executor or administrator for leave to sell or mortgage the real estate of a decedent or any part of the same for the payment of debts of such decedent under the provisions of this section and any part of said real estate is situated partly in the county where said application shall be made and partly in one or more other counties by reason of a county line or lines running through the same the said court shall have power to order and direct the sale or mortgage of the whole or any part of said tract of land irrespective of the county boundary lines and such sale or mortgage shall be as effectual to pass the title of such real estate to the purchaser or mortgagee as if the whole of said tract of land had been within the boundaries of the county having jurisdiction of the accounts of the executor or administrator Notices of said sale or mortgage as required by this section shall be given in all the counties in which the land is situated and a certified copy of all proceedings in connection with said sale or mortgage shall be filed in the orphans' court of each county in which said land is situated Any mortgage taken by such executor or administrator to secure the purchase money or any part thereof shall be duly recorded in each of the counties in which said lands lie as now required by law

(m) 1 The orphans' courts of the several counties of this Commonwealth in all cases where under the provisions of this section such courts have power to order the sale of real estate may authorize or direct a private sale if in the opinion of the court under all the circumstances a better price can be obtained at private than at public sale as where the interest shall be undivided or for any other sufficient cause

2 Before authorizing or directing any private sale of real estate for payment of debts of a decedent public notice thereof shall be given by advertisement printed in at least one newspaper published in the county where such real estate is situated once a week for a period of three weeks prior to the date fixed by such order for authorizing or directing such sale and also written or printed notices one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such real estate and before authorizing or directing such sale the court shall require proof by affidavit to be filed in such proceeding that notice as aforesaid has been given Such notice shall specify the location and description of the real estate proposed to be sold the name of the proposed purchaser and the price agreed to be paid

3 On the day fixed by such order and notice for authorizing or directing such private sale any creditor of such decedent or party interested as heir devisee or intending purchaser or any legatee whose legacy is by the express terms of the will or by law charged on such real estate may appear and object to such private sale on account of the insufficiency of the price and if such objection be sustained may offer to give or pay a substantial increase for such property and the court at its discretion may thereupon authorize or direct such sale or refuse to authorize or direct the same and accept any substantially increased offer and may authorize the sale of such property to such new bidder upon compliance with the conditions of sale and giving such security as shall be directed by the court or such creditor party interested or legatee may appear as aforesaid and object to such sale on any legal or equitable grounds Provided That nothing herein contained shall be construed to affect the existing law with respect to objections to public sales

(n) All public sales of real estate under the provisions of this section shall be subject to confirmation by the court but in the case of private sales authorized or directed under the provisions of this section no return or confirmation shall be necessary

(o) All public or private sales of real estate under the provisions of this section shall have the effect of judicial sales as to the discharge of liens upon the real estate so sold Provided That the court may decree a sale of the real estate freed and discharged from the lien of any mortgage otherwise preserved from discharge by existing law if the holder of such mortgage by writing filed in said court shall consent to the sale being so made

(p) Whenever a public or private sale of real estate shall be authorized or directed by any orphans court under the provisions of this section the person or persons purchasing the real estate so sold and taking title thereto in pursuance of the decree of the court shall take such title free and discharged of any obligation to see to the application of the purchase money

Section 17 (a) It shall and may be lawful for any executor administrator trustee or any party interested in the real estate of any decedent to present a petition to any court having jurisdiction of the settlement of such estate setting forth all the particulars and also that there are just and reasonable grounds for believing that said decedent left no debts not of record and that it is desirable to have the real estate of said decedent relieved from any lien now given by law for such debts

(d) Said court may hear and determine the same or refer such petition to a master whose duty it shall be to inquire diligently into the facts and circumstances alleged in such petition and report the same to said court The court may in its discretion direct such notices to be given of such application by publication or otherwise as it may deem necessary

(c) It shall be the duty of said court upon being fully satisfied as to the truth and justice of the matters alleged in any such petition to decree that the real estate of such decedent shall be held and enjoyed free and clear of any lien of debts not of record of said decedent and said court shall require the person or persons entitled to said real estate to enter bond in such form and amount and with or without sureties as the court may in its discretion determine conditioned for the payment by such person or persons of an amount sufficient to pay any debts of the decedent not of record which may thereafter be proved and which would have been liens upon said real estate but for such decree

Section 18 (a) Where any person shall have by contract in writing agreed to sell and convey any real estate in this Commonwealth and died seised or possessed thereof or of an undivided interest therein or where any person shall have purchased in writing any real estate in this Commonwealth and died without paying the purchase money therefor it shall be lawful in all such cases for the executor or administrator of the deceased vendor or for the vendor when the purchaser may have died or for the purchaser of such real estate or when he has died for his executor or administrator or for any other person interested in such contract to petition the orphans' court having jurisdiction of the accounts of the executor or administrator of the deceased vendor or the deceased purchaser as the case may be setting forth the facts of the case After due notice of such petition to the persons interested according to the nature of the proceeding to appear in such court on a day certain and answer the petition of such court shall have power if the facts be sufficient in equity no sufficient cause being shown to the contrary to decree specific performance of such contract according to the true intent and meaning thereof

(b) The aforesaid remedy by petition to the orphans' court shall hereafter be exclusive

(c) When any petition for the specific performance of any such contract shall have been filed it shall be the duty of the prothonotary of the court of common pleas of the county in which such real estate or any part thereof shall lie on being certified by the clerk of the orphans' court in which such petition shall have been filed of the fact of such filing to enter the same upon the judgment index under the name of the respondent in such petition and to certify the same as lis pendens in any certificate of search that he may be required to make by virtue of his office

(d) When such order or decree for the specific performance of any such contract shall have been made and the purchase money paid or secured to be paid according to the terms of such contract it shall be the duty of the vendor or when he shall be deceased of his executors or administrators to execute such deed of conveyance as shall be directed by the court in conformity with the intention of such contract Such deed being so made by such executors or administrators shall have the same force and effect to pass and vest the estate intended as if the same had been executed by the decedent in his lifetime In the case of an order or decree for specific performance by the executors or administrators of a deceased vendee the court shall enter a decree for payment by such executors or administrators out of the estate of their decedent of the amount of purchase money with interest if any which decree may be enforced in like manner as other decrees of the orphans court for the payment of money The liability for the costs of such proceedings shall be in the discretion of the court

(e) Like proceedings may be had in all respects wherever any parol contract shall have been entered into by any person for the conveyance of real estate within this Commonwealth and the purchaser shall have died without fully executing such contract or wherever any person may have made such parol agreement and died seised or possessed of such real estate and no sufficient provision for the performance of such contract shall have been made by the decedent in all cases where such parol contract shall have been so far executed that it would be against equity to rescind the same

(f) In all cases of specific performance of contract which may hereafter be decreed by any orphans' court under the provisions of this section where the party to whom the deed is to be made is an executor or administrator of the deceased vendor the deed shall be made as in other cases by the co-executor or co-administrator if there be one and if there be none the court may make an order directing its clerk to execute such deed and deliver the same to the grantee therein named upon such terms as the court shall see fit to require from the grantee as executor or administrator of the decedent for securing the faithful appropriation of the unpaid purchase money

Section 19 Whenever a devise or bequest shall be made to any corporate body by any last will and testament the executors thereof shall within three months after they undertake the execution of such will make known by letter addressed to such corporate body the nature and amount of such devise and bequest together with their names and places of residence

Section 20 If after deducting the amount of debts of the testator and the expenses of administration the residue shall not be sufficient to discharge all the pecuniary legacies bequeathed an abatement shall be made in proportion to the legacies so given unless it shall be otherwise provided by the will

Section 21 Legacies if no time be limited by the will for the payment thereof shall in all cases be deemed to be due and payable at the expiration of six months from the death of the testator Interest on all pecuniary legacies whether bequeathed directly or in trust shall unless a contrary intention appear by the will begin to run from the expiration of one year from the death of the testator except that if the account of the executor be filed and confirmed and distribution awarded before the end of such year then interest on such legacies shall run from the date of the award Provided That where a pecuniary legacy is bequeathed to or for the use of the widow of the testator or any child or descendant of the testator or any person toward whom the testator in his lifetime stood in loco parentis or for the maintenance of any person interest shall unless a contrary intention appear by the will begin to run from the date of the death of the testator

Section 22 All annuities and all payments of rents income interest or dividends of any real or personal property directed by any will to be made during the lifetime of the beneficiary or for the life or lives of another person or persons or for a term of years shall like interest on money lent be considered as accruing from day to day and shall be apportioned to the date of the death of such beneficiary or of such cestui que vie or to the end of such term of years

Section 23 Whenever any person is or shall be entitled to the income from the proceeds of the sale of a decedent's real estate and whenever any personal property or the increase of profits or dividends thereof has been or shall hereafter be bequeathed to any person for life or for a term of years or for any other limited period or upon a condition or contingency the executor or executors administrator with the will annexed trustee or trustees under such will or trustee appointed by the orphans' court to make such sale of real estate as the case may be shall deliver the property so bequeathed to the person entitled thereto upon such person giving security in the orphans' court having jurisdiction in such form and amount as in the judgment of the court will sufficiently secure the interests of the person or persons entitled in remainder whenever the same shall accrue or vest in possession Should such person or legatee refuse or neglect or be unable to enter such security the court may upon petition of any person interested including the owner of any subsequent interest vested or contingent in such proceeds of real estate personal property or the increase profits or dividends thereof and upon due notice to all persons interested so far as such notice can reasonably be given appoint a suitable person or corporation as trustee to receive and hold such proceeds of sale or personal property invest the same in securities authorized by law pay the income thereof after deducting all legal charges to the person entitled thereto and upon the termination of the trust account for and pay to the persons entitled thereto the corpus of the trust fund or transfer and deliver to them the securities in which it is invested as the court may direct after deducting all legal charges thereon Such trustee shall enter such security as the court may direct He shall not be an insurer of the trust fund and shall be liable to the persons interested in the income or corpus of the trust fund only for such care prudence and diligence in the execution of the trust as other trustees are liable for

Section 24 The remedy for the collection or enforcement of payment or delivery of all legacies whether pecuniary specific or otherwise aid whether charged on land or not shall hereafter be exclusively in the orphans' court saving the jurisdiction of other courts in actions which may be pending at the time of the approval of this act

Section 25 (a) In all cases in which by the provisions of any last will and testament or by the provisions of this act or by proceedings in the orphans' court in any county any legacy or any money payable at a future period or any money the interest on which is payable to any person is or shall be hereafter charged upon or payable out of real estate it shall be lawful for the legatee or the person entitled to such money or interest to apply by petition to the orphans' court having jurisdiction of the accounts of the fiduciary On the presentation of such petition the court having caused due notice to be given to such fiduciary and the devisee or heir as the case may be and the present owner of the real estate charged with such legacy sum of money or interest and to such persons interested in the estate or property as justice may require may proceed according to equity to make a decree directing such devisee heir or owner to pay the amount of such legacy sum of money or interest then due within a time to be limited by such decree and providing that in case such devisee heir or owner shall fail to make payment within such time the fiduciary or a trustee to be appointed by said court in its discretion shall after giving public notice of such sale once a week for a peroid of three weeks before the day appointed therefor by advertisement in at least one newspaper publishd in the county if there be one or if there be none

then in an adjoining county and by hand bills posted at a conspicuous place on the real estate proposed to be sold and in at least three of the most public places in the vicinity of such estate make sale of said real estate or so much thereof as may be necessary for the purpose of payment of such legacy sum or money or interest The proceeds of such sale shall be distributed under the direction of said court as in other cases of judicial sales to the persons legally entitled to receive the same In the case of money charged upon real estate the interest on which is payable to any person the court may instead of directing a sale of such real estate as aforesaid make such decree or order to enforce payment of said interest as shall be just and proper

(b) If the real estate charged with such legacy sum or money or interest shall be situated in a county or counties other than that the orphans' court of which has jurisdiction of the accounts of the fiduciary and the devisee heir or owner against who such decree has been made shall fail to comply therewith according to the terms thereof such decree may be certified to the orphans' court of any county in which such real estate is situated or in case such real estate is divided by a county line then to the orphans' court of the county where the mansion house may be situated or if there be no mansion house to the county where the principal improvements may be or if there be no improvements to either county Upon such certification and petition filed by the legatee or the person entitled to such money or to such interest it shall the the duty of the said orphans' court to make an order for the sale of so much and such parts of such real estate as shall in their opinion be necessary to raise the specified sum and to direct the fiduciary or a trustee to be appointed by said court to make such sale after public notice as aforesaid given in each of the counties in which the real estate is situated Such fiduciary or trustee shall in all cases make return of his proceedings in relation to such sale to the orphans' court making such order of sale when if the same be approved by said court it shall be confirmed but the proceeds of such sale shall be distributed under the direction of the court having jurisdiction of the accounts of the fiduciary or trustee as provided in clause (a) of this section In the case of money charged upon real estate the interest on which is payable to any person the orphans' court to which the decree is certified as aforesaid may instead of directing a sale of such real estate as aforesaid make such decreee or order to enforce payment of said interest as shall be just and proper

(c) Before such legatee or other person shall be entitled to the benefit of any decree made under the provisions of this section for payment by the devisee heir or owner of the real estate of the amount of such legacy sum of money or interest he or she shall give such security as the court in which application was originally made shall direct for the indemnity of the devisee heir or owner or other persons interested in the event of any debt due by the testator being recovered for the payment of which such real estate would be liable

Section 26 (a) Whenever any testator shall have heretofore by his last will and testament duly proven given or bequeathed any annuity or annuities to any person or persons or directed the payment of an annuity or annuities by his executors or by trustees or bequeathed legacies of principal sums payable at a future period or upon contingencies or under other cricumstances by which the payment or discharge and satisfaction of such legacies may be postponed or may not take place until a distant period after the death of such testator and either by the express words of the will or by the rules of law in the construction thereof such annuities or legacies are made or become a charge upon all the residuary real or personal estate of the testator and whenever any testator shall hereafter make any such bequest and provisions in any such case it shall be lawful, for the executors of any such will or for any such annuitant or legatee or for any person interested in such residuary estate at any time after the expiration of six months from the granting of letters testamentary to apply by petition to the orphans' court having jurisdiction of the accounts of such executors setting forth the facts and praying relief

(b) Upon the filing of such petition the court may order a citation to be issued to the parties interested to appear at a day certain to show cause why the relief prayed for should not be granted and upon the return of such citation if all the anuitants legatees and other persons interested shall have had due notice of the application the court may itself inquire into the circumstances the amount and condition of the estate and the expediency and propriety of exempting any part or portion of the residuary real or personal estate from the lien and charge of such annuities and legacies or either of them having due regard to the absolute and ultimate security of such annuities and legacies or the court may at its discretion refer the case to a master with directions to inquire into the matters aforesaid and to report thereupon

(c) After such inquiry by the court or if the case is referred to a master after his report has been made and after notice thereof to all persons interested it shall be lawful for the court to make a decree in the premises and if it shall appear that all the debts of the testator have been paid or sufficiently secured the court may enter a decree that such part or parts of the residuary real estate or such real securities or investments in public stocks or bonds or such securities as now are or may hereafter be authorized by law as investments by trustees shall be set apart or appropriated or that such part of the residuary estate shall be so invested as in the judgment of the court shall appear to be and with reasonable probability continue to be adequate and sufficient beyond all charges expenses and deductions for the payment of such annuities and legacies providing always a sufficient surplus to meet any contingent diminution or depreciation in the value or income of the estate and securities so set apart

(d) When such decree shall rave been made it shall be further lawful for the court to order and decree that all the remaining real or personal estate of the testator or both not so specifically set apart shall be and remain discharged and exonerated from the lien and charge of any and every such annuity and legacy and such decree shall have the force and effect of discharging and exonerating all such real or personal estate or both accordingly Provided That an appeal from a decree granting or refusing such petition may be taken to the proper appellate court within six months after the entry of the same as in other cases and Provided fruther That nothing in this section contained shall be deemed or held to authorize the exoneration of any real estate which may have been or may be specifically charged by a testator with the payment of any annuity or legacy

(e) The real estate securities and investments set apart and appropriated by order of the court as aforesaid shall be and continue in the possession charge and management of the executors trustees or other persons to whom the same may have been devised or bequeathed by the testator as aforesaid under and subject to the charge of such annuities and legacies It shall be the duty of every such executor trustee and other person upon request of any person interested to file with said court at the expiration of one year after such decree shall have been made and at the expiration of every year thereafter until the termination of such trust an account setting forth the situation and circumstances of such estate securities and investments and the annual income therefrom, and the payments thereof If upon such account it shall appear to the court that the said income exceeds in any considerable degree the amount of the existing annuities and other charges and expenses payable thereout it shall be lawful for the court to order and decree that such surplus income may be paid over to such persons as may be entitled to the residuary estate under the provisions of the will or the court may in their discretion order and decree that the same be invested in real securities public stocks or bonds or such securities as now are or may hereafter be authorized by law as investments by trustees for the further or additional security of such annuitants or legatees

(f) Upon the application of any person interested in any residuary estate set apart as aforesaid setting forth that by reason of the decease of any such annuitant or by the happening of any other event the charge of any annuity or legacy as aforesaid has become extinguished in fact or law it shall be lawful for the said court from time to time after due notice and inquiry into the facts to make an order and decree for the exoneration and discharge of such part or portion or so much of the real estate securities and investments so set apart and appropriated as may appear to such court to be beyond the amount requisite or proper for the purpose of providing a sufficient continuing security for the payment of the remaining annuities and legacies Every such order or decree shall have the same force and effect in respect to the real estate securities and investments therein and therby exonerated and discharged as is declared in clause (d) of this section in respect to the residuary estate not specifically set apart and appropriated An appeal from the entry of or refusal to enter such order or decree may be taken to the proper appellate court within six months as in other cases

(g) Nothing in this section contained or in any decree or order made by any orphans court by the authority of this section shall be deemed or held to affect in any way the legal or equitable rights of any person or persons interested in the residuary estate set apart and appropriated as aforesaid but all such rights to the ultimate enjoyment of such estate shall remain and continue as before the passage of this act so far as the provisions of this section are concerned

Section 27 (a) 1. In all cases in which under any proceeding in any orphans court of this Commonwealth or by any last will and testament or by the provisions of this act any dower legacy recognizance or ther charge shall have been imposed upon land or any part thereof and such charge is due and payable and the person or persons to whom such payment is due cannot be found after diligent and erasonable search it shall be lawful for the owner of the land charged to apply by petition to the orphans court of the county where said land is situated or in case said land is divided by a county line to the orphans court of the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county setting forth the circumstances of the case the name or names of the person or persons to whom such payment is due or the fact that such names are unknown and the time when such legacy or charge or any part thereof became due and payable and a description of the land subject to the charge Thereupon said court shall make an order directing such petitioner to give public notice of the facts set forth in such petition by publication once a week for four successive weeks in one or more newspapers published within or nearest to said county or within or nearest to each of said counties requiring the person or persons to whom such legacy or charge or any part thereof is due and payable or who wish to lay claim to the moneys as aforesaid to appear in court on a day designated not less than twenty days after the last publication of said notice and show cause why the amount

so due and payable as set forth in said petition should not be paid into said court

2 If no persons shall appear to show cause as aforesaid or if the person or persons appearing shall fail to show that he or they are entitled to such moneys the court being satisfied of the truth of the facts set forth in said petition shall enter a decree that the amount of such legacy or charge or part othereof due and payable to the time of final decree be paid into court and that upon such payment such real estate shall be discharged from the lien of such legacy or charge or from so much thereof as shall be so paid into court When the amount of such legacy or other charge does not appear as a matter of record the court may by appointment of a master or by investigation in open court ascertain and fix such amount. A certified copy of such decree may be recorded in the deed book in the office for recording deeds in every county where such real estate or any part thereof is situated in the same manner and with like effect as deeds of conveyance of real estate are recorded and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name of the owner of the land and the charges for recording shall be the same as are provided by law for similar services

(b) 1 In all cases in which under any proceeding in any orphans' court of this Commonwealth or by any last will and testament or by the provisions of this act any dower legacy recognizance or other charge shall have been imposed upon land payable presently or at a future time and such charge shall have been paid or a period of twenty years shall have elapsed after the principal of such charge has become due and payable and no payment shall have been made within such period on account of such charge by the owner or owners of the land and no sufficient satisfaction release acquittance or acknowledgment of payment thereof shall be of record in the county in which the land is situated it shall be lawful for the orphans' court of said county or in case said land is divided by a county line then the orphans' court of the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county to entertain a petition for the discharge of said land from the lien of said charge

2 Such petition shall be presented by the owner or owners of said land or any part thereof shall be duly verified by affidavit and shall set forth the facts and allege that said charge has been paid or that no payment of principal or interest has been made within said period of twenty years on account of said charge by the present owner or owners or so far as can be ascertained by his or their predecessors in title and shall state the names of all known parties interested in such charge their places of residence if known and a description of the lands subject to the charge and sought to be released and discharged

3 Upon the presentation of such petition it shall be lawful for said court to issue a citation in the manner authorized by law to all such parties which citation shall be served as other citations are required to be served and shall require the parties to appear in court on a day designated to show cause why said land should not be discharged from the lien of such dower legacy or other charge

4 If the court aided if necessary by the report of a master shall determine at a hearing held in pursuance of said citation that such dower legacy or other charge has been paid or is otherwise no longer chargeable upon the land by reason of any presumption of payment or if no person shall appear to answer the citation or if all parties in interest shall have joined in the petition upon which such citation was issued the court being satisfied of the truth of the allegations of the petition shall decree that the land subject to the charge or any part thereof sought to be released or discharged shall be released and discharged from the same and the payment thereof and a certified copy of such decree may be recorded in the office for recording deeds in each county where such land or any part thereof is situated upon the terms and with the effect provided in clause (a) paragraph two of this section.

(c) Whenever any dower legacy recognizance or other charge has been or shall be charged upon or payable out of real estate by virtue of any last will and testament by the provisions of this act or under any proceeding in any orphans' court of this Commonwealth or whenever it shall be claimed that such charge exists it shall be lawful for said court in any case not provided for by the preceding clauses of this section on petition of the devisee or heir of such real estate or any owner thereof claiming under such devisee or heir to authorize such petitioner to pay into said court the full amount of such legacy or other charge whereupon the said court shall make a decree discharging such real estate from the lien of such legacy or other charge or from so much thereof as shall be so paid into court and a certified copy of such decree may be recorded in the office for recording deeds in any county where such land or any part thereof is situated upon the terms and with the effect provided in clause (a) paragraph two of this section

(d) All moneys when paid into court under the provisions of any of the preceding clauses of this section shall remain therein until the legatee or other person claiming the same shall present a petition for the distribution thereof whereupon the court shall after due notice to all parties interested make distribution of said moneys to the persons legally entitled to receive the same or may in its discretion appoint an auditor for the purpose of making such distribution

(e) All costs of proceedings under the provisions of any of the clauses of this section shall be paid as may be directed by the court

(f) Any party aggrieved by any definite order or decree entered by the court under any of the provisions of this section may appeal from such order or decree to the proper appellate court as in other cases

Section 28 (a) The executors of the last will of any decedent to whom is given thereby a naked authority only to sell any real estate shall take and hold the same interests therein and have the same power and authorities over such estate for all purposes of sale and conveyance and also of remedy by entry by action or otherwise as if the same had been thereby devised to them to be sold saving always to every testator the right to direct otherwise

(b) All powers to sell or let real estate on groundrent contained in any will shall be deemed and taken to authorize sales conveyances or leases either public or private unless expressly restricted by the said instrument to one or the other mode

(c) All powers authorities and directions relating to real estate contained in any last well and not given to any person by name or by description shall be deemed to have been given to the executors thereof but no such power authority or direction shall be exercised or carried into effect by them except under the control and direction of the orphans' court having jurisdiction of their accounts and after the entry of security if the court shall so direct

(d) In all cases wherein testators shall have devised their real estate or any part thereof to their executors to be sold or shall have authorized or directed such executors to sell and convey such real estate or shall have directed such real estate to be sold without naming or declaring who shall sell the same if one or more of such executors shall die refuse renounce or be dismissed or discharged it shall be lawful for the surviving acting or remaining executor or executors or for the administrator or administrators with the will annexed if such there be to bring action for the recovery of possession of such real estate and against trespassers thereon to sell and convey such real estate or manage the same for the benefit of the persons interested therein and otherwise act respecting the same as fully and completely as he or they together with such dying refusing renouncing dismissed or discharged co-executor or co-executors would be empowered to do if there had been no death refusal renunciation dismissal or discharge or in the case of an administrator with the will annexed as fully and amply as if all the executors named in the will had joined therein Provided That nothing in this clause shall be deemed or taken to prevent any testator from directing by his last will and testament otherwise than is herein declared and enacted

Section 29 Any fiduciary with power to convey lands or tenements in this Commonwealth may make conveyance under such power by and through an attorney or attorneys duly constituted and such conveyances shall be of the same validity as if executed personally by the constituent and all conveyances so heretofore bona fide made by such fiduciaries are hereby confirmed Provided That nothing herein contained shall authorize any fiduciary to delegate to others the discretion vested in himself for the general management of his trust

Section 30 Whenever any person seised of real estate situated in this Commonwealth has died or shall die having first made and published his last will and testament wherein said real estate is devised to executors or trustees named therein in trust to make sale thereof or wherein the sale of real estate is authorized or directed but no person is designated to make such sale and the executors have complied with the provisions of section twenty-eight clause (c) of this act or wherein said executors or trustees are authorized to make sale of said real estate convert the same into money and distribute the proceeds of such sale or sales or any part thereof or hold the same in trust for any particular purpose or for the use of any particular person or persons named in said last will and testament the person or persons purchasing the real estate so sold from the executors or trustees named in said last will and testament under the power of sale or direction to sell contained therein shall take title thereto free and discharged of any obligation to see to the application of the purchase money

Section 31 Unless it be otherwise provided by the will any testamentary trustee shall have power to make a lease of real estate included in the trust for a term not exceeding five years and any guardian shall have power to make a lease of real estate belonging to his ward for a term not exceeding five years that shall expire before the minor if living would attain his majority If any testamentary trustee or guardian shall deem it advisable to make such lease for a longer period than aforesaid the orphans' court of the county wherein such real estate shall be situated on the application of such trustee or guardian being aided where necessary by the report of a master may authorize such trustee or guardian to lease such real estate on such terms and conditions at such rental and for such period as shall appear just and equitable to said court with the same force and effect as though said lease were made by the beneficial owner or owners and he or they were sui juris and owned the property in fee In all cases where such application shall be approved by any orphans' court the court may direct said trustee or guardian before making such lease to file his bond in said court in such sum as the court shall direct and with good and sufficient corporate security or with two good and sufficient individual sureties approved by said court conditioned for the faithful application or payment by him of all rents to be received under said lease Provided That where such trustee or guardian shall be a corporation duly authorized

by law the court may in lieu of security as aforesaid permit such corporation to enter its own bond without surety

Section 32 (a) Whenever by the provisions of any last will and testament admitted to probate in any county of this Commonwealth any of the real estate of the testator is ordered or directed to be sold and the proceeds therefrom are bequeathed or are payable or distributable in whole or in part to any minor or minors or cestuis que trust and it is the desire of all the legatees and beneficiaries interested in said proceeds to elect to take said real estate in lieu of the several bequests or legacies or interests it shall be lawful for the orphans' court having jurisdiction of the accounts of the executor of said will upon the petition of any fiduciary interested to authorize and empower said fiduciary on behalf of his ward or cestui que trust to enter into an election in writing to take said real estate or part thereof in fee in lieu of the legacy or legacies interest or interests bequeathed or payable or distributable as aforesaid taking and being entitled to an estate in said real estate commensurate with the interest said minor or cestui que trust would have had in the fund derived from the sale of said real estate if the same had been sold in accordance with the provisions of said will Such election shall be duly acknowledged and recorded in the deed book in the office of the recorder of deeds for the county in which such real estate is situated and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name of the ward or cestui que trust the charges for recording to be the same as are provided by law for similar services and shall then be filed in the office of the clerk of the said orphans' court

(b) Whenever by the provisions of any last will and testament admitted to probate in any county of this Commonwealth money is directed to be laid out or invested in real estate for the use of any minor or minors or cestui que trust and it is the desire of all the beneficiaries interested to elect to take said money instead of the real estate it shall be lawful for the orphans' court having jurisdiction of the accounts of the executor of said will upon petition of any guardian or trustee interested to authorize and empower said guardian or trustee on behalf of his ward or cestui que trust to enter into an election in writing which shall be filed in the office of the clerk of said court to take said money in lieu of the real estate taking and being entitled to an interest in said money commensurate with the estate said minor or cestui que trust would have had in the real estate if the same had been purchased in accordance with the provisions of said will

(c) All elections to take real estate in lieu of legacies or interests or money instead of real estate heretofore made by any guardian or trustee pursuant to an order of any orphans' court in this Commonwealth are hereby ratified confirmed and validated

Section 33 (a) Whenever in any last will and testament the testator has directed or shall direct all or any part of his real estate to be appraised and sold or has devised or shall devise such real estate to any person or persons at an appraisement to be made or has given or shall give to any person or persons the right to take such real estate at an appraisement directed by the testator to be made but has not indicated or shall not indicate by whom such appraisement shall be made it shall be lawful for any of the parties interested in such real estate or in the sum to be paid therefor to apply by petition to the orphans' court of the county in which said real estate is situated or in case the real estate is divided by a county line in the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county setting forth the terms and character of such devise or direction of the testator and also the names and residences when known of all parties interested

(b) Upon the presentation of such petition said court shall appoint two or more disinterested and competent persons citizens of the county to make such appraisement unless the testator has designated the number of persons to make such appraisement in which case the court shall appoint the number of persons so designated and the court shall by general rule or by special order in the particular case provide for notice to be given to all parties interested of the time and place of making such appraisement

(c) The appraisers so appointed shall be sworn or affirmed well and truly and without prejudice or partiality to value and appraise such real estate and each of such appraisers shall receive as compensation for his services such amount as may be allowed by said court such compensation to be paid out of the estate of the decedent as part of the costs of administration

(d) The appraisement so made shall be returned to the said orphans' court and if confirmed by said court shall be conclusive on all the parties interested in said real estate unless an appeal be taken from such decree of confirmation to the proper appellate court within six months after the date thereof

(e) Upon the return and confirmation of such appraisement the court shall issue its citation to the person or person entitled to take such real estate on compliance with the terms of the will to appear at a time fixed by said court to accept or refuse the same If upon the return of such citation duly served such person or persons shall appear and accept such real estate at the appraisement and shall pay or secure the payment of the amount thereof at such time and upon such terms as shall be fixed by said court then the court shall adjudge such real estate to such person or persons If such person or persons shall fail or neglect to appear and accept such real estate at the appraisement or shall refuse to accept it or having accepted shall fail to pay or secure the amount of such appraisement as aforesaid then the court shall adjudge such real estate to the person or persons entitled thereto under the provisions of the will in the event of such real estate not being taken at the appraisement directed by the testator or if the will contains no provision for such event then the court shall adjudge such real estate to the persons legally entitled thereto Any such decree may be recorded in the deed book in the office for recording deeds of any county in which such real estate is situated with the same effect as deeds are recorded and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name or names of the person or persons accepting such real estate at the appraisement or of the person or persons entitled thereto in the event of such real estate not being taken at the appraisement or of the person or persons legally entitled thereto where the will contains no provision for a failure to take at the appraisement as the case may be and shall be registered in the survey bureau or with the proper authorities empowered by law to keep a register of real estate if any there be in said county and the charges for recording and registering shall be the same as are provided by law for similar services

(f) In all cases of wills heretofore or hereafter made and duly proved and recorded wherein the testator has given or shall give the right to one or more persons to take any or all of his real estate at a certain valuation therein named and has appointed or shall appoint such person or persons as executor or executors to whom letters testamentary are issued such person or persons may present his or their petition to the orphans' court of the county in which such real estate is situated or in a case where the real estate is divided by a county line in the county where the mansion house may be situated or if there be no mansion house in the county where the principal improvements may be or if there be no improvements in either county setting forth the terms and character of such devise or direction that he or they have been appointed executor or executors of the will that letters testamentary have been issued to him or them and formally accepting such real estate at such valuation. Upon the presentation of such petition the court shall have power to adjudge the real estate to such person or persons and to decree that he or they shall account for the valuation thereof in the settlement of his or their accounts in the orphans' court having jurisdiction of such accounts

(g) Whenever any orphans' court shall have heretofore made a decree adjudging real estate to certain persons in any case mentioned and provided for in clauses (e) and (f) of this section such decree shall be valid and available to vest in the person or persons to whom such real estate was adjudged all the right title and interest of the testator who had died leaving a will wherein the right to accept such real estate was given

Section 34 (a) Whenever by any last will and testament any dwelling-house or other building is devised to any person or persons without defining the boundaries of the curtilage or lot appurtenant to such building and necessary for the use and enjoyment of the same it shall be lawful for any of the parties interested to apply by petition to the orphans' court of the county in which such building is situate for the appointment of commissioners to designate the boundaries of the curtilage or lot appurtenant to such building and necessary for the convenient use of the same for the purposes for which it was intended

(b) It shall be the duty of the said court on presentation of such petition to appoint two or more disinterested and competent persons as they shall think proper for the purposes aforesaid which persons shall be sworn or affirmed faithfully to perform their duties as commissioners and shall be respectively entitled to receive from the estate of the testator for their services as commissioners such sum as the said court shall deem proper

(c) It shall be the duty of the commissioners so appointed to give reasonable notice to all parties interested of the time at which they will examine said dwelling-house or other building for the purposes aforesaid and to make report to the court in pursuance of the order to them directed In such report they shall sufficiently designate and describe by metes and bounds with their courses and distances and by draft if necessary the limits and extent of ground necessary for the convenient use of such building for the purposes for which it was intended If such report shall be approved by the court a decree of confirmation shall be entered a certifiy copy whereof shall be recorded in the deed book in the office for recording deeds of the county in which said building is situate in like manner as deeds are recorded and with same effect and shall be indexed by the recorder in the grantors' index under the name of the decedent and in the grantees' index under the name of the devisee of such dwelling-house or other building and shall be registered in the survey bureau or with the proper authorities empowered by law to keep a register of real estate if any there be in such county upon paymnt of fees for such recording and registration at the rates fixed by law for similar services and the devise of such building shall take the same estate in the ground thus set apart as is devised to him in the building

(d) All costs of proceedings under this section including the fees for recording and registration shall be paid out of the estate of the testator and shall be considered as part of the costs of administration of the estate

Section 35 (a) No personal action hereafter brought except actions for slander and for libels and no action for mesne profits or for trespass to real property shall abate by reason of the death of the plaintiff or the defendant but the executor or administrator of the deceased party may be substituted as plaintinff or as defendant as the case may

be and the suit prosecuted to final judgment and satisfaction

(b) Executors or administrators shall have power to commence and prosecute all actions for mesne profits or for trespass to real property and all personal actions which the decedent whom they represent might have commenced and prosecuted except actions for slander and for libels and they shall be liable to be sued in any such action except as aforesaid which might have been maintained against such decedent if he had lived

(c) In all actions of ejectment which may be pending at the time of the death of any vendor of real estate when the object is to enforce the payment of purchase money due and owing upon an agreement of sale of such real estate it shall and may be lawful for the executors and administrators of the deceased vendor to sustain the same in their own names to the same extent and in like manner as their testator or intestate if living could do

(d) The executors or administrators of every person who was the proprietor of any rent-charge or other rent or reservation in nature of a rent in fee or otherwise as mentioned in section eleven clause (f) of this act shall and may have an action for the arrearages of such rent due to the decedent at the time of his decease against the person who ought to have paid such rent or his executors or administrators or they may distrain therefor upon the lands or tenements which were charged with the payment thereof and liable to the distress of such decedent so long as such lands of tenements remain and are in the seisin or possession of the tenant who ought to have paid such rent or in the possession of any other person claiming the same from or under the same tenant by purchase gift or descent in like manner as such decedent might have done if he had lived

(e) The executors or administrators of any tenant for life who shall die before or on a day on which any rent was reserved or made payable upon any demise or lease of any real estate which determined on the death of such tenant for life may have an action to recover from the lessee or under-tenant of such real estate if such tenant for life die on the day on which the same was made payable the whole or if before the day a proportion of such rent for the last year or quarter of a year or other current period of payment according to the time elapsed at the decease of such tenant for life as aforesaid

(f) The executors or administrators of any person who at the time of his decease was a party plaintiff petitioner defendant or respondent in any action or legal or equitable proceeding pending in any court of this Commonwealth shall have full power if the cause of action shall by law survive to or against them to become party thereto and prosecute or defend such suit or proceeding to final judgment or decree as fully as such decedent might have done if he had lived and if such party die after judgment certificate or decree in his favor his executors or administrators may proceed to execution thereupon as such party might have done if he had lived

(g) The court in which any action or legal or equitable proceeding may be pending at the time of the decease of a party plaintiff petitioner defendant or respondent shall have power to require by writ of scire facias the executors or administrators of such party within twenty days after the service thereof to become party to such action or proceeding or to show cause why they should not be made party thereto by judgment of the court and further proceedings be had in such action or proceeding but in every such case the executors or administrators who shall become party as aforesaid shall be entitled to a reasonable continuance of such action or proceeding according to the circumstances of the case

(h) Whenever the executor or administrator of a deceased plaintiff petitioner defendant or respondent in any action or legal or equitable proceeding pending in any court of this Commonwealth resides without the jurisdiction of the said court the writ of scire facias provided by the preceding clauses of this section may be served on such executor or administrator by the sheriff of the county where he is resident if in the opinion of the proper court such service may be reasonably practicable but if otherwise and also where the said executor or administrator resides in some other state of the United States such service may be made by publication in one or more public newspapers as in the opinion of the court will be most likely to give notice to the said executors or administrators the said manner of service herein provided to have the same force and effect as the manner of service provided by the said clauses

(i) No action or other legal or equitable proceeding commenced by or against fiduciaries or in which fiduciaries are parties shall abate or be otherwise defeated by reason of the death dismissal removal resignation or renunciation of any one or more of them nor by reason of the annulling or revoking of the letters or powers granted to them or any of them but such suit or proceeding may be prosecuted to final judgment or decree by or against such other person or persons as may have been joined with them in the administration or trust or by or against such person or persons as may be their successors therein in all cases in like manner as if no such change had occurred or act been done and in all cases of vacancy in the administration or trust as aforesaid the successors therein shall be made party to such action or proceeding in the manner provided by clauses (f) (g) and (h) of this section

(j) The omission of an executor or administrator to plead to any action brought against him in his representative character that he has fully adminstered the estate of the decedent or any other matter relative to the assets shall not be deemed an admission of assets to satisfy the demand made in such action also the omission of the plaintiff to reply to any such matter when pleaded shall not be deemed an admission of the want of assets as aforesaid nor shall such omission otherwise prejudice either party and no mispleading or lack of pleading by executors or administrators shall make them liable to pay any debt or damages recovered against them in their representative character beyond the amount of the assets which in fact have come or may come or should have come into their hands

(k) In any suit now pending or hereafter to be brought in any court of this state if the plaintiff be dead or shall die during the pendency thereof and no letters testamentary or of administration have been or shall be taken out in this state within one year after the suggestion of the death of such plaintiff upon the record it shall not be the duty of the defendant to raise an administrator for the purpose of prosecuting the same but the court in which such suit is or shall be pending may after due service upon the executors named in the will of such plaintiff if known to defendant or upon the next of kin of the decedent entitled to administration of a rule to show cause enter an order that said suit shall abate unless before the return day of such rule letters testamentary or of administration shall be duly issued

Section 36 The statute of limitations shall begin to run against a debt or demand arising or falling due to the estate of a decedent after his or her death from the time such debt or demand shall arise or fall due as aforesaid notwithstanding that letters testamentary or letters of administration have not been granted on such estate

Section 37 In all cases where executors administrators guardians or trustees shall not reside within the county the orphans' court of which has jurisdiction of their accounts proceedings may be had and suits may be brought against them by creditors and others interested in the estates in the counties where such accounts are to be settled and process may be served on said fiduciaries in any other county by the sheriff of such county who shall be deputized for that purpose by the sheriff of the county in which the process issues or process may be served upon any surety on the official bonds of such fiduciaries

Section 38 Where one of two or more fiduciaries shall be personally or individually indebted obligated or liable to the estate which he represents it shall be lawful for the other fiduciaries or either of them to institute an action at law bill in equity or other appropriate legal or equitable proceeding on behalf of the said estate against such fiduciary individually to recover or enforce the said indebtedness obligation or liability in the same manner as though such fiduciary were not connected with the said estate Provided That this shall not in anywise affect the duty or liability of such fiduciary to account therefor in the office of the register of wills or in the orphans' court in the manner now provided by law the remedy herein provided being in addition to other remedies legal or equitable already existing

Section 39 In all cases where a creditor has appointed or shall appoint his judgment debtor his executor or where such judgment debtor has been or shall be appointed administrator of the creditor and the said judgment is a lien on the real estate of such executor or administrator and the same is bequeathed specifically to a legatee or generally in the residuary clause of such testator's will or where any testator or intestate having a judgment situated as aforesaid shall have creditors interested in preserving the lien of such judgment such legatee or creditor or the next of kin of an intestate interested in such judgment may suggest his or their interest in the same upon the record thereof and issue a writ of scire facias against the defendant to revive the same and continue the lien thereof at any time when such proceedings shall be necessary under the laws of this Commonwealth which judgment so revived shall remain for the use of all persons interested therein

Section 40 Whenever it shall be proposed to compromise or settle any claim whether in suit or not by or against a minor or the estate of a decedent or to compromise or settle any question or dispute concerning the validity or construction of any last will and testament or the distribution of any decedents estate the orphans court having jurisdiction of the accounts of the fiduciary shall be authorized and empowered on petition by such fiduciary setting forth all the facts and circumstances of such claim or question and proposed compromise or settlement and duly verified by oath or affirmation and after due notice to all parties interested and after due consideration aided if necessary by the report of a master if satisfied that such compromise or settlement will be for the best interests of such minor or of the estate of such decedent to enter a decree authorizing the same to be made which decree shall operate to relieve the fiduciary of responsibility in the premises

Section 41 (a) 1 When a fiduciary shall have in his hands any moneys the principal or capital whereof is to remain for a time in his possession or under his control and the interest profits or income whereof are to be paid away or to accumulate or when the income of real estate shall be more than sufficient for the purpose of the trust such fiduciary may invest such moneys in the stock or public debt of the United States or in the public debt of this Commonwealth or in bonds or certificates of debt now created or hereafter to be created and issued according to law by any of the counties cities boroughs townships or school districts of this Commonwealth or in mortgages or ground rents in this Commonwealth Provided That noth-

ing herein contained shall authorize any fiduciary to make any investment contrary to the directions contained in the will of the decedent in regard to the investment of such moneys

2 When a fiduciary shall have in his hands any moneys as aforesaid he may present a petition to the orphans court having jurisdiction of his accounts stating the circumstances of the case and the amount or sum of money which he is desirous of investing whereupon it shall be lawful for the court upon due proof aided if necessary by the report of a master to make an order directing the investment of such moneys in real estate in this Commonwealth other than ground-rents or in the bonds or certificates of debt now created or hereafter to be created and issued according to law by any other state of the United States or by any of the counties or cities of such other state at such prices or on such rates of interest and terms of payment respectively as the court shall think fit Provided That no such investment shall be directed unless it shall be the opinion of the court that it will be for the advantage of the estate and no change be made in the course of succession by such investment as regards the heirs or next of kin of the cestui que trust and Provided further That nothing herein contained shall authorize the court to make an order contrary to the directions contained in any will in regard to the investment of such moneys

3 In case the said moneys shall be invested as set forth in paragraph one of this clause or conformably to the directions of the court under paragraph two of this clause the said fiduciary shall be exempted from all liability for loss on the same in like manner as if such investments had been made in pursuance of directions in the will creating the trust it being hereby declared that the investments mentioned in this section are legal investments of moneys by fiduciaries

(b) Any fiduciary required by law by the order of any orphans court or by the provisions of any last will and testament under or by authority of which such fiduciary is acting to invest funds within his control in mortgages or other securities may include as a part of the lawful expense of executing his trust a reasonable sum paid to a company authorized under the laws of this state so to do for guaranteeing the payment of the principal and interest of such mortgage or other securities not exceeding one-half of one per centum upon the principal of such mortgage or other securities

Section 42 (a) Fiduciaries may themselves or jointly with others organize a corporation to carry on the business of the decedent whether he die testate or intestate whether the business was owned solely by him or in partnership with others if such business be one for which a charter could have been obtained in the life time of the decedent and may contribute all or part of the property of the estate which was invested in the business at the time of the death of the decedent as capital to such corporation and except stock in the corporation in lieu thereof

(b) No such corporation shall be organized without the approval of the orphans court having jurisdiction of the accounts of such fiduciaries first had and obtained upon petition filed setting forth all the facts and circumstances and the proposed terms and conditions of the organization Such notice as shall be prescribed by said court shall be given to all persons having any beneficial interest vested or contingent in the estate of the decedent who are in being at the time of the filing of such petition and the said court shall approve such organization only after inquiring into the circumstances and the proposed terms and conditions of such organization aided if necessary by the report of a master and only with the written consent of all persons interested who shall be sui juris and of the guardians or committee of such as shall be under age or non compos mentis

(c) The stock of any such corporation issued to such fiduciaries shall be held by them for the same uses trusts and persons as the estate and property were held before the organization of such corporation they shall have the same right and power to vote such stock subject to the same control by the court as prescribed by section forty-three of this act regarding shares of stock belonging to the decedent and they shall have the right to sell such stock under the direction of the court

Section 43 Fiduciaries whether appointed by last will and testament or by decree of the orphans court shall have the same right and power either in person or by proxy at all corporate meetings to vote any and all shares of stock held by them in a fiduciary capacity in any corporation organized under the laws of this Commonwealth as the deceased or legal owner thereof had in his lifetime And where such stock is registered on the books of such corporation in the name of or has passed by operation of law or by virtue of any last will and testament to more than two fiduciaries and dispute shall arise among them the said shares of stock shall be voted by a majority of such fiduciaries and in such manner and for such purpose as such majority shall authorize direct or desire the same to be voted If the number of fiduciaries shall be even they shall be equally divided upon the question of voting such stock it shall be lawful for the orphans court having jurisdiction of their accounts upon petition filed by any of such fiduciaries or by any party in interest to direct the voting of such stock in the manner which in the opinion of said court will be for the best interests of the parties beneficially interested in the stock

Section 44 (a) No executor or administrator shall be liable to pay interest but for the surplusage of the estate remaining in his hands or power when his accounts are or ought to be filed Provided That nothing herein contained shall be construed to exempt an executor or administrator from liability to pay interest where he may have made use of the funds of the estate for his own purposes

(b) The amount of interest to be paid in all cases by fiduciaries shall be determined by the orphans' court under all the circumstances of the case but shall not in any instance exceed the legal rate of interest for the time being

Section 45 In all cases where the same person shall under a will fulfill the duties of executor and trustee it shall not be lawful for such person to receive or charge more than one commission upon any sum of money coming into or passing through his hands or held by him for the benefit of other parties and such single commission shall be deemed a full compensation for his services in the double capacity of executor and trustee Provided That any such trustee shall be allowed to retain a reasonable commission on the income he may receive from any estate held by him in trust as aforesaid

Section 46 (a) It shall be the duty of every executor and administrator to file in the registers office a just account of the administration of the estate at the expiration of six months from the time of administration granted or when thereunto required by the orphans court and any executor or administrator may be cited to file his account after the expiration of six months from the date of issuance of letters testamentary or of administration on petition of any person having an interest present or future vested or contingent in the estate of the decedent or on petition of any creditor of the decedent

(b) The several orphans courts of this Commonwealth shall have power by general rule or special order to appoint one or more examiners to make periodical or special examinations of the assets of estates in the hands of fiduciaries and power to require all persons in whose custody or control such assets may be held to present them for such examination The examiners so appointed shall be compensated by reasonable fees to be fixed by the court and to be paid out of the respective estates

(c) The several orphans courts of this Commonwealth shall by general rule provide that any person who claiming to be interested in the estate of any decedent as creditor legatee next of kin or otherwise has given written notice of his claim to the executor administrator or trustee or his attorney shall be entitled to receive actual notice from said executor administrator or trustee or his attorney of the filing of his account or such rule of court may provide for the filing of such claims with and the giving of notice by the register of wills or the clerk of the orphans court

(d) Every register with whom an account has been or shall be filed shall transmit the same to the orphans court of the respective county at its next stated meeting being not less than thirty days distant from the time of such filing of all which he shall give notice to all persons concerned in the following manner namely by an advertisement enumerating all the accounts to be presented at any one time to the said court in at least two secular newspapers if there be two published in the respective county or if there be but one newspaper published in such county then in that one or if there be none then in one printed nearest to the said county at least once a week during the four weeks immediately preceding the meeting of the court at which such account shall be presented setting forth in substance that the accountants naming them and the character in which they respectively act have filed their accounts in the office of the said register and that the same will be presented to the orphans court for confirmation at a certain time and place mentioning the same and also by setting up conspicuously in his office and in at least six other of the most public places in the county at least four weeks before the time appointed for the presentation of such accounts as aforesaid fairly written or printed copies of such advertisement The actual expenses of such advertisement according to the usual rates of advertising in such newspapers and the setting up of such notices shall be divided among all the accounts presented at the same court and the proper portion only shall be charged in any of the said accounts and allowed to the register as the cost of such advertisement and notices

(e) When any of the heirs legatees distributees or creditors of a decedent reside out of this state or out of the United States or from other circumstances it may be expedient to that additional or further notice should be given of the settlement of the account of a fiduciary or of the disposition of the assets or surplusage of the estate it shall be in the discretion of the orphans court to require such further or additional notice to be given by such accountant as they may think proper to appear in court or before the auditor or auditors by them appointed as the case may be at such times as shall be fixed for the examination of such account or for the distribution of the assets or the surplusage of the estate

(f) No account of an executor administrator or guardian shall be confirmed and allowed by the orphans court unless it shall appear at the presentation of such account that notice of such presentation has been given conformaly to the directions of this act

(g) All trustees who are subject to the jurisdiction of the orphans' court shall file their accounts in the court appointing them or in the case of testamentary trustees in the orphans' court of the county where the will is or shall be probated The orphans' court shall have exclusive jurisdiction of the accounts of all trustees appointed by such court and of all testamentary trustees whether such trusts are vested in executors or administrators virtute officii or in trustees named in the will saving however the jurisdiciton of the courts of common pleas under existing laws in cases of trustees who have filed their accounts in such courts before the approval of this act and cases of substituted testamentary trustees appointed by any court of common pleas before the approval of this act

(h) All trustees who are subject to the jurisdiction of the orphans' court may hereafter triennially from the date of their appointment file their accounts in said court which accounts shall be duly audited and confirmed absolutely to that date This clause shall apply to and permit all such trustees who have been acting in such capacity for more than three years before the passage of this act to file their accounts which shall be audited and confirmed absolutely to the date of such filing and in like manner to file their accounts triennially thereafter

(i) Due notice of the filing of any account of a trustee in the orphans' court of any county shall be given by advertisement as prescribed by rule of said court and in such other manner as the said court may in each particular case direct to all persons interested in the estate and absolute confirmation of such account shall not be entered unless all such persons interested are legally competent and qualified either personally or by their guardians or committees to appear in court and object to said account if they so desire

Section 47 (a) The judges of the orphans' courts of this Commonwealth respectively shall have power and are hereby authorized to establish in their discretion such rules and regulations as they may deem proper for the publication of advertisements of notices of the auditing of accounts of fiduciaries and shall have supervision of and regulate the cost of such publication in all such cases as well by special order in particular cases as by general rules

(b) In any county in which a separate orphans' court shall be established all accounts filed in the office of the register of wills or in the orphans' court by fiduciaries shall be examined and audited by the court without expense to the parties except where all parties in interest in a pending proceding shall nominate an auditor whom the court may in its discretion appoint

(c) In any county in which a separate orphans' court shall not be established all accounts filed in the office of the register of wills or in the orphans' court by fiduciaries shall be examined by the court and if not excepted to shall after due consideration be confirmed If any person interested in the estate shall except to the account or any of the parties shall desire to refer the account to an auditor the court shall decide whether the matter calls for such reference and if so the court may appoint a suitable person as auditor The auditor so appointed shall be sworn or affirmed to perform his duties with fidelity and shall have power to administer oaths or affirmations to parties and witnesses in the matter referred to him

Section 48 Within five years after the final decree confirming the original or supplementary account of any fiduciary which has been or may be hereafter passed upon petition of review being presented by such fiduciary or his legal repreesntatives or by any person interested therein alleging errors in such account or in any adjudication of the orphans' court or any report of an auditor of such account which errors shall be specifically set forth in said petition of review said petition and errors being verified by oath or affirmation the orphans' court shall grant a rehearing of so much of said account adjudication or auditor's report as is alleged to be error in said petition of review and give such relief as equity and justice may require by reference to auditors or otherwise with like right of appeal to the proper appellate court as in other cases Provided That this act shall not extend to any cause when the balance found due shall have been actually paid and discharged by any fiduciary

Section 49 (a) No executor or administrator shall be compelled to make distribution of the estate of his testator or intestate until six months be fully expired from the granting of the letters testamentary or of administration in the estate After the expiration of said period distribution may be ordered by the orphans' court having jurisdiction of the accounts of the executor or administrator on petition of any person having an interest in the assets to be distributed or on petition of any creditor of the decedent

(b) Executors or administrators may make distribution and pay or deliver legacies without the audit of their accounts upon such security as may be satisfactory to them nevertheless at their own risk but without liability to any creditors of the decedent who shall not have given written notice to the executor or administrator within six months after the granting of letters testamentary or of administration provided that such executor or administrator has complied with the provisions of section ten of this act Where distribution of a decedent's estate is awarded by the orphans' court after audit and confirmation of any account of the executors or administrators such decree of distribution shall protect the executors or administrators from personal liability with respect to the property so distributed In making distribution under such a decree the executors or administrators shall not be entitled to demand refunding bonds from the distributees except in the cases specially provided for by this act and in other cases in which the court shall direct the giving of refunding bonds

(c) When the personal estate of a decedent does not exceed the value of three hundred dollars the executor or administrator may after the expiration of one year after the date of granting the letters testamentary or of administration present his petition to the proper orphans' court with an annexed account showing the administration and legal distribution of the estate the statements in the petition and the account to be verified by the affidavit of such executor or administrator Thereupon the court may upon satisfactory proof or acknowledgment of notice to all parties known to be interested in said estate that said petition and account have been presented order at the end of thirty days from the date of filing the petition and account the discharge of the executor or administrator and his sureties from future liability without the expense of proceedings as in a formal account unless during said period of thirty days exceptions be filed to the account

(d) No creditor of a decedent who shall neglect or refuse to present his claim at the audit of the account of the executor or administrator held not less than six months after the grant of letters testamentary or of administration of which public notice has been given as provided in section ten of this act or at an audit held after actual notice to such creditor of the filing of such account as provided in section forty-six clause (c) of this act shall be entitled to receive any share of the assets distributed in pursuance of such audit whether the estate of the decedent be solvent or insolvent

(e) 1 Whenever it shall appear at the audit and distribution of an estate in the orphans' court that the balance after payment of debts includes stock bonds or other securities which for reasons satisfactory to said court have not been converted by the accountants it shall be lawful for said court to direct distribution of such assets in kind to and among those lawfully entitled thereto including fiduciaries

2 Where stocks bonds or other securities have been distributed in kind as above provided to any fiduciary it shall be the duty of such fiduciary to use reasonable diligence in converting such securities as shall not be investments now or hereafter authorized by law and if such fiduciary be doubtful as to the propriety of making sale of such securities he may apply to the orphans' court having jurisdiction of his accounts by petition for authority and direction to sell the same whereupon after due notice to all parties interested the said court shall make such order in the premises as to it may appear proper

(f) It shall be lawful for any employer in this Commonwealth at any time not less than thirty days after the death of his employe to pay all wages due to such deceased employe to the wife children father or mother sister or brothers (preference being given in the order named) of the deceased employe without requiring letters testamentary or of administration to be issued upon the estate of said deceased employe where such wages due do not exceed seventy-five dollars in amount If such deceased employe shall not leave a wife or any of said relatives surviving him then it shall be lawful for the employer in like manner to pay such wages to the creditors of the decedent as follows undertaker physician boarding-house keeper and nurse each his or her pro rata share upon affidavit of fact furnished The payment of such wages as aforesaid shall be a full discharge and release to the employer from any further claim for such wages

Section 50 (a) Where any fiduciary has been required or hereafter shall be required upon the receipt of money to give a refunding bond it shall be lawful for such fiduciary upon paying over such money to creditors or to parties beneficially interested to require under the direction of the orphans' court having jurisdiction from each person receiving such money to indemnify such fiduciary to the amount such person may receive

(b) In all cases where refunding bonds shall be given upon the distribution of the estate of any decedent no action or suit thereon shall be brought after the expiration of six years from the date of such bond Provided That where the creditors or other persons entitled to the protection of said bonds shall be within the age of twenty-one years non compos mentis imprisoned or from or without the United States of America or where a creditor whose debt shall not mature within such period shall file within the said period in the office of the clerks of the orphans' court where said distribution shall have been made a copy or particular statement of any bond covenant debt or demand upon which his claim arises then and in any such cases an action may be brought by the creditor at any time not exceeding two years from the coming of age or removal of such disability of the creditor or other person entitled to the protection of said bonds or the maturing of the debt or demand aforesaid

Section 51 (a) It shall be the duty of the prothonotaries of the courts of common pleas to file and docket whenever the same shall be furnished by any parties interested certified transcripts or extracts from the record showing the amount appearing to be due from or in the hands of any fiduciary on the settlement of his accounts in the orphans' court of the same or any other county or by virtue of a decree of said court which transcripts or extracts so filed shall constitute judgments which shall be liens against the real estate of such fiduciary from the time of such entry until payment distribution or satisfaction Executions may be issued thereon out of said court of common pleas against the real estate only of such fiduciary by any person or persons interested for the recovery of so much as may be due to them respectively The liens of such judgments shall cease at the expiration of five years from the time of the entry aforesaid unless revived by scire facias in the manner by law directed in the cases of judgments in the courts of common law

In case of an appeal from the orphans' court the judgment shall be for no more than the amount finally decreed by the appellate court to be due and it shall be the duty of the prothonotary of the common pleas on such decree of the appellate court being certified to him to enter on his docket the amount so found due and decreed by the appellate court If such amount be greater than that decreed by the orphans' court the judgment for such excess shall take effect only from the time of entering the decree of the appellate court but if the amount be reduced by the final decree of the appellate court the prothonotary shall reduce the amount originally entered on his

judgment docket and index accordingly and such final decree upon appeal being certified and filed in said court of common pleas the said term of five years shall be counted from the time of such entry

(b) When the fiduciary shall have fully paid and discharged the amount of such judgment the parties who have received payment shall acknowledge satisfaction thereof on the record of the court of common pleas in case of neglect or refusal so to do for the space of thirty days after request in writing and tender of all the costs the orphans' court on due proof to them made that the entire amount due from such fiduciary according to the final settlement of the said account has been fully paid and discharged may make an order for his relief from such recorded judgment which order being certified to the court of common pleas shall be entered on their records and shall operate as a full satisfaction and discharge of such judgment

Section 52 (a) Any fiduciary whose accounts shall have been settled and confirmed and who shall have paid and transferred the remainder of the property in his hands to his successor in the administration or trust if any or to the persons legally entitled thereto may on petition be discharged by the orphans' court having jurisdiction of his accounts from the duties of his appointment and his sureties may be discharged from future liabilitiy with respect thereto Provided That in every case of the petition of a guardian for his discharge during the minority of his ward it shall be the duty of the court to appoint some suitable person to appear and act for the ward in respect thereto

(b) Whenever one or more of several joint fiduciaries shall die or be discharged or removed by the proper orphans' court the said court upon the application of any party interested shall have power to discharge from future liabliitiy said discharged or deceased fiduciary and his surety or sureties and require new or additional security of the remaining fiduciary or fiduciaries with a like result in case of failure to comply as is provided by this act when new or additional security is for any cause required by such court Provided That such discharge shall not affect liabilities existing at the time of the discharge of such fiduciary or fiduciaries surety or sureties

Section 53 (a) Any orphans' court having jurisdiction of the accounts of executors administrators guardians or trustees shall have exclusive power to remove such executor or administrator and vacate the letters testamentary or of administration or to remove such guardian or trustee as the circumstances of the case may require in any of the following cases

1 When such fiduciary is wasting or mismanaging the estate or property under his charge or is like to prove insolvent or has neglected or refused to exhibit true and perfect inventories or render full and just accounts of such estate or property come to his hands or knowledge

2 When such fiduciary has been duly declared a lunatic habitual drunkard or weak-minded person

3 When such fiduciary has become incompetent to discharge the duties of his trust by reason of sickness or physical or mental incapacity and it shall appear to the satisfaction of the court that such incompetency is likely to continue to the injury of the estate under his control

4 When such fiduciary has removed from this state or has ceased to have any known place of residence therein during the period of one year or more

5 When any guardian whether testamentary or otherwise mismanages the minor's estate or misconducts himself in respect to the maintenance education or moral interests of the minor

6 When such fiduciary fails or neglects to pay over the principal or income of the estate according to his duty under the trust or fails or neglects to comply with any order or direction of the court made in relation to said trust

7 When any trustee of property held in trust under the provisions of any last will and testament for religious educational or charitable purposes or for use as a burying ground neglects or abuses such trust

8 When for any reason the interests of the estate or property are likely to be jeopardized by the continuance of any such fiduciary

9 When all the cestuis que trust or a majority of them having the life estate under any trust shall desire the removal of the trustee or trustees upon any substantial ground not hereinbefore enumerated and the court upon petition filed by them or any of them shall be satisfied that such substantial ground for removal exists in which case the court may remove said trustee or trustees and appoint another or others as chosen by said parties

Provided however That nothing herein contained shall be construed to effect the jurisdiction of any court of common pleas in proceedings pending at the date of the approval of this act

(b) Whenever it shall be made to appear to the orphans' court having jurisdiction of the accounts of any fiduciary on the oath or affirmation of any person interested that there exists any one or more of the grounds for removal of such fiduciary enumerated in the last preceding clause of this section such court may issue a citation to such fiduciary requiring him to appear on a day certain to answer the charge so preferred and may make all such necessary rules and orders as the said court may deem proper for bringing the matter complained of to a hearing If on such hearing the said court shall be satisfied of the truth of the matters charged it may remove such executor or administrator and vacate the letters testamentary or of administration or remove such guardian or trustee as aforesaid and direct the issuance of new letters testamentary or of administration or appoint a new guardian or trustee and make such orders for the security of the trust property and for the delivery of such property and the books accounts papers and moneys belonging or relating to the trust to the successor of such fiduciary as the circumstances of the case may require

(c) Any orphans' court having jurisdiction of the accounts of any fiduciary shall have power in a case of emergency when the exigencies of the case shall appear to the satisfaction of the court to require it in order that the rights of creditors and parties interested in the assets of the estate shall be protected summarily to remove such executor or administrator and vacate the letters testamentary or of administration or summarily to remove such guardian or trustee on any of the grounds enumerated in clause (a) of this section and to direct the issuance of new letters or to appoint a successor to such guardian or trustee on the ex parte petition of any creditor or party interested in the estate and further to make such orders for the security of the trust property and for the delivery of such property and the books accounts papers and moneys belonging or relating to the trust to the successor of such fiduciary as the circumstances of the case may require Provided That it shall be lawful for any such fiduciary so removed to apply by petition to said court to have such decree of removal vacated and to be reinstated in his office

(d) No decree removing one of several co-fiduciaries shall suspend the power or prejudice the acts of any of the other fiduciaries

(e) If such superseded fiduciary shall neglect or refuse to comply with any order or decree of the court made under the provisions of this section the court shall have power to enforce obedience thereto by attachment with or without sequestration execution or otherwise as to such court shall seem necessary and proper for the due protection of the rights and interests of any and all parties interested or the succeeding fiduciary may proceed at law against the superceded fiduciary and his sureties if any there be or against any other person who may be possessed of any goods or chattels belonging to the estate of the decedent or minor as the case may be or be indebted to him or the remedies by execution and suit at law may be pursued at the same time if the case so require until the end be fully attained

Section 54 (a) 1 In any of the cases enumerated in section fifty-three clause (a) of this act the court may upon the return of the citation require such security of an executor or such other and further security of an administrator guardian or trustee as they may think reasonable conditioned for the performance of the trust which security shall be taken in the name of the Commonwealth of Pennsylvania and filed in the said court and shall be deemed and considered in trust for the benefit of all persons interested in such estate Provided That it it shall be made to appear to the said court that such fiduciary is about to remove from this Commonwealth or that the property under his charge may be wasted or materially injured before he can be reached by the ordinary process of the court it shall be lawful for such court to issue a writ of attachment under which the same proceedings may take place as in other cases of attachment on mesne process in the orphans' court and on the return of such attachment the court may proceed as on the return to the citation

2 If such fiduciary shall neglect or refuse to give such security or such further security so ordered then the said court may remove such executor or administrator and vacate such letters testamentary or of administration or remove such guardian or trustee and direct the issuance of new letters or appoint a new guardian or trustee as aforesaid

(b) Application may be made to the orphans' court in any of the cases mentioned in clause (a) of section fifty-three of this act by any surety on the bond of such fiduciary and upon the petition of such surety duly verified by oath or affirmation the like proceedings may be had for the purpose of compelling such fiduciary to give security and thereupon the court may order such fiduciary to give such counter-securities as they shall judge necessary to indemnify the surety against loss by reason of his suretyship If such fiduciary shall refuse or fail to give such security within such reasonable time as the court shall order it shall be lawful for the court to direct such fiduciary to pay or deliver over forthwith to such surety or to some other person for him all of the property moneys books accounts and papers whatsoever for which such surety may be accountable or which may belong or relate to the trust Provided That such surety shall first give to the satisfaction of the court sufficient security faithfully to preserve and account therefor and deliver and dispose of the same according to the order of the court

(c) It shall be lawful for the orphans' court having jurisdiction of the accounts of any fiduciary on the petition of any surety of such fiduciary or of the personal representatives of a deceased surety to issue a citation requiring such fiduciary at the return thereof not less than thirty days' notice to be given of the presentation of such petition to file an account of his management of the trust or estate The said citation upon such petition and affidavit filed of the facts connected with the execution and position of the trust funds or estate shall further direct the said fiduciary to show cause why the petitioner or his estate should not be discharged from all future liability if the court after due notice to all parties interested deem it reasonable and proper If the court on due considera-

tion shall discharge such surety or his estate the fiduciary shall thereupon give a new bond with surety or sureties as the court shall order and on failure or refusal so to do within such time as is ordered by the court shall be removed from the trust and some other person or corporation appointed When a new bond is required under the provisions of this clause the surety in the prior bond or his estate shall be liable for all breaches of the conditions thereof committed before the new bond is approved according to law

Section 55 In case any surety or sureties or the personal representatives of any deceased surety or sureties upon the bond of any fiduciary or any person interested in the trust shall apply to the fiduciary for a complete and detailed statement of the nature and character of the securities in which the trust funds are invested and the said fiduciary shall fail for the space of ten days to furnish such statement or if such statement having been furnished it shall appear to the said surety or sureties or the representatives of said surety or sureties or other person interested in said trust that the funds in the hands of the said fiduciary are badly invested so as to be likely to result in a loss to the trust the said surety or sureties or the representatives of said surety or sureties or other person interested in the trust may present a petition to the orphans' court having jurisdiction of said trust praying that an order be made requiring the said fiduciary to file an account of the administration of his trust which account shall include a complete and detailed statement of the manner and securities in which said trust funds are invested within twenty days after the service of said order unless the time be enlarged by the court Thereupon the said court shall make such order and if upon the audit of such account it shall appear to the court that the said fiduciary has been guilty of any act of fraud or mismanagement or has invested the trust funds in securities not authorized by law or by the will of the testator or has made investments which are likely to cause a loss to the trust said court may remove the said fiduciary and order payment of the assets to his successor or into court

Section 56 (a) Whenever by the provisions of any last will and testament admitted to probate a trust has been or shall be declared of and concerning any real or personal estate to be executed by a trustee or trustees named in said will or by the executor or executors of said will whether by virtue of their office or otherwise and any of the said executors or trustees shall die renounce resign be dismissed from or refuse to act in the said trust leaving the other executor or executors trustee or trustees continuing therein it shall be lawful for the orphans' court having jurisdiction of the accounts of such executors or trustees on the application of any party in interest and with the consent of such continuing executor or executors trustee or trustees with notice to all persons interested so far as such notice can reasonably be given to appoint a trustee or trustees in the place of the executor or executors trustee or trustees so dying renouncing resigning dismissed or refusing to act and to require the person or persons so appointed to enter sufficient security for the faithful performance of the trust The trustee or trustees so appointed shall have the same power and interest over and in the property in trust as the executor or executors trustee or trustees in whose stead he or they shall be so appointed as aforesaid It shall also be lawful for the said court to appoint a successor or successors to such trustee or trustees from time to time whenever from death resignation or otherwise the same shall be necessary or expedient

(b) Whenever in any of the cases enumerated in clause (a) of this section all of the said executors or trustees shall die renounce resign be dismissed from or refuse to act in the said trust it shall be lawful for the orphans' court having jurisdiction of the accounts of such executors or trustees on the application of any party interested and with notice to all persons interested so far as such notice can reasonably be given to appoint a trustee or trustees in place of the executor or executors trustee or trustees so dying renouncing resigning dismissed or refusing to act and to require the person or persons so appointed to enter sufficient security for the faithful performance of the trust the trustee or trustees so appointed shall have the same power and interest over and in the property in trust as the executor or executors trustee or trustees in whose stead he or they shall be so appointed as aforesaid It shall also be lawful for the said court to appoint a successor or successors to such trustee or trustees from time to time whenever from death resignation or otherwise the same shall be necessary or expedient

(c) In all cases of trusts created by will and annexed to the office of executor such executor may decline to accept the trust or be discharged therefrom without affecting his office of executor and the orphans court of the proper county shall have power to fill the vacancy by appointment and if a trust fund or estate is committed to an executor or other trustee in which several cestuis que trust have or are entitled to enjoy a separate interest and a vacancy should in any manner occur in the office of the trustee thereof the said court may appoint one or more trustees of such estate or fund for each of the said cestuis que trust on his or her application and the said trustee shall give security as in other cases

(d) The jurisdiction of proceedings under the provisions of this section shall be exclusively in the proper orphans' court Provided however That nothing herein contained shall be construed to affect the jurisdiction of any court of common pleas in proceedings pending at the date of the approval of this act

Section 57 (a) Any fiduciary appointed by any orphans' court of this Commonwealth or by virtue of any last will and testament probated within this Commonwealth may if resident within this Commonwealth lawfully execute the duties of his trust whether or not he is a resident of the county in which the trust was created or in which the decedent has his domicile The court having jurisdiction may in its discretion appoint or refuse to appoint as trustee or guardian any person who is not a resident of this Commonwealth or a corporation of any state of the United States of America other than Pennsylvania duly authorized by its charter or by law to act as such fiduciary and shall require in all cases of a nine-resident of this Commonwealth or of such corporation a bond with sufficient sureties conditioned for the faithful discharge of the duties of the trust but the court may in its discretion permit such corporation to give its own bond without sureties Every appointment by will of a trustee or guardian who is a non-resident of this Commonwealth shall be subject to the approval of such court and the court may require the entry of such bond No such apointment shall be made of nor shall letters testamentary be issued to a corporation of another state unless such corporation shall first file with the clerk of said cour or with the register of wills as the case may be, an appointment in writing of an attorney-in-fact resident within the respective county upon whom service of process and notices may be made

(b) When the trustee or trustees of any estate shall reside out of this Commonwealth and any part of the trust estate property or fund is situated within this State the proper orphans' court may on the petition of any of the parties interested in said trust property appoint one or more trustees resident within this Commonwealth to act in conjunction with said non-resident trustee or trustees in the management and disposition of said trust and the said court shall have the same power over said trustee or trustees so appointed that it has in other cases of trust

Section 58 (a) Except as hereinafter provided no letters testamentary or of administration or otherwise which may be granted out of this Commonwealth purporting to authorize any person to intermeddle with the estate of a decedent shall confer upon such person any of the powers and authorities possessed by an executor or administrator under letters granted within this State nor except as hereinafter provided shall any appointment of a trustee of a decedent's estate or any part thereof by will probated out of this Commonwealth or by any court out of this Commonwealth confer upon such person any of the powers and authorities possessed by a trustee under a will probated within this State or appointed by an orphans' court of this State

(b) Except as hereinafter provided no appointment of a guardian made or granted by any authority out of this State shall athorize the person so appointed to interfere with the estate or control the person of a minor in this State Provided That such foreign guardian may at the discretion of the orphans' court having jurisdiction be appointed by said court on giving security for the due performance of his trust

(c) It shall be lawful for any executor administrator trustee or other person duly authorized to take charge or possession of the personal estate of any decedent or for any guardian or other legal representative of the estate of a minor acting under letters testamentary or of administration or other authority granted by or under the laws of any other state territory or possession of the United States of America or of any foreign country to assign and transfer and to receive the dividends or interest of any public debt or loan of the Commonwealth of Pennsylvania or of any county city borough township or school district thereof or any stocks or bonds of any corporation incorporated under the laws of this Commonwealth standing in the name of or belonging to the decedent minor or cestui que trust or any mortgage debt or indenture of mortgage held by or belonging to the decedent minor or cestui que trust upon real estate situate within this Commonwealth and to enter or cause to be entered satisfaction upon the record of such indenture of mortgage Before any such act shall be done by any such executor administrator trustee guardian or other person there shall be filed in the office of the register of wills for the county in which is located the office for the transfer of such loans stocks or bonds or in the case of a mortgage of the county where the mortgaged real estate may be situated when such person is acting under letters or other authority granted by or under the laws of any other state territory or possession of the United States of America a copy of the will probate and letters issued thereon or of such other grant of authority duly authenticated in accordance with the Acts of Congress or when such person is acting under letters or other authority granted by or under the laws of any foreign country a copy of such will probate and letters issued thereon or of such other grant of authority certified by the official custodian of such documents or records under his official seal if any to be a true and correct copy of the originals thereof in his possession or under his control together with the certificate of the presiding judge or the officer having jurisdiction or authority over such custodian that the attestation is in due form and by the proper officer Provided That before any such executor administrator or trustee shall assign or transfer any such loans stocks bonds or mortgages or receive any interest or dividends thereon or enter satisfaction of any such mortgage he shall also file with said register of wills an affidavit stating that the said decedent is not indebted to any person in this Commonwealth and that the proposed transfer assignment receipt or entry of satisfaction is not made for the purpose of removing any of the assets of said decedent beyond the reach of any of the

creditors in this Commonwealth and any such transfer assignment receipt or entry of satisfaction without first making and filing such affidavit shall be void

(d) Whenever a citizen of the United States non-resident in the Commonwealth of Pennsylvania shall have died owning real estate in this Commonwtalth and by his last will and testament shall have empowered his executor or trustee to sell and convey his real estate it shall be lawful for said executor or trustee or his duly appointed successor although not a resident in this Commonwealth from and after the expiration of one year from the death of such decedent to execute any power of sale contained in said last will and testament and to sell and convey to the purchaser the whole or any part of such real estate located in this Common wealth Provided That before executing the power of sale a copy of the last will probate and letters testamentary and of the decree appointing such successor if any there be duly authenticated as provided in clause (c) of this section shall be filed in the office of the register of wills of the county where the land is situated Provided further That nothing in this clause shall change or modify the Acts of Assembly relating to collateral inheritances

(e) It shall be lawful for foreign executors or administrators to cause to be issued in their names as such executors or administrators writs of scire facias within this Commonwealth on all judgments in favor of their decedents the lien of which judgments is about expiring Provided That before any further proceedings are had letters testamentary or of administration must be granted within this Commonwealth as provided by law

(f) It shall be lawful for the orphans' court having jurisdiction of the accounts of any fiduciary to award personal property to the foreign executor or administrator of a deceased non-resident creditor legatee or distributee when it shall appear to the satisfaction of the court by affidavit or other evidence that there are no creditors of such non-resident decedent within this Commonwealth and when it shall further appear by certificate of the register of wills surrogate or court of the proper jurisdiction duly authenticated as required by the Acts of Congress if the domicile of such non-resident creditor legatee or distributee was in another state territory or possession of the United States of America or by the proper diplomatic or consular officer appointed by the United States of America under hi sofficial seal if such domicile was in a foreign country that the person claiming to receive such award is authoried under the laws of such state territory possession or country to receive the property of his decedent Provided That the benefits of this clause shall not extend to any case in which it shall appear that the rights of any resident of this Commonwealth may be adversely affected by such transfer of property to such foreign executor or administrator

(g) 1 In all cases where any guardian and his ward or trustee and his cestui que trust or committee and his lunatic or any other fiduciary and the person in whose interest he is acting shall both be non-residents of this state and such ward or cestui que trust shall be entitled to money personal property of any description or the proceeds of any sale of real estate in this state under the control or jurisdiction of any orphans court and such guardian trustee or other fiduciary shall produce satisfactory proof to said court by certificates that he has given bond and security with special reference to the money or personal property to be removed in the state or country in which he and his ward or cestui que trust reside in double the amount of such money or of the value of such property as guardian trustee or other fiduciary and it shall be found that a removal of the property will not conflict with the terms or limitations attending the right by which the ward or cestui que trust owns the same and that no right of any resident of this Commonwealth will be prejudiced by such removal then any such guardian trustee or other fiduciary may demand or sue for and remove any such money or property to the place of residence of himself and his ward or cestui que trust If such guardian trustee or other fiduciary and his ward or cestui que trust reside in another state territory or possession of the United States of America such certificate shall be authenticated as required by the Acts of Congress and if they reside in a foreign country shall be made by the court having jurisdiction of such guardian trustee or other fiduciary and authenticated by and under the official seal of a diplomatic or consular officer appointed by the United States of America and residing in such country Provided That if it shall appear by such certificate that under the laws of such state territory possession or foreign country such guardian trustee or other fiduciary is not required to enter security but that the interests of his ward or cestui que trust are safeguarded by a deposit of the money or property in the court having proper jurisdiction then it shall be lawful for the orphans' court of the proper county in this state to cause suitable orders to be made authorizing the delivering and passing over of such money or property to such court without the entry of security

2 When such non-resident guardian or trustee shall produce an exemplification under the seal of the office if there be a seal of the proper court in the state or country of his residence containing all the entries on record in relation to his appointment and giving bond and authenticated as required by the Acts of Congress or by a diplomatic or consular officer appointed by the United States of America as provided in paragraph one of this clause the orphans' court of the proper county in this state may cause suitable orders to be made discharging any resident fiduciary and authorizing the delivering and passing over of such personal property and also requiring receipts to be passed and filed if deemed advisable Provided That in all cases thirty days' notice shall be given to the resident fiduciary if such there be of the intended application for the order of removal and the court may reject the application and refuse such order whenever it is satisfied that it is for the interest of the ward or cestui que trust that such removal shall not take place or that the claims of residents of this Commonwealth are not fully protected

(h) When all the persons for whose benefit a valid trust shall have been created by will for a term of years or for life shall have removed from this state into any other state territory or possession of the United States to reside permanently therein the orphans' court having jurisdiction of such trust is hereby authorized and empowered on application by or on behalf of all the persons interested in the trust to direct the trustee or trustees appointed in and by said will to pay over said trust moneys or transfer the securities in which they may have been invested to a trustee or trustees duly appointed by the court of such other state territory or possession upon the production to said court of satisfactory proof by certificates of the appointment of such trustee or trustees in the other state terriory or possession the authority of such trustee or trustees to receive such moneys or securities and the entry of bond and security of proof of the fact that under the laws of such state territory or possession security is not required such certificate to be authenticated in the manner provided in clause (g) paragraph one of this section and upon the production of satisfactory proof that the removal of the property will not conflict with the terms or limitations attending the rights which the cestuis que trust have in such money or securities

Section 59 (a) The orphans' court of each county shall have the care of the persons of minors resident within said county and of their estates and shall have power to admit such minors over the age of fourteen when and as often as there shall be occasion to make choice of guardians and to appoint guardians for such as are under the age of fourteen or otherwise incompetent to make choice for themselves Such appointment or admission of a guardian by the orphans' court of the county in which the minor resides shall have the like effect in every other county in this Commonwealth as in that by the orphans' court of which he shall have been so admitted or appointed

(b) Persons of the same religious persuasion as the parents of the minors shall in all cases be preferred by the court in their appointment as guardians of the persons of such minors

(c) No executor administrator or trustee shall be admitted or appointed by the orphans' court guardian of a minor having an interest in the estate under the care of such fiduciary Provided That nothing herein contained shall be construed to extend to the case of a testamentary guardian

(d) The orphans' court shall not appoint the father or the mother of a minor as guardian of the estate of said minor Provided That nothing herein contained shall be construed to extend to the case of a testamentary guardian And provided further That where the estate of the minor shall be of the value of one hundred dollars or less the court may in its discretion authorize payment or delivery thereof to the natural guardian of the minor or the person by whom the minor is maintained without the appointment of a guardian by the court or the entry of security

(e) The orphans' court of each county shall have power to appoint guardians of the estates of minors residing out of the Commonwealth in all cases where such minors are possessed of estates lying within the jurisdiction of said court upon the petition of the minors if over the age of fourteen and if it be reasonably practicable for such minors to present their own petitions and in other cases on the petitions of persons qualified to act as their next friends without requiring the said minors to appear in court to make choice of such guardian

(f) The orphans' court of each county shall have power to appoint guardians of the persons and estates of minors residents of such county who may be absent in the service of the United States or who may be physically unable to appear and choose for themselves or who may be so distant from the seat of justice of the county as to make it unnecessarily expensive for them to appear upon the petition of the minors if over the age of fourteen and if it be reasonably practicable for such minors to present their own petitions and in other cases on the petitions of persons qualified to act as their next friends without requiring the said minors to appear in court to make choice of such guardians Provided That when the appointment shall be made on petition of a next friend the minor if of the age of fourteen or on attaining that age may subsequently appear and choose his guardian

(g) The orphans' court having jurisdiction whenever they may deem it proper may require a bond with good and sufficient corporate security or with two good and sufficient individual sureties from every guardian of a minor whether admitted or appointed by the court or appointed by will or in the case of a corporation duly authorized by its charter or by law to act as guardian said court may permit such corporation to give its own bond without surety Guardians' bonds shall be filed in the office of the clerk of the court and be considered in trust for all persons interested the bonds shall be taken to the Commonwealth in such penalties as the court shall direct and the condition shall be in the following form

The condition of this obligation is such that if the above-bounded A B guardian of C D a minor child of E F (late of deceased) shall at least once in every three years and at any other time when required by the orphans' court for the county of render a just and true account of the management of the property

and estate of the said minor under his care and shall also deliver up the said property agreeably to the order and decree of the said court or the directions of law and shall in all respects faithfully perform the duties of guardian of the said C D then the above obligation shall be void otherwise it shall be and remain in full force and virtue

Provided That nothing in this act contained shall be construed to deprive a minor of any action or remedy to which he may be entitled at the common law against his guardian for any cause whatever

(h) Every guardian shall within thirty days after any property of his ward shall have come into his hands or possession or into the hands and possession of any person for him file in the office of the clerk of the court a just and true inventory and statement on oath or affirmation of all such property or estate

(i) When any one shall die leaving an infant child or children without having made an adequate provision for the support and education of such child or children during their minority the orphans' court may direct a suitable periodical allowance out of the minor's estate for the support and education of such minor according to the circumstances of each case which order may from time to time be varied by the court according to the age of the minor and the circumstances of the case

(j) 1 Every guardian whether required by the court to give security or not shall at least once in every three years and at any other time when so required by the court render an account of the management of the minor's property under his care which accounts shall be filed in the office of the clerk of the orphans' court for the information of the court and the inspection of all parties concerned

2 After the filing of such account or accounts such guardian or any person qualified to act as next friend of the minor may petition the orphans' court of the respective county for leave to have said account or accounts examined or audited and confirmed with the same force and effect as executors' administrators and trustees' accounts are examined or audited and confirmed

3 Such petition shall set forth the reason why such account or accounts should be examined or audited and confirmed and shall contain full information as to who may be next of kin or nearest relative of age to such minor or minors and all others interested in the minor's estate together with their addresses if it is possible to give them

4 The court may thereupon direct to whom and what notice if any shall be given to such next of kin or nearest relative of age or the parties interested in said minor's estate including the minor or minors if fourteen years of age or over of the filing of said account or accounts and presentation of said petition

5 After the filing of due proof of the service of said notice if any be required by the court the court may if it be satisfied that any reasonable necessity exists for the examination of audit and confirmation of such account or accounts asked by said petition thereupon appoint some suitable person to act as guardian ad litem for the minor or minors interested in said account or accounts and the same shall be thoroughly examined by said guardian ad litem who shall make report to the court of the result of his examination or the court may examine and audit said account itself and after said examination or audit is completed a final decree of confirmation as to the matters contained in said account or accounts and said report or reports and said audit or audits shall be made by the court which decree of confirmation shall be final and conclusive as to matters contained in said accounts reports or audits and decrees with the same force and effect or such decrees now have in respect to the accounts of executors administrators and trustees and the audits thereof

6 The costs of said audits or examinations including a fee for said guardian ad litem to be fixed by the court shall be allowed as part of the administration expenses and be paid by such guardians out of the property of the ward in their hands and allowed as credits in said decrees or the said costs shall in the discretion of the court be paid by the said guardians personally

7 Appeals from such decrees and rehearings of such accounts shall be allowed in the same manner and form and with the same force and effect as are allowed in the similar cases of other fiduciaries

8 Every such guardian unless previously discharged or removed shall on the arrival of his ward at full age file in the register's office a full and complete account of his management of the minor's property under his care including all the matters embraced in each partial account except where an examination or audit and final decree of confirmation has taken place as hereinbefore provided in which case said final account shall include only such matters as were not included in such former accounts and decrees aforesaid And the decree of the orphans' court upon such final account shall like other decrees of the court be conclusive upon all parties unless reversed modified or altered on appeal

(k) In all cases in which proceedings may be had in any orphans' court affecting the interest of a minor notice of such proceedings shall be given to the guardian of such minor in the same manner as is provided by law in the case of persons of full age If such minor has no guardian appointed by an orphans' court of this Commonwealth or by will probated within this Commonwealth the orphans' court in which such proceedings shall be pending shall appoint a guardian ad litem for such minor in the same manner as is provided by this act in the case of ordinary applications for the appointment of guardians If such minor or his next friend shall fail or refuse to apply for the appointment of a guardian ad litem as aforesaid then such guardian shall be appointed by said court on petition filed by any person interested in such proceedings Notice shall be served as aforesaid upon such guardian ad litem whenever notice shall be requisite

Section 60 (a) Whenever it shall be made known to the orphans' court of the county in which shall be found all or the greater portion of the estate within this Commonwealth of any person who has been a resident either of this Commonwealth or of any other state territory or possession of the United States or of any foreign country and who has absented himself from his usual place of abode by the petition verified by affidavit of the husband wife or next of kin of such person or other persons interested in the order named such petition being supported by the affidavits of at least two disinterested residents of the city borough township or other territorial subdivision where such person was last known to reside that such person has been absent from his usual place of abode for the space of one year that his whereabouts is not and has not been known for the space of one year and he has left an estate either real or personal or both situated owing or belonging to him within this Commonwealth without any person to take charge of or manage the same it shall be lawful for said court to appoint one or more trustees who shall take charge of and manage the estate of such person so being absent and who shall be under the control and direction of said court

(b) Such trustee or trustees before taking charge of such estate shall give bond in twice the amount of the personal property and seven years' rental of real estate with sufficient corporate security or two sufficient individual sureties to be approved by said court for the faithful discharge of his or their duties and shall within thirty days after his or their appointment file an inventory of said estate and render an account at least once in three years or oftener if required by said court Provided That in the case of a corporation duly authorized by its charter or by law to act as such trustee said court may permit such corporation to give its own bond without surety

(c) If such person so being absent shall return before the expiration of seven years from the time when he was last heard of or before letters testamentary or of administration shall have been issued in his estate on the ground of his presumed death or in case such letters shall have been so issued before the said trustee or trustees shall have paid or delivered over the property or estate to the excutors or administrators so appointed then said trustee or trustees shall render an account and restore to such person the property and estate after deducting the reasonable expenses of said trust and compensation of said trustee or trustees If such absent person shall die within such period of seven years and letters testamentary or of administration shall be duly issued in his estate or if after the expiration of said period of seven years letters testamentary or of administration shall be issued in his estate on the ground of his presumed death then said trustee or trustees shall render an account and pay and deliver over to the executors or administrators of such person the property and estate after deducting expenses and compensation as aforesaid

Section 61 No immaterial variation from the forms given and prescribed in and by this act shall vitiate or render void any proceedings in which said forms shall be used

Section 62 This act shall be known and may be cited as the Fiduciaries Act of 1917

Section 63 The following acts and parts of acts of Assembly are hereby repealed as respectively indicated The repeal of the first section of an act shall not repeal the enacting clause

An act entitled "An Act directing the order of payment of debts of persons deceased" passed January twelfth one thousand seven hundred five and six two Statutes at Large one hundred and ninety-eight Chapter one hundred and thirty-four absolutely

Sections two to seven inclusive and ten to thirteen inclusive of an act entitled "An Act for establishing orphans' courts" pased March twenty-seventh, one thousand seven hundred and thirteen one Smith's Laws eighty-one absolutely.

An Act entitled "An Act for the more easy recovery of legacies" passed March twenty-first one thousand seven and eighty-three absolutely

Section five of an act entitled "An Act for prevention of frauds and perjuries" passed March twenty-first one thousand seven hundred and seventy-two one Smith's Laws three hundred and eighty-nine absolutely

An Act entitled "An Act for continuing an act entitled 'An Act for the more easy recovery of legacies'" passed October ninth one thousand seven hundred and seventy-nine one Smith's Laws four hundred and seventy-three absolutely

Section eight of an act entitled "An Act to establish the judicial courts of this Commonwealth in conformity to the alterations and amendments in the Constitution" passed April thirteenth one thousand seven hundred and ninety-one three Smith's Laws twenty-eight absolutely

An Act entitled "An Act to enable executors and administrators by leave of court to convey lands and tenements contracted for with their decedents and for other purposes therein mentioned" passed March thirty-first one thousand seven hundred and ninety-two three Smith's Laws sixty-six absolutely

Sections one two and fourteen to twenty-one inclusive of an act entitled "An Act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned" passed April nine-

teenth one thousand seven hundred and ninety-four three Smith's Laws one hundred and forty-three absolutely

Sections one to four inclusive and nine of an act entitled "An Act supplementary to the act entitled 'An Act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned'" passed April fourth one thousand seven hundred and ninety-seven three Smith's Laws two hundred and ninety-six absolutely

An Act entitled "An Act declaring the power and authority given by any last will and testament to executors to sell and convey real estates to be and remain in the survivors or survivor of them unless otherwise expressed in the will of the testator and for other purposes therein mentioned" passed March twelfth one thousand eight hundred three Smith's Laws four hundred and thirty-three absolutely

An act entitled "An act authorizing executors and administrators in certain cases to convey lands sold by their decedents by order of orphans' court" approved April second eighteen hundred and two Pamphlet Laws one hundred and thirty-three absolutely

An Act entitled "A Supplement to the act entitled 'An Act to enable executors and administrators by leave of court to convey lands and tenements contracted for with their decedents and for other purposes therein mentioned'" approved March twelfth eighteen hundred and four Pamphlet Laws two hundred and seventy-one absolutely

Section three of an act entitled "An Act to amend certain parts of an act entitled 'An Act supplementary to the several acts of this Commonwealth concerning partitions and for other purposes therein mentioned'" approved March twenty-sixth eighteen hundred and eight Pamphlet Laws one hundred and forty-four absolutely

Section two of an act entitled "An Act relative to dower and for other purposes" approved April first eighteen hundred and eleven Pamphlet Laws one hundred and ninety-eight absolutely

An Act entitled "A Supplement to the act entitled 'An Act declaring the power and authority given by any last will and testament to executors to sell and convey real estates to be and remain in the survivors or survivor of them unles otherwise expressed in the will of the testator and for other purposes therein mentioned'" approved February seventh eighteen hundred and fourteen Pamphlet Laws forty-four absolutely

An Act entitled "An Act to compel trustees to account in certain cases and for other purposes" approved February seventeenth eighteen hundred and eighteen Pamphlet Laws one hundred and four in so far as it relates to testamentary trustees

An Act entitled "A Further Supplement to the act entitled 'An Act to enable executors and administrators by leave of the court to convey lands and tenements contracted for with their decendents and for other purposes'" approved March tenth eighteen hundred and eighteen Pamphlet Laws one hundred and eighty-three absolutely

Section seven of an act entitled "An Act to compel assignes to settle their accounts and for other purposes" approved March twenty-fourth eighteen hundred and eighteen Pamphlet Laws two hundred and eighty-five in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

Section two of an act entitled "An Act to limit the time of appeal in cases of divorce and of the settlement of the accounts of guardians executors and administrators" approved February eighth eighteen hundred and nineteen Pamphlet Laws fifty-eight absolutely

Section two of an act entitled "A Further Supplement to an act approved 'An Act to enable the executors and administrators by leave of court to convey lands and tenements contracted for with their decedents and for other purposes therein mentioned' passed the thirty-first of March one thousand seven hundred and ninety-two" approved February fifth eighteen hundred and twenty-one Pamphlet Laws twenty-five absolutely

An Act entitled "An Act relative to guardians of minor children" approved March thirtieth eighteen hundred and twenty-one Pamphlet Laws one hundred and fifty-three absolutely

Section two of an act entitled "An Act to encourage domestic industry and promote the comfort of the poor" approved March thirty-first eighteen hundred and twenty-one Pamphlet Laws one hundred and seventy-eight absolutely

An act entitled "A Further Supplement to the act entitled 'An Act directing the descent of intestates' real estates and distribution of their personal estates and for other purposes therein mentioned'" approved April first one thousand eight hundred and twenty-three Pamphlet Laws two hundred and eighty-six absolutely

Section one of an act entitled "An Act to enable executor administrators guardians and other trustees to invest their trust moneys" approved February eighteenth eighteen hundred and twenty-four Pamphlet Laws twenty-five in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An act entitled "An Act to prevent the failure of trusts" approved March twenty-second eighteen hundred and twenty-five Pamphlet Laws one hundred and seven in so far as it relates to testamentary trustees

Section one of an act entitled "A Supplement to the intestate law of this Commonwealth" approved April eighth eighteen hundred and twenty-six Pamphlet Laws two hundred and fifty-five absolutely

Section three of an act entitled "An Act for the relief of the poor" approved April tenth eighteen hundred and twenty-eight Pamphlet Laws two hundred and eighty-five absolutely

Sections one and two of an act entitled "An Act to prevent the failure of trusts to provide for the settlement of accounts of trustees and for other purposes" approved April fourteenth eighteen hundred and twenty-eight Pamphlet Laws four hundred and fifty-three in so far as they relate to testamentary trustees

Sections one and two of an act entitled "An Act concerning executors" approved April third eighteen hundred and twenty-nine Pamphlet Laws one hundred and twenty-two absolutely

An act entitled "A Further Supplement to the act directing the descent of intestates' real estate and distribuion of heir personal estates and for other purposes therein mentioned passed the nineteenth day of April seventeen hundred and ninety-four" approved April seventh eighteen hundred and thirty Pamphlet Laws three hundred and forty-seven absolutely

Sections six fourteen fifteen sixteen eighteen to twenty-four inclusive twenty-six to thirty inclusive forty-three and forty-four of an act entitled "An Act relating to registers and registers' courts" approved March fifteenth eighteen hundred and thirty-two Pamphlet Laws one hundred and thirty-five absolutely

Sections five to thirty-four inclusive forty-seven fifty-three and fifty-four of an act entitled "An Act relating to orphans' courts" approved March twenty-ninth eighteen hundred and thirty-two Pamphlet Laws one hundred and ninety absolutely

Sections one to forty-one inclusive, forty-three forty-five to sixty-one inclusive sixty-six sixty-seven and sixty-eight of an act entitled "An Act relating to executors and administrators" approved February twenty-fourth eighteen hundred and thirty-four Pamphlet Laws seventy-three absolutely

Sections one and three of an act entitled "Supplement to the act passed the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts'" approved April fourteenth eighteen hundred and thirty-five Pamphlet Laws two hundred and seventy-five absolutely

Sections twelve and thirteen of an act entitled "A Supplement to the act entitled 'An Act to establish the district court for the city and county of Philadelphia' passed the twenty-eighth day of March one thousand eight hundred and thirty-five" approved March eleventh eighteen hundred and thirty-six Pamphlet Laws seventy-six in so far as they relate to testamentary trustees

Sections fifteen to twenty-one inclusive and twenty-three to twenty-six inclusive of an act entitled "An Act relating to assignees for the benefit of creditors and other trustees" approved June fourteenth eighteen hundred and thirty-six Pamphlet Laws six hundred and twenty-eight in so far as they relate to testamentary trustees

Section three of an act entitled "An Act supplementary to the various acts relating to orphans' and registers courts and executors and administrators and the act relating to the measurement of grain salt and coal" approved June sixteenth eighteen hundred and thirty-six Pamphlet Laws six hundred and eighty-two absolutely

Section two of an act entitled "An Act to empower the court of common pleas for the City and County of Philadelphia to appoint assignees or trustees in the place of the deceased assignees or trustees of John Vaughan and for other purposes" approved March seventeenth eighteen hundred and thirty-eight Pamphlet Laws eighty in so far as it relates to the orphans' court

Sections one and two of an act entitled "A Further Supplement to an act entitled 'An Act relating to orphans' courts' passed the twenty-ninth day of March one thousand eight hundred and thirty-two and the supplement thereto passed the fourteenth day of April one thousand eight hundred and thirty-five and for other purposes" approved April thirteenth eighteen hundred and forty Pamphlet Laws three hundred and nineteen absolutely

Section one of an act entitled "An Act relating to orphans' courts and for other purposes" approved October thirteenth eighteen hundred and forty Pamphlet Laws (eighteen hundred and forty-one) one absolutely

Section five of an act entitled "A Further Supplement to the act entitled 'An Act to establish the district court of the City and County of Philadelphia' passed the twenty-eighth day of March one thousand eight hundred and thirty-five and for other purposes" approved March twelfth eighteen hundred and forty-two Pamphlet Laws sixty-six absolutely

Section fifty-two of an act entitled "An Act concerning the trust estate of Hugh Roberts deceased and for other purposes" approved July sixteenth eighteen hundred and forty-two Pamphlet Laws three hundred and seventy-four absolutely

Section twenty-two of an act entitled "An Act to authorize the Governor to incorporate the Delaware Canal Company and for other purposes" approved April thirteenth eighteen hundred and forty-three Pamphlet Laws two hundred and forty-three Pamphlet Laws two hundred and thirty-seven absolutely

Section nine of an act entitled "An Act in regard to certain entries in ledgers in the City of Pittsburgh and relating to the publishing of sheriffs' sales and for other purposes" approved April twenty-second eighteen hundred and forty-six Pamphlet Laws four hundred and seventy-six absolutely

Section one of an act entitled "An Act relative to the appointment of trustees by orphans' court and for other purposes" approved April twenty-second eighteen hundred and forty-six Pamphlet Laws four hundred and eighty-three absolutely

An Act entitled "An Act to enable the executors and administrators of decedents to perfect title to real estate in certain cases" approved February eighth eighteen hundrd and forty-eight Pamphlet Laws twenty-seven absolutely

Section nine of an act entitled "A Supplement to an act entitled 'An Act relative to the LeRaysville Phalanx' passed March Anno Domini one thousand eight hundred and forty-seven and relative to obligors and obligees to secure the right of married women in relation to defalcation and to extend the boundaries of the Borough of Ligonier" approved April eleventh eighteen hundred and forty-eight Pamphlet Laws five hundred and thirty-six in so far as it relates to letters of administration

An Act entitled "An Act relative to sales made by persons acting in a fiduciary capacity" approved March fourteenth eighteen hundred and forty-nine Pamphlet Laws one hundred and sixty-four in so far as it relates to powers to sell or let real estate on ground rent contained in any will or testamentary writing

Section two of an act entitled "A Further Supplement to an act entitled 'An Act authorizing the Governor to incorporate the Mill Creek and Mine Hill Navigation and Railroad Company' passed the seventh day of February Anno Domini one thousand eight hundred and twenty-eight and in relation to orphans' court deeds' 'approved April ninth eighteen hundred and forty-nine Pamphlet Laws five hundred and eleven absolutely

Sections five thirteen and sixteen of an act entitled "A Supplement to an act relative to the venders of mineral waters and an act relative to the Washington Coal Company to sheriffs' sales of real estate to the substitution of executors and trustees when plaintiffs to partition in the courts of common pleas and for other purposes" approved April ninth eighteen hundred and forty-nine Pamphlet Laws five hundred and twenty-four absolutely

Section two of an act entitled "An Act relative to sheriff's sales and to the appointment of trustees in the County of Philadelphia and to the appointment of trustees incorporating the First Presbyterian Church of Pottstown Montgomery County and changing the venue of a certain suit in Huntingdon county" approved April tenth eighteen hundred and forty-nine Pamphlet Laws five hundred and ninety-seven absolutely

Section one of an act entitled "An Act relating to conveyances by trustees" approved March fourteenth eighteen hundred and fifty Pamphlet Laws one hundred and ninety-five in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

Sections one five and forty-four of an act entitled "An Act relating to the bail of executrixes to partition in the orphans 'court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rent to trustees of married women to appeals from awards of arbitrators by corporations to hawkers and pedlers in the Counties of Butler and Union to the payment of costs in actions by informers in certain cases to taxing lands situate in different townships and in relation to fees of county treasurers of Lycoming Clinton and Schuylkill to provide for recording the accounts of executors administrators guardians and auditors' reports and to amend and alter existing laws relative to the administration of justice in this Commonwealth" became a law April twenty-fifth eighteen hundred and fifty by reason of the Governor's failure to return it within ten days Pamphlet Laws five hundred and sixty-nine absolutely

Sections twenty-two and twenty-three of an act entitled "An Act to incorporate the Wyoming County Mutual Insurance Company relating to Library street in the City of Philadelphia giving jurisdiction to the court of common pleas in Tioga County in a certain divorce case and relating to paving in front of the prison in the County of Philadelphia" approved April twenty-sixth eighteen hundred and fifty Pamphlet Laws five hundred and seventy-seven except in so far as they relate to recognizances in partition and section twenty-five of said act absolutely

Section eight of an act entitled "An Act relative to the Columbia Lyceum and Mechanics Institute to the act relating to inspections to the claims of David King of Venango County and of the heirs of John Bennett of Lycoming County deceased to authorize James T. Crabb to sell gun-powder in the County of Philadelphia relative to the estate of Francis Harley senior deceased and a supplement to an act relating to registers and registers' court passed March fifteenth one thousand eight hundred and thirty-two" approved May fifteenth one thousand eight hundred and fifty Pamphlet Laws seven hundred and sixty-four absolutely

Section six of an act entitled "An Act supplementary to an act passed the twenty-ninth day of March one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts' and relating to contracts of decedents and escheats in certain cases and relative to the district court of the City and County of Philadelphia and to registers of wills" approved April third eighteen hundred and fifty-one Pamphlet Laws three hundred and five absolutely

Section five of an act entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to actions of ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supreme Court to appeals relating to wards boroughs and township officers to the acknowledgments of deeds and sequestration of life estates" approved April fourteenth eighteen hundred and fifty-one Pamphlet Laws six hundred and twelve absolutely

Section eighteen of an act entitled "An Act to incorporate a company to erect a bridge over the River Schuylkill at Spring Mill in Montgomery County relative to the nineteenth section of 'An Act regulating certain election districts et cetera' approved March twenty-ninth eighteen hundred and fifty-one to school directors in Philadelphia County to actions for damages sustained by injuries done to the person by negligence or default relative to the accounts of John Humes deceased to authorize the trustees of the Seventh Presbyterian Church of Philadelphia to convey certain real estate to security for moneys loaned by wives to husbands to unpaid school taxes in Bradford County and relative to service of process on agents of joint stock companies" approved April fifteenth eighteen hundred and fifty-one Pamphlet Laws six hundred and sixty-nine absolutely

An Act entitled "A Supplement to an act relating to executors and administrators passed February twenty-fourth one thousand eight hundred and thirty-four" approved February second eighteen hundred and fifty-three Pamphlet Laws thirty-one absolutely

An Act entitled "An Act to give power to the orphans' court to grant relief in certain cases" approved February twenty-third eighteen hundred and fifty-three Pamphlet Laws ninety-eight absolutely

Section one of an act entitled "An Act relating to bringing suits by creditors and others against executors administrators assignees and other trustees in certain cases and serving notices and for satisfaction of mortgages and opening judgments in certain cases" approved March twenty-seventh eighteen hundred and fifty-four Pamphlet Laws two hundred and fourteen in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

Section two of an act entitled "An Supplement to an act entitled 'An Act relating to the sale and conveyance of real estate' " approved April thirteenth eighteen hundred and fifty-four Pamphlet Laws three hundred and sixty-eight in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "A Supplement to the act relating to executors and administrators" approved May fifth eighteen hundred and fifty-four Pamphlet Laws five hundred and seventy absolutely

Sections two to five inclusive of an act entitled "A Supplement to an act relating to assignees for the benefit of creditors and other trustees" approved May third eighteen hundred and fifty-five Pamphlet Laws four hundred and fifteen in so far as they relate to testamentary trustees

Section four of an act entitled "An Act relating to the rights of property of husband and wife" approved April eleventh eighteen hundred and fifty-six Pamphlet Laws three hundred and fifteen absolutely

An act entitled "An Act respecting the estates of non-resident wards" approved April twenty-first eighteen hundred and fifty-six Pamphlet Laws four hundred and ninety-five absolutely

Section eight of an act entitled "An Act for the greater certainty of title and more secure enjoyments of real estate" approved April twenty-second one thousand eight hundred fifty-six Pamphlet Laws five hundred and thirty-two absolutely

An act entitled "An Act relating to testamentary trustees" approved March thirteenth one thousand eight hundred and fifty-nine Pamphlet Laws six hundred eleven absolutely

Section one of an act entitled "An Act relative to orphans' courts" approved March twenty-second one thousand eight hundred and fifty-nine Pamphlet Laws two hundred and seven absolutey

An Act entitled "A Supplement to the act entitled 'An Act relating to executors and administrators approved the twenty-fourth day of February Anno Domini one thousand eight hundred and thirty-four" approved April sixth one thousand eight hundred and fifty-nine Pamphlet Laws three hundred and eighty-four absolutely

An Act entitled "An Act to extend the jurisdiction of the orphans' court in case of testamentary trusts" approved April seventh one thousand eight hundred and fifty-nine Pamphlet Laws four hundred and six absolutely

An act entitled "An Act relative to the exemption of three hundred dollars and to the widows and children of decedents' approved April eighth one thousand eight hundred and fifty-nine Pamphlet Laws four hundred and twenty-five in so far as it relates to the exemption allowed to the widow or children of any decedent

An act entitled "An Act relating to executors administrators and guardians" approved April thirteenth one thousand eight hundred and fifty-nine Pamphlet Laws six hundred and four absolutely

An act entitled "An Act relative to the lien of legacies" approved May first one thousand eight hundred and sixty-one Pamphlet Laws four hundred and twenty absolutely

An act entitled "An Act authorizing surviving executors and administrators to execute and deliver deeds of conveyance in certain cases" approved May first one thousand eight hundred and sixty-one Pamphlet Laws four hundred and thirty-one in so far as it relates to fiduciaries subject to the jurisdiction of the orphans 'court

An act entitled "An Act relating to executors and other trustees" approved May first one thousand eight hundred and sixty-one Pamphlet Laws six hundred and eighty in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An act entitled "An Act regulating certain charges of executors and trustees" approved March seventeenth one thousand eight hundred and sixty-four Pamphlet Laws fifty-three absolutely

An act entitled "An Act extending the provisions of the second section of the act of April tenth one thousand eight hundred and forty-nine entitled 'An Act relative to sheriffs' sales and the appointment of trustees in the County of Philadelphia et cetera' to the several counties of this Commonwealth" approved April twenty-third one thousand eight hundred and sixty-four Pamphlet Laws five hundred and fifty absolutely

An act entitled "An Act relating to the appointment of guardians" approved August twenty-fifth one thousand eight hundred and sixty-four Pamphlet Laws one thousand twenty-nine absolutely

An Act entitled "An Act providing additional remedies against trustees of a trust created for life or during marriage and providing a remedy for the protection of their sureties" approved March twenty-seventh one thousand eight hundred sixty-five (Pamphlet Laws forty-four) in so far as it relates to testamentary trustees

An act entitled "An Act supplementary to the act to set apart for the use of the widow or children of a decedent three hundred dollars of the estate of said decedent approved April fourteenth one thousand eight hundred and fifty-one" approved November twenty-seventh one thousand eight hundred sixty-five Pamphlet Laws one thousand eight hundred sixty-six one thousand two hundred twenty-seven absolutely

An act entitled "Supplement to an act entitled 'An Act providing additional remedies against trustees of a trust created for life or during marriage and providing a remedy for the protection of their sureties approved March twenty-seventh one thousand eight hundred and sixty-five" approved April seventeenth one thousand eight hundred and sixty-six (Pamphlet Laws one hundred and eleven) in so far as it relates to trustees subject to the jurisdiction of the orphans court

An act entitled "An Act enlarging the powers of the orphans court so as to discharge liens on real estate" approved May seventeenth one thousand eight hundred sixty-six Pamphlet Laws one thousand ninety-six absolutely

An act entitled "A Supplement to the act of the fifteenth of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to registers and register courts'" approved April fifteenth one thousand eight hundred sixty-seven Pamphlet Laws eighty-six absolutely

An act entitled "An Act to authorize the court of common pleas and orphans court of the City of Philadelphia to appoint and remove trustees" approved April ninth one thousand eight hundred sixty-eight Pamphlet Laws seven hundred eighty-five in so far as it relates to trustees subject to the jurisdiction of the orphans court

An act entitled "An Act relating to orphans courts conferring upon said courts power to define boundaries in certain cases of devises and conveyances for life or term of years" approved April fourteenth one thousand eight hundred sixty-eight Pamphlet Laws ninety-seven absolutely

Section one of an act entitled "An Act relating to the appointment of auditors in the courts of the County of Montgomery" approved February eighteenth one thousand eight hundred sixty-nine Pamphlet Laws one hundred eighty-three absolutely

An act entitled "An Act relative to actions of trespass and for mesne profits" approved April twelfth one thousand eight hundred sixty-nine Pamphlet Laws twenty-seven absolutely

An act entitled "An Act for the protection of contingent interest" approved April seventeenth one thousand eight hundred sixty-nine Pamphlet Laws seventy absolutely

An act entitled "An Act relating to the appraisement of real estate devised by any last will and testament within this Commonwealth" approved April seventeenth one thousand eight hundred sixty-nine Pamphlet Laws seventy-two absolutely

An act entitled "A Supplement to an act relating to assignees for the benefit of creditors and other trustees approved June fourteenth one thousand eight hundred and thirty-six" approved May seventeenth one thousand eight hundred seventy-one Pamphlet Laws two hundred sixty-nine insofar as it relates to fiduciaries appointed by the orphans court or by virtue of any last will or testament

An Act entitled "A Further Supplement to an act entitled 'An Act relating to executors and administrators' approved twenty-fourth February one thousand eight hundred and thirty-four" approved May seventeenth one thousand eight hundred seventy-one (Pamphlet Laws two hundred sixty-nine) absolutely

An Act entitled "A Further Supplement to an Act entitled 'A Further Supplement to an act relating to orphans courts' passed the twenty-ninth day of March one thousand eight hundred and thirty-two and the supplement passed fourteenth of April one thousand eight hundred and thirty-five and the further supplement passed fourteenth of April one thousand eight hundred and forty" approved May twenty-fifth one thousand eight hundred seventy-one (Pamphlet Laws two hundred seventy-nine) absolutely

An Act entitled "An Act providing for the entry of certain proceedings on the judgment indexes ofthe several courts of this Commonwealth" approved June fifteenth eighteen hundred and seventy-one Pamphlet Laws three hundred and eighty-seven in so far as it relates to proceedings to revive and continue the lien of debts against a decedent's real estate

An Act entitled "An Act relating to foreign executors administrators guardians and representatives of decedents and wards" approved April eighth eighteen hundred and seventy-two Pamphlet Laws forty-four absolutely

An Act entitled "An Act to provide for the recording of deaths of testators and intestates in the office of register of wills" approved May fifeenth eighteen hundred and seventy-four Pamphlet Laws one hundred and ninety-four absolutely

An Act entitled "An Act relative to the transfer of the loans of this Commonwealth and of the City of Philadelphia and to amend the provisions of the twenty-second section of an act entitled 'An Act to authorize the Governor to incorporate the Delaware Canal Company and for other purposes' approved the thirteenth day of April eighteen hundred and forty-three and extending the same to the holders of any loans of this Commonwealth or of the City of Philadelphia domiciled or resident out of this Commonwealth who shall have heretofore died or hereafter die" approved May fifteenth eighteen hundred and seventy-four Pamphlet Laws one hundred and ninety-five absolutely

The proviso to section six of "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth eighteen hundred and seventy-four Pamphlet Laws two hundred and six absolutely

An Act entitled "An Act to validate sales and conveyances under the decrees of courts of this Commonwealth by persons irregularly or improperly appointed or defectively qualified" approved April twenty-eighth eighteen hundred and seventy-six Pamphlet Laws fifty in so far as it relates to proceedings in the orphans' court

An Act entitled "A Further Supplement to an act entitled 'An Act relating to orphans court' approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two designed to extend the fourteenth section of said act so as to authorize investments by executors trustees and other persons holding property in a fiduciary capacity in bonds or certificates of debt created by any of the counties cities or municipal corporations of this Commonwealth" approved May eighth eighteen hundred and seventy-six Pamphlet Laws one thousand and thirty-three absolutely

An Act entitled "An Act relating to the execution of trusts by corporations" approved February sixteenth eighteen hundred and seventy-seven Pamphlet Laws three in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

Sections one and two of an act entitled "An Act to provide for and validate the execution and delivery of deeds and conveyances of real estate in cases in which administrators executors guardians and trustees may die or have died between the time of sale and the time appointed for the payment of purchase money and delivery of the conveyance and also in cases in which the administrator executor guardian or trustee may have received authority from the proper court to purchase real estate sold by him either under the provisions of any last will and testament or by the authority or under the direction of any court having jurisdiction to make a decree directing such real estate to be sold" approved May twenty-second eighteen hundred and seventy-eight Pamphlet Laws eighty-three in so far as they relate to the orphans' court

Sections one two and three of an act entitled "An Act to provide for the appointment of trustees durante absentia and defining the powers and duties of the same " approved April eleventh eighteen hundred and seventy-nine Pamphlet Laws twenty-one absolutely

An Act entitled "An Act to regulate the compensation of auditors and commissioners" approved June fourth eighteen hundred and seventy-nine Pamphlet Laws eighty-four in so far as it relates to auditors and commissioners appointed by the orphans' court

An Act entitled "A Supplement to extend the provisions of an act entitled 'An Act providing additional remedies against trustees of a trust created for life or during marriage and providing a remedy for the prctection of their sureties' approved the twenty-seventh day of March Anno Domini one thousand eight hundred and sixty-five to the orphans' court of the respective counties of this Commonwealth" approved May tenth eighteen hundred and eighty-one Pamphlet Laws fourteen in so far as it relates to trustees subject to the jurisdiction of the orphans' court

An Act entitled "A Supplement to an act approved April thirteen one thousand eight hundred and fifty-nine entitled 'An Act relating to executors administrators and guardians'" approved June tenth eighteen hundred and eighty-one Pamphlet Laws one hundred and six absolutely

An Act entitled "An Act to confer power on the several orphans' courts having jurisdiction of the accounts of executors and administrators to order and direct a sale for the payment of the debts of such decedent of any lands lying partly in two or more counties" approved June fourth eighteen hundred and eighty-three Pamphlet Laws sixty-five absolutely

An Act entitled "An Act providing the manner in which widows and childrens exemption in decedents estates shall and may be set aside to them in certain cases" approved June fourth eighteen hundred and eighty-three Pamphlet Laws seventy-four absolutely

An Act entitled "An Act to permit foreign executors or administrators to issue scire facias to preserve and continue the lien or liens of judgments in favor of decedents within this Commonwealth and before letters of admistration have been taken out within this State" approved June twenty-seventh eighteen hundred and eighty-three Pamphlet Laws one hundred and sixy-three absolutely

An Act entitled "An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domocile" approved June twenty-fourth eighteen hundred and eighty-five Pamphlet Laws one hundred and fifty-five absolutely

An Act entitled "An Act limiting the time within which action may be brought upon refunding bonds given

upon the distribution or partition of estates of decedents" approved June thirtieth eighteen hundred and eighty-five Pamphlet Laws two hundred and three absolutely

An act entitled "An Act authorizing executors or trustees to unite with others in the organization of corporations" approved April twenty-second eighteen hundred and eighty-nine Pamphlet Laws forty-two absolutely

An act entitled "An Act to authorize courts having cognizance of trusts created by deed or will to direct trust funds to be placed in the custody of trustees appointed by the courts of another state or territory of the United States in cases where the person or persons beneficially interested in such trust have removed to such other state or territory of the United States" approved May eighteenth eighteen hundred and eighty-nine Pamphlet Laws one hundred and twenty-three in so far as it relates to trusts created by will

An Act entitled "An Act relating to orphans' court sales" approved May ninth eighteen hundred and eighty-nine Pamphlet Laws one hundred and eighty-two absolutely

An act entitled "An Act amending an act entitled 'An Act respecting the estate of non-resident wards' approved the twenty-first day of April Anno Domini one thousand eight hundred and fifty-six extending the provisions thereof so that the same may apply to trustees and cestui que trusts" approved May thirteenth eighteen hundred and eighty-nine Pamphlet Laws one hundred and ninety absolutely

Section two of an act entitled "An Act relating to judicial sales and the presentation of the lien of mortgages" approved May nineteenth eighteen hundred and ninety-three Pamphlet Laws one hundred and ten absolutely

An act entitled "An Act to enable the surety of any trustee committee guardian assignee receiver administrator executor or other trustee or any person interested in the trust to require the filing of statements exhibiting the manner of the investment of the trust funds and providing for the removal of such trustee committee guardian assignee receiver administrator executor or other trustee by the court" approved June third eighteen hundred and ninety-three Pamphlet Laws two hundred and seventy-three in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' courts

An act entitled "An Act regulating the satisfaction extinguishment or discharge of dowers legacies or other charges upon land by judicial decree where the legal presumption of payment of the same exists from lapse of time or where payment of the same has been made in full and no satisfaction extinguishment release thereof appears of record" approved June eighth eighteen hundred and ninety-three Pamphlet Laws three hundred and fifty-six absolutely

An act entitled "An Act to limit the duration of the lien of the debts of decedents other than those of record on their real estate" approved June eighth eighteen hundred and ninety-three Pamphlet Laws three hundred and ninety-two absolutely

An act entitled "An Act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owners or owners of the land sought to be released and discharged and no sufficient release is of record in the county and regulating proceedings for such release and discharge" approved May eighteen hundred and ninety five Pamphlet Laws forty-four in so far as it relates to the orphans' courts

An act entitled "A Supplement to an act entitled "An Act relating to executors and administrators' approved February twenty-fourth one thousand eight hundred and thirty-four relating to the lien of judgments against decedents" approved June eighteenth eighteen hundred and ninety-five Pamphlet Laws one hundred and ninety-seven absolutely

Section one of an act entitled "An Act providing that the right of action for injury wrongfully done to the person shall survive against the personal representatives of the wrongdoer and limiting the time within which suit for such injury must be brought" approved June twenty-fourth eighteen hundred and ninety-five Pamphlet Laws two hundred and thirty-six absolutely

An act entitled "An act to allow receivers assignees guardians committees trustees executors and administrators to include in the lawful expenses of executing their trusts such reasonable sum paid a company authorized under the laws of this state so to do for becoming their surety as may be by court allowed not exceeding one per centum per annum on the amount of such bonds' approved June twenty-fourth eighteen hundred and ninety-five Pamphlet Laws two hundred and forty-eight in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act to authorize executors and trustees non-residents of the Commonwealth to convey real estate" approved June twenty-third eighteen hundred and ninety-seven Pamphlet Laws two hundred absolutely

An act entitled "An Act authorizing the payment into the orphans' court of the money due on dowers legacies or other charge upon land where the person or persons to whom the dower legacy or other charge upon land is due and payable cannot be found and providing for the satisfaction extinguishment or discharge thereof and to ascertain the amount thereof" approved July fourteenth eighteen hundred and ninety-seven Pamphlet Law two hundred and sixty-nine absolutely

An act entitled "An Act enlarging the powers of the orphans' court and to provide a further remedy for the collection on dower interest due to widows" approved April twenty-eighth eighteen hundred and ninety-nine Pamphlet Laws one hundred and twenty absolutely

An act entitled "An Act authorizing the orphans' courts of the Commonwealth to decide specific performance of written contracts and also parol contracts when so far executed that it would be inequitable to rescind for the sale of real estate where the vendor has died without conveying and in cases where the vendee has died without having paid the purchase money and authorizing the recording of the decrees in such cases in the counties where the real estate lies" approved April twenty-eighth eighteen hundred and ninety-nine Pamphlet Laws one hundred and fifty-seven absolutely

An Act entitled "An Act to allow an executor administrator guardian assignee or trustee to institute an action at law or other legal or equitable proceedings against a co-executor administrator guardian assignee or trustee to recover or enforce any debt or obligation individually due the estate which he represents' 'approved May eleventh nineteen hundred and one Pamphlet Laws one hundred and seventy-four in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act to confer on the several orphans' courts having jurisdiction of the accounts of guardians power to order and direct a mortgage or a public or private sale for the payment of debts or for other purposes of any lands lying partly in two or more counties divided by county lines" approved May twenty-first nineteen hundred and one Pamphlet Laws two hundred and seventy-two absolutely

An Act entitled "An Act to amend the first section of an act entitled "An Act to limit the duration of the lien of the debts of decedents other than those of record on their real estate' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three and to extend the provisions of said act so as to limit the duration of the lien upon real estate of the decedents other than those secured by mortgage or by judgment entered or revived by scire facias within five years prior to the death of such decedent" approved June fourteen nineteen hundred and one Pamphlet Laws five hundred and sixty-two absolutely

Section one of an act entitled "An Act authorizing the orphans' court to adjudge real estate to persons to whom the right to take the same at a certain valuation has been given in a will and who are appointed executors of the same will providing for the payment of the purchase money and confirming titles to real estate heretofore taken under similar proceedings" approved March fifth nineteen hundred and three Pamphlet Laws ten absolutely

An Act entitled "An Act providing for the voting of shares of stock incorporations in this Commonwealth held by executors administrators guardians and trustees and the manner of voting the same" approved March sixteenth nineteen hundred and five Pamphlet Laws forty-two in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act to amend the first section of an act approved the eleventh day of April Anno Domini one thousand eight hundred and seventy-nine entitled 'An Act to provide for the appointment of trustees durante absentia and defining the powers and duties of the same' providing for the appointment of a trustee of the estate of any absentee who has been a resident of this Commonwealth or of any other state territory or foreign country who has left either real or personal estate or both in this Commonwealth" approved March thirtieth nineteen hundred and five Pamphlet Laws seventy-seven absolutely

An Act entitled "An Act to regulate the transfer of funds from executors and administrators in this Commonwealth to foreign executors and administrators" approved March thirty-first nineteen hundred and five Pamphlet Laws ninety-one absolutely

An Act entitled "An Act to extend the statute of limitations to debts or demands arising or falling due to the estate of a decedent after the death of such decedent" approved April sixth one thousand nine hundred and five Pamphlet Laws one hundred and fourteen absolutely

An Act entitled "A Supplement to an act entitled 'An Act relating to the granting of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile' approved June twenty-fourth one thousand eight hundred and eighty-five providing for the probate of a will of a person whose death by presumption has been established and for attachment of such will to letters of administration granted in the case" approved April fourteenth one thousand nine hundred and five Pamphlet Laws one hundred fifty-three absolutely

An Act entitled "An Act to amend an act approved the seventeenth day of May one thousand eight hundred and sixty-six entitled 'An Act enlarging the powers of the orphans' court so as to discharge liens on real estate' so as to include charges on real estate by the provisions of a last will and testament or otherwise" approved March twenty-second one thousand nine hundred and seven Pamphlet Laws twenty-nine absolutely

An Act entitled "An Act authorizing employers to pay to the wife children brother or sister father or mother boarding-house keeper undertaker nurse or physician wages due a deceased employe" approved May twenty-third one thousand nine hundred and seven Pamphlet Laws two hundred and one absolutely

An Act entitled "An Act to allow receivers assignees guardians committees trustees executors and administrators to include in the lawful expenses of executing their trust such reasonable sum paid a company authorized under the laws of this State so to do for guaranteeing the payment of the principal and interest of mortgages or other securities in which they are required to invest the funds of their estate not exceeding one-half of one per centum per annum on the principal of such mortgage or other securities" approved May twenty-eighth one thousand nine hundred seven Pamphlet

Laws two hundred seventy-one in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act to provide for the discharge of sureties upon bonds of trustees committees guardians assignees receivers executors administrators and other fiudciaries" approved June first one thousand nine hundred seven Pamphlet Laws three hundred eighty-four in so far as it relates to fiduciaries subject to the jurisdiction of the orphans' court

An Act entitled "An Act authorizing the parties in interest or their counsel to select auditors and masters needed in judicial proceedings except in divorce cases" approved April first one thousand nine hundred and nine Pamphlet Laws ninety-five in so far as it relates to proceedings in the orphans' court

An Act entitled "An Act to amend sections twenty-nine and thirty of an act approved the twenty-ninth day of March Anno Domini eighteen hundred and thirty-two entitled 'An Act relating to orphans' courts and validating execution and attachment execution process issued out of the courts of common pleas of the Commonwealth upon transcripts from any orphans' court of this Commonwealth for balances due from or in the hands of any executor administrator guardian or other accountant on the settlement of their respective accounts in the orphans' court" approved April twenty-seventh one thousand nine hundred nine Pamphlet Laws two hundred two except in so far as it relates to proceedings begun prior to its date

An Act entitled "An Act to limit the duration upon real estate of the debts of decedents including the expenses of the settlement of the estate and to provide under what conditions the lien may be continued" approved May third one thousand nine hundred nine Pamphlet Laws three hundred eighty-six absolutely

An Act entitled "An Act to provide for the filing auditing and confirmation in certain cases of accounts of trustees and of committees of lunatics and of habitual drunkards" approved May third one thousand nine hundred nine Pamphlet Laws three hundred ninety-one in so far as it relates to trustees subject to the jurisdiction of the orphans' court

An Act entitled "An Act providing that the widow or children of any decedent dying outside of this Commonwealth but whose estate is settled in this Commonwealth may retain either real or personal property belonging to said estate to the value of three hundred dollars" approved May sixth one thousand nine hundred nine Pamphlet Laws four hundred fifty-nine absolutely

Section one two and three of an act entitled "An Act relating to private sales of real estate ordered decreed or approved by the orphans' court and providing a method of giving notice of such sales and validating such private sales of real estate heretofore made under the authority of the orphans' courts for the payment of debts" approved June ninth one thousand nine hundred eleven Pamphlet Laws seven hundred twenty-four absolutely

An Act entitled "An Act to amend section ten of an act approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-two entitled 'An Act relating to orphans' courts' so as to permit the accounts of the guardians of minors' property therein mentioned and described to be examined and audited and the matters therein contained confirmed by decree of orphans' court with the same force and effect as the partial accounts of executors administrators and temporary trustees are audited examined allowed and confirmed" approved June ninth one thousand nine hundred eleven Pamphlet Laws seven hundred forty-four absolutely

An Act entitled "An Act to confer power on the several orphans' courts having jurisdiction thereof when the balance for distribution in an estate after the debts are paid includes stocks bonds and other securities to make distribution of the same in kind to parties entitled thereto to authorize subsequent sales thereof and to validate such distribution heretofore made" approved June tenth one thousand nine hundred eleven Pamphlet Laws eight hundred seventy absolutely

An Act entitled "An Act to provide that persons buying real estate in this Commonwealth from executors or trustees named in the last will and testament of any person dying testate and who hold the same in trust under the provisions thereof and who make sale of same under the power of sale in said last will and testament contained shall take title to said real estate free and discharged of any obligation to see to the application of the purchase money" approved June tenth one thousand nine hundred eleven Pamphlet Laws eight hundred seventy-four absolutely

An Act entitled "An Act to amend an act approved the eighth day of April Anno Domini one thousand eight hundred and seventy-two entitled 'An Act relating to foreign executors administrators guardians and representatives of decedents and wards' by extending the provisions thereof to the assignment and satisfaction of record of mortgage debts and indentures of mortgage and to the receipt of the interest thereon" approved June thirteenth one thousand nine hundred eleven Pamphlet Laws eight hundred ninety absolutely

An Act entitled "An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred thirty-four entitled 'An Act relating to executors and administrators'" approved May twenty-third one thousand nine hundred thirteen Pamphlet Laws three hundred forty-four absolutely

An Act entitled "An Act relating to the real estate of persons presumed to be dead and providing a method of freeing such estate from all claim or interest of such persons" approved May twenty-eighth one thousand nine hundred thirteen Pamphlet Laws three hundred sixty-nine absolutely

An Act entitled "A Supplement to an act entitled 'An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile' approved June twenty-fourth one thousand eight hundred and eighty-five providing for the grant of ancillary letters of administration in this Commonwealth upon the estates of persons presumed to be dead by reason of long absence from their former domicile in any other state territory or foreign country who have left personal estate within this Commonwealth" approved May twenty-eighth one thousand nine hundred thirteen Pamphlet Laws three hundred seventy-three absolutely

An act entitled "An Act to amend an act approved the ninth day of June one thousand nine hundred and eleven entitled 'An Act relating to private sales of real estate ordered decreed or approved by the orphans courts and providing a method of giving notice of such sales and validating such private sales of real estate heretofore made under the authority of the orphans courts for the payment of debts'" approved June twelfth one thousand nine hundred and thirteen Pamphlet Laws four hundred seventy absolutely

An act entitled "An Act to amend an act approved the fourteenth day of April one thousand eight hundred fifty-one entitled 'An Act relating to the commencement of actions to judgments and decree for the payment of money to the widows and children of decedents to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to actions of ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the supreme court to appeals relating to wards boroughs and township officers to the acknowledgements of deeds and sequestration of life estates' by regulating the appointment and number of appraisers" approved July twenty-first one thousand nine hundred thirteen Pamphlet Laws eight hundred seventy-seven absolutely

Section one of an act entitled "An Act authorizing the several orphans' courts to empower guardians and trustees of estates of minors to elect in writing to take land in fee which has been ordered to be sold by the provisions of any duly probated will in lieu of legacies bequeathed or distributable to said minors from the proceeds of such sale and validating certain elections to take land in lieu of legacies heretofore made pursuant to an order of court" approved July twenty-second one thousand nine hundred and thirteen Pamphlet Laws nine hundred eight absolutely

An act entitled "An Act authorizing the orphans court to reduce under certain circumstances the bond of any fiduciary imposing duties on registers of wills in connection therewith" approved May third one thousand nine hundred fifteen Pamphlet Laws two hundred eighteen absolutely

An act entitled "An Act relative to estates of decedents" approved May sixth one thousand nine hundred fifteen Pamphlet Laws two hundred sixty-five absolutely

An act entitled "An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred thirty-four entitled 'An Act relating to executors and administrators' as amended" approved May sixth one thousand nine hundred fifteen Pamphlet Laws two hundred sixty-seven absolutely

An act entitled "An Act to amend an act entitled 'An Act to limit the duration upon real estate of the debts of decedents including the expenses of the settlement of the estate and to provide under what conditions the lien may be continued' approved the third day of May one thousand nine hundred and nine so as to restrict the revival of judgment liens by the death of the debtor to real estate still owned by said decedent at the date of his death" approved May fourteenth one thousand nine hundred fifteen Pamphlet Laws four hundred seventy-five absolutely

An act entitled "A Supplement to an act approved the fourteenth day of April one thousand eight hundred and fifty-one entitled 'An Act relating to the commencement of actions to judgments and decree for the payment of money to the widows and children of decedents to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to actions of ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supreme Court to appeals relating to wards boroughs and township officers to the acknowledgments of deeds and sequestration of life estates' providing a method of allowing a widows' exemption where the property consists of real estate not readily divided" approved June first one thousand nine hundred fifteen Pamphlet Laws six hundred eight-two absolutely

An act entitled "An Act to amend section three of an act approved the fourteenth day of April Anno Domini one thousand nine hundred and five entitled 'A Supplement to an act entitled 'An act relating to the granting of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eighty-five providing for the probate of a will of a person whose death by presumption has been established and for attachment of such will to letters of administration granted in the case' by providing for the issuance of letters testamentary to the executor named in such will in the same manner and form as if such supposed decedent were actually dead" approved June first one thousand nine hundred and fifteen Pamphlet Laws six hundred eighty-nine absolutely

An act entitled "An Act to amend section five of an act entitled 'An Act relating to the grant of letters of administration upon the estates of persons presumed to be

dead by reason of long absence from their former domicile' approved the twenty-fourth day of June Anno Domini one thousand eight hundred and eighty-five by authorizing the several orphans courts of this Commonwealth to accept refunding bonds from the distributees without sureties in certain cases" approved June eleventh one thousand nine hundred fifteen Pamphlet Laws nine hundred forty-five absolutely

All other acts of Assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed Provided however That nothing in this act shall be construed to repeal or in any way affect the existing law requiring publication of legal advetrisements or notices in legal journals or periodicals designated by rule of court for that purpose

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SHANTZ. Mr. President. I move that Senate Bill No. 1126 (House Bill No. 1474), on second reading, entitled

An Act to amend sections one four and five of an act approved the eighteenth day of May, one thousand nine hundred and fifteen, entitled "An Act establishing a State Commission of Agriculture; defining its powers and duties including its powers relative to the Department of Agriculture and the State Livestock Sanitary Board."

be recommitted to the Committee on Agriculture.

Mr. McCONNELL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1134, as follows:

An Act to amend section five hundred sixty of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred sixty of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 560 In all school districts of the second third and fourth class no tax collector shall be reappointed or be authorized to collect any school taxes in any school year unless he shall first have settled his duplicate in full with the board of school directors for the preceding year in the manner herein provided" is hereby amended to read as follows

Section 560 In all school districts of the third and fourth class no tax collector shall be reappointed or be authorized to collect any school taxes in any school year unless he shall first have settled his duplicate in full with the board of school directors for the preceding year in the manner herein provided

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1173, as follows:

An Act relating to and regulating the operation of motor vehicles and vehicles propelled by or trailing after motor vehicles on the public highways and the storing of the same requiring the registration of the same and the licensing of all operators other than registered owners thereof providing fees methods and qualifications for all registrations or licenses and the disposition of such fees prohibiting the tampering with motor vehicles by unauthorized persons prohibiting the enactment of any law or ordinance by any city borough incorporated town township or county requiring any taxes registration or license other than herein provided or the regulation of motor vehicles providing procedure and penalties for any violations thereof and the disposition of the fines collected for said violations and regulating the services of process and proceedings in actions for damages arising from the use of any motor vehicles

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That except as is provided for nonresidents no motor vehicle shall be operated or driven upon any public street or highway in this Commonwealth until the said motor vehicle shall have been registered with the State Highway Department of this Commonwealth

Section 2 The term "motor vehicle" as used in this act shall apply to all wheeled vehicles operated or propelled by any form of engine motor or mechanical power excepting traction engines road rollers agricultural machinery and vehicles which move upon or are guided by a track The term "motor cycle" as used in this act shall apply to all two or three wheeled motor operated vehicles of the bicycle type whether the motive power be a part thereof or attached thereto The terms of this act shall apply to vehicles trailing after or propelled by a motor vehicle

The term "owner" as used in this act shall except where otherwise plainly intended be taken to mean or include the person or persons having such motor vehicle in his or their possession custody or control under a contract of conditional sale or other like agreement vesting in his or them a qualified or defeasible ownership in the same

Section 3 Application for the registration of motor vehicles shall be made to the State Highway Department The application shall contain the full name and residence of the owner or owners with a brief description of the motor vehicle the name the manufacturer's number the character of the motive power and the horse power and if equipped with solid or metal tires the gross maximum weight of load and vehicle combined For registration purpopes the horse power of motor vehicles equipped with other than solid or metal tires except those propelled by steam or electricity shall be computed by the following formula Diameter of bore in inches squared times the number of cylinders times four-tenths (.4) The accepted horse power for registration of motor vehicles propelled by steam or electricity shall be that given and certified to by the manufacturer The said application shall be made upon a blank provided for the purpose by the State Highway Department It shall be signed by the owner or owners in case of joint ownership and be verified by oath or affirmation Upon receipt of the application and the proper fee the State Highway Department shall register the said motor vehicle in a book to be kept for that purpose and shall issue to the owner or owners a registration certificate which shall entitle the holder or holders provided such person be more than sixteen years of age to operate a motor vehicle Such certificate shall show the name and address of the owner or owners the name type horsepower and manufacturers' number of the motor vehicle and the registration number thereof the State Highway Department shall also issue (2) number tags having thereon the registration number the figures of which shall not be less than (4) inches in heigth the abbreviated name of the State and the year except in the case of motor cycles the tags for which shall have figures not less than three (3) inches in height On the tags for motor vehicles equipped with solid tires the number shall be preceded by the letter S On the tags for trailers the number shall be preceded by the letter T On the tags for motor cycles to which side cares are attached the number shall be preceded by the letter N No motor vehicle or trailer shall be registerable which shall exceed ninety (90) inches outside over all width of vehicle and load combined except that motor busses for carrying passengers to be used within the city limits only in cities of the first second and third class may be registered up to one hundred (100) inches outside over all width of vehicle and load combined or shall exceed a maximum of twenty-four thousand (24,000) pounds gross weight of vehicle and load combined or shall exceed eighteen thousand (18,000) pounds maximum gross weight of vehicle and load combined upon any axle or shall exceed seven hundred and fifty (750) pounds maximum gross weight of vehicle and load combined upon any one wheel for each nominal inch of width of solid tire upon the wheel No motor vehicle equipped with metal tires shall be licensed as aforesaid but the owner shall upon application to the State Highway Commissioner upon payment of a fee to be fixed by the Commissioner be given a special permit subject to rules and requirements to be esablished by the State Highway Commissioner and any violation of such rules shall constitute sufficient cause for revocation of such special permit Applicants for registration who reside outside of this State shall in addition to the above requirements designate in their application the State Highway Commissioner as their authorized agent upon whom process may be served

Section 4 Motor vehicles owned or kept by manufacturers or dealers solely for the purpose of demonstrating testing or selling shall be exempt from the necessity of individual registration provided said manufacturer or dealer registers with the State Highway Department in the "dealers class" Applications for such registration shall be made upon a blank provided for the purpose by the State Highway Department which shall set forth the full name and business address of the applicant and shall be verified by oath or affirmation Upon receipt of the application accompanied by the proper fee for each certificate and pair of number

tags desired the State Highway Department shall issue to the applicant as may certificates of registration and pairs of number tags as may be applied for such tags having thereon the number of the registration in figures not less than four (4) inches in height or in the case of dealers in motor cycles three (3) inches in height the year and the words "Penna. Dealer" the number shall be preceded by the letter X It shall be unlawful under any circumctances to operate a motor vehicle under a dealers registration unless both number tags are displayed as is provided in this act

It shall be unlawful to use or permit the use of the tags issued under a dealers registration on any motor vehicle other than those owned by such dealer and operated by such dealer or his employes or for any other purposes than those set forth in this section

Section 5 The fee for the registration of a motor cycle shall be three dollars The fee for a motor cycle with a side car attached shall be five dollars The fee for the registration of other motor vehicles equipped with pneumatic tires except as is provided for in the dealers class when registration is issued prior to July of any year shall be ten dollars for any motor vehicle of less than thirty-five horse power fifteen dollars for each motor vehicle of thirty-five and less than fifty horse power twenty dollars for each motor vehicle of fifty horse power or more The fee for the registration of motor vehicles equipped with solid tires shall be five dollars for each motor vehicle of less than four thousand pounds gross maximum weight of load and vehicle ten dollars for each motor vehicle of four thousand pounds and less than five thousand pounds gross maximum weight of load and vehicle fifteen dollars for each motor vehicle of five thousand and less than ten thousand pounds gross maximum weight of load and vehicle twenty dollars for each motor vehicle of ten thousand and less than fifteen thousand pounds gross maximum weight of load and vehicle twenty-five dollars for each motor vehicle of fifteen thousand and not more than twenty-four thousand pounds gross maximum weight of load and vehicle The fees for regis tration of vehicles trailing after or propelled by motor vehicles shall be two dollars for each such vehicle of less than one thousand pounds gross maximum weight of vehicle and load combined three dollars for each such vehicle of more than one thousand (1,000) and less than five thousand (5,000) pounds gross maximum weight of vehicle and load combined and five dollars for each such vehicle of more than five thousand (5,000) pounds and less than twenty-four thousand pounds gross maximum weight of vehicle and load combined

The fee shall be ten dollars for each certificate and pair of number tags issued to persons registered in the dealers class except for dealers in motor cycles for whom the fee shall be five dollars

The fees for registration when issued on or after July first shall be one-half those required above

No fee shall be charged for the registration of motor ambulances motor fire apparatus motor patrol wagons and motor cycles used by police officers owned and used by any city county incorporated town borough township duly authorized volunteer fire department hospital humane society or anti-cruelty society nor for any motor vehicle owned by the State of Pennsylvania or the United States but all such vehicles shall be registered and shall display number tags as provided for in case of privately owned vehicles All registrations shall expire December thirty-first of the year issued

The term pneumatic tires as used in this section shall be construed to mean any tire containing air at greater pressure than the surrounding atmosphere and all other tires shall be considered as solid tires

Section 6 Motor vehicles owned by non-residents of this State and the drivers thereof shall be exempt from the provisions of this act relating to the licensing of drivers and the registration of motor vehicles and the display of drivers' badges and registration tags provided that they have complied with the provisions of the law of the foreign country state territory or Federal district in which they reside relative to the registration of motor vehicles and licensing of drivers thereof and the display of registration tags and shall conspicuously display the registration tags required thereby

The aforementioned provisions of this section however shall only apply to such non-resident for such time and to such extent that under the laws of the foreign country state territory or Federal district of his residence similar exemptions are granted to the residents of this State Provided however that this section shall not apply to motor vehicles permanently kept in this State and owned by foreign corporations or non-residents nor to the drivers of such vehicles

Section 7 Upon the transfer of ownership or destruction of any motor vehicle its registration shall expire The original owner may however by proper affidavit accompanying his application register another motor vehicle upon payment of a fee of one dollar ($1) provided such motor vehicle be of equal or less horse power or classification than that originally registered or upon payment of a fee of one dollar ($1) and the difference between the fee paid originally and that due if the motor vehicle be properly registerable in a higher class and such owner shall be assigned the number previously issued to him unless the original registration tags have been destroyed

Section 8 The State Highway Commissioner may at his discretion revoke or suspend the registration of any motor vehicle or the license of any driver for improper conduct in operating a motor vehicle upon hearing after due notice in writing of the proposed action and the grounds therefor has been mailed to the owner thereof or to the licenses at the address given in his application

Section 9 No person under sixteen years of age whether the owner of a motor vehicle or not shall drive or operate a motor vehicle upon any public street or highway in this Commonwealth nor shall any person owning or having charge of any motor vehicle permit any person under sixteen years of age to operate such vehicle

Section 10 Every person desiring to operate a motor vehicle as a paid operator or who is an employe of the owner or custodian thereof shall first obtain a paid driver's license Application for such license shall be made upon a blank furnished by the State Highway Department and shall be signed by the applicant and be verified by oath or affirmation It shall contain the full name of the applicant with his place of residence and shall state that said applicant is over eighteen years of age has had at least ten days experience in the operation of a motor vehicle and is not mentally or physically incapacitated

Upon receipt of the application and fee of two dollars ($2) the State Highway Department shall if the applicant fulfills the requirements issue to the applicant a paid driver's license and a badge. The license shall show the licensee's name and residence and the date and number of the license but shall not be valid until the licensee's signature is attached thereto It shall be carried by the licensee at all times when operating a motor vehicle Upon the badge shall be the words "Pennsylvania Licensed Driver" the year and the number of the license which it accompanies It shall not be less than one and one-half inches in its greatest diameter and shall be conspicuously worn out the front of the outer garment of the licensee at all times when said licensee is operating a motor vehicle All such licenses shall expire December thirty-first of the year issued

Every person other than a paid operator or owner desiring to operate a motor vehicle shall make application for a license to the State Highway Department upon a blank furnished by the department Such application shall be signed by the applicant and be verified by oath or affirmation It shall set forth the name and residence of the applicant who must be over sixteen years of age and must have had at least ten days experience in the operation of a motor vehicle and be not mentally or physically incapacitated

Upon receipt of the application and a fee of one dollar the State Highway Department shall if the applicant fulfils the requirements issue to such applicant a license which shall be carried by the licensee at all times when operating a motor vehicle Such license shall be numbered and shall set forth the licensee's name and residence but shall not be valid until the licensees signature is attached thereto All such licenses shall expire December thirty-first of the year issued

The State Highway Commissioner shall issue learners permits to persons over sixteen years of age not mentally or physically incapacitated desiring to learn to operate a motor vehicle Such permits shall be issued for a period of thirty days but shall be valid only while such persons is accompanied by a licensed driver The charge for such permit shall be fifty cents (50c)

Section 11 No person shall operate any motor vehicle the registration of which has been suspended or revoked

No person whose license has been suspended or revoked or the registration of whose motor vehicle has been suspended or revoked shall operate any motor vehicle upon any public street or highway of this Commonwealth nor shall any person owning or having charge of any motor vehicle knowingly permit any person whose license or registration has been suspended or revoked to operate any such motor vehicle

No person whether an employe of the owner or custodian of any motor vehicle or not shall operate any motor vehicle without the knowledge or consent of the owner or custodian thereof and such owner shall be responsible in an action for damages caused to person or property by the negligent operation thereof upon any public highway whether such vehicle be operated or in charge of the owner thereof or any other person with the knowledge permission or consent of said owner

No person shall display upon any motor vehicle altered or false registration tags or operate any motor vehicle under any other number than that of its own registration

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100) nor more than three hundred dollars ($300) or imprisonment not exceeding one year or both at the discretion of the court and upon certification of such conviction by the clerk of the court to the State Highway Commissioner he may revoke the license of any licensee so convicted and refuse to issue to such person another license during a period not exceeding one year

Section 12 Any person operating a motor vehicle when under the influence of intoxicating liquor or any narcotic or habit producing drug or any person taking part in any race or speed contest for a prize or wager or otherwise upon any public highway or attempting to establish or lower any speed record upon any public highway shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100) nor more than three hundred dollars ($300) or imprisonment for not more than one year or both at the discretion of the court and upon the certification at the direction of the court of such conviction by the clerk of the court to the State Highway Commissioner he shall revoke the license of any person

so convicted or the registration of the motor vehicle owned by him and no license or registration shall be again issued to such person until the expiration of a period not exceeding one year from the date of such conviction at the discretion of the State Highway Commissioner

Section 13 The moneys derived from registration and license fees under the provisions of this act shall be paid by the State Highway Department into the State Treasury for safe keeping and shall by the State Treasurer be placed in a separate fund to be available for the use of the State Highway Department upon requisition of the State Highway Commissioner All such moneys hereafter paid into the State Treasury are hereby specifically appropriated to the State Highway Department for the purpose of assisting in the maintenance and repair of the State Highways and State-aid Highways of Pennsylvania The Auditor General shall upon requisition from time to time of the State Highway Commissioner draw his warrant upon the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition

Section 14 On no motor vehicle owned by a resident of this Commonwealth while operated or driven upon any public street or highway in this Commonwealth shall there be displayed number tags issued by any other state territory federal district or foreign country

Only one set of number tags shall be displayed upon any motor vehicle and except as provided in this act for non-residents no number tags shall be displayed other than those issued by the State Highway Department

No motor vehicle shall be operated upon any public street or highway in this Commonwealth unless the registration tags are rigidly attached thereto parallel to the axles of the motor vehicle so that they cannot swing or oscillate one on the front the other on the rear of such motor vehicle The lower edge of the tags shall be not less than fifteen (15) inches above the ground They shall be entirely unobscured and be kept free from oil grease dirt or other substance likely to impair their legibility and shall not be bent or defaced in any manner and between one hour after sunset and one hour before sunrise the rear number tag shall be illuminated so that the number can be plainly distinguished provided however that motor cycles need display but one registration tag which shall be attached to the rear thereof in such manner as to fully comply with the provisions of this section

Should a tag or tags be so defaced that the number thereof becomes illegible it shall be the duty of the owner of the motor vehicle for which same have been issued to apply promptly for new tags

In the case of the loss or defacing of one or both number tags or of a badge a new pair of tags or a badge of another number than that of the lost or defaced tag or badge shall be supplied by the State Highway Department A new pair of tags or badge may be obtained by filing with the State Highway Department upon a blank furnished by said Department an affidavit reciting the loss defacing or destruction of said tag or badge accompanied by a fee of one dollar ($1)

No owner or operator of a motor vehicle shall be subject to a fine by reason of one number tag or his badge being missing provided that he make affidavit that the same has been lost destroyed or removed without his knowledge or consent within a period of one week and that application for new tags or badge be promptly made

Section 15 Every motor vehicle shall be provided when in use with good and sufficient brakes and with a horn bell or other signal device and where such vehicle is so constructed or so covered as to prevent the driver or operator thereof from having a sufficient view of the traffic following it shall be equipped with some device that will show the operator the road to the rear

Every motor vehicle whether standing or in motion upon any public highway shall from one hour after sunset until an hour before sunrise and whenever it is impossible to see clearly for a distance of two hundred (200) feet show at least two white or light blue or amber or light yellow green lights on the front of such vehicle provided however that motor cycles to which no side car is attached need display only one such light

Every motor vehicle including motor cycles shall also display one red light visible from the rear but if a trailer or trailers is attached to such motor vehicles a red light shall be displayed on such trailer or on the last trailer if there be more than one and the registration tag on the rear of every motor vehicle and trailer or last trailer if more than one shall be clearly illuminated from one hour after sunset until one hour before sunrise

Whenever there is not sufficient light within the limits of the highway to clearly reveal persons vehicles or substantial objects within the limit of one hundred and fifty (150) feet the front lights on every motor vehicle shall when the vehicle is in motion clearly illuminate the road for a distance of at least one hundred and fifty (150) feet in front of such motor vehicle and for five (5) feet to the side of such vehicle at a point ten (10) feet ahead of the lamps

On no motor vehicle shall there be displayed more than two stationary lights equipped with reflectors in which lights of more than four (4) candle power are used and such lights shall be so arranged designed or deflected that no portion of the beam of reflected light when measured seventy-five (75) feet or more ahead of the lamps shall rise more than forty-two (42) inches above the level surface on which the vehicle stands

The focused rays of light from any movable search light or spot light used on any motor vehicle shall not extend to the left of the center of the highway and shall not illiuminate the roadway for a greater distance than seventy-five (75) feet ahead of the vehicle to which it is attached

The term "beam of reflected light" as used in this section shall be construed to mean the approximately parallel focalized rays gathered and projected by a reflector lens or other device

Every operator of a motor vehicle shall sound his horn bell or signal device giving reasonable warning of his approach whenever necessary to insure the safety of other users of the highways and also when approaching any street or road crossing or dangerous curve where the proper authorities shall have erected signs in the manner prescribed in section sixteen of this act bearing thereon in letters at least five (5) inches in height the words "Danger Blow Your Horn" provided that such signs may not be erected at street or road crossings where a full view to the right and the left is unobstructed

The unnecessary sounding of horns bells or other signal devices and the use of muffler cutouts upon any public highways is prohibited and no motor vehicle of any description shall be operated or driven on the public highways unless the engine be muffled so that the explosions of the engine shall not constitute a nuisance to the public

Section 16 No person shall drive or operate a motor vehicle on the public highways in this Commonwealth recklessly or at a speed that is greater than is reasonable and proper having regard to the width traffic and use of the highway or so as to endanger property or the life or limb of any person

No person shall drive or operate a motor vehicle at a rate of speed exceeding one (1) mile in two and one-half (2½) minutes and no person shall drive a motor vehicle having solid tires and weighing more than five thousand (5,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one (1) mile in four (4) minutes and no person shall drive a motor vehicle having solid tires and weighing over ten thousand (10,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one (1) mile in five (5) minutes and no person shall drive a motor vehicle having solid tires and weighing over fifteen thousand (15,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one mile (1) in six (6) minutes

The local authorities having charge of any of the highways may however by formal action erect or cause to be erected at dangerous places or in closely built-up sections or at school houses and public play grounds signs having thereon in letters not less than five (5) inches in height the words "Danger Run Slow" Such signs shall be erected as hereinafter specified in this section After passing such a sign a rate of speed of one (1) mile in four (4) minutes shall not be exceeded for a distance of one quarter (¼) of a mile belond such sign and if such dangerous conditions still exist or if such closely built-up section still continues a second sign similar to the above described may be erected and the speed limit shall not exceed the rate of a mile in four (4) minutes for not more than a quarter (¼) of a mile beyond such sign and as many such signs as may be necessary may be erected At the end of such dangerous place or closely built-up section there shall be erected a sign reading "End of fifteen mile limit" in letters not less than five (5) inches in height all such signs to be placed at right angles to the highway on the right side thereof and facing the traffic to be controlled

No person shall drive or operate a motor vehicle upon any public street or highway in this Commonwealth having metal spurs or lugs or other metal projections more than three-fourths (¾) of an inch in length upon the tires thereof except upon natural earth roads or where the streets or highways are covered with ice or snow so that the safety of other users of the highway makes such devices necessary

All signs as specified in this act erected for the purpose of notifying drivers of motor vehicles of the requirements to sound horn hell or other signal device or of the requirement to reduce speed otherwise allowed shall be erected at right angles to the highway and clearly legible therefrom and upon the side of the highway to the right of the driver for whom such notice is intended provided however that on streets or highways where traffic is divided by poles or other permanent fixtures the said signs may be located in the centre of such streets or highways

Section 17 When a motor vehicle meets or overtakes a street passenger car which has stopped for the purpose of taking on or discharging passengers the motor vehicle shall not pass said car on the side on which passengers get on or off until the car has started or until any passenger who may have alighted shall have reached the side of the road or any passenger who may be about to board the car shall have done so

When signaled to do so by the driver of any horse or other animal of draft or burden the operator of a motor vehicle shall stop until the danger has been avoided

When meeting or when overtaken by any other motor vehicle legally traveling at a greater speed the operator or driver of any motor vehicle shall turn reasonably to the right of the center of the highway allowing the other vehicle free passage to the left

No driver or operator of any motor vehicle overtaking another vehicle shall pass such vehicle at a sharp turn or curve or where a full view of the highway ahead is obstructed

No person shall hang on to or ride on the rear end of any motor vehicle without the owner's consent and no person on a bicycle roller skates sled or any similar

device shall hold fast to or hitch on to any moving motor vehicle No unauthorized person shall blow the horn handle the levers or in any way tamper with or deface any motor vehicle standing upon any public highway

Section 18 Any person or persons removing altering or obliterating the manufacturers plate or number on any motor vehicle for the purpose of destroying the identity of such motor vehicle or any person or persons aiding or abetting in such removing altering or obliterating or any person or persons receiving or purchasing any motor vehicle upon which the manufacturers plate or number has been removed altered or obliterated without being in possession of evidence that the said manufacturers plate or number was not removed altered or obliterated with the intent of destroying the identity of said motor vehicle shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100.00) or more than three hundred dollars ($300.00) or imprisonment not exceeding one year or both at the discretion of the court and the clerk of the court in which such conviction is had shall certify such conviction to the State Highway Commissioner of Pennsylvania who shall forthwith revoke the license of any licensee so convicted

Section 19 The proprietor of every public garage shall cause a record to be kept after the manner to be prescribed by the State Highway Commissioner of the names of any and all persons owning or having charge of any motor vehicle stored or left for repair or other purposes at any such public garage together with the make manufacturers number name of the State of registration and the registration number of such motor vehicles Such record shall be kept in ink or indellible pencil and shall be open to the inspection of police officers or the proper authorities Such records shall be retained and be available for a period of one year after entry but not thereafter

Section 20 The State Highway Commissioner shall issue printed monthly bulletins giving the name address of the printed monthly bulletins giving the name address and number of each licensee and the name and address of the owner of each motor vehicle registered together with the registration number and the make and manufacturer's number of such vehicle which shall be furnished free of charge to mayors burgesses chiefs of police aldermen and justices of the peace and shall be sold at a nominal fee to all other applicants for the same

He shall also cause such records to be compiled and made available in his department as will reveal the identity of the owner of each motor vehicle registered

The State Highway Commissioner may cause the original applications for registration and for license to be destroyed three years after the same have been received

Section 21 All operators of motor vehicles shall upon request or signal of any constable police officer or member of the State police force who shall be in uniform or shall exhibit his badge or other sign of authority stop and exhibit their registration certificate or license and shall write their names in the presence of such officer if so required and shall furnish to any legally constituted authority all information in their possession as to the identity of the the operator or owner of any motor vehicle

Section 22 All informations for offences as defined in this act committed by motor vehicle owners or users in connection with the operation or use of such motor vehicles shall be brought under this act and not under any local ordinance rule or regulation and all such informations shall be made before a burgess magistrate alderman or justice of the peace in the county wherein the offense is alleged to have occurred excepting that in counties having a population in excess of 100,000 according to the last preceding federal census such information shall be made before a burgess magistrate alderman or justice of the peace within the city borough incorporated town or township wherein such offense is alleged to have occurred

No city county borough incorporated town or township shall adopt enforce or maintain any ordinance rule or regulation contrary to or inconsistent with the terms of this act or fix a rate of speed lower than that permitted by this act or require of any person any license tax upon or registration fee for any motor vehicle or any permit or license to operate motor vehicles upon the public highways except that in parks the proper authorities may restrict the speed of motor vehicles to such a rate as may seem reasonable provided said rate of speed shall not be less than that allowed other vehicles and that legible signs shall be conspicuously placed indicating the rate of speed permitted operators of motor vehicles shall have the same rights upon the public streets and highways as the drivers of any other vehicles and no public road open to horse-drawn vehicles shall be closed to motor vehicles Provided however That each city may regulate the transportation by motor vehicles (not operated on tracks) of passengers or property for pay within the limits of the city or from points in the city to points beyond the limits of the city In such regulation the city may impose reasonable license fees make regulations for the operation of vehicles the rates to be charged for transportation and may designate certain streets upon which such vehicle if operated must be operated

Section 23 In any proceeding for the violation of provisions of this act the registered number displayed on the motor vehicle shall be prima facie evidence that the owner of said vehicle was then operating the same provided however that if at any hearing or proceeding the owner shall testify under oath or affirmation that he was not operating the said motor vehicle at the time of the alleged violation of this act and shall submit himself to an examination as to who at that time was operating such motor vehicle and reveal the name of the person if known or shall forward to the magistrate or justice of the peace an affidavit setting forth these facts then the prima facie evidence arising from the registered number shall be overcome and removed and the burden of proof shifted

Section 24 The constables and police officers of the State and of the counties cities boroughs incorporated towns and townships of this Commonwealth may arrest upon view and without warrant any person or persons violating any of the provisions of this act but such a officer shall forthwith make and file with the burgess magistrate alderman justice of the peace before whom the person arrested is taken an affidavit setting forth in detail the alleged violation of the act complained of and furnish a copy at once to the person arrested in the event of an arrest as aforesaid if the defendant is unable to give sufficient bail for a hearing or for his appearance at court the burgess magistrate alderman or justice of the peace before whom he is first taken shall accept as bail any article of sufficient value or provided he is the owner thereof hold in custody the motor vehicle found in the possession of the defendant and the court burgess magistrate alderman or justice of the peace after the trial of the defendant or if in the meantime sufficient bail according to law has been given shall make such order as to the disposition of such motor vehicle or other articles accepted as bail as shall seem just and proper

Section 25 Proceedings under this act may be commenced by warrant issued in the name of the Commonwealth which warrant may be served by a constable policeman or other officer having authority to serve warrants in any part of the county in which the violation is alleged to have been committed unless the person who is so charged voluntarily responds to the notice mailed by the burgess magistrate alderman or justice of the peace as is hereinafter provided for in this section but if the person charged cannot be served within the county then the constable policeman or officer to whom said warrant is directed shall deputize a constable policeman or other officer having legal authority to serve warrants of the county wherein the person charged resides or may be found who shall serve such warrant and for such service shall receive the usual fees and expenses therefor as allowed by law such service A copy of the information shall be served with such warrant and the officer serving such warrant shall take the defendant before the nearest magistrate alderman or justice of the peace of the county in which the defendant is found who shall take bail either for the defendants appearance before the burgess magistrate alderman or justice of the peace who issued the warrant or for the defendants appearance for trial in the proper court if a summary hearing is waived

All information charging violations of any of the provisions of this act except as provided in sections nine eleven twelve eighteen twenty-five and twenty-seven shall be brought within two (2) weeks after the commission of the alleged violation and not after and within the period of seven (7) days thereafter the burgess magistrate alderman or justice of the peace shall mail to the person so charged at the proper address as shown by the records of the State Highway Department a notice in writing of the issuing of the warrant together with a copy of the information and if the person named in the warrant shall not within ten (10) days thereafter voluntarily appear the warrant may be served as herein provided within thirty (30) days after the mailing of said notice provided that if any person named in such warrant shall be absent from his place of residence or cannot be found then such warrant may be served at any time within ten (10) days after his return to his place of residence

All money articles of value or motor vehicles deposited with any burgess magistrate alderman or justice of the peace as provided for in this act shall be returned to the defendant immediately upon the termination of the cause

No burgess alderman magistrate or justice of the peace shall try any case involving a violation of this act except upon warrant duly prepared in the form required by law which shall be preserved with the other papers pertaining to his office and every burgess alderman magistrate or justice of the peace who shall collect any fine or costs in any such case shall within a period of twenty-four hours thereafter complete the entries pertaining thereto in his docket kept for the making of his records and all such dockets shall be preserved and subject to inspection by any person upon demand

Burgesses aldermen magistrates or justices of the peace shall deliver without charge to the accused a receipt showing in detail the amount of fine and costs imposed upon and paid by such accused

No burgess alderman magistrates or justice of the peace shall divide the fees of his office with any constable sheriff or other officer or with any individual not an officer who may assist in making an arrest or furnish evidence in a case arising under this act

No constable shall under any circumstances receive or attempt to collect any fine charge or deposit of collateral for appearance in any case involving a violation of this act

Any burgess alderman magistrate justice of the peace constable or other officer violating any provision of this section shall be deemed guilty of a misdemeanor in office and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or undergo imprisonment in the county jail for a period not exceeding (60) days or both at the discretion of the court and shall be subject to removal from office

Section 26 Any person except as provided in sections nine eleven twelve eighteen twenty-five and twenty-seven convicted of violating any of the provisions of this act shall be subject to a fine or penalty of not less than ten dollars ($10.00) nor more than twenty-five dollars ($25.00) to be collected by summary conviction before any burgess magistrate alderman or justice of the peace as like fines and penalties are now by law collected or in case of non-payment of such fine within forty-eight (48) hours bail in double the amount of fine and costs being first entered to undergo an imprisonment in the county jail for a period not exceeding ten (10) days provided That any person so convicted shall have the right of appeal as in other cases of summary conviction and further provided That any person accused of violating any of the provisions of this act may waive the summary hearing and give bond in a sum of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) for appearance for trial before a judge in the court of quarter sessions or in the county court or in the municipal court in counties wherein such courts exist and thereupon the burgess magistrate alderman or justice of the peace shall within fifteen (15) days return the complaint or information to the said court and if any person so accused shall be convicted in said court of the offence charged he shall be subject to a fine of not less than ten dollars ($10.00) nor more than twenty-five dolars ($25.00) or in case of non-payment of such fine within forty-eight (48) hours bail in double the amount of fine and costs being first entered to undergo imprisonment in the county jail for a period not exceeding ten (10) days

Any person previously convicted of violating any of the provisions of this act upon conviction of any second or subsequent violation within a period of six (6) months after such first conviction shall be sentenced by the burgess magistrate alderman justice of the peace or the court to pay a fine of not less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00) or in case of non-payment of such fine within forty-eight (48) hours bail in double the amount of fine and costs being first entered to undergo imprisonment in the county jail for a period not exceeding twenty (20) days provided that any person so accused of any second or subsequent violation of the provisions of this act shall have the same right of appeal or may waive summary hearing in the same manner and upon the same conditions as is provided for in cases of first violation

Section 27 All fines and penalties collected under the provisions of this act for violations of the same shall be returned to the State Treasurer to be used for the repair and maintenance of the State highways and State-aid highways except those collected for violations of the provisions as to speed or weight which shall be paid to the treasurer of the city borough town or township wherein the violation occurred to be used for the repair and maintenance of the highways thereof

Sworn statements of all fines and penalties imposed for violations of this act shall be made to the State Highway Commissioner upon blanks to be furnished by the State Highway Department by the burgess magistrate justice of the peace or other officer imposing or receiving the same Such reports to the State Highway Commissioner and returns to the State Treasurer shall be made quarterly not later than the tenth day of the months of January April July and October of each year Any burgess magistrate justice of the peace or other officer who shall fail to make such quarterly reports and returns or either of them shall be deemed guilty of a misdemeanor in office and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or imprisonment in the county jail for a period not exceeding sixty days or both at the discretion of the court

Section 28 All civil actions for damages arising from the use and operation of any motor vehicle may be brought in the city or county wherein the alleged damages were sustained and service of process may be made by the sheriff of the county where the suit is brought deputizing the sheriff of the county wherein the defendant or his registered agent reside or where service may be had upon him under the existing laws of this Commonwealth in like manner as process may now be served in the proper county

Section 29 The act approved April twenty-third one thousand nine hundred and three entitled "An Act relating to automobiles or motor vehicles providing for the registration thereof regulating the speed limit upon the public highways within this Commonwealth providing for the licensing of the operators thereof and fixing the amount of the license regulating the service of process and of proceedings in actions of damages arising therefrom and prescribing the penalties for the violation of the provisions of the same and the act approved April nineteenth one thousand nine hundred and five entitled "An Act relating to automobiles or motor vehicles and regulating the speed limit upon the streets and public highways of this Commonwealth providing for the licensing of the operators thereof by the State Highway Department fixing the amount of said license regulating the service of process and of proceedings of actions in damages arising therefrom and prescribing the penalties for the violations of the provisions of the same" and the act approved April twenty-seventh one thousand nine hundred and nine entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder" and the act approved April twenty-first one thousand nine hundred and eleven entitled "An Act to amend section seven of an act entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder' by striking out from section seven of said act the word "hire" wherever it may occur in said section of the act approved June first one thousand nine hundred and eleven entitled "An Act to amend the first section of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled 'An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder' by exempting hospital motor ambulances and motor fire engines and motor fire apparatus and requiring them to be furnished free of charge with registration certificates and number tags" and the act approved July seventh one thousand nine hundred and thirteen entitled "An Act relating to and regulating motor vehicles and vehicles trailing after or propelled by motor vehicles controlling their speed upon the public streets and highways in the Commonwealth of Pennsylvania providing for their registration and licensing of certain operators by the State Highway Department prohibiting the operation of any motor vehicle by any person when intoxicated or without the consent of the owner forbidding the passage of any law laying a tax upon or requiring the registration of motor vehicles or licensing of any operator or regulating the speed of motor vehicles by any county borough city incorporated town or township establishing the rights of motor vehicles upon the public highways with relation to other vehicles providing for their equipment and for the width of tires to be used upon motor vehicles and vehicles trailing after or propelled by motor vehicles regulating the service of process and proceedings in actions for damages arising therefrom providing for arrest and for service of process and proceedings for violation of this act prescribing the penalties therefor and providing for the disposition of fees collected and fines imposed thereunder and all other acts or parts of acts inconsistent herewith shall be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1173 the bill just read be recommitted to the Committee on Public Roads and Highways.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Public Health and Sanitation, reported as amended Senate Bill No. 976 (House Bill No. 1008), entitled

An Act to amend the act approved the eighth day of May, one thousand nine hundred and nine, entitled "An Act to prevent the manufacture and sale of adulterated or misbranded drugs, defining the word 'drug', prescribing penalties for violation of this act, and the method of its enforcement."

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the committee on Agriculture, reported as committed Senate Bill No. 1182, entitled

An Act authorizing cities, boroughs, towns and townships to appoint and in certain instances recognize, war garden commissions; prescribing their powers and duties;

and providing for an appropriation by the several cities, boroughs, towns and townships from public funds to carry out the provisions of this act; and providing fines and penalties for trespass upon or destruction or spoiling of such gardens.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 780 (House Bill No. 42), entitled

An Act amending an act approved the fifth day of February, Anno Domini one thousand eight hundred and seventy-five, entitled "An Act relative to the establishment and jurisdiction of magistrates courts in the City of Philadelphia, increasing salaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 787, entitled

An Act providing for the appointment of a commission to ascertain the advisability or feasibility of constructing a bridge or tunnel over or under the Delaware River connecting the Commonwealth with the State of New Jersey; defining the powers and duties of said commission; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 892 (House Bill No. 985), entitled

An Act providing for the establishment of auxiliary State game preserves.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 917, entitled

An Act making available for expenditure during the two fiscal years beginning June first, one thousand nine hundred and seventeen, the sum of three hundred and fifty thousand dollars remaining unexpended from appropriation made by section two of an act of Assembly approved the eighteenth day of June, one thousand nine hundred and fifteen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 949, entitled

An Act requiring that expenses be paid to State employes not later than the tenth of each month for the preceding month.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 999, entitled

An Act to provide for the settlement, registrations, transfer and assurance of titles to land lying in the several counties of the Commonwealth of Pennsylvania, and to establish a court of land registration for said purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1066, entitled

An Act fixing the salary of the Assistant Director of the Legislative Reference Bureau.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1068, entitled

An Act to further amend sections one and two of an act approved the eighteenth day of June, one thousand eight hundred and ninety-seven, entitled "An Act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standard, to prevent the adulteration of the same, providing for the enforcement thereof, and punishment for the violation of the same," as amended, by permitting the addition of water to apple or cider vinegar.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1072, entitled

An Act to amend sections one, three and four of an act approved the 8th day of May, 1909, entitled "An Act to give additional protection to wild birds and animals and game, within the Commonwealth of Pennsylvania; prohibiting the hunting for, or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents; forbidding the ownership or possession of shotgun or rifle by any unnaturalized foreign-born resident, within the Commonwealth; and prescribing penalties for violation of its provisions," by providing that pistol and firearm of any kind be added to the firearms enumerated in said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1093 (House Bill No. 768), entitled

An Act to refund to Friedman Manufacturing Company of Pittsburgh Allegheny County money paid for a license to sell oleomargarine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1096 (House Bill No. 1305), entitled

An Act to amend the title of an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, entitled "An Act amending section one of an act approved the seventeenth day of April, one thousand nine hundred and five, entitled 'An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations and telegraph, telephone or light or power companies;' extending the provisions thereof to street passenger railway, motor traction, gas or water companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1113 (House Bill No. 619), entitled

An Act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bull-frogs, tad-poles and terrapin and providing penalties and punishments for violation of any of the provisions of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties and fines recovered and received and how and by whom the costs in such cases shall be paid.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1123 (House Bill No. 1408), entitled

An Act to amend sections one and three of an act approved the first day of May, one thousand nine hundred and nine, entitled "An Act to regulate the manufacture and sale of commercial fertilizers; prescribing penalties for its violation and repealing an act entitled 'An Act to regulate the manufacture and sale of commercial fertilizers; pro-

viding for its enforcement and prescribing penalties for its violation,' approved the twenty-fifth day of March, Anno Domini one thousand nine hundred and one."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1136, entitled

An Act to fix the salaries or compensation of the several State officers of this Commonwealth, the number and salaries or compensation of the several officers and employes to be employed in the several State departments, boards and commissions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1163 (House Bill No. 1381), entitled

An Act validating certain borough ordinances; providing for certain street improvements and the liens and bonds imposed and issued in pursuance thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1181, entitled

An Act to amend sections two and five of the act approved the fourth day of June one thousand nine hundred and fifteen entitled "An Act authorizing and regulating the employment of convicts and prisoners on the public highways"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1184, entitled

An Act to amend section twelve of the act of April seventeenth, one thousand nine hundred and seventeen, entitled "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania; requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth; and providing penalties for violation of its several provisions, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the license fees, fines and penalties received," by making available these funds as soon as paid into the State Treasury.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1187, entitled

An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania, providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE CONCURS IN RESOLUTION FAVORING THE PASSAGE BY CONGRESS OF DAYLIGHT SAVING LEGISLATION.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 16, 1917.

Whereas Enemy Governments have passed laws advancing the time one hour during the long summer days for the purpose of conserving their resources, and other belligerents have done likewise as a measure of economic war necessity. Therefore

Resolved (if the House concur) that

The General Assembly of Pennsylvania endorses the efforts of the business interests now being made to secure the passage by the Congress of the United States of legislation known as daylight saving to advance the standard time one hour during the summer months.

Resolved, further, that a copy of these resolutions be forwarded to the Senators and Representatives in Congress from Pennsylvania.

REPORTS FROM COMMITTEES.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Appropriations, reported as committed Senate Bill No. 1183, entitled

An Act making an appropriation to the Trustees of the State Hospital for the Insane for the Southeastern District of Pennsylvania, located at Norristown, Pennsylvania

Also from the Committee on Appropriations, reported as committed Senate Bill No. 801, entitled

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania, at Fountain Springs, near Ashland.

Also from the Committee on Appropriations, reported as amended Senate Bill No. 990 (House Bill No. 1288), entitled

An Act to reimburse certain counties for rewards and bounties heretofore paid by such counties in good faith for the destruction of noxious animals and birds and directing the Auditor General to draw his warrant for the payment of the same.

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1154 (House Bill No. 969), entitled

An Act to amend section one of any act approved the 30th day of May, 1893, entitled "An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park, and making an appropriation therefor," as amended by providing for the acquisition of additional land by the Valley Forge Park Commission

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1157 (House Bill No. 1159), entitled

An Act reappropriating and making available certain unexpended sums appropriated by the General Assembly of 1915 for the support and maintenance of the National Guard and Naval Militia for improvements at the Permanent Camp Ground at Mount Gretna, Pennsylvania.

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1151 (House Bill No. 822), entitled

An Act making an appropriation to the trustees of the State Hospital for the Insane at Warren, Pennsylvania.

Mr. SPROUL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SPROUL, from the Committee on Judiciary Special, reported as committed Senate Bill No. 983 (House Bill No. 1139), entitled

An Act authorizing boroughs with the assent of the electors duly obtained at the election to use moneys borrowed for purposes which have proved impracticable or impossible for any other lawful municipal purpose.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Judiciary General, reported as amended Senate Bill No. 989 (House Bill No. 1261), entitled

An Act to amend section one of an act, entitled "An Act to provide for the removal of judges of the Supreme Superior, common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial funtions and duties with half pay for their unexpired terms and the filing of vacancies caused by such removal" approved eleventh day of May one thousand nine hundred and one as amended by an act entitled "An Act to amend section one of an act entitled 'An Act to provide

for the removal of Judges of the Supreme Superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" approved May eleventh one thousand nine hundred an done so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives" approved twenty-third day of June one thousand nine hundred and eleven so as to provide that any judge of the Supreme or Superior court who has served in judicial office for twenty or more years shall be entitled to receive the benefits of said act immediately after his honorable retirement from office by expiration of term resignation or otherwise whether said service be continuous or not

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. McCONNELL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILL INTRODUCED.

Mr. SALUS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1207, entitled

An Act to repeal an act, entitled "An Act relating to notaries public," approved the 16th day of May, A. D. 1861 (P. L. 758).

Which was committed to the Committee on Judiciary General.

REPORT FROM COMMITTEE.

Mr. McCONNELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCONNELL, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1153 (House Bill No. 851), entitled

An Act to amend the first paragraph of section four of the act approved the twenty-eight day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended.

SENATE BILL NO. 696 RECALLED FROM THE GOVERNOR.

Mr. McCONNELL. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCONNELL offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 16, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 696, entitled "An Act to amend the second section of an act approved April 4th, 1907, entitled 'An Act creating in counties having a population from three hundred thousand to one million a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments and divisions thereof; prescribing the powers and duties of said board and regulating appeals from the decision thereof,' by providing that where said board as constituted by said act is composed of the county controller and county commissioners only the president of the the board in case of a tie vote shall be entitled to a deciding vote," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT FROM COMMITTEE.

Mr. ENDSLEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ENDSLEY, from the Committee on Railroads, reported as committed Senate Bill No. 1195 (House Bill No. 1072), entitled

An Act to authorize the construction of branches by railroad companies.

HOUSE MESSAGE.

HOUSE CONCURS IN RESOLUTION RECALLED FROM THE GOVERNOR SENATE BILL NO. 696.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 16, 1917.

Resolved (if the House of Representatives concur) that Senate Bill No. 696, entitled, An Act to amend the second section of an act approved April 4th 1907 entitled "An Act creating in counties having a population from three hundred thousand to one million a board to fix and determine the number and compensation of employes in all county office boards bureaus departments and divisions thereof prescribing the powers and duties of said board and regulating appeals from the decisions thereof" by providing that where said board as constituted by said act is composed of the county controller and county commissioners only the president of the board in case of a tie vote shall be entitled to a deciding vote be recalled from the Governor for the purpose of amendment.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 23 (Senate Bill No. 1208), entitled

An Act authorizing township commissioners and township supervisors to adopt certain roads streets and highways as public roads and providing for their maintenance improvement and repair.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 60 (Senate Bill No. 1209), entitled

An Act to amend section seventy-five of an act approved the thirty-first day of March, one thousand eight hundred and sixty (Pamphlet Laws three hundred eighty-two), entitled "An Act to consolidate, revise and amend the penal laws of this Commonwealth," by providing that the penalty for murder of the first degree shall be either death or life imprisonment at the discretion of the jury or of the court as the case may be.

Which was committed to the Committee on Judiciary General.

House Bill No. 190 (Senate Bill No. 1210), entitled

An Act providing a system whereby persons absent from their regular polling places may cast their votes; imposing certain powers and duties upon the county commissioners, prothonotaries, judges of election, return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties.

Which was committed to the Committee on Elections.

House Bill No. 191 (Senate Bill No. 1211), entitled

An Act to amend section one of an act approved the eighteenth day of April, one thousand eight hundred ninety-three, entitled "An Act providing that voters in this Commonwealth shall cast their ballots at polling places inside the election district in which they are domiciled and making it the duty of the courts of quarter sessions of the several counties to carry out the provisions of the same."

Which was committed to the Committee on Elections.

House Bill No. 196 (Senate Bill No. 1212), entitled

An Act making an appropriation for the purpose of reimbursing counties for monies advanced to incorporated county agricultural associations and for reimbursing incorporated county agricultural associations for premiums paid on exhibits.

Which was committed to the Committee on Appropriations.

House Bill No. 1023 (Senate Bill No. 1213), entitled

An Act making it a misdemeanor for any person under twenty-one years of age to procure or attempt to procure intoxicating liquors.

Which was committed to the Committee on Law and Order.

House Bill No. 1031 (Senate Bill No. 1214), entitled

A Supplement to an act, approved the second day of June, one thousand nine hundred and thirteen (P. L. 396), entitled "An Act creating a Department of Labor and Industry, defining its powers and duties; establishing an Industrial Board; providing for the appointment of a Commissioner of Labor, inspectors, statisticians, clerks, and others to enforce the provisions of this act, and providing salaries for the same; prescribing a standard of reasonable and adequate protection to be observed in the rooms, buildings, and places where labor is employed; empowering the said Industrial Board to make, alter, amend and repeal rules and regulations relating thereto; transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry, and abolishing the Department of Factory Inspection; and providing a penalty for the violation of the provisions of this act, or the rules and regulations of the said board," authorizing the Industrial Board to adopt a seal; and providing that certified copies of all records, documents and rulings of said board shall be received in evidence.

Which was committed to the Committee on Judiciary General.

House Bill No. 1352 (Senate Bill No. 1215), entitled

An Act to amend the second section of an act approved the fifteenth day of April, one thousand nine hundred and thirteen, entitled "An Act to amend the second section of an act, entitled 'An Act amending section two of the act entitled ' An Act for the relief of wives and children deserted by their husbands and fathers, within this Commonwealth," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-seven, by authorizing and empowering courts to fix the allowance for the support of wives and children, without limitation as to the amount thereof, by empowering courts to issue writs of attachment against the money or property belonging to, or which the husbands and fathers may be entitled to, whether under what is known as spendthrift trusts or otherwise," by empowering courts to issue writs of execution against any property real or personal, belonging to the defendant and writs of attachment execution against the money or property to which defendant may be entitled whether under what is known as a spendthrift trust or otherwise no matter when said trust was created and making same a continuing lien and levy for fifty per centum thereof until the order and costs are paid and abolishing the benefit of the exemption law in such case.

Which was committed to the Committee on Judiciary General.

House Bill No. 76 (Senate Bill No. 1216), entitled

An Act validating municipal liens filed by boroughs for paving and curbing the public highways thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 1363 (Senate Bill No. (1217), entitled

An Act directing the Commissioner of Forestry to prepare, edit and publish an edition of bulletin number eleven of the Departmetn of Forestry known by the title of Pennsylvania Trees; providing for the printing, binding and distribution of said edition and making an appropriation.

Which was committed to the Committee on Forestry.

House Bill No. 1539 (Senate Bill No. 1218), entitled

An Act appropriating and transferring to the Board of Commissioners of Public Grounds and Buildings the unexpended portions of money heretofore appropriated by the act of June sixteenth, one thousand nine hundred and eleven (Pamphlet Laws one thousand and twenty-seven), entitled "An Act to provide, within the following boundaries—namely: On the west, by the present eastern line of Capitol Park; on the north, by the southern line of North Street; on the east, by the western line of the right of way of the Pennsylvania Railroad company, and on the south, by the northern line of Walnut street—for the extension of Capitol Park in the City of Harrisburg; and for the acquiring, taking, and condemnation of the real estate in connection therewith and within said boundaries, and for the demolition of the buildings and structures thereon; and making an appropriation therefor, and also for the expenses and cost in connection therewith," and designating the purpose for which such money shall be used.

Which was committed to the Committee on Appropriations.

House Bill No. 797 (Senate Bill No. 1219), entitled

An Act fixing the salary of the elevator operators in the State Capitol.

Which was committed to the Committee on Appropriations.

SENATE BILL NO. 216 RETURNED WITH AMENDMENTS.

He also returned to the Senate Senate Bill No 216, entitled

An Act relating to the salaries and expenses of the examiners in the Department of Banking.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. ENDSLEY. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, line 5, by inserting after the word "shall" the words "in the discretion of the Commissioner of Banking"; also in line 7, by striking out the word "of" and inserting in lieu thereof the words "not to exceed."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,	Jenkins,	Phipps,	Stewart,
Beales,	Leiby,	Salus,	Vare,
Buckman,	Lynch,	Sassaman,	Warner,
Craig,	Martin,	Schantz,	Wasbers,
DeWitt,	McConnell,	Semmens,	Weaver,
Endsley,	McKee,	Snyder,	Whitten,
Eyre,	Miller,	Sones,	Beidleman,
Graff, W. P.,	Nason,	Sproul,	Pres. pro tem.
Homsher,	Patton,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION URGING UPON THE CONGRESS OF THE UNITED STATES THE IMPORTANCE OF THE PASSAGE OF A RIVERS AND HARBORS BILL CARRYING AN ADEQUATE APPROPRIATION FOR THE CARRYING ON AND MAINTENANCE OF THE PROJECT OF THE DELAWARE RIVER CHANNEL.

Mr. SALUS offered resolution, which was twice read as follows:

Whereas, The Senate of the United States at its last regular session failed to pass the Rivers and Harbors Bill which contained appropriations for the continuance of the work on the thirty-five foot channel in the Delaware River, for beginning work on a new project for a wider and deeper channel in the Schuylkill, provision for the acquirement by the Government of the Chesapeake and Delaware Canal, and many other important items; and

Whereas, Unless further appropriations are made for the continuance of the work and the maintenance of the channel already completed, the unfinished work on the channel of the Delaware River must be abandoned on the thirtieth day of June, one thousand nine hundred and seventeen; and thereby the project on which large sums of money have already been expended will become of little or no value; and

Whereas, The importance to the Navy of the United States, and particularly to the Philadelphia Navy Yard, of the continuance of this work to final completion and its continued maintenance cannot be overestimated, particularly during the present period of the war with Germany, therefore

Be it resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania hereby urges upon the Congress of the United States the importance of the passage at its present extraordinary session, of a Rivers and Harbors Bill, carrying an adequate appropriation for the carrying on and maintenance of the project of the Delaware River channel; and

Be it further resolved that copies of this resolution be presented to the Senators and Congressmen representing

this Commonwealth in the Congress of the United States; and that said Senators and Congressmen are hereby urged to exert their greatest efforts for the furtherance and final passage of such a measure.

Mr. EYRE. Mr. President, I ask unanimous consent that Rule 39 be dispensed with in order that the resolution may be considered at this time.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution.

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

ADJOURNMENT.

Mr. EYRE. Mr. President, I move that the Senate do now adjourn until Monday evening, May 21, 1917, at nine o'clock.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12.47 o'clock P. M. until Monday evening, May 21, 1917, at nine o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 16, 1917.

The House met at 11.00 o'clock A. M.

The SPEAKER (Richard J. Baldwin) in the Chair.

PRAYER.

The Chaplain, Rev. S. G. Zerfass, offered the following prayer:

O God, our Heavenly Father, we adore Thee, we praise Thee, we bless Thee for the revealing of Thy love.

Help us to be Thy faithful children—obedient, trustful, loyal and true.

We thank Thee for the goodness and mercy of the past night, give us ever grateful hearts, open to the gentlest influence of Thy fatherly affection and protection.

May we be led into holier living, into deeper experiences, into more intense earnestness in Thy service and into fuller consecration to Christian lives.

Cause us to live sweetly, patiently, unselfishly and helpfully.

We ask all these favors and mercies in Christ's name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Bovee, the further reading was dispensed with and the Journal was approved.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 805 (House Bill No. 1888)

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth.

Referred to the Committee on Public Roads.

Senate Bill No. 1098 (House Bill No. 1889)

An Act amending sections one and ten of an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, entitled "An Act to establish a State village for feeble-minded women; providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve, and to erect and furnish buildings on the same, and to manage said institution, and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years; defining the powers and duties of the board of managers; and making an appropriation for the purposes aforesaid, also for the expenses of maintenance until June first, one thousand nine hundred and fifteen."

Referred to the Committee on Appropriations.

Senate Bill No. 915 (House Bill No. 1890)

An Act to amend section one thousand four hundred and four of the act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general special or local, or any parts thereof, that are or may be inconsistent therewith," by giving justices of the peace, aldermen and magistrates jurisdiction in certain actions between school districts.

Referred to the Committee on Education.

Senate Bill No. 928 (House Bill No. 1891)

An Act to authorize county commissioners to appropriate from moneys received from dog taxes certain sums to societies for the prevention of cruelty to animals.

Referred to the Committee on Counties and Townships.

Senate Bill No. 1106 (House Bill No. 1892)

An Act to supplement an act, entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvement, and for the removal of nuisances, the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales," approved the fourth day of June, one thousand nine hundred and one, providing an additional method for the enforcement and collection of county, poor, school, borough, towns or township taxes against seated lands, authorizing the return of taxes on seated lands in counties, poor districts, school districts, boroughs, incorporated towns and townships for county, poor, school, borough, town or township taxes, respectively, and providing for the sales of such lands for such taxes.

Referred to the Committee on Municipal Corporations.

Senate Bill No. 1105 (House Bill No. 1893)

An Act to repeal an act, entitled "An Act providing for the return of taxes on seated lands in counties, poor districts, boroughs, incorporated towns and townships for county, poor, borough, town or township taxes, respectively, and providing for the sale of such lands for taxes," approved the twenty-first day of May, one thousand nine hundred and thirteen.

Referred to the Committee on Counties and Townships.

Senate Bill No. 1019 (House Bill No. 1895)

An Act to amend an act, entitled "A Supplement to an act, entitled 'An Act relating to roads, highways and bridges,' approved the thirteenth day of June, Anno Domini eighteen hundred and thirty-six," approved the fifth day of May, one thousand nine hundred eleven, so as to provide for the construction, change or alteration of parts of public roads in counties, boroughs or townships without the formality of a view where the costs and expenses to such county, borough or township including damages shall not exceed three hundred dollars.

Referred to the Committee on Public Roads.

Senate Bill No. 1022 (House Bill No. 1896)

An Act to authorize and require the improvement of streets, roads and highways in all cities of the Commonwealth where owners of land abutting thereon deside to improve and build upon said land.

Referred to the Committee on Municipal Corporations.

Senate Bill No. 1023 (House Bill No. 1897)

An Act providing for the payment of damages for necessary adjustments to property affected by change of grade where property was improved on the natural surface of the ground without conforming to the established grade regulation where said regulation had been established for more than three years.

Referred to the Committee on Municipal Corporations.

Senate Bill No. 1037 (House Bill No. 1898)

An Act making an appropriation to Carroll R. Williams, J. H. Shoemaker and A. Morton Cooper, of Philadelphia for services as attorneys for the Dairy and Food Commissioner.

Referred to the Committee on Appropriations.

Senate Bill No. 1058 (House Bill No. 1899)

An Act amending section three of an act entitled "A Supplement to an act entitled 'An Act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one: providing for the levy, collection and disbursement of taxes and water rents or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for,'" approved May twelfth, one thousand nine hundred and eleven, as amended by the amendment of June fifteenth, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-six).

Referred to the Committee on Municipal Corporations.

Senate Bill No. 1059 (House Bill No. 1900)

An Act empowering cities of the second class under certain conditions to lease streets or highways along navigable streams or streets or highways created by act of Assembly to private persons for a limited time and to receive a rental therefor.

Referred to the Committee on Municipal Corporations.

Senate Bill No. 1080 (House Bill No. 1901)

An Act declaring ministers of religion and clergymen who hold themselves in readiness to answer the call of any transportation company in case of accident or sickness employes of such company and providing that special reduced or lower rates may be granted by transportation companies to such ministers and clergymen.

Referred to the Committee on Railroads.

Senate Bill No. 1099 (House Bill No. 1902)

An Act to amend section two hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the appointment of school directors by the court for independent school districts at the time of the establishment of the same, and providing for the election of school directors thereafter.

Referred to the Committee on Education.

BILLS INTRODUCED AND REFERRED.

Mr. RAMSEY asked and received unanimous consent to introduce a bill at this time.

By Mr. RAMSEY. House Bill No. 1894.

An Act to amend section nine hundred and four of an act, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all acts, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," approved the eighteenth day of May, Anno Dmoini one thousand nine hundred and eleven.

Referred to the Committee on Appropriations.

Mr. PALMER asked and received unanimous consent to introduce a bill at this time.

By Mr. PALMER. House Bill No. 1903.

An Act authorizing cities to refund moneys paid by property owners into their treasuries when a court of competent jurisdiction shall have determined that there was no liability for such payment when made.

Referred to the Committee on Judiciary Special.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct. the titles were publicly read as follows:

Senate Bill No. 662

An Act regulating the packing of apples providing penalties for violations and imposing certain duties upon the Department of Agriculture

Senate Bill No. 480

An Act to amend section five of an act approved the seventh day of June, one thousand nine hundred and fifteen, entitled "An Act to amend, revise, and consolidate the law providing for the burial of certain honorably discharged soldiers, sailors and marines, at the expense of the counties in which they shall die or have a legal residence at the time of their death; to provide a system for effecting the burial of such soldiers, sailors, and marines; to provide headstones and markers for the graves of such soldiers, sailors, and marines; and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers, sailors and marines."

Senate Bill No. 624

An Act dividing the Middle Coal-Field Poor District into four districts and providing for the nomination and election of a director and auditor from each district and one director at large to be elected by the voters of all the districts fixing the time when such nominations and elections shall be held and when those elected shall take office providing for appointments and filling of vacancies placing the affairs of the districts under the supervision and control of the court of quarter sessions of Carbon County making it lawful to erect new or additional buildings for said district after the approval of the court of quarter sessions of Carbon County and repealing certain acts

Senate Bill No. 203

An act defining and regulating boxing and wrestling contests

Senate Bill No. 171

A Supplement to the act of April twenty-eighth, eighteen hundred ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class," providing for the election of a township solicitor in townships of the first class; fixing his term of office; prescribing his duties and qualifications and authorizing the board of township commissioners to fix his compensation.

Senate Bill No. 249

An Act amending section one of an act, entitled "An Act to amend section one of an act ceding jurisdiction over real estate in the County of Philadelphia to be acquired by the United States," approved April fifteenth, Anno Domini one thousand nine hundred and three, increasing the limitation as to area of land the jurisdiction of which is ceded from twenty thousand square feet to forty thousand square feet, approved the twenty-fifth day of May, Anno Domini one thousand nine hundred and seven, by increasing the limitation as to area of land and the jurisdiction of which is ceded from forty thousand square feet to eighty thousand square feet.

Senate Bill No. 468

An Act to enable two or more boroughs that are contiguous or in close proximity, to be united and to become one city, wherever each of said boroughs shall have heretofore voted or shall hereafter vote to become a city of the third class, under the laws now enacted or which may hereafter be enacted and wherever each of said boroughs has duly received or shall hereafter receive letters patent constituting it a city of the third class, but where sufficient time shall not have elapsed after the granting of such letters patent for the holding of a municipal election; providing for the consequences of such consolidation the government of such consolidated city, the payment of the indebtedness of each of the united territories and the enforcement of debts and claims due to and from each; and fixing the jurisdiction over the said consolidated city in the courts of the county in which the majority of its inhabitants shall reside.

Senate Bill No. 567

An Act to amend section nineteen of an act approved the thirteenth day of June one thousand eight hundred thirty-six entitled "An Act relating to roads highways and bridges"

Senate Bill No. 692

An Act authorizing tenants in common and coparceners of land to

Senate Bill No. 789

An Act validating divorces granted on the ground of hopeless insanity of the respondent under the provisions of an act approved the eighteenth day of April, nineteen hundred and five, entitled "An Act to amend section eight of the act approved the thirteenth day of April, eighteen hundred and forty-three, entitled 'An Act to convey certain real estate and for other purposes,' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis, and to further regulate the procedure in action for divorce."

Senate Bill No. 770

An Act to further amend an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for the revocation or suspension of licenses given by said Bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled "An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions theerfrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven by providing for further instruction prior to examination for licensure by clarifying sections five (5) and twelve (12).

Senate Bill No. 745

An Act to validate affidavits, acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act.

Senate Bill No. 282

An Act making an appropriation for the Dixmont Hospital for the Insane to make good the deficit in operation of said hospital to January first, one thousand nine hundred and seventeen.

Senate Bill No. 766

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields, situate in the Township of Coal, near Shamokin, Northumberland County, Pennsylvania, for deficiency in maintenance for the two fiscal years commencing June first, one thousand nine hundred and fifteen.

Senate Bill No. 792

An Act authorizing and empowering the several counties of this Commonwealth to locate, lay out, open, construct and maintain public bridges whether wholly or partly within any city, borough or township therein across any river or stream dividing or separating any part of said county from any other part thereof, together with the necessary bridge approaches, viaduct or other approaches to conveniently connect the same with existing streets or public roads in such cities, boroughs or townships; authorizing the cities and boroughs wherein such bridges are located to share in the cost thereof and to provide approaches therefor; authorizing the taking and apprporiation of property and rights of property, public or private, for such purposes; providing a method for making compensation for property taken, injured or destroyed thereby; authorizing the several counties to enter upon and over public streets or roads in cities, boroughs or townships for said purposes; authorizing the several counties to appropriate money, levy taxes and incur indebtedness therefor and authorizing the several counties to charge and collect tolls and rentals for the concurrent use of such bridges and approaches by street railway, telegraph, telephone or other corporations or persons making use thereof other than for ordinary foot or vehicle traffic and to enter into contracts for such use

Senate Bill No. 812

An Act fixing the residence of the warden of the county jail or prison in counties of this Commonwealth where the government of such jail or prison is or may hereafter be vested in a prison board.

Senate Bill No. 817

An Act to amend the second section of an act approved the thirteenth day of June, Anno Domini nineteen hundred and eleven, entitled "An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand a board for the assessment and revision of taxes for State and county purposes; prescribing the method of their appointment, their powers and duties; fixing their salary to be paid by the proper county and abolishing the office of ward, borough and township assessors in so far as respects the assessment of State and county taxes," by changing the pay of subordinate assessors from four to five dollars per day.

Senate Bill No. 670

An Act to increase the powers of courts in proceedings for desertion and non-support of wives, children or aged parents and in proceedings for failure to comply with orders of court in fornication and bastardy proceedings or other proceedings for the support of illegitimate children; directing that imprisonment in such cases be at hard labor in such institution as the court shall name; providing for the payment by such institution or in certain cases by the county from which the defendant was committed of the sum of sixty-five cents per day to be paid to the person designated by the order of the court; providing for the issuance of attachments and for the disbursement of moneys collected on forfeiture of bonds, bail bonds or recognizances and providing for the payment by the county of the expenses incident to carrying out this act.

Senate Bill No. 797

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer, general jail dlivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million five hundred thousand.

Whereupon,

The SPEAKER in the presence of the House signed the same.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, May 15, 1917.

Resolved (if the Senate concur), That House Bill No. 846, File Folio 3767, entitled "An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill No. 797, entitled

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer, general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million five hundred thousand.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill No. 670, entitled

An Act to increase the powers of courts in proceedings for desertion and non-support of wives, children or aged parents and in proceedings for failure to comply with orders of court in fornication and bastardy proceedings or other proceedings for the support of illegitimate children; directing that imprisonment in such cases be at hard labor in such institution as the court shall name; providing for the payment by such institution or in certain cases by the county from which the defendant was committed of the sum of sixty-five cents per day to be paid to the person designated by the order of the court; providing for the issuance of attachments and for the disbursement of moneys collected on forfeiture of bonds, bail bonds or recognizances and providing for the payment by the county of the expenses incident to carrying out this act.

REPORTS OF COMMITTEE.

Mr. FOWLER, from the Committee on Labor and Industry, reported as amended House Bill No. 238, entitled

An Act to regulate advertisements for employes during strikes or lockouts of a general or public character.

Mr. POWELL, from the Committee on Education, reported as committed House Bill No. 1744, entitled

An Act to amend an act approved the sixth day of May, one thousand nine hundred and fifteen, entitled "An Act creating the Bureau of Vocational Education of the Department of Public Instruction, creating the divisions of the same; providing for the appointment of its officers and other

employes by the Superintendent of Public Instruction; defining the duties of the same, and fixing the compensation of its employes."

Mr. CANON, from the Committee on Education, reported as committed House Bill No. 908, entitled

An Act providing for the time during which pupils may be taught in institutions for the instruction of the blind in this Commonwealth.

Mr. DEAN, from the Committee on Ways and Means, reported as Committed House Bill No. 1687, entitled

An Act to amend section one hundred and twelve of an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. WICKMAN, from the Committee on Education, reported as committed House Bill No. 1164, entitled

An Act to amend section two hundred and six of the act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the election of school directors in independent districts.

Mr. THOMAS, from the Committee on Municipal Corporations, reported as committed House Bill No. 1825, entitled

An Act amending section three of an act entitled "A Supplement to an act entitled 'An Act for the government of cities of the second class,' approved the seventh day of March, Anno Domini, one thousand nine hundred and one; providing for the levy, collection, and disbursement of taxes and water rents or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for,'" approved May twelfth, one thousand nine hundred and eleven, as amended by the amendment of June fifteen, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-six).

Mr. THOMAS, from the Committee on Municipal Corporations, reported as committed House Bill No. 902, entitled

An Act relating to the appointment of persons to the engineering and electrical departments in cities of the third class; constituting a civil service board in relation thereto; providing for and regulating examinations; the manner of appointments and the manner and power of removal of employes of said departments, and providing a method for fixing compensation of examiners.

Mr. HEYBURN, from the Committee on Education, reported as committed House Bill No. 1115, entitled

An Act to amend an act approved the first day of June, one thousand nine hundred fifteen, entitled "An Act to amend an act approved the eighteenth day of May, one thousand nine hundred eleven, entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith.'"

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, reported as committed House Bill No. 1903, entitled

An Act authorizing cities to refund moneys paid by property owners into their treasuries when a court of competent jurisdiction shall have determined that there was no liability for such payment when made.

Mr. C. A. SHAFFER, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1867 (Senate Bill No. 325), entitled

An Act providing for the sale, distribution and use for the promotion of biological science and for the discovery of new methods of treatment in medicine and surgery of unclaimed animals in the public pounds and providing penalties for neglect or refusal to comply with the provisions of this act.

Mr. LEWIS, from the Committee on Education, reported as committed House Bill No. 1879 (Senate Bill No. 811), entitled

An Act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children under the jurisdiction of the Courts of Quarter Sessions of the Peace or other courts sitting as Juvenile Courts and to acquire land therefor by purchase or by condemnation defining the scope and character of such schools regulating the proceedings for the establishment maintenance and management thereof authorizing the County Commissioners to make appropriations levy taxes and to incur indebtedness therefor and providing that all such schools heretofore established by any county shall be continued and maintained under the authority of this act removing the persons in charge thereof and providing that any property heretofore acquired for any such schools shall be held and used for the schools provided for in this act.

Mr. ARON, from the Committee on Judiciary Special, reported as committed House Bill No. 1866 (Senate Bill No. 834), entitled

An Act making it a misdemeanor for a parent wilfully to neglect to support a child born out of lawful wedlock whether such child shall have been begotten or shall have been born within or without this Commonwealth providing punishment therefor and empowering the court to make an order for support and to enforce the same, and making it a misdemeanor to make false declarations as to who is the parent of the child and providing punishment therefor.

Mr. WOOD, from the Committee on Corporations, re-reported as amended Housse Bill No. 1459, entitled

An Act requiring all foreign corporations registered and doing business in this Commonwealth except foreign and domestic building and loan associations to file annually with the Auditor General of this Commonwealth a list of the stockholders of such corporations residing in the Commonwealth and the number of shares held by each of them and requiring the Auditor General to transmit to the board of revision of taxes or board for the assessment and revision of taxes or to the county commissioners of any county not having either of the said boards a list of such stockholders residing in the respective counties and the number of shares by each held and imposing penalties upon all corporations refusing or neglecting to make such return.

Mr. JEFFERSON W. SMITH, from the Committee on Judiciary Special, re-reported as amended House Bill No. 412, entitled

An Act prohibiting any officer, member or employe of any department or bureau having charge of police and fire protection of any city of the first class in this Commonwealth from taking any active part in politics, political movements or elections, from canvassing election precincts or from interfering with elections or from using his office to influence politics, political movements or elections and providing penalties for violation thereof.

BILL ON FIRST READING.

Mr. PALMER asked and obtained unanimous consent to have House Bill No. 1903 read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1903, entitled

An Act authorizing cities to refund moneys paid by property owners into their treasuries when a court of competent jurisdiction shall have determined that there was no liability for such payment when made

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

REPORT FROM THE COMMITTEE ON RULES.

Mr. RAMSEY, from the Committee on Rules, made the following report, which was twice read, considered and adopted:

Harrisburg, Pa., May 16th, 1917.

In the House of Representatives.

Gentlemen: The Committee on Rules offer the following report:

"Resolved That from this date forward all Revenue and Appropriation Bills shall be placed at the head of the calendar in all readings until otherwise ordered.

WM. T. RAMSEY, Chairman.
JAMES J. HEFFERNAN,
SAMUEL A. WHITAKER,
JOHN M. FLYNN,
WM. McCAIG.

LEAVES OF ABSENCE.

Mr. MERVINE asked and obtained leave of absence for Mr. Lanius on account of sickness.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, May 15, 1917.

Whereas Enemy Governments have passed laws advancing the time one hour during the long summer days for the purpose of conserving their resources, and other belligerents have done likewise as a measure of economic war necessity. Therefore

Resolved (if the House concur) that

The General Assembly of Pennsylvania endorses the efforts of the business interests now being made to secure the passage by the Congress of the United States of legislation known as daylight saving to advance the standard time one hour during the summer months.

Resolved, further, that a copy of these resolutions be forwarded to the Senators and Representatives in Congress from Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1363, as follows:

An Act directing the Commissioner of Forestry to prepare edit and publish an edition of bulletin number eleven of the Department of Forestry known by the title of Pennsylvania Trees providing for the printing binding and distribution of said edition and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commissioner of Forestry is directed to prepare edit and publish or cause to be prepared edited and published an edition of ten thousand copies of bulletin number eleven of the Department of Forestry heretofore published under the title of Pennsylvania Trees

Section 2 The Department of Forestry is hereby directed to furnish for the use of this publication all cuts and plates used in the publication of the former edition of this bulletin and in possession of said Department

Section 3 The said edition shall be bound in cloth and shall be printed by the State Printer upon requisition of the Commissioner of Forestry to the Superintendent of Public Printing and Binding The said edition when printed shall be placed with the Division for the Distribution of Documents and shall by it be delivered upon requisition as follows To the Governor five hundred copies to the State Library two hundred copies to the Legislative Reference Bureau one hundred copies to each member of the present Senate twenty copies to each member of the present House of Representatives fifteen copies and the remaining copies to the Department of Forestry

Section 4 The sum of five thousand five hundred dollars is hereby specifically appropriated to the Commissioner of Forestry for the purpose of preparing editing and proofreading of said edition and for the furnishing of any additional cuts and plates

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Albee,	Flynn,	McPeake,	Siggins,
Aron,	Fowler,	Mearkle,	Simpson,
Arthur,	Franklin,	Mehring,	Sinclair,
Baker,	Fretz,	Mervine,	Smith, E. R.,
Baldrige,	Gans,	Michel,	Smith, F. I.,
Barner,	Glass,	Miller, Allan,	Smith, J. W.,
Bechtold,	Golder,	Miller, C. G.,	Smith, L.,
Bell,	Goodnough,	Miller, G. J. A.,	Snowden,
Benchoff,	Goodwin,	Milner,	Snyder,
Bennett,	Gormley,	Mitchell,	Somerman,
Benninger,	Graeff,	Morgan, T.,	Sones,
Beyer,	Graham,	Morgan, T. J.,	Spangler,
Black,	Gransback,	Musser,	Speicher,
Bouton, V. B.	Haight,	Neary,	Sprowls,
Bovee,	Haldeman,	Ogden,	Stadtlander,
Boyd,	Hecht,	Palmer,	Steedle,
Brady,	Heffernan,	Patterson,	Sterling,
Brumbaugh,	Hess,	Perry,	Stern,
Burnett,	Heyburn,	Phillips,	Stites,
Campbell, J. O.	Hibshman,	Pickering,	Stofflet,
Campbell, T.,	Hoffman,	Powell,	Strauss,
Canon,	Hollern,	Ramsey,	Sullivan,
Chestnut,	Hollingsworth,	Reichenbacker,	Swartz,
Christman,	Horton,	Reitzel,	Sweitzer,
Clements,	Hough,	Reynolds,	Taylor,
Coldsmith,	Howarth,	Rhoads, H. L.	Thomas,
Conner,	Isherwood,	Rhodes, W. M.,	Uish,
Cook,	Jennings,	Rich,	Urich,
Cox,	Jones,	Ringler,	Vickerman,
Crosby,	Kennedy,	Rininger,	Vogdes,
Cummins,	Lafferty,	Rinn,	Wagner,
Curry,	Laucks,	Robertson,	Walker,
Davis, W.,	Lauler,	Rogers,	Wallace,
Dean,	Leary,	Ross,	Wafter,
Dell,	Lewis,	Rothenberger,	West,
Dewey,	Luppert,	Ruddy,	Whitaker,
Dithrich,	Mangan,	Rudisill,	Wickman,
Donneley,	Marvin,	Sampsel,	Williams, G. W.
Drake,	Maurer,	Sarig,	Wobensmith,
Drinkhouse,	McArdle,	Schaeffer, A. C.,	Wood,
Dunn,	McCaig,	Scott,	Woodward,
Eby,	McCullough,	Shaffer, C. A.,	Wylie,
Ehrhardt,	McCurdy,	Shattuck,	Wynne,
Erdman,	McKay,	Showalter,	Zanders,
Fackler,	McKinney,	Shunk,	Baldwin,
Fitzgibbon,	McNichol,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1353, as follows:

An Act amending an act entitled "An Act for the division of townships upon the application of the owners of twenty-five per centum of the assessed valuation of the real estate thereof and prescribing the manner of holding an election upon the question of division and declaring any proceeding for a division under former laws to be no bar to a proceeding under this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act for the division of townships upon the application of the owners of twenty-five per centum of the assessed valuation of the real estate thereof and prescribing the manner of holding an election upon the question of division and declaring any proceeding for a division under former laws to be no bar to a proceeding under this act" which reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter the owners of twenty-five per centum of the assessed valuation of the real estate of a township already erected in any county in this Commonwealth shall make application by petition to the court of quarer sessions of the proper county setting forth that the convenience of the inhabitants of such township will be promoted by a division thereof and shall in said petition accurately describe the proposed division line by courses and distances or natural marks if any and accompany the same with a plot or draft showing the existing lines of the township proposed to be divided and the proposed division line it shall be the duty of the court to order a vote of the qualified electors of said township to be taken on the question of such division upon a day certain to be fixed by the court to be held by the election officers of the township proposed to be divided at the place fixed by law for the holding of township elections and to be governed by the several laws relating to township elections And it shall be the duty of the constable of said township or if there be no constable then of one of the supervisors to give at least fifteen days' notice of the time and place of the holding of said election by posting not less than ten handbills written or printed in the most public places in said township" be amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter the owners of twenty-five per centum of the assessed valuation of the real estate of a township already erected in any county in this Commonwealth shall make application by petition to the court of quarer sessions of the proper county setting forth that the convenience of the inhabitants of such township will be promoted by a division thereof and shall in said petition accurately describe the proposed division line by courses and distances of natural marks if any and accompany the same with a plot or draft showing the existing lines of the township proposed to be divided and the proposed division line it shall be the duty of the court to order a vote of the qualified electors of said township to be taken on the question of such division upon a day certain to be fixed by the court to be held by the elec-

tion officers of the township proposed to be divided at the place fixed by law for the holding of township elections In the taking of the vote of any township to be elections In the taking of the vote of any township to be so divided it shall be the duty of the court at the time or ordering the taking of such vote to decree that each voter shall cast his vote at a place to be designated within the proposed division where he resides such place to be designated by the court A complete list of the qualified voters of the township shall be furnished by the county commissioners to each of the election boards conducting such election And it shall be the duty of the constable of said township or if there be no constable then of one of the supervisors to give at least fifteen days' notice of the time and place of the holding of said election by posting not less than ten hand-bills written or printed in the most public places in said township

Section 2 That section two of said act which reads as follows:

"Section 2 The ballots to be deposited by the electors shall have written or printed on the outside thereof the word for "division" and on the outside the words "for division" or "against division" and it shall be the duty of the officers of said election after the polls have been closed to count the ballots and certify within two days thereafter the number of votes for and against division to the clerk of the court of quarter sessions of the proper county and shall file in the office of said clerk the ballots cast at said election and it shall be the duty of the said clerk to lay said returns and ballots before the said court at the next session held after the filing as aforesaid and if it shall appear that the majority of the votes so taken are "for division" the said court shall thereupon order and decree a division of the said township agreeably to the lines set forth in the said petition but if a majority of votes have been "against division" no further action shall be had upon such proceedings Provided however That if there is any difficulty in locating the division line described in the petition upon the ground the court may appoint commissioners for that purpose and that no proceeding under former laws for the division of any township shall be a bar to a proceeding under this act" be amended to read as follows

Section 2 The ballots to be deposited by the electors shall have written or printed on the outside thereof the word "division" and on the inside the words "for division" or "against division" and it shall be the duty of the officers of said election after the polls have been closed to count the ballots and certify within two days thereafter the number of votes for and against division to the clerk of the court of quarter sessions of the proper county and shall file in the office of said clerk the ballots cast at said election and it shall be the duty of the said clerk to lay said returns and ballots before the said court at the next session held after the filing as aforesaid and it shall appear that the majority of the votes so taken are "for division" or if it shall appear that the majority of the votes so taken in either of the divisions are "for division" the said court shall thereupon order and decree a division of the said township agreeably to the lines set forth in the said petition such division representing not less than forty (40) per cent of the assessed valuation of taxable property of the township to be so divided but if a majority of votes have gone "against division" or if neither of the division shall have a majority of the votes "for divisions" no further action shall be had upon such proceedings Provided however That if there is any difficulty in locating the division line described in the petition upon the ground the court may appoint commissioners for that purpose and that no proceedings under former laws for the division of any township shall be a bar to a proceeding under this act

On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. KENNEDY. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. EBY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1240, as follows:

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania and of the counties therein having a population of two hundred and fifty thousand inhabitants or more and of such other counties and of such cities of the third class therein as may accept its provisions by a vote of the people of such counties or cities respectively making any violation of its provisions a misdemeanor and providing penalties for any violations thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall apply to the civil service of the Commonwealth of Pennsylvania and to the civil service of each county having a population of two hundred and fifty thousand inhabitants or more according to the most recent United States census and to the civil service of each county having a population of less than two hundred and fifty thousand inhabitants which has accepted its provisions in the manner provided in section thirty-one and to the civil service of each city of the third class which has accepted its provisions in the manner provided in section thirty-one

Section 2 All appointments transfers reinstatements promotions reductions suspensions removals and dismissals in the civil service of the Commonwealth and of any county or city to which this act applies shall be made in accordance with this act and the rules prescribed hereunder

Section 3 The term "civil service of the Commonwealth" shall include all offices positions and employments in which the officers or employes are paid from the State treasury and all offices positions or employments in or under institutions, departments boards or commissions where in the Commonwealth either directly or through any commission board official or officials has the right to appoint or select the officials or employes or which are constituted agencies for the performance of a function of this Commonwealth Provided however That this act shall not apply to offices employments or positions in the military or naval service of the Commonwealth

The term "civil service of any county" shall include for each county to which this act applies and each county which has accepted the provisions of this act in the manner provided in section thirty-one all offices positions and employments in which the officers or employes are paid from the county treasury and all offices positions or employments in or under institutions departments boards or commissions wherein the county either directly or through any commission board official or officials has the right to appoint or select the officials or employes

The term "civil service of any city" shall include for each city which has accepted the provisions of this act in the manner provided in section thirty-one all offices positions and employments in which the officers or employes are paid from the city treasury and all offices positions or employments in or under institutions departments boards or commissions wherein the city either directly or through any commission board official or officials has the right to appoint or select the officials or employes

The terms "any county" and "any city" and "every county" and "every city" unless a contrary meaning clearly appears from the context to be intended shall mean each and every county with a population of two hundred and fifty thousand inhabitants or more and each and every county or city which has accepted the provisions of this act in the manner provided in section thirty-one

The term "positions" shall include all offices and employments unless a contrary meaning clearly appears from the context to be intended

The term "appoint" shall include employ and the term "appointment" shall include employment

The term "Commonwealth" shall mean the Commonwealth of Pennsylvania and the term "State" shall mean the State of Pennsylvania

The terms "he" and "his" shall include it its she her they and their unless a contrary meaning clearly appears from the context to be intended

The term "oath" shall include affirmation and "swear" shall include affirm

Section 4 Upon the passage of this act the Governor shall appoint by and with the advice and consent of the Senate three persons to serve one until March first one thousand nine hundred and nineteen one until March first one thousand nine hundred and twenty-one and one until March first one thousand nine hundred and twenty-three as Civil Service Commissioners who shall constitute the State Civil Service Commission of Pennsylvania Upon the expiration of the term of office of each commissioner so appointed the Governor by and with the advice and consent of the Senate shall appoint a successor to serve for a term of six years from the date of his appointment and until his successor is appointed and has qualified The Governor may at any time remove a commissioner after he has furnished him with a written statement furnishing such specific reasons as if true would constitute a just cause for such action and after he has given him a reasonable time in which to make such written answer as the Commissioner may desire Upon the receipt and consideration of such answer the Governor shall finally determine his action in the case The Governor shall fill any vacancy in the Commission by appointing a commissioner to serve the remainder of the unexpired term The commissioners shall hold no other lucrative office under the United States the Commonwealth or any county or city thereof except that of attorney at law notary public or offices in the military or naval service of the United States or of this Commonwealth Not more than two commissions shall be adherents of one political party The commission shall maintain its principal offices in Harrisburg and may establish branch offices in such other localities as it deems advisable

Section 5 The commissioner longest in continuous service shall be president He shall receive a salary of five thousand five hundred dollars ($5,500) annually The Governor shall designate the president on the first organization of the commission Each other commissioner shall receive a salary of five thousand dollars ($5,000) annually The commission shall employ a chief examiner who shall act also as secretary and such other employes as it deems necessary and shall fix their salaries The Commonwealth shall pay the salaries of the commissioners and their employes and defray all other necessary expenses incurred by the commission in carrying out the purposes of this act but the commission shall not incur expenses in excess of its appropriation

The proper officials of the State and of any county or city to which this act applies shall provide the commission

with suitable quarters and accommodations for carrying on its work permit the use of public buildings for examinations and other official purposes and otherwise assist without compensation in carrying out the purposes of this act

Section 6 The civil service of the Commonwealth and of each county and city to which this act applies shall be divided into the unclassified service and the classified service The unclassified service shall comprise

(a) All officers elected by the people

(b) All members of boards or commissions and all heads of departments whose appointment is subject to confirmation by the Senate

(c) All persons engaged directly in the service of either branch of the General Assembly and appointed by any officer or committee thereof

(d) All officers elected by the General Assembly

(e) All persons in judicial service or appointed by judges except probation officers and all assistants to the Attorney General

(f) All persons holding positions under any school district

(g) All registrars and clerks of election

(h) One secretary and one confidential clerk to the Governor and one confidential clerk to the head of each department created by the Constitution an act of Assembly

(i) Persons employed by contract to perform a special service for the Commonwealth or any county or city where such contract is certified by the commission to be for employment which cannot be performed by persons in the classified service

The classified service shall include all offices positions and employments to which this act applies and which are not specifically included in the unclassified service

Section 7 The classified service shall be arranged by the commission in three classes to be designated as the competitive class the exempt class and the labor class The commission shall have the power to reclassify positions from time to time as it may find necessary

Section 8 The exempt class shall include positions except unskilled laborers for the filling of which the commission shall have found competitive examinations to be impracticable No position shall be deemed to be in the exempt class unless and until the commission after a public hearing of which suitable public notice has been given has determined that it is unable to obtain by competitive examinations persons possessing the usual and requisite qualifications for filling such office or position and has classified such office or position in the exempt class and the reasons for every such exemption shall be stated separately and at length in the annual reports of the commission Not more than one appointment shall be made to or under the title of any such office or position unless a different number is specifically authorized by the commission Appointments in the exempt class may be made without examination

Section 9 The labor class shall include ordinary unskilled laborers Vacancies in the labor class shall be filled by appointment from lists of applicants registered by the commission Preference in employment from such lists shall be according to rules and regulations to be promulgated by the commission

Section 10 The competitive class shall include all positions now existing or hereafter created in the classified service (including those in the Civil Service Commission) except such position as have been classified by the commission in the exempt class or the labor class

Section 11 The commission shall

1 Adopt enforce and amend rules providing for

(a) Open competitive examinations for positions in the competitive class and for ample notice of all examinations in the localities affected

(b) All appointments transfers reinstatements promotions reductions suspensions removals and dismissals in the classified service

(c) Maintaining a record of all examinations and of all appointments to and changes in the service

(d) The classification re-classification and grading of positions

(e) Temporary appointments in the absence of appropriate eligible lists

(f) Appropriate examinations and tests for positions in the labor class

(g) Other subjects necessary for carrying into effect the provisions of this act

2 Grant public headings upon all changes in the rules before adopting same and give reasonable public notice of such hearings

3 Keep minutes of its meetings and records of its proceedings All minutes examination papers eligible lists and other records of the commission except as hereinafter specifically provided as well as all recommendations and correspondence relating to applicants for office or employment received by the commission or by any officer having authority to make appointments shall be preserved and shall subject to reasonable regulations as to the manner of examination be open to public inspection during ordinary business hours Provided however That statements of former employers of applicants for office or employment shall be considered strictly confidential and not open to examination by any person not employed by the commission

4 Prescribe reasonable qualifications to be met by applicants for positions in the classified service

5 Investigate and report annually to the Governor concerning the administrative needs of the service the personnel and positions in the service and the compensation provided therefor the examinations held by the commission the appointments made efficiency ratings and removals in the service the operation of the rules of the commission and recommendations for promoting efficiency and economy in the service with details of expenditure and progress of work The Governor may require a report from the commission at any time respecting any matter within the scope of its duties hereunder

6 Make investigations either sitting as a body or through a single commissioner concerning all matters touching the operation and results of the provisions of this act and the rules and regulations prescribed thereunder and concerning the efficiency of all officers and employes and of all groups of officers and employes in the classified service and make reports to the officer board or other authority in charge of any institution office or department of its findings and recommendations relative to increasing the efficiency and economy therein

7 The commission and each commissioner shall have power to require by subpoena the attendance of witnesses and to compel testimony and the production of all books documents memoranda and other papers relating to any matter under investigation Each Commissioner and the Chief Examiner may administer oaths and affirmations Witness fees shall be the same as those for witnesses before the Court of Common Pleas and may be paid by the Commission from moneys appropriated to it

Section 12 On and after the first day of August one thousand nine hundred and seventeen every position in the competitive class unless filled by promotion transfer reinstatement or reduction shall be filled only in the following manner The appointing officer shall notify the Commission of any vacancy in the service which he deems it necessary to fill and shall request the certification of eligibles The Commission shall forthwith certify from the appropriate eligible list the names of the three persons thereon who received the highest averages at examinations held under the provisions of this act If a list consists of less than three names the Commission shall certify such name or names as appear upon the list The appointing officer shall fill the said vacancy from the names so certified In case the list consists of less than three names the appointing officer may at his option expressed in writing to the Commission at the time of the appointment treat such appointment as temporary and if he does so treat it the Commission shall proceed at once to hold an examination and to secure an eligible list as promptly as possible The appointing officer shall upon recepit of the eligible list from the Commission and with sole reference to the relative merit and fitness of the candidates make an appointment from the three names so certified

As each subsequent vacancy occurs in the same or a similar position the same procedure shall be followed Provided however That after any name has been three times rejected by any one appointing officer for the same or a similar position in favor of other name or names on the same eligible list the said name shall not again be certified to that appointing officer When there are a number of positions of the same kind to be filled at the same time each appointment must nevertheless be made separately and in accordance with the foregoing provisions

When an appointment is made under the provisions of this section it shall be in the first instance for a probationary period of three months If during that period the service of that other clerk or employe is unsatisfactory the appointing officer shall notify him in writing that he will not be retained in the public service after such three months period If not so notified his appointment becomes absolute at the end of the three months' probationary period

Section 13 Whenever there are urgent reasons for filling any position in the competitive class and there is no list of persons eligible for appointment after competitive examination any person may be appointed temporarily to said position for a period not exceeding three months In every such case the Commission shall at once proceed to hold an examination and secure an eligible list No temporary appointee shall hold office more than three months At the end of three months his office shall be deemed vacant and it shall be the duty of the fiscal officers of the Commonwealth city or county to prevent and decline to permit the payment of any compensation salary or wages to such temporary appointee for services rendered or claimed to be rendered after such three months period Successive temporary appointments shall not be made to the same position

During the first year of the operation of this act but not thereafter when the Commission shall find it impossible to hold an examination and secure an eligible list for a particular position within three months the Commission may in its discretion fix a longer period than the three months prescribed in the preceding paragraph for temporary appointments to such position In no case shall such extended period continue after the expiration of one year from the signing of this act

Section 14 The Commission shall ascertain and record the duties of each position in the service which this act provides shall be classified and graded and wherever it appears that two or more positions have duties which are substantially similar in respect to the authority responsiblity and character of work required in the performance thereof they shall be placed in the same grade which the Commission shall designate by a title indicative of such duties grades having duties of the same general nature and in the same line of promotion shall be placed in the same class and the lines of promotion definitely specified For each grade the Commission shall prescribe a standard maximum and minimum salary or rate of pay and shall report to the appropriation authorities the rate being paid for analogous service in both public and private employment together with

other information pertaining to a proper rate of pay for the service over which the Commission has purisdiction The Commission shall by rule prescribe the minimum period of service in the grade required before a salary may be advanced or increased and a minimum standard of efficiency requisite for such salary advancement or increase The lowest salary or rate of pay provided for any position in the grade shall constitute the grade pay and no person in such grade shall receive pay in excess of the grade pay unless he is certified by the Commission as having served the period required my said rule with an efficiency rating given by the Commission equivalent to the minimum standard of efficiency required thereby No person shall be paid an amount greater than the maximum salary or rate of pay prescribed by the Commission for the grade in which he is classified and graded The action of the Commission establishing grades and standard salaries shall not operate to reduce the salary or rate of pay received on August first one thousand nine hundred and seventeen by a person holding a position in the classified service on that date Nothing in this act shall prevent the authorities charged by law with the duty of making appropriations for salaries from changing the pay of all positions in a grade

Salary advancement or increase shall be made within the several grades only in the order of highest efficiency combined with relative seniority as shown by the records of the Commission Where there are no records of efficiency covering a period of continuous service for six months or more a minimum standard of efficiency shall be presumed

Section 15 No treasure auditor controller or other officer of the State or of any of the counties or cities of the State shall approve the payment of or be in any manner concerned in paying auditing or approving any salary wage or other compensation for services to any public officer or employe in the classified service unless a pay-roll estimate or account for such salary wage or other compensation containing the names of the persons to be paid a statement of the amount to be paid each such person and the services on account of which the same is paid bearing the certificate of the Commission that the persons named in such pay-roll estimate or account have been appointed or employed in pursuance of law and of the rules made by the Commission under the provisions of this act and have complied with the terms of this act and of the rules of the Commission when required so to do shall have been filed with him Before making any such certificate the Commission shall investigate the nature of each item of such pay-roll estimate or account and if it shall ascertain that the provisions of the law in respect to any such item have not been strictly complied with it shall refuse to certify such item

The Commission shall refuse to certify the pay of any public officer or employe who shall wilfully or through culpable negligence violate or fail to comply with the provisions of this act or of the rules of the Commission

Section 16 The Commission shall by rule prescribe standards of efficiency for each grade of the service and for examinations therefor and it shall make and keep a record of the relative efficiency of each person in the classified and graded service It shall provide by rule methods for ascertaining and verifying the facts from which such records of relative efficiency shall be made which shall be uniform for each grade

Section 17 (a) All original entrance examinations shall be public competitive and free to all persons who may be lawfully appointed to any position within the grade for which such examinations are held with limitations specified in the rules or regulations of the Commission as to residence age sex health habits moral character and pre-requisite qualifications to perform the duties of such positions Promotion examinations shall be public competitive and free only to all persons examined and certified under the provisions of this act and who have held a position for one year or more in a grade previously declared by the Commission to involve the performance of duties which tend to fit the incumbent for the performance of duty in the grade for which the promotion examination is held In promotion examinations efficiency and seniority in service shall form part of such examination but combined shall not receive a mark exceeding one-fourth of the whole mark attainable in such examination

(b) The Commission shall hold promotion examinations for each superior grade of service whenever there is an inferior grade in the same class the duties of which directly tend to fit the incumbents thereof for the performance of the duties of the superior grade A person who has served less than one year in a lower grade shall not be eligible for a promotion examination If less than two persons submit themselves for a promotion examination or if after such examination is held all applicants fail to attain a general average of not less than the minimum standing fixed by the rules of the Commission it shall forthwith hold an original entrance examination and may at any time within six months certify from the eligible list resulting therefrom Certification of eligibles and appointments by promotion shall be made in all other respects in the manner prescribed in section twelve for original appointments

(c) All examinations shall be appropriate in their character and shall consist only of subjects which will fairly determine the relative capacity of the persons examined to perform the duties of the position to which appointment is to be made and may include examinations of physical fitness and of manual skill In entrance and promotion examinations the oral part shall not receive a mark exceeding one-fourth of the whole mark attainable in such examination No credit shall be allowed for service rendered or experience gained under a temporary appointment. The Commission shall control all examinations and may designate special examiners to conduct and hold such examinations as the Commission may direct and to make return and report thereof to it The Commission may at any time substitute any other person in the place of any person so designated and may itself act as such examining authority without designating special examiners As many examinations shall be held as may be necessary to provide eligibles for each grade of the service and to meet all requisitions and to fill all positions held by temporary appointees From the return and report of the examiners or from the examinations made by the Commission it shall prepare a list of eligibles for each grade of the persons who shall attain such minimum mark as may be fixed by the Commission for the service parts of such examination and whose general average standing upon the examination for such grade is not less than the minimum fixed by the rules of the Commission and who may lawfully be appointed Such persons shall take rank upon the list in the order of their relative excellence as determined by the examination without reference to priority of time of examination The markings of all examinations shall be completed and the resulting eligible list posted within ninety days from the date of the examination The Commission shall cancel such portion of any list as has been in force for more than two years but not otherwise

(d) The markings and examination papers of each candidate shall be open to his own inspection and the markings and examination papers of all persons upon any list of eligibles shall be open to public inspection within ten days after an eligible list has been prepared An error in the marking of any examination other than an error of judgment if called to the attention of the Commission within one month after the posting of an eligible list resulting from such examination shall he corrected by it Provided however That such correction shall invalidate any certification or appointment previously made Notice of the time place and general scope of every examination and of the duties pay and experience advantageous or requisite for all positions in the grade for which the examination is to be held shall be given by the Commission by publication at least once a week for two weeks preceding the examination in a newspaper of general circulation published in the county or city in which the examination is to be held Such further notice shall be given as the Commission may prescribe

Section 18 Immediate report in writing shall be given to the Commission by the appointing authority and by such other persons as may be designated by the Commission of all appointments transfers reinstatements promotions reductions suspensions removals dismissal vacancies absences or other matter affecting the status of positions or the performance of duties of officers or employes classified under the provisions of this act and all such notices shall be prepared in the manner and form prescribed by the Commission

Section 19 The Commission may refuse to examine or may withdraw from an eligible list any applicant who after investigation is found to be unfit for public service The Commission shall spread upon its minutes the reasons for such action

Section 20 No inquiry in any application examination or investigation shall relate to the religious or political affiliations of any person nor shall any person in the classified service be dismissed nor shall his status in the service be changed for political or religious reasons

Section 21 No officer clerk or employee in the competitive class of the classified civil service of the Commonwealth of Pennsylvania or of any county or city who shall have been appointed under the provisions of this act except those appointed temporarily without competitive examination shall be removed discharged or reduced in pay or position except for a just cause Further no officer clerk or employee shall be removed discharged or reduced except as provided in section twelve of this act until he shall have been furnished with a written statement furnishing such specific reasons as if true would constitute a just cause for such action and until he shall have been allowed a reasonable time in which to give the removing officer such written answer as the person sought to be removed or reduced may desire Upon the receipt and consideration of such answer the removing officer shall finally determine his action in the case and if he has followed the procedure required by this section no appeal to any court shall lie from his decision An appeal to the Commission shall lie from his decision if presented within thirty days and if supported by affidavit that the removal or reduction was in contravention of this act or of the rules prescribed thereunder that it was not for just cause or that the real reason for the action was religious or political If such allegations are made the Commission may investigate the removal and if in its judgment the allegations are true it may order the reinstatement of the person removed No appeal to any court shall lie from any decision of the Commission in such cases In every case of a removal or reduction a copy of the statement of reasons therefor and of the written answer thereto shall be forthwith furnished to the Commission and entered upon its records

Section 22 If any applicant or employee under this act is aggrieved by any action of the Commission affecting him the Commission shall upon his request in writing grant him a public hearing

At any public hearing or session of the Commission any citizen shall have the right to be present in person and by counsel and subject to reasonable regulations of the Commission to interrogate any witness and to produce evidence and arguments either in favor of or against any proposed

classification rule or other action Public notice of every proposed public hearing shall be given at least one week in advance thereof and shall state clearly the purpose of the hearing and the matters to be there and then considered A copy of every such notice shall be posted on a suitable public bulletin board at the office of the Commission

Section 23 All persons holding positions in the classified service as defined herein on the first day of August one thousand nine hundred seventeen shall be considered as having been appointed under the provisions of this act and shall hold their positions in accordance herewith

Section 24 Any false statement made under oath either in any application or other paper filed with the Commission or in any proceeding or in any proceeding before the Commission arising under this act shall be perjury and punishable as such

Section 25 Any person who shall be served with a subpoena to appear and testify or to produce books and papers issued in the course of an investigation conducted under the provisions of this act who shall disobey or neglect to obey any such subpoena or who shall wilfully make an appointment to any position contrary to the provisions of this act or of the rules made pursuant thereto who shall wilfully refuse or neglect to comply with or conform to the provisions of this or who shall wilfully violate any of its provisions shall be deemed guilty of a misdemeanor

Section 26 Any person who shall wilfully by himself or in co-operation with one or more persons defeat deceive or obstruct any person in respect to his or her right of examination appointment or employment according to this act to any rules or regulations prescribed pursuant thereto or who shall wilfully or corruptly falsely mark grade estimate or report upon the examination or proper standing of any person examined registered or certified pursuant to the provisions of this act or aid in so doing or who shall wilfully make any false representations concerning the same or concerning the person examined or who shall wilfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined registered or certified or to be examined registered or certified or who shall personate any other person or permit or raid in any manner any other persons to personate him in connection with any examination or registration or appointment or application or request to be examined or registered or appointed or who shall furnish any false information about himself or about any other person in connection with any examination or registration or appointment or application or request to be examined or registered or appointed or who shall use or promise to use his influence or official or political authority to secure for any person any appointment or prospect of appointment to any position classified under this act as a reward or return for personal or partisan political service shall for each offense be deemed guilty of a misdemeanor

Section 27 No person holding a position classified under the provisions of this act shall be a member of or a delegate or alternate to any political convention nor shall he be present at such convention except in the performance of his official duty nor shall he serve as a member of or attend the meetings of any committee of any political party or take any active part in political management or in political campaigns or use his position to influence political movements or to influence the political action of any other person holding a position classified under the provisions of this act nor shall he in any manner participate in or interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while counting the vote or returning the election material to the place provided by law for that purpose save only for the purpose of marking and depositing his own ballot as speedily as it reasonably can be done nor shall he be within a polling place or within fifty feet thereof except for purposes of ordinary travel or residence from the time the polls open until the election officers shall have finished counting the votes and have left the polling place and removed the election material therefrom excepting only peace and police officers who may temporarily approach or enter the polling place in order to make any arrest permitted by law or for the purpose of preserving order nor shall he circulate or seek signatures to any nomination or other petition provided for by any primary or election law nor shall he permit the use of his name for nomination or election to any public office Any person who shall violate any of the provisions of this section shall for each offense be deemed guilty of a misdemeanor

Section 28 No person shall solicit pay give or receive in any public building belonging to the Commonwealth or to any county or city to which this act applies any money or valuable thing for any political purpose whatever No person shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing or any assessment subscription or contribution whether voluntary or involuntary from any person holding a position classified under the provisions of this act for any political purpose whatever No person holding a position classified under the provisions of this act shall orally or by written or printed communication directly or indiecrtly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing or any assessment subscription or contribution whether voluntary or involuntary for any political purpose whatever Any person who shall violate any of the provisions of this section shall for each offense be deemed guilty of a misdemeanor

Section 29 Misdemeanors under the provisions of this act shall be punishable by a fine of not more than one thousand dollars by imprisonment for a term not exceeding one year or by both fine and imprisonment in the discretion of the court

Section 30 It shall be the duty of the Commission to begin and conduct all civil suits which may be necessary for the proper enforcement of this act and of the rules of the Commission and to defend all civil suits which may be brought against the Commission The Commission shall be represented in such suits by the chief legal officer of the State or of the appropriate county or city thereof but the Commission may in any cease be represented by special counsel appointed by it Any taxpayer may maintain an action in any court of record to enjoin any person or persons from making any payment of money from the public treasury contrary to the provisions of this act or of the rules prescribed thereunder or to enjoin the Commission from attaching its certificate to a pay-roll in violation of the provisions of this act or of the rules prescribed thereunder or to enjoin the payment of compensation to any person who has been employed or continued in employed in violation of the provisions of this act or of the rules prescribed thereunder

Section 31 Any county having a population of less than two hundred and fifty thousand inhabitants according to the most recent United States census or any city of the third class may accept this act in the following manner

Whenever a petition signed by five per centum of the duly qualified voters of any such county or of any such city shall have at least two months prior to any election been presented to the county commissioners of the county in which such qualified voters reside requesting that an election be held to determine whether or not this act shall be accepted by such county or city the said county commissioners shall thereupon arrange for the submission of this question at the next succeeding election within the said county to the duly qualified voters of the said county if the petition shall relate to a county or at the next succeding election with the said city to the duly qualified voters of said city if the petition shall relate to a city The county commissioners and the sheriff of the county in which such petition is presented shall give such notice by publication or otherwise as may be required by the laws of the Commonwealth in the case of a general election that at the next succeeding election the question hereinafter set forth will be submitted to the duly qualified voters of the said county or of the city as the case may be The county commissioners of the said county shall further cause to be printed on the official ballot prepared for use at the next succeeding election within the county or the city in relation to which the said petition may have been presented in the form required by law for the submission of a constitutional amendment or other question required to be submitted to the vote of the people the question as to whether or not this act shall be accepted in the said locality in substantially the following form

Shall the Civil Service Act of (insert date of this act) be accepted by the county (or by the city) of (insert name of county or of city as the case may be) Yes..... No.....

It shall be the duty of the proper officers of the said county or of the said city to submit this question to the vote of the duly qualified electors of the said county or of the said city at such next succeeding election which shall be held at the places and by the officers provided by law for the holding of general elections It shall be the duty of the judges and inspectors of such elections to receive from the duly qualified electors ballots containing the aforesaid question and the vote of the electors thereon and to count the ballots and to make return thereof to the proper officials as required by law in the case of other ballots The return judges and other officers charged with the duty of certifying the result of the said election shall also certify to the county commissioners and in the case of a city to the mayor whether or not the majority of the electors of the county or of the city as the case may be who voted on the said question at the said election did vote in favor of accepting this act If such majority did so vote the county commissioners or the mayor shall make a public proclamation that the provisions of this act are effective in the county or city as the case may be Thereafter the provisions of this act shall be observed in the appointment transfer reinstatement promotion reduction suspension removal and dismissal of all officers clerks and employes in the civil service of such county or of such city and in all other matters provided for in this act

Section 32 All acts and parts of acts inconsistent herewith are hereby repealed It is intended by this act to furnish a complete comprehensive and exclusive system for the appointment transfer reinstatement promotion reduction suspension removal and dismissal of all persons holding positions in the civil service of the Commonwealth and in the civil service of all counties and cities to which this act applies

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. WALLACE. Mr. Speaker, I move this bill be postponed for the present.

Mr. VICKERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1539, as follows:

An Act appropriating and transferring to the Board of Commissions of Public Grounds and Buildings the unexpended portions of money heretofore appropriate by the act of June sixteen one thousand nine hundred and eleven (Pamphlet Laws one thousand and twenty-seven) entitled "An Act to provide within the following boundaries namely On the west by the present eastern line of Capital Park on the north by the southern line of North street on the east by the western line of the right of way of the Pennsylvania railroad company and on the south by the northern line of Walnut street for the extension of Capitol Park in the City of Harrisburg and for the acquiring taking and condemnation of the real estate in connection therewith and within said boundaries and for the demolition of the buildings and structures thereon and making an appropriation therefor and also for the expenses and cost in connection therewith" and by the act approved June eighteenth one thousand nine hundred and fifteen (App. Acts two hundred and ninety-one) entitled "An Act making an appropriation for the use of the Capital Park Extension Commission" and designating the purpose for which such money shall be used

Whereas The act of Assembly approved the sixteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and twenty-seven) entitled "An Act to provide within the following boundaries namely On the west by the present eastern line of Capitol Park on the north by the southern line of North street on the east by the western line of the right of way of the Pennsylvania Railroad company and on the south by the northern line of Walnut street for the extension of Capitol Park in the City of Harrisburg and for the acquiring taking and condemnation of the real estate in connection therewith and within said boundaries and for the demolition of the buildings and structures thereon and making an appropriation therefor and also for the expenses and cost in connection therewith" authorized the appointment of the Capitol Park Extension Commission and

Whereas By said act of Assembly the existence of said Capitol Park Extension Commission expires not later than the first day of June one thousand nine hundred and seventeen and

Whereas The said Capitol Park Extension Commission has performed the various duties as provided by said act of Assembly but by reason of certain litigation involving the title to properties taken over by said commission and by reason of certain other pending litigation involving the amount of damages to which certain owners of property in the Capitol Park Extension zone are entitled to it has been impossible for the said Capitol Park Extension Commission to completely perform all the duties imposed by said act of Assembly within the time limit therein prescribed therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all money heretofore appropriated by the act approved June sixteen one thousand nine hundred and eleven (Pamphlet Laws one thousand and twenty-seven) entitled "An Act to provide within the following boundaries namely On the west by the present eastern line of Capitol Park on the north by the southern line of North street on the east by the western line of the right of way of the Pennsylvania Railroad company and on the south by the northern line of Walnut street for the extension of Capitol Park in the City of Harrisburg and for the acquiring taking and condemnation of the real estate in connection therewith and within said boundaries and for the demolition of the buildings and structures thereon and making an appropriation therefor and also for the expenses and cost in connection therewith" and also all money appropriated to the Capitol Park Extension Commission by the act approved June eighteenth one thousand nine hundred and fifteen (App. Acts two hundred and ninety-one) entitled "An act making an appropriation for the use of the Capitol Park Extension Commission" and unexpended at the time this act becomes effective is hereby appropriated and transferred to the Board of Commissioners of Public Grounds and Buildings

Section 2 The money appropriated and transferred by this act shall be used for payment of the damages awarded to or sustained by individuals firms associations or corporations owning or leasing or otherwise interested in real estate the title to which real estate has already been acquired by the Commonwealth through the Capitol Park Extension Commission and for the costs expenses and compensation for which the Commonwealth may be liable and which may be incurred in any proceeding for ascertaining such damages

Section 3 The money hereby appropriated shall be paid by the State Treasurer on warrants of the Auditor General which warrants shall be based on itemized vouchers signed by the board

Section 4 This act shall become effective on June first one thousand nine hundred and seventeen

On the question,

Shall the Bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Albee,	Ehrhardt,	McKay,	Smith, E. R.,
Aron,	Erdman,	McNichol,	Smith, F. I.,
Arthur,	Fackler,	McPeake,	Smith, J. W.,
Baker,	Fitzgibbon,	McVicar,	Smith, O. W.,
Baldi,	Flynn,	Mehring,	Snowden,
Baldridge,	Fowler,	Mervine,	Snyder,
Barner,	Franklin,	Miller, A. D.,	Somerman,
Bechtold,	Fretz,	Miller, Allan,	Sones,
Bell,	Gans,	Miller, C. G.,	Spangler,
Benchoff,	Geary,	Miller, G. J. A.,	Speicher,
Bennett,	Glass,	Milliron,	Sprowls,
Benninger,	Golder,	Mitchell,	Stadtlander,
Beyer,	Goodnough,	Morgan, T. J.,	Steedle,
Bidelspacher,	Goodwin,	Musser,	Sterling,
Black,	Graeff,	Neary,	Stern,
Bouton, V. B.,	Graham,	Ogden,	Stites,
Bovee,	Gransback,	Palmer,	Stoffiet,
Boyd,	Haight,	Patterson,	Strauss,
Brady,	Haldeman,	Perry,	Sullivan
Brumbaugh,	Hecht,	Pickering,	Swartz,
Burnett,	Heffernan,	Ramsey,	Sweitzer,
Campbell, J. O.,	Hess,	Reichenbacher,	Taylor,
Campbell, T.,	Heyburn,	Reitzel,	Thomas,
Canon,	Hibshman,	Reynolds,	Ulsh,
Chestnut,	Hoffman,	Rhoads, H. L.,	Urich,
Christman,	Hollern,	Rich,	Vickerman,
Clements,	Hollingsworth,	Ringler,	Vogdes,
Coldsmith,	Horton,	Rininger,	Wagner,
Conner,	Howarth,	Rinn,	Walker,
Cook,	Isherwood,	Robertson,	Wallace,
Corbin,	Jennings,	Rogers,	Walter,
Cox,	Jones,	Ross,	Wells,
Crosby,	Kennedy,	Rothenberger,	West,
Cummins,	Lafferty,	Ruddy,	Whitaker,
Curry,	Laucks,	Rudisill,	Wickman,
Davis, W.,	Lauler,	Sampsel,	Williams, G. W.
Dawson,	Lewis,	Sarig,	Williams, J. P.,
Dean,	Lohr,	Schaeffer, A. C.,	Wobensmith,
Dell,	Luppert,	Scott,	Wood,
Dewey,	Malie,	Shaffer, C. A.,	Woodward,
Dithrich,	Mangan,	Shattuck,	Wylie,
Donneley,	Marvin,	Showalter,	Wynne,
Drake,	Maurer,	Shunk,	Zanders,
Drinkhouse,	McArdle,	Siggins,	Baldwin,
Dunn,	McCullough,	Simpson,	Speaker.
Eby,	McCurdy,	Sinclair,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 76, as follows:

An Act validating municipal liens filed by boroughs for paving and curbing the public highways thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in any borough in this Commonwealth prior to the passage of this act a highway or part thereof has been improved by being paved or paved and curbed with brick or other paving and curbing material in pursuance of authority of an act of Assembly and an ordinance legally passed and enacted and the costs and expenses or part thereof of the improvement assessed on the abutting property owner as provided by ordinance and act of Assembly authorizing and directing such improvement and a municipal lien has been filed against the property owner thereof but by reason of failure to serve the notice thereof upon the property owner as required by law and faiure or ommission to secure a waiver of such notice from the property holder the municipal lien filed therefor is defective or invalid—such lien is hereby declared valid and made binding for the amount justly and equitably due and payable on account of such paving and curbing provided that where a writ of scire facias has been heretofore issued upon such lien and duly served such service shall be deemed a sufficient notice to the property owner and no further notice of such assessment and claim shall be required in which event the interest on the amount appearing to be due on said lien or claim shall be computed only from the time of the proper and lawful service of such writ Provided also That in the event no writ of scire facias has been issued and duly served the claimant may within sixty (60) days after the approval of this act properly serve notice of such claim and assessment on the property owner as required by law in which event interest on the amount appearing to be due on said lien or claim shall be computed only from the time of proper and legal service of notice on the property owner as required by law Provided That this act shall not apply to any proceeding suit or lien wherein a final order or judgment of any court of record has already been made or entered

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Albee,	Flynn,	McPeake,	Showalter,
Aron,	Franklin,	McVicar,	Shunk,
Arthur,	Fretz,	Mearkle,	Siggins,
Baker,	Gans,	Mehring,	Simpson,
Baldi,	Geary,	Mervine,	Sinclair,
Baldridge,	Glass,	Michel,	Smith, E. R.,
Barner,	Golder,	Miller, A. D.,	Smith, F. I.,
Bechtold,	Goodnough,	Miller, Allan,	Smith, J. W.,
Benchoff,	Goodwin,	Miller, C. G.,	Smith, O. W.,
Bennett,	Gormley,	Miller, G. J. A.,	Snowden,
Beyer,	Graeff,	Milner,	Snyder,
Bidelspacher,	Graham,	Mitchell,	Somerman,
Black,	Gransback,	Morgan, T.,	Sones,
Bouton, V. B.,	Haight,	Morgan, T. J.,	Spangler,
Bovee,	Haldeman,	Murdoch,	Speicher,
Boyd,	Hecht,	Murphy,	Sprowls,
Brady,	Heffernan,	Musser,	Stadtlander,
Brumbaugh,	Hess,	Neary,	Steedle,
Burnett,	Heyburn,	Palmer,	Sterling,
Campbell, J. O.,	Hibshman,	Patterson,	Stern,
Campbell, T.,	Hoffman,	Perry,	Stites,
Canon,	Hollern,	Phillips,	Stofflet,
Chestnut,	Hollingsworth,	Pickering,	Strauss,
Christman,	Horne,	Powell,	Sullivan,
Clements,	Horton,	Ramsey,	Swartz,
Coldsmith,	Howarth,	Reichenbacker,	Sweitzer,
Conner,	Isherwood,	Reitzel,	Taylor,
Cook,	Jennings,	Reynolds,	Thomas,
Corbin,	Jones,	Rhoads, H. L.	Ulsh,
Cox,	Kennedy,	Rhodes, W. M.,	Urich,
Crosby,	Lafferty,	Rich,	Vickerman,
Cummins,	Laucks,	Richards,	Vogdes,
Curry,	Lauler,	Ringler,	Wagner,
Davis, W.,	Leary,	Rininger,	Walker,
Dawson,	Lewis,	Rinn,	Walter,
Dean,	Lohr,	Robertson,	West,
Dell,	Malie,	Rogers,	Whitaker,
Dewey,	Mangan,	Ross,	Wickman,
Dithrich,	Marvin,	Rothenberger,	Williams, G. W.
Donneley,	Maurer,	Ruddy,	Williams, J. P.,
Drake,	McArdle,	Rudisill,	Wobensmith,
Drinkhouse,	McCaig,	Sampsel,	Woodward,
Dunn,	McCullough,	Sarig,	Wylie,
Eby,	McCurdy,	Schaeffer, A. C.,	Zanders,
Ehrhardt,	McKay,	Scott,	Baldwin,
Fackler,	McKinney,	Shaffer, C. A.,	Speaker.
Fitzgibbon,	McNichol,	Shattuck,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1565 (Senate Bill No. 216), as follows:

An Act relating to the salaries and expenses of the examiners in the Department of Banking

Section 1 Be it enacted by the Senate and House fo Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each examiner in the Banking Department from and after the passage and approval of this act shall in the discretion of the Commissioner of Banking receive an annual salary not to exceed three thousand dollars and also the actual expenses incurred in the performance of the work assigned to said examiners by the said Commissioner of Banking which salary and expenses shall be paid monthly by warrants drawn by the Auditor General on the State Treasurer

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Albee,	Erdman,	McVicar,	Sinclair,
Aron,	Fackler,	Mearkle,	Smith, E. R.,
Arthur,	Fitzgibbon,	Mehring,	Smith, F. I.,
Baker,	Flynn,	Mervine,	Smith, J. W.,
Baldi,	Fowler,	Michel,	Smith, O. W.,
Baldridge,	Fretz,	Miller, Allan,	Snowden,
Barner,	Gans,	Miller, C. G.,	Snyder,
Bechtold,	Glass,	Miller, G. J. A.,	Somerman,
Bell,	Goodnough,	Milner,	Sones,
Benchoff,	Goodwin,	Morgan, T.,	Spangler,
Benninger,	Gormley,	Murdoch,	Speicher,
Beyer,	Graham,	Murphy,	Sprowls,
Bidelspacher,	Gransback,	Musser,	Stadtlander,
Black,	Haight,	Neary,	Steedle,
Bouton, V. B.,	Haldeman,	Palmer,	Sterling,
Bovee,	Hecht,	Patterson,	Stern,
Boyd,	Heffernan,	Perry,	Stites,
Brady,	Helt,	Phillips,	Strauss,
Brumbaugh,	Hess,	Pickering,	Sullivan,
Burnett,	Heyburn,	Powell,	Swartz,
Campbell, J. O.,	Hibshman,	Ramsey,	Sweitzer,
Campbell, T.,	Hoffman,	Reichenbacher,	Thomas,
Canon,	Hollingsworth,	Reitzel,	Ulsh,
Christman,	Horton,	Reynolds,	Urich,
Clements,	Howarth,	Rhoads, H. L.,	Vickerman,
Coldsmith,	Isherwood,	Rhodes, W. M.,	Vogdes,
Conner,	Jack,	Rich,	Wagner,
Cook,	Jennings,	Ringler,	Walker,
Corbin,	Kennedy,	Rininger,	Walter,
Cox,	Lafferty,	Rinn,	West,
Crosby,	Laucks,	Robertson,	Whitaker,
Cummins,	Lauler,	Rogers,	Wickman,
Curry,	Lewis,	Rothenberger,	Williams, G. W.
Davis, W.,	Lohr,	Ruddy,	Williams, J. P.,
Dawson,	Malie,	Sampsel,	Wobensmith,
Dell,	Marvin,	Sarig,	Wood,
Dewey,	McArdle,	Schaeffer, A. C.,	Woodward,
Dithrich,	McCaig,	Scott,	Wylie,
Donneley,	McCullough,	Shaffer, C. A.,	Wynne,
Drinkhouse,	McCurdy,	Shattuck,	Zanders,
Dunn,	McKay,	Showalter,	Baldwin,
Eby,	McNichol,	Siggins,	Speaker.
Ehrhardt,	McPeake,	Simpson,	

NAYS—4.

Chestnut,	Dean,	McKinney,	Shunk,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 797, as follows

An Act fixing the salary of the elevator operators in the State Capitol

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of the twelve elevator operators in the State Capitol appointed by the Superintendent of Public Grounds and Buildings shall be twelve hundred and ninety-six dollars per annum to be paid semi-monthly

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Albee,	Goodwin,	Mervine,	Sinclair,
Aron,	Graeff,	Michel,	Smith, E. R.,
Arthur,	Graham,	Miller, C. G.,	Smith, J. W.,
Baker,	Gransback,	Miller, G. J. A.,	Smith, O. W.,
Baldi,	Haight,	Milliron,	Snowden,
Bechtold,	Hecht,	Milner,	Sones,
Bennett,	Hess,	Morgan, T.,	Sprowls,
Beyer,	Heyburn,	Morgan, T. J.,	Stadtlander,
Bidelspacher,	Hibshman,	Murdoch,	Steedle,
Black,	Hoffman,	Musser,	Sterling,
Bouton, V. B.,	Hollern,	Neary,	Stern,
Bovee,	Hollingsworth,	Palmer,	Stites,
Boyd,	Horton,	Patterson,	Stofflet,
Brady,	Howarth,	Perry,	Strauss,
Clements,	Isherwood,	Phillips,	Sullivan,
Coldsmith,	Jack,	Pickering,	Sweitzer,
Conner,	Jennings,	Powell,	Taylor,
Corbin,	Jones,	Ramsey,	Thomas,
Crosby,	Kennedy,	Reichenbacher,	Ulsh,
Cummins,	Lafferty,	Reitzel,	Urich,
Curry,	Laucks,	Reynolds,	Vickerman,
Davis, W.,	Lauler,	Rhoads, H. L.,	Wagner,
Dawson,	Lewis,	Ringler,	Walter,
Drinkhouse,	Lohr,	Rininger,	Weimer,
Dunn,	Luppert,	Rinn,	Wells,
Eby,	Malie,	Robertson,	Whitaker,
Ehrhardt,	Mangan,	Rogers,	Wickman,
Erdman,	Marvin,	Ross,	Williams, G. W.
Fackler,	Maurer,	Rothenberger,	Williams, J. P.,
Fitzgibbon,	McArdle,	Ruddy,	Wobensmith,
Fowler,	McCaig,	Sampsel,	Wood,
Franklin,	McCullough,	Schaeffer, A. C.,	Woodward,
Fretz,	McCurdy,	Scott,	Wylie,
Gans,	McKay,	Shattuck,	Wynne,
Geary,	McNichol,	Showalter,	Zanders,
Glass,	McPeake,	Siggins,	Baldwin,
Golder,	Mearkle,	Simpson,	Speaker.

NAYS—10.

Baldridge,	Chestnut,	Miller, A. D.,	Rudisill,
Benchoff,	Dithrich,	Miller, Allan,	Wallace,
Campbell, J. O.,	Donneley,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 409, as follows

An Act to compel land owners in townships of the second class to clear the highways abutting on their land of brush and trees and imposing certain duties and liabilities on township supervisors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person owning land abutting on any public highway in any township of the second class shall at least once in each year not later than the first day of October cut all weeds rhus toxicodendron known as poison ivy brush and trees growing within the boundaries of such highway and along the sides thereof This provision does not apply to trees of a diameter of four inches or more at a point two feet above the surface of the ground Such persons shall also trim all trees growing along such highways or overhanging the same and shall keep them trimmed so as to allow a clearance of at least sixteen feet above the surface of the highway

When any land owner owns the property on one side of such highway only he shall not be compelled to keep the same cleared beyond the center line of such highway

Section 2 If any land owner fails to comply with the provisions of section one of this act the township supervisors shall notify such person that if such work is not done within thirty days of the receipt of such notice the same will be done by the supervisors and the costs thereof collected from the land owner

If within such thirty days the land owner has not complied with the notice the supervisors shall cut such brush and trees and shall collect the cost thereof from the land owner in an action of assumpsit

Section 3 Any supervisor who neglects or refuses to comply with the provisions of section two of this act after being notified in writing so to do shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of ten dollars or shall be dismissed from office at the discretion of the court

Section 4 This act shall apply only to roads running through cultivated lands or lands used for grazing purposes or enclosed with a fence for grazing

Section 5 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Shall the bill pass finally?

Mr. COOK. Mr. Speaker, I desire to ask the sponsor of this bill the purposes of it.

Mr. J. P. WILLIAMS. Mr. Speaker, this bill is for the safety of the people traveling over the roads, and that is about all there is to it, except the cleaning of the brush and making the roads wide so you can travel over the roads and not meet with accident in driving horses, cattle and stock of all kinds along the roads, that come out of a brush close to the road and meet with accident. I have had stock killed myself in that way. There are some objections to this bill in regard to people having farms and cleaning their farms along the roads. There are farmers who have cleaned their farms along the road and just a short distance away from them there are others, neighbors almost, that do not clean their roads of the brush and weeds, and those who have cleaned the brush along the roads by their farms, they are tidy farmers, think that the men below them, or their neighbors, if he does not do it, they think it takes their money to clean those roads because the supervisor will have to do it. The supervisor have the privilege of cutting timber along the roads while the farmer does not have that right, and therefore this bill calls simply for weed and brush under four inches in diameter, that is all the farmer can cut. He cannot cut anything that will make shade for the people traveling along the highway, that is under the jurisdiction of the supervisor and I hope you will all support this bill.

Mr. COOK. Mr. Speaker, I desire to interrogate the gentleman from Crawford.

The SPEAKER. Will the gentleman from Crawford, Mr. J. P. Wiliams, permit himself to be interrogated?

Mr. J. P. WILLIAMS. Mr. Speaker, I will.

Mr. COOK. Mr. Speaker, who pays the taxes on that land occupied by the highway outside of the fences that includes the road?

Mr. J. P. WILLIAMS. The man that owns the farm, Mr. Speaker.

Mr. COOK. Mr. Speaker, who owns the highway?

Mr. J. P. WILLIAMS. The public, Mr. Speaker.

Mr. COOK. Isn't it a fact then that they should clean it?

Mr. J. P. WILLIAMS. How is that, Mr. Speaker?

Mr. COOK Isn't it a fact then that they who use it should clean it?

Mr. J. P. WILLIAMS. No.

Mr. COOK. Mr. Speaker who is to determine the fitness of the highway?

Mr. J. P. WILLIAMS. The supervisors, of course.

Mr. COOK. Or in other words who shall say where you are to and where you are not to cut?

Mr. J. P. WILLIAMS. The supervisors; and the men who own the farm tells you to cut it sometimes. It increases the value of his farm and makes his taxes higher, I have had four or five tell me that.

Mr. COOK. Mr. Speaker, just a minute of your time. I am not opposed to having a nice clean road, I like to see it. I own a farm along a road and I clean that road twice a year, but that would be a hardship on many men I know. Since there are men who have farms abutting on roads of that kind which would make it a hardship, and it appearing to me that the supervisors of a township in general should pay for the cleansing of the road, for that reason I am opposed to this bill.

Mr. CANON. Mr. Speaker, It seems to me that this is a bill that should not pass. It is a step backward in taking care of the roads, getting back to the old times when the farmers use to go out and work out the road tax. Then the plan was changed so they paid the money and hired the workers, and the law as we now have it is that the supervisors shall take care of the road work entirely, and the only thing that would improve the present law would be to have a penalty placed upon the supervisors if they did not see that this work was done. Now this is not a business way of doing this work. The business way is for all the land owners to pay taxes for the care of the road and the clearing out of the road and all kinds of work. That is equitable. According to this bill some man that didn't have any frontage on the public road, but who had a high-priced farm a short distance back from the road, would not have to pay any taxes for the care of the road. Then the supervisor of the road work would not compel his neighbors or friends to clear up their roads first. He would probably give them notice and they would say, "We will do it when we get this done and that done," and they would never get done in time to do the work. According to this bill they would have until October to do this work, and then if they did not do it they would have notice to have it done in thirty days, and by that time it is the first of November and it is winter, and it is too late to clear the roads. According to this bill as it now stands there is no method provided for the clearing of the road along unfenced or uncultivated land. It applies only to cultivated land and fenced land used for grazing purposes. Now take the property along the road. Under the present law, and this law works satisfactorily, the expense is equitably paid by the land owners in proportion to the value of their land, but under this bill a man who owns a small farm but has a large frontage along the road has to go to the expense of clearing that off. Then we have different kinds of land. There is hillside land and swampy land, which is hard to clear, and you put an additional burden on the owners of that land. We should take a step forward in legislation. The State of Pennsylvania has started on a great career of road making, and we do not want to go back to the old way of having it go around among the people to keep the roads in order.

Mr. SONES. Mr. Speaker, I just want to saw a few words on this bill. I think it is imposing an unnecessary burden on the tax payers. In the coal counties there are lots of roads that run along the mountains, and under the Losch Act a bond had to be filed in court looking to the keeping of these roads in order. We have lots of these roads in our county. There would be no end to having these supervisors brought into court, when there was no

necessity for it if you impose this on them. We have plenty of law at the present time to bring these supervisors into court when they do not attend to their duties. When the roads are not attended to the constable can make his return to court and the roads can then be properly attended to under the direction of the court. I believe this is an unnecessary purden, and that this bill ought to be defeated.

Mr. SARIG. Mr. Speaker, I feel from the demeanor of this House that this bill is not receiving serious consideration. I think it is unfair to those of us representing rural districts that legislation of this kind is receiving such scant attention. During this session we have listened for hours to questions which were purely in the interests and purely city legislation, and I feel that when a bill of this kind comes up that affects every rural district of this state, that it should receive careful and proper consideration.

This is a bill that imposes upon private property owners a duty which every fair-minded man must see belongs to the public. The public highway is public property and is laid aside for the use of the public, and we feel that it is the duty of the public to take care of these roads, and not the owners of private property abutting on them. I do not care to lengthen this discussion, but I simply want to say to the members of the House that this is a measure that is deserving of better consideration than it appears to be receiving here, and I ask the members, in the interest of every rural district in this State, to give this matter careful consideration and vote down this bill.

Mr. PHILLIPS. Mr. Speaker, I will only take a minute, but I think like Brother Sarig that this bill ought to receive some consideration. In the first place he says that it imposes a hardship on the private property owners. In boroughs and cities a man is compelled by law or ordinance to lay a pavement in front of his place, keep it clean and provide for the curb and everything of that kind which tends to make the highway a desirable place on which to travel. Why eliminate the farmer and say that he can allow everything to grow up along the road? Should it not be a matter of pride to the farmer to keep the roads clean and looking pleasant to everybody going along them? Further, Mr. Speaker and gentlemen of the House, this bill has been so amended as not to include unseated land, but just the land that is cultivated, and here is the place where all these weeds and small brush should be cleaned up by somebody, and I believe therefore that the farmer will take pride in paying attention to this. I think it is a very meritorious measure and ought to receive our favorable consideration.

Mr. ALBEE. Mr. Speaker, I would like to say in reply to the gentleman from Clearfield, Mr. Phillips, that so far as the borough proposition is concerned usually the authorities pay a certain proportion on all pavements. Possibly the abutting property owners pay for a small strip along each side. When it comes to the proposition of the public highway being taken care of by the State of Pennsylvania and the township through which it passes, there should be no reason why under existing laws it should not be taken care of by the public. We already have laws on the statute books that provide that the supervisors of the townships shall keep these highways clean. I think there are very few farmers who do not care to take care of the weeds and underbrush along their property, but there are cetain lands in Pennsylvania that this bill would impose a hadship on the owners, and I think that as long as the highways are used by the public that they should be taken care of through our present system, and I think that this bill should be voted down.

Mr. LOHR. Mr. Speaker, I did not intend to say a word on this question, but I only want to point out the difference between a man having a lot in a borough and keeping the sidewalk and everything in good condition, and a man owning a farm with several miles of road running through the farm. I believe also that so far as every progressive farmer is concerned that he will see that his improved land is kept reasonably clear from brush, but the fact is, Mr. Speaker, that there are many miles of road in this Commonwealth that will not work more than fourteen to sixteen feet in width; that is, fourteen to sixteen feet from the outside of one ditch to the outside of the other, leaving a space of eight to ten feet from that until the thirty-three feet limit is fulfilled, according to the law. Now on that space there has been planted in past generations many fruit trees and cherry trees of various kinds that don't conflict at all or hinder the public in traveling over the roads. If you pass this act and enforce it strictly you would compel every one of those trees to be trimmed to a height of sixteen feet to make a clearance of sixteen feet which would practically destroy every fruit tree and cherry tree standing along the public roads of this Commonwealth, because to go back to the space of thirty-three feet and trim a tree to the height of sixteen feet you will not have many fruit or cherry trees left. There is at the present time on the statute books of this Commonwealth a bill to encourage the planting of shade trees along the public roads, the object being for the comfort of the traveler. If you are going to cut every tree less than four inches in diameter, I wonder how you will plant a shade tree that will be of any benefit to the traveler. Therefore, I think this bill works a distinct hardship on the public and should be defeated.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—53.

Bouton, V. B.,	Glass,	McKay,	Rininger,
Bovee,	Goodwin,	McKinney,	Robertson,
Brady,	Gransback,	McPeake,	Sampsel,
Campbell, T.,	Haight,	Mehring,	Schaeffer, A. C.,
Clements,	Haldeman,	Miller, Allan,	Shattuck,
Conner,	Heffernan,	Milliron,	Shunk,
Cummins,	Horton,	Milner,	Snowden,
Davis, W.,	Howarth,	Perry,	Sprowls,
Dewey,	Jack,	Phillips,	Vogdes,
Drinkhouse,	Jones,	Powell,	Walker,
Ehrhardt,	Leary,	Ramsey,	West,
Fackler,	Marvin,	Reichenbacker,	Williams, J. P.,
Flynn.	McCullough,	Rhoads, H. L.,	Wobensmith,
Franklin,			

NAYS—81.

Albee,	Donnelev	Morgan, T.,	Speicher,
Arthur,	Drake,	Murdoch,	Stern,
Baker,	Eby,	Musser,	Stites,
Baldi,	Erdman,	Neary,	Strauss,
Baldridge,	Golder,	Ogden,	Swartz,
Barner.	Graham,	Palmer.	Taylor,
Bechtold,	Hess,	Pickering,	Ulsh,
Bell,	Heyburn,	Reitzel,	Urich,
Benchoff.	Hibshman,	Reynolds,	Vickerman,
Benninger,	Hoffman,	Rich,	Wagner,
Beyer,	Hollern,	Ringler,	Wallace,
Black,	Isherwood,	Rinn,	Walter,
Canon,	Lauler.	Ross,	Whitaker,
Chestnut,	Lewis,	Rudisill,	Wickman,
Christman,	Lohr,	Sarig,	Williams, G. W.
Co bin,	Luppert,	Siggins,	Wood,
Crosby,	Maurer,	Simpson,	Wylie,
Curry,	McCurdy,	Smith, E. R.,	Baldwin,
Dawson,	McVicar,	Smith, F. I.,	Speaker.
Dean,	Mervine.	Somerman,	
Dithrich,	Mitchell,	Sones,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1499, as follows:

An Act granting power in certain cases to the Commonwealth of Pennsylvania or to any department thereof and to any municipal subdivision of the Commonwealth to purchase or condemn lands having thereon located road building material and to enter upon and cross private property and to locate and erect necessary machinery thereon and providing a method for the assessment of damages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "municipal subdivision of the Commonwealth" as used in this act shall mean any county city borough town or township

Section 2 The Commonwealth of Pennsylvania or any department thereof and every municipal subdivision of the Commonwealth whenever charged with the grading paving macadamizing construction reconstruction maintenance improvement or repair of roads streets and highways shall have power to purchase or take by the right of eminent domain lands having thereon located stone gravel sand shale and any other suitable road building material in its natural state and land for use as a borrow pit and shall have the right to enter upon or cross any private property and to locate and erect all necessary machinery thereon for the purpose of securing such lands or materials

All lands condemned under the provisions of this act shall revert to the owners whenever the use thereof for the securing of road building materials shall have entirely ceased whether on account of the exhaustion of such material or otherwise

This section does not authorize the taking of any such road building material from any public property or cemetery or the curtilege to any dwelling house or farm buildings

Section 3 In case the damages for the taking of any such lands or road building material or for the entry upon any private property have not been agreed upon the court of common pleas of the proper county or any law judge thereof on application thereto by petition by the Commonwealth of Pennsylvania or any department thereof or any municipal subdivision of the Commonwealth or any person interested shall appoint three viewers from the county board of viewers and shall appoint a time not less than thirty days thereafter when the viewers shall meet upon the premises affected of which meeting at least ten days' notice shall be given to all persons interested in such manner as the court shall direct

Section 4 The viewers having been sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the land and material shall hear all parties interested and their witnesses and shall determine the damages for the land and material taken and for the property injured or destroyed and to whom the same is payable

Section 5 The viewers or any two of them shall make report to court showing the damages allowed in each case and to whom the same are payable and when such report is filed notice thereof shall immediately be given to all parties interested in the manner hereinbefore provided in the case of the meeting of the viewers

Such notice shall state the date of the filing of the report and shall state that unless exceptions thereto be filed or an appeal be taken within thirty days from the date of filing the report will be confirmed absolutely

Section 6 When said report is filed the prothonotary shall mark the same confirmed nisi within thirty days after the filing of said report any party interested may file exceptions thereto and the court shall upon the hearing of such exceptions confirm modify or change the same or refer the report back to the same or to new viewers If no exceptions are filed or no appeal is taken as hereinafter provided within thirty days of the filing of such report the prothonotary shall mark the report confirmed absolutely

Section 7 The costs of the proceedings including the court costs and the compensation of the viewers shall be paid by the Commonwealth or by the municipal subdivision of the Commonwealth as the case may be Provided That in the case of any appeal for a jury trial under the provisions of this act if the appellant does not obtain a verdict more favorable than was the report of the viewers the appellant shall pay the costs of such appeal and provided also that in the case of any appeal to the Supreme or Superior Court the said court shall direct who shall pay the costs of such appeal

Section 8 Within thirty days after the filing of the report any party whose property is taken injured or destroyed may appeal to the court of common pleas and demand a jury trial The appeal shall state the grounds upon which it is taken and shall be signed by the appellant or by his attorney and shall be accompanied by an affidavit that the same is not taken for delay but because the appellant believes that injustice has been done

Section 9 From any final confirmation by the court after the filing of exceptions of from any final judgment after a trial by jury any party interested may appeal to the Superior or Supreme Court in the manner now provided by law

Section 10 If pending any proceedings under the provisions of this act it shall be made to appear by affidavit or otherwise to the satisfaction of the court that the title to the materials condemned or property injured or destroyed is disputed doubtful or defective or that any party in interest is absent covert not of full age or for any other cause incapable to act it shall be lawful for the court to make all needful orders to effect the purposes of this act and to direct the damages and costs to be paid into court for the benefit of the parties who may be found to be entitled thereto

Section 11 The amount of damages shall within thirty days after the same have been finally ascertained be paid by the Commonwealth or the municipal division thereof to the parties entitled thereto

On the question,

Shall the bill pass finally?

Mr. STERN. Mr. Speaker, I would like the sponsor of this bill to explain the amendments that he inserted in the bill since it was up before this House for consideration.

Mr. WALTER. Mr. Speaker, the amendment consists in striking out five lines in the first section which was done by reason of the suggestion made by my friend from Philadelphia who said that the bill was unconstitutional. The remainder of the bill is only amended with respect to a few words to make it concur with the amendment of the first section. There can not be any possible chance of its conferring any rights of eminent domain or attempting to confer any right of eminent domain except upon the Commonwealth or any municipal sub-division of the Commonwealth that is a purely public body spending the taxpayers' money and no one else.

Mr. STERN. Mr. Speaker, this is the bill that would give the Commonwealth of Pennsylvania the right to take stone or other road-making material from the lands of any farmer whose lands abut a public highway; in other words, it extends the right of eminent domain. Up to this time, Mr. Speaker, that right has only been exercised by the Commonwealth of Pennsylvania for such purposes as would serve the convenience of the public. It has been exercised for the taking of roads and lands for railroads so that passengers and freight might be carried; it has been exercised for the taking of roads so that the public could conveniently travel from one place to another; and at no other time, until the present bill is before the session, has the right of eminent domain been extended so as to become a financial proposition, either from an economical or industrial standpoint, for the Commonwealth of Pennsylvania This bill, Mr. Speaker, would enable the Commonwealth of Pennsylvania to go upon the land of a farmer or anyone whose lands abut a public road and dig into that land. It is carrying the right of eminent domain too far and I believe—

Mr. WALTER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. STERN. Yes, sir, Mr. Speaker.

Mr. WALTER. Mr. Speaker, I desire to ask the gentleman from Philadelphia if the bill does not provide that the Commonwealth shall pay for whatever it takes?

Mr. STERN. It does, Mr. Speaker, but it eliminates competition. The State of Pennsylvania, when it goes into the open market and makes any purchase, should be on the same footing as any other individual. This government is becoming too paternalistic. We have no right to discriminate in favor of the Commonwealth of Pennsylvania in a thing of that kind. That is another reason—I am glad my friend called my attention to the fact; that is another valid objection to the passage of this bill and therefore I ask for its defeat for two reasons; the first reason I brought out myself and for the second reason that my friend brought out.

Mr. WALTER. This bill is designed to give to the Commonwealth what the Commonwealth has given with such a free hand to private corporations. The gentleman from Philadelphia mentioned railroads. Only this week we have passed a bill giving railroads the right to construct branches over private property extending, as I understood the bill, the right to all railroads in the State—some of them did not heretofore enjoy it,—and it gives them an opportunity to construct a railroad over your land, and it is not restricted under the present construction of the railroad act under which a railroad can take even a dwelling. Now, the Commonwealth of Pennsylvania, in its wisdom, has given that to the railroad companies. A water company can take the water from your farm, can dry up your wells and by paying the bills, can sell that water to the public, after paying you the damages. A telephone company can construct its line along your farm and disfigure it with poles and after paying the damages you have to stand that.

An electric railway can go over your land, go through it and cut up your fields, and the Commonwealth has generously given that. Mr. Speaker, why should not the Commonwealth give something to herself? Why should the public money be spent without this right of eminent domain and who is more entitled to it than the Commonwealth of Pennsylvania? Everybody's money goes for the making of roads. It was stated by the gentleman from Philadelphia that the right of eminent domain has been only exercised for the convenience of the public. What is more convenient to the public than a good road? Here we are spending millions; the Senate yesterday passed a fifty million dollar bond issue amendment to the Constitution, and this body will be called upon in due course of time to pass upon that, and you would place that fifty million dollars in the hands of the Commonwealth to spend and you say to them you must pay for road making materials whatever the owner of them chooses to ask. If

you defeat this bill, that is what you are doing. This will not result in condemnation suits; it simply will prevent unscrupulous and selfish owners of road making materials from extorting from the Commonwealth unreasonable prices. I regret to say that I know of instances in which two and three and four prices have been charged the Commonwealth in counties and townships for road making materials. Take places where there is a big fill; there you must buy that ground, and unless you have a bill of this sort you will pay the owners' price. Now, gentlemen, this bill only gives to the Commonwealth what the Commonwealth in her graciousness has given to everyone else. Therefore, it ought to pass, and all of you who are familiar with the conditions in your townships know where they are using road making material of various kinds, and I have no doubt some of you know where exorbitant prices have been charged and paid. You cannot help it. They cannot afford to haul by wagons because it costs too much. Therefore, you need not be afraid of a large quantity being taken from one place, and you need not be afraid of a jury of a county giving full and complete compensation to everybody whose land or road making material are taken and whose road making material is used. You can depend upon the road juries doing that where the Commonwealth is concerned. This is a right that has been enjoyed by townships since 1836, and prior to 1849 it has been enjoyed by boroughs, and where is there anybody in this House who has heard of unwise or injudicious exercise of the right to take road making material. No one at all; no one can point to a case where it has been unwisely exercised. There is nothing paternalistic about this idea. The paternalism was started when you turned over ten—thousand miles of road to the Department of Highways to make. That was paternalism. But every member of this House has a bill in which they are interested, those of the counties, to put more roads on the Highway Department, and you are going to say to that department which is under your control and which is part of the government of Pennsylvania, "Are you going to pay what anybody asks for the building of road material or for the building of roads?" If you defeat this bill, that is what you are doing.

Mr. REYNOLDS. Mr. Speaker, when this bill was before the House last week, I opposed it on the ground that from my standpoint of observation I found that the bill as constructed then was unconstitutional. Since that time the gentleman from Franklin, the sponsor of this measure, has amended his bill, and as far as I know, after looking over the bill carefully, I feel that he has eliminated the unconstitutional provisions that were therein contained and that the bill in its present form, as amended, is in proper shape and, as far as I know, is constitutional.

Mr. DELL. Mr. Speaker, I would like to interrogate the gentleman from Franklin.

The SPEAPER. Will the gentleman from Franklin, Mr. Walter, permit himself to be interrogated?

Mr. WALTER. Mr. Speaker, yes, sir.

Mr. DELL. Mr. Speaker, did I understand the gentleman correctly when I understood him to say that the bill has been so amended that only the State Highway Department shall have the right to condemn property?

Mr. WALTER. Mr. Speaker, if I did say so, it is an error. The Commonwealth and any municipality—

Mr. DELL. I notice it gives townships the same rights.

Mr. WALTER. It does. If I said otherwise, it was an error and I apologize to the gentleman.

Mr. DELL. Mr. Speaker, I shall not take time to discuss this bill. Originally I was bitterly opposed to it and I am still opposed to the measure. The gentleman from Franklin made the statement a moment ago that the farmer would have the right to set the price on his material. Every other man even my good friend, and attorney, has the right to set the price upon that which he does. If I go down in Franklin County or into any other county and ask for legal advice I don't say to him that I shall have the right by eminent domain to set your price. I believe the average farmer is fair. I believe the average landowner is fair and the only danger I see in this bill is that it permits the State or the county or the township or a borough to go into a man's land and condemn any spot of that land they may desire to use and leave it in a unsightly condition on the farm, practically making the surrounding area useless to the landowner. It is that we have a right to go into court and test the case it is true we have the right to appeal under the act of eminent domain from the decision of the appraisers, but it throws the burden of truth and the acceptance then upon the man who owns the land and that is the reason why I have opposed the bill and that is the reason why I believe it is unfair for us to come in and condemn that land and take from the farmer road material when we don't go and take road material from anybody else. I shall not take any more time to discuss the bill and I sincerely hope the measure will be defeated.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—52.

Aron,	Davis, W.,	Graeff,	Milner,
Baker,	Dawson,	Gransback,	Morgan, T.,
Bell,	Dean,	Haight,	Neary,
Bidelspacher,	Dunn,	Hecht,	Rich,
Black,	Eby,	Helt,	Ringler,
Campbell, J. O.,	Ehrhardt,	Howarth,	Rothenberger,
Canon,	Erdman,	Jack,	Sarig,
Chestnut,	Fackler,	Jones,	Strauss,
Conner,	Fowler,	Kennedy,	Vickerman,
Corbin,	Franklin,	Lohr,	Walker,
Cox,	Geary,	McVicar,	Walter,
Cummins,	Glass,	Mehring,	Wells,
Curry,	Golder,	Miller, Allan,	Wobensmith,

NAYS—90.

Albee,	Gans,	Mervine,	Shattuck,
Arthur,	Goodnough,	Miller, A. D.,	Shunk,
Baldridge,	Goodwin,	Miller, C. G.,	Siggins,
Barner,	Graham,	Milliron,	Simpson,
Bechtold,	Heffernan,	Mitchell,	Smith, E. R.,
Benchoff,	Hess,	Musser,	Smith, F. L.,
Benninger,	Heyburn,	Ogden,	Smith, J. W.,
Beyer,	Hibshman,	Patterson,	Sones,
Bouton, V. B.,	Hoffman,	Perry,	Speicher,
Bovee,	Hollern,	Phillips,	Stern,
Brady,	Isherwood,	Pickering,	Stites,
Campbell, T.,	Lauler,	Powell,	Swartz,
Christman,	Leary,	Reichenbacher,	Taylor,
Clements,	Lewis,	Reitzel,	Ulsh,
Coldsmith,	Luppert,	Rhoads, H. L.,	Urich,
Cook,	Marvin,	Rininger,	Wagner,
Crosby,	Maurer,	Rinn,	West,
Dell,	McArdle,	Robertson,	Whitaker,
Dewey,	McCaig,	Rogers,	Williams, J. P.,
Dithrich,	McCullough,	Ruddy,	Wylie,
Donneley,	McCurdy,	Rudisill,	Baldwin,
Drake,	McKay,	Sampsel,	Speaker.
Flynn,	McKinney,	Shaffer, C. A.,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 17.

Mr. GLASS. Mr. Speaker, I move that the vote by which House Bill No. 17, File Folio 3925, entitled

An Act authorizing cities of the second and third classes to engage in the business of farming including dairy farming and vesting certain powers in said cities in connection therewith

which was defeated on final passage on Wednesday, May the ninth, be reconsidered.

Mr. McNICHOL. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. MAURER. Mr. Speaker, I rise to explain the object of this bill which was defeated last week. The small vote that the bill received leads me to believe that the members of the House were not aware of the provision of the act proposed. Bill No. 17, which I introduced, is nothing more than an enabling act—that is all. It provides that cities of the second or third class may, if they so desire, engage in the agricultural business. In other words, we have in the City of Reading about a thousand acres of land that we have acquired from time to time. Of course this land is not all fit for agricultural purposes, but much of it is, and at this time when we are supposed to cultivate every bit of soil that we have, according to the wishes of President Wilson and the Governor of Pennsylvania asking us to raise crops and produce food, it did seem to me like a shame that a city should have hundreds of acres of land

lying idle. I asked our city council to take action on this matter, but the city solicitor ruled they did not have any such right, that we had no privileges. The act of 1913 governing third class cities does not give us such privilege. I do not know whether other cities have land that they could use for this purpose, but I wanted to make it a general act so I included second and third class cities. This bill does not say that we must engage in the business, but if any other city has any land lying around loose that they would like to use, this act would give them that privilege. If they do not care to avail themselves of the privilege, it is all right. Therefore, gentlemen, I hope that you will vote favorably to reconsider this bill.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—95.

Bechtold,	Flynn,	McCullough,	Schaeffer, A. C.,
Benchoff,	Fowler,	McCurdy,	Shaffer, C. A.,
Beyer,	Franklin,	McNichol,	Shunk,
Black,	Geary,	McVicar,	Siggins,
Bovee,	Glass,	Mehring,	Smith, E. R.,
Campbell, J. O.,	Golder,	Miller, Allan,	Smith, F. I.,
Campbell, T.,	Graham,	Miller, C. G.,	Smith, J. W.,
Canon,	Gransback,	Milliron,	Somerman,
Chestnut,	Haight,	Mitchell,	Speicher,
Christman,	Hecht,	Morgan, T.,	Stern,
Clements,	Heffernan,	Musser,	Stites,
Coldsmith,	Helt,	Ogden,	Strauss,
Cook,	Howarth,	Palmer,	Swartz,
Corbin,	Isherwood,	Patterson,	Ulsh,
Cox,	Jack,	Phillips,	Urich,
Crosby,	Jones,	Powell,	Vickerman,
Curry,	Kennedy,	Reichenbacker,	Wallace,
Davis, W.,	Laucks,	Rich,	Walter,
Dawson,	Lauler,	Ringler,	Wells,
Dean,	Leary,	Rininger,	Whitaker,
Donneley,	Lewis,	Rinn,	Wickman,
Drake,	Luppert,	Ruddy,	Wobensmith,
Dunn,	Marvin,	Rudisill,	Wood,
Fackler,	Maurer,	Sarig,	

NAYS—18.

Albee,	Heyburn,	Mervine,	Shattuck,
Baldridge,	Hibshman,	Pickering,	Simpson,
Bidelspacher,	Hoffman,	Ramsey,	Williams, J. P.,
Brady,	McKinney,	Rothenberger,	Baldwin,
Conner,			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate:

In the Senate, May 16, 1917.

Resolved (if the House of Representatives concur), That Senate Bill No. 696, entitled An Act to amend the second section of an act approved April fourth one thousand nine hundred and seven entitled "An Act creating in counties having a population from three hundred thousand to one million a board to fix and determine the number and compensation of employes in all county offices boards bureaus departments and divisions thereof prescribing the powers and duties of said board and regulating appeals from the decision thereof" by providing that where said board as constituted by said act is composed of the county controller and county commisioners only the president of the board in case of a tie vote shall be entitled to a deciding vote, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING.

Mr. HESS. Mr. Speaker, I desire to call up at this time from page 38 of to-day's calendar, bills on third reading postponed, House Bill No. 995, File Folio 1507.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 995, entitled

An Act to prohibit the killing of foxes by certain methods in York County and fixing a penalty for violation of the act

On the question,

Will the House agree to the bill on third reading?

Mr. HESS. Mr. Speaker, this bill was introduced and sponsored by the Hon. Robert S. Spangler, the gentleman from York. Mr. Spangler has heard and heeded the call of duty, and is to-day a member of Company 12, at Fort Niagara, New York. I received a request from Mr. Spangler to call up this bill, and he also says that he is interested in its passage and that I should request the House to pass this bill. As an evidence that a great many of the citizens in his county are interested in the passage of this bill, he authorizes me to present to the House these numerous petitions, signed by numerous citizens, many of whom are farmers. The bill has been properly advertised and I feel that it is but an act of courtesy that we owe to the Hon. Robert S. Spangler, out of respect to the patriotism which he has shown in having enlisted in the service of his country, that we grant his request, and I hope that the House will act favorably in this matter.

Mr. COOK. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. The Chair would state that the sponsor of the bill is in New York State.

Mr. COOK. Then Mr. Speaker I desire to interrogate the gentleman from Lancaster, Mr. Hess.

The SPEAKER. Will the gentleman from Lancaster permit himself to be interrogated?

Mr. HESS. I will, Mr. Speaker.

Mr. COOK. Mr. Speaker, I would like to ask what is the purpose of this bill.

Mr. HESS. Mr. Speaker, this bill is very brief, and the purpose is set forth both in its title and in the act. The purpose of the bill is that "it shall be unlawful for any person to shoot or trap or snare or poison any fox within the limits of York County." It further says that "nothing in this act shall be construed to prevent any person or persons from shooting a fox or foxes destroying their property." In view of this, I think it is a very fair bill. I might advise the House that Delaware County to-day has an act on the statute books just exactly like the bill introduced by the gentleman from York.

Mr. COOK. About six or eight days ago the sponsor of this bill interviewed me and when he left me he said he had no interest at all in the bill. We are aware that there are but a few people in York County that desire the passage of this bill. I could mention practically all their names. They are men who keep and breed dogs and they want the foxes to become plentiful so that they can thereby practice with these dogs and have a ready sale for them.

The foxes that have been killed in York County during the act that is now on the statute books are about one hundred forty-six, making about three hundred dollars paid by the State for bounties. If this bill is passed, gentlemen, it will be a menace to more than one feature in York County. Every paper that comes out of the press to-day is clamoring for the farmer and the poultry man to raise more produce and more poultry for the general public. If this bill is passed the poultry interests of York County will be menaced materially. While it might benefit two or three men or clubs in York County it will be a menace to no less than a thousand poultry yards in the County of York. There are many farms and little homes along the different hills of York County over which the fox passes and is living practically upon those poultry yards and the other game, such as small rabbits and quail. I, for one, am a member from the County of York and in the interests of my constituents I ask you to down this bill. I am sure that Mr. Spangler does not want it passed. If he would have been here he would not in good faith have made the statement that he told my friend from Lancaster to make, because he has told more than one man that he has no interest in it, he does not want to see it pass. I ask you to defeat it.

Mr. HESS. Mr. Speaker and gentlemen, I am reading from a letter I received from Mr. Spangler, under date of May 14th, in which he says: "Will you be so kind as to call up my Fox Bill and make an argument in favor of its

passage." Now I will leave it to the gentlemen of the House whether or not he wants the bill passed when he makes that request.

The purpose of that bill is to prevent the extermination of the fox. The fur of the fox to-day is very valuable and men have poisoned and trapped and extermniated them for the purpose of marketing the furs, and that is the purpose of the bill, to prevent that extermination. If the fox is caught in the act of destroying poultry or anything else on the farm, as suggested by the gentleman from York, Mr. Cook, the bill gives you the specific right to shoot it; but it aims at the extermination of the fox and here are petitions signed largely by farmers. The first signer is a farmer, the next is a laborer, the next three are farmers, the next a painter and the next two farmers, the next a miller, the next a laborer, the next six are farmers, and so on.

Mr. POWELL. Mr. Speaker and gentlemen of the House, there is one feature that has not been brought out in the discussion of this bill. I want to say this without fear of contradiction: That the people who hunt and pay to the State of Pennsylvania a dollar for a license are absolutely in favor of the extermination of the fox because the fox stands in a class by itself as an exterminator of game and especially of rabbits and quail.

I want to make this further statement: That only last year the Game Commission of our great State endeavored to propogate into the State of Pennsylvania six thousand quail from Mexico, with the result that when they got about as far as Pittsburgh they commenced to die off and by the time that they arrived in the central part of the State there were less than five to six hundred quail left. I have been informed by the Secretary of the Commission that there is only one county in the State of Pennsylvania to-day that he can say has been successful in raising quail and that is York County; therefore, gentlemen, I think this bill should certainly be defeated so that you could protect the quail and rabbit, that which gives the sport to the very large majority and not to the select few. I trust, Mr. Speaker and gentlemen, that this bill will be voted down.

Mr. WILLIAM DAVIS. Mr. Speaker, it seems to me that it requires no argument to pass a bill to prevent the poisoning of anything. It is absolutely wrong that we should have a law on the statute books permitting an animal, no matter what kind or character he may be, to be poisoned and leave the quail or turkey or dog or whatever animals participates in a part of that carcass to also die. I know of no other county that has such a law. No such law should be permitted on the statute books. We should wipe this off if for no other reason than that.

Mr. PHILLIPS. Mr. Speaker, I would be the last one to suggest to the members of this House to do anything that is unpatriotic. I would hate to say anything against the sponsor of this bill and would not do so if he were here, but I think the fact that he has been called away and has offered his services to our country is no reason why we should pass the bill if it is not a meritorious measure and if it is not for the good of the entire people of Pennsylvania. Anything I could do for the gentleman's happiness, who has sacrificed himself at the altar of his country, I would be only too glad to do; but here comes a measure in which I think we are all vitally interested, for the reason as I have already said, that we have appropriated three hundred thousand dollars of hunters' license money each year for what? For the protection, for the propagation of game in the State of Pennsylvania. Now then, if we were to open the bars and let the vermin destroy that game which we are to-day attempting to protect and propagate in the State of Pennsylvania,—which we would do by such a bill as this,—you are going to say on the one hand that you will spend three hundred thousand dollars a year to protect and propagate the game and by your vote on a bill such as this that you are going to allow the foxes to destroy the very animals that you are paying this enormous sum to protect and propagate. Is that right, when you have such a department in the State of Pennsylvania as the Game Commission, to place a barrier in its way that it cannot overcome.

In 1916 there was sent into York County thirty ringnecks, one hundred and ninety-two quail, twenty-two rabbits and one hundred and fifty pheasant eggs for which you paid. If you allow the foxes to go in and destroy these eggs and birds and animals you have thrown that money away and worse, because it is a hardship on the other animals there as well. Last year there was also put into York County two hundred rabbits, forty quail, fifteen ring-necks and two hundred ring-neck eggs. Out of that county there were thirty-nine thousand rabbits killed in 1915, thirty-five hundred squirrels, six hundred quail and one hundred raccoons. This is an estimate given by the Game Department. This shows you that the County of York, along with all other counties of the State, is trying to preserve and conserve the game of that county. Two years ago we had a bill here from Montgomery County similar to this one and that bill was defeated or withdrawn, I do not recall which. If you allow this thing to go on the time will come when this organization, known as the Fox Hunters' League, will ride over the people's fields with their horses and destroy their crops for the purpose of shooting at the foxes.

Mr. DELL. Mr. Speaker, as a member of the Committee on Game, I want to call your attention to the fact that sixty-six counties of the State of Pennsylvania are paying a premium to have the fox destroyed. I want also to call your attention to the fact that the Game Committee had a great deal of trouble to adjust the open season so as to suit the southern tier of counties on the open season for rabbits. They were very anxious to have a later season for rabbits, and we believe that the fox is the worst enemy that the rabbit has. I should like to understand why we should pay a premium out of your hunters' license fund to exterminate the fox in sixty-six counties and then protect the fox just across the line in one county. I suspect there are some people in that section, a few of them, who still participate in the old English fox hunt, and I suspect that is the reason why the fox is to be protected in that county. Besides that, I should like to ask whether the advertisement is on the Speaker's desk? This is a piece of special legislation for a particular county and should have been advertised and I should like to know whether the advertisement is here; a copy of it? Has it been filed with the Resident Clerk?

MR. RAMSEY IN THE CHAIR.

Mr. REYNOLDS. Mr. Speaker, if there is no objection, I will answer that question. A committee could not report a special act to the desk unless proof of advertisement has been offered. It must be on the desk.

Mr. RUDISILL. Mr. Speaker, it appears to me that it is a very foolish thing for this House to pass this bill. I represent Adams, the adjoining county to York. There is a range of hills along the county line. I think it would be very foolish to raise foxes on one side of the hill and pay a bounty for the destruction of foxes on the other side of the hill. That is just what this bill would do.

Mr. BALDWIN. Mr. Speaker, is there any notice of publication attached to the bill?

The SPEAKER. No.

Mr. WALKER. Mr. Speaker, when this bill was before the Committee on Judiciary General, Mr. Spangler presented to us notice of publication in this case. Of that I am quite positive.

Mr. HESS. Mr. Speaker, I might say further that Mr. Spangler says in his letter the advertising has been properly done according to law.

Mr. BALDWIN. Mr. Speaker, Mr. Spangler also told me that the publication required has been complied with. I am only going to speak on this bill because the sponsor was our colleague in this House who was the first to go to the front. I know that he was very much interested in this bill. The discussion of it on the floor as it has proceeded backward and forward has taken on a State character, which I think is a mistake. I live in a county in which a law similar to this exists. The reason for that law in Delaware County was because there was some sportsmen down there who liked to carry the gun and follow after the dogs who were big enough and broad enough to concede in that community that there were a large number of other men who enjoyed another kind of sport—the old English sport; the fox hunt. They recognized that the fox might occasionally pick up a rabbit; that they might occasionally pick up a quail; he might occasionally pick up a chicken—I suppose with that thought I should have said, robbed the hen roost, and if I had only known

to whom I was talking I might have been more circumspect in my selection of the language. Any man who has lived in rural life knows that the farmer has few better friends than the fox I remember when my father would allow no man to shoot a fox on his farm. He said that the fox was the farmers' best friend and many a day I have stood and seen him out catching the ground mouse, and my father maintained that the fox did more for the welfare of the agricultural interests of the State than any injury he ever did. This law is not going to affect any other county except the County of York. I think I can read between the lines. Down there in the County of York there are a number of men who enjoy a sport that is so common in the County of Delaware and really a sport that they can enjoy for about four months in the year. You have had a colleague in this House who has gone to the front, who wants to call your attention to the fact that down there in York County there are a number of men who enjoy the sport of fox hunting. He has presented to you for your consideration a petition from hundreds of farmers joining in that request. Is there any objection from any sportsman or any organization known as a sportsman's organization? I think not. Evidently the sportsmen of York County and the sportsmen of Delaware County stand alike; the fellow who likes to follow the dog with his gun wants the other man to also have some chance. Mr friends who came here spoke of poison. I want to say that the Game Commissioner of this State has authorized poison to be set around over in the farms in my county and some very valuable house dogs have been poisoned. I came up here with a very bitter protest against it. The Game Commissioner of this State insists that he has a right as a State Commissioner to place poisons all over the agricultural lands of this State and that is a matter that the Legislature should take in hand and correct. However, I dont' think they could have a right in the cultivated communities of our State to place poison indiscriminately on the farm lands of our State. I don't want to take your time but I want to add, don't get it in mind that we are trying to protect the fox at the sacrifice of the other game in our State as a State proposition. You have a former colleague at Fort Niagara who asks you to pass this bill for him. He has down there in his county sportsmen who follow sport with the gun, and those who follow with hounds and there is no objection on the part of the sportsmen who are willing to carry the gun to pass this bill. I wish this House would pass it for him. I hope my friend from Lancaster, Mr. Hess, will be able to send a telegram to Fort Niagara that the Pennsylvania Legislature has not forgotten Bob Spangler.

Mr. PHILLIPS. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Baldwin.

The SPEAKER. Will the gentleman from Delaware, Mr. Baldwin, permit himself to be interrogated?

Mr. BALDWIN. Mr. Speaker, with great pleasure.

Mr. PHILLIPS. Mr. Speaker, I would like to ask the gentleman if he thinks it would be a good thing to remove the bounty from foxes in the entire State?

Mr. BALDWIN. Mr. Speaker, I have never been a member of the Game Commission, or the Game Committee, of the State. It is a subject that I have not careful consideration to, but my judgment on the blush of the moment is it would be a mistake.

Mr. PHILLIPS. Mr. Speaker, would it not be a mistake also to take it off in any county of the State?

Mr. BALDWIN. Mr. Speaker, so far as my own county is concerned, and so far as this bill effects York County, I have tried to be as plain as possible as to what my views were. I am willing to answer any particular question the gentleman desires to ask; but I did not want to detain the House with a great, long, verbose expression about this proposition that would really have no effect upon this House.

Mr. PHILLIPS. One more question, Mr. Speaker, I would like to know what good the fox is to agriculture, the gentleman said they were of some good but he did not say how.

Mr. BALDWIN. Mr. Speaker, my ancestors have been agriculturists in the State of Pennsylvania since 1684. My farther was a farmer from boyhood until his demise, and I told you what his opinion of the fox was. I have with my own eyes seen the fox many times out on the old South Hills hunting ground mice, and that was his opinion about them.

Mr. MILIRON. Mr. Speaker, I would like to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. BALDWIN. Oh sure, Mr. Speaker.

Mr. MILLIRON. Mr. Speaker, I would like to ask the gentleman from Delaware whether he does not think it would be more patriotic to do like Robert Spangler did and go to Fort Niagara?

Mr. BALDWIN. Mr. Speaker, Oh yes, and the gentleman from Armstrong and the gentleman from Delaware too.

Mr. COOK. Mr. Speaker, it appears to me that the remarks made by the previous speaker in defense of the passage of this bill were for the sake of Mr. Spangler, and not for the sake of the fox, or for the farmer, or for the promulgation of poultry. I want to say further that the fox is detrimental to the poultry yards of York County. Just a few days ago, Professor Baker of near Dillsburg stated to me that there was a fox in his hennery and killed not less than $25.00 worth of poultry. He did not see the fox in the act, but he saw him going. This law provides that you dare not kill or trap that fox or shoot him unless you see him in the act. Where are you going to get a jury to convict that fox. I love the dog and gun just as well as other sportsmen of hunting do. I love plenty of rabbits and quail, and you know as well as I know that the fox is one of the greatest terriors and exterminators of the rabbit and quail. What does he live on? He is flesh eating animal, he does not eat herbs by any means. I ask you in the name of the sportsmen of York County and I ask you in the name of the poultry men and I ask you in the name of the farmers to kill this bill.

Mr. DITHRICH. Mr. Speaker and gentlemen of the House, I have listened with considerable interest to the discussion of this bill. I have no interest in it whatever, but I think it comes with very poor grace for a man to come in and appeal to the people on the ground of sportsmanship to oppose this bill. All the opposition that I have heard so far, and I think the majority of the members of the House have been impressed with the same thing, is that this is simply a question as to whether or not the sport of hunting is to be confined to the hunting of small game or whether the people who take pleasure in hunting foxes are also to have an opportunity. I repeat that I think it comes with very poor grace for the hunters of small game to oppose this bill, and I will vote for it.

SPEAKER BALDWIN IN THE CHAIR.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. COOK. I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—84.

Aron,	Fretz,	McCaig,	Shattuck,
Arthur,	Gans,	McCullough,	Siggins,
Baker,	Geary,	McKinney,	Simpson,
Baldridge,	Goodnough,	McNichol,	Smith, E. R.,
Beyer,	Goodwin,	McVicar,	Snowden,
Campbell, T.,	Graham,	Miller, C. G.,	Sones,
Clements,	Haldeman,	Milner,	Speicher,
Conner,	Hecht,	Neary,	Stern,
Crosby,	Heffernan,	Palmer,	Stofflet,
Cummins,	Hess,	Patterson,	Swartz,
Curry,	Heyburn,	Perry,	Thomas,
Davis, W.,	Hibshman,	Pickering,	Ulsh,
Dawson,	Hoffman,	Ramsey,	Urich,
Dewey,	Jones,	Reichenbacker,	Walter,
Dithrich,	Lafferty,	Reitzel,	Wells,
Drake,	Leary,	Rhoads, H. L.,	West,
Drinkhouse,	Lewis,	Rininger,	Whitaker,
Dunn,	Lohr,	Robertson,	Williams, G. W.
Ehrhardt,	Luppert,	Rogers,	Williams, J. P.,
Flynn,	Marvin,	Ruddy,	Wood,
Fowler,	McArdle,	Sampsel,	Baldwin, Speaker.

NAYS—55.

Barner,	Dean,	McKay,	Ross,
Bechtold,	Dell,	Mehring,	Rothenberger,
Bell,	Donneley,	Mervine,	Rudisill,
Benchoff,	Eby,	Miller, Allan,	Sarig,
Bidelspacher,	Fackler,	Milliron,	Schaeffer, A. C.,

Black,	Golder,	Mitchell,	Shaffer, C. A.,
Brady,	Graeff,	Morgan, T.,	Showalter,
Campbell, J. O.,	Haight,	Musser,	Stites,
Canon,	Helt,	Ogden,	Taylor,
Chestnut,	Howarth,	Phillips,	Vickerman,
Coldsmith,	Isherwood,	Powell,	Wallace,
Cook,	Jack,	Reynolds,	Wickman,
Corbin,	Kennedy,	Rich,	Wobensmith,
Cox,	Lauler,	Ringler,	Wylie,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RECESS.

Mr. RAMSEY. Mr. Speaker, I move that this House do now take a recess until 3.30 o'clock this afternoon.

The motion was agreed to and (at 1.20 P. M.) the House took a recess until 3.30 P. M.

AFTER RECESS.

The House reconvened at 3.30 o'clock P. M.
The SPEAKER (Richard J. Baldwin) in the Chair.

REPORTS FROM COMMITTEES.

Mr. LOHR, from the Committee on Education, reported as amended House Bill No. 1689, entitled

A supplement to the act approved the first day of May, one thousand nine hundred and thirteen, entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts, and reimbursement thereof by the State;" providing for a course of study in agriculture in the public schools in rural districts; and providing State-aid therefor.

Mr. BRADY, from the Committee on Judiciary General, reported as committed House Bill No. 1780, entitled

An Act to further amend Section one of an act approved the tenth day of May, one thousand nine hundred and seven, entitled "An Act to fix the salaries of the clerk, deputy clerk, court clerks, and employes in the office of the clerk of the court of oyer and terminer and quarter sessions of the peace, of any county of this Commonwealth having a population of one million or over."

Mr. SIGGINS, from the Committee on Judiciary General, reported as committed House Bill No. 1827, entitled

An Act prohibiting the excavating, dredging and carrying away of material from the bed of any navigable stream, without obtaining a license therefor; and imposing a tax thereon; and providing the remedy for the collection thereof.

Mr. SIGGINS, from the Committee on Judiciary General, reported as committed House Bill No. 1841 (Senate Bill No. 907), entitled

An Act to validate certain deeds and conveyances made by trustees without setting forth their authority to convey.

Mr. GANS, from the Committee on Public Health and Sanitation, reported as amended House Bill No. 1233 (Senate Bill No. 540), entitled

An Act for the protection of the public health by regulating the possession, control, receipt, administering, prescribing, dispensing, sale, delivering and giving away of certain drugs and keeping records thereof by regulating the administering, dispensing, prescribing and delivery of certain drugs to habitual users of said drugs and regulating the treatment and cure of said habitual users of said drugs by providing for the revocation of the licenses of physicians, dentists, veterinarians, pharmacists and registered nurses for drug addiction and for violating the provisions of this act and otherwise fixing penalties for the violation of the provisions of this act

Mr. SWARTZ, from the Committee on Judiciary General, reported as amended House Bill No. 1809, entitled

An Act authorizing Nancie M. Searing, Executrix, of the estate of F. Roe Searing, deceased, of the City and County of Philadelphia to sue the Commonwealth.

Mr. SWARTZ, from the Committee on Judiciary General, reported as amended House Bill No. 1874 (Senate Bill No. 933), entitled

A Joint Resolution proposing an amendment to section sixteen of article three of the Constitution of the Commonwealth of Pennsylvania in accordince with the provisions of the eighteenth article thereof.

Mr. SWARTZ, from the Committee on Judiciary General, reported as amended House Bill No. 1837 (Senate Bill No. 861), entitled

An Act authorizing John F. Stone of Coudersport Pennsylvania to sue the Commonwealth of Pennsylvania in the court of common pleas of Dauphin County for loss and damage incident to a shipment of cattle to Lancaster delivery of which was not permitted by the State Livestock Sanitary Board.

Mr. VOGDES, from the Committee on Appropriations, reported as amended House Bill No. 346, entitled

An Act making an appropriation to the Friend's Home for Children situate at four thousand and eleven Aspen Street, Philadelphia.

Mr. LEWIS, from the Committee on Appropriations, reported as amended House Bill No. 21, entitled

An Act making an appropriation to the Memorial Home of Brookville, Pennsylvania.

Mr. THEO. CAMPBELL, from the Committee on Appropriations, reported as amended House Bill No. 11, entitled

An Act making an apporpriation to the Home for Aged Veterans and wives, located at Sitxy-fifth and Vine Streets, in the city of Philadelphia.

Mr. SHATTUCK, from the Committee on Appropriations, reported as amended House Bill No. 351, entitled

An Act making an appropriation to the Children's Aid Society and Home for the Aged, Meadville, Crawford County, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended House Bill No. 138, entitled

An Act making an appropriation to the "Christian Home for Women."

Mr. MURPHY, from the Committee on Appropriations, reported as amended House Bill No. 345, entitled

An Act making an apporpriation to the Beulah Anchorage, of Reading, Pennsylvania.

Mr. SULLIVAN, from the Committee on Appropriations, reported as amended House Bill No. 49, entitled

An Act making an appropriation to the Roselia Foundling Asylum and Maternity Hospital of the City of Pittsburgh.

Mr. HECHT, from the Committee on Appropriations, reported as amended House Bill No. 1631 (Senate Bill No. 753), entitled

An Act creating an Economy, Efficiency and Budget Commission; designating its members; providing for a secretary and other employes thereof; and prescribing its powers and duties.

Mr. SULLIVAN, from the Committee on Appropriations, reported as amended, House Bill No. 463, entitled

An Act making an appropriation to the Home of the Good Shepherd, Lincoln Avenue, Pittsburgh, Pennsylvania.

Mr. HOFFMAN, from the Committee on Appropriations, reported as amended House Bill No. 133, entitled

An Act making an appropriation to the United Zion Home at Warwick, Pennsylvania.

Mr. COX, from the Committee on Appropriations, reported as amended House Bill No. 460, entitled

An Act making an appropriation to the Home of Industry for Discharged Prisoners of the City of Philadelphia, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as amended House Bill No. 452, entitled

An Act making an appropriation to the Saint Joseph's Protectory for Homeless Boys, of Pittsburgh, Pennsylvania.

Mr. JONES, from the Committee on Appropriations, reported as amended House Bill No. 433, entitled

An Act making an appropriation to the Florence Crittenton Mission, of Scranton, Pennsylvania.

Mr. VOGDES, from the Committee on Appropriations, reported as committed House Bill No. 406, entitled

An Act making an appropriation to the Pennsylvania Seaman's Friend Society of Philadelphia, Pennsylvania.

Mr. SIMPSON, from the Committee on Appropriations, reported as amended House Bill No. 283, entitled

An Act making an appropriation to the Western Pennsylvania Humane Society, Pittsburgh, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended House Bill No. 276, entitled

An Act making an appropriation to the Salvation Army and Rescue Home, at Bellevue, Allegheny County, Pennsylvania.

Mr. BECHTOLD, from the Committee on Appropriations, reported as amended House Bill No. 304, entitled

An Act making an appropriation to the Messiah Orphanage, of Monaghan Township, York County, Pennsylvania.

Mr. LUPPERT, from the Committee on Appropriations, reported as amended House Bill No. 310, entitled

An Act making an appropriation to the Providence Mission and Rescue Home, of Pittsburgh, Pennsylvania.

Mr. McKINNEY, from the Committee on Appropriations, reported as amended House Bill No. 826, entitled

An Act making an appropriation to the Northwestern Anti Tuberculosis League, for the Grandview Sanatorium and the Bonair Sanatorium.

Mr. VOGDES, from the Committee on Appropriations, reported as amended House Bill No. 347, entitled

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia.

Mr. HOLLINGSWORTH, from the Committee on Appropriations, reported as amended House Bill No. 318, entitled

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Mr. COX, from the Committee on Appropriations, reported as amended House Bill No. 257, entitled

An Act making an appropriation to the Nazarene Home for the Aged at Philadelphia, Pennsylvania.

Mr. SHUNK, from the Committee on Appropriations, reported as amended, House Bill No. 699, entitled

An Act making an appropriation to the Erie Home for the Friendless of the City of Erie, Pennsylvania.

Mr. BECHTOLD, from the Committee on Appropriations, reported as amended House Bill No. 760, entitled

An Act making an appropriation to the Sylvan Heights Home for Orphan Girls, at Harrisburg, Pennsylvania.

Mr. WOOD, from the Committee on Appropriations, reported as amended House Bill No. 703, entitled

An Act making an appropriation to the Pittsburgh and Allegheny Home for the Friendless, situated in the City of Pittsburgh, Pennsylvania.

Mr. J. W. SMITH, from the Committee on Appropriations, reported as amended House Bill No. 975, entitled

An Act making an appropriation to the Philadelphia Home for Infants, located at four thousand six hundred eighteen, Westminister avenue, Philadelphia.

Mr. McCAIG, from the Committee on Appropriations, reported as amended House Bill No. 214, entitled

An Act making an appropriation to the Pennsylvania Association for the Blind, at Pittsburgh, Pennsylvania.

Mr. LUPPERT, from the Committee on Appropriations, reported as amended House Bill No. 127, entitled

An Act making an appropriation to the Home for Friendless Children, in the City of Reading, Pennsylvania.

Mr. PERRY, from the Committee on Appropriations, reported as amended House Bill No. 421, entitled

An Act making an appropriation to the Children's Aid Society of Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended House Bill No. 964, entitled

An Act making an appropriation to the Pittsburgh Sunshine Children's Home, located at 3523 California Avenue, North Side, Pittsburgh, Pennsylvania.

Mr. JONES, from the Committee on Appropriations, reported as amended House Bill No. 831, entitled

An Act making an appropriation to the House of Good Shepherd, Scranton, Lakawanna County Pennsylvania.

Mr. THOMAS, from the Committee on Appropriations, reported as amended House Bill No. 743, entitled

An Act making an appropriation to the Florence Crittenton Circle of Wilkes-Barre.

Mr. THEO. CAMPBELL, from the Committee on Appropriations, reported as amended House Bill No. 1500, entitled

An Act making an appropriation to Saint John's Orphan Asylum, Philadelphia.

Mr. SHUNK, from the Committee on Appropriations, reported as amended House Bill No. 697, entitled

An Act making an appropriation to the Erie Infant's Home and Hospital at Erie, Pennsylvania.

Mr. MURDOCK, from the Committee on Appropriations, reported as amended House Bill No. 707, entitled

An Act making an appropriation to the Ladies of the Grand Army of the Republic Home, at Hawkins Station, Allegheny County, Pennsylvania.

Mr. BOYD, from the Committee on Appropriations, reported as amended House Bill No. 993, entitled

An Act making an appropriation to the St. Joseph's Protectory, Norristown, Pennsylvania.

Mr. VOGDES, from the Committee on Appropriations, reported as amended House Bill No. 1502, entitled

An Act making an appropriation to the Catholic Home for Destitute Children, Philadelphia, Pennsylvania.

Mr. LUPPERT, from the Committee on Appropriations, reported as amended House Bill No. 661, entitled

An Act making an appropriation to the Florence Crittenton Mission, of the City of Williamsport, Lycoming County, Pennsylvania.

Mr. SIMPSON, from the Committee on Appropriations, reported as amended House Bill No. 301, entitled

An Act making an appropriation to the De Paul Institute, of Mount Lebanon Township, Allegheny County, Pennsylvania.

Mr. SONES, from the Committee on Appropriations, reported as amended House Bill No. 647, entitled

An Act making an appropriation to the Pottsville Benevolent Home for Children, Pottsville, Schuylkill County, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as amended House Bill No. 210, entitled

An Act making an appropriation to the Orphan Asylum of the Holy Family of Emsworth, Allegheny County, Pennsylvania.

Mr. BENNINGER, from the Committee on Appropriations, reported as amended House Bill No. 870, entitled

An Act making an appropriation to the Easton Home for Friendless Children, at Easton, Pennsylvania.

Mr. LUPPERT, from the Committee on Appropriations, reported as amended House Bill No. 667, entitled

An Act making an appropriation to the Aged Colored Women's Home, at Williamsport, Lycoming County, Pennsylvania.

Mr. LUPPERT, from the Committee on Appropriations, reported as amended House Bill No. 673, entitled

An Act making an appropriation to the Williamsport Training Home for Girls, at Williamsport, Lycoming County, Pennsylvania.

Mr. J. W. SMITH, from the Committee on Appropriations, reported as amended House Bill No. 289, entitled

An Act making an appropriation to the Hebrew Sheltering Home and Day Nursery for Children in the County of Philadelphia.

Mr. WILLIAM DAVIS, from the Commtitee on Appropriations, reported as amended House Bill No. 140, entitled

An Act making an appropriatoin to the Christian Home, of Johnstown, Pennsylvania.

Mr. COX, from the Committee on Appropriations, reported as committed House Bill No. 147, entitled

An Act making an appropriation to the Home for the Aged, one thousand eight hundred and nine Mount Vernon Street, Philadelphia, Pennsylvania.

Mr. SIMPSON, from the Committee on Appropriations, reported as amended House Bill No. 157, entitled

An Act making an appropriation to the Bethesda Home.

Mr. McCAIG, from the Committee on Appropriations, reported as amended House Bill No. 154, entitled

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania.

Mr. MURPHY, from the Committee on Appropriations, reported as amended House Bill No. 158, entitled

An Act making an appropriation to the Saint Joseph's Foundling Home and Maternity Hospital, 1850 Adams Avenue, Scranton, Pennsylvania.

Mr. MURDOCK, from the Committee on Appropriations, reported as amended House Bill No. 159, entitled

An Act making an appropriation to the Home for Colored Children, located in the City of Pittsburgh.

Mr. COX, from the Committee on Appropriations, reported as committed House Bill No. 180, entitled

An Act making an appropriation to the Penn Asylum for Indigent Widows and Single Women, located at Belgrade Street and Susquehanna Avenue, Philadelphia, Pennsylvania.

Mr. THOMAS, from the Committee on Appropriations, reported as amended House Bill No. 186, entitled

An Act making an appropriation to the United Charities, of Hazelton, Pennsylvania.

Mr. SONES, from the Committee on Appropriations, reported as amended House Bill No. 207, entitled

An Act making an appropriation to the Beaver County Children's Home Association, of New Brighton, Pennsylvania.

Mr. HECHT, from the Committee on Appropriations, reported as amended House Bill No. 256, entitled

An Act making an appropriation to the House of Good Shepherd, Penn and Chew Streets, Germantown, Philadelphia, Pennsylvania.

Mr. LUPPERT, from the Committee on Appropriations, reported as amended House Bill No. 671, entitled

An Act making an appropriation to the Boy's Industrial Home, at Williamsport, Lycoming County, Pennsylvania.

Mr. LUPPERT, from the Committee on Appropriations, reported as amended House Bill No. 665, entitled

An Act making an appropriation to the Home for the Friendless, of the City of Williamsport, Pennsylvania.

Mr. C. A. SHAFFER, from the Committee on Appropriations, reported as amended House Bill No. 729, entitled

An Act making an appropriation to the German Protestant Home for Aged at Fair Oaks, Allegheny County, Pa.

Mr. HOUGH, from the Committee on Appropriations, reported as amended House Bill No. 427, entitled

An Act making an appropriation to the Pittsburgh Home for Babies.

Mr. SHUNK, from the Committee on Appropriations, reported as amended House Bill No. 716, entitled

An Act making an appropriation to the Florence Crittenden Home of Erie, Pennsylvania.

Mr. MARVIN, from the Committee on Appropriations, reported as amended House Bill No. 830, entitled

An Act making an appropriation to the Beacon Light Mission, near the City of Bradford, Pennsylvania.

Mr. PICKERING, from the Committee on Appropriations, reported as amended House Bill No. 750, entitled

An Act making an appropriation to the Home for Widows and Single Women of Lebanon and Lebanon County.

Mr. SIMPSON, from the Committee on Appropriations, reported as amended House Bill No. 213 entitled

An Act making an appropriation to the Industrial Home for Crippled Children, at Pittsburgh, Pennsylvania.

Mr. WOOD, from the Committee on Appropriations, reported as amended House Bill No. 793, entitled

An Act making an appropriation to the Sewickley Fresh Air Home, in Beaver County, Pennsylvania.

Mr. WEST, from the Committee on Appropriations, reported as amended House Bill No. 828, entitled

An Act making an appropriation to the Coleman Industrial Home for Colored Boys, Pittsburgh, Pennsylvania.

Mr. VOGDES, from the Committee on Appropriations, reported as amended House Bill No. 948, entitled

An Act making an appropriation to the Pennsylvania Working Home for Blind Men for maintenance in handicraft employment.

Mr. LEWIS, from the Committee on Appropriations, reported as amended House Bill No. 466, entitled

An Act making an appropriation to the Almira Home for Aged Women, of New Castle, Pennsylvania.

Mr. BOYD, from the Committee on Appropriations, reported as amended House Bill No. 814, entitled

An Act making an appropriation to the Philadelphia Home for Incurables.

Mr. PERRY, from the Committee on Appropriations, reported as amended House Bill No. 1505, entitled

An Act making an appropriation to the Philadelphia Protectory for Boys, Protectory Station, Montgomery County, Pennsylvania.

Mr. THEODORE CAMPBELL, from the Committee on Appropriations, reported as amended House Bill No. 273, entitled

An Act making an appropriation to the Old Ladies' Home, of Wissinoming, Philadelphia, Pennsylvania.

Mr. SINCLAIR, from the Committee on Appropriatoions, reported as amended House Bill No. 871, entitled

An Act making an appropriation to the Home for Aged and Infirm Women, at Easton, Pennsylvania.

Mr. WEST, from the Committee on Appropriations, reported as amended House Bill No. 125, entitled

An Act appropriating to the Sisters of Charity of Saint Catharine's Orphan Asylum, of Reading, Pennsylvania.

Mr. MURPHY, from the Committee on Appropriations, reported as amended House Bill No. 55, entitled

An Act making an appropriation to the York Society to Protect Children and Aged Person, of York, Pennsylvania.

Mr SIMPSON, from the Committee on Appropriations, reported as amended House Bill No. 50, entitled

An Act making an appropriation to the Curtis Home for Destitute Women and Children, of Pittsburgh, Pennsylvania.

Mr. McKINNEY, from the Commitee on Appropriations, reported as amended House Bill No. 47, entitled

An Act making an appropriation to the Rosine Association, of Philadelphia, Pennsylvania.

Mr. PICKERING, from the Committee on Appropriations, reported as amended House Bill No. 907, entitled

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

Mr. JONES, from the Committee on Appropriations, reported as amended House Bill No. 475, entitled

An Act making an appropriation to the Society of the Home for the Friendless Women and Children of Scranton, Pennsylvania.

Mr. SIMPSON, from the Committee on Appropriations, reported as amended House Bill No. 492, entitled

An Act making an appropriation to the Boys' Industrial Home for Western Pennsylvania, located at Oakdale, Allegheny County.

Mr. SHUNK, from the Committee on Appropriations, reported as amended House Bill No. 586, entitled

An Act making an appropriation to the George Junior Republic Association, of Western Pennsylvania.

Mr. SULLIVAN, from the Committee on Appropriations, reported as amended House Bill No. 616, entitled

An Act making an appropriation to the Home of the Good Shepherd of the County of Allegheny, Lowrie Street, Troy Hill, North Side, Pittsburgh, Pa.

Mr. BOUTON, from the Committee on Appropirations, reported as amended House Bill No. 617, entitled

An Act making an appropriation to the Westmoreland County Children's Aid Society, at Greensburg, Pennsylvania.

Mr. HORTON, gfrom the Committee on Appropriations, reported as committed House Bill No. 709, entitled

An Act making an appropriation to the Children's Aid Society, of Franklin County, Pennsylvania.

Mr. JONES, from the Committee on Appropriations, reported as amended House Bill No. 627, entitled

An Act making an appropriation to the West Mountain Sanitorium of Scranton, Pennsylvania.

Mr. SULLIVAN, from the Committee on Appropriations, reported as amended House Bill No. 827, entitled

An Act making an appropriation to the Tuberculosis League of Pittsburgh, Pennsylvania.

Mr. WEST, from the Committee on Appropriations, reported as amended House Bill No. 712, entitled

An Act making an appropriation to the Colored Women's Relief Association of Western Pennsylvania.

Mr. WEST, from the Committee on Appropriations, reported as amended House iBll No. 963, entitled

An Act making an appropriation to the First Allegheny Day Nursery and Temporary Home for Children, Pittsburgh.

Mr. LAFFERTY, from the Committee on Appropriations, reported as amended House Bill No. 1503, entitled

An Act making an appropriation to Saint Vincent's Home, Philadelphia.

Mr. SULLIVAN, from the Committee on Appropirations, reported as amended House Bill No. 428, entitled

An Act making an appropriation to the Pittsburgh Newsboys' Home, of Pittsburgh, Pennsylvania.

Mr. WEST, from the Committee on Appropriations, reported as amended House Bill No. 980, entitled

An Act making an appropriation to the Women's Union Day Nursery, Philadelphia, Pennsylvania.

Mr. WEST, from the Committee on Appropriations, reported as committed House Bill No. 1035, entitled

An Act making an appropriation to the Robert Wood Industrfal Home and Day Nursery, Philadelphia, Pennsylvania.

Mr. MURPHY, from the Committee on Appropriations, reported as amended House Bill No. 874, entitled

An Act making an appropriation for the Associated Charities and Humane Society of Lackawanna County.

Mr. LAFFERTY, from the Committee on Appropriations, reported as amended House Bill No. 1504, entitled

An Act making an appropriation to Saint Vincent's Home and Maternity Hospital, Philadelphia.

Mr. HOUGH, from the Committee on Appropriations, reported as amended House Bill No. 1068, entitled

An Act making an appropriation to the Woods Run Settlement Association, Petosky Street, North Side, Pittsburgh, Allegheny County, Pennsylvania.

Mr. JONES, from the Committee on Appropriations, reported as amended House Bill No. 1399, entitled

An Act making an appropriation to St. Patrick's Orphan Asylum, of Scranton, Pennsylvania.

Mr. PERRY, from the Committee on Appropriations, reported as amended House Bill No. 1175, entitled

An Act making an appropriation to Saint Vincent's Orphans' Asylum, of Tacony, Philadelphia.

Mr. MURDOCH, from the Committee on Appropriations, reported as amended House Bill No. 1319, entitled

An Act making an appropriation to the Fairfax Baby and Children's Home, Pittsburgh, Pennsylvania.

Mr. THEODORE MORGAN, from the Committee on Appropriations, reported as committed House Bill No. 389, entitled

An Act making an appropriation to the Passavant Memorial Homes, Rochester, Beaver County, Pennsylvania.

Mr. MURDOCH, from the Committee on Appropriations, reported as amended House Bill No. 387, entitled

An Act making an appropriation to the Home for Aged and Infirm Colored Women of Western Pennsylvania.

Mr. SONES, from the Committee on Appropriations, reported as amended House Bill No. 130, entitled

An Act making an appropriation to the Home for Widows and Single Women of Reading, Pennsylvania.

Mr. FLYNN, from the Committee on Appropriations, reported as amended House Bill No. 126, entitled

An Act making an appropriation to the House of the Good Shepherd, in the City of Reading, Pennsylvania.

Mr. HOFFMAN, from the Committee on Appropriations, reported as amended House Bill No. 132, entitled

An Act making an appropriation to the Home for Friendless Children, of Lancaster, Pennsylvania.

Mr. RININGER, from the Committee on Appropriations, reported as amended House Bill No. 129, entitled

An Act making an appropriation to the Bernardine Sisters of the Third Order of Saint Francis, of Millmont, Pennsylvania.

Mr. JONES, from the Committee on Appropriations, reported as amended House Bill No. 169, entitled

An Act making an appropriation to the Hahnemann Hospital of Scranton, Pennsylvania.

Mr. MARVIN, from the Committee on Appropriations, reported as amended House Bill No. 156, entitled

An Act making an appropriation to the Robert Packer Hospital.

Mr. SHATTUCK, from the Committee on Appropriations, reported as amended House Bill No. 167, entitled

An Act making an appropriation to the Meadville City Hospital, of Meadville, Crawford County, Pennsylvania.

Mr. SPROWLS, from the Committee on Appropriations, reported as amended House Bill No. 165, entitled

An Act making an appropriation to the City Hospital Association of Washington, Pennsylvania.

Mr. ANANIAS DAVID MILLER, from the Committee on Appropriations, reported as amended House Bill No. 211, entitled

An Act making an appropriation to the Mount Pleasant Memorial Hospital, of Mount Pleasant, Pennsylvania.

Mr. McKINNEY, from the Committee on Appropriations, reported as amended House Bill No. 212, entitled

An Act making an appropriation to the Warren Emergency Hospital, of Warren, Pennsylvania.

Mr. VOGDES, from the Committee on Appropriations, reported as amended House Bill No. 253, entitled

An Act making an appropriation to the Woman's Medical College of Pennsylvania, for use in the Hospital Department, Philadelphia.

Mr. HOLLINGSWORTH, from the Committee on Appropriations, reported as amended House Bill No. 30, entitled

An Act making an appropriation to the trustees of the Coatesville Hospital, Coatesville, Pennsylvania.

Mr. JEFFERSON W. SMITH, from the Committee on Appropriations, reported as committed House Bill No. 48, entitled

An Act making an appropriation to The Roosevelt Hospital, of Philadelphia, Pennsylvania.

Mr. SHATTUCK, from the Committee on Appropriations, reported as amended House Bill No. 65, entitled

An Act making an appropriation to the Titusville Hospital, at Titusville, Pennsylvania.

Mr. MURDOCH, from the Committee on Appropriations, reported as amended House Bill No. 155, entitled

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburgh.

Mr. MARVIN, from the Committee on Appropriations, reported as amended House Bill No. 1016, entitled

An Act making an appropriation to the Simon H. Barnes Memorial Hospital, of Susquehanna, Pennsylvania.

Mr. THEODORE MORGAN, from the Committee on Appropriations, reported as amended House Bill No. 1003, entitled

An Act making an appropriation to the Trustees of the Grove City Hospital, located at Grove City, Pennsylvania.

Mr. THOMAS, from the Committee on Appropriations, reported as amended House Bill No. 78, entitled

An Act making an appropriation to the Mercy Hospital at Wilkes-Barre, Pennsylvania.

Mr. HECHT, from the Committee on Appropriations, reported as amended House Bill No. 944, entitled

An Act making an appropriation to the Children's Homeopathic Hospital, of Philadelphia.

Mr. BECHTOLD, from the Committee on Appropriations, reported as amended House Bill No. 979, entitled

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg, Pennsylvania.

Mr. BECHTOLD, from the Committee on Appropriations, reported as amended House Bill No. 943, entitled

An Act making an appropriation to the Good Samaritan Hospital, of Lebanon, Pennsylvania.

Mr. THEODORE CAMPBELL, from the Committee on Appropriations, reported as amended House Bill No. 983, entitled

An Act making an appropriation to the West Philadelphia Hospital for Women, in the City of Philadelphia.

Mr. COX, from the Committee on Appropriations, reported as amended House Bill No. 252, entitled

An Act making an appropriation to the National Stomach Hospital, Philadelphia.

Mr. RININGER, from the Committee on Appropriations, reported as amended House Bill No. 148, entitled

An Act making an appropriation to the J. C. Blair Memorial Hospital, located at Huntingdon, Pennsylvania.

Mr. WILLIAM DAVIS, from the Committee on Appropriations, reported as amended House Bill No. 146, entitled

An Act making an appropriatoin to the Conemaugh Valley Memorial Hospital, at the City of Johnstown, Pennsylvania.

Mr. JEFFERSON W. SMITH, from the Committee on Appropriations, reported as amended House Bill No. 810, entitled

An Act making an appropriation to the Hospital of the University of Pennsylvania.

Mr. WILLIAM DAVIS, from the Committee on Appropriations, reported as amended House Bill No. 139, entitled

An Act making an appropriation to the Mercy Hospital, of Johnstown, Pennsylvania.

Mr. LAFFERTY, from the Committee on Appropriations, reported as committed House Bill No. 811, entitled

An Act making an appropriation to the Wills Hospital of Philadelphia, Pennsylvania.

Mr. BENNINGER, from the Committee on Appropriations, reported as amended House Bill No. 128, entitled

An Act making an appropriation to the Saint Joseph's Hospital, in the City of Reading, Pennsylvania.

Mr. HECHT, from the Committee on Appropriations, reported as amended House Bill No. 254, entitled

An Act making an appropriation to the Germantown Hospital, of Germantown, Philadelphia.

Mr. McCAIG, from the Committee on Appropriations, reported as amended Houes Bill No. 491, entitled

An Act making an appropriation to the Mercy Hospital of Pittsburgh.

Mr. HOLLINGSWORTH, from the Committee on Appropriations, reported as amended House Bill No. 28, entitled

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm, Chester County, Pennsylvania.

Mr. PICKERING, from the Committee on Appropriations, reported as amended House Bill No. 198, entitled

An Act making an appropriation to the Grand View Hospital located near Sellersville, Bucks County, Pennsylvania.

Mr. PERRY, from the Committee on Appropriations, reported as amended House Bill No. 233, entitled

An Act making an appropriation to the Gynecean Hospital, in the City of Philadelphia.

Mr. BOUTON, from the Committee on Appropriations, reported as amended House Bill No. 246, entitled

An Act making an appropriation to the Butler County General Hospital, at Butler, Pennsylvania.

Mr. PERRY, from the Committee on Appropriations, reported as amended House Bill No. 124, entitled

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School of Philadelphia, Pennsylvania.

Mr. RININGER, from the Committee on Appropriations, reported as amended House Bill No. 183, entitled

An Act making an appropriation to the Nason Hospital Association, Roaring Spring, Blair County, Pennsylvania.

Mr. PERRY, from the Committee on Appropriations, reported as amended House Bill No. 287, entitled

An Act making an appropriation to the trustees of Temple University for the use of Samaritan Hospital, Philadelphia.

Mr. PERRY, from the Committee on Appropriations, reported as amended House Bill No. 184, entitled

An Act making an appropriation to the Saint Mary's Hospital, located at Frankford Avenue and Palmer Street, Philadelphia, Pennsylvania.

Mr. THEODORE MORGAN, from the Committee on Appropriations, reported as amended House Bill No. 291, entitled

An Act making an appropriation to the Greenville Hospital, Greenville, Mercer County, Pennsylvania.

Mr. RININGER, from the Committee on Appropriations, reported as amended House Bill No. 144, entitled

An Act making an appropriation to the Miners' Hospital of Northern Cambria, at Spangler, in Cambria County, Pennsylvania.

Mr. VOGDES, from the Committee on Appropriations, reported as amended House Bill No. 294, entitled

An Act making an appropriation to the trustees of Temple University for the use of Garretson Hospital, Philadelphia.

Mr. SPROWLS, from the Committee on Appropriations, reported as amended House Bill No. 302, entitled

An Act making an appropriation to the Canonsburg General Hospital Association, at Canonsburg, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended House Bill No. 121, entitled

An Act making an appropriation to the Allegheny General Hospital, of the North Side, City of Pittsburgh.

Mr. SPROWLS, from the Committee on Appropriations, reported as amended House Bill No. 303, entitled

An Act making an appropriation to the Charleroi-Monessen Hospital, Charleroi, Washington County, Pennsylvania.

Mr. THEODORE CAMPBELL, from the Committee on Appropriations, reported as amended House Bill No. 297, entitled

An Act making an appropriation to the Woman's Hospital of Philadelphia.

Mr. VOGDES, from the Committee on Appropriations, reported as amended House Bill No. 305, entitled

An Act making an appropriation to the American Oncologic Hospital at Philadelphia.

Mr. SINCLAIR, from the Committee on Appropriations, reported as amended House Bill No. 314, entitled

An Act making an appropriation to the Brownsville General Hospital, of Brownsville, Fayette County, Pennsylvania.

Mr. WOOD, from the Committee on Appropriations, reported as amended House Bill No. 353, entitled

An Act making an appropriation to the Clearfield Hospital, Clearfield, Pennsylvania.

Mr. BOYD, from the Committee on Appropriations, reported as amended House Bill No. 350, entitled

An Act making an appropriation to the Charity Hospital of Norristown, Montgomery County, Pennsylvania.

Mr. SPROWLS, from the Committee on Appropriations, reported as amended House Bill No. 361, entitled

An Act making an appropriation to the Memorial Hospital Association, of Monongahela City, Washington County, Pennsylvania.

Mr. HECHT, from the Committee on Appropriations, reported as amended House Bill No. 299, entitled

An Act making an appropriation to the Women's Homeopathic Association, of Pennsylvania.

Mr. BECHTOLD, from the Committee on Appropriations, reported as amended House Bill No. 431, entitled

An Act making an appropriation to the Harrisburg Hospital, Harrisburg, Pennsylvania.

Mr. THEODORE CAMPBELL, from the Committee on Appropriations, reported as amended House Bill No. 296, entitled

An Act making an appropriation to Saint Joseph's Hospital of Philadelphia.

Mr. MURDOCH, from the Committee on Appropriations, reported as amended House Bill No. 885, entitled

An Act making an appropriation to the McKeesport Hospital, McKeesport, Pennsylvania.

Mr. SHATTUCK, from the Committee on Apporpriations, reported as amended House Bill No. 823, entitled

An Act making an appropriation to the Spencer Hospital, located at Meadville, Crawford County, Pennsylvania.

Mr. SPROWLS, from the Committee on Appropriations, reported as amended House Bill No. 896, entitled

An Act making an appropriation to the Washington Hospital, of Washington, Pennsylvania.

Mr. FLYNN, from the Committee on Appropriations, reported as amended House Bill No. 701, entitled

An Act making an appropriation to the Renovo Hospital.

Mr. SINCLAIR, from the Committee on Appropriations, reported as amended House Bill No. 669, entitled

An Act making an appropriation to the Ellwood City Hospital, Ellwood City, Pennsylvania.

Mr. HOLLINGSWORTH, from the Committee on Appropriations, reported as amended House Bill No. 25, entitled

An Act making an appropriation to the trustees of the Phoenixville Hospital.

Mr. COX, from the Committee on Appropriations, reported as amended House Bill No. 9, entitled

An Act making an appropriation to the Woman's Southern Homeopathic Hospital of Philadelphia.

Mr. FLYNN, from the Committee on Appropriations, reported as amended House Bill No. 654, entitled

An Act making an appropriation for the Kane Summit Hospital Association of Kane, Pennsylvania.

Mr. JONES, from the Committee on Appropriations, reported as amended House Bill No. 105, entitled

An Act making an appropriation to St. Mary's Keller Memorial Hospital, Scranton, Lackawanna County.

Mr. SCOTT, from the Committee on Appropriations, reported as amended House Bill No. 865, entitled

An Act making an appropriation to the Bellefonte Hospital, Bellefonte, Centre County, Pennsylvania.

Mr. JEFF. W. SMITH, from the Committee on Appropriations, reported as committed House Bill No. 739, entitled

An Act making an appropriation to the Maternity Hospital in the City of Philadelphia, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended House Bill No. 24, entitled

An Act making an appropriation to the Sewickley Valley Hospital Association, Incorporated, of Allegheny County, Pennsylvania.

Mr. RAMSEY, from the Committee on Appropriations, reported as amended House Bill No. 12, entitled

An Act making an appropriation to the Chester Hospital, in the City of Chester, Pennsylvania.

Mr. SHUNK, from the Committee on Appropriations, reported as amended House Bill No. 698, entitled

An Act making an appropriation to the Saint Vincent's Hospital Association, of the City of Erie, Pennsylvania.

Mr. BECHTOLD, from the Committee on Appropriations, reported as amended House Bill No. 708, entitled

An Act making an appropriation to the Chambersburg Hospital, of Chambersburg, Pennsylvania.

Mr. RININGER, from the Committee on Appropriations, reported as amended House Bill No. 182, entitled

An Act making an appropriation to the Altoona Hospital, Altoona, Pennsylvania.

Mr. McKINNEY, from the Committee on Appropriations, reported as amended House Bill No. 777, entitled

An Act making an appropriation to the Oil City Hospital, Oil City, Pennsylvania.

Mr. SIMPSON, from the Committee on Appropriations, reported as amended House Bill No. 755, entitled

An Act making an appropriation to the Passavant Hospital of Pittsburgh, Pennsylvania.

Mr. SONES, from the Committee on Appropriations, reported as amended House Bill No. 646, entitled

An Act making an appropriation to the Pottsville Hospital, Pottsville, Schuylkill County, Pennsylvania.

Mr. SCOTT, from the Committee on Appropriations, reported as amended House Bill No. 726, entitled

An Act making an appropriation to the DuBois Hospital, of DuBois, Pennsylvania.

Mr. SIMPSON, from the Committee on Appropriations, reported as amended House Bill No. 629, entitled

An Act making an appropriation to the South Side Hospital, of Pittsburgh, Pennsylvania.

Mr. RININGER, from the Committee on Appropriations, reported as amended House Bill No. 710, entitled

An Act making an appropriation to the Lewistown Hospital, of Lewistown, Pennsylvania.

Mr. FLYNN, from the Committe on Appropriations, reported as amended House Bill No. 652, entitled

An Act making an appropriation to the Lock Haven Hospital, of Lock Haven, Clinton County, Pennsylvania.

Mr. WEST, from the Committee on Appropriations, reported as amended House Bill No. 624, entitled

An Act making an appropriation to the Saint Timothy's Memorial Hospital and House of Mercy, Roxborough, Pennsylvania.

Mr. VOGDES, from the Committee on Appropriations, reported as amended House Bill No. 585, entitled

An Act making an appropriation to the Northwestern General Hospital, Philadelphia, Pennsylvania.

Mr. FLYNN, from the Committee on Appropriations, reported as committed House Bill No. 483, entitled

An Act making an appropriation to the Elk County General Hospital, of Ridgway, Pennsylvania.

Mr. WOOD, from the Committee on Appropriations, reported as amended House Bill No. 481, entitled

An Act making an appropriation to the Indiana Hospital of Indiana County, Pennsylvania.

Mr. LAFFERTY, from the Committee on Appropriations, reported as amended House Bill No. 471, entitled

An Act making an appropriation to the Jefferson Medical College of Philadelphia.

Mr. SULLIVAN, from the Committee on Appropriations, reported as amended House Bill No. 369, entitled

An Act making an appropriation to the Eye and Ear Hospital, of Pittsburgh, Pennsylvania.

Mr. C. A. SHAFFER, from the Committee on Appropriations, reported as amended House Bill No. 365, entitled

An Act making an appropriation to the Berwick Hospital, Berwick, Pennsylvania.

Mr. LEWIS, from the Committee on Appropriations, reported as amended House Bill No. 20, entitled

An Act making an appropriation to the Adrian Hospital, of Punxsutawney, Pennsylvania.

Mr. MURDOCK, from the Committee on Appropriations, reported as amended House Bill No. 702, entitled

An Act making an appropriation to the Braddock General Hospital, of Braddock, Pennsylvania.

Mr. SHUNK, from the Committee on Appropriations, reported as amended House Bill No. 371, entitled

An Act making an appropriation to the Corry Hospital Association, of Corry, Pennsylvania.

Mr. SULLIVAN, from the Committee on Appropriations, reported as amended, House Bill No. 367, entitled

An Act making an appropriation to Western Pennsylvania Hospital.

Mr. HOLLINGSWORTH, from the Committee on Appropriations, reported as amended House Bill No. 372, entitled

An Act making an appropriation to the Chester County Hospital, West Chester, Pennsylvania.

Mr. THOMAS, from the Committee on Appropriations, reported as amended House Bill No. 385, entitled

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital at Wilkes-Barre, Pennsylvania.

Mr. SINCLAIR, from the Committee on Appropriations, reported as amended, House Bill No. 415, entitled

An Act making an appropriation to the Uniontown Hospital of Uniontown, Fayette County, Pennsylvania.

Mr. THEODORE MORGAN, from the Committee on Appropriations, reported as amended House Bill No. 1004, entitled

An Act making an appropriation to the Christian H. Buhl Hospital, of Sharon, Pennsylvania.

Mr. HOFFMAN, from the Committee on Appropriations, reported as amended House Bill No. 839, entitled

An Act making an appropriation to the Columbia Hospital, located at Columbia, Lancaster County, Pennsylvania.

Mr. PERRY, from the Committee on Appropriations, reported as committed Houes Bill No. 480, entitled

An Act making an appropriation to the Medico-Chirurgical Hospital of Philadelphia.

Mr. BOYD, from the Committee on Appropriations, reported as amended House Bill No. 206, entitled

An Act making an appropriation to the Pottstown Hospital, Pottstown, Montgomery County, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as amended House Bill No. 209, entitled

An Act making an appropriation to the Saint Francis Hospital, of Pittsburgh, Pennsylvania.

Mr. JONES, from the Committee on Appropriations, reported as amended House Bill No. 200, entitled

An Act making an appropriation to the West Side Hospital Association of the City of Scranton.

Mr. McCAIG, from the Committee on Appropriations, reported as amended House Bill No. 370, entitled

An Act making an appropriation to the Montefiore Hospital Association of Western Pennsylvania, located at Pittsburgh.

Mr. JONES, from the Committee on Appropriations, reported as amended House Bill No. 67, entitled

An Act making an appropriation to the Mid-Valley Hospital.

Mr. CHARLES A. SHAFFER, from the Committee on Appropriations, reported as amended House Bill No. 368, entitled

An Act making an appropriation to the Bloomsburg Hospital, Bloomsburg, Pennsylvania.

Mr. THEODORE CAMPBELL, from the Committee on Appropriations, reported as amended House Bill No. 588, entitled

An Act making an appropriation to the German Hospital, of the City of Philadelphia.

Mr. WEST, from the Committee on Appropriations, reported as amended House Bill No. 634, entitled

An Act making an appropriation to the Mary M. Packer Hospital, Sunbury, Pennsylvania.

Mr. COX, from the Committee on Appropriations, reported as amended House Bill No. 1647, entitled

An Act making an appropriation to the Hospital of the Hahnemann Medical College and Hospital, of Philadelphia.

Mr. HOLLINGSWORTH, from the Committee on Appropriations, reported as amended House Bill No. 29, entitled

An Act making appropriation to the Homeopathic Hospital of Chester County, located at West Chester, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended House Bill No. 623, entitled

An Act making an appropriation to Saint John's General Hospital, of Pittsburgh, Pennsylvania.

Mr. MURDOCK, from the Committee on Appropriations, reported as amended House Bill No. 806, entitled

An Act making an appropriation to the Ohio Valley General Hospital, McKees Rocks, Pennsylvania.

Mr. HORTON, from the Committee on Appropriations, reported as amended House Bill No. 632, entitled

An Act making an appropriation to the Markleton General Hospital at Markleton, Pennsylvania, Somerset County.

Mr. HOUGH, from the Committee on Appropriations, reported as amended House Bill No. 280, entitled

An Act making an appropriation to the Presbyterian Hospital, of Pittsburgh, Pennsylvania.

Mr. SPROWLS, from the Committee on Appropriations, reported as amended House Bill No. 746, entitled

An Act making an appropriation to the Waynesburg Hospital, of Waynesburg, Greene County, Pennsylvania.

Mr. LUPPERT, from the Committee on Appropriations, reported as amended House Bill No. 658, entitled

An Act making an appropriation to the Williamsport Hospital, of the city of Williamsport, Pennsylvania.

Mr. THEODORE CAMPBELL, from the Committee on Appropriations, reported as committed House Bill No. 408, entitled

An Act making an appropriation to the West Philadelphia General Homeopathic Hospital and Dispensary, Philadelphia.

Mr. JEFFERSON W. SMITH, from the Committee on Appropriations, reported as amended House Bill No. 179, entitled

An Act making an appropriation to the Philadelphia Polyclinic and College for Graduates in Medicine.

Mr. MURDOCK, from the Committee on Appropriations, reported as amended House Bill No. 754, entitled

An Act making an appropriation to the Children's Hospital of Pittsburgh in the City of Pittsburgh, Pennsylvania.

Mr. RAMSEY, from the Committee on Appropriations, reported as amended House Bill No. 1138, entitled

An Act making an appropriation to the Taylor Hospital, Ridley Park, Delaware County, Pennsylvania.

Mr. BENNINGER, from the Committee on Appropriations, reported as amended House Bill No. 1416, entitled

An Act making an appropriation to the Sacred Heart Hospital, Allentown, Lehigh County, Pennsylvania.

Mr. RININGER, from the Committee on Appropriations, reported as amended House Bill No. 181, entitled

An Act making an appropriation to the Mercy Hospital, of Altoona, Blair County, Pennsylvania.

Mr. PERRY, from the Committee on Appropriations, reported as amended House Bill No. 258, entitled

An Act making an appropriation to the Mercy Hospital and School for Nurses in the City of Philadelphia, Pennsylvania.

Mr. LEWIS, from the Committee on Appropriations, reported as amended House Bill No. 1427, entitled

An Act making an appropriation to the Kittanning General Hospital, Kittanning, Pennsylvania.

Mr. JONES, from the Committee on Appropriations, reported as amended House Bill No. 747, entitled

An Act making an appropriation to the Carbondale Emergency Hospital, Carbondale, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as amended House Bill No. 108, entitled

An Act making an appropriation to the Pittsburgh Hospital Sisters of Charity of Pittsburgh, Pennsylvania.

Mr. LEWIS, from the Committee on Appropriations, reported as amended House Bill No. 22, entitled

An Act making an appropriation to the Punxsutawney Hospital of Punxsutawney, Pennsylvania.

Mr. HOUGH, from the Committee on Appropriations, reported as amended House Bill No. 458, entitled

An Act making an appropriation to the Suburban General Hospital, of Bellevue, Allegheny County, Pennsylvania.

Mr. MURPHY, from the Committee on Appropriations, reported as amended House Bill No. 668, entitled

An Act making an appropriation to Saint Luke's Homeopathic Hospital, of Philadelphia, Pennsylvania.

Mr. WILLIAM DAVIS, from the Committee on Appropriations, reported as amended House Bill No. 469, entitled

An Act making an appropriation to the Johnstown City Hospital, of Johnstown, Pennsylvania.

Mr. HECHT, from the Committee on Appropriations, reported as amended House Bill No. 1210, entitled

An Act making an appropriation to the Stetson Hospital, of Philadelphia, Pennsylvania.

Mr. SHUNK, from the Committee on Appropriations, reported as amended House Bill No. 715, entitled

An Act making an appropriation to the Hamot Hospital Association, of the City of Erie, Pennsylvania.

Mr. BOYD, from the Committee on Appropirations, reported as amended House Bill No. 242, entitled

An Act making an appropriation to the Homeopathic Hospital of Pottstown, Montgomery County, Pennsylvania.

Mr. SIMPSON, from the Committee on Appropriations, reported as amended House Bill No. 237, entitled

An Act making an appropriation to Saint Joseph's Hospital and Dispensary of Pittsburgh, Pennsylvania.

Mr. BENNINGER, from the Committee on Appropriations, reported as amended House Bill No. 235, entitled

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital of Reading, Pennsylvania.

Mr. BOUTON, from the Committee on Appropriations, reported as amended House Bill No. 168, entitled

An Act making an appropriation to the Citizens General Hospital of New Kensington, Westmoreland County, Pennsylvania.

Mr. THEODORE MORGAN, from the Committee on Appropriations, reported as amended House Bill No. 448, entitled

An Act making an appropriation to the Shenango Valley Hospital of New Castle, Pennsylvania.

Mr. THEODORE MORGAN, from the Committee on Appropriations, reported as amended House Bill No. 208, entitled

An Act making an appropriation to the Providence Hospital, of Beaver Falls, Beaver County, Pennsylvania.

Mr. SIMPSON, from the Committee on Appropirations, reported as amended House Bill No. 1066, entitled

An Act making an appropriation to the Homestead Hospital, Homestead, Pennsylvania.

Mr. BENNINGER, from the Committee on Appropriations, reported as committed House Bill No. 765, entitled

An Act making an appropriation to the Easton Hospital at Easton.

Mr. HOFFMAN, from the Committee on Appropriations, reported as amended House Bill No. 1079, entitled

An Act making an appropriation to the Lancaster General Hospital, Lancaster, Pennsylvania.

Mr. THEODORE MORGAN, from the Committee on Appriations, reported as amended House Bill No. 205, entitled

An Act making an appropriation to the Beaver Valley General Hospital, at New Brighton, Pennsylvania.

Mr. COX, from the Committee on Approprations, reported as amended House Bill No. 271, entitled

An Act making an appropriation to the Frankford Hospital, located in Frankford, Philadelphia, Pennsylvania.

Mr. MARVIN, from the Committee on Appropriations, reported as amended House Bill No. 112, entitled

An Act making an appropriation to the Bradford Hospital, of the City of Bradford, Pennsylvania.

Mr. SCOTT, from the Committee on Appropriations, reported as amended House Bill No. 651, entitled

An Act making appropriation to the City Hospital of DuBois, Clearfield County, Pennsylvania.

Mr. BENNINGER, from the Committee on Appropriations, reported as amended House Bill No. 239, entitled

An Act making an appropriation to the Reading Hospital in the City of Reading, Pennsylvania.

Mr. A. DAVID MILLER, from the Committee on Appropriations, reported as amended House Bill No. 625, entitled

An Act making an appropriation to the Westmoreland Hospital Association, of Greensburg, Pennsylvania.

Mr. VOGDES, from the Committee on Appropriations, reported as amended House Bill No. 103, entitled

An Act making an appropriation to the Kensington Hospital for Women of Philadelphia, Pa.

Mr. JEFFERSON W. SMITH, from the Committee on Appropriations, reported as amended House Bill No. 92, entitled

An Act making an appropriation to the Lying-in-Charity Hospital, Philadelphia.

Mr. MURDOCK, from the Committee on Appropriations, reported as amended House Bill No. 803, entitled

An Act making an appropraition to the Columbia Hospital, Wilkinsburg, Pennsylvania.

Mr. PERRY, from the Committee on Appropriations, reported as amended House Bill No. 178, entitled

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases.

Mr. LAFFERTY, from the Committee on Appropriations, reported as amended House Bill No. 467, entitled

An Act making an appropriation for the Hospital Department of the Jewish Hospital Association of Philadelphia.

Mr. MURDOCK, from the Committee on Appropriations, reported as amended House Bill No. 115, entitled

An Act making an appropriation to the Allegheny Valley General Hospital, of Tarentum, Pennsylvania.

Mr. THOMAS, from the Committee on Appropriations, reported as amended House Bill No. 1162, entitled

An Act making an appropriation to the Nesbit West Side Hospital, Dorranceton, Luzerne County, Pennsylvania.

Mr. MURPHY, from the Committee on Appropriations, reported as amended House Bill No. 151, entitled

An Act making an appropriation for Pittston Hospital, Association of Pittston, Pennsylvania.

Mr. McKINNEY, from the Committee on Appropriations, reported as committeed House Bill No. 704, entitled

An Act making an appropriation to the New Castle Hospital, New Castle, Lawrence County, Pennsylvania.

Mr. HECHT, from the Committee on Appropriations, reported as amended House Bill No. 1245, entitled

An Act making an appropriation to the Mount Sinai Hospital of Philadelphia.

Mr. BEECHTOLD, from the Committee on Appropriations, reported as amended House Bill No. 278, entitled

An Act making an appropriation to The Carlisle Hospital, of Carlisle, Pennsylvania.

Mr. JONES, from the Committee on Appropriations, reported as amended House Bill No. 188, entitled

An Act making an appropriation to the Taylor Hospital Association, of the Borough of Taylor, Lackawanna County, Pennsylvania.

Mr. THEODORE MORGAN, from the Committee on Appropriations, reported as amended House Bill No. 391, entitled

An Act making an appropriation to the Rochester General Hospital, at Rochester, Beaver County, Pennsylvania.

Mr. PICKERING, from the Committee on Appropriations, reported as amended House Bill No. 227, entitled

An Act making an appropriation to the General Hospital of East Stroudsburg, Pennsylvania.

BILLS ON FIRST READING.

Mr. WOODWARD asked and obtained unaimous consent to have the following appropriation bills read the first time:

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 346, entitled

An Act making an appropriation to the Friends' Home for Children situate at four thousand and eleven Aspen Street, Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 21, entitled

An Act making an appropriation to the Memorial Home of Brooksville, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 11, entitled

An Act making an appropriation to the Home for Aged Veterans and Wives, located at Sixty-fifth and Vine Streets, in the City of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 351, entitled

An Act making an appropriation to the Children's Aid Society and Home for the Aged, Meadville, Crewford County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 138, entitled

An Act making an appropriation to the "Christian Home for Women."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 345, entitled

An Act making an appropriation to the Beulah Anchorage, of Reading, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 49, entitled

An Act making an appropriation to the Roselia Foundling Asylum and Maternity Hospital of the City of Pittsburgh.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1631 (Senate Bill No. 753), entitled

An Act creating an Economy, Efficiency and Budget Commission; designating its members; providing for a secretary and other employes thereof; and prescribing its powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 463, entitled

An Act making an appropriation to the Home of the Good Shephard, Lincoln Avenue, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 133, entitled

An Act making an appropriation to the United Zion Home at Warwick, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 460, entitled

An Act making an appropriation to the Home of Industry for Discharged Prisoners of the City of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 452, entitled

An Act making an appropriation to the Saint Joseph's Protectory for Homeless Boys, of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 433, entitled

An Act making an appropriation to the Florence Crittenton Mission, of Scranton, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 406, entitled

An Act making an appropriation to the Pennsylvania Seaman's Friend Society of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 283, entitled

An Act making an appropriation to the Western Pennsylvania Humane Society, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 276, entitled

An Act making an appropriation to the Salvation Army and Rescue Home, at Bellevue, Allegheny County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 304, entitled

An Act making an appropriation to the Messiah Orphanage, of Monaghan Township, York County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 310, entitled

An Act making an appropriation to the Providence Mission and Rescue Home, of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 826, entitled

An Act making an appropriation to the Northwestern Anti-Tuberculosis League, for the Grandview Sanatorium and the Bonair Sanatorium.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 347, entitled

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 318, entitled

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 760, entitled

An Act making an appropriation to the Sylvan Heights Home for Orphan Girls, at Harrisburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 699, entitled

An Act making an appropriation to the Erie Home for the Friendless of the City of Erie, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 257, entitled

An Act making an appropriation to the Nazarine Home for the Aged, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 703, entitled

An Act making an appropriation to the Pittsburgh and Allegheny Home for the Friendless, situated in the City of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 975, entitled

An Act making an appropriation to the Philadelphia Home for Infants, located at four thousand six hundred eighteen, Westminster avenue, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 214, entitled

An Act making an appropriation to the Pennsqlvania Association for the Blind, at Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 127, entitled

An Act making an appropriation to the Home for Friendless Children, in the City of Reading, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 421, entitled

An Act making an appropriation to the Children's Aid Society of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 964, entitled

An Act making an appropriation to the Pittsburgh Sunshine Children's Home, located at 3523 California Avenue, North Side, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 831, entitled

An Act making an appropriation to the House of Good Shepherd, Scranton, Lackawanna County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 743, entitled

An Act making an appropriation to the Florence Crittenton Circle of Wilkes-Barre.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1500, entitled

An Act making an appropriation to Saint John's Orphan Asylum, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 697, entitled

An Act making an appropriation to the Erie Infant's Home and Hospital at Erie, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 707, entitled

An Act making an appropriation to the Ladies of the Grand Army of the Republic Home, at Hawkins Station, Allegheny County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 993, entitled

An Act making an appropriation to the St. Joseph's Protectory, Norristown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1502, entitled

An Act making an appropriation to the Catholic Home for Destitute Children, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 661, entitled

An Act making an appropriation to the Florence Crittenton Mission, of the City of Williamsport, Lycoming County, Pennsylvania.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 301, entitled

An Act making an appropriation to the De Paul Institute, of Mount Lebanon Township, Allegheny County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 647, entitled

An Act making an appropriation to the Pottsville Benevolent Home for Children, Pottsville, Schuylkill County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 210, entitled

An Act making an appropriation to the Orphan Asylum of the Holy Family of Emsworth, Allegheny County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 870, entitled

An Act making an appropriation to the Easton Home for Friendless Children, at Easton Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 667, entitled

An Act making an appropriation to the Aged Colored Women's Home, at Williamsport, Lycoming County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 673, entitled

An Act making an appropriation to the Williamsport Training Home for Girls, at Williamsport, Lycoming County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 289, entitled

An Act making an appropriation to the Hebrew Sheltering Home and Day Nursery for Children in the County of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 140, entitled

An Act making an appropriation to the Christian Home, of Johnstown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 147, entitled

An Act making an appropriation to the Home for the Aged, one thousand eight hundred and nine Mount Vernon Street, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 157, entitled

An Act making an appropriation to the Bethesda Home.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 154, entitled

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 158, entitled

An Act making an appropriation to the Saint Joseph's Foundling Home and Maternity Hospital, 1850 Adams Avenue, Scranton, Pennsylvania.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 159, entitled

An Act making an appropriation to the Home for Colored Children, located in the City of Pittsburgh.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 180, entitled

An Act making an appropriation to the Penn Asylum for Indigent Widows and Single Women, located at Belgrade Street and Susquehanna Avenue, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 186, entitled

An Act making an appropriation to the United Charities, of Hazleton, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 207, entitled

An Act making an appropriation to the Beaver County Children's Home Association, of New Brighton, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 256, entitled

An Act making an appropriation to the House of Good Shepherd, Penn and Chew Streets, Germantown, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 671, entitled

An Act making an appropriation to the Boy's Industrial Home, at Williamsport, Lycoming County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 665, entitled

An Act making an appropriation to the Home for the Friendless, of the City of Williamsport, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 729, entitled

An Act making an appropriation to the German Protestant Home for Aged at Fair Oaks, Allegheny County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 427, entitled

An Act making an appropriation to the Pittsburgh Home for Babies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 716, entitled

An Act making an appropriation to the Florence Crittenton Home of Erie, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 830, entitled

An Act making an appropriation to the Beacon Light Mission, near the City of Bradford, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 750, entitled

An Act making an appropriation to the Home for Widows and Single Women of Lebanon and Lebanon County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 213, entitled

An Act making an appropriation to the Industrial Home for Crippled Children, at Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 793, entitled

An Act making an appropriation to the Sewickley Fresh Air Home, in Beaver County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 828, entitled

An Act making an appropriation to the Coleman Industrial Home for Colored Boys, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 948, entitled

An Act making an appropriation to the Pennsylvania Working Home for Blind Men for maintenance in handicraft employment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 466, entitled

An Act making an appropriation to the Almira Home for Aged Women, of New Castle, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 814, entitled

An Act making an appropriation to the Philadelphia Home for Incurables.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1505, entitled

An Act making an appropriation to the Philadelphia Protectory for Boys, Protectory Station, Montgomery County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 273, entitled

An Act making an appropriation to the Old Ladies' Home, of Wissinoming, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 871, entitled

An Act making an appropriation to the Home for Aged and Infirm Women, at Easton, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 125, entitled

An Act making an appropriation to the Sisters of Charity of Saint Catharine's Orphan Asylum, of Reading, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 55, entitled

An Act making an appropriation to the York Society to Protect Children and Aged Persons, of York, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 50, entitled

An Act making an appropriation to the Curtis Home for Destitute Women and Children, of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 47, entitled

An Act making an appropriation to the Rosine Association, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 907, entitled

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 475, entitled

An Act making an appropriation to the Society of the Home for the Friendless Women and Children of Scranton, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 492, entitled

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania, located at Oakdale, Allegheny County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 586, entitled

An Act making an appropriation to the George Junior Republic Association, of Western Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 616, entiled

An Act making an appropriation to the Home of the Good Shepherd of the County of Allegheny, Lowrie Street, Troy Hill, North Side, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 617, entitled

An Act making an appropriation to the Westmoreland County Children's Aid Society, at Greensburg, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 709, entitled

An Act making an appropriation to the Children's Aid Society, of Franklin County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 627, entitled

An Act making an appropriation to the West Mountain Sanitorium of Scranton, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 827, entitled

An Act making an appropriation to the Tuberculosis League of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 712, entitled

An Act making an appropriation to the Colored Women's Relief Association of Western Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 963, entitled

An Act making an appropriation to the First Allegheny Day Nursery and Temporary Home for Children, Pittsburgh.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1503, entitled

An Act making an appropriation to Saint Vincent's Home, Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 428, entitled

An Act making an appropriation to the Pittsburgh Newsboys' Home, of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 980, entitled

An Act making an appropriation to the Woman's Union Day Nursery, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1035, entitled

An Act making an appropriation to the Robert Wood Industrial Home and Day Nursery, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 874, entitled

An Act making an appropriation for the Associated Charities and Humane Society of Lackawanna County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1504, entitled

An Act making an appropriation to Saint Vincent's Home and Maternity Hospital, Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1068, entitled

An Act making an appropriation to the Woods Run Settlement Association, Petosky Street, North Side, Pittsburgh, Allegheny County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1399, entitled

An Act making an appropriation to St. Patrick's Orphan Asylum, of Scranton, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1175, entitled

An Act making an appropriation to Saint Vincent's Orphans' Asylum, of Tacony, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1319, entitled

An Act, making an appropriation to the Fairfax Baby and Children's Home, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 389, entitled

An Act making an appropriation to the Passavant Memorial Homes, at Rochester, Beaver County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 387, entitled

An Act making an appropriation to the Home for Aged and Infirm Colored Women of Western Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 130, entitled

An Act making an appropriation to the Home for Widows and Single Women of Reading, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 126, entitled

An Act making an appropriation to the House of the Good Shepherd, in the City of Reading, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 132, entitled

An Act making an appropriation to the Home for Friendless Children, of Lancaster, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 129, entitled

An Act making an appropriation to the Bernardine Sisters of the Third Order of Saint Francis, of Millmont, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 169, entitled

An Act making an appropriation to the Hahnemann Hospital of Scranton, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 156, entitled

An Act making an appropriation to the Robert Packer Hospital.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 167, entitled

An Act making an appropriation to the Meadville City Hospital, of Meadville, Crawford County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 165, entitled

An Act making an appropriation to the City Hospital Association of Washington, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 211, entitled

An Act making an appropriation to the Mount Pleasant Memorial Hospital, of Mount Pleasant, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 212, entitled

An Act making an appropriation to the Warren Emergency Hospital, of Warren, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 253, entitled

An Act making an appropriation to the Woman's Medical College of Pennsylvania, for use in the Hospital Department, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 30, entitled

An Act making an appropriation to the trustees of the Coatesville Hospital, Coatesville, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 48, entitled

An Act making an appropriation to The Roosevelt Hospital, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 65, entitled

An Act making an appropriation to the Titusville Hospital, at Titusville, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 155, entitled

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburgh.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1016, entitled

An Act making an appropriation to the Simon H. Barnes Memorial Hospital, of Susquehanna, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1003, entitled

An Act making an appropriation to the Trustees of the Grove City Hospital, located at Grove City, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 78, entitled

An Act making an appropriation to the Mercy Hospital at Wilkes-Barre, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 944, entitled

An Act making an appropriation to the Children's Homeopathic Hospital, of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 979, entitled

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 943, entitled

An Act making an appropriation to the Good Samaritan Hospital, of Lebanon, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 983, entitled

An Act making an appropriation to the West Philadelphia Hospital for Women, in the City of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 252, entitled

An Act making an appropriation to the National Stomach Hospital, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 148, entitled

An Act making an appropriation to the J. C. Blair Memorial Hospital, located at Huntingdon, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of 146, entitled

An Act making an appropriation to the Conemaugh Valley Memorial Hospital, at the City of Johnstown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 810, entitled

An Act making an appropriation to the Hospital of the University of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 139, entitled

An Act making an appropriation to the Mercy Hospital, of Johnstown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 811, entitled

An Act making an appropriation to the Wills Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 128, entitled

An Act making an appropriation to the Saint Joseph's Hospital, in the City of Reading, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 254, entitled

An Act making an appropriation to the Germantown Hospital, of Germantown, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 491, entitled

An Act making an appropriation to the Mercy Hospital of Pittsburgh.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 28, entitled

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm, Chester County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 198, entitled

An Act making an appropriation to the Grand View Hospital, located near Sellersville, Bucks County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 233, entitled

An Act making an appropriation to the Gynecean Hospital, in the City of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 246, entitled

An Act making an appropriation to the Butler County General Hospital, at Butler, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 124, entitled

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 183, entitled

An Act making an appropriation to the Nason Hospital Association, Roaring Spring, Blair County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 287, entitled

An Act making an appropriation to the trustees of Temple University for the use of Samaritan Hospital, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 184, entitled

An Act making an appropriation to the Saint Mary's Hospital, located at Frankford Avenue and Palmer Street, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 291, entitled

An Act making an appropriation to the Greenville Hospital, Greenville, Mercer County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 144, entitled

An Act making an appropriation to the Miners' Hospital of Northern Cambria, at Spangler, in Cambia County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 294, entitled

An Act making an appropriation to the trustees of Temple University for the use of Garretson Hospital, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill 302, entitled

An Act making an appropriation to the Canonsburg General Hospital Association, at Canonsburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Houes Bill No. 121, entitled

An Act making an appropriation to the Allegheny General Hospital, of the North Side, City of Pittsburgh.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 303, entitled

An Act making an appropriation to the Charleroi-Monessen Hospital, Charleroi, Washington County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 297, entitled

An Act making an appropriation to the Woman's Hospital of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 305, entitled

An Act making an appropriation to the American Oncologic Hospital at Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 314, entitled

An Act making an appropriation to the Brownsville General Hospital, of Brownsville, Fayette County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 353, entitled

An Act making an appropriation to the Clearfield Hospital, Clearfield, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 350, entitled

An Act making an appropriation to the Charity Hospital of Norristown, Montgomery County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 361, entitled

An Act making an appropriation to the Memorial Hospital Association, of Monongahela City, Washington County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 299, entitled

An Act making an appropriation to the Women's Homeopathic Association, of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 431, entitled

An Act making an appropriation to the Harrisburg Hospital, Harrisburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 296, entitled

An Act making an appropriation to Saint Joseph's Hospital of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 885, entitled

An Act making an appropriation to the McKeesport Hospital, McKeesport, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 823, entitled

An Act making an appropriation to the Spencer Hospital, located at Meadville, Crawford County, Pennsylvania.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 896, entitled

An Act making an appropriation to the Washington Hospital, of Washington, Pennsylvania.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 701, entitled

An Act making an appropriation to the Renovo Hospital.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 669, entitled

An Act making an appropriation to the Ellwood City Hospital, Ellwood City, Pennsylvania.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 25, entitled

An Act making an appropriation to the trustees of the Phoenixville Hospital.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 9, entitled

An Act making an appropriation to the Woman's Southern Homoeopathic Hospital of Philadelphia.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 654, entitled

An Act making an appropriation for the Kane Summit Hospital Association of Kane, Pennsylvania.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 105, entitled

An Act making an appropriation to St. Mary's Keller Memorial Hospital, Scranton, Lackawanna County.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 865, entitled

An Act making an appropriation to the Bellefonte Hospital, Bellefonte, Centre County, Pennsylvania.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 739, entitled

An Act making an appropriation to the Maternity Hospital in the City of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 24, entitled

An Act making an appropriation to the Sewickley Valley Hospital Association, Incorporated, of Allegheny County, Pennsylvania.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 12, entitled

An Act making an appropriation to the Chester Hospital, in the City of Chester, Pennsylvania.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 698, entitled

An Act making an appropriation to the Saint Vincent's Hospital Association, of the City of Erie, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 708, entitled

An Act making an appropriation to the Chambersburg Hospital, of Chambersburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 182, entitled

An Act making an appropriation to the Altoona Hospital, Altoona, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 777, entitled

An Act making an appropriation to the Oil City Hospital, Oil City, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 755, entitled

An Act making an appropriation to the Passavant Hospital of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 646, entitled

An Act making an appropriation to the Pottsville Hospital, Pottsville, Schuylkill County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 726, entitled

An Act making an appropriation to the DuBois Hospital, of DuBois, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 629, entitled

An Act making an appropriation to the South Side Hospital, of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 710, entitled

An Act making an appropriation to the Lewistown Hospital, of Lewistown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 652, entitled

An Act making an appropriation to the Lock Haven Hospital, of Lock Haven, Clinton County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 624, entitled

An Act making an appropriation to the Saint Timothy's Memorial Hospital and House of Mercy, Roxborough, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 585, entitled

An Act making an appropriation to the Northwestern General Hospital, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 483, entitled

An Act making an appropriation to the Elk County General Hospital, of Ridgway, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 481, entitled

An Act making an appropriation to the Indiana Hospital of Indiana County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 471, entitled

An Act making an appropriation to the Jefferson Medical College of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 369, entitled

An Act making an appropriation to the Eye and Ear Hospital, of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 365, entitled

An Act making an appropriation to the Berwick Hospital, Berwick, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 20, entitled

An Act making an appropriation to the Adrian Hospital, of Punxsutawney, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 702, entitled

An Act making an appropriation to the Braddock General Hospital, of Braddock, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 371, entitled

An Act making an appropriation to the Corry Hospital Association, of Corry, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 367, entitled

An Act making an appropriation to Western Pennsylvania Hospital.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 372, entitled

An Act making an appropriation to the Chester County Hospital, West Chester, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 385, entitled

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital at Wilkes-Barre, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 415, entitled

An Act making an appropriation to the Uniontown Hospital of Uniontown, Fayette County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1004, entitled

An Act making an appropriation to the Christian H. Buhl Hospital, of Sharon, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 839, entitled

An Act making an appropriation to the Columbia Hospital, located at Columbia, Lancaster County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 480, entitled

An Act making an appropriation to the Medico-Chirurgical Hospital of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 206, entitled

An Act making an appropriation to the Pottstown Hospital, Pottstown, Montgomery County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 209, entitled

An Act making an appropriation to the Saint Francis Hospital, of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 200, entitled

An Act making an appropriation to the West Side Hospital Association of the City of Scranton.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 370, entitled

An Act making an appropriation to the Montefiore Hospital Association of Western Pennsylvania, located at Pittsburgh.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 67, entitled

An Act making an appropriation to the Mid-Valley Hospital.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 368, entitled

An Act making an appropriation to the Bloomsburg Hospital, Bloomsburg Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 588, entitled

An Act making an appropriation to the German Hospital, of the City of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 634, entitled

An Act making an appropriation to the Mary M. Packer Hospital, Sunbury, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1647, entitled

An Act making an appropriation to the Hospital of the Hahnemann Medical College and Hospital, of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 29, entitled

An Act making an appropriation to the Homeopathic Hospital of Chester County, located at West Chester, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 623, entitled

An Act making an appropriation to Saint John's General Hospital, of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 806, entitled

An Act making an appropriation to the Ohio Valley General Hospital, McKees Rocks, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 632, entitled

An Act making an appropriation to the Markleton General Hospital at Markleton, Pennsylvania, Somerset County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 280, entitled

An Act making an appropriation to the Presbyterian Hospital, of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 746, entitled

An Act making an appropriation to the Waynesburg Hospital, of Waynesburg, Greene County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 658, entitled

An Act making an appropriation to the Williamsport Hospital, of the City of Williamsport, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill 408, entitled

An Act making an appropriation to the West Philadelphia General Homeopathic Hospital and Dispensary, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 179, entitled

An Act making an appropriation to the Philadelphia Polyclinic and College for Graduates in Medicine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 754, entitled

An Act making an appropriation to the Children's Hospital of Pittsburgh, in the City of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1138, entitled

An Act making an appropriation to the Taylor Hospital, Ridley Park, Delaware County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1416, entitled

An Act making an appropriation to the Sacred Heart Hospital, Allentown, Lehigh County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 181, entitled

An Act making an appropriation to the Mercy Hospital, of Altoona, Blair County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 258, entitled

An Act making an appropriation to the Mercy Hospital and School for Nurses, in the City of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1427, entitled

An Act making an appropriation to the Kittanning General Hospital, Kittanning, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 747, entitled

An Act making an appropriation to the Carbondale Emergency Hospital, Carbondale, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 108, entitled

An Act making an appropriation to the Pittsburgh Hospital Sisters of Charity of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 22, entitled

An Act making an appropriation to the Punxsutawney Hospital of Punxsutawney, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 458, entitled

An Act making an appropriation to the Suburban General Hospital, of Bellevue, Allegheny County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 668, entitled

An Act making an appropriation to Saint Luke's Homeopathic Hospital, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 469, entitled

An Act making an appropriation to the Johnstown City Hospital, of Johnstown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1210, entitled

An Act making an appropriation to the Stetson Hospital, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 715, entitled

An Act making an appropriation to the Hamot Hospital Association, of the City of Erie, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 242, entitled

An Act making an appropriation to the Homeopathic Hospital of Pottstown, Montgomery County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 237, entitled

An Act making an appropriation to Saint Joseph's Hospital and Dispensary of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 235, entitled

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital of Reading, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 168, entitled

An Act making an appropriation to the Citizens General Hospital of New Kensington, Westmoreland County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 448, entitled

An Act making an appropriation to the Shenango Valley Hospital of New Castle, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 208, entitled

An Act making an appropriation to the Providence Hospital, of Beaver Falls, Beaver County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1066, entitled

An Act making an appropriation to the Homestead Hospital, Homestead, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 765, entitled

An Act making an appropriation to the Easton Hospital at Easton.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1079, entitled

An Act making an appropriation to the Lancaster General Hospital, Lancaster, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 205, entitled

An Act making an appropriation to the Beaver Valley General Hospital, at New Brighton, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 271, entitled

An Act making an appropriation to the Frankford Hospital, located in Frankford, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 112, entitled

An Act making an appropriation to the Bradford Hospital, of the city of Bradford, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 651, entitled

An Act making an appropriation to the City Hospital of Du Bois, Clearfield County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 239, entitled

An Act making an appropriation to the Reading Hospital in the city of Reading, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 625, entitled

An Act making an appropriation to the Westmoreland Hospital Association, of Greensburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 103, entitled

An Act making an appropriation to the Kensington Hospital for Women of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 92, entitled

An Act making an appropriation to the Lying-in-Charity Hospital, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 803, entitled

An Act making an appropriation to the Columbia Hospital, Wilkinsburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 178, entitled

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 467, entitled

An Act making an appropriation for the Hospital Department of the Jewish Hospital Association of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 115, entitled

An Act making an appropriation to the Allegheny Valley General Hospital, of Tarentum, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1162, entitled

An Act making an appropriation to the Nesbit West Side Hospital, Dorranceton, Luzerne County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 151, entitled

An Act making an appropriation for Pittston Hospital Association of Pittston, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 704, entitled

An Act making an appropriation to the New Castle Hospital, New Castle, Lawrence County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1245, entitled

An Act making an appropriation to the Mount Sinai Hospital of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 278, entitled

An Act making an appropriation to The Carlisle Hospital, of Carlisle, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 188, entitled

An Act making an appropriation to the Taylor Hospital Association of the Borough of Taylor, Lackawanna County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 391, entitled

An Act making an appropriation to the Rochester General Hospital, at Rochester, Beaver County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 227, entitled

An Act making an appropriation to the General Hospital of East Stroudsburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

Senate Bill No. 216.

An Act relating to the salaries and expenses of the examiners in the Department of Banking

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

A CONCURRENT RESOLUTION.

Whereas, The Senate of the United States at its last regular session failed to pass the Rivers and Harbors Bill which contained appropriations for the continuance of the work on the thirty-five foot channel in the Delaware River, for beginning work on a new project for a wider and deeper channel in the Schuylkill, provision for the acquirement by the Government of the Chesapeake and Delaware Canal, and many other important items; and

Whereas, Unless further appropriations are made for the continuance of the work and the maintenance of the channel already completed, the unfinished work on the channel of the Delaware River must be abandoned on the thirtieth day of June, one thousand nine hundred and seventeen; and thereby the project on which large sums of money have already been expended will become of little or no value; and

Whereas, The importance of the Navy of the United States, and particularly to the Philadelphia Navy Yard, of the continuance of this work to final completion and its continued maintenance cannot be overestimated, particularly during the present period of the war with Germany, therefore

Be it Resolved (if the House of Representatives concur) That the General Assembly of the Commonwealth of Pennsylvania hereby urges upon the Congress of the United States the importance of the passage at its present extraordinary session, of a Rivers and Harbors bill, carrying an adequate appropriation for the carrying on and maintenance of the project of the Delaware River Channel; and

Be it further Resolved that copies of this resolution be presented to the Senators and Congressman representing this Commonwealth in the Congress of the United States; and that said Senators and Congressmen are hereby urged to exert their greatest efforts for the furtherance and final passage of such a measure.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON FINAL PASSAGE.

Mr. MILNER asked and obtained unanimous consent to call up House Bill No. 1391, file folio 5321, on page 15 of to-day's calendar, bills on final passage postponed, for the purpose of amendment.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 1391, entitled

An Act to amend section five of an act approved the tenth day of April one thousand eight hundred seventy-nine entitled "An Act relating to mutual saving fund building and loan associations regulating the mode of charging premiums bonus or interest in advance of withdrawals of repayment and collection of loans also restricting the power to levy excessive fines and defining the rights and liabilities of married women stockholders and prescribing the non-application to these associations of the bonus tax and registry laws for corporations"

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. MILNER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. GLASS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. MILNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 27 by striking out the word "three" and inserting in lieu thereof the word "six."

Amend section 1, page 2, line 27, by inserting after the word "months" the following

"where the loan or loans to the stockholder is secured by a first lien and for the space of three months where the loan or loans to the stockholder is otherwise secured"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 16, 1917.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing for the recall of House Bill No. 846.

MARTIN G. BRUMBAUGH.

RECONSIDERATION OF VOTE.

Mr. DITHRICH. Mr. Speaker, I move that the vote by which House Bill No. 846, entitled

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth

passed finally be reconsidered.

Mr. BALDRIGE. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. DITHRICH. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. BALDRIGE. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. DITHRICH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend by striking out the title and inserting in lieu thereof the following:

"An Act to validate certain municipal claims in the several boroughs of the Commonwealth; providing for the filing of liens therefor and the proceedings for the collection of such claims"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1544 (Senate Bill No. 796), entitled

An Act validating all acts done all contracts and expenditures made by virtue of and all obligations for money borrowed issued under the provisions of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and two) entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the amendments thereof and supplements thereto and making such acts contracts and obligations as valid and effective as if the said act had applied to each and every county within this Commonwealth and was constitutional and valid vesting title to any and all property purchased or condemned by any county for said school under said act in the county which paid for the same

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122.

Aron,	Drinkhouse,	McKay,	Siggins,
Arthur,	Dunn,	McKinney,	Smith, E. R.,
Baker,	Ehrhardt,	McNichol,	Smith, F. I.,
Baldridge,	Fackler,	McVicar,	Smith, J. W.,
Barner,	Fitzgibbon,	Mehring,	Smith, O. W.,
Bechtold,	Franklin,	Mervine,	Snowden,
Bell,	Gans,	Miller, G. J. A.,	Sones,
Benchoff,	Glass,	Mitchell,	Sprowls,
Bennett,	Golder,	Morgan, T. J.,	Sterling,
Benninger,	Goodnough,	Murdoch,	Stern,
Beyer,	Goodwin,	Musser,	Stofflet,
Bidelspacher,	Graeff,	Neary,	Strauss,
Black,	Gransback,	Palmer,	Swartz,
Bovee,	Haight,	Perry,	Taylor,
Brady,	Hecht,	Phillips,	Thomas,
Burnett,	Heffernan,	Pickering,	Ulsh,
Campbell, J. O.,	Hibshman,	Powell,	Wagner,
Canon,	Hollingsworth,	Reitzel,	Walker,
Chestnut,	Howarth,	Rhodes, W. M.,	Wallace,
Clements,	Isherwood,	Rich,	Wells,
Coldsmith,	Jack,	Ringler,	West,
Conner,	Jones,	Rinn,	Whitaker,
Cox,	Laucks,	Rothenberger,	Wickman,
Cummins,	Lauler,	Rudisill,	Williams, J. P.,
Curry,	Leary,	Sampsel,	Wobensmith,
Davis, W.,	Lewis,	Sarig,	Wood,
Dawson,	Lohr,	Schaeffer, A. C.,	Woodward,
Dell,	Mangan,	Shaffer, C. A.,	Wylie,
Dithrich,	Marvin,	Shattuck,	Zanders,
Donneley,	McCaig,	Shunk,	Baldwin,
Drake,	McCurdy,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Mr. HECHT. Mr. Speaker, I desire to call up House Bill No. 1051, File Folio 4341, on page 39 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1051, entitled

An Act to amend an act approved the first day of June one thousand nine hundred eleven entitled "An act designating the employes of the Insurance Department and fixing their salaries"

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Aron,	Ehrhardt,	McCullough,	Shattuck,
Arthur,	Erdman,	McCurdy,	Showalter,
Baker,	Fitzgibbon,	McKay,	Siggins,
Baldi,	Franklin,	McNichol,	Smith, E. R.,
Baldridge,	Gans,	Mehring,	Smith, F. I.,
Barner,	Geary,	Mervine,	Smith, J. W.,
Bechtold,	Glass,	Miller, A. D.,	Sones,
Bennett,	Golder,	Miller, C. G.,	Speicher,
Benninger,	Goodnough,	Miller, G. J. A.,	Sprowls,
Beyer,	Graeff,	Mitchell,	Sterling,
Bidelspacher,	Graham,	Morgan, T. J.,	Stern,
Black,	Haight,	Neary,	Stites,
Bovee,	Haldeman,	Ogden,	Stoffiet,
Brady,	Heffernan,	Palmer,	Sullivan,
Campbell, J. O.,	Heyburn,	Perry,	Swartz,
Campbell, T.,	Hibshman,	Phillips,	Taylor,
Christman,	Hoffman,	Pickering,	Ulsh,
Clements,	Hollingsworth,	Powell,	Urich,
Conner,	Horton,	Reichenbacker,	Vogdes,
Cox,	Howarth,	Reitzel,	Walker,
Crosby,	Jack,	Reynolds,	Wells,
Cummins,	Jones,	Rich,	West,
Curry,	Kennedy,	Ringler,	Whitaker,
Davis, W.,	Lauler,	Rininger,	Wickman,
Dawson,	Leary,	Robertson,	Williams, J. P.,
Dell,	Lewis,	Ross,	Wobensmith,
Dithrich,	Lohr,	Sampsel,	Wood,
Donneley,	Luppert,	Schaeffer, A. C.,	Wylie,
Drinkhouse,	McArdle,	Scott,	Zanders,
Dunn,	McCaig,	Shaffer, C. A.,	

NAYS—7.

Chestnut,	Musser,	Rudisill,	Baldwin,
McKinney,	Rothenberger,	Shunk,	Speaker.

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1166, as follows:

An Act to provide a method upon petition of owner with notice to wife of bankrupt for ascertaining determining and charging statutory interest inchoate on lands of bankrupt sold under order of United States Court by report of viewers and decree of court of common pleas in certain cases freeing and discharging part of such lands from such statutory interest inchoate and charging same upon a portion of lands formerly owned by bankrupt in case of death of wife during life of bankrupt or after his death to discharge the lands from such statutory interest inchoate or statutory interest fixed by decree of court providing for service of rules and notices and for appeal from final decree of such court

Whereas real estate of bankrupts sold under order of the United States courts is not discharged of statutory interest inchoate but is taken by the purchaser subject to such statutory interest and

Whereas it is desirable that a method of ascertaining and determining such statutory interest inchoate should be established before the death of the bankrupt therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any instance where lands of a bankrupt have been or shall hereafter be sold under order of the United States courts and the bankrupt shall be living and shall have a wife living who was his lawful wife during any portion of the time between the date of being declared a bankrupt and completion of sale of his real estate it shall be lawful for the purchaser or purchasers or any of them his their or its heirs successors or assigns to present a petition to the court of common pleas of the county in which such real estate may be situate setting forth the facts together with a description of the real estate owned by the petitioner or petitioners and praying the said court to grant a rule upon the wife of the bankrupt to appear upon a day certain to be designated by said court to show cause if any she has why viewers should not be appointed to ascertain and determine the statutory interest inchoate which she might be entitled to upon the death of her husband the bankrupt should she survive him and also why such dower inchoate should not be entirely charged upon a certain part or portion of the real estate formerly owned by such bankrupt provided the same could be divided and a part thereof should be found by the viewers to be sufficient to secure such statutory interest inchoate

Section 2 Whereupon it shall be the duty of said court of common pleas to direct a rule to issue to be served upon the wife of the bankrupt at least ten days before the return day Such service shall be personal if the wife of the bankrupt resides in the Commonwealth of Pennsylvania should she not reside in the county where the rule issues the sheriff of that county shall transmit the rule to the sheriff of the county wherein she resides and that official shall have authority to make such service and return thereof through the sheriff of the county wherein the rule issues to the court should she not reside in the Commonwealth or should it appear by affidavit of petitioner that her residence is not known and could not be ascertained by diligent inquiry then such service shall be by publication for three successive weeks in one or more newspapers of the county wherein the rule issues the last publication to be ten days before the return day

Section 3 On any day after the return day if it shall appear to the court of common pleas that service of the rule has been made personally or by publication then it shall be the duty of the court to appoint five viewers who shall fix a day for hearing and give notice thereof to the wife of the bankrupt in the manner herein provided for service of the rule

Section 4 Upon the day of hearing testimony shall be heard upon part of petitioner and upon part of respondent should she appear and produce witnesses or other evidence which testimony shall be reduced to writing and filed by the viewers with their report to the court

Section 5 The viewers shall find the facts and make report to the court and such report shall contain the following

(1) The name and residence of the bankrupt the court by which he was declared a bankrupt and the date thereof

(2) The name and residence of the wife of the bankrupt or if her residence shall not be known this fact shall appear

(3) A description of all the real estate held by petitioners and formerly owned by the bankrupt and subject to statutory interest inchoate at the date when he was declared a bankrupt and date when such real estate was sold by order of the United States court and the name of the purchaser or purchasers

(4) The name of the owner or owners of such real estate together with the market value thereof exclusive of the statutory interest inchoate at the time of the hearing and report of viewers

(5) Whether the real estate owned by the petitioner or petitioners could be divided so that the satutory interest inchoate could be secured and charged on a particular portion thereof and if so then a description and draft of each part thereof with the market value of each purpart

(6) A recommendation by the viewers or a majority thereof as to the real estate or the portion thereof upon which such statutory interest inchoate should be charged and in case of division which portion of such real estate should be freed and discharged of such statutory interest inchoate

(7) A finding by the viewers or a majority thereof of the amount of statutory interest inchoate and description of the land upon which the same shall be charged

(8) The report to be signed by not less than a majority of the viewers

Section 6 Upon the filing of the report of viewers the same shall be confirmed nisi and if exceptions to the findings of fact and report of viewers be not filed within ten days the same shall be confirmed absolutely

Section 7 Should exceptions be filed the same shall be heard by the court of common pleas and the findings and report of the viewers shall be affirmed or modified as may be determined by the court and a decree made accordingly fixing and determining the statutory interest inchoate which the respondent may be entitled to upon the death of her husband should she survive him and the land or lands or portion or portions thereof upon which such statutory interest inchoate shall be charged and in case of division freeing and discharging from such statutory interest inchoate other lands owned by and belonging to petitioners

Section 8 Upon the death of the bankrupt and the survival of his wife she shall be entitled to statutory interest upon the valuation fixed and determined by the report of viewers as approved or modified by the court and charged upon such lands by the decree of said court

Section 9 Upon the death of the wife of the bankrupt during the life of the bankrupt or after his death upon proof of such fact duly made to the court of common pleas the court shall decree that the statutory interest inchoate or statutory interest charged upon such land shall be discharged and the same shall be held by the owner free of such statutory interest inchoate

Section 10 Either party shall have the right of appeal from any final decree of the court of common pleas and the same shall be heard and determined by the appellate court and a decree entered accordingly

Section 11 Only lands formerly of the bankrupt and owned by petitioner or petitioners shall be affected by this act

Section 12 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question.
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. WOOD. Mr. Speaker, I move that the vote by which House Bill No. 1166 passed third reading be reconsidered.

Mr. E. R. SMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WOOD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1 page 2 line 29 by striking out the word "dower" and inserting in lieu thereof the words "statutory interest."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 407, entitled

An Act relating to the issue of marriage licenses and the applications therefor.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McKAY. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. KENNEDY. Mr. Speaker I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 867, entitled

An Act to prohibit the use of cannon guns revolvers or other explosive devices at wedding ceremonies or celebrations and providing a penalty.

On the question,

Will the House agree to the bill on third reading?

Mr. ADAM C. SCHAEFFER. Mr. Speaker, I move that this bill be dropped from the calendar.

Mr. CORBIN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER anonunced the nays appeared to have it.

Whereupon,

A division was called and forty-one gentlemen having voted in the affirmative and eighty in the negative, the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McKINNEY. Mr. Speaker, I would like the author of this bill to explain what he means by the term "other explosive device," in this bill.

Mr. BELL. Mr. Speaker, this bill is in the interest of public safety, and I do not think that many of the members know what it contains, and they are probably thinking of the other bill which I intend to amend. In Clearfield County and many other counties at celebrations and weddings they are using dynamite and shotguns, and not over two months ago they killed a young man in Clearfield County. The district attorney asked me to introduce this bill, and that is why it is here. I hope the bill will pass.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—111.

Aron,	Donneley,	Maurer,	Showalter,
Baker,	Drake,	McArdle,	Shunk,
Baldi,	Drinkhouse,	McCaig,	Siggins,
Baldrige,	Dunn,	McCullough,	Smith, E. R.,
Barner,	Ehrhardt,	McCurdy,	Smith, F. I.,
Bechtold,	Erdman,	McKay,	Smith, O. W.,
Bell,	Fackler,	McNichol,	Snyder,
Benchoff,	Franklin,	McVicar,	Somerman,
Beyer,	Geary,	Mehring,	Speicher,
Black,	Glass,	Milner,	Stern,
Bouton, V. B.,	Golder,	Morgan, T. J.,	Stites,
Bovee,	Goodwin,	Musser,	Stoffiet,
Brady,	Haight,	Neary,	Strauss,
Campbell, J. O.,	Haldeman,	Phillips,	Sullivan,
Campbell, T.,	Hecht,	Pickering,	Swartz,
Canon,	Helt,	Reichenbacker,	Taylor,
Chestnut,	Hess,	Reitzel,	Thomas,
Clements,	Heyburn,	Rhoads, H. L.	Ulsh,
Coldsmith,	Hibshman,	Rich,	Vickerman,
Conner,	Howarth,	Ringler,	Walker,
Cook,	Isherwood,	Rininger,	Wallace,
Corbin,	Jack,	Rogers,	Walter,
Cox,	Jones,	Ruddy,	Wells,
Crosby,	Kennedy,	Rudisill,	West,
Davis, W.,	Laucks,	Sampsel,	Williams, J. P.,
Dean,	Lauler,	Sarig,	Wood,
Dell,	Leary,	Schaeffer, A. C.,	Zanders,
Dewey,	Lewis,	Shaffer, C. A.,	Baldwin,
Dithrich,	Lohr,	Shattuck,	Speaker.

NAYS—25.

Arthur,	Hoffman,	Palmer,	Sones,
Benninger,	McKinney,	Patterson,	Wagner,
Eby,	Miller, Allan,	Powell,	Williams, G. W.
Gans,	Miller, C. G.,	Reitzel,	Wobensmith,
Goodnough,	Miller, G. J. A.,	Reynolds,	Wylie,
Graeff,	Ogden,	Rothenberger,	Wynne,
Graham,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

House Bill No. 1080

An Act to amend the first section of an act approved the twenty-first day of April Anno Domini one thousand nine hundred and fifteen entitled "An Act extending the powers and duties of foresters forest rangers game protectors deputy game protectors special deputy game protectors fish-wardens and deputy fish-wardens of this Commonwealth.

House Bill 706

An Act to repeal a portion of the twenty-fourth clause of section one of the act of May thirty-first one thousand eight hundred forty-four (Pamphlet Laws five hundred eighty-five) entitled "An Act to provide for the ordinary expenses of government repair of the canals and railroads of the State and other claims upon the Commonwealth.

House Bill No. 1453

An Act to amend section one of an act approved the fifth day of May one thousand nine hundred eleven entitled "An Act to amend section one of an act approved June twenty-two one thousand eight hundred and ninety-seven entitled 'An Act to amend section four of an act approved June eight one thousand eight hundred and eighty-one entitled 'An Act to authorize the erection of a poor house by

the township of Jenkins borough of Pittston and township of Pittston in the county of Luzerne' approved May eight one thousand eight hundred and fifty seven allowing an increase in the amount of relief that may be granted to paupers not residing in the poor house in said district' authorizing an increase in the amount of relief that may be granted to paupers not residing in the poorhouse in said district"

House Bill No. 1804

An Act to amend section four of an act entitled an act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and fifteen and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending may thirty-first one thousand nine hundred and fifteen

With information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 40

An Act amending an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by increasing the amount of salary to be paid to the judges of the municipal court of Philadelphia.

House Bill No. 195

An Act to amend an act, approved the ninth day of April, one thousand nine hundred and fifteen, entitled "An Act to amend an act, entitled 'An Act to amend an act, entitled "An Act to amend an act, entitled 'An Act to amend an act, entitled "An Act to amend an act, entitled 'An Act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel, or glass to erect and maintain buildings and manufacturing establishments, and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the ninth day of June, Anno Domini one thousand eight hundred and eighty-one; extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks, or for dressing, polishing, working, or manufacturing the same, or any of them, and to mineral springs companies, incorporated for the purpose of bottling and selling natural mineral springs water, approved the sixteenth day of June, Anno Domini one thousand eight hundred and ninety-three," approved the nineteenth day of April, Anno Domini one thousand nine hundred and one; extending the same to companies formed for the purpose of manufacturing and selling chemicals, foodstuffs, cement, and cement products, and the quarrying of cement rock;' approved May twenty-eighth, one thousand nine hundred and seven; extending the same to companies incorporated for the manufacture, buying, selling, leasing, using, and operation of electrical apparatus and machinery, and articles of every kind appertaining to or in any wise connected with the production, use, regulation, control, distribution, or application of electricity or electrical energy or products for any use or purpose; constructing, acquiring, using, selling, buying or leasing any works, construction, or plant, or part thereof, connected with or involving such use, distribution, regulation, control or application of electricity, or the control or use of electrical apparatus for any purpose; and of producing, furnishing, and supplying electricity or electrical apparatus in any form and for any purpose, and to carry on a general manufacturing business,'" approved the twenty-third day of June, one thousand nine hundred and eleven; by extending the same to companies incorporated for the purpose of refining, manufacturing or sale of petroleum and petroleum products;" extending the same to companies engaged in packing, manipulating, or manufacturing tobacco, or manufacturing cigars, cigarettes or other tobacco products or for the purpose of briquetting coal or other minerals or for the purpose of manufacturing rubber in any form

House Bill No. 418

An Act fixing the fees of the Recorder of Deeds in counties containing a population of not less than two hundred thousand nor more than five hundred thousand inhabitants

House Bill No. 468

An Act fixing the salaries of the County Engineer and Deputy County Engineer in counties containing a population of more than eight hundred thousand and less than one million four hundred thousand.

House Bill No. 694

A Supplement to an act approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four), entitled "An Act providing for the original location, laying out and construction of public roads or highways in the several counties of Commonwealth and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation, opening, straigtening, widening, extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road," authorizing boroughs, towns and townships to enter into contracts to aid in the construction and maintenance of such roads or highways.

House Bill No. 820

An Act requiring the erection of detour signs by the authorities by whose direction any public highway may be closed and providing penalties for failure to comply with the provisions of this act.

House Bill No. 879

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to township supervisors of townships and requiring townships to pay the expenses in connection therewith.

House Bill No. 902

An Act to amend section one of an act approved the third day of May one thousand nine hundred nine entitled 'An act amending an act entitled 'An Act fixing the salaries of county poor directors in counties of over one hundred and fifty thousand population' approved the eighth day of June one thousand nine hundred and seven by providing for compensation according to population and granting power to employ counsel."

House Bill No. 913

An Act authorizing Mildred J. Barclay a resident of the city of Pittsburgh in the county of Allegheny in her own right as well as for the benefit of her minor daughter Mildred J. Barclay to bring suit in the Court of Common Pleas of Allegheny county against the Commonwealth of Pennsylvania

House Bill No. 923

An Act authorizing Edward A. Woods of Edgeworth Allegheny county Pennsylvania to bring suit in the court of common pleas of Allegheny county against the Commonwealth of Pennsylvania

House Bill No. 986

An Act making a deficiency appropriation to the department of Agriculture

House Bill No. 1001

An Act to amend part of section two of an act approved the fifth day of March one thousand seven hundred and ninety-one entitled "An Act to enable the Governor to appoint notaries public and for other purposes therein mentioned"

House Bill No. 1017

An Act prohibiting the handling or driving of horses or other animals or teams or vehicles on the public highways of the Commonwealth by an intoxicated person and providing penalties therefor

House Bill No. 1032

An Act validating certain proceedings and elections of any town township or borough held to submit and determine the question of becoming a city of the third class held pursuant to an act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June one thousand nine hundred and thirteen as amended by the act approved the thirteenth day

of May one thousand nine hundred and fifteen and validating letters patent issued or to be issued in pursuance thereof

House Bill No. 1058

An Act authorizing the establishment of contagious disease hospitals in the several counties of the Commonwealth to be constructed and maintained out of county funds.

House Bill No. 1084

An Act authorizing J. A. Croup of Concord Township Butler County Pennsylvania to bring suit against the Commonwealth of Pennsylvania in the court of common pleas of Butler county

House Bill No. 1117

An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment or draft in the army or navy of the United States in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the peroid of their service in the army or navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the army or navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes

House Bill No. 1144

An Act to amend section one of an act approved the twenty-first day of March, one thousand nine hundred and seven, entitled "An Act authorizing the county commissioners of the several counties, or the town councils of the several boroughs, of this Commonwealth, or both, to appropriate annually a sufficient sum of money to each Post of the Grand Army of the Republic, in their respective counties or boroughs, to aid in defraying the expenses of Memorial Day," as amended; by requiring the commissioners to make appropriations also to Memorial day or similar organizations where there was heretofore an established Post.

House Bill No. 1146

An Act authorizing William R. Shellenberger and Emma L. Shellenberger his wife of the township of Athens Bradford county Pennsylvania to bring suit against the Commonwealth

House Bill No. 1151

An Act authorizing Frederick E Windsor of the Borough of Warren County of Warren to sue the Commonwealth

House Bill No. 1170

An Act authorizing R. B. Taylor of Bellefonte Centre county to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania

House Bill No. 1310

An Act to confer additional powers upon fire insurance companies

House Bill No. 1344

An Act regulating the conduct and prescribing the duties of drivers or operators of automobiles motor cycles or other vehicles on public highways who shall injure any person or persons while so driving on said highways and providing penalties for violations of this act

House Bill No. 1494

An Act to amend section thirty of an act approved the thirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpike or toll roads forming all or part of any State Highway and procedure therein; providing for work or improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in improvement of township or county roads; defining highways and State-aid highways; providing method of application for state aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth covering same; providing for the minimum width of State highways and State aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the Act; and providing for the repeal of certain acts relating to highway department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not effected by provisions of this act."

House Bill No. 1805

An Act to amend an act entitled "An Act relating to prothonotaries and their duties and to their deputies and to enable said deputies to act for the said prothonotaries in case of their sickness absence or other temporary disability" approved the twenty-sixth day of May Anno Domini one thousand eight hundred ninety-seven by authorizing the appointment of an additional deputy to act in case of the disability of the principal deputy prothonotary

Whereupon,

The Speaker in the presence of the House signed the same.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 429

An Act making an appropriation to the Lebanon Sanatorium of Lebanon Pennsylvania

With information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk then read the amendments as follows:

In section 1, page 2 line 2 strike out "two" and insert "one"; also in same line strike out "sixty-five ($265)" and insert "seventy-five (175)"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127.

Aron,	Golder,	McVicar,	Showalter,
Arthur,	Goodnough,	Mehring,	Shunk,
Baker,	Goodwin,	Michel,	Siggins,
Baldi,	Graeff,	Miller, A. D.,	Simpson,
Baldridge,	Graham,	Miller, C. G.,	Smith, E. R.,
Bechtold,	Haight,	Miller, G. J. A.,	Smith, J. W.,
Bell,	Haldeman,	Milliron,	Smith, O. W.,
Benchoff,	Hecht,	Milner,	Snyder,
Benninger,	Heffernan,	Morgan, T. J.,	Spangler,
Beyer,	Hess,	Murdoch,	Speicher,
Bidelspacher,	Heyburn,	Musser,	Sprowls,
Bovee,	Hibshman,	Neary,	Sterling,
Brady,	Hollingsworth,	Ogden,	Stern,
Campbell, T.,	Horton,	Perry,	Stites,
Clements,	Howarth,	Phillips,	Strauss,
Coldsmith,	Isherwood,	Powell,	Swartz,
Conner,	Jack,	Ramsey,	Sweitzer,
Corbin,	Jennings,	Reitzel,	Thomas,

Cummins,	Jones,	Reynolds,	Ulsh,
Curry,	Kennedy,	Rhoads, H. L.,	Urich,
Davis, W.,	Laucks,	Rich,	Wagner,
Dean,	Leary,	Ringler,	Wallace,
Dell,	Lewis,	Rininger,	Walter,
Dithrich,	Lohr,	Rinn,	West,
Donneley,	Mangan,	Rogers,	Wickman,
Drinkhouse,	Marvin,	Ross,	Williams, G. W.
Ehrhardt,	Maurer,	Rothenberger,	Williams, J. P.,
Erdman,	McCaig,	Rudisill,	Wobensmith,
Fackler,	McCullough,	Sampsel,	Woodward,
Fowler,	McCurdy,	Schaeffer, A. C.,	Wylie,
Franklin,	McKinney,	Shaffer, C. A.,	Zanders,
Gans,	McNichol,	Shattuck,	Baldwin,
Glass.			Speaker.

NAYS—1.

Black,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate, being introduced, presented bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 1063

An Act to amend section five of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas and the judges of the orphans' courts"

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend title line 5 by striking out the word "the" before "Common"
Page 2, line 22, after the figures "$8,500" strike out the words
"in judicial districts having a population of ninety thousand (90,000) and less than two hundred thousand (200,000) the annual salary of each of the judges of the court of common pleas learned in the law shall be seven thousand dollars ($7,000)"
And insert in lieu thereof the words "in judicial districts having a population of one hundred forty thousand (140,000) and less than two hundred thousand (200,000) the annual salary of each of the judges of the court of common pleas learned in the law shall be eight thousand dollars ($8,000) In judicial districts having a population of ninety thousand (90,000) and less than one hundred forty thousand (140,000) the annual salary of each of the judges of the court of common pleas learned in the law shall be seven thousand dollars ($7,000) in judicial districts having a population"
Page 3, line 12 strike out the word "two" and insert the word "four" and in line 13 strike out the figures "$2,000" and insert the figures "($4,000)"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. GRAEFF. Mr. Speaker and gentlemen of the House, they have taken this bill over to the Senate and mutilated it until I can hardly recognize by own child. The bill originally affected two counties, Schuylkill and Westmoreland, raised the salaries of the judges in those counties from $7,500 to $8,500. As the bill comes back from the Senate amended there are seven additional counties tacked to it. They now have the bill in the peculiar situation where the tail is wagging the dog and I would like the gentlemen of the House to vote down the amendments in order that the bill in its original form can go back to the Senate and meet with the approval of the Governor. If the gentlemen who are interested in the amendments wish to have the salaries of their judges raised they now have before the House a bill for that purpose and I would like to see that bill go through on its own merits and I would like to see the bill I introduced get the same treatment.

I therefore move that we do not concur in the amendments made by the Senate.

Mr. MILLIRON. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 868, entitled

An Act to prohibit the display of certain fire-arms and other deadly weapons and providing a penalty

On the question,

Will the House agree to the bill on third reading?

Mr. BELL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title by striking out "firearms and other."
On line 5 strike out the word "revolvers."
On line 9 after the word "rifles" strike out the word "and."
After the word "shotguns" add "and revolvers."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 717 as follows:

An Act to amend section two of an act approved the nineteenth day of May one thousand eight hundred eighty-seven entitled "An Act to preserve the purity of elections by declaring drunkenness on the part of election officers and assessors of poll taxes to be a misdemeanor and by requiring elections to be held in rooms in which liquor is not sold so far as possible" by absolutely prohibiting the holding of elections in rooms in which liquor is sold
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (Pamphlet Laws one hundred twenty-six) entitled "An Act to preserve the purity of elections by declaring drunkenness on the part of election officers and assessors of poll taxes to be a misdemeanor and by requiring elections to be held in rooms in which liquor is not sold so far as possible" which reads as follows
"Section 2 Hereafter no public elections shall be held in any room any part of which is used for the sale of liquors if it be possible to obtain another room for that purpose in the vicinity and it shall be the duty of the court of quarter sessions or any law judge thereof to inquire upon the petition of five or more citizens resident in the election district whether any such rooms are now designated as polling places and in such cases to select other places for holding the elections" is hereby amended to read as follows
Section 2 Hereafter no public elections shall be held in any room any part of which is used for the sale of liquors and it shall be the duty of the court of quarter sessions or any law judge thereof to inquire upon the petition of five or more citizens resident in the election district whether any such rooms are now designated as polling places and in such cases to select other places for holding the elections

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. BLACK. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. ISHERWOOD. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1044 (Senate No. 344), entitled

An Act to amend section fourteen of an act approved the seventh day of July, one thousand nine hundred thirteen, entitled "An Act relating to and regulating motor vehicles, and vehicles trailing after or propelled by motor vehicles; controlling their speed upon the public streets and highways in the Commonwealth of Pennsylvania; providing for their registration, and licensing of certain operators, by the State Highway Department; prohibiting the operation of any motor vehicle by any person when intoxicated, or without the consent of the owner; forbidding the passage of any law laying a tax upon or requiring the registration of motor vehicles, or licensing of any operator, or regulating the speed of motor vehicles, by any county, borough, city, incorporated town, or township; establishing the rights of motor vehicles upon the public highways, with relation to other vehicles; providing for their equipment and for the width of tires to be used upon motor vehicles, and vehicles trailing after or propelled by motor vehicles; regulating the service of process and proceedings in actions for damages arising therefrom; providing for arrest, and for service of process, and proceedings for violation of this act; prescribing the penalties therefor; and providing for the disposition of fees collected and fines imposed thereunder."

On the quetsion,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SHOWALTER. Mr. Speaker, I wish somebody familiar with this bill will tell me why the signs in boroughs and towns shall bear the names of the towns and boroughs.

The SPEAKER. Is there any member of the House that can explain the provisions of Senate Bill No. 344?

Mr. SHOWALTER. Mr. Speaker, the only change that I see in this bill from the old act is that it regulates the speed before public school houses. It goes further and provides that in boroughs and built-up sections where the danger signs have been erected that the danger signs must also bear the name of the borough or town. I have no objections to the regulation of speed before school houses. I think it is a good provision, but nearly all the boroughs in the State have already put up these danger signs "Run Slow" and if this bill becomes a law it will necessitate the taking down of all those signs and adding to them the name of the borough or town. I can see no good use in that and for that reason I am not in favor of this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—88.

Aron,	Donneley,	Luppert,	Robertson,
Arthur,	Drinkhouse,	Marvin,	Rogers,
Baker,	Ehrhardt,	Maurer,	Ross,
Baldridge,	Erdman,	McArdle,	Ruddy,
Barner,	Fackler,	McCaig,	Schaeffer, A. C.,
Bell,	Franklin,	McCullough,	Shaffer, C. A.,
Benchoff,	Fretz,	McKay,	Siggins,
Benninger,	Gans,	McKinney,	Smith, J. W.,
Beyer,	Glass,	McNichol,	Smith, O. W.,
Black,	Golder,	McVicar,	Sones,
Bouton, V. B.,	Goodnough,	Miller, C. G.,	Stern,
Bovee,	Graeff,	Miller, G. J. A.,	Strauss,
Brady,	Graham,	Milliron,	Swartz,
Chestnut,	Haight,	Musser,	Taylor,
Christman,	Hecht,	Neary,	Thomas,
Coldsmith,	Heyburn,	Patterson,	Ulsh,
Cox,	Hollern,	Perry,	Walker,
Davis, W.,	Hollingsworth,	Pickering,	Wallace,
Dawson,	Howarth,	Powell,	West,
Dean,	Isherwood,	Reichenbacker,	Wickman,
Dell,	Jones,	Rich,	Wobensmith,
Dewey,	Leary,	Ringler,	Wylie,
Dithrich,	Lohr,		

NAYS—31.

Campbell, J. O.,	Mehring,	Rothenberger,	Stites,
Corbin,	Miller, Allan,	Sampsel,	Urich,
Eby,	Ogden,	Shattuck,	Walter,
Goodwin,	Palmer,	Showalter,	Wells,
Hibshman,	Phillips,	Simpson,	Williams, G. W.
Hoffman,	Reynolds,	Smith, E. R.,	Williams, J. P.,
Kennedy,	Rhoads, H. L.	Smith, F. I.,	Baldwin,
Lewis,	Rininger,	Speicher,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1534, as follows:

To amend section five of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen entitled "An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section five of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred seventy-seven) entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" which reads as follows

Section 5 The commissioners shall not later than August fifteenth of each year appoint four registrars for each election district as herein provided. The registrars must be duly qualified electors of the said district and shall have been residents of the city for a period of two years and of the ward for one year immediately preceding their appointment They must be sober and judicious persons of good moral character able to read intelligently and to write legibly Two of the registrars shall be members of the party polling the highest vote within the election district at the last preceding general election and one at least shall be a member of the party polling the next highest number of votes at said election The commissioners shall provide at all times a board of registrars not more than two of whom shall be of the same political faith If therefore it appears at any time that by reason of a change in political affiliations or because of error in the appointment a board is not so divided any ten electors of the division may file a petition with the commissioners setting forth the facts and praying that one or more of the appointments may be revoked and that other appointments may be made The commissioners shall grant a public hearing and if they find the facts to be as represented shall give the relief asked for Two of the said registrars one of whom shall be of the majority party shall be designated by the commissioners to have charge of the two registrers as hereinafter provided No person who holds or is a candidate for public office shall act as registrar the names of at least four qualified persons shall be suggested to the commissioners by petition duly filed for each election division two by the ward executive committees if such exist and if not by the city committees of the parties of the district These petitions shall be signed by the president and one secretary of the ward executive committees if such exist if not by the president and one secretary of the city committee if such exists and by five electors of the division and shall set forth the names addresses and occupations and political affiliations of the persons suggested Each candidate for registrar shall swear to the truth of the facts set forth in his petition The petition shall remain on file open to public inspection at least ten days before the persons named therein shall be appointed except in cases where a vacancy occurs in the office of registrar within ten days of a registration day If no petitions are filed the commissioners may appoint without regard to party and if the persons suggested by petition are unfit shall have the power to appoint others of whom they shall have knowledge No appointment shall be made unless the person to be appointed has personally appeared before the commissioners and has satisfied them of his qualifications but in case of a reappointment it shall not be necessary for the person so reappointed to be summoned At least one week's notice of the time and place of the examination for each ward or election district of those persons who have been suggested by petition or are under consideration for appointment as registrars in such ward or election district shall be published by the commissioners in at least two daily newspapers in the city Only electors residing in the same division as the person applying for appointment as registrar may appear in person and being duly sworn show wherein said person applying for appointment as registrar does not possess the requisite qualifications If the persons nominated are found not to be properly qualified the commissioners may decline to appoint them and the ward executive committee or city committee shall then suggest other names as aforesaid

"No person shall be appointed a registrar unless the appointment is approved by three commissioners Provided That if two commissioners have concurred in approving four persons successively to fill one position the other two commissioners have concurred in objecting to said persons

the commissioners first referred to may approve four other names and from these eight all having been suggested by petition the other two commissioners must select the registrar

"The commissioners shall have power to summon any person whom they desire to interrogate and all persons testifying before said commissioners shall be first duly sworn by one of said commissioners or by the recorder Any person so appointed a registrar must perform his duties as prescribed by this act unless excused therefrom by the commissioners for cause shown the registrars shall receive a compensation of ten dollars per day for the time actually spent in registration" is hereby amended to read as follows

Section 5 (a) There shall be four registrars for each election division Two of the registrars shall be members of the party polling the highest vote within the election division at the last preceding general election and one at least shall be a member of the party polling the next highest number of votes at said election

(b) The registrars must be duly qualified electors of the said district and shall have been residents of the city for a period of two years and of the ward for one year immediately preceding their appointment. They must be sober and judicious persons of good moral character able to read intelligently and to write legibly No person who holds or is a candidate for public office shall act as registrar

(c) The names of at least four qualified persons shall be recommended to the commissioners for appointment by petition duly filed for each election division by the ward executive committees of the said political parties acting through the president of such ward executive committee if such ward committee exist and if not by the city committees of the said political parties These petitions shall be signed by the president of the ward executive committee if such exist and by five electors of the division and shall set forth the names addresses and occupations and political affiliations of the persons so recommended for appointment Each candidate for registrar shall swear to the truth of the facts set forth in his petition

(d) The commissioners shall place in the hands of the said ward executive committees if such exist and if not in the hands of the city committees petitions as aforesaid not later than July first of each and every year the said petitions shall be returned executed by the applicants to the said commissioners by the said ward executive committees if such exist or city committees not later than July twentieth of each and every year The board of registration commissioners shall thereupon forthwith proceed to notify the persons so recommended for appointment of the time and place where those recommended for appointment may appear before the commissioners that the persons so recommended for appointment possess the qualifications for registrars set forth in paragraph "b" of this section the failure to possess which said qualifications shall be the sole ground upon which the commissioners may reject the persons so recommended for appointment In case of a reappointment it shall not be necessary for the persons so reappointed to be summoned It shall be the duty of the commissioners to reappoint the person recommended for a reappointment without examination excepting only in such cases as the conduct of the person so recommended for appointment during the preceding year has given the commissioners reason to believe that he is lacking in one or more of the qualifications set forth in paragraph "b" of this section in which case it shall be the duty of the commissioners to notify and summon such person for examination

(e) It shall be the duty of the commissioners to appoint all persons recommended for appointment by petition as aforesaid by the ward executive committees when such persons possess the qualifications set forth in paragraph "b" of this section

(f) The petitions to be furnished the ward executive committees not later than July first as aforesaid shall contain a space whereon shall be printed the following words

"The petitioner has been rejected by the Commissioners after examination for the following reasons

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Commissioners"

It shall be unlawful for the commissioners to reject any person recommended for appointment as aforesaid except upon a finding by the commissioners made in the manner aforesaid that the person recommended for appointment by petition as aforesaid is lacking in one or more of the qualifications set forth in paragraph "b" of this section and a finding by the commissioners over their signatures on the petition setting forth the qualification or qualifications wherein the commissioners find the person recommended for appointment is deficient

(g) In case the commissioners shall find any of the persons recommended for appointment to be not properly qualified as aforesaid they shall forthwith notify the president of the ward executive committee which recommended the person for appointment of their finding and the said ward executive committee acting through its president shall have ten days from the receipt of the said notice to recommend another name to the commissioners for appointment The person so rejected or the president of the ward executive committee recommending such person or any qualified elector of the election division may appeal from the action of the commissioners in the manner hereinafter set forth and pending such appeal the commissioners shall have no power to act in the way of making another appointment

(h) All acts done by the president of the ward executive committee shall be presumed to be done as agent for and with the authority of the ward executive committee until the contrary be shown

(i) The board of registrars of each election division shall be so constituted that at all times not more than two of each board shall be of the same political faith If therefore it appears at any time that by reason of a change in political affiliations or because of error in the appointment a board is not so divided any ten electors of the division may file a petition with the commissioners setting forth the facts and praying that one or more of the appointments may be revoked and that other appointments may be made The commissioners shall grant a public hearing on five days' notice to the registrar and to the president of the ward executive committee which recommended him for appointment and if they find the facts to be as represented shall give the relief asked for The findings of said commissioners shall be in writing and any party aggrieved thereby shall have the right of appeal to the common pleas court which is provided in paragraph "o" of this section The commissioners shall have power to summon witnesses for said hearings

(j) The commissioners shall have power to administer oaths to those testifying at the hearings provided for in paragraph "i" of this section and to applicants for appointment upon their examinations as provided for in paragraph "d" of this section and to the registrars upon their appointment

(k) Two of the said registrars one of whom shall be of the majority party shall be designated by the commissioners to have charge of the two registrars as hereinafter provided

(l) All petitions and orders made on same by the Commissioners shall be open to public inspection at all reasonable times

(m) If no petitions are filed the commissioners may appoint without regard to party Where a vacancy occurs in an office of registrar within ten days of a registration day by resignation removal death or otherwise the commissioners may appoint without petition and without regard to party

(n) The commissioners shall issue certificates of appointment to the registrars not later than August fifteenth of each year

(o) Upon the rejection by the commissioners of a petitioner as aforesaid the petitioner or the president of the ward executive committee or any qualified elector of the election division may within ten days make application under oath to the court of common pleas of the proper county or any law judge thereof at Chambers alleging that the person so rejected as being deficient in one or more of the said qualifications is in fact possessed of the said qualifications and the said court or judge shall thereupon forthwith call the commissioners and the complainant and the petitioner before it or him by citation or rule to show cause and shall hear the parties and examine the petitioner as to his qualifications de novo and shall dispose of the subject in a summary manner as to law and justice shall belong and shall in case the court finds the petitioner to be possessed of the said qualifications set forth in paragraph "b" of this section order the commissioners to appoint the said petitioner and the said court or judge may enforce such order by attachment as in proceedings for contempt

(p) Any person appointed a registrar must perform his duties as prescribed by this act unless excused therefrom by the commissioners for cause shown The registrars shall receive a compensation of ten dollars per day for the time actually spent in registration

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. McVICAR. Mr. Speaker, in the absence of the sponsor of this bill, I move that further consideration of it be postponed for the present.

Mr. WICKMAN. Mr. Speaker, I second the motion.
On the question,

Will the House agree to the motion?

The SPEAKER declared the "ayes" appeared to have it.

Whereupon a division was called for and one hundred thirty-four gentlemen, more than a majority of a quorum, voting in the affirmative, the motion was agreed to and the bill postponed.

BILLS ON THIRD READING.

Mr. SWARTZ. Mr. Speaker, I desire to call up House Bill No. 1025, File Folio 2425, at the top of page 39 of today's calendar for the purpose of amendment.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1025, entitled

An Act authorizing the Commissioner of Banking to appoint five additional examiners and providing for their compensation and expenses.

On the question,

Will the House agree to the bill on third reading?

Mr. SWARTZ. Mr. Speaker, I ask unanimous consent to offer amendmments at this time.

The SPEAKER. The amendmemnts will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, line 5, by striking out the word "five" and inserting in lieu thereof the word "ten" and also by inserting after the word "shall" the following: "in the discretion of the Comissioner of Banking"

Amend section 1, lines 6, 7, 8 and 9 by striking out "receive such compensation as may be fixed by the said Commissioner for each day actually employed in making examinations of corporations under the order of the said Commissioner not to exceed ten dollars per day," and inserting in lieu thereof, "each receive an annual salary not to exceed three thousand dollars"

Ammend section 1, line 10, by striking out "actual expenses incurred in making such examinations," and inserting in lieu thereof, "the actual expenses incurred in the performance of the work assigned to said examiners by the said Commissioner of Banking."

Amend section 1, line 11, by striking out "compensation" and inserting in lieu thereof, the word "salary"

Further amend section 1, line 11, by inserting between the words "paid" and "by" the word "monthly"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1600, entitled

An Act making an appropriation to refund to Washington Hall Association of Mount Carmel Northumberland County Pennsylvania a certain sum erroneously paid into the State Treasury as Capital Stock Tax

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146.

Aron,	Ehrhardt,	McCurdy,	Shunk,
Arthur,	Erdman,	McKay,	Siggins,
Baker,	Fackler,	McKinney,	Simpson,
Baldridge,	Franklin,	McNichol,	Smith, E. R.,
Barner,	Fretz,	McVicar,	Smith, J. W.,
Bechtold,	Gans,	Mearkle,	Smith, O. W.,
Bell,	Geary,	Mervine,	Snowden,
Benchoff,	Glass,	Michel,	Sones,
Benninger,	Golder,	Miller, A. D.,	Speicher,
Beyer,	Goodnough,	Miller, C. G.,	Sprowls,
Bidelspacher,	Goodwin,	Miller, G. J. A.,	Steedle,
Black,	Graeff,	Milliron,	Sterling,
Boulton, H.,	Graham,	Milner,	Stern,
Bouton, V. B.	Gransback,	Morgan, T.,	Stites,
Bovee,	Haight,	Musser,	Strauss,
Boyd,	Halderman,	Neary,	Sullivan,
Brady,	Hecht,	Ogden,	Sweitzer,
Campbell, J. O.,	Heffernan,	Palmer,	Thomas,
Campbell, T.,	Hess,	Patterson,	Ulsh,
Canon,	Heyburn,	Perry,	Urich,
Chestnut,	Hibshman,	Phillips,	Wagner,
Christman,	Hoffman,	Pickering,	Walker,
Clements,	Hollingsworth,	Powell,	Wallace,
Coldsmith,	Horton,	Ramsey,	Walter,
Cook,	Howarth,	Reichenbacker,	Weimer,
Crosby,	Isherwood,	Reitzel,	Whitaker,
Cummins,	Jack,	Reynolds,	Wickman,
Davis, W.,	Jennings,	Rich,	Williams, G. W.
Dawson,	Kennedy,	Ringler,	Williams, J. P.,
Dean,	Lauler,	Rininger,	Wobensmith,
Dell,	Leary,	Rinn,	Wood,
Dewey,	Lewis,	Robertson,	Woodward,
Dithrich,	Lohr,	Ross,	Wylie,
Donneley,	Luppert,	Ruddy,	Wynne,
Drake,	Marvin,	Rudisill,	Zanders,
Drinkhouse,	Maurer,	Sampsel,	Baldwin,
Dunn,	McArdle,	Schaeffer, A. C.,	Speaker.
Eby,	McCaig,	Shaffer, C. A.,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1506, entitled

An Act authorizing and directing the Treasurer of the Commonwealth of Pennsylvania to pay to John Mangan of the City of Pittsburgh, Pennsylvania, out of any moneys unappropriated in the treasury of the Commonwealth of Pennsylvania the sum of two hundred forty-one dollars and ninety cents, being a sum of money which he paid to the Register of Wills and Clerk of the Orphans' Court of the County of Allegheny, Pennsylvania, as collateral inheritance tax upon the estate of John Mangan, Absentee, at Number three hundred thirty-eight June Term one thousand nine hundred and eleven, in the Orphans' Court of the County of Allegheny, Pennsylvania.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Aron,	Erdman,	McVicar,	Sinclair,
Arthur,	Fackler,	Mehring,	Smith, E. R.,
Baker,	Flynn,	Mervine,	Smith, J. W.,
Baldi,	Franklin,	Michel,	Smith, O. W.,
Baldridge,	Fretz,	Miller, Allan.	Snowden,
Barner,	Gans,	Miller, G. J. A.,	Snyder,
Bechtold,	Glass,	Milliron,	Sones,
Bell,	Golder,	Mitchell,	Speicher,
Benchoff,	Goodnough,	Morgan, T. J.,	Sprowls,
Benninger,	Graeff,	Murdoch,	Sterling,
Beyer,	Graham,	Musser,	Stern,
Bidelspacher,	Haight,	Ogden,	Stites,
Black,	Hecht,	Palmer,	Stofflet,
Bouton, V. B.,	Heffernan,	Patterson,	Strauss,
Bovee,	Hess,	Phillips,	Sullivan,
Boyd,	Heyburn,	Powell,	Swartz,
Brady,	Hibshman,	Ramsey,	Taylor,
Brumbaugh,	Hoffman,	Reitzel,	Thomas,
Campbell, J. O.,	Hollern,	Reynolds,	Ulsh,
Campbell, T.,	Howarth,	Rhoads, H. L.	Urich,
Canon,	Isherwood,	Rich,	Vickerman,
Chestnut,	Jack.	Ringler,	Wagner,
Christman,	Jones,	Rininger,	Walker,
Clements,	Kennedy,	Rinn.	Wallace,
Coldsmith,	Lafferty,	Rogers,	Walter,
Cox,	Laucks,	Ruddy,	Wells,
Crosby,	Lauler,	Rudisill,	West,
Cummins,	Lewis,	Sampsel,	Wickman,
Curry,	Lohr,	Sarig.	Williams, G. W.
Davis, W.,	Mangan,	Schaeffer, A. C.,	Williams, J. P.,
Dawson,	Marvin,	Scott,	Wobensmith,
Dean,	Maurer,	Shaffer, C. A.,	Wood,
Dell,	McCaig,	Shattuck,	Woodward,
Dewey,	McCullough,	Showalter,	Wylie,
Donneley,	McCurdy,	Shunk,	Wynne,
Drinkhouse,	McKinney,	Siggins,	Zanders,
Dunn,	McNichol,	Simpson,	Baldwin,
Ehrhardt,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 666, entitled

An Act to prescribe the conditions under which public or private vaults crypts or mausoleums for the interment of human bodies may be constructed and maintained

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as folows, viz:

YEAS—150.

Aron,	Gans,	Michel,	Smith, J. W.,
Arthur,	Geary,	Miller, A. D.,	Smith, L.,
Baker,	Glass,	Miller, C. G.,	Smith, O. W.,
Baldi,	Golder,	Miller, G. J. A.,	Snyder,
Baldridge,	Goodnough,	Milliron,	Somerman,
Bechtold,	Graeff,	Morgan, T. J.,	Sones,
Bell,	Graham,	Murdoch,	Speicher,
Bennett,	Gransback,	Musser,	Sprowls,
Benninger,	Haight,	Ogden,	Stadtlander,
Beyer,	Haldeman,	Palmer,	Steedle,
Bidelspacher,	Heffernan,	Patterson,	Sterling,
Bouton, W. B.,	Helt,	Perry,	Stern,
Bovee,	Hess,	Phillips,	Stites,
Brady,	Heyburn,	Pickering,	Stoffiet,
Campbell, J. O.,	Hibshman,	Powell,	Strauss,
Campbell, T.,	Hoffman,	Ramsey,	Sullivan,
Canon,	Hollingsworth,	Reichenbacher,	Swartz,
Chestnut,	Horton,	Reitzel,	Taylor,
Christman,	Hough,	Reynolds,	Thomas,
Coldsmith,	Howarth,	Rhoads, H. L.,	Ulsh,
Conner,	Jack,	Rich,	Urich,
Cox,	Jones,	Ringler,	Vickerman,
Crosby,	Laucks,	Rininger,	Vogdes,
Cummins,	Leary,	Rinn,	Wagner,
Curry,	Lewis,	Robertson,	Walter,
Davis, W.,	Lohr,	Rogers,	West,
Dawson,	Luppert,	Rothenberger,	Whitaker,
Dell,	Marvin,	Ruddy,	Wickman,
Dewey,	McArdle,	Rudisill,	Williams, G. W.
Dithrich,	McCaig,	Sampsel,	Williams, J. P.,
Donneley,	McCurdy,	Sarig,	Wobensmith,
Drinkhouse,	McKay,	Schaeffer, A. C.,	Wood,
Dunn,	McKinney,	Shaffer, C. A.,	Woodward,
Ehrhardt,	McNichol,	Showalter,	Wylie,
Fackler,	McVicar,	Shunk,	Wynne,
Fitzgibbon,	Mehring,	Siggins,	Zanders,
Fowler,	Mervine,	Smith, E. R.,	Baldwin,
Fretz,		Smith, F. I.,	Speaker.

NAYS—3.

Black,	Eby,	Miller, Allan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clark present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1594, (Senate Bill No. 774), entitled

An Act making an appropriation to refund certain moneys to the estate of the late Joseph P. Kennedy

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Albee,	Ehrhardt,	McKay,	Simpson,
Aron,	Fackler,	McKinney,	Sinclair,
Arthur,	Flynn,	McNichol,	Smith, E. R.,
Baker,	Franklin,	McVicar,	Smith, F. I.,
Baldi,	Fretz,	Mehring,	Smith, J. W.,
Baldridge,	Gans,	Mervine,	Smith, O. W.,
Barner,	Geary,	Miller, A. D.,	Snowden,
Bechtold,	Glass,	Miller, C. G.,	Somerman,
Bell,	Golder,	Miller, G. J. A.,	Sones,
Benchoff,	Goodnough,	Milliron,	Speicher,
Bennett,	Goodwin,	Milner,	Stadtlander.
Benninger,	Graeff,	Mitchell,	Steedle,
Beyer,	Graham,	Morgan, T. J.,	Sterling,
Bidelspacher,	Haldeman,	Murphy,	Stites,
Black,	Hecht,	Musser,	Strauss,
Bouton, V. B.,	Heffernan,	Neary,	Sullivan,
Bovee,	Helt,	Ogden,	Swartz,
Boyd,	Hess,	Palmer,	Sweitzer,
Brady,	Heyburn,	Perry,	Taylor,
Burnett,	Hibshman,	Phillips,	Thomas,
Campbell, J. O.,	Hoffman,	Pickering,	Ulsh,
Campbell, T.,	Hollingsworth,	Ramsey,	Urich,
Canon,	Horton,	Reichenbacher,	Vickerman,
Chestnut,	Howarth,	Reitzel,	Wagner,
Christman,	Isherwood,	Reynolds,	Walker,
Clements,	Jack,	Rhodes, W. M.,	Wallace,
Coldsmith,	Jennings,	Rich,	Weimer,
Corbin,	Jones,	Ringler,	Wells,
Cox,	Kennedy,	Rininger,	West,
Crosby,	Lafferty,	Rinn,	Whitaker,
Cummins,	Laucks,	Rothenberger,	Wickman,
Curry,	Lauler,	Ruddy,	Williams, G. W
Davis, W.,	Lewis,	Sampsel,	Williams, J. P.,
Dawson,	Lohr,	Sarig,	Wobensmith,
Dean,	Mangan,	Schaeffer, A. C.,	Wood,
Dell,	Marvin,	Shaffer, C. A.,	Woodward,
Dewey,	Maurer,	Shattuck,	Wylie,
Dithrich,	McCaig,	Showalter,	Wynne,
Drake,	McCullough,	Shunk,	Zanders,
Drinkhouse,	McCurdy,	Siggins,	Baldwin,
Dunn,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1202 (Senate Bill No. 363), entitled

An Act to refund the Sanitary Casket Protector Company of Berks county money erroneously paid as tax on capital stock

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Aron,	Fretz,	Mervine,	Smith, J. W.,
Arthur,	Gans,	Miller, A. D.,	Smith, L.,
Baker,	Geary,	Miller, Allan,	Snowden,
Baldi,	Golder,	Miller, C. G.,	Snyder,
Baldridge,	Goodnough,	Miller, G. J. A.,	Sones,
Barner,	Goodwin,	Milner,	Speicher,
Bechtold,	Graeff,	Morgan, T. J.,	Sprowls,
Benchoff,	Gransback,	Murdoch,	Steedle,
Bennett,	Haight,	Musser,	Sterling,
Bidelspacher,	Haldeman,	Ogden,	Stern,
Black,	Heffernan,	Palmer,	Stites,
Bovee,	Hess,	Patterson,	Stoffiet,
Boyd,	Heyburn,	Phillips,	Strauss,
Brady,	Hibshman,	Pickering,	Sullivan,
Campbell, J. O.,	Hollern,	Powell,	Swartz,
Campbell, T.,	Hollingsworth,	Ramsey,	Taylor,
Canon,	Horton,	Reichenbacher,	Thomas,
Chestnut,	Howarth,	Reitzel,	Ulsh,
Christman,	Isherwood,	Reynolds,	Urich,
Clements,	Jennings,	Rich,	Vickerman,
Conner,	Lafferty,	Richards,	Vogdes,
Corbin,	Laucks,	Rininger,	Wagner,
Cox,	Lauler,	Robertson,	Walker,
Crosby,	Leary,	Ross,	Wallace,
Cummins,	Lewis,	Rothenberger,	Walter,
Curry,	Lohr,	Ruddy,	West,
Davis, W.,	Luppert,	Rudisill,	Whitaker,
Dawson,	Mangan,	Sampsel,	Wickman,
Dell,	Marvin,	Sarig,	Williams, G. W.
Dithrich,	McArdle,	Schaeffer, A. C.,	Williams, J. P.,
Donneley,	McCaig,	Scott,	Wobensmith,
Drake,	McCurdy,	Shaffer, C. A.,	Wood,
Drinkhouse,	McKay,	Shattuck,	Woodward,
Dunn,	McKinney,	Showalter,	Wylie,
Ehrhardt,	McNichol,	Shunk,	Wynne,
Fitzgibbon,	McPeake,	Siggins,	Zanders,
Franklin,	McVicar,	Smith, E. R.,	Baldwin,
		Smith, F. I.,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1299 (Senate Bill No. 383), entitled

An Act making an appropriation to George W. Rice and Mary Fuller Rice, of Penn township Cumberland county for loss sustained by the death of their minor son Benjamin Rice while lawfully driving along a State highway in Penn township Cumberland county

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. SNYDER. Mr. Speaker, I should like any gentleman in the House to explain why suit is not brought instead of passing an act making an appropriation.

Mr. BLACK. Mr. Speaker, I understand an agreement has been made between the Highway Department and the lawyers representing the persons interested in this matter and this bill is absolutely satisfactory and that they are all agreeable to the act instead of going into court.

On the question recurring,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Aron,	Ehrhardt,	McKinney,	Showalter,
Arthur,	Erdman,	McNichol,	Shunk,
Baker,	Fitzgibbon,	McVicar,	Siggins,
Baldi,	Franklin,	Mehring,	Sinclair,
Baldridge,	Fretz,	Mervine,	Smith, E. R.,
Barner,	Gans,	Michel,	Smith, J. W.,
Bechtold,	Geary,	Miller, A. D.,	Smith, O. W.,
Bell,	Golder,	Miller, C. G.	Snyder,
Benchoff,	Goodnough,	Miller, G. J. A.,	Sones,
Bennett,	Goodwin,	Milner,	Speicher,
Benninger,	Graeff,	Mitchell,	Sprowls,
Beyer,	Graham,	Morgan, T.,	Steedle,
Bidelspacher,	Gransback,	Morgan, T. J.,	Sterling,
Black,	Haight,	Murphy,	Stern,
Bovee,	Haldeman,	Musser,	Stites,
Brady,	Heffernan,	Ogden,	Stofflet,
Bennett,	Hess,	Palmer,	Strauss,
Campbell, J. O.,	Heyburn,	Patterson,	Sullivan,
Campbell, T.,	Hibshman,	Phillips,	Swartz,
Canon,	Hoffman,	Pickering,	Taylor,
Chestnut,	Hollingsworth,	Powell,	Thomas,
Christman,	Horton,	Ramsey,	Urich,
Clements,	Howarth,	Reichenbacher,	Vogdes,
Coldsmith,	Isherwood,	Reitzel,	Wagner,
Conner,	Jack,	Reynolds,	Walker,
Corbin,	Jennings,	Rhoads, H. L.	Wallace,
Cox,	Jones,	Rich,	West,
Crosby,	Lafferty,	Richards,	Whitaker,
Curry,	Laucks,	Rininger,	Wickman,
Davis, W.,	Leary,	Rinn,	Williams, G. W
Dawson,	Lohr,	Robertson,	Williams, J. P.,
Dean,	Luppert,	Rothenberger,	Wobensmith,
Dell,	Malle,	Ruddy,	Wood,
Dithrich,	Mangan,	Rudisill,	Woodward,
Donneley,	Marvin,	Sampsel,	Wylie,
Drake,	McArdle,	Sarig,	Wynne,
Drinkhouse,	McCaig,	Schaeffer, A. C.,	Zanders,
Dunn,	McCurdy,	Scott,	Baldwin,
Eby,	McKay,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clark return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

MR. GOODNOUGH IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1327 (Senate Bill No. 346), entitled

An act requiring certain counties in certain instances to assist townships in the construction improvement repair and maintenance of main traveled or trunk roads other than state or state-aid highways and providing the method of procedure

And said bill having been read at length the third time, considered and agreed to.
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Aron,	Donneley,	Lewis,	Rudisill,
Arthur,	Drake,	Lohr,	Sampsel,
Baker,	Drinkhouse,	Mangan,	Schaeffer, A. C.,
Baldi,	Ehrhardt,	McCaig,	Shaffer, C. A.,
Baldridge,	Fitzgibbon,	McKay,	Shattuck,
Barner,	Franklin,	McKinney,	Shunk,
Bechtold,	Gans,	McNichol,	Siggins,
Bell,	Glass,	McVicar,	Smith, F. I.,
Benchoff,	Golder,	Mehring,	Sones,
Benninger,	Goodnough,	Mervine,	Sprowls,
Beyer,	Goodwin,	Miller, C. G.,	Stern,
Black,	Graeff,	Miller, G. J. A.,	Strauss,
Bouton, V. B.	Graham,	Milner,	Swartz,
Bovee,	Gransback,	Mitchell,	Taylor,
Brady,	Haight,	Musser,	Thomas,
Burnett,	Heffernan,	Neary,	Ulsh,
Campbell, T.,	Helt,	Patterson,	Urich,
Canon,	Hess,	Pickering,	Vogdes,
Christman,	Hibshman,	Powell,	Walker,
Clements,	Hoffman,	Ramsey,	Wallace,
Coldsmith,	Hollern,	Reichenbacker,	Walter,
Cook,	Hollingsworth,	Rhoads, H. L.	Wells,
Cox,	Isherwood,	Rich.	West,
Crosby,	Jones,	Ringler,	Whitaker,
Cummins,	Lauler,	Robertson,	Wynne,
Davis, W.,	Leary,	Rothenberger,	Zanders,
Dawson,			

NAYS—20.

Bidelspacher,	Jack,	Palmer,	Stites,
Campbell, J. O.,	McCullough,	Phillips,	Wickman,
Chestnut,	McCurdy,	Rininger,	Williams, G. W.
Corbin,	Miller, A. D.,	Showalter,	Williams, J. P.,
Dell,	Morgan, T. J.,	Speicher,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1206 (Senate Bill No. 505), entitled

An Act directing the commission appointed under the act of April twenty-third, one thousand nine hundred and fifteen, entitled "An Act providing for the appointment and expenses of a commission of three persons learned in the law to codify and revise the law of decedents' estates and making an appropriation," to publish preliminary drafts of bills prepared by said commission codifying the law of decedants' estates; providing for the distribution thereof and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146.

Aron,	Dunn,	McKay,	Sarig,
Arthur,	Ehrhardt,	McKinney,	Scott,
Baker,	Fackler,	McNichol,	Shaffer, C. A.,
Baldi,	Fitzgibbon,	McPeake,	Shattuck,
Baldridge,	Franklin,	McVicar,	Shunk,
Barner,	Gans,	Mearkle,	Siggins,
Bechtold,	Glass,	Mehring,	Simpson,
Bell,	Goodnough,	Mervine,	Smith, E. R.,
Benchoff,	Goodwin,	Miller, A. D.,	Smith, F. I.,
Benninger,	Graeff,	Miller, Allan,	Smith, J. W.,
Beyer,	Graham,	Miller, G. J. A.,	Smith, O. W.,
Bidelspacher,	Gransback,	Mitchell,	Snyder,
Black,	Haight,	Morgan, T. J.,	Sones,
Bouton, V. B.,	Haldeman,	Murdoch,	Speicher,
Brady,	Hecht,	Neary,	Sprowls,
Campbell, J. O.,	Heffernan,	Ogden,	Steedle,
Campbell, T.,	Hess,	Palmer,	Sterling,
Canon,	Heyburn,	Patterson,	Stern,
Chestnut,	Hibshman,	Phillips,	Stites,
Christman,	Hoffman,	Pickering,	Strauss,
Clements,	Hollingsworth,	Powell,	Swartz,
Coldsmith,	Horton,	Ramsey,	Taylor,
Cook,	Howarth,	Reichenbacker,	Urich,
Corbin,	Isherwood,	Reitzel,	Vodges,
Cox,	Jack,	Reynolds,	Wallace,
Crosby,	Jones,	Rhoads, H. L.	Walter,
Cummins,	Laucks,	Rhodes, W. M.,	Wells,
Curry,	Leary,	Rich,	Whitaker,
Davis, W.,	Lewis,	Ringler,	Williams, G. W.
Dawson,	Lohr,	Rininger,	Williams, J. P.,
Dean,	Luppert,	Robertson,	Wobensmith,
Dell,	Marvin,	Ross,	Wood,
Dewey,	McArdle,	Rothenberger,	Woodward,
Dithrich,	McCaig,	Ruddy,	Wylie,
Donneley,	McCullough,	Rudisill,	Wynne,
Drake,	McCurdy,	Sampsel,	Zanders,
Drinkhouse,			Baldwin,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1216 (Senate Bill No. 470), entitled

An Act to provide transportation to and from Vicksburg, Mississippi, for all surviving soldiers of those organizations which participated in the Siege of Vicksburg, Mississippi, in June and July, one thousand eight hundred and sixty-three, to enable them to unite in participation of a National Memorial Reunion and Peace Jubilee to be held in the National domain within the Vicksburg National Military Park, October sixteenth, seventeenth, eighteenth and nineteenth, one thousand nine hundred and seventeen, and making an appropriation for said transportation and providing for the expenses of the commission appointed under the provisions of this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Aron,	Ehrhardt,	McKay,	Siggins,
Arthur,	Fackler,	McNichol,	Simpson,
Baker,	Franklin,	McPeake,	Sinclair,
Baldi,	Fretz,	McVicar,	Smith, E. R.,
Baldridge,	Gans,	Mehring,	Smith, J. W.,
Barner,	Geary,	Michel,	Smith, O. W.,
Bechtold,	Glass,	Miller, A. D.,	Snyder,
Bell,	Golder,	Miller, G. J. A.,	Sones,
Benchoff,	Goodnough,	Milner,	Speicher,
Bennett,	Goodwin,	Mitchell,	Sprowls,
Benninger,	Graeff,	Morgan, T. J.,	Steedle,
Beyer,	Graham,	Murdoch,	Sterling,
Bidelspacher,	Gransback,	Neary,	Stern,
Black,	Haight,	Ogden,	Stites,
Bouton, V. B.,	Haldeman,	Palmer,	Strauss,
Brady,	Hecht,	Patterson,	Sullivan
Burnett,	Hess,	Perry,	Swartz,
Campbell, J. O.,	Heyburn,	Pickering,	Taylor,
Campbell, T.,	Hibshman,	Powell,	Thomas,
Canon,	Hollern,	Ramsey,	Ulsh,
Chestnut,	Hollingsworth,	Reichenbacher,	Urich,
Clements,	Horton,	Reitzel,	Vogdes,
Conner,	Howarth,	Reynolds,	Wagner,
Cook,	Isherwood,	Rhoads, H. L.,	Wallace,
Corbin,	Jack,	Rich,	Walter,
Cox,	Jones,	Richards.	West,
Crosby,	Kennedy,	Ringler,	Whitaker.
Cummins,	Laucks,	Rininger,	Wickman,
Curry,	Lauler,	Rinn,	Williams, G. W.
Davis, W.,	Leary,	Ross,	Williams, J. P.,
Dawson,	Lewis,	Rothenberger,	Wobensmith,
Dean,	Lohr,	Ruddy,	Woodward,
Dell,	Luppert,	Rudisill,	Wylie,
Dithrich,	Mangan,	Sarig,	Wynne,
Donneley,	Marvin,	Schaeffer, A. C.,	Zanders,
Drake,	McArdle,	Shaffer, C. A.,	Baldwin,
Drinkhouse,	McCullough,	Shattuck,	Speaker.
Dunn,	McCurdy,	Shunk,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1207 (Senate Bill No. 515), entitled

An act making a deficiency appropriation to the trustees of the Pennsylvania State Lunatic Hospital for the Southern District of Pennsylvania at Harrisburg

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Albee,	Fackler,	McVicar,	Shunk,
Aron,	Fitzgibbon,	Mearkle,	Siggins,
Arthur,	Flynn,	Mehring,	Simpson,
Baker,	Franklin,	Mervine,	Sinclair,
Baldi,	Gans,	Michel,	Smith, E. R.,
Baldridge,	Glass,	Miller, Allan,	Smith, F. I.,
Bechtold,	Goodnough,	Miller, G. J. A.,	Smith, J. W.,
Bell,	Goodwin,	Milliron,	Smith, O. W.,
Benchoff,	Graeff,	Milner,	Snowden,
Benninger,	Graham,	Mitchell,	Snyder,
Beyer,	Haight,	Morgan, T.,	Somerman,
Bidelspacher,	Haldeman,	Murdoch,	Spangler,
Black,	Hecht,	Musser,	Sprowls,
Bouton, V. B.,	Heffernan,	Neary,	Steedle,
Bovee,	Helt,	Ogden,	Sterling,
Boyd,	Hess,	Palmer,	Stern,
Brady,	Heyburn,	Patterson,	Stites,
Campbell, T.,	Hibshman,	Perry,	Strauss,
Canon,	Hoffman,	Phillips,	Sullivan,
Chestnut,	Hollern,	Pickering,	Swartz,
Christman,	Horton,	Ramsey,	Sweitzer,
Clements,	Howarth,	Reichenbacher,	Taylor,
Coldsmith,	Isherwood,	Reynolds,	Ulsh,
Cook,	Jack,	Rhoads, H. L.,	Urich,
Corbin,	Jennings,	Rhodes, W. M.,	Vickerman,
Cox,	Jones,	Rich,	Wagner,
Crosby,	Kennedy,	Ringler,	Walker,
Cummins,	Lafferty,	Rininger,	Walter,
Curry,	Laucks,	Rinn,	Wells,
Davis, W.,	Lauler,	Robertson,	Whitaker
Dawson,	Leary,	Rogers,	Wickman,
Dean,	Lohr,	Ross,	Williams, G. W
Dell,	Luppert,	Rothenberger,	Williams, J. P.,
Dewey,	Maurer,	Sampsel,	Wobensmith,
Dithrich,	McArdle,	Sarig,	Wood,
Donneley,	McCaig,	Schaeffer, A. C.,	Woodward,
Drinkhouse,	McCullough,	Scott,	Wylie,
Dunn,	McCurdy,	Shaffer, C. A.,	Wynne,
Ehrhardt,	McKay,	Shattuck,	Zanders,
Erdman,	McNichol,	Showalter,	Baldwin,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1298 (Senate Bill No. 382), entitled

An act making an appropriation to John W. Eckenrode of Penn Township Cumberland County for loss sustained by an injury to his minor son James Robert Eckenrode while lawfully driving along a Sate Highway in Penn Township Cumberland County

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Aron,	Fackler,	McCaig,	Shaffer, C. A.,
Arthur,	Fitzgibbon,	McCurdy,	Showalter,
Baker,	Franklin,	McKay,	Shunk,
Baldi,	Fretz,	McKinney,	Siggins,
Baldridge,	Gans,	McNichol,	Sinclair,
Barner,	Geary,	McPeake,	Smith, E. R.,
Bechtold,	Glass,	McVicar,	Smith, F. I.,
Bell,	Golder,	Mehring,	Smith, J. W.,
Benchoff,	Goodnough,	Mervine,	Smith, O. W.,
Bennett,	Goodwin,	Miller, A. D.,	Sones,
Benninger,	Gormley,	Miller, C. G.,	Speicher,
Beyer,	Graeff,	Miller, G. J. A.,	Sprowls,
Bidelspacher,	Graham,	Milner,	Steedle,
Black,	Gransback,	Mitchell,	Sterling,
Bouton, V. B.,	Haight,	Morgan, T. J.,	Stern,
Boyd,	Haldeman,	Murdoch,	Stites,
Brady,	Hecht,	Musser,	Stoffiet,
Campbell, J. O.,	Helt,	Neary,	Strauss,
Campbell, T.,	Hess,	Ogden,	Swartz,
Canon,	Heyburn,	Palmer,	Taylor,
Chestnut,	Hibshman,	Patterson,	Thomas,
Christman,	Hoffman,	Perry,	Ulsh,
Clements,	Hollern,	Phillips,	Urich,
Conner,	Hollingsworth,	Pickering,	Vogdes,
Corbin,	Horton,	Powell,	Walker,
Cox,	Howarth,	Ramsey,	Wallace,
Crosby,	Isherwood,	Reichenbacker,	Walter,
Cummins,	Jack,	Reitzel,	Wells,
Curry,	Jones,	Rhoads, H. L.,	West,
Davis, W.,	Lafferty,	Rhodes, W. M.,	Whitaker,
Dawson,	Laucks,	Rich,	Wickman,
Dean,	Lauler,	Ringler,	Williams, G. W.
	Leary,	Rininger,	Williams, J. P.,

Dell,	Lewis,	Robertson,	Wood,
Dewey,	Lohr,	Rogers,	Woodward,
Donneley,	Luppert,	Rothenberger,	Wylie,
Drinkhouse,	Mangan,	Ruddy,	Wynne,
Dunn,	Marvin,	Rudisill,	Zanders.
Ehrhardt,	McArdle,	Sarig,	Baldwin,
Erdman,		Scott,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Offered, That the Clerk return the same to the Senate with information that the House has passed it with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1223 (Senate No. 381) entitled

An act making an appropriation to cover deficiency to the trustees of the State Hospital at Nanticoke Luzerne County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Albee,	Flynn,	McKinney,	Siggins,
Aron,	Franklin,	McNichol,	Simpson,
Arthur,	Fretz,	McVicar,	Sinclair,
Baker,	Gans,	Mearkle,	Smith, E. R.,
Baldi,	Geary,	Mehring,	Smith, F. I.,
Baldridge,	Glass,	Mervine,	Smith, J. W.,
Bechtold,	Golder,	Michel,	Smith, O. W.,
Bell,	Goodwin,	Miller, A. D.,	Snowden,
Benchoff,	Gormley,	Miller, C. G.,	Snyder,
Benninger,	Graeff,	Miller, G. J. A.,	Sones,
Beyer,	Graham,	Milliron,	Speicher,
Bidelspacher,	Haight,	Milner,	Sprowls,
Black,	Haldeman,	Morgan, T.,	Sterling,
Bouton, V. B.,	Hecht,	Morgan, T. J.,	Stern,
Bovee,	Heffernan,	Musser,	Stites,
Boyd,	Hess,	Neary,	Stoffiet,
Brady,	Heyburn,	Ogden,	Sullivan,
Campbell, T.,	Hibshman,	Palmer,	Swartz,
Canon,	Hoffman,	Patterson,	Sweitzer,
Chestnut,	Hollern,	Perry,	Taylor,
Christman,	Horton,	Phillips,	Thomas,
Clements,	Howarth,	Powell,	Ulsh,
Coldsmith,	Isherwood,	Ramsey,	Urich,
Cook,	Jack,	Reichenbacker,	Vickerman,
Corbin,	Jennings,	Reitzel,	Wagner,
Cox,	Jones,	Reynolds,	Walker,
Crosby,	Kennedy,	Rhodes, W. M.,	Wallace,
Curry,	Lafferty,	Rich,	Walter,
Davis, W.,	Laucks,	Ringler,	Wells,
Dawson,	Lauler,	Rininger,	West,
Dean,	Leary,	Rinn,	Wickman,
Dell,	Lewis,	Robertson,	Williams, G. W.
Dewey,	Lohr,	Rogers,	Williams, J. P.,
Dithrich,	Luppert,	Ross,	Wobensmith,
Drake,	Marvin,	Rudisill,	Wood,
Drinkhouse,	Maurer,	Sampsel,	Woodward,
Dunn,	McCaig,	Sarig,	Wylie,
Eby,	McCullough,	Shaffer, C. A.,	Wynne,
Ehrhardt,	McCurdy,	Shattuck,	Baldwin,
Erdman,	McKay,	Shunk,	Speaker.
Fackler,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with informatin that the House has passed it with amend ments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1258 (Senate No. 258) entitled

An act making an appropriation to the Athens Furniture Company of Athens Pennsylvania for moneys erroneously paid into the State Treasury

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Aron,	Fackler,	McCurdy,	Scott,
Arthur,	Fitzgibbon,	McKay,	Shattuck,
Baker,	Fowler,	McKinney,	Showalter,
Baldi,	Franklin,	McNichol,	Siggins,
Baldridge,	Gans,	McVicar,	Simpson,
Barner,	Geary,	Mehring,	Sinclair,
Bechtold,	Glass,	Michel,	Smith, F. I.,
Bell,	Golder,	Miller, Allan,	Smith, J. W.,
Benchoff,	Goodnough,	Miller, G. J. A.,	Smith, L.,
Benninger,	Goodwin,	Milliron,	Smith, O. W.,
Beyer,	Graeff,	Mitchell,	Snyder,
Bidelspacher,	Graham,	Morgan, T. J.,	Sones,
Black,	Gransback,	Murdoch,	Spangler,
Bouton, V. B.	Haight,	Neary,	Speicher,
Boyd,	Haldeman,	Ogden,	Stadtlander.
Brady,	Hecht,	Palmer,	Sterling,
Campbell, J. O.,	Helt,	Patterson,	Stern,
Campbell, T.,	Hess,	Perry,	Stites,
Canon,	Heyburn,	Phillips,	Strauss,
Chestnut,	Hibshman,	Pickering,	Swartz,
Christman,	Hoffman,	Powell,	Sweitzer,
Clements,	Hollern,	Ramsey,	Thomas,
Coldsmith,	Hollingsworth,	Reichenbacker,	Ulsh,
Cook,	Horton,	Reitzel,	Urich,
Corbin,	Howarth,	Reynolds,	Wagner,
Cox,	Isherwood,	Rhoads, H. L.,	Walker,
Crosby,	Jack,	Rhodes, W. M.,	Wallace,
Cummins,	Jennings,	Rich,	Walter,
Curry,	Jones,	Richards,	Wells,
Davis, W.,	Lafferty,	Ringler,	West,
Dawson,	Laucks,	Rininger,	Whitaker,
Dean,	Lauler,	Rinn,	Williams, G. W.
Dell,	Leary,	Robertson,	Williams, J. P.,
Dewey,	Lewis,	Rogers,	Wobensmith,
Dithrich,	Luppert,	Rothenberger,	Woodward,
Donneley,	Mangan,	Ruddy,	Wylie,
Drinkhouse,	Marvin,	Rudisill,	Wynne,
Dunn,	McArdle,	Sampsel,	Zanders,
Eby,	McCaig,	Sarig,	Baldwin.
Ehrhardt,	McCullough,	Schaeffer, A. C.,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amend ments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1369 (Senate Bill No. 243), entitled

An Act to repeal an act approved the twenty-fourth day of July one thousand nine hundred and thirteen entitled "An Act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record providing for non-partisan nominations and elections for said offices abolishing certain existing methods of nomination in such cases and the use of party or political names or appelations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses" in so far as it relates to nominations and elections for election officers in cities of the second class

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. DAWSON. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. PHILLIPS. Mr. Speaker, I socond the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1096 (Senate Bill No. 286), entitled

An Act to amend an act entitled "An Act to provide for retirement of State employes, permanently disqualified by reason of physical or mental disability to perform their official functions and duties, with half pay, under certain conditions, during the remainder of their lives, except State employes whose retirement has been or shall be otherwise provided for, and the filling of vacancies caused by such retirement," approved the 14th day of June, A. D.

1915, so as to extend the operation thereof to all employes in penitentiaries and other institutions operated by the Commonwealth as well as those more directly in the service thereof.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. WALTER. Mr. Speaker, I would be very much obliged if any member of the House can state the annual requirements that will be placed upon the State by reason of the passage of this bill.

BILL POSTPONED.

Mr. McNICHOL. Mr. Speaker, I move that this bill be postponed for the present.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 988 entitled

An Act providing that whenever the charter of any borough is annulled the territory embraced within the borough whose charter is annulled shall become a township of the same name and subject to the laws governing townships in this Commonwealth

On the question,
Will the House agree to the bill on third reading?

Mr. DAWSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Cuerk then read the amendments as follows:

Amend title, line 4, by striking out the words "of the same name and" and inserting in lieu there of the words: "and be."

Amend title by adding at the end thereof the following: "and authorizing the court to designate the name of such township."

Amend Section 1, lines 7 and 8, by striking out the words "of the same name as the borough whose charter was annulled."

Amend Section 1, line 9, by adding at the end thereof the following: "and the court in its decree annulling such charter shall designate the name of such township."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, That the bill as amended lie over for printing.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1029, as follows:

An Act for the appointment of a commission by the Governor of this Commonwealth for the purpose of amending revising and collating the laws touching upon and relating to dependent defective delinquent neglected incorrigible and illegitimate children of this State and for the further purpose of suggesting new legislation for the care and welfare of such children and making an appropriation to meet the expenses of the said commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of this Commonwealth be and is hereby authorized and required to appoint seven (7) competent citizens of whom the Secretary of the State Board of Public Charities and the Secretary of the State Board of Education shall be two (2) as commissioners to revise collate and digest all the acts and statutes relating to or touching on dependent defective delinquent neglected incorrigible and illegitimate children of the Commonwealth

Section 2 That the duties of said commissioners shall be to collate and reduce into one act all the acts and statutes and parts of acts and statutes relating to or touching on dependent defective delinquent neglected incorrigible and illegitimate children of this Commonwealth and arrange the same systematically under proper titles divisions and sections To omit in such provisions all acts and parts of acts that have been repealed or supplied by subsequent acts or which have expired and to prepare and submit such bills to the legislature as they shall deem necessary to make the laws and methods of this Commonwealth relating to dependent defective delinquent neglected incorrigible and illegitimate children more comprehensive more efficient and better adapted to the needs of such children and the welfare of the State

Section 3 That said commissioners shall report the result of their labor to the legislature that shall convene in one thousand nine hundred and nineteen on or before the first of February of said year

Section 4 That said Commissioners shall meet and organize within thirty (30) days of their appointment and elect a president and secretary and as promptly as possible proceed to perform their duties

Section 5 That for the purpose of said commission the sum of five thousand ($5,000) dollars or so much thereof as may be necessary is hereby appropriated

And said bill having been read at length the third time, considered and agreed to,

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Aron,	Fitzgibbon,	McKay,	Siggins,
Arthur,	Franklin,	McNichol,	Sinclair,
Baker,	Fretz,	McPeake,	Smith, E. R.,
Baldi,	Gans,	McVicar,	Smith, F. I.,
Baldridge,	Geary,	Mehring,	Smith, J. W.,
Barner,	Glass,	Mervine,	Smith, O. W.,
Bechtold,	Golder,	Miller, Allan,	Snyder,
Bell,	Goodnough,	Miller, G. J. A.,	Sones,
Benchoff,	Goodwin,	Milner,	Speicher,
Benninger,	Graeff,	Mitchell,	Sprowls,
Beyer,	Graham,	Morgan, T. J.,	Stadtlander,
Bidelspacher,	Gransback,	Murdoch,	Steedle,
Black,	Haight,	Neary,	Sterling,
Bouton, V. B.,	Haldeman,	Ogden,	Stern,
Brady,	Hecht,	Palmer,	Stites,
Campbell, J. O.,	Hess,	Perry,	Stofflet,
Campbell, T.,	Heyburn,	Phillips,	Strauss,
Canon,	Hibshman,	Pickering,	Swartz,
Chestnut,	Hoffman,	Powell,	Taylor,
Clements,	Hollingsworth,	Ramsey,	Thomas,
Coldsmith,	Horton,	Reichenbacher,	Ulsh,
Corbin,	Howarth,	Reynolds,	Vickerman,
Cox,	Isherwood,	Rhoads, H. L.,	Wagner,
Crosby,	Jack,	Rich,	Walker,
Cummins,	Jones,	Ringler,	Wallace,
Curry,	Kennedy,	Rininger,	Walter,
Davis, W.,	Laucks,	Rinn,	Wells,
Dawson,	Lauler,	Robertson,	West,
Dean,	Leary,	Ross,	Wickman,
Dell,	Lewis,	Rothenberger,	Williams, G. W.
Dithrich,	Lohr,	Rudisill,	Williams, J. P.,
Donneley,	Luppert,	Sarig,	Wood,
Drake,	Mangan,	Schaeffer, A. C.,	Wylie,
Drinkhouse,	Marvin,	Scott,	Wynne,
Dunn,	McArdle,	Shaffer, C. A.,	Zanders,
Ehrhardt,	McCaig,	Shattuck,	Baldwin,
Fackler,	McCurdy,	Shunk,	Speaker.

NAYS—1.

McKinney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.
The house proceeded to the third reading and consideration of House Bill No. 142, as follows:

An Act providing for the examination licensure and registration of persons copartnerships associations or corporations engaging in the business or work of electrical construction and any maintenance alterations or repairing in connection therewith in any buildings or structures in cities of the second and third classes of this Commonwealth and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of this act the definition of certain terms herein contained shall be as follows

The words "master electrician" shall mean a person copartnership association of corporation having a regular place of business who by the employment of journeymen performs the work of installing wires conduits apparatus fixtures and other devices for carrying or using electricity for light heat or power purposes

The words "journeyman electrician" shall mean a person who has worked four (4) years as an apprentice and personally does any work of installing wires conduits apparatus fixtures and other devices

The word "person" includes all individuals co-partnerships associations and corporations

Section 2 Sixty days after the passage of this act except as otherwise provided in section five of this act it shall be unlawful for any master electrician or journeyman to carry on or work at the business of electrical construction or any maintenance alterations or repairing in connection therewith in any buildings or structures in cities of the second and third class of this Commonwealth until a license to engage in or work at said business shall have been granted to such person by the director or head of the Department of Public Safety or the chief of the department or bureau in charge of electrical matters of said cities nor until he has registered as such in the office of the department or bureau in charge of electrical matters of said city

Section 3 Every master electrician and journeyman engaged or engaging in the business or work of electrical construction or any maintenance alterations or repairing in connection therewith in said cities shall apply in writing to the director or head of the Department of Public Safety or the chief of the department or bureau in charge of electrical matters for a certificate or license If after proper examination made by the board of examiners of said cities as hereinafter provided such person shall be found competent the same shall be so certified to the director or head of the Department of Public Safety or the chief of the department or bureau in charge of electrical matters who shall thereupon issue a license to such person which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle such person to engage in or work at the business of electrical construction and any maintenance alterations or repairing in connection therewith

An examination of any one member of officer or superintendent out of a copartnership association or corporation shall be sufficient

Each master electrician shall pay for each examination the sum of five dollars ($5.00) and each journeyman engaged at the work shall pay the sum of one dollar ($1.00) for each examination which sums shall be paid into the city treasury for the use of said cities

Section 4 The mayor of each of said cities shall appoint a board of examiners to consist of the chief city electrical inspector and one inspector from the National Board of Fire Underwriters and two competent electricians of at least nine (9) years practical experience in building construction wiring and not connected with the city government who shall examine all applicants for license under the provisions of this act

The said board shall adopt reasonable rules and regulations for examinations which shall be approved by the director or head of the Department of Public Safety or the chief of the department or bureau in charge of electrical matters Each member of the board of examiners shall receive the sum of six dollars ($6.00) per day for each day or part thereof actually employed

Section 5 Any master electrician or journeyman who within one year from the date of the passage of this act presents proof satisfactory to the board of examiners of having worked at or been engaged in the business of electrical construction or any maintenance alterations or repairing in connection therewith for a period of five (5) years prior to the passage of this act shall be considered competent without examination and shall receive the first license provided for and issued under this act

Section 6 Every registered master electrician shall give immediate notice of any change in his place of business and upon his retirement from business shall surrender his certificate of registry to the department or bureau which issued the same Every master electrician in registering shall give the full name of the person or the names of the officers or members of the corporation copartnership or association for which he shall register

Section 7 At the expiration of each calendar year the said license shall be null and void A licensed master electrician or journeyman desiring to continue in or work at the business of electrical construction and any maintenence alterations or repairing in connection therewith for the ensuing year shall between the first and thirty-first days of December of each and every year surrender his license for the current year to the department or bureau which issued same and re-register his name and business or home address upon such form as may from time to time be furnished by the said department or bureau

No re-examination for renewal or re-registration shall be necessary unless the licensed master electrician or journeyman shall have failed to make application for re-registration at the specified time The sum of two dollars ($2.00) shall be paid by master electricians and the sum of fifty cents ($.50) shall be paid by journeyman electricians for renewal and re-registration which sums shall be paid into the city treasury for the use of said cities A register of all such applications and of the licenses issued renewed or cancelled shall be kept in said department or bureau which registers shall be open to inspection by all persons interested therein

Section 8 Any person holding a license granted by any second or third class city of this Commonwealth to engage in or work at the business of electrical construction or any maintenance alterations or repairing in connection therewith or any master electrician actually engaged in or working at such business in any part of this Commonwealth other than such second or third class city who has complied with the laws and regulations in force relating to his business at the place where he is located desiring to do or work at electrical construction maintenance alterations or repairing in any such second or third class city of the Commonwealth shall without examination be registered before entering upon such work In the case of a master electrician such registration shall be restricted and limited to such electrical construction maintenance alteration or repairing work as he shall have contracted for at the time of registry and on the completion of such contract or contracts this registration of such person shall be null and void and no further permit shall be issued to such person to do any work in any such second or third class city until he shall have again registered his name and address as hereinbefore provided

Section 9 Every registered master electrician shall have a bona fide place of business in such cities except such master electricians as are temporarily registered under the provisions of section eight and shall display on the front of his place of business a sign with the words "Registered Electrician" and bearing the name or names of the person in letters not less than three inches high No person other than a registered master electrician shall carry on or engage in such business or be granted a wiring permit nor shall any person expose the sign of electrical construction maintenance alterations or repairing or any advertisement pertaining thereto unless he shall have first secured a license and been registered in the office of the department or bureau having charge of electrical matters of said cities No person other than a registered master electrician and person in his or their employ or under his or their supervision shall be allowed to alter repair or make any connection with and installation plant or service wiring or any wiring connected therewith

Section 10 From and after the passage of this act the construction maintenance alteration or repair of all electrical wires conduits apparatus fixtures and other devices in all buildings or structures in cities of the second and third classes shall be conducted only under and in accordance with the foregoing regulations and requirements the rules of the National Board of Fire Underwriters and such other rules and requirements as have been or may be adopted by ordinance of councils and not in conflict with the provisions of this act

Section 11 This act shall not prevent electricians employed by theatrical companies from installing such temporary wiring and appliances as may be required for the purpose of the engagement of any such company subject to the supervision of some person licensed under the provisions of this act nor prevent licensed journeyman electricians regularly employed by industrial partnerships corporations or associations from installing such electrical wiring conduits apparatus fixtures and other devices or make such repairs as may be required only on the premises and property of such partnerships corporations or associations

This act shall not apply to master electricians of journeymen installing maintaining altering or repairing elevators nor shall anything in this act apply to corporations supplying light heat and power by means of electricity or to their employes provided that in all cases of electrical construction or maintenance alteration or repairing in connection therewith and within the perview of this act done by such corporations or their employes the inspectors thereon on behalf of such corporation shall be licensed under section three of this act

Nothing in this act shall be construed as forbidding the employment of a learner or apprentice working with and under the direct personal supervision of a journeyman electrician duly certified as provided in this act

Section 12 Any person who shall fail to comply with any of the provisions of this act or who shall fail to procure a license to engage in or work at the business of electrical construction and any maintenance alterations or repairing in connection therewith shall be liable to a fine of not less than ten dollars ($10.00) and not more than fifty dollars ($50.00) for each and every day he shall engage in or work at the said business

All fines and penalties imposed by this act shall be recoverable by summary proceedings before any alderman police magistrate or justice of the peace in said cities and all suits or actions at law instituted for the recovery thereof shall be in the name and for the use of the city within or against which the offense is committed and upon recovery thereof all such fines and penalties shall be paid to the city treasurer thereof In default of the payment of any fine or penalty imposed by any alderman police magistrate or justice of the peace the person or persons so offending shall be committed to the jail workhouse or other penal institution of the county in which said city is situated for a period not exceeding thirty days

Section 13 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. McCAIG. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. STERN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 312, entitled

An Act to amend sections one, two, three, four, five, six and seven, of Article VII, of an act approved the second day of June, one thousand eight hundred and ninety-one, entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by providing for motor ambulances and requiring them to be furnished, free of charge, with registration certificates and number tags.

And said will having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Aron,	Fretz,	Mehring,	Showalter,
Arthur,	Glass,	Mervine,	Shunk,
Baldi,	Golder,	Miller, A. D.,	Siggins,
Baldridge,	Goodwin,	Miller, C. G.,	Smith, J. W.,
Bechtold,	Graeff,	Miller, G. J. A.,	Smith, O. W.,
Bell,	Graham,	Milner,	Snowden,
Benninger,	Gransback,	Mitchell,	Sones,
Beyer,	Haight,	Morgan, T. J.,	Speicher,
Bidelspacher,	Haldeman,	Murdoch,	Sprowls,
Black,	Heffernan,	Musser,	Sterling,
Bouton, V. B.	Hess,	Neary,	Stites,
Brady,	Hoffman,	Palmer,	Stofflet,
Campbell, T.,	Hollingsworth,	Patterson,	Strauss,
Canon,	Horton,	Phillips,	Swartz,
Chestnut,	Howarth,	Pickering,	Taylor,
Clements,	Jack,	Powell,	Ulsh,
Coldsmith,	Jennings,	Ramsey,	Urich,
Corbin,	Jones,	Reichenbacker,	Vogdes,
Cox,	Kennedy,	Reitzel,	Wagner,
Crosby,	Lafferty,	Reynolds,	Walker,
Cummins,	Laucks,	Rhodes, W. M.,	Wallace,
Curry,	Lauler,	Rich,	Walter,
Davis, W.,	Leary,	Ringler,	Wells,
Dawson,	Lohr,	Rininger,	West,
Dell,	Luppert,	Robertson,	Whitaker,
Dewey,	Mervine,	Rogers,	Wickman,
Donneley,	McArdle,	Rothenberger.	Williams, G. W.
Drinkhouse,	McCaig,	Ruddy,	Williams, J. P.,
Dunn,	McCurdy,	Rudisill,	Wobensmith,
Ehrhardt,	McKay,	Sampsel,	Wood,
Fackler,	McKinney,	Sarig,	Wylie,
Fowler,	McNichol,	Schaeffer, A. C.,	Wynne,
Franklin,	McVicar,	Shattuck,	Zanders,

NAYS—3.

Hibshman,	Simpson,	Sinclair,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreably to order,

The House proceeded to the third reading and consideration of House Bill No. 1688, as follows:

An Act to provide that when a vacancy occurs in the head or chief of any department of the State government and the duties of the head or chief devolve upon and are discharged by the deputy chief clerk or other person next in authority for one month or more the salary of such deputy chief clerk or other person next in authority for one month or more the salary of such deputy chief clerk or other person next in authority so serving shall be equalized with the salary of the head or chief of the department while he so serves and making this act applicable to all deputies chief clerks or other persons next in authority who have filled vacancies as herein prescribed in the year one thousand nine hundred and seventeen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when a vacancy occurs by death or otherwise in the head or chief of any of the departments of the State government and the duties thereof devolve upon and are discharged by the deputy chief clerk or person next in authority for a period of one month or more such deputy chief clerk or other person next in authority shall be paid an amount over and above his regular salary that shall equalize it with the salary provided by law to be paid to the head or chief of such department for and during the time he has performed the duties of head or chief of such department.

Section 2 That the provisions of the first section of this act shall apply to and in behalf of all deputies chief clerks or other persons next in authority who are performing or who have performed the duties of the heads or chiefs of any department of the State government within the year one thousand nine hundred and seventeen for a period of one month or more the heads or chief places in such departments being vacant from any cause whatsoever

Section 3 The payments of additional salaries herein provided for shall be made by the State Treasurer upon warrants drawn by the Auditor General

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Aron,	Franklin,	McNichol,	Showalter,
Arthur,	Gans,	McPeake,	Shunk,
Baker,	Geary,	McVicar,	Siggins,
Baldi,	Glass,	Mehring,	Simpson,
Baldridge,	Golder,	Mervine,	Smith, E. R.,
Bechtold,	Goodnough,	Miller, A. D.,	Smith, J. W.,
Bell,	Graeff,	Miller, C. G.,	Smith, O. W.,
Benchoff,	Graham,	Miller, G. J. A.,	Somerman,
Benninger,	Gransback,	Milner,	Sones,
Beyer,	Haight,	Mitchell,	Speicher,
Bidelspacher,	Haldeman,	Morgan, T. J.,	Stadtlander,
Black,	Hecht,	Murdoch,	Steedle,
Bouton, V. B.,	Helt,	Musser,	Sterling,
Brady,	Heyburn,	Ogden,	Stern,
Campbell, J. O.,	Hibshman,	Palmer,	Stites,
Campbell, T.,	Hoffman,	Patterson,	Stofflet,
Chestnut,	Hollingsworth,	Perry,	Strauss,
Christman,	Horton,	Powell,	Swartz,
Clements,	Howarth,	Ramsey,	Taylor,
Coldsmith,	Isherwood,	Reichenbacher,	Thomas,
Corbin,	Jack,	Reynolds,	Ulsh,
Cox,	Jones,	Rhoads, H. L.,	Vogdes,
Crosby,	Lafferty,	Rhodes, W. M.,	Wagner,
Cummins,	Laucks,	Rich,	Wallace,
Curry,	Lauler,	Ringler,	Walter,
Davis, W.,	Leary,	Rininger,	Wells,
Dawson,	Lewis,	Robertson,	Whitaker,
Dewey,	Lohr,	Ross,	Wickman,
Dithrich,	Luppert,	Rothenberger,	Williams, G. W.
Donneley,	Marvin,	Rudisill,	Williams, J. P.,
Drinkhouse,	McArdle,	Sampsel,	Wobensmith,
Dunn,	McCaig,	Sarig,	Wood,
Ehrhardt,	McCurdy,	Schaeffer, A. C.,	Woodward,
Fitzgibbon,	McKay,	Shaffer, C. A.,	Wynne,
Flynn,	McKinney,	Shattuck,	Zanders,

NAYS—1.

Milliron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SENATE BILL NO. 243 MADE A SPECIAL ORDER.

Mr. ROSS, asked and obtained unanimous consent to offer the following motion which was twice read, considered and agreed to.

Moved by Mr. Ross, seconded by Mr. Dawson, that Senate Bill No. 243 (House Bill No. 1369), File Folio 1355, entitled

An Act to repeal an act approved the twenty-fourth day of July one thousand nine hundred and thirteen entitled "An act to regulate nominations and elections for all elective offices of cities of the second class and all offices of judge of a court of record providing for non-partisan nominations and elections for said office abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses" in so far as it relates to nominations and elections for election offices in cities of the second class

be made a special order on Monday, May 21, at 10.00 P. M.

The motion was agreed to.

Mr. PHILLIPS. Mr. Speaker, I move that when the House adjourns to-night it be to meet to-morrow morning at 9.30 A. M.

Mr. RICKENBACKER. Mr. Speaker, I second the motion.

SPEAKER BALDWIN IN THE CHAIR.

The SPEAKER. The motion is not in order at this time, unless the gentleman desires to amend it to adjourn now.

Mr. PHILLIPS. I will amend the motion to that effect, and move that the House do now adjourn to meet tomorrow morning at 9.30 A. M.

On the question,

Will the House agree to the motion?

The Speaker declared the nays appeared to have it.

Whereupon a division was called for and less than a majority of all the members voting, the Chair ordered a roll call which was then taken, and was as follows:

Albee,	Dunn,	McKinney,	Showalter,
Baker,	Eby,	McNichol,	Shunk,
Baldridge,	Ehrhardt,	McVicar,	Siggins,
Barner,	Fowler,	Mehring,	Simpson,
Bechtold,	Franklin,	Mervine,	Smith, E. R.,
Bell,	Glass,	Miller, Allan,	Smith, F. I.,
Benchoff,	Golder,	Miller, C. G.,	Sones,
Benninger,	Goodnough,	Miller, G. J. A.,	Speicher,
Beyer,	Graeff,	Milliron,	Stern,
Bidelspacher,	Graham,	Milner,	Strauss,
Black,	Haight,	Musser,	Swartz,
Bouton, V. B.,	Hecht,	Ogden,	Taylor,
Bovee,	Hibshman,	Palmer,	Vickerman,
Brady,	Isherwood,	Phillips,	Walker,
Campbell, J. O.,	Jack,	Pickering,	Wallace,
Chestnut,	Jones,	Ramsey,	Walter,
Christman,	Kennedy,	Reichenbacher,	Wells,
Coldsmith,	Lauler,	Rhoads, H. L.,	West,
Cook,	Leary,	Rich,	Whitaker,
Corbin,	Lewis,	Ringler,	Wickman,
Cox,	Lohr,	Ross,	Williams, G. W.
Crosby,	Luppert,	Rothenberger,	Williams, J. P.,
Dawson,	Marvin,	Ruddy,	Wobensmith,
Dean,	Maurer,	Rudisill,	Wood,
Dell,	McCaig,	Sampsel,	Wylie,
Dithrich,	McCullough,	Sarig,	Zanders,
Donneley,	McCurdy,	Shaffer, C. A.,	Baldwin,
Drake,	McKay,	Shattuck,	Speaker.

The SPEAKER. The roll indicates that there are one hundred and eleven gentlemen present. This being a quorum of the House, the question recurs on the motion made by the gentleman from Clearfield.

On the question, recurring,

Will the House agree to the motion?

It was agreed to.

The SPEAKER. The Chair before declaring an adjournment desires to call the attention of the House to the fact that this prevents consideration of the bills on first reading which should have been done before the House adjourned. It will detain those bills one week probably.

ADJOURNMENT.

Whereupon, the House (at 6.00 o'clock P. M.) adjourned until tomorrow morning at 9.30 o'clock.

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